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CIVIL-MILITARY RELATIONS IN POST-COMMUNIST COUNTRIES

by

Todor Stoyanov Hitrov

March 2004

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In evaluating development of the democratization of civil-military relations the post-communist countries of Hungary and Bulgaria are studied in detail with particular attention to the process of establishment, development, and interrelation of institutional arrangements. In this aspect historical legacy, international context and path of transition can help or obstruct the process of development of institutions for democratic control of armed forces.

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CIVIL-MILITARY RELATIONS IN POST-COMMUNIST COUNTRIES

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TABLE OF CONTENTS

LIST OF TABLES

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I. INTRODUCTION

Since 1989 countries of Central and Eastern Europe have undergone an unprecedented transition from communism to democracy. The end of the Cold War and dissolution of Warsaw Pact forced all post-communist countries to look for new security guarantees. As a solution, they unanimously declared a desire to join democratic Europe. They seek full-fledged integration within European and Euroatlantic institutions, such as the European Union and NATO. However, one of the preconditions for acceptance in the EU and NATO is establishment of strong democratic control of the armed forces. Simultaneously with the development of democratic institutions and the transition to market economy, democratization of civil-military relations has to take place. The transition to democracy of every post-communist country corresponds more or less with its capabilities or ambitions.

In the process of establishing democratic civil-military relations some countries are more advanced than others. Hungary and Bulgaria managed in different ways and different periods of time to achieve the consolidation of democratic control of the armed forces. Their successes resulted in their invitation to join NATO: Hungary in 1997 and Bulgaria in 2002.

The purpose of this thesis is to define those factors that influence democratization of civil-military relations in post-communist countries, which are a part of the process of transition to democracy. The Hungarian and Bulgarian experience in developing democratic civilian control of armed forces in the post-communist era can offer lessons to other post-communist countries, aspiring to develop closer relations with the Western democratic community. In particular, these lessons include the development of appropriate legal and institutional arrangements for exercising democratic civilian control, the importance of defining national security interests and problems, the need for appropriate defense planning.

The cases of Hungary and Bulgaria are suitable for comparison in terms of drawing conclusions for ways of establishing democratic control of the Armed forces in Central and Eastern European post-communist countries because:

- they started reforms at the same time – in the late 1980s;
- both are neighbors of the Former Republic of Yugoslavia, which was troubled by continuous wars during the last decade of the 20th century and that undoubtedly could effect the process of development of democratic civil-military relations in Hungary and Bulgaria;
- they had standing armed forces, which they had to reform simultaneously with the democratization of the civil-military relations, not like Baltic states or Slovenia, for example, which established armed forces and civil-military relations from scratch.

In general civil-military relations encompass the relations between armed forces and the society of which they are part. At the same time the democratic control of armed forces have to be understood as political control of the military by legitimate, democratically elected authorities of the state. Many scholars argue that one or another factor or condition is most important in developing the democratic civil-military relations. Huntington, for example, thinks that creating preconditions for maximizing military professionalism is of the first importance, while Desch claims that the existence of war or major external threat facilitates such control.[1]

In this thesis I will analyze the establishment of democratic control of armed forces as a function of several factors including historical legacies, international context, and especially institutional arrangements in the process of transition to democracy. I will analyze the process of their development and evolution. I will try also to establish how the path of transition to democracy influences the process of establishing democratic control of the armed forces.

The definition of the democratic control of the armed forces is necessary for proper evaluation of the achieved results in studied cases, therefore Chapter II considers theoretical aspects on that topic.

[1] Samuel P. Huntington, The Soldier and the State: The Theory and Politics of Civil Military Relations, (Cambridge, Massachusetts and London, England: The Belknap Press of Harvard University Press, 1957), 83-85. Michael C. Desch, Civilian Control of the Military: The Changing Security Environment, (Baltimore and London: The John Hopkins University Press, 1999).

Democratization of civil-military relations of post-communist countries from Central and Eastern Europe is not the end in itself for meeting requirements for full-fledged membership in the EU and NATO. The establishment of democratic control over armed forces is of great importance for the process of consolidation of democracy. Democratic control of armed forces is inseparable from the democratization of the country. Linz and Stepan's theory of transition to democracy presents a set of causal factors playing a role in this transformation.[2] Schmitter also considers democratization of civil-military relations as a precondition for consolidation of democracy.[3]

The importance of democratic control of the armed forces is indisputable. In order to assess prospects for its establishment it is important to evaluate the initial social, economic and political conditions in each country. In the cases of Bulgaria and Hungary the common communist past generated certain commonalities of civil-military relations, which are evaluated in Chapter II. The latter part of the chapter discusses factors that are used as independent variables, namely historical legacies, international context, path of transition and institutional arrangements.

In Chapters III and IV the Hungarian and Bulgarian cases are studied in detail. In evaluating development of the democratization of civil-military relations, particular attention is given to the process of establishment, development, and interrelation of institutional arrangements. The establishment and development of institutions is studied as a function of specific political environments.

In order to analyze deeply roots of the civil-military relations I study the manner of development and provisions of the strategic policy documents from which specific defense policies stem. My argument is that all countries develop democratic control of armed forces in different ways and with different time boundaries, until the end state is achieved. The democratization of civil-military relations depends on the capability of the country in transition to effectively establish (by which I mean to build and put into effect) institutions for democratic control of the military. In this aspect historical legacies can help or obstruct this process with the past patterns of civil-military relations. The

[2] Juan J. Linz and Alfred Stepan, Problems of Democratic Transition and Consolidation: Southern Europe, South America and Post-Communist Europe, (Baltimore and London: The John Hopkins University Press, 1996).

[3] Philippe C. Schmitter, "The Consolidation of Political Democracies: Processes, Rhythms, Sequences and Types", from Geoffrey Pridham (ed.) Transitions to Democracy, (Aldershot: Dartmouth University Press, 1995), 535-569.

international context can also play a significant role since in the contemporary environment all countries are in permanent interrelation, behaving according to certain established rules. The speed of the reforms definitely depends on the initial preconditions in every country, and hence the path of transition also is an important factor in development of democratic control of armed forces.

The approaches for establishing democratic control of armed forces in every postcommunist country are different. The results they achieve also vary. In conclusion Chapter V assesses the nature of the development of democratic control of armed forces in Hungary and Bulgaria. It evaluates the role of all factors in the democratization of civil-military relations and determines positive as well as negative sides of the Hungarian and Bulgarian experience. It also defines deficiencies in civil-military relations.

The methodology used for this thesis is a comparative analysis based on two case studies, which evaluates the establishment of democratic control of the armed forces in Hungary and Bulgaria, based on various phases of their history after 1989, and the use of scholarly and media sources including primary and secondary sources. Primary sources include news reports, official government publications, legal documents, and published interviews. Secondary sources include scholarly books and essays, publications and periodicals.

II. THE DEMOCRATIC CONTROL OF ARMED FORCES AND POST-COMMUNIST COUNTRIES

After the fall of the Berlin wall, the end of the Cold War and the breakup of the Soviet Union and Yugoslavia, the group of post-communist countries flowed into the Third wave of democratization.[4] The process of transition from communism to democracy of the countries from Central and Eastern Europe influenced every aspect of their social life. Simultaneously with the tremendous changes of the political and economic life, the changes of civil-military relations were carried out. One of the basic principles of democracy is the principle of civilian control of the military. In the way toward democratization all post-communist countries met the problem of transforming the model of civilian control from one-party control to democratic control of the armed forces. This task is discussed in every forum and book, which covers the process of transition to democracy. The importance of this change is described well by Alfred Stepan's words:

> Since the monopoly of the use of force is required for the modern democracy, failure to develop capacities to control the military represents an abdication of democratic power.[5]

Although influenced by the positive Western example, the post-communist countries met various difficulties in establishing democratic control of the armed forces. These difficulties vary from country to country and solution they look for is also different.

A. THE CONCEPT OF DEMOCRATIC CONTROL OF ARMED FORCES

1. Need for Democratic Control of the Armed Forces

From ancient times and especially since establishment of the nation-states, society has needed a peacetime standing army to protect the sovereignty of the state and the issue of the civil-military relations has been relevant. Since the purpose of the army is to fulfill

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4 Samuel Huntington, The Third Wave: Democratization in the late 20th Century, (Norman: University of Oklahoma Press, 1991).

5 Alfred Stepan, Rethinking Military Politics, (Princeton, NJ: Princeton University Press, 1988), xv.

one of the most important functions of the state, namely the "coercive function," the armed forces possess most of the means of violence. As far as these means are to be used in defending the territorial integrity of the state, it presumes that any kind of misuse of the armed forces has to be avoided. Therefore putting this institution under control is the main objective of every society. As Richard Kohn writes:

> All forms of government, from the purest democracies to the most savage autocracies, whether they maintain order and gain compliance by consent or by coercion, must find the means to assure the obedience of their military – both to the regime in power and to the overall system of government.[6]

In today's world globalization has changed the means of state security, but despite all – a war is still possible. Strategic alliances and international diplomacy contributed to creation of an international security regime, but nevertheless almost all of the states rely upon a national military as the ultimate guarantor of national security. In these conditions and in an era of sophisticated armaments and new threats, democracies need stable and unambiguous systems of civilian control over the militaries.

As far as a country may have civilian control without democracy, it cannot have democracy without civilian control. The principle of the democratic civilian control of armed forces is fundamental for democracy. According to Richard Kohn

> Civilian control allows a nation to base its values and purposes, its institutions and practices, on the popular will rather than on choices of military leaders, whose outlook by definition focuses on the need for internal order and external security.[7]

2. Ambiguities of the Terminology

While the need of civilian control is indisputable, the terminology used in the area of civil-military relations is still ambiguous. Many scholars cover the issue of control of the armed forces using different expressions. Currently "civilian control" and "political control", according to Rudolf Joo, are used interchangeably. According to him "civilian"

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6 Richard H. Kohn, "An Essay on Civilian Control of the Military", available at www.unc.edu/, accessed November 15, 2003.

7 Ibid..

means "pre-eminence of civilian institutions, based on popular sovereignty, in the decision-making process concerning defense and security."[8]

The confusion of the usage of some terms as "democratic control," "civilian control" and "democratization" of civil-military relations forced Andrew Cottey, Timothy Edmunds and Anthony Forster to clarify their meaning.[9] For them "civil-military relations" cover all aspects of relations between armed forces and society, they are part of, and their domestic political function and position predetermine, a particular "relationship with the institutions and patterns in the society concerned."[10] In order to distinguish between "democratic control" and "civilian control," terms used as interrelated or even synonyms, it is relevant to point out the example of the Soviet Union, where extremely strong civilian control existed, but which was in no way "democratic." Contrariwise there have been democratic countries with a high level of civilian control where the militaries play a decisive role in implementation of defense policy like Italy, where the Ministry of Defense is dominated by the military.[11] This confusion can lead to ambiguity in assessment of the level of democratic civil-military relations. From an analytical point of view the authors criticize definition of the "civilian control" to serve as a mean of analysis of civil-military relations only with regard to whether there is military intervention in domestic politics. This term just sets up "civilian sector against military sector in an assumed framework of a quest for influence."[12] At the same time "the concept of democratic control of armed forces adopts a wider and deeper approach to the issue, and entails a normative assessment on many different aspects and levels of civil-military interactions."[13]

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[8] Rudolf Joo, "The Democratic Control of Armed Forces", *Chaillot paper 23,* available www.iss-eu.org accessed November 15, 2003.

[9] Andrew Cottey, Timothy Edmunds, Anthony Forster (editors), Democratic Control of the Military in Postcommunist Europe: Guarding the Guards (Houndmills, Hampshire: Palgrave, 2002), 5.

[10] Ibid..

[11] Andrew Cottey, Timothy Edmunds, Anthony Forster, "Democratic Control of Armed Forces in Central and Eastern Europe: A Framework for understanding Civil-Military Relations in Post-Communist Europe", *TCMR paper 1.1,* available http://civil-military.dsd.kcl.ac.uk, accessed November 8, 2003.

[12] Ibid..

[13] Ibid..

3. Definition of the Democratic Control of Armed Forces

Using different approaches to define the democratic control of the armed forces all of the scholars' definitions converge in agreement that "…'democratic control' of the armed forces should be understood in terms of political control of the military by the legitimate, democratically elected authorities of the state."[14] The accountability of elected authorities before voters is one of the basic principles in representative democracies. The military, as they are constituted as a specific state institution, do not have such accountability. "Thus, it follows from the premise of popular sovereignty that only democratically constituted (elected) civilian authority can legitimately make policy, including defense and security policy."[15]

Here one should consider the problematique which Peter Feaver discusses about exercising of control over the military and the effectiveness of the armed forces. In order to fulfill their task for defending a country from possible external threats, the military should possess sufficient strength.[16] But possessing the means of violence, will they obey the orders of civilians and will they not attempt to overthrow the democratic government? This is the dilemma: How to strike the balance between giving the military coercive power and ensuring that they remain obedient and do not seize political power. Like most scholars Feaver accepts the military as experts and he asserts that in a democracy the "…military may be best able to identify the threat and the appropriate responses to that threat for a given level of risk, but only the civilian can set the level of acceptable risk for society."[17]

In accordance to Feaver's conclusions Kenneth Kemp and Charles Hudlin in their work "Civil Supremacy over the Military: Its Nature and Limits" state that the principle of civilian control has two parts:

> …the ends of government policy are to be set by civilians; the military is limited to decisions about means;

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[14] Andrew Cottey, Timothy Edmunds, Anthony Forster (editors), Democratic Control of the Military in Postcommunist Europe: Guarding the Guards, pg. 6, The same statement can be drawn from Richard Kohn and Rudolf Joo too.

[15] Rudolf Joo, "The Democratic Control of Armed Forces."

[16] Peter D. Feaver, "Civil-Military Relations," *Annual Reviews – Political Science, 1999.*

[17] Ibid..

> …it is for the civilian leadership to decide where the line between ends and means (and hence between civilian and military responsibility) is to be drawn.[18]

4. Scope of the Democratic Control of Armed Forces

Summarizing the ideas from all of the approaches it could be concluded that the democratic political control of the military involves three separate but interrelated issues: The first covers the idea of the intervention of the military in domestic politics.[19] Being established as an institution for preserving the state from external threats, every intervention of the military in domestic politics changes their function and thus misuses their capabilities and deteriorates their professionalism. Thus "the democratic control of the military is based on the core normative assumption that the military should not be involved in domestic politics and should remain the apolitical servant of the democratic government."[20] In democracy there are strong constitutional prerequisites which protect the state from two possible dangers: from politicians who have military ambitions and who would like to use military forces to achieve political goals; and from militaries who have political ambitions.

The second element of democratic control of the armed forces is related to the control of defense policy. In a democracy, the voters authorize any elected government with the power, "to determine the size, type and composition of armed forces; to define concepts, to presents programmes, to propose budgets, etc., for which it needs confirmation by the legislature;" and the voters hold their government accountable for these issues.[21] The democratic control implies that military should conform to the decisions of the civilians and implement them. On the other hand the military are not excluded from the decision-making process and the civilians should rely on the professionalism and expertise of the military in developing their decisions. Therefore,

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[18] Kenneth Kemp and Charles Hudlin, "Civil Supremacy over the Military: Its Nature and Limits", *Armed Forces and Society*, Fall 1992, Vol 19, No 1, 8.

[19] Andrew Cottey, Timothy Edmunds, Anthony Forster, "The Second Generation Problematic: Rethinking Democratic Control of Armed Forces in Central and Eastern Europe", *TCMR paper 1.7,* available at http://civil-military.dsd.kcl.ac.uk, accessed November 8, 2003. The authors describe these as "three levels of analysis."

[20] Andrew Cottey, Timothy Edmunds, Anthony Forster (editors), Democratic Control of the Military in Postcommunist Europe: Guarding the Guards, 6.

[21] Rudolf Joo, "The Democratic Control of Armed Forces."

representatives of the military establishment can have great influence, but only in the early stages of the decision-making process. Rudolf Joo states that at this stage of decision-making process "they can – and should, if needed – express opposing or critical views in the internal debate on the main strategic options."[22] Even the long-established democracies in Western Europe and North America experience tensions in balancing civil control and professional military expertise.

The role of the militaries in the foreign policy and especially decisions on the use of military force is the third element of the democratic control of the military. Again the "democratic control of the military implies that the state's foreign policy, including decisions on the deployment and use of force, should be under control of democratic civilian authorities."[23] The decision-making process here follows the same procedure as in defining the defense policy and the military can be used only as experts and advisors in this complicated and typically military area of conducting military operations. The issue here again is to find the appropriate balance between the civilian control and the professional military expertise in order for the assigned roles and missions of the armed forces to be fulfilled. The existing interrelations between civilian and military may lead to tensions even in long-established democracies. An example of this is the argument between the Secretary of State Madeleine Albright and General Colin Powell concerning carrying out air strikes in Bosnia and Herzegovina in 1995. There still is an open debate over whether the military is more prone than the civilians to use force or whether the modern professional armed forces are conservative and do not like military adventurism.[24]

5. Requirements of Existence of Democratic Control of Armed Forces

In summarizing of all discussed above, we should say that the core task of a democracy is to exercise political supervision of the military in order to preserve a pluralistic system. Rudolf Joo finds that Western democracies have many similar or identical political institutions and societal conditions that support the principle of the

[22] Ibid..

[23] Andrew Cottey, Timothy Edmunds, Anthony Forster (editors), Democratic Control of the Military in Postcommunist Europe: Guarding the Guards, 6.

[24] Samuel P. Huntington, The Soldier and the State, 96-7.

civilian direction of the armed forces. He determines seven general requirements – societal, institutional and procedural, which constitute the democratic model of civilian control of the armed forces:

- the existence of a clear legal and constitutional framework, defining the basic relationship between the state and armed forces. 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, which can give rise to tension among separate parts of the political authority as well as between the political and military establishments;
- the significant role of parliament in legislating on defense and security matters, in influencing the formulation of national strategy, in contributing transparency to decisions concerning defense and security policy, in giving budget approval and in controlling spending – using 'the power of the purse' in issues related to 'the power of the sword';
- the hierarchical responsibility of the military to the government through a civilian organ of public administration – a ministry or department of defense – that is charged, as a general rule, with the direction/supervision of its activity. In most of the liberal democracies the central organization of defense is headed by an elected civilian politician, who is assisted by a number of qualified civilians (civil servants, political appointees, advisers etc.), who work together with military officers in carrying out strategic planning and coordination tasks;
- the presence of a well trained and experienced professional military corps that is respected and funded by a civilian authority. It acknowledges the principle of civilian control, including the principle of political neutrality and non-partisanship of the armed forces;
- the civilian and uniformed defense authorities divide their responsibilities in such a way that political authority and accountability on the one hand, and military professionalism and expertise on the other, are maximized;
- the existence of a developed civil society, with a long-standing practice and tradition of democratic institutions and values that is able to resolve societal conflicts in an effective and efficient manner, and, as a part of the political culture, a nationwide consensus on the role and mission of the military;
- the presence of a strong non-governmental component within the defense community (independent academics, media experts, advisers to political parties, etc.) capable of participating in public debate on defense and security policy, presenting alternative views and programmes. [25]

[25] Rudolf Joo, "The Democratic Control of Armed Forces."

Analyzing these prescribed requirements for democratic control of the armed forces we can see that the policy-making process may differ from country to country because of their constitutional requirements. Joo continues that it is obvious that if we take a look at the parliamentary and presidential government the respective institutions exercising democratic control of the military would vary. In parliamentary democracies, the Prime Minister and the cabinet form the executive branch, answerable to the elected parliament for the policy that it pursues. In the presidential system, the popularly elected head of the state has, as a general rule, a large constitutional role in the defining the defense and security policy.[26] Each model has an impact on the way in which:

- strategic choices and policy options are determined;
- implementation and management processes are built up;
- questions related to military institutional obedience and loyalty (who reports to whom, and when) are settled.[27]

According to Rudolf Joo, the specific constitutional arrangements are not the only factors that regulate civil-military relations. They are influenced also by a country's "historical traditions, sociological characteristics and the evolution of the domestic and international environment."[28] For instance the changing international environment after the end of the Cold War, and especially after the terrorist attacks from September 11, 2001 lead to changes in the roles and missions of the military.

B. FACTORS, SHAPING DEVELOPMENT OF DEMOCRATIC CIVIL-MILITARY RELATIONS IN POST-COMMUNIST COUNTRIES OF CENTRAL AND EASTERN EUROPE

1. Particularities of Communist Legacies in Civil-Military Relations before 1989

Before 1989, the political regime in Central and Eastern Europe was based on the total subordination of the state institutions to the Communist Party. In this aspect civil-military relations during the communist period were dominated by the Communist Party leadership. The civilian control over the military was a function of the Communist Party

[26] Ibid..

[27] Ibid..

[28] Ibid..

rather than the government's prerogative. The Communist Party exercised strong political control using the party membership of the command staff (officers and NCOs) and especially the high-ranking officers. As members of the party the military were accountable before it. At the same time they had responsibilities as military professionals to their commanders. This means that military had to manifest loyalty to both the Communist Party and the armed forces and thus "system of dual loyalty" was established.[29]

Membership in the Communist Party was required for a good career.[30] The Minister of Defense was the highest military and usually he was a member of the Communist Party Central Committee or even of the Politburo. Some officers were involved in party committees at local level, although, in most of the cases the involvement of the militaries in leading party structures was accepted mostly as expertise. In order to further deepen Party control, Party cells were established in all military units. In most of these structures the Communist Party penetrated the military at all levels and "set up open as well as secret channels to monitor the allegiance of the officer corps to the regime."[31] In this respect the party cells were a source of open information, and military counterintelligence – of secret information. In addition wide indoctrination of communist ideology was carried out at all levels of the military educational system.

The armed forces were highly politicized by involvement of the militaries in high posts of the ruling bodies of the Communist Party, by presenting the Party structures in all levels of military establishment, and by embodiment of the ideological aspects of professional military education. On the other hand, the military was subject of strong and direct control, and an engagement in the domestic politics, as an institution, was impossible. Due to the respect of the political control of the Communist Party, the establishment of democratic civilian control over the armed forces in the post-communist

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[29] Andrew Cottey, Timothy Edmunds, Anthony Forster (editors), Democratic Control of the Military in Postcommunist Europe: Guarding the Guards, 3.

[30] Vasil Danov, "Comparative Analysis of the Reforms in the Armies of the Czech Republic, Hungary, Poland and Bulgaria during the 1990-1998 Period", (NATO, Research Fellowship Programme 1999-2001), 48, available http://www.nato.int, accessed January 31, 2004. Resolution of Central Committee of the Bulgarian Communist Party from 1950s ordered nonmembers of the Party not to be promoted to senior ranks and not to be appointed on higher positions than company commanders.

[31] Thomas Szayna and Stephen Larabee, East European Military Reform after the Cold War. Implications for the United States (Santa Monica, RAND, 1995), 6.

countries met with fewer challenges than those in Latin American. After 1989, the civilian leadership over the military was not contested. As Szayna and Larabee pointed out:

> The communist regimes in Eastern Europe maintained firm control over their militaries. In this sense, the political transition in Eastern Europe did not entail the 'return of the military to the barracks.' The military was already in the barracks and it respected the principle of civilian control as a fundamental tenet of civil-military relations.[32]

The levels of politicization of the military varied from country to country. This was related to general policy of the Communist Party towards the state institutions. In Poland, for example, the opposition leader Lech Walesa said that the military were like radish – red outside and white inside, which is why they did not act against the process of transition to democracy in late 1980s. The degree of politicization of the military also varied during different time periods. A highly politicized pattern was peculiar to the 1950s, while in the 1980s militaries in Central and Eastern Europe were more concerned with professionalization and the Party's influence over the armed forces decreased.[33]

As another element of the communist legacy, that posed an impediment to the democratization of civil-military relations, was the military involvement in the defense planning process. In return for obeying civilian control by non-involvement in domestic politics, the militaries enjoyed a high level of autonomy in the development and implementation of defense policy.[34]

> As a consequence, when the communist system collapsed, new governments faced weak executive/governmental control of defense policy, few systems for financial management of defense, non-existent parliamentary oversight of defense policy, defense ministries staffed largely by the military and which were themselves effectively subordinate to separate General Staffs, and little or no civilian or non-governmental expertise in defense matters. These problems were compounded by a culture of military independence and resistance to civilian control in relation to the development and implementation of defense policy. [35]

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[32] Ibid., 5.

[33] Ibid., 8.

[34] Andrew Cottey, Timothy Edmunds, Anthony Forster (editors), Democratic Control of the Military in Postcommunist Europe: Guarding the Guards, 4.

[35] Ibid., 4.

2. Importance of the Institutions

In a transition to democracy, the establishment of democratic institutions is the first priority. The institutions exercising democratic control of the military should be among the first to operate. Their existence and effectiveness in managing defense and military policy is of major importance for civil-military relations.

The Central and Eastern European countries were challenged replacing communist institutions with democratic institutions. The main issue here is not only the existence of such institutions, but also of their effective work. Do the newly-established institutions really participate in military and defense planning process, and if they do – from which stage they are involved? Are they really in charge of taking the decisions on defense spending, force structure, procurement, etc.?

Once the institutions are established they start to influence individuals' behavior. When talking about the democratic control of armed forces and the institutions that exert it, we should address "…the problem of effectiveness, to see whether the military can actually fulfill the roles and missions assigned to it by civilian leadership."[36] The relationship between power and effectiveness in this case is immediate and they are inseparable.

There are two aspects that we should keep in mind when we examine the origins of institutions: the goals and motivations of the actors involved in creation of these institutions; and the existence of an excessive number of institutions nowadays. Considering the excessive institutional presence Bruneau asserts that "… there are a finite number of models for democratic civil-military relations;" and level of applicability of the models from one country and one context to another country with another context is a challenge for the scholars.[37] This correlates with the argument that "…in all democracies, new and old, issues of civil-military relations are fundamentally the same," which is based on the assumption that in democracy elected authorities are in charge for the defense policy, and that after the end of the Cold War the tasks of the armed forces in every democracy are the same. [38]

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[36] Thomas C. Bruneau, "Who Guards the Guardians and How? The Institutions of Democratic Civilian Control", Chapter of unpublished book, 7.

[37] Ibid., 4.

[38] Ibid., 3.

Looking for institutional factors which influence the civil-military relations, one should consider a range of institutional arrangements, including constitutional and legal framework, legislative oversight and executive control as aspects of the democratic control of the armed forces.

Constitutional and legal frameworks should be in place and effectively cover "operational control of the armed forces in both peace-time and war-time, as well as whether or not it addresses issues of control and development of defense policy."[39] These frameworks should define unambiguously the responsibilities of the civilian and military sector in defense planning.

The legislative oversight is of major importance for the democratic civil-military relations. The legislature should keep under scrutiny not only the military, but also oversee how the executive authority exercises the control over the armed forces, and the development and implementation of defense policy. The legislature usually implements these roles by establishing respective committees, focused on military issues, and therefore is able to develop expertise in this area. The legislature also employs procedures such as hearings, parliamentary debates, approval of defense budgets, etc., to exercise its functions in oversight.

Executive oversight concerns the division of power and responsibility in exercising control of the military. It defines the power and responsibilities of all executive bodies, elected and appointed, involved in this process, such as "President, Prime Minister, Minister of Defense, Government, other bodies (such as National Security Council) and the Chief of General Staff with regard to peace-time operational control of the military, war-time operational control and the development and control of defense policy."[40] This distribution of power and responsibilities is usually constitutionally defined, but the question is to what extent this is implemented, in the terms of the civilian expertise in the military area? In general the distribution of power

[39] Andrew Cottey, Timothy Edmunds, Anthony Forster, "Democratic Control of Armed Forces in Central and Eastern Europe: A Framework for understanding Civil-Military Relations in Post-Communist Europe."

[40] Ibid..

and responsibilities has to be unambiguous, to be accepted by the militaries and to allow the civilians to be independent in exerting democratic control of the armed forces.[41]

The Ministry of Defense is one of the most important actors exercising democratic control of the military in its direct relationship with the Chief of General Staff and Armed Forces. Here again, some ambiguity in defining responsibilities is inadmissible. Unambiguous definition is needed in order the relationships to be clear. The civilian expertise at that level is very important when developing and implementing the defense policy. Thus the Ministry of Defense would show independence of the General Staff from the expert opinion and the exercised democratic control would be more effective.

3. Historical Legacies

Considering the democratization of the civil-military relations within a certain country we definitely should take into account historical legacies of these relations. In the case of the post-communist countries, it is important to know not only their heritage from the communist time (which as we described above is twofold – positive and negative), but also patterns of civil-military relations in these states during pre-communist times. It is not irrelevant for the armed forces in the post-communist countries in transition to decide to re-establish pre-communist model of civil-military relations. The closest way to change the communist civil-military relations is to return back to the national patterns. This assumption is not damaging if the heritage has democratic roots. But what if the heritage in the area of military culture from the prewar period allows the military to play a role in the domestic politics, for example? If they had such an experience in the past we should consider this fact in order to avoid some misjudgments in possible trend of development of civil-military relations.

4. The Path of Transition to Democracy

The way the transition to democracy proceeds would apparently play an important role for the easier and faster transformation to democratic civil-military relations, since they are in close relation with democratization of the country. The post-communist

[41] Andrew Cottey, Timothy Edmunds, Anthony Forster (editors), Democratic Control of the Military in Postcommunist Europe: Guarding the Guards, 14.

regimes are referred as early post-totalitarianism, frozen post-totalitarianism, and mature post-totalitarianism depending on social and economic condition in these countries. The evolution of these types of totalitarianism usually leads to detolitarianization in different ways. The different types post-communist regimes follow different way of transition and the negotiated transition is argued to present the best opportunity for transformation of the old system to democracy. The negotiated transition is based on existence of more developed civil, political and economic society, obedience to the rule of law and more developed state apparatus, therefore transformation usually proceeds smoothly. Smooth transitions eventually present good conditions for easy and fast transition to democratic civil-military relations.[42]

5. International Context

The formation of the patterns of the civil-military relations can be significantly influenced by the international factors. These factors can come from international regimes in form of pressure to establish democratic control of the armed forces and military disengagement from politics, as this is a wide-accepted international norm of democracy.

One of the most influential international factors that shape the development of democratic civil-military relations in Central and Eastern European countries is the Western democratic community. The ways of influence are two: by repeating the already existing patterns of civil-military relations and by pushing the reforms in these countries through the international actors. First – while striving to achieve the values of the Western democracies, Central and Eastern European countries are prone to repeat their models of civil-military relations. The second one stems from the aspiration of the new democracies to join European democratic community with all its institutions as European Union, NATO, etc. This desire of integration gives to the West a powerful leverage for influence. Together with the democratic reforms the Western support covers

42 Juan J. Linz and Alfred Stepan, Problems of Democratic Transition and Consolidation, 42. Linz and Stepan divide post-totalitarian regimes according to development of four key dimensions – pluralism, ideology, leadership, and mobilization. Early post-totalitarianism is close to totalitarianism, but differs at least in one key dimension (Bulgaria); Frozen post-totalitarianism allows development of civil society but almost all of the party-state control mechanisms are unchanged (Czechoslovakia); Mature post-totalitarianism allow broad changes, except the leading role of the party (Hungary).

democratization of civil-military relations as well. Special policies are designed to support development of civil-military relations such as the NATO Partnership for Peace program.

Having in mind a common communist past and the role of the Soviet Union as ideological hegemon, we should consider an additional external factor – the influence of Russia over establishment of the democratic control of the military in post-communist countries in Central and Eastern Europe. The influence is more significant for the countries from former Soviet Union, since Russia declares its priorities in countries of Caucasus and Central Asia. Dealing with them as strategic allies it extends support for them and thus diminishes the pressure for the democratization of civil-military relations.

The existence of external security threats and on-going conflicts may also have an impact on civil-military relations, which is close to Desch's argument that external threats improve political control of the armed forces. He claims that existence of external threat draws the attention of civilians to the armed forces and therefore facilitates civilian control of the military.[43] But another situation is also possible: the existence of significant threats to the national security or on-going conflict makes the armed forces an especially important institution, raising their domestic significance and influence. Such a perception of significance and uniqueness may allow the military to overrun the threshold and to intervene in domestic politics.[44] As an illustration, the Yugoslav conflict generated and legitimized highly politicized militaries in Serbia and Croatia.

C. CONCLUSION

During the last decade of the 20th century post-communist countries in Central and East Europe have started transitioning toward democratization of their societies. Since existence of democratic control of the armed forces is required, such a transition to lead to consolidated democracy and the reforms in all of these countries included decisive steps in this direction.

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[43] Michael C. Desch, Civilian Control of the Military: The Changing Security Environment.

[44] This position is discussed in Andrew Cottey, Timothy Edmunds, Anthony Forster, "Democratic Control of Armed Forces in Central and Eastern Europe: A Framework for understanding Civil-Military Relations in Post-Communist Europe."

The democratic control of the military is the core element of the democratic civil-military relations and must be understood as political control of the military provided by the democratically elected authorities. Establishing democratic control of the armed forces depends on number of factors, but I will analyze how the historical legacies, domestic institutional arrangements, and international context influence democratization of civil-military relations in the post-communist countries of Central and Eastern Europe and especially Hungary and Bulgaria. I will also examine what the relationship between the path of transition to democracy and the institutionalization of the democratic control of the armed forces in these countries is. I take up the case of Hungary next.

III. DEVELOPMENT OF CIVIL-MILITARY RELATIONS IN HUNGARY

A. INTRODUCTION

Hungary is among those post-communist countries in Central and Eastern Europe, whose smooth transition to democracy is accepted as one of the most successful. Its economy has recovered most flexibly from the shock of the transition to market regulation and by "late 1990s [its] per capita GDP exceeded that of the late 1980s." The establishment of the new Hungarian institutions was carried out in accordance with the democratic rules and values, and was strongly supported by the population. The Western democratic community assessed Hungary's success in establishing the liberal democracy by its acceptance in the international organizations that Hungary applied for.

> Between 1990 and 2004 the country either joined or will join each organization to which it has aspired, ranging from the Council of Europe (1990), the OECD (1996), NATO (1999) and to the European Union (expectantly 2004).[45]

The democratization of the civil-military relations and the establishment of democratic control of the armed forces were among the first tasks solved by Hungarian political elite during the transition. The problems were discussed at a round table even before the Hungarian system had been transformed and the first changes towards democratization of the civil-military relations were presented before the first democratic elections. Despite the fact that some analysts of modern Hungarian civil-military relations have found a lot of problems, no one can reject the early success of the transformation of the communist civil-military relations to democratic forms.

This chapter analyzes the course of democratization of civil-military relations in Hungary and factors that influenced it.

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45 Pal Dunay, "'Did Not, Does Not, Will Not' or Why Defense Reform Continues to Be the Weakest Element of Hungary's Transformation", in Philipp H. Fluri, and Velizar Shalamanov (editors), Security Sector Reform, Does It Work? Problems of Civil-Military and Inter-Agency Cooperation in the Security Sector, available http://www.dcaf.ch, accessed November 6, 2003.

B. HISTORICAL LEGACIES

1. Pre-Communist Legacy

A-thousand-year-old Hungary is not very proud of its combat history during the last five centuries. It lost all wars in which it participated between 1487 and 1991 and failed to defend itself against the Soviet invasion in 1956.[46] The history of Hungary is full of occupations, lost wars and loss of territory. "Tartars, Turks, Austrians and Soviets invaded and often held the country occupied."[47] One possible reason for these unhappy historical periods could be Hungary's geographical position – situated in the open mid-Danubian plains, without any natural obstacles and vulnerable to invasions, and at the same time neighboring great powers such as Germany and Russia. Although the armed forces could find good excuses for their bad performance in geography, all analysts state that these failures contributed to the deterioration of the popular prestige of the military.

As part of Austria-Hungary Empire, after a long lasting and obstinate fight for independence, Hungary managed to gain a semblance of autonomy from the Habsburg rule after the 1867 *Ausgleich* (compromise).[48] Hungary was allowed to establish her own institutions - Parliament and Cabinet, but the armed forces were commanded jointly with Austria.

> Although the "common" ministry of defense administered the imperial and royal armies, the emperor acted as their commander in chief, and German remained the language of command in the military as a whole.[49]

During the times before World War I (1867-1918) Hungarians, who occupied command positions in the Empire's army, used the German language for command and communication and hence it could not be said that this was a national experience in the civil-military relations.

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[46] Pal Dunay, "The Armed Forces in the Hungarian Society: Finding a Role?" in Anthony Forster, and Timothy Edmunds, and Andrew Cottey, Soldiers and Societies in Postcommunist Europe: Legitimacy and Change, (Basingstoke: Palgrave-Macmillan, 2003), available http://www.bris.ac.uk, accessed October 24, 2003.

[47] Ibid.

[48] Hungarian History, available http://www.infoplease.com/ce6/world/A0858706.html, accessed January 7, 2004.

[49] Library of Congress, available http://lcweb2.loc.gov/cgi-bin/query/r?frd/cstdy:@field(DOCID+hu0034), accessed January 7, 2004.

Hungary received its opportunity to establish a fully independent state after the dissolution of the Austria-Hungary Empire after World War I. Hungary was compelled to sign the Treaty of Trianon on June 4, 1920. The price of the independence was very harsh – Hungary lost two-thirds of its prewar territory and three-fifths of its population.[50] (See Appendix A.) Considering the loss of important infrastructure and access to raw materials, it is easy to assume a historically hostile attitude of the Hungarians toward their neighbors. This attitude reached its peaks of chauvinism and even irredentism and played a decisive role in Hungarian foreign policy after the Treaty was signed. For instance, Hungary's alliance with Hitler during World War II was inspired by hopes to repair the injustice of the Treaty of Trianon. As a consequence, Hungary was defeated and the attempt to establish properly functioning armed forces in the interwar period finished with a loss of credibility in post World War II period.[51] Hungary had the opportunity to develop democratic civil-military relations only for a short period of time before joining Hitler.

2. Communist Legacy

After the war, as part of Warsaw Treaty Organization (WTO), Hungary lost the opportunity to conduct an independent defense and security policy and the Soviet type of civil-military relations were established. Hungary's strategic role was limited to "springboard in the northern part of the southern tier of the Warsaw Treaty Organization (WTO). Its formal role was to hold the territory of the country in event of Western aggression until reinforcements arrived from the Soviet Union."[52] What is more, the WTO developed strategic plans for invasion of northern Italy and Bavaria, and Hungary was seen as a primary supporter.[53] Having in mind the existing historical, religious and social links, these tasks would never enjoy popular support.

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[50] Andrew A. Michta, East Central Europe After the Warsaw Pact: Security Dilemmas in the 1990s, (Westport, CT: Greenwood Press, 1992), 18.

[51] Pal Dunay, "Civil-Military Relations in Hungary: No Big Deal", in Andrew Cottey and Timothy Edmunds and Anthony Foster (editors) Democratic control of the Military in Postcommunist Europe: Guarding the Guards, 66.

[52] Ibid., 66.

[53] Ibid., 66.

Pal Dunay thinks that "the only occasion when the military might have played an important role in domestic politics occurred in October 1956." [54] Commenting on these events Janos Simon said:

> …in 1956 the [Hungarian] military either supported the revolution or deserted from the army, but there was no organized force which supported Russian invasion.[55]

The aftermath of this disobedience was the spontaneous disbanding of most of the units and loss of trust in the Armed forces by the Communist leadership. Therefore after the suppression of the revolution by the Soviet troops after 1956, as a substitute for the military the so-called "Workers' Guard" was established – a paramilitary organization, trusted by the Communist Party.[56] The Hungarian Army was reorganized, and the Communist Party control was strengthened. The officers were forced to sign a declaration "and pledged to serve the new government and to fight unfailingly against the regime's external and internal enemies" and 80 percent of them did sign it.[57]

After 1945, as in all communist countries, the Communist Party rigidly exercised the control over the armed forces. Its institutions – the Politburo and Central Committee were constituted by a system of cooptation initiated from the top. However as a result of the events in 1956 and the lack of credibility in the military, Hungary was the only socialist country in which a high level military commander was not member of the Political Bureau. The Communist Party influenced the armed forces using different methods. Indoctrination of the Marxist ideology into the educational process of the military cadres was carried out. The Main Political Department (MPD) exercised the immediate control within the armed forces. The leverage of the Communist Party control over the professional military was the MPD and its structures, spread in each unit. It participated in all activities, including the defense planning process. This network of

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54 Ibid., 66.

55 Janos Simon as quoted by Juan J. Linz and Alfred Stepan, Problems of Democratic Transition and Consolidation, 309.

56 Pal Dunay, "Civil-Military Relations in Hungary: No Big Deal", 67.

57 Tibor Babos, "Breakthrough of Civil-Military Relations in Hungary", in Plamen Pantev (editor) Civil-Military Relations in South Eastern Europe: A Survey of the National Perspectives and of the Adaptation Process to the Partnership for Peace Standards, (Partnership for Peace Consortium of Defense Academies and Security Studies Institutes Working Group on Crisis Management in South-East Europe Process to the Partnership for Peace Standards, 2003), 119.

structures and the political officers, maintained by the MPD, were usually not well accepted by the Hungarian professional military. "Very often the professional military considered the activity of the political officers a useless exercise, diverting time and energy from real duty, or simply violating privacy of the servicemen."[58]

The Communist leadership did not trust the military and therefore did not pay attention to their needs. When in mid-1960s the reformation of the country started, Janos Kadar had seen the main contribution of the Armed forces to stability of the country as "better not costing so much."[59] This way the domestic economic stability would not be undermined and the Hungarian economic invention – the so-called "Goulash Communism" – would survive. Although the Soviet leadership pushed the Hungarian leadership to renovate military equipment, the attitude of the Hungarian Communist leadership to the military slowed down the modernization of the armed forces, and by 1989 they were a "comparatively poor, outmoded military, free of prestige."[60] In this aspect the Hungarian experience is unique among the communist countries because Janos Kadar was strong enough to oppose the Soviet pressure and to defend the Hungarian national interests.

The political control exercised by the Hungarian Socialist Workers Party (HSWP) up to 1990 was rigid and non-democratic because it was exercised by an "institution based on denial of democracy."[61] Getting used to strong control, the armed forces accepted the changes in the system in 1989 very easily, although the new type of control was completely different from before. What is more, the professional militaries had a special attitude to the systemic change – "they were happy to get out of the ambit of two heavily disliked bodies – the Soviet military and Hungarian political officers."[62] The same attitude made the General Staff believe that no one was allowed to interfere in military matters, which made the first years of establishing democratic control of the armed forces difficult.[63]

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58 Rudolf Joo, "Democratic Control of Armed Forces."

59 Pal Dunay, "Civil-Military Relations in Hungary: No Big Deal," 67.

60 Ibid., 67.

61 Ibid., 68.

62 Ibid., 68.

63 Ibid., 68.

In summary, the geographical situation of Hungary placed it under foreign domination for a long time, and therefore to establish nation state and national armed forces until the end of the World War I was not possible. Therefore Hungary's procommunist and communist experience in civil-military relations is not so rich. The interwar period, as an opportunity to build democratic civil-military relations, was missed and in 1941 Hungary joined Hitler in World War II. After the subsequent defeat, Hungary was under Soviet control, a communist regime was established and the Communist Party controlled the armed forces. The strong totalitarian control exercised then, made the military susceptible to the democratic civilian control when the system changed. The Hungarian military have never interfered in domestic politics, so their prestige rose recently.

C. PATH OF TRANSITION TO DEMOCRACY

The nature of the Hungary's transition from communism to democracy in the end of 1980s was unique. It has some similarities with Poland. In both cases the reformist elements within the communist elite agreed a negotiated transition with the democratic opposition movements. Juan Linz and Alfred Stepan determined Hungary as "the world's leading example of mature post-totalitarianism" by mid-1980s.[64] The changes in Hungary were gradual and the process started long before 1989. From 1956 there was considerable political stability in Hungary. Kadarist policy opened possibilities for enterpreneurship in the second economy, and formation of a civil society on the level of economics. At the Central Committee's Plenum in March, 1962 Kadar advocated "politics of alliance" and thus supported the line of passive compliance, rather than totalitarian one.[65] Then he distinguished himself from his predecessor Matyas Rakosi and announced: "whereas Rakosites said that someone who is not on our side is against us, we say, those who are not against us are with us."[66] A very important step towards detotalitarianization was the New Economic Mechanism, introduced in 1968, which further eroded the Communist

64 Juan J. Linz and Alfred Stepan, Problems of Democratic Transition and Consolidation, 296.

65 Ibid., 298.

66 Ibid., 298.

ideology by allowing free movement within the country, part-time private work and small private industry thus pushing Hungary away from the totalitarianism. The regulations adopted in 1982 for property rights and the legalization of the second economy created preconditions for establishing a broader and more organized group of entrepreneurs, which by the 1980s became the mainstay of the economic society.[67]

In 1988 a civil society also started to emerge in forms of self-organized association groups. The ecological movements were the most powerful at that time, for example, against a dam on the Danube River. These movements played a role in advancing the freedom of speech and even assisting "civil (and later political) society with sufficient expertise to review actively the growing number of legal and constitutional proposals being raised both by the regime and by the new social groups."[68]

The economic problems, experienced by Kadar's regime in 1980s, created preconditions for development of a broad protest movement in Hungary. By 1989 Hungary had the world's largest debt per capita – $1,561, dwarfing Brazil's $622 per capita debt.[69] The Party reformers became more critical to Kadar's policy and sought support from the opposition movements. In fact in that period the close relationship between the party moderates and the opposition was set up – the leader of the communist moderates Imre Pozsgay attended the organizational meeting of the Hungarian Democratic Forum in October 1987. Neither the moderate communists nor the moderate opposition thought they could succeed in leading the changes of the system on their own, therefore negotiations were the only possible way. This process was assisted by the Army's attitude of non-intervention in domestic politics.[70]

Established before the system transformation, based on an intellectual subculture, and gaining wide popular support, the Hungarian opposition had much bargaining leverage with the reformers of the Hungarian Socialist Workers' Party.

In recognizing the legitimacy of the multiparty elections in 1988, the HSWP opened the way to the transformation. The Round Table between HSWP and the democratic opposition was set up. Not long before the negotiations had started, the

[67] Ibid., 299.

[68] Ibid., 301.

[69] Ibid., 300.

[70] Ibid., 300.

opposition carried out the so-called "Opposition Round Table" for attaining an internal agreement about the negotiation strategy and thus its bargaining capabilities were improved. Apart from the decision on the necessity of free elections, one of the most important outcomes of the Round Table talks was the agreement about the changes in the Constitution.[71]

The democratic consolidation in Hungary proceeded easily because, as I mentioned above, the reforms started well before the system changes occurred and the political and economic elite were better prepared to establish democratic political institutions and introduce the market economy.

> The country was also more open and 'Westernized' than most other states in the region. A mental preparedness for a new system was present, and the private ownership of companies and multiparty politics were not alien concept to many Hungarians.[72]

Although it was not successful, the democratic revolution in Hungary in 1956 started a period of transformation of the country from totalitarian to post-totalitarian. Gradually developing its economic, political and civilian societies, by 1989 Hungary was the only country among all Central and Eastern European countries, where the transition to democracy started with negotiations between the communist leadership and the democratic opposition, without any previous disturbances.

D. SETTING UP THE ROOTS OF DEMOCRATIC CONTROL OF ARMED FORCES

The negotiated nature of the transition in Hungary assumed a good co-operation between the political parties and the gradual establishment of the new democratic institutions. The development of the new pattern of civil-military relations followed the same pattern of gradual changes. Among the topics discussed at the National Round Table were several demands of the democratic opposition, related to the national defense, which had been formulated as early as 1987-88: de-communization of the armed forces; disbandment of Workers' Militia; as well as the departure of the Soviet troops from the

71 Juan J. Linz and Alfred Stepan, Problems of Democratic Transition and Consolidation, 307.

72 Pal Dunay, "Civil-Military Relations in Hungary: No Big Deal," 67.

Hungarian territory.[73] At the beginning even the reformation wing of the HSWP opposed these ideas, but then slowly accepted and even implemented some of them. For instance, they introduced a new oath on August 20, 1989, which no longer included "the pledge of loyalty to the Communist Party and the 'unconquerable ideals of socialism', but instead spoke of the soldiers' obligation to his nation."[74] In October 1989 they dismantled the structures of the Communist Party and its youth organizations within the army. The Workers' Militia was disbanded in October 1989 and as Dunay thinks it was "…the only politically urgent matter concerning military and paramilitary forces in the process of system change…"[75]

The decisions of the Round Table established a new institutional framework, which was ingrained in the amended Constitution of 1949. The amendments were adopted by the last Communist Parliament in October 1989 and, in fact, the general institutional adaptation was made before the elections of 1990.

The Hungarian Constitution sets the major frames of the civilian control exercised by parliamentary and executive bodies. According to the constitution, the President is the Commander-in-chief of the armed forces. He appoints and promotes the general officers as proposed by the Minister of Defense.[76]

The Parliament has the power to

- decide on the declaration of a state of war and on the conclusion of peace;
- declare a state of national crisis and establish a National Defense Council, in the case of war or imminent danger of armed attack by a foreign power (danger of war);
- decide on the use of the armed forces, both abroad and within the country; [77]

If the Parliament is obstructed in reaching decision, the President has "the right to declare a state of war, a state of national crisis and establish the National Defense Council or to declare a state of emergency." [78] However, in order to prevent abuse of power, he

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[73] Rudolf Joo, "Democratic Control of Armed Forces."

[74] Andrew A. Michta, East Central Europe After the Warsaw Pact: Security Dilemmas in the 1990s, 151.

[75] Pal Dunay, "Civil-Military Relations in Hungary: No Big Deal", 67.

[76] Constitution of the Republic of Hungary, Article 29, para (2) and Article 30A, para (1) subpara i), available http://www.oefre.unibe.ch/law/icl/hu0000_.html#I000, accessed January 09, 2004.

[77] Constitution of the Republic of Hungary, Article 19, para (3), subparas g), h), j).

[78] Constitution of the Republic of Hungary, Article 19A, para (1).

must act jointly with the Speaker of the Parliament, the President of the Constitutional court and the Prime Minister. Such an action must be reviewed by the Parliament as soon as possible and two-thirds majority is required for endorsement. Decisions taken by the President but not endorsed by the Parliament or the Defense Committee expire after 30 days. The Parliament or the Parliamentary Defense Committee may also suspend decrees and rules of the President.[79]

The National Defense Council acts in the event of national crisis and has the power to "decide on the use of the armed forces abroad and within the country, and on the introduction of emergency measures…"[80] The council is chaired by the President and is composed of "the Speaker of the Parliament, the floor leaders of the political parties represented in the Parliament, the Prime Minister, the Ministers, and the Commanding Officer and the Chief of Staff of the Hungarian Army."[81]

All the arrangements above show that the Constitution contains all necessary preconditions to ensure the democratic control of the armed forces in various states of emergency and in war.

The Constitution stipulates that in peacetime the government "directs the operation of the armed forces and the police and other security organs" and article 40A clearly defines the roles of the different enforcement agencies:

- The fundamental duty of the armed forces (Hungarian Army, Border Guard) is the military defense of the country. As part of security activities, the Border guard shall guard the borders of the country, monitor and control border traffic, and maintain order on the borders.
- The fundamental duty of the police is to maintain public safety and domestic order.[82]

Day-to-day parliamentary oversight of the armed forces is exercised by a standing Parliamentary Defense Committee. Usually all of the parties present in Parliament have representation in the Committee. "The Committee oversees the implementation of the

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79 Janos Szabo, "Transforming the Defense Sector in a New Democracy: Civil-Military Relations in Hungary – Facts and Tendencies", in Jurgen Kuhlmann and Jean Callaghan (editors) Military and Society in 21st Century: A Comparative Analysis, (George C. Marshal European Center for Security Studies, Hamburg, 2000), 120.

80 Constitution of the Republic of Hungary, Article 19B, para (1).

81 Constitution of the Republic of Hungary, Article 19B, para (2), Position of Commanding Officer does not exist now.

82 Constitution of the Republic of Hungary, Article 35, para (1), subpara h), and Article 40A.

tasks of Hungarian Defense Forces (HDF), the levels of preparedness, and the state of equipment as well as the utilization of the resources."[83] In doing so the Committee has right to obtain all the necessary information and to conduct hearings the Minister of Defense, the Prime Minister, the commanding staff of the HDF and the Border Guard or witnesses. It also conducts interviews with the appointees for the Commander of the HDF and the Chief of the Staff of the HDF, the Commander of the Border Guard, the Deputy State Secretaries and Defense Attaches, and may only give recommendations for their appropriateness for these posts.[84] "The Chairman of the Committee has permanent invitation to attend the meetings of the MoD Collegium (the highest MoD committee) as an observer, which enables him to keep up-to-date on all defense matters."[85]

From government's side, the Minister of Defense is responsible for executing an effective oversight of the HDF. He has overall responsibility for the HDF and countersigns the Defense Plan. He approves the command structure and operating procedures of the HDF, directs the procurement of military equipment and war materials. He determines the principles of human resources' management, directs the educational military institutes and appoints military attaches.[86]

Another important actor in exercising the democratic control of the armed forces appears to be the Constitutional Court. The division of powers in the democratic countries allows the judicial authorities to act independently from the legislature and the executives. The practice of the Hungarian Constitutional Court during the last fourteen years (the court was established in 1990) has proven that this democratic principle is inviolable in Hungary. The Constitutional Court reviews the constitutionality of the laws and can annul laws or statutes that they are found to be unconstitutional. The Court accepts any appeal and it does not give favor neither to the armed forces nor to the other institutions in relation to the Constitution. In 1991 the Constitutional court played its first important role referring the civil-military relations. The court settled a dispute between the president and the government, which emerged from the ambiguity of the

[83] Janos Szabo, "Transforming the Defense Sector in a New Democracy: Civil-Military Relations in Hungary – Facts and Tendencies", 121.

[84] The post of Commander of HDF was abolished in 2001, when was established integrated Ministry of Defense.

[85] Ibid., 121.

[86] Ibid., 121.

constitution's texts about the right to direct the armed forces. The court decided day-to-day direction of the armed forces to be carried out by the government, but in war and emergency situations – by the President.[87]

Implementing the policy, drawn at the Round Table, Hungary reached very fast a consolidation of democracy and established democratic working institutions. The elaborated constitution gave basis for the establishment of democratic control of the armed forces, assigning all the state institutions with proper responsibilities and powers.

E. DEVELOPMENT OF THE INSTITUTIONS FOR DEMOCRATIC CONTROL OF THE ARMED FORCES

The adoption of a democratic Constitution is, by itself, a very important phase of the establishment of democratic civil-military relations. However, civil-military relations are a very wide area of interactions among society, military and political elite. Therefore all aspects of this interaction should be precisely regulated. The dynamics of the social processes may also influence these relationships, and institutional arrangements and adaptation of the legal basis are necessary. All democratic Hungarian governments tried to develop democratic control of the armed forces through improvement of the institutional arrangements.

1. Two Steps Ahead… (1990-1994)

In 1990, before the first free elections, the reform of the Hungarian armed forces started exactly in the same way as the amendment of the Constitution had started. The 1977 defense law was amended and the last government of the HSWP on December 1, 1989 introduced the defense reform. The political nature of this reform caused later a lot of problems in the civil military relations. The HSWP government divided the Defense Ministry into two separate entities – a defense ministry subordinated to the Prime Minister and a Commander of the Hungarian Army subordinated to the President. This separation shielded the General Staff from governmental oversight. Predicting its loss of the free elections in the spring of 1990, by this division the communist government aimed

[87] Constitution of the Republic of Hungary, Article 32A, paras (1), (2), and (3).

to prevent power institution such as HDF fall under the control of the opposition. At the same time, HSWP expectations were that the reformist communist leader Imre Pozsgay would be elected as a president in future general elections and the armed forces would be under his command. These initial plans were spoiled by the coalition formed by the two largest parties in the parliament after the elections – the Hungarian Democratic Forum (MDF) and the Alliance of Free Democrats (AFD). The deal was that MDF leader Jozsef Antall would head the government and AFD leader – Arpad Goncz would be elected a President by the parliamentary, but not popular, vote. The first civilian Defense Minister in the post-communist countries was Lajos Fur from MDF. He took office on May 23, 1990.[88]

The December 1989 defense reform broke the chain of command and the results appeared very soon. In October 1990 Hungary was in a constitutional crisis. Being from different political parties, the President Goncz and the Prime Minister Antall had different opinions about the proper use of the armed forces to end a transport strike in Budapest.[89] While the government considered on using military vehicles to end the transport blockade, the president opposed it. The dispute "Who has the right to direct the armed forces?" was presented by the Prime Minister in the Constitutional Court. In September 1991 it announced its decision that "direction of the functioning of the armed forces is in legal power of the government" and also "Commander-in-Chief of the armed forces…is leading [the armed forces] though not commanding them."[90] The judiciary solved a dispute among the representatives of executive power, caused by a controversy of the legislative document. The division of powers proved to work as in a consolidated democracy. The decision favored the government and restored the broken chain of command. The Ministry of Defense is the closest governmental institution to the armed forces and has the potentials to exercise the day-to-day democratic civilian control, from which stems its importance.

The decision of the Constitutional Court gave a green light to the government to start reforming the Ministry of Defense in order to redress the problems created by the

88 Jeffrey Simon, Hungary and NATO: Problems in Civil-Military Relations, (Lanham, Maryland: Rowman&Littlefield Publishers Inc., 2003), 8 – 15.

89 Pal Dunay, "Civil-Military Relations in Hungary: No Big Deal," 70.

90 Ibid., 71.

defense reform in 1989. The 1992 reform included restructuring and expanding the size of the defense ministry and civilianizing it. By March 1993, all three civilian top posts were in civilian hands. Civilianization was made not only for the leading staff of the ministry, but also at all levels replacing carrier military officers mostly with MDF supporters in order to strengthen the party control of the ministry.[91] Since the new staff was without enough knowledge and experience in military matters, this left doubt of establishing a new form of political influence in the Ministry of Defense.[92]

The direct subordination of the newly created Military Intelligence Office and the Military Security Office to the Minister of Defense is considered to be an improvement of the democratic control of the military.[93]

In seeking solutions for the 1989 defense reform problems, in order to clear the chain of command, Defense Minister Fur suggested and the Constitutional Court approved his request for structural changes by granting authority to "fuse the Commander of the Hungarian Army position with the Chief of General Staff without constitutional amendment."[94] Fur submitted two laws. The first law provided new power to the executives: In three limited cases (invasion of Hungarian airspace, surprise air attack, or surprise invasion) the government could order immediate military action for not more than two Army brigades (5,000 troops), without the agreement of the President and without the declaration of emergency by the Parliament. The government however was obliged to inform the Parliament of any of such decisions. This step made government's actions more flexible. The second law placed the Border Guard under the command of the Ministry of Interior in peacetime and under the Ministry of Defense command in case of war.[95]

Antall's government worked more actively in developing defense legislation. In April 1993 the Parliament adopted "Basic Principles of National Defense of the Republic

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[91] Jeffrey Simon, Hungary and NATO: Problems in Civil-Military Relations, 17.

[92] Jeffrey Simon, "Expansion – Hungary", available http://www.nato.cz/english/rozsir/hungary.html, accessed January 9, 2004.

[93] Zoltan Szenes, "The implications of NATO Expansion for Civil-Military Relations in Hungary", in David Betz and John Lowenhardt, Army and State in Postcommunist Europe, (London and Portland, OR: Frank Cass Publishers, 2001), 79.

[94] Jeffrey Simon, Hungary and NATO: Problems in Civil-Military Relations, 19.

[95] Ibid., 20.

of Hungary" or simply "Defense Concept". The Defense Concept followed the adopted by the Parliament "National Security Principles" and "Security Policy Concept."[96]

The Defense Concept states that the Hungarian Armed Forces have exclusively defensive functions. It elaborates the different sources of potential military threat and defines "the priorities of the *strategy* and *system* of national defense."[97] Eventual membership in NATO and Western European Union are seen as milestones for Hungary's security. Assuming that this membership might be a long process, at first security will be strengthened by "closer relations with these institutions and their individual member states, as well as with the neighboring states in the region. Such cooperation will enable Hungary to adapt better to the international standards of the developed armies, in every field."[98]

The Defense Concept was followed by the adoption of the Defense Act on December 7, 1993. It covers almost all the aspects of the civilian control over the military and it further develops the Constitutional Court's decision about the subordination of the armed forces to the government. It also stipulates "a complex system of checks and balances whereby the Cabinet, Parliament and the President of the Republic all individually have a say in matters of defense policy."[99]

In the time of its mandate 1990-1994, MDF-AFD government did a lot to solve the problems inherited from the last Communist Cabinet and to develop a good system of democratic control over the armed forces. With the last step it aimed to repair the uncertainties related to the democratization of the civil-military relations and approved its decision in January 1994 to merge the Defense Ministry and the General Staff of the Army Command. According to Minister Fur from March 1, 1994 the Ministry of Defense "would have three state secretaries: political, administrative and Chief of General Staff."[100] The integration of the Ministry of Defense and the General Staff would place "armed forces under civilian control in peacetime and war."[101]

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96 Rudolf Joo, "Democratic Control of Armed Forces."

97 Ibid..

98 Ibid..

99 Ibid..

100 Jeffrey Simon, Hungary and NATO: Problems in Civil-Military Relations, 22.

101 Ibid., 21.

2. …and a Step Back (1994-1998)

The 1994 elections brought to power the Hungarian Socialist Party, which formed a government with AFD. One of the first decisions of the new Defense Minister Gyorgi Keleti, a retired colonel and a former spokesman of the ministry, was "*not* to merge the defense ministry and army headquarters" and to separate again the positions of the Chief of Staff and the Commander of HDF. This decision, as well as the replacement of the MDF civilians with retired or acting military; the reorganization of the defense ministry and the reduction of its staff; the provision of the GS with more authority in military planning, including intelligence, raised questions about the effectiveness of the civilian control exercised by the Ministry of Defense during HSP-AFD government.[102]

Motivated by the severe budget constraints and the necessity to reach interoperability with NATO, broad plans for long and midterm reorganization of military forces were announced in 1995. The command structure was reorganized in the period from 1995 to 1998: a decision for establishing a recruiting contract soldiers was taken, and the personnel were seriously cut.[103] The civilian personnel were reduced by 69 percent, the professional military officers – by 37.5 percent and the conscripts by 13 percent. The NCO's were increased from 9,700 to 10,800. In this respect:

> …the four-year Keleti era would be distinguished by significant demobilization of the civilian defense employees and professional officer corps.[104]

In relation to improving accountability of the democratically elected institutions and respecting human rights, in 1995, the Parliament established two new institutions – the Parliamentary Commissioner for Human Rights and the State Audit Office which were very useful for exercising democratic control over the armed forces too.[105] The Ombudsman has the power to investigate abuses of the human rights and liberties of soldiers, as they are citizens in uniform. As a result of its activity, the living conditions

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[102] Ibid., 28-29.

[103] Ibid., 43 – in 1996 in 4 towns began initial recruitment of 2000 professional soldiers. "In early 1997 four 'professional battalions' consisting of 500 troops each were operating."

[104] Ibid., 32.

[105] Zoltan Szenes, "The implications of NATO Expansion for Civil-Military Relations in Hungary," 79.

have improved and the human rights in the armed forces are defended. The State Audit Office controls the economics of the defense forces; monitors spending in the defense budget; and reports directly to the Parliament. The Government Supervision Office also conducts investigations of the economic and financial activities of the militaries on governmental level and by Defense Budget Supervision Office in the Ministry of Defense.[106] These structures are of great importance for the exercising of democratic control over the armed forces.

One of the challenges the HSP-AFD government faced was to prepare the public opinion for joining NATO. Although almost all of the efforts of Horn government were directed towards consolidating Hungary's difficult macro-economic situation,[107] assuming that invitation to join the Alliance may come earlier, it had done a lot to improve people's attitude toward NATO. "While most of the Hungarians (85%) expected that joining NATO would increase the amount needed for defense, a majority (58%) opposed such increase."[108] To overcome such a controversy government carried out an outstanding campaign and in the vote in November 1997 85 percent of those who voted (50 % turnout) endorsed accession to NATO.[109]

3. Newly in NATO (1998-2002)

By 1998 two democratic coalition governments with different political affiliations took office after the first free elections. In terms of exercising democratic control of the armed forces, every one of them had its peculiarities, its good and bad sides. 1998 Parliamentary elections brought to power a new three-party center-right coalition – Federation of Young Democrats-Hungarian Civic Party (Fidesz-MPP), Independent Smallholders and Citizens Party (FKGP) and Hungarian Democratic Forum (MDF). Its mandate was marked by the preparation for NATO accession, joining NATO, participation in the war in Kosovo, and merging the Ministry of Defense and the General Staff of HDF. During that time two new institutions for democratic control of the military

106 Ibid., 80.

107 Pal Dunay, "The Armed Forces in the Hungarian Society: Finding a Role?"

108 Jeffrey Simon, Hungary and NATO: Problems in Civil-Military Relations, 46.

109 Zoltan Barany, "Hungary: An Outpost on the Troubled Periphery," in Anrew A. Michta (editor) America's New Allies: Poland, Hungary and the Czech Republic in NATO, (Seattle and London: University of Washington Press, 1999), 88.

were established – the National Security Cabinet (NSC) and the Secretariat for Foreign and Defense Policy. "The NSC consists of the foreign, defense, interior, finance, justice, and national security ministers, plus the chief of defense and is led by the prime minister."[110] It is an advisory and decision-making body which played a decisive role in defense-related issues and in cases of natural disasters. "The Foreign and Defense Policy Secretariat, which is headed by a political state secretary in the prime minister's office, monitors the policies and activities of all the security-related ministries and supports the work of the NSC."[111]

The tasks related to NATO accession showed to the third democratic government that the deficiencies in the defense-related issues were more than they had been expected. The reforms made during the last ten years did not solve the problems regarding equipment, organizational structure, personnel and the system of logistics. By March 12, 1999, the date of accession in NATO, Hungary met only 60 percent of its agreed commitment.[112] The necessity of a more substantive reform was evident. They were proved not only theoretically – by RAND and Cubic assessments, but also practically – the war in Kosovo outlined the problems in military capabilities, and revealed the difficulties in co-operating with NATO allied forces.[113] Struggling to prepare the first defense plan as a NATO member in 1999, the government was constrained not only by the finance shortages, but also by the lack of technological equipment to meet the new tasks. On July 21, 1999, looking for answers, the government ordered the Minister of Defense to conduct a Strategic Defense Review with the purpose of creating a "modern, NATO-compatible, flexible and sustainable defense force."[114] It should be based on the evaluation of the changed perception of security and the new Strategic Concept of NATO, which highlighted the new threats and respective capabilities of the forces, the

110 Zoltan Szenes, "The implications of NATO Expansion for Civil-Military Relations in Hungary", 80.

111 Ibid., 80.

112 Jeffrey Simon, Hungary and NATO: Problems in Civil-Military Relations, 59.

113 Ibid., 70 and sections about Kosovo crisis 62-69.

114 Zoltan Szenes, "The implications of NATO Expansion for Civil-Military Relations in Hungary," 87.

government decided to concentrate on "improving the functional characteristic of the armed forces, in terms of their readiness, deployability, sustainability, survivability and training."[115]

The review aimed also at improving the democratization of the civil-military relations. Deciding on defense matters such as restructuring, size and composition of the armed forces, "the new thinking" was that all government should be involved, not only the Ministry of Defense.[116]

Reviewing in three months all the activities in the sphere of defense, it became clear that there were problems with the structure and size of the forces. There were also problems both with the personnel (poor living conditions for the conscripts in the barracks and inverted pyramid of command staff – more colonels and lieutenant colonels than junior officers), and with the defense planning (some planes were sold one year after being purchased or totally repaired).

During the review the government suggested withdrawing of the Military Security Office and the Military Intelligence Office and merging them with the civilian secret services under the command of the respective minister. This move was explained as a way to reduce the military personnel, but the Parliamentary Defense Committee resisted this restructuring since merging all security services under the command of one institution posed a possibility for abuse of power.[117] This decision of the Defense Committee shows its understanding and respecting of the principles of the democratic control.

Based on the final evaluation of the Strategic Defense Review, the government defined major principles for the defense reform: increase of the defense budget and improvement of the efficiency of the defense expenditure; reduction of the size of the defense force from 61,000 to 45,000; modernization of the defense forces; introduction of long-term technical and infrastructure developments; and implementation of radical policy changes, especially in the area of force operations.[118]

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115 Ibid., 88.

116 Ibid., 88.

117 Jeffrey Simon, Hungary and NATO: Problems in Civil-Military Relations, 72.

118 Zoltan Szenes, "The implications of NATO Expansion for Civil-Military Relations in Hungary," 89.

After the Strategic Defense Review approval on March 16, 2000 the government prepared and the Parliament adopted the Long Term Restructuring Plan of the Hungarian Defense Forces.[119] It envisaged cut of 16,000 personnel by: closure of 25-30 bases; abandonment of the underutilized barracks and concentration of the military units in common garrisons, hence deactivation of about 40 garrisons; turning many non-military activities – cultural, social, recreation and medical to civilian firms.

One of the important tasks, which contributed to the improvement of the democratic control of the military, was integration of the Ministry of Defense and the Defense Staff. Separation of structures means duplication of bureaucracies and precludes full ministerial accountability. It was an embarrassing situation when "two separate Hungarian military delegations – one from the MoD and one from the HDF command – each with the same purpose, visited Sweden at the same time, unbeknown of each other."[120] Although all politicians and militaries as a first priority task acknowledged the establishment of an integrated ministry of defense, the civil-military tensions delayed its implementation. Political tensions between the government and the president also existed because of the unclear chain of command and added flavor in that situation. General Ferenc Vegh, who occupied the dual position of Commander of HDF and Chief of the General Staff, was subordinated to the President as a Commander of HDF and to the Minister of Defense as a Chief of the General Staff. The Strategic Defense Review eliminated the position of Commander of the Hungarian army and in the course of events General Ferenc Vegh resigned. [121] After years of preparation and talks and with all institutions involved in the civilian control (the Parliament, the President, the government and the Ministry of Defense), the General Staff was integrated into the Ministry of Defense on September 1, 2001. This structure reduces duplication, costs less, and ensures a prompt decision-making and execution of orders, as well as efficient implementation of the budget. The integrated ministry of defense relies on teamwork and a balanced mix of civil and military expertise and ensures that objective advice is provided to the Minister and government on defence issues. It also ensures that

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[119] Ibid., 89.

[120] Zoltan Barany, "Hungary: An Outpost on the Troubled Periphery", 75.

[121] Jeffrey Simon, Hungary and NATO: Problems in Civil-Military Relations, 72.

governmental policy, regulations and guidelines are followed by the Armed Forces and, last but not least, ensures as well that there is a NATO-compatible defence structure in Hungary.[122]

> The basic function of the newly established Ministry of Defense is to provide for the flawless and efficient administrative powers of the Minister of Defense. The Constitution and the legislation was amended to this end and ruled to:
> – abolish the position of the commander of the Hungarian defense Forces;
> – to give the power of general command and control to the Minister of Defense over the defense forces;
> – the Administrative State Secretary of the MoD and the Chief of the Defense staff enjoy the same legislative status – within the structure of the Ministry – and there are laws to regulate their scope of activity and authority;
> – the Administrative State Secretary, who is the executive leading the administration of the MoD, also has the authority over the non-military activities of the HDF;
> – The Chief of the Defense Staff exercises power over the Hungarian defense Forces with delegated authority, being the number one soldier, the command authority and member of the Defense Council with a conference right;[123]

4. The New Approach of the Hungarian Socialist Party (2002)

After the elections of 2002, the Hungarian Socialist Party returned again to power in coalition with AFD. The Prime Minister Medgyessy appointed as a Minister of Defense Ferenc Juhasz. Except for the former defense minister Keleti, Juhasz was the only civilian minister who had some prior experience in defense matters. He had been member of the Parliament Defense Committee for two mandates, beginning from 1994. On May 14th, 1996 he was elected Vice-Chairman of the Defense Committee till the end of the mandate and during the next mandate (1998-2002) he was Vice-Chairman of the Defense Committee and Chairman of the Control Commission of the Defense Committee.[124] The defense minister Junasz appointed as Political State Secretary Imre Ivancsik, a former member of the Parliamentary Defense Committee as Administrative

[122] Tibor Babos, "Breakthrough of Civil-Military Relations in Hungary", 127.

[123] "The Integration of the MoD and the HDF Defence Staff: 1 September 2001", *National Defence 2000-2001* (Ministry of Defense of Republic of Hungary), 35.

[124] CV of Ferenc Juhasz available http://www.honvedelem.hu, accessed on January 15, 2004.

State Secretary Joszef Feher, who occupied that post during previous HSP-AFD government (1994-1998). He kept most of the leading staff of the Ministry of Defense and some of the newly appointed had experience in the defense area. All these circumstances show that Hungarian politicians had taken in account last mistakes and by appointing more experienced staff established a basis for steady civil-military relations. Having in mind the new organization and staff of the defense ministry, Juhasz's ambitions for overcoming the lag in fulfillment Hungary's commitment to NATO is justified. In July 2002 Juhasz ordered conducting the new defense review with the objective:

> …to redefine the function and tasks of the Hungarian Defence Forces in compliance with the significantly changed international situation and NATO concepts as well as the national interests and goals, identify and prioritise the necessary capabilities and make proposals to allocate resources to such capabilities.[125]

The Defense Review considered the findings of the review, conducted in 1999-2000, but could only integrate them to a smaller extent, since Hungary's strategic status had significantly changed in those three years, partly due to the events of September 11, 2001, and partly because seven more countries – including three of Hungary's neighbors – were invited to join NATO in 2002.[126] It respects Hungarian commitment to NATO and other international organizations and defines the parameters of the new forces according to the tasks. Further structural and numerical changes were planned to meet the "ambition levels"[127] for territorial defense and for Article 5 or international operations forces and are strictly related to the budget allocations. In line with the ambition levels defined, a new bottom-up system of resource planning was developed, which allowed possibilities of reallocating resources to be reviewed. This way of conducting of the Defense Review showed the implementation of the scientific approach in defining the roles and missions of the armed forces. It presented a fundamental improvement in the thinking of the civilian and military leadership and, hence, it was an example of maturity

[125] Ferenc Juhasz, "Shaping Armed Forces for the 21st Century," available http://www.honvedelem.hu, accessed January 15, 2004.

[126] Ibid.

[127] A Defense Review Report, available http://www.honvedelem.hu, accessed January 15, 2004, "Ambition levels were specified for missions both at home and abroad, which, in turn provided the fundamental basis for the depth and the orientation of the transformation."

of civil-military relations in Hungary because linked available resources with the desired capabilities. As Paul Shemella said: "Without a set of roles that can be fully funded, military forces will never be capable of conducting successful mission."[128]

The plans for reforms provide Hungarian Defense Forces to be fully professionalized in three stages (by 2006), to be diminished to 30,000, and to be modernized till 2013. Short-term plans envisage timely and fully preparation of designated for NATO forces.

> All in all, the objective is to have nine NATO compatible, trained and fully manned battalions by 2006, which are provided with modern equipments and can be flexibly deployed.[129]

The plans for reformation of the armed forces included changes in the proportions of officers' structure. The number of NCOs was to be increased, which increased more the importance of the problem of their retention and recruitment. The same problem referred also to all of the officers. Therefore, being aware of these problems, the last two governments tried to address them. Within the budget availability, they tried to increase the officers' prestige, to enhance the quality of their training, to increase officers' income, and to develop attractive career paths. After the Defense Review from 2002/2003 Minister Junsz stated:

> Qualitative reinforcement of the personnel and their retention requires the introduction of an incentive and salary system of such, which will be able to attract the military profession in the prospectively changing labour market situation even after joining the European Union.[130]

According to the plans for the years before 2004, the ratio of the personnel is shown in Table 1.

Table 1. Ratio of Personnel Characterizing the Voluntary Forces
(From Ferenc Juhasz, "Shaping an Armed Forces for the 21st Century")

Officers	11-14%
NCO	33-38%
Contract soldiers	33-45%
Public servants/civil servants	11-15%

128 Paul Shemella, "'Roles and Missions' of the Armed Forces", chapter from unpublished book from Center for Civil Military Relations at Naval Postgraduate School – Monterey.

129 Ferenc Juhasz, "Shaping an Armed Forces for the 21st Century."

130 Ibid..

5. Particularities of the Parliamentarian Oversight in Hungary

Empowered by the Constitution, the Hungarian Parliament has been the main decision-making institution in defense area after 1989.

> The classical functions of civilian control of the armed forces, such as the definition of the structure, size, and budget of the armed forces, the development of the command and control system, the preparation of the defense act, and the service law were placed under the authority of parliament and have been undertaken reasonably.[131]

In many cases Parliamentary oversight is deteriorated. For instance, during the socialist-liberal government it was hampered by the insufficient information from the Ministry of Defense. Minister Keleti's actions are an indicative example. In 1996 he signed a contract for the acquisition of T-72 tanks from Belarus and decided on deployment of eight planes MiG-29 to NATO-PfP exercise in Poland without the approval of the Parliament. Then the problems of defense oversight were acknowledged and the establishment of a budget planning system, a military defense planning system and legal regulations were discussed.[132]

Such problems as lack of experience and absence of professional support staff or advisors on military matters also deteriorated the work of the Parliamentary Defense Committee.[133] Jeffrey Simon's assessment about Hungary's parliamentarian control in HSP-AFD 1994-98 government covers all the governments in many aspects:

> Although the Defense and Security committee's oversight of the defense budget still remained limited, it was one of the more effective Central European parliamentary defense committees, comprising five subcommittees with varying degree of activity and effectiveness.[134]

Pal Dunay sees another impediment in exercising an effective civilian control by the Parliament. It comes as a result of the close party or coalition affiliation of the leadership of the Parliamentarian Defense Committee and the Minister of Defense.

> Between 1990 and 1998 the chairmen of the Defense Committee of the Parliament came from different parties of the governing coalition. Since the Orban government came to power in 1998, both the Defense

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131 Pal Dunay, "Civil-Military Relations in Hungary: No Big Deal", 74.

132 Jeffrey Simon, Hungary and NATO: Problems in Civil-Military Relations, 35.

133 Ibid., 35.

134 Ibid., 36.

> Minister and the Chairman of the parliamentary Defense Committee have come from Smallholders' Party, further constraining the likelihood of criticism of the Defense Ministry by the Defense Committee.[135]

F. INTERNATIONAL INFLUENCE

Hungary was the most stubborn member of Warsaw Treaty Organization (WTO), which insisted on its dissolution and withdrawal of the Soviet troops from its territory even before the disbanding of the treaty. It was adamant in the discussions for the new bilateral agreement in 1991 when the Soviet Union insisted that Budapest accept "special clause prohibiting Hungary from joining any security alliance that Moscow deems hostile to its security interests."[136] Budapest consistently rejected the security clause as "incompatible with Hungarian *raison d'etat*", because it would undermine Hungary's national security policy and give the Soviet Union the power for veto. These examples are very indicative for the interrelation between Hungary and Soviet Union, latter Russia. They also unequivocally show Hungary's alienation from Russian sphere of influence in early 1990s.

Hungarian policy after 1989 undoubtedly has been streamlined explicitly towards integration in Western European institutions, "with an eye to a future pan-European integration, as the best solution to its security needs."[137] Hungary was very consistent in pursuing that aim. Therefore it is clear that the Western influence in Hungary's democratization process was huge. Both NATO and European Union defined that one of the conditions for membership is a democratic relationship between the civil and military authorities within any applicant state. Hence the pressure on the countries, which wanted to join these structures, was directed to reformation of their civil-military relations.

Relationship with NATO was important for the development of the democratic control of the military. The Alliance supported the democratic transition declaring an interest in the building partnership with all European nations in London in July 1990. After that the North Atlantic Co-operation Council was established in 1991 and the

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135 Pal Dunay, "Civil-Military Relations in Hungary: No Big Deal", 75.

136 Andrew A. Michta, East Central Europe After the Warsaw Pact: Security Dilemmas in the 1990s, 141.

137 Ibid., 135.

Alliance offered more close contacts to partnership countries. When in January 1994 the Partnership for Peace Initiative was launched, it clearly stated that co-operation followed also the objectives of:

- facilitation of transparency in national defense planning and budgeting process;
- ensuring [a] democratic control of defense forces.[138]

Hungary was among the first states that joined PfP and which offered a closer, more concrete and more intensive co-operation with NATO. Hungary, like other partner states, participated in political and military bodies at NATO headquarters and in the newly established Partnership Coordination Cell.

When it became clear that NATO was really thinking of enlargement and democratic control of the military was among the most important criteria and it was accepted as a "dangled carrot."[139] Nevertheless democratic institutions in Hungary were established before 1994, NATO helped pushing the reforms further towards democratization of the civil-military relations.

> Hungary needed many types of assistance, when the country and its leaders, many of them without any previous political experience, were facing enormous political, economic, social and security-related difficulties.[140]

The so-called "dangled carrot" was the reason Minister of Defense Keleti to recognize that the structural changes in the MOD-GS structures were inevitable. The Minister of Defense decided to deal with the integration of the MOD and the General Staff only after NATO countries' experts declared the necessity of it. The most decisive pressure on the MOD was brought about by a British study (March 1996). Experts from the British Defense Ministry carried out a screening research on the Hungarian civilian control over the military. According to one of the most important conclusions of the study, the separate structure of the MOD and the GS constituted the most acute problem, putting an obstacle to the establishment of civil control.[141]

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138 The NATO Handbook. (Brussels: NATO Office of Information and Press, 2001), 68.

139 Ferenc Molnar, "NATO Influence on Democratization of Civil-Military Relations in Hungary", (Geneva Centre For the Democratic Control of Armed Forces) available http://www.dcaf.org accessed January 15, 2004.

140 Ibid..

141 Ibid..

At the same time, NATO countries provided bilateral assistance to Hungary. For example, the United States and Germany opened their military schools for Hungarian officers and generals. The result was a newly educated military elite, which understood the rules of the democratic civil-military relations. Furthermore, NATO experts were closely involved in domestic debates on the democratization of the civil-military relations. Daily contacts between the Hungarian armed forces and NATO countries were set up. Additionally NATO experts were assigned to the MOD and to the national military institutions in order to aid the development of democratic-related knowledge, and to work out a more institutional cooperation in civil-military relations.[142]

Providing different forms of education and training, the Alliance and its members focused directly on the programs form democratic civil-military relations. The involvement of military and civilian personnel from the Ministry of Defense and the Ministry of Foreign Affairs contributed that this knowledge to be disseminated. Although there were concerns that "mainly senior military people were involved in these programs as part of their 're-education'", training of a certain number of military officers contributed "to transfer the democratic approach to civil-military relations to the General Staff, the MoD, and the national military educational system."[143]

Partnership education programs broadened the discussion on civil-military issues. The program included not only the education abroad, but also the NATO-financed programs in Hungary. The results of this education were respectful and Ferenc Molnar wrote: "Since the domestic intellectual conditions concerning civil-military relations have improved, Hungarian efforts in this field have become more successful as well."[144] He assessed NATO influence to Hungary as follows:

> In a wider sense, NATO-organized events (conferences, education, and exercises) have influenced indirectly the democratization of civil-military relations as well. All common activities – first of all, the numerous PfP exercises involving thousands of soldiers in activities, which have fitted to NATO standards – have socialized the military and have promoted the internalization of democratic norms, behavior, and attitudes. This is especially true with regard to accepting the active

142 Ibid..

143 Ibid..

144 Ibid.

presence of the media, the NGOs and the local authorities during military activities. None of these actors had been involved in military exercises until these common activities.[145]

G. CONCLUSION

In developing democratic civil-military relations Hungary is one of the most successful post-communist countries in Central and Eastern Europe. The general acceleration of the democratization process influenced the development of the democratic control of the armed forces. The change of the political control of the military from one-party control to control by democratically elected authorities was smooth due to the way of transition to democracy and also to the historically-proved fact of the non-involvement of the Hungarian armed forces into politics. It proceeded without obstacles.

In establishing the institutional frameworks of the democratic control, Hungary presented a political unity and started the reforms in its structures even before communism collapsed. The legal basis was developed and institutionalization of democratic control was done in the first years of the transition, but it was developed unanimously by all of the governments without any difference what political attitude they had. The established parliamentary oversight was one of the most effective among the post-communist countries in early 1990s. In addition the structures to enforce the democratic control exercised by the Parliament and the government as the Parliamentary Commissioner for Human Rights, the State Audit Office, National Security Cabinet, etc. were established.

One of the successes is the long pursued reforms for unification of the Ministry of Defense and the General Staff, which reduced the duplication of structures, improved the cycle of decision-making and the execution of orders, improved the implementation of the budget, and made it a NATO-compatible defense structure.

The decisions of the Constitutional Court, affecting the way of exercising the democratic control of the armed forces, proved that Hungary respects the democratic principle of division of powers and the rule of law, which is a proof for the consolidation of democracy in early 1990s.

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[145] Ibid.

On the military side, the armed forces were significantly reformed to fit NATO requirements and the scarce defense budgets. Although the financial resources greatly constrained Hungary's armed forces from restructuring, modernization, and PFP-exercise participation, the last two governments had a more scientific approach in defense planning and the plans for reforms are more realistic.

In short, Hungary has done a lot during years following 1989 and it is one of the obvious examples for democratization of the civil-military relations among the post-communist countries of Central and Eastern Europe.

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IV. DEVELOPMENT OF CIVIL-MILITARY RELATIONS IN BULGARIA

A. INTRODUCTION

The 1989 regime changes in the communist countries of Central and Eastern Europe happened to be the most significant event after World War II. On November 10, 1989 the transition began in Bulgaria with the dismissal of Todor Zhivkov as Secretary of Communist Party. Bulgarian people supported the course of democratization of the country. Unfortunately, on the way to this aim, several governments meandered and did not present any decisive reforms in the political, economic and defense area until 1997. NATO's uncertainty, regarding Bulgaria's democratic control of the armed forces and foreign policy meant that Bulgaria missed the opportunity to be invited to join in Madrid 1997. The new political leadership (of the Union of Democratic Forces (UDF) and the National Movement Simeon II (NMSII)) acknowledged the lessons learned from that failure and, declaring Bulgaria's ambitions to join NATO and EU, exerted all efforts to accelerate democratization of civil-military relations after 1997. The results to date are so impressive that Bulgaria was invited to join NATO in the second round of NATO enlargement in Prague 2002.

In this Chapter I will analyze the development of democratic civil-military relations in Bulgaria after the collapse of the communist regime in 1989 and the factors which influenced it.

B. HISTORICAL LEGACIES

1. Pre-Communist Legacy

The Bulgarian state was founded in 681 and has a very turbulent combat history. The founders were the nomadic tribe of Bulgarians that fused with the domestic Slav tribes. Situated at the intersection of several major trade routes, the lands that constitute modern Bulgaria were of interest to a number of nomadic tribes and to the great powers as Byzantium, Rus, the Ottoman and the Austro-Hungarian Empires at different ages. A

strong army was required to oppose all the adversaries. Perceived as the foundation of Bulgarian nationality and the means of unification of the nation, the army has always had high reputation among the population and the rulers. [146]

Russian-Turkish war of 1877-1878 ended with signing of the Treaty of San Stefano, liberated Bulgaria from Ottoman domination and restored its statehood. Unfortunately, the Congress of Berlin in 1878 divided Bulgaria into three different communities: Bulgaria, an independent state under Turkish suzerainty; Eastern Rumelia – an autonomous province of the Ottoman Empire; and Macedonia and Eastern Thrace were left within the Ottoman boundaries. (See Appendix B) This way much of the population remained out of the national boundaries. Prince Alexander von Battenberg (1879-1886), a German noble, who was elected Prince of Bulgaria by the National Assembly, sought to encourage the sentiments of honor and national consciousness through establishment of an autonomous national army. The clauses of the Treaty of San Stefano and the Congress of Berlin in 1878 stipulated that the senior ranks of the Bulgarian Armed Forces had to be filled by Russian officers, appointed by the Tsar of Russia. Therefore it was not clear whom these officers had to be loyal and accountable to –the Bulgarian Prince, Bulgarian Constitution or Russian Tsar. In attempt to inculcate a sense of a national honor and a way of gaining control over the army, the Prince, after respective decision of the National Assembly, dismissed all Russian junior officers and replaced them with Bulgarians. This proved to be a decisive move. In 1885 these patriotic Bulgarian officers would succeed in the reuniting of Bulgaria and Rumelia in southeast and in achieving the victory over Serbia to the west.[147]

Through his efforts to establish an autonomous army, unify Bulgaria and repulse a Serbian invasion, Prince Alexander gained popularity and inspired popular beliefs that the state could exist on its own and not as a puppet. Alexander's achievements, provoked the pro-Russian senior officers to stage a coup in 1886, shortly followed by a counter-coup led by the Parliament's Speaker Stefan Stambolov and some pro-nationalistic and West-oriented officers. Although this resulted in the abdication of the Prince, Bulgaria

146 Bojidar Dimitrov, Bulgaria Illustrated History, available at http://www.bulgaria.com/history/bulgaria/, accessed January 24, 2004.

147 Laura Cleary, "Still the People's Army? Armed Forces and Society in Bulgaria," in Anthony Foster and Timothy Edmonds and Andrew Cottey (editors), Soldiers and Societies in Postcommunist Europe: Legitimacy and Change, (Basingstoke: Palgrave-Macmillan, 2003), 4.

was able to establish its own state policy. This also helped for the foundation of a really national army, because the Russian Tzar withdrew all Russian officers.[148]

The idea of a national unity led Bulgaria to fight four wars at the beginning of 20th century. Bulgaria successfully fought the First Balkan War (1912) against Turkey to liberate Bulgarian population and to expand its territory and lost the Second Balkan War (1913) against Serbia and Greece because of their violation of the prewar agreements. This loss led Bulgaria to join Germany in the First World War in 1915 with the intention to repair the injustices from the previous wars. By the end of the WWI Bulgaria was compelled to sign the Treaty of Neuille-sur-Seine (November 1919), which led to a national catastrophe, the resignation of Tzar Ferdinand and the crowning of his son Boris III. The Treaty of Neuille-sur-Seine had profound consequences for the Bulgarian army.

> Having started the century with one of the best equipped and most disciplined armies in the Europe, Bulgaria found itself abolishing its military service.[149]

The Treaty required that Bulgarian army was limited to 20,000 and forbade the conscript service. Many disappointed former officers became politically active in the Military League - a formidable and well-organized opposition faction in 1920s and 1930s.[150] What is more the "military establishment embraced a fascist ideology as a means of reinvigorating both its military potential and its role in Bulgarian society."[151] Coupled with the economic difficulties that Bulgaria, as well as all Europe, experienced in late 1920s, it resulted in two coups during the period of 1923-1944. Although in 1936 King Boris III dismantled the Military League, the regime still had fascist ambitions. Like Hungary, Bulgaria allied with Germany in World War II in order to repair the injustices from the Treaty of Neuille and like Hungary was defeated.

The civil-military relations during the period from Bulgarian liberation to the end of World War II could be best described as absence of democratic control of the armed forces. Members of the military were the subject of strong political influence and some

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148 Bojidar Dimitrov, Bulgaria Illustrated History.

149 Laura Cleary, "Still the People's Army? Armed Forces and Society in Bulgaria", 5.

150 Bojidar Dimitrov, Bulgaria Illustrated History.

151 Plamen Pantev, "The changing Nature of Civil-Military Relations in Post-Totalitarian Bulgaria", in Andrew Cottey and Timothy Edmunds and Anthony Foster (editors) Democratic control of the Military in Postcommunist Europe: Guarding the Guards, (Houndmills, Palgrave, 2002), 151.

more even active participants in domestic politics. The lack of democratic control did not affect their popularity with the population. Table 2 chronicles the coup d'etat during that period.

Table 2. Coup D'etat in the History of the Third Bulgarian State
(From Todor D. Tagarev, "The Role of Military Education in harmonizing Civil-Military Relations: The Bulgarian Case")

Coup	Forces behind the Coup	Result	Relation to Monarchy
June 27, 1881	Kniaz (Prince) Alexander I, General Ernrot (Russian), Conservative Party	Abolition of the Constitution; Regime of extraordinary powers	Participant in the events
August 9, 1886	Russophile bourgeoisie and officers	Abdication of the kniaz (prince)	The coup is against the west-oriented policy of the kniaz
August 1886 – Counter-coup	Pro-Western bourgeoisie and officers with the Speaker of the Parliament Stambolov as a leader	The kniaz confirms his abdication; Establishment of Council of Regency	Counter-coup in "defense" of the policy of Alexander I
June 9, 1923	"Military Union" and pro-fascist organizations	Overthrow of the legitimate government of Stamboliisky	Supported by Tzar Boris III
May 19, 1934	Political circle "Zveno", "Military Union"	Abolition of the Constitution; Dissolution of all political parties	Against the Monarchy

2. Communist Legacy

The Yalta Agreement at the end of World War II brought a strong Soviet influence over Bulgaria and it is indisputable that it led to an abrupt change in the model of the civil-military relations.

> The Bulgarian communist regime instituted a system of civil-military relations based on the Soviet model, entailing a strong civilian – but not democratic – control of the military.[152]

In the following 45-year period, the Bulgarian Communist Party, influenced by the Soviet example, exercised effective political control over the Armed Forces. However, analogous to Hungary, the role of the direct ties between Bulgarian military and the Soviet General Staff was essential in decisions on doctrine, strategy, planning,

[152] Ibid., 152.

composition, deployment, education and training, etc. The military had the monopoly over the defense information and the word "transparency" was practically unknown. Civilian expertise on defense issues was virtually unattainable, and the citizenry did not play any significant role in the defense and national security decision-making. As in other communist countries, the armed forces were subordinated to the Communist Party,

> …professional military personnel were indoctrinated with the Marxist-Leninist dogma, and political loyalty was made a more important criterion than professional competence in the selection of new officers.[153]

As a result about 80 percent of the officer corps became members of the Bulgarian Communist Party (BCP) by 1980s. Structures of the Main Political Department existed in all units of the armed forces. Through the "apparatus" of political officers, the communist party exercised both high level and in-place control over the military. [154]

However the politics of such close relations with Soviet Union in 1950s and 1960 was not strongly supported by the population and the military, and in 1965 General Ivan Todorov – Gorunia led a coup attempt against the President, Todor Zhivkov. As a former participant in the antifascist guerilla war, he did not act against the Communist government, but with the aim to replace the President with a more nationalistic and less pro-Soviet one. Unfortunately this early attempt to get Bulgaria out of the Soviet orbit failed, because the plans were revealed and the participants captured and put in jail. [155]

From this summary of Bulgarian civil-military relations we see that the military intervention in the domestic politics was a prominent historical legacy of the communist and especially pre-communist period. The communist period was characterized by a strong political but non-democratic control of the military. The end of the Cold War and the dissolution of the Warsaw Pact made Bulgarian politicians consider national security more thoroughly and the decision to adopt the Western democratic values led to acceptance of the Western patterns of civil-military relations as well. It is apparent that neither the communist nor the pre-communist historical legacies have had major influence on the country's post-communist civil-military relations.[156]

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[153] Laura Cleary, "Still the People's Army? Armed Forces and Society in Bulgaria," 6.

[154] Ibid., 6.

[155] Ibid., 6.

[156] Plamen Pantev, "The changing Nature of Civil-Military Relations in Post-Totalitarian Bulgaria," 152.

C. PATH OF TRANSITION TO DEMOCRACY

Bulgaria was a pure example for an early post-totalitarian regime transition to democracy proceeded as a regime controlled transition.[157] The political conditions in Bulgaria before 1988 "still approximated the totalitarian ideal type."[158] All political or citizens' movements were blocked by the regime at their birth. For instance, a 1988-protest movement against the pollution in the border town of Ruse caused by a Romanian chemical plant was gaining popularity, but the participants were strictly controlled by the regime. Members of the Central Committee, who attended the presentation of a film concerning pollution, were accused of creating political structures parallel to those existing. Commenting this case Linz and Stepan asserts:

> For us, this charge is virtually a definitional statement demonstrating that, in the arena of pluralism, Bulgaria in 1988 still approximated totalitarian regime.[159]

The exercised firm control by the regime made the civil, and especially the political society, in Bulgaria to be weak and badly organized from the very beginning of the transition. Actually an opposition "actively emerged as an effective force in Bulgaria only by mid-1989."[160] Therefore the lack of substantial and active opposition could not lead to change of the system. The changes started with an internal party coup on November 10, 1989, when the Communist Party Secretary Todor Zhivkov was overthrown. The leaders of the changes, some more open-minded party leaders, could be perceived as reformers. They were in control of all of the changes and they directed development of the events. At the time the Bulgarian People's Army took no action when Zhivkov was ousted and declared the intention to be an apolitical and stabilizing factor in the peaceful transition to democracy.[161]

The regime controlled all arrangements, leading to the change of the system. The regime was in charge of the establishment of Round Table with the opposition. The

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157 Juan J. Linz and Alfred Stepan, Problems of Democratic Transition and Consolidation, 295.

158 Ibid., 336.

159 Ibid., 336.

160 Ibid., 337.

161 Plamen Pantev, "The changing Nature of Civil-Military Relations in Post-Totalitarian Bulgaria," 147.

Communist Party leadership set it up in January 1990 before the newly emerged opposition strengthened and united. Unlike in Hungary, the opposition was not able to hold Opposition Round Table and define the common principles of negotiation, which weakened additionally its position. The Communist Party was able to set the agenda for the transition and to control the whole negotiation process. Consequently it is not amazing that the date for the first post-communist elections was set as early as June 1990, so the opposition to be impeded to prepare for them. Not like in Hungary, Poland and Czechoslovakia, in Bulgaria the former Communist Party (which in March 1990 was renamed Bulgarian Socialist Party) won the first post-communist elections. The victory of the Bulgarian Socialist Party (BSP) "meant that the party controlled the parliament and the government and succeeded in reconstituting its rule on basis of participation in round table discussion and a popular mandate."[162] This gave opportunity to the old rulers to strengthen their power in the new conditions and launch a policy of penetration into the state's economic and financial structures. In this way, the formation of a new oligarchy started.[163] It was in practice the second power, which aimed at controlling of the political and social processes, and in a short period of time its influence became very perceptible, even, in some cases, it still can be found today.

As it was decided at the Round Table talks, the elections were for a Great National Assembly – the constitutional parliament. Despite the fact that the opposition contested the moral legitimacy of the formal majority – that of the Bulgarian Socialist Party – to adopt a democratic constitution and a lot of protest actions were held, the new Constitution was adopted on July 12, 1991. The Bulgarian Constitution was the first democratic constitution adopted in Central and Eastern Europe after the events of 1989.[164]

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[162] Juan J. Linz and Alfred Stepan, Problems of Democratic Transition and Consolidation, 341.

[163] Valery Rachev, "NATO and South-Eastern European Security Perspectives: Implications for Evolution of National Security Institutions and the Decision-making Process in Bulgaria", (NATO Office of Information and Press, Academic Affairs Unit), 13, available at http://www.nato.int, accessed October 29, 2003.

[164] Plamen Bonchev, "Civil-Military Relations in the Process of Security and Defence Policy Formulation: A Case Study of Bulgaria's Participation in PfP," (NATO Democratic Institutions, Individual Fellowship Programme 1997/1999), available at http://www.nato.int accessed on January 24, 2004

D. LAYING THE FOUNDATIONS FOR THE DEMOCRATIC CONTROL OF THE ARMED FORCES

As soon as the opposition was accepted as an actor on the political scene, the issue of depolitization of the armed forces was discussed. In this respect the reform wing of the Communist Party had taken decisive steps. In January 1990 they repealed the section of Article 1 of the Constitution that had institutionalized the exclusive political role of the party in the armed forces, they forbade the political organs in the Army and abolished the Main Political Department in the Defense Ministry. In October 1990 a law on political parties was approved, which depoliticized several government institutions, including the Army, and required they to report to the state rather than to the ruling party. By the end of the year, 98 percent of all military personnel reportedly had relinquished their membership in political parties in accordance with the law. If they refused to do so, they were discharged from service. What was more, in 1991 the Ministry of National Defense supported the idea for exclusion of active-duty military personnel from voting in elections.[165]

Although moving toward depolitization of the armed forces, the real institutionalization of democratic control of the armed forces started with the introduction of the new Constitution of the Republic of Bulgaria in 1991. The Constitution proclaims the parliamentary form of government in Bulgaria and establishes the principle of division of powers among the legislative, executive and judicial powers. [166]

According to the constitutional arrangements, the main responsibility for the national security is shared by the National Assembly, the President (who is also Supreme Commander-in-Chief of the armed forces), and the Council of Ministers.

The National Assembly is vested with the legislative authority and exercises the parliamentary control. The Constitution gives the National Assembly certain specific powers and functions with respect to the national security. The Parliament resolves on the declaration of war and conclusion of peace. The deployment and use of Bulgarian armed

[165] Vasil Danov, "Comparative Analysis of the Reforms in the Armies of the Czech Republic, Hungary, Poland and Bulgaria during the 1990-1998 Period," (NATO, Research Fellowship Programme 1999-2001), 55, available at http://www.nato.int, accessed January 31, 2004, 48. According to him between 93 and 97% of commissioned officers were members of the Communist Party by 1989.

[166] Constitution of Republic of Bulgaria, State Gazette # 56 from July 13, 1991, available www.parliament.bg/?page=const&lng=en, accessed January 25, 2004.

forces outside the country's borders, and the deployment of foreign troops on the territory of the country or their crossing of that territory have to be approved by the National Assembly. On a motion by the President or the Council of Ministers, the Parliament introduces a martial law or a state of emergency on all or part of the country's territory. The National Assembly ratifies or denounces all international treaties and agreements which are of political or military nature, or concern Bulgaria's participation in international organizations.[167]

The National Assembly, assisted by the Parliamentary National Security Committee (since 2001 called Parliamentary Foreign Policy, Defense, and Security Committee), carries out the parliamentary control over the activities of the Ministry of Defense, and consequently – over the Bulgarian Armed Forces (BAF), Military Intelligence and Military Counter-Intelligence; over the Ministry of Interior and consequently – over the Border Forces, the Gendarmerie, and the National Security Service; as well as over the National Intelligence Service and National Protection Service, which are subordinated to the President.[168]

The President is the Head of State and, according to Article 100 of the Constitution, he is vested with an important role in the national defense as a Supreme Commander-in-Chief of the Armed Forces. He appoints and dismisses the higher command of the armed forces and bestows all higher military ranks on a motion from the Council of Ministers. The President has the authority to proclaim general or partial mobilization on a motion by the Council of Ministers in accordance with the law, as well as to proclaim a state of war in case of an armed attack against Bulgaria or whenever an urgent action is required by virtue of an international commitment, or to proclaim a martial law or any other state of emergency whenever the National Assembly is not in

[167] Constitution of the Republic of Bulgaria, Article 84, para 10, 11, 12 and Article 85.

[168] Nansen Behar, "Civil-Military relations and the New Defense and Security Legislation in Bulgaria", (Geneva Centre for the Democratic Control of Armed Forces, Working Paper #68, 2002), available at http://www.dcaf.ch, accessed November 18, 2003.

session and cannot be convened. In the latter case, the National Assembly should be convened to endorse the decision.[169]

The President presides over the Consultative National Security Council. A law establishes its status.[170]

According to Article 105 of the Constitution, the Council of Ministers directs the implementation of the state's domestic and foreign policy, ensures the national security and exercises overall guidance over the state administration and the Armed Forces. Furthermore, the Council of Ministers is responsible for the management of the state budget and assets, and concludes, confirms or denounces international treaties when authorized to do so by law.[171]

Although the Constitution sets up the basis of the democratic control of the armed forces, this control was refined later by the adoption of Law on Defense and Armed Forces of the Republic of Bulgaria (LDAF) in 1995, the National Security Concept in 1998, the Military Doctrine in 1999, other basic laws of the special intelligence means, and the Consultative Council of National Security.

E. DEVELOPMENT OF INSTITUTIONS FOR DEMOCRATIC CONTROL OF ARMED FORCES

1. Period of Political Instability (1990-1997)

Very tempestuous political struggles and desperate attempts to overcome the economic crisis characterized the period of 1990-1997. Therefore the development of civil-military relations was not a top-priority issue on the agenda of all political parties. During that period six governments were changed, two parliaments were dissolved and extraordinary elections for new parliaments were held. People were disappointed and exhausted by this political activity, which did not lead to any improvement of the economic situation. If we consider the elections for parliament, president and local

169 Constitution of the Republic of Bulgaria, Article 100, para 1, 2, 4 and 5.

170 Constitution of the Republic of Bulgaria, Article 100, para 3.

171 Constitution of the Republic of Bulgaria, Article 105.

authorities, it comes out that elections were held almost every year. In such conditions of change, continuity in policy was impossible.[172]

In contrast to Hungary, in Bulgaria there were two main political forces – the Bulgarian Socialist Party (BSP) and Union of Democratic Forces (UDF). During this period these parties won the elections and formed governments alone or in coalitions, which were dominated entirely by them. Although the Parliaments consisted usually of four or five parliamentary represented parties, conditions for wide coalitions as in Hungary were not present, because BSP or UDF possessed absolute or close to absolute majority.

After the first post-totalitarian elections BSP won 53 percent of the votes and 211 of 400 seats in the Great National Assembly.[173] Then the first Socialist government with Prime Minister Andrei Lukanov was formed and this started the economic reforms in 1990, but it lost support in the party and its electorate and it was compelled to resign in December 1990. This government was replaced by a coalition government formed by leading UDF and BSP politicians under the Premiership of Dimitar Popov, a non-partisan judge. Popov's government freed the prices and allowed more private initiatives, giving the Great National Assembly the opportunity to produce and ratify a new Constitution by the summer of 1991.[174]

The Great National Assembly was dissolved in August 1991 after completing its mission – to ratify the new Constitution. The centre-right UDF narrowly won the elections held in October 1991 – 42% of seats (against 40% for BSP), and formed a minority government together with the Movement for Rights and Freedoms (MRF), which won 9% of the seats.[175] That government, headed by the UDF's leader Phillip Dimitrov, rapidly passed the legislation on the return of the nationalized lands and urban properties. This measure aimed to accelerate the development of the emerging private

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[172] During the period 1990-1997 elections were held in: 1990, 1991, 1994, and 1997 – for Parliament; 1992 and 1996 – for President; and 1995 – for local authorities. Information is available at http://www.mediapool.bg, accessed February 20, 2004.

[173] Information available at http://info.top.bg/politics/partii.php, accessed February 20, 2004.

[174] Evgenii Dainov and Vladimir Shopov, "The Democratic Process of Bulgaria", in Ognyan Minchev, and Valery Rachev, and Marin Lessenski (editors) Bulgaria for NATO 2002, (Sofia, Institute for Regional Studies, 2002), 21.

[175] Information about parliamentary elections 1991 is available at http://www.izbori-bg.com, accessed February 24, 2004.

sector. By the autumn of 1992 Bulgarian economy had largely overcome the after-shocks of its disintegration under Lukanov, but the defection of the MRF from the coalition, led to the fall of Dimitrov's government. The new political configuration in the parliament managed to construct a non-partisan government headed by the economic historian, Professor Lyuben Berov, by December 1992.[176]

Berov's government claimed that it would follow the UDF's own reform program, but as Berov relied on the BSP's support in the parliament and the socialists were in not ready to embrace the fully-fledged capitalism – the reform was stopped rather than speeded up. Thus Berov's government was given its nickname "the do-nothing government" and the public support for it was gradually withdrawn. [177]

Table 3. Prime Ministers and Governing Parties since 1990
(After: Laura Cleary, "Coming in from the Cold: Bulgaria and NATO," Cranfield University, The Royal Military College of Science, UK)

Period in Office	Prime Minister	Governing Party	Reason for Collapse
Feb. – Dec. 1990	Andrei Lukanov	BSP	Popular protests
Dec. 1990 – Oct. 1991	Dimitar Popov	Coalition Government	The end of the Parliamentary mandate
Oct. 1991 – Dec. 1992	Filip Dimitrov	Coalition of UDF and MRF	Frictions within the coalition and lost vote of confidence
Dec. 1992 – Oct. 1994	Lyuben Berov	MRF	Political crisis – after his resignation, impossible to establish a new government
Oct. 1994 – Jan. 1995	Reneta Indzhova	Interim government	
Jan. 1995 – Feb. 1997	Zhan Videnov	BSP	Popular protests led to political crisis
Feb. – Apr. 1997	Stefan Sofianski	Interim government	
Apr. 1997 – Jul. 2001	Ivan Kostov	UDF	The end of mandate
Jul. 2001 – present	Simeon Saxecoburggotski	National Movement Simeon II	

176 Evgenii Dainov and Vladimir Shopov, "The Democratic Process of Bulgaria", 23.

177 Ibid., 25.

The public disappointment, result of the initial pro-market reforms, and the internal squabbles and fights in UDF led to December 1994 extraordinary elections won by BSP, which gained 125 of 240 seats in the Parliament, while UDF managed to win only 69 seats.[178] Unfortunately the BSP's new government led by Zhan Videnov stopped the privatization process and "explicitly announced its withdrawal from the consensus reached at the 1990 Round Table and declared that the consensus was a mistake." All economic measures undertaken by the government were anti-market directed and by the end of 1996 Bulgaria was in state of an economic catastrophe: hyperinflation of about 2000 percent in the period March 1996 – March 1997, endemic shortages, ruin of national currency and collapse of the bank system. Waves of popular protests and civil disobedience led to the fall of the government in February 1997. [179]

During this period of economic crisis, political disorientation and practical inertia in democratization of civil-military relations, two important laws were adopted. Law for Consultative Council for National Security was adopted in February 1994, as prescribed by the Constitution, and Law of Defense and Armed Forces of Republic of Bulgaria (LDAF) in December 1995. The first law defines the structure and tasks of this consultative body chaired by the President. It consist of the Speaker of the Parliament, the Prime Minister, the ministers of Defense, Interior, Foreign Affairs, and Finances, the Chief of the General Staff and representatives of each parliamentary group.[180]

The second law – Law on Defense and Armed Forces further develops the institutional arrangements concerning the democratic control of the armed forces. It defines that the Parliament adopts the documents related to the national security, for example, the National Security Concept, the Military Doctrine, etc. on motions by the Council of Ministers. The President's responsibilities and competencies, in cases of war and actual initiation of contingencies, are clarified.[181] The Council of Ministers is

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[178] Information about parliamentary elections 1994 is available at http://www.izbori-bg.com, accessed February 24, 2004.

[179] Evgenii Dainov and Vladimir Shopov, "The Democratic Process of Bulgaria", 26.

[180] Law for Consultative Council for National Security, State Gazette #13 from February 11, 1994, available at http://www.president.bg, accessed January 12, 2004.

[181] Law on Defense and Armed Forces of the Republic of Bulgaria (LDAF), State Gazette #112 from December 27, 1995, available http://www.md.government.bg, accessed January 24, 2004, Chapter 3, Section 3, Articles 27-30.

responsible for the directing and implementing the defense policy. The law stipulates that the Council of Ministers provides the general guidance of the Armed Forces as well as the direction on their structuring, preparation and logistic support, as well as combat and mobilization readiness. To this end, the Council of Ministers establishes the structure of the Bulgarian Armed Forces; adopts the plans for restructuring the armed forces; adopts the State Wartime Plan and the wartime budget; provides general guidance on mobilization of the Armed Forces and the transition of the country from peacetime to martial law and states of emergency.[182]

As one of the most important figures that exercise the democratic control of armed forces, the Minister of Defense is defined as a civilian who is directly responsible for conducting the state policy in the Ministry of Defense and for the implementation of the civilian control over the armed forces. The Minister exercises his competencies by participating in the development of the National Security Concept; elaboration and implementation of defense budgets; directing the personnel policy (including the promotions of officers up to the rank of colonel); carrying out oversight of educational and R&D activities; and directing information and public relations policy. On his motion, the Council of Ministers adopts and presents to the President the high ranking officers to be appointed to the rank of general in the Bulgarian Armed Forces and the central administration of Ministry of Defense, including the Chief of the General Staff of the BAF. In his work the Minister of Defense is assisted by the Deputy Ministers and the Chief of the Political Cabinet, who are civilians, as well as by the Chief of the General Staff.[183]

The Defense Council, under the authority of the Minister of Defense, is a consultative body, which assist him in decision-making process. It is composed of the Deputy Ministers, the Chief of the General Staff and his deputies, the Commanders of the services, the Chief Inspector and other officials appointed by the Minister of Defense.[184]

In performing these supervisory functions, the Minister is supported by an Inspectorate, in which civilian and military staffs are included. The Inspectorate controls

[182] LDAF, Chapter 3, Section 4, Articles 31-33.

[183] LDAF, Article 34.

[184] LDAF, Article 39.

the effective implementation of the budget and procurement policy, the observation of human rights, the personnel and recruitment policy, the social policy and protection of environment, the abuses of financial or military discipline, and others.[185]

The Law on Defense and Armed Forces stipulates the responsibilities and powers of the Chief of the General Staff in peace and war, and thus defines the chain of command. He was conferred some important activities directly related to the formulation of security policy, including the responsibilities of organizing the elaboration of the draft of the Military Doctrine and its subsequent implementation, and conducting the work of military intelligence.[186] As the adoption of the national security documents and the direction of the intelligence services should be under civilian control, the responsibilities of elaborating such kind of political documents and control of the intelligence services were transferred to the Ministry of Defense by the changes in the LDAF in 1997.

LDAF guaranteed the independence of the military judiciary – courts, inquire, and procurators by subordinating them to the Ministry of Justice and respectively the General Procurator. As they are still military, the Minister of Defense is responsible only to accept or leave them in military service on proposal of the Supreme Judicial Council. The military judiciary treats the military servants in strictly defined cases. If the violation is of civic nature civilian courts should treat the militaries.[187]

The detailed analysis of the legislative documents shows that they provide a solid base for the institutionalization of the democratic civilian control. The Constitution and the Law of Defense and Armed Forces clearly define the roles and responsibilities of the Parliament, the generally-elected President, the Council of Ministers, the civilian Minister of Defense, the Chief of the General Staff, and the judicial branch. Moreover, the comparative analysis made by Jeffrey Simon shows "that in the development of the normative base of civilian control Bulgaria is ahead of most countries in CEE, including the Visegrad countries."[188]

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[185] Organic Regulations of the Ministry of Defense, State Gazette #72, August 13, 1999, available http://www.md.government.bg, accessed January 24, 2004.

[186] LDAF, Article 78.

[187] LDAF, Chapter V, Article 37.

[188] Cited in Todor D. Tagarev, "The Role of Military Education in harmonizing Civil-Military Relations: The Bulgarian Case," (NATO Democratic Institutions Individual Fellowship Project, Final Report, June 1997), 17.

The adoption of the legal basis was a good beginning for the formal establishment of democratic control of the armed forces but not the end, as many politicians, and especially the military, thought. The process of building organizational structures and developing procedures for civilian control were also to be done. The working patterns were more important in the evaluation of the institutional presentation of the democratic control of the military than the existence of formal legal basis.

During that very unstable period of the modern Bulgarian political history, several events tested the public and politicians' perception of democratic control of the military. The first example when it was respected was the untimely resignation of the President Petar Mladenov, former member of Politburo and initiator of the 1989 changes. In an unsuccessful attempt to quell the public demonstration in 1990 in front of the Parliament, he was recorded as saying "…it's better for tanks to come…" This led to a wide-spread media scandal and Mladenov's resigned from the post. The Great National Assembly then had elected the leader of the opposition UDF and former dissident Zhelyu Zhelev as president. Another indicative example is the dismissal of General Petrov as Chief of General Staff in 1994 because of public confrontations with the Minister of Defense on basis of different political affiliations.[189] Although very fragile, first arrangements of the democratic control of armed forces were well accepted by politicians and military and had effect in first years of the transition.

Very indicative of the military's perception of democratic control was the refusal of Chief of General Staff General Totomirov to take part in quelling of street protests in January 1997. The then ruling Bulgarian Socialist Party several times attempted to involve the General Staff in case it need declare a civil emergency. The Chief of the General Staff unambiguously declared "that Bulgarian Army will by no means undertake any home political functions."[190] Thus involvement of the armed forces into domestic politics was avoided.

The first UDF government in 1991 appointed the first civilian Minister of Defense Dimitar Ludzhev. He reorganized the Ministry of Defense, defined responsibilities of the military and civilians, and attempted to start defense reform, but because of

[189] Ibid., 20.

[190] Vasil Danov, "Comparative Analysis of the Reforms in the Armies of the Czech Republic, Hungary, Poland and Bulgaria during the 1990-1998 Period," 55.

disagreements with Prime Minister Filip Dimitrov was compelled to resign.[191] Unfortunately his policy was not continued by his successor and when the socialist government of Zhan Videnov came to power, the issue of the reform faded entirely. The principle of civilian control of the military and the process of civilianization of the Ministry of Defense was dropped. BSP appointed as a Minister of Defense a retired Admiral, and as a Deputy Minister for military and political affairs - a retired Colonel. Many other lower positions were re-militarized too.[192]

As in Hungary, the division of powers in Bulgaria during the period 1990-1997 worked in accordance with the democratic practices. The Constitutional Court handed down the ruling in 1995, which "allowed the government to be the sole authority approving the deployment and use of Bulgarian armed forces outside the country's borders for humanitarian, environmental, educational, sports and other missions of peaceful (non-military) nature."[193] Until then, according to Article 84 of the Constitution, all the activities related to dispatching of Bulgarian armed forces abroad or allowing foreign armed forces on Bulgarian ground was responsibility of the Parliament. When the Law of Defense and Armed Forces was amended in 1997, this ruling was introduced in it.

The practices in Bulgaria during the period of 1990-1997 show that the civilian control of the armed forces exists, but it is hindered by many problems. One of the major peculiarities of civilian oversight was the lack of expertise. It was related first to the lack of previous education and experience of civilians in military matters and second to the very unstable political situation. Parliamentary and Council of Ministers' members were changed very often and the possibility for establishment of the proper experience and continuation of the policy in security and defense area was absent. The same was true for the civilian experts in the Ministry of Defense. As Bonchev said, until 1998 the Ministry of Defense still remained a military-minded institution because:

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191 Dimitar Dimitrov, "Military Reform and Budgeting for defense in Bulgaria (1989-2000)", in David Betz and John Lowenhardt (editors), Army and State in Post-communist Europe, (London and Portland, Oregon: Frank Cass Publishers, 2001), 119.

192 Plamen Bonchev, "Civil-Military Relations in the Process of Security and Defence Policy Formulation: A Case Study of Bulgaria's Participation in PfP".

193 Ibid..

> …the civilian staffing has been based predominantly on [a] 'political appointees' model. This has prevented the creation of a stable civilian core and has had negative effect on the accumulation and improvement of civilian expert knowledge.[194]

The 1990-1997 period of development of democratic civil-military relations in Bulgaria was succinctly described by Jeffrey Simon as "7 lost years."[195]

2. On the Way Towards NATO (1997-2004)

a. The New Political Situation

The held in April 1997 elections brought to power UDF with full majority in the Parliament – 137 of 240 MPs, and the government of Ivan Kostov was formed. The Government realized that the recovery from the grave crisis could be achieved only through a broad, nation-based consensus. In the Parliament, the MRF and the Euro-left supported the UDF.[196] On May 8th, 1997 the Parliament unanimously signed the National Consensus Declaration. Imperative reforms in the financial, economic and political area and accession to the EU and to NATO were among the agreed seven points.[197] The Declaration was unique in the recent Bulgarian history – for the first time political parties decided to work jointly for the Bulgarian revival rather than to pursue the party's interests. This gave the UDF government a powerful leverage in introducing broader political and economic reforms.

Along with the economical revival, the efforts of the government were directed towards preparing Bulgaria for accession in EU and NATO.

> The integration agenda concentrates on domestic efforts, is aimed at reaching a level of development (political system, institution building, structural reform, economic growth, changing patterns, legislative

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194 Ibid..

195 Jeffery Simon, "Bulgaria and NATO: 7 Lost Years," *Strategic Forum 142,* (Washington, DC, INSS, National Defense University, May 1998), available at http://www.ndu.edu/inss/strforum/forum142 .html

196 The 1997-2001 Parliament consisted of: United Democratic Forces Coalition, Coalition For Bulgaria (BSP), MRF, Bulgarian Business Block, and Euro-left.

197 Valery Rachev, and Velizar Shalamanov, and Todor Tagarev, "Reshaping Bulgarian Armed Forces for the 21st Century," in Ognyan Minchev, and Valery Rachev, and Marin Lessenski (editors) Bulgaria for NATO 2002, (Sofia, Institute for Regional Studies, 2002), 208. Declaration included: Introduction of currency board; Just distribution of the social cost of reform; Speedy restitution of agricultural land; Decisive measures against crime and corruption; Opening of the old security services' confidential files; Accession to the EU; Accession to NATO.

frameworks, interoperability of the Armed Forces and security structures etc.) corresponding to the requirements for membership.[198]

Right after Kostov's government took office, it verified Bulgaria's decision to join NATO, which was announced by the caretaker government in March 1997. Decisive measures were undertaken to overcome the problems in the area of interoperability. It started with adjusting the legal basis for operation with NATO. In a short period of time the Law of Defense and Armed Forces was amended and some important defense policy documents, such as the National Security Concept and the Military Doctrine, were adopted.

Very substantial improvement in the democratic control of the armed forces was attained by changes in the legal code. LDAF was amended several times and the most significant changes were introduced in 1997 and 2000. The major changes concerned the responsibilities of the Minister of Defense and the Chief of the General Staff. The Minister of Defense was no longer responsible for the drawing of the National Security Concept, but was relegated to participate in its elaboration together with the other ministers. This amendment is indicative that the understanding of nature of the national security was changed and went beyond the armed forces.[199]

The Chief of the General Staff was deprived of the direct responsibility to propose to the Minister of Defense the Draft of the Military Doctrine. Since the Military Doctrine defines the structure of the Bulgarian Armed Forces and the personnel strength, it was against the principles of the democratic control such document to be prepared by the military.[200]

The advisory body of the Minister of Defense – the Defense Council – has the responsibilities for "consideration on topical issues of the defense policy; the military aspects of the National Security Concept and the Military Doctrine; the defense budget; and other issues of Minister of Defense's responsibility."[201] Together with the

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198 Valery Rachev, "NATO and South-Eastern European Security Perspectives: Implications for Evolution of National Security Institutions and the Decision-making Process in Bulgaria", (NATO Office of Information and Press, Academic Affairs Unit), 16, available at http://www.nato.int, accessed October 29, 2003.

199 Changes in art. 35 and 39 from LDAF from 1997.

200 Changes in art. 78 from LDAF from 2000.

201 Plamen Bonchev, "Civil-Military Relations in the Process of security and Defense Policy Formulation: A Case Study of Bulgaria's Participation in PfP."

improvement of the exercising of the democratic control, the work of the consultative body allows the utilization of a civilian and military expertise in the decision-making process in respect of the defense policy.

Other result of the amendments of the LDAF was the redistribution of the power between the Defense Minister and the Chief of the General Staff. In 1997 the Military Counter-Intelligence Service and the Military Intelligence Service were subordinated to the Minister of Defense.[202] Thus an important civil-military relations issue – the control of the intelligence services – was solved in the proper way. The President directs the civilian intelligence service now and the Minister of Interior – the counterintelligence service. The division of the security and intelligence services and the responsibilities for the exercising of the civilian control over them allow establishment of conditions for misuse of these institutions to be prevented. On one side they are controlled by different civilian authorities, on other – the services may control each other.

b. Adoption of National Security Concept and Military Doctrine

The issue of the development of a National Security Concept became important right after the changes in 1989, when Bulgaria regained its full sovereignty and independent foreign and defense policy. The elaboration of the Concept started in 1990 when a working group was set. Several state institutions, academic centers and NGOs were actively involved in this process.[203] Unfortunately the unstable political situation and the frequent changes of the governments till 1997 blocked the finalization of the document.

The decision to join NATO showed the pressing need of a national security strategy. Respecting the national interests, the document should be compatible to the maximum degree with "the philosophy and the fundamental principles of the Alliance Strategic Concept from 1991" and all contemporary NATO ruling documents as well as with the Common Concept of 28 WEU nations on European Security. In August 1997 a

[202] Changes in art. 38 and 40 from LDAF from 1997.

[203] Ibid..

working group, chaired by the Prime Minister, was established. The Draft of the National Security Concept was presented to the National Assembly and on April 16, 1998 it was approved. [204]

The National Security Concept represents the formally adopted political views concerning the protection of the Bulgarian citizens, society and state against external and internal threats of any nature. The Concept has a clear defense meaning and claims that Republic of Bulgaria does not have any territorial claims and does not recognize such claims on its territory. It asserts that the process of integration into NATO and EU has a positive influence upon the security of Bulgaria. Joining the collective defense alliance is directed towards improvement of the national security and it is not directed against any country. [205]

The Military Doctrine is developed on the basis of the National Security Concept and the Law on Defense and Armed Forces. The elaboration of the Military Doctrine in Bulgaria is an example of workable principle of democratic control of the armed forces. It was done through the close and fruitful cooperation between military and civilian experts and the implementation of a rational approach in defining the structure and size of the Bulgarian Armed Forces. It is also a demonstration that the democratic control of defense planning has reached a new and improved level.

The improvement of the civilian control of defense planning had an effect on the plans for the reforms of the armed forces. As the General Staff proposed it in 1998, the government adopted the Plan for Reform of the Bulgarian Armed Forces till 2010 with a final number of 75,000 military personnel and substantial modernization and re-armament.[206] The provisions of the plan showed an unrealistic assessment of the situation and it was pretty clear that the civilian contribution was not significant, if there was any. This confirmed the words of NATO advisor Chris Donnelly, who had said an year earlier:

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[204] Ibid..

[205] National Security Concept of the Republic of Bulgaria, Art. 28, available at http://www.md.government.bg, accessed January 30, 2004.

[206] Todor Tagarev, "Control, Cooperation, Expertise: Civilians and the Military in Bulgarian Defense Planning Expertise" (Institute for Security and International Studies, Research Report 14, Sofia, 2003), available at http://www.isn.etz.ch./isis/Publications/reserach_reports/research_report_14.htm, accessed January 30, 2004.

> …there is no Central and Eastern European country that has the effective army it needs and no government that can evaluate what kind of defence it requires, nor what size, nor evaluate the proposals of its generals. [207]

In addition, the impartial evaluation of Jeffrey Simon was that the Bulgarian government is "lacking an understanding of how far behind they are, as well as what they need to do, to seek integration."[208] This opinion was proved by a follow-up study, sponsored by the UK Ministry of Defense, which found that "there is lack of realism and coherence between budgets and defense planning."[209] The necessity for changes in the defense plans was obvious by the autumn of 1998 and the government asked the US government for support in the conducting of a comprehensive defense reform study.

The conducted study was equal to a strategic defense review. Nine teams were set. They included not only Bulgarian civilian and military experts, but also US experts, and they studied all services and branches. Evaluation of the results was made by a tenth Bulgarian team, led by a high ranking civilian. They looked for a model of Bulgarian Armed forces that best met the requirements of the national security and defense and is also capability based. Variants of peacetime strength were discussed in the Defense Council, attended by the President and the Prime Minister. Assessing the appropriateness of the variants to "interests, risks, scenarios, and resources, the Bulgarian state leaders decided to give their support to the 45,000-model of the armed forces."[210]

Based on this elaborated proposal by the Minister of Defense, the Council of Ministers approved the draft of the Military Doctrine and sent it to the Parliament. The doctrine was adopted in April 1999 and became the basis for further reform of the armed forces.

As a document, the Bulgarian Military Doctrine is roughly equal to a National Military Strategy in the USA. It assesses the threats, risks, and challenges to the

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[207] Chris Donnelly, "Defense Transformation in the New Democracies: A Framework for Tackling the Problem," *NATO Review 45:1 (1997),* 15-19, available at http://www.nato.int/docu/review/1997/9701-4.htm, accessed October 29, 2003.

[208] Jeffery Simon, "Bulgaria and NATO: 7 Lost Years."

[209] Todor Tagarev, "Control, Cooperation, Expertise: Civilians and the Military in Bulgarian Defense Planning Expertise."

[210] Ibid..

national security. The evaluation for Bulgaria was that "Republic of Bulgaria does not face any immediate military threat."[211] It defines the roles, missions and tasks of the armed forces, the major parameters of the force structure, NATO and EU integration requirements, the principles of the Bulgarian participation in the PfP Program and peace-support operations, etc.

The procedure of elaboration of such an important document, like the Military Doctrine, showed a new phase of exercising of democratic civilian control of the armed forces in Bulgaria. It also proved the maturity of the new civilian leadership, which had taken its decision according to the principles for efficient and effective defense management.

c. Plan for Organizational Development of the Armed Forces 2004

Article 93 of the Military Doctrine prescribed that a Plan for Organizational Development of the Armed Forces till the end of 2004 (Plan 2004) should be developed. For the preparation of the plan the Minister of Defense issued "guidance on major organizations in the force structure, personnel limits and resource constraints, while leaving some flexibility to the military in devising the reform plan."[212] The Civilians became more and more confident of their authority to exercise democratic control of the military and successfully took part in the defense planning. In this sense, it is important not simply to guide the militaries, but also to be able to provide well-grounded directions, based on solid civilian expertise in military matters.

In September 1999 the Council of Ministers adopted plans for organizational development of the armed forces and the Ministry of Defense till 2004. In fact this was the beginning of the real defense reform in Bulgaria. The democratic control of the military attained a new, higher level of development. Assessing the work on Plan 2004, Tagarev wrote that:

> Plan 2004, even if far from perfect, is widely acclaimed as a very significant step toward adapting the Bulgarian defense establishment to the Post-Cold War security environment. More importantly, the process of

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211 Military Doctrine of the Republic of Bulgaria, Art. 12, available at http://www.md.government.bg, accessed January 30, 2004.

212 Todor Tagarev, "Control, Cooperation, Expertise: Civilians and the Military in Bulgarian Defense Planning Expertise."

> elaboration and approval of Plan 2004 set a precedent for Bulgaria in which civilians and the military closely interact in defining objectives, conducting a study, assessing alternative force models, drafting recommendations and planning guidance, supervising planning and assessing the adequacy of proposed plans.[213]

This positive model of civil-military interaction was not only transient, but it was also strengthened and refined and several more studies on different defense related issues were carried out, including the elaboration of NATO Membership Action Plan.

Plan 2004, the execution of which started in 2000, has four main goals:

> ...to make the Armed Forces adequate to the strategic environment and in condition to face the challenges of new types of conflicts and crises, to have a high level of interoperability with NATO no later than 2001-2002, to have potential for an effective contribution in crises response operations and to have a realistic size in accordance with the level of resources the country can provide for defense.[214]

In 2000 structural reforms of the central administration of the Ministry of Defense, in accord with similar structures in NATO, were presented. Changes in all levels of command structures of the Bulgarian Armed Forces were implemented as well. The structure of the General Staff was changed to become adequate to the central administration and to consist of NATO-type directorates from J1 to J6.[215] Interoperability required also gradual changes in all units to resemble the respective formations in NATO forces. Priority tasks were establishment and resource provision of Rapid Reaction Forces. The restructuring of the units and formations of the BAF was accompanied by a reduction in the number of garrisons and barracks.

Plan 2004 prescribed harsh changes in personnel, too. The number of personnel should be diminished from 107,000 in 1999 to 45,000 in 2004. The personnel were to be changed not only quantitatively, but also qualitatively. A study in 1999 found the same paradox of the changed pyramid of officers' ranks as in Hungary – comprising

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213 Ibid..

214 Plamen Pantev "Civil-Military Relations in Bulgaria: Aspects, Factors, Problems," in Plamen Pantev (editor) Civil-Military Relations in South Eastern Europe a Survey of the National Perspectives and of the Adaptation Process to the Partnership for Peace Standards, (Partnership for Peace Consortium of Defense Academies and Security Studies Institutes Working Group on Crisis Management in South-East Europe Process to the Partnership for Peace Standards, 2003), 56.

215 Unified designation in NATO standing for joint command structures dealing respectively with: personnel, intelligence, operation plans, logistics, strategic planning and communication and computers.

56% of all officers, the senior officers outmatched junior ones.[216] Together with the reduction of personnel, Plan 2004 envisaged repairing the officers' structure and, as in Hungary, a special attention was given to the NCO corps. In order to prevent any future misbalances in the officers' pyramid, the changes, made in the LDAF in 2002, stipulated that: by a decree the Council of Ministers defines the number of the military personnel in every rank, excluding high officer ranks. This improved additionally the control functions of the executive. [217]

d. Changed Pattern of Democratic Control

After 1997 the armed forces changed qualitatively - recruitment of volunteer soldiers started. Soldiers could be women as well as men and this changed additionally the structure of the armed forces, now consisting of volunteer and conscript soldiers. Now the regular conscript service is 9 months. Those with a bachelor degree and higher education serve 6 months. According to the changes of the Military Doctrine made in 2002, the Bulgarian Armed Forces should be fully professionalized by 2010.[218] The optimistic predictions of the Minister of Defense Nikolay Svinarov and the Chief of the General Staff General Kolev are that the professionalization will be accomplished till 2006-2007. If the speed of the reforms remains the same as in Plan 2004, it will be accomplished even earlier – during the term of this Parliament.[219]

Another very important area of the exercising democratic control of the armed forces is the approval of the defense budget. The National Assembly, through its Budget Committee and especially National Security Committee, observes the expenditures for defense as presented by the Council of Ministers in the Law on the State Budget. During the first years of democracy they were provided with several figures, but becoming experienced they asked for more detailed information on defense budget. At that time it was hard to exercise "the power of the purse" because resources were so

216 Minister of Defense interview, published October 28, 2003, newspaper "Sega", available at http://www.segabg.com, accessed October 28, 2003; and Chief of General Staff interview, published December 11, 2003in Bulgarian newspaper "Monitor", available at http://www.monitor.bg/, accessed December 11, 2003.

217 LDAF, Art. 32, para 8.

218 Military Doctrine of the Republic of Bulgaria, Art 93.

219 Bulgarian newspaper *Monitor*, from December 11, 2003, available at http://www.monitor.bg/news.html?date=20031211&topic=analysis_bg&story=01101.htm, accessed December 11, 2003.

scarce. And even more, there was an interesting phenomenon when the members of the committee from the majority and from the opposition, contrary to the parliamentary behavior, "are voted upon, pleading for reallocation of additional resources for the MoD."[220]

A step towards transparency of the defense planning was the introduction in 2000 of the Integrated System for Planning, Program Development and Budgeting within the Ministry of Defense and the armed forces. The System is a main planning system in the Ministry of Defense. It encompasses "national defense and NATO requirements, people, weapon systems, and infrastructure; sustaining and modernization requirements; policy requirements and resource constraints."[221] The core of the System is a program-based budgeting approach which allows resources to be allocated in according with the needs and priorities.

> Defense resources are bound to defense/military capabilities within six-year programming horizon. Furthermore, it attributes decision-making authority to the responsible and accountable persons and permits higher transparency of the planning process.[222]

The introduction of the planning, programming and budgeting system allows the defense planning process to be overseen in all its stages. The Inspectorate and the Financial Audit Directorate additionally facilitate the internal oversight for the implementation of the plans and programs within the Ministry of Defense. The Inspector General reported directly to the Minister and is supported by a number of civilian and military experts in special areas. The Financial Audit Directorate is manned exclusively with civilians and also reports directly to the Minister on the results of the financial surveys.

The Constitution of Republic Bulgaria establishes the National Audit Office. It focuses on the ensuring that public funds and resources are spent wisely and in accordance with their intended purpose. It provides an oversight of the results, efficiency, and effectiveness of how funds are spent by MoD and other organizations.

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220 Plamen Bonchev, "Civil-Military Relations in the Process of security and Defense Policy Formulation: A Case Study of Bulgaria's Participation in PfP."

221 Todor Tagarev, "Control, Cooperation, Expertise: Civilians and the Military in Bulgarian Defense Planning Expertise."

222 Ibid..

The Parliamentary oversight is additionally improved by requirements posed in the 1998 Concept for National Security and 1997 Amendments to the Law on Defense and Armed Forces. According to them, each year the Prime Minister, on behalf of the Cabinet, sends to the Parliament a Report on the Status of National Security and a Report on the Status of Defense and the Armed Forces.[223] This was crucial recently in overseeing the implementation of the reform plans. What is more, the open debate on these reports is a valuable tool not only for the parliamentary control but also for societal information about the real problems of defense.

As has been made clear, the UDF government 1997-2001 was the first that was able to finish its mandate. It was very successful also in acceleration of defense reform and in developing not only structures, but also working patterns of democratic control of the armed forces.

Although a new political movement – the National Movement Simeon II (NMSII) – won the elections in 2001, it confirmed the line of reforms with the same tenacity as its predecessors and Bulgaria received the well-deserved invitation to join NATO at Prague Summit 2002.

Following its ambitious plan for development of the Armed Forces and reaching interoperability with NATO as soon as possible, the NMSII government started a Strategic Defense Review. This will conduct a comprehensive assessment of the Armed Forces and draw up the directions of their development according to the new security environment and the available defense recourses. An elaborated vision of the future defense needs and the tasks of the armed forces and all the defense components and strategy will result from the Strategic Defense Review.[224]

The practical experience gained in the elaboration of the Military Doctrine and Plan 2004 has grown. Now there are 21 established working groups which not only integrate civilian and military expertise in the Ministry of Defense and the General Staff, but also involve experts from the President's administration, the Parliament, the Council of Ministers, the academic community and NGOs. Such way of dealing with security-related issues indicates a further development of the understanding of the notion what

[223] LDAF, Art. 32a.

[224] Strategic Defense Review, available at http://www.md.government.bg/ accessed February 8, 2004.

exactly a democratic control means and the maturity of its implementation through involving all powers including representatives of civil society.[225]

3. Particularities of the Parliamentarian Oversight in Bulgaria

The parliamentarian oversight is a function of the established standing committees – in the case of armed forces the main oversight bodies are the National Security and Foreign Policy Committees, which have been integrated into one – Foreign Policy, Defense, and Security Committee since 2001. The parliamentarian oversight is not only dependent on the education and the political culture of the deputies and especially of the committees' members, but it also depends on the MPs' desire to debate and discuss defense-related issues. Unfortunately as Ratchev points out "[t]he Armed Forces have no lobby and no attractive image among the members of the Parliament."[226] There are many different explanations for this indifference.

Assessing the quality of Bulgarian Parliamentarian oversight, in 1998 Jeffrey Simon found several deficiencies. One of them is related to the lack of continuity. After the elections in 1997 only 8 percent of the deputies had any previous parliamentary experience, and more than 60 percent of the MPs had never taken floor. He defines this group as the "silent" majority.

> In contrast to other transition states where parliamentary expertise is slowly expanding with each Parliament, Bulgaria's seems to be shrinking. This factor affects the quality of Bulgaria's parliamentary oversight.[227]

He also found lack of continuity and expertise in the National Security Committee. Even though the Committee formally carried out the hearings of the Defense Minister and the Chief of the General Staff on budget, defense law, defense reform and other defense-related issues. "…the membership [of the Committee] lacks previous military and executive defense experience, discussions have been muted, and its ability to

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[225] Ibid..

[226] Valeri Ratchev, "Security Sector Expert Formation: Achievements and Needs in Bulgaria," available https://www.dcaf.ch/partners/Expert_formation/08Ratchev.pdf, accessed January 24, 2004.

[227] Jeffery Simon, "Bulgaria and NATO: 7 Lost Years."

critically assess the force structure and budget appears limited."[228] In addition to that, the work of the committee suffers also by lack of staff support.

Since 2001, when the new National Movement Simeon II won the elections, continuity is again the weakest point of the 39th National Assembly and National Security Committee. Although the pattern has not been changed so much, the current Parliament tried to deal with the defense-related issues in a different way. The Parliament decided to transform the former National Security Committee into Foreign Policy, Defense and Security Committee in order to put closely related issues under the control of one body. Only seven of its 28 members have any previous parliamentary experience, but none have "an education or previous experience in national defense or armed forces control." [229]

The 39th National Assembly tries to overcome the lack of staff support. The 37th Parliament had two experts, and the 38th - only one. The new members of the National Security Committee are more educated /most of them abroad/, and they recognize the importance of staff's expertise. In order to avoid reliance on the experts from the security sector institutions, who could be biased, they rely on the partnership with independent professional experts and non-governmental organizations. In addition to "the existing National Center for Public Opinion Studies, a department for Parliamentarian Research and Analysis was established."[230] Ratchev's assessment about using expertise in the work of the Parliament is as follows:

> …the use of experts in the current Parliament has never been bigger with regard to all the years of democracy and promises in increasing development in quality and spectrum.[231]

In conclusion, as a result of the achieved political stability and gained experience in democratic parliamentary life, the effectiveness of the work of the Parliament and, hence, the effectiveness of the parliamentarian oversight of the armed forces is improving.

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228 Ibid. and the problems of lack of expertise are discussed also in Plamen Pantev, "Civil-Military Relations in Bulgaria: Aspects, Factors, Problems", 42.

229 Valeri Ratchev, "Security Sector Expert Formation: Achievements and Needs in Bulgaria."

230 Ibid..

231 Ibid..

F. INTERNATIONAL INFLUENCE

For Bulgaria the international context plays a decisive role in the democratization of the civil-military relations. The international context should be divided into several factors that formed the specific state of civil-military relations in Bulgaria. These factors are the influences of the long lasting conflicts in Yugoslavia, the Soviet Union and later Russian, and the West.

The traditionally very cautious Bulgarian policy towards Yugoslavia was challenged by the ten-year conflict there. The Bulgarian economy suffered by the Yugoslavian wars, being perceived as unreliable for the foreign investors because of its proximity to the conflict, and from the embargoes posed on Yugoslavia. And finally Bulgaria was blamed by Yugoslavian government for its decision to support NATO operation "Allied Force." Since membership in NATO was matter of ensuring the security of the country and it was a national priority, Bulgaria opened its sky for NATO planes during the crisis in Kosovo.

From a military point of view the Yugoslav conflicts raised some questions about the proper approach towards the reformation of the Bulgarian armed forces. When the war is next-door, is there a need of reforms and what kinds of reforms are justifiable. In this respect Plamen Pantev mentions that two schools of thoughts existed in Bulgaria in 1990s.[232] The first insisted that given the immediate threat of conflict it is illogical to reshuffle the armed forces. It is obvious that the militaries favored this position, and not surprisingly the main supporter of this stance was the General Staff. The second position was related to the transitional policy of the state. In this view, despite of the wars, the defense reform should proceed as all the sectors of national life are under reform. It is obvious that in this situation the civil-military relations were being tested and the resolution of the question will confirm the adherence to democratic principles.

An evaluation of the political situation clearly showed that "direct military threats to Bulgaria were actually fairly limited in the short to medium term," which led the second school of thought to prevail.[233] Reform-minded politicians stand for the stance

[232] Plamen Pantev, "The changing Nature of Civil-Military Relations in Post-Totalitarian Bulgaria," 149.

[233] Ibid., 150.

that establishment of genuine democratic control of the armed forces would even more prevent an eventual spillover of the conflict in former Yugoslavia.

> The conflicts in the neighboring disrupting federation could not generate, politicize and legitimize a higher role for the military, but rather accelerated the adaptation, the conception and education of what democratic civilian control over armed forces is and how this could be translated into more efficient armed force that guards its nation.[234]

During the last decade of 20th century all post-communist countries, including Russia, started democratization of their societies. In such conditions Russia was mainly engaged with its own problems rather than seeking to keep its influence over the former "socialist camp" countries. But when it irrevocably lost its influence of Central Europe, Russia directed all its efforts to keep Bulgaria in its political orbit. In this respect economical leverages were among the most often used means. Aware of the Bulgarian dependence on Russian raw materials, gas and petrol, in 1997-98 Russia established a discriminatory customs policy towards Bulgaria. Bulgaria was more vulnerable than the Czech Republic and could not just switch on to the Western system of gas transmission network, when Russian Company Gazprom tried to intimidate it. Despite the exerted high pressure, Kostov's government, insistent on its pro-Western orientation, continued its policy towards integration in NATO and EU. [235]

The bilateral relations were further aggravated when at the end of the Kosovo crisis Bulgaria refused to allow the over-flight of Russian military airplanes, which was claimed to be a support to KFOR, and did it after the US approved the flight.[236]

As in Hungary, the development of the democratic civil-military relations coupled with the fading of the Russian influence in Bulgaria. The existing Soviet-type civil-military relations were tied with the presence of the powerful ideological hegemon – the Soviet Union and collective military organization – the Warsaw Treaty Organization. The demise of these factors, as well as the strive of Bulgaria for democratization, led to enhancement of the western influence.

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234 Plamen Pantev "Civil-Military Relations in Bulgaria: Aspects, Factors, Problems," 46.

235 Ognyan Minchev "Bulgaria and Russia" in Ognyan Minchev, and Valery Rachev, and Marin Lessenski (editors) Bulgaria for NATO 2002, (Sofia, Institute for Regional Studies, 2002), 120.

236 Ognyan Minchev "Bulgaria in the Balkan's Post-Conflict Rehabilitation and Development" in Ognyan Minchev, and Valery Rachev, and Marin Lessenski (editors) Bulgaria for NATO 2002, (Sofia, Institute for Regional Studies, 2002), 111.

> Western model of civil-military relations were seen as an inherent part of the development of much broader European security community that would serve to enhance Bulgarian national security.[237]

The announced firm desire to join NATO and EU in 1997 played an exclusively decisive role in canalizing this influence. The provided assistance convinced the state elite that the democratization and the democratic control of the military are inseparable. What is more, both organizations posed as a requirement the obtaining of a democratic relationship between the civil and military authorities within any applicant state.

Bulgarian co-operation with NATO started in 1990 and it was based on wide range of programs and activities. The most important of them are PfP and MAP. Like Hungary, Bulgaria joined PfP Initiative when it was issued in 1994 and participated in all offered activities and sent officers in NATO structures.

Following the PfP Planning and Review Process (PARP), Bulgaria worked hard to reach a certain level of interoperability by fulfilling all posed interoperability objectives and partnership goals. Bulgaria conducted Force Structure Review in 2002 as one of the Partnership goals. The results led to changes in the Military Doctrine and to reshaping of Plan 2004, which proved the direct relationship of NATO influence over Bulgarian defense reform.[238]

NATO assisted the process of democratization of the civil-military relations in Bulgaria and the development of certain institutional basis through the Membership Action Plan. It was issued by NATO in 1999 and was based on the experience of the three new NATO members – the Czech Republic, Hungary and Poland. MAP is directed towards preparation of candidate countries to membership objectives. Its main objectives are achieving interoperability in the political, economical, defense, security of information and legislation areas. Thus it provided the best ground for consolidating the democratic institutions and for enhancement of the democratic control of the armed forces.[239]

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[237] Plamen Pantev, "The changing Nature of Civil-Military Relations in Post-Totalitarian Bulgaria," 150.

[238] Valery Rachev, and Velizar Shalamanov, and Todor Tagarev, "Reshaping Bulgarian Armed Forces for the 21st Century," 244-247.

[239] The NATO Handbook. (Brussels: NATO Office of Information and Press, 2001), 65.

The bilateral co-operation with Western partners was of extreme importance for the development of the Bulgarian institutions for democratic control. Bilateral co-operation could be divided in three aspects: expert and analytical support in introducing a certain system of democratic control; providing educational programs; and sending experts to provide practical support in place.

The establishment of working democratic control of the armed forces was assisted by the conducted studies on the Bulgarian structures and practices. The conducted in 1998-99 Bulgarian-UK study on the Parliamentary oversight and democratic control of the BAF helped the politicians to realize what the real problems were and what needed to be done to overcome them. Then, for conducting a comprehensive defense reform, a study international team was formed. General Kievenaar (ret.) from US side and Gen. McKenzie from UK supported Bulgarian experts. To improve the system of democratic control the study recommendations led to development of the Military Doctrine, Plan 2004, and the establishment of Defense Planning Directorate as a leading defense planning structure within MoD as well as refining the practices of civil-military interaction.[240]

With NATO countries' assistance, and mainly with the help of the US, studies of C4I systems, air defense, and modernization of the Bulgarian Armed Forces were conducted. They contributed again not only military capabilities to be improved, but also the structures of the Ministry of Defense to be developed as an establishment of the Armament Policy Directorate Situation Center, Transparency Building Center, etc. [241]

Like for the Hungary, many NATO countries offered training and education of Bulgarian officers and civilians. They attended a lot of short- and long-term courses, which have been of great importance for achieving interoperability and developing civil-military relations. Such kind of assistance presents an opportunity for establishment of a pool of well educated experts, who can help, sharing foreign experience, in establishing and exercising the democratic control of the armed forces. Between 1992 and 2001, 852

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[240] Valeri Ratchev, "NATO and South-Eastern European Security Perspectives: Implications for Evolution of National Security Institutions and the Decision-making Process in Bulgaria", 34.

[241] Velizar Shalamanov, "Civil-Military and Inter-Agency Cooperation in the Security Sector in Bulgaria", in Philipp Fluri and Velizar Shalamanov (editors) Security Sector Reform, Does it Work? Problems of Civil-Military and Inter-Agency Cooperation in the Security Sector, (DCAF/George Marshall Association – Bulgaria, 2003), available at http://www.dcaf.ch/, accessed February 7, 2004.

Bulgarian officers, 86 civilians and 4 NCOs received their education in NATO and member countries, 256 of them were educated in the U.S.[242]

A large number of foreign military consultants supports Bulgarian efforts to catch up with NATO requirements. Bulgarian Ministry and General Staff take advantages of advice of officers and civilians from the US, UK, France, Germany, Netherlands, Italy, Greece.[243] Foreign experts give support in areas as programming and budgeting, development and training of NCOs, logistics, public relations and others.

G. CONCLUSION

Bulgaria has undergone a long way of establishment and improvement of the democratic control of the armed forces during the last fourteen years. From the strict political control exercised by one party in the past, now the armed forces, the political elite and the society are mutually bound with deeply settled democratic civil-military relations. This transformation was not smooth and the main reason for that were the troubled first years of the transition. Carrying out a regime controlled transition, Bulgaria apparently needed time to strengthen its undeveloped arenas of democracy as political, economic and civil societies. The democratization of civil-military relations could not be separated from the general democratization, therefore, the same reason delayed the institutionalization of the democratic control of the armed forces and its implementation as an inherent principle of civil-military relations.

The international context could be considered as the most important among the factors that played a decisive role for the democratization of the civil-military relations. The combination of international factors helped Bulgaria to find the solution for its security dilemma together with establishing of democratic patterns of civil-military relations. The Western influence helped also in refining the institutional arrangements and made them more effective.

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[242] Valery Ratchev, and Velizar Shalamanov, and Todor Tagarev, "Reshaping Bulgarian Armed Forces for the 21st Century," 223.

[243] Ibid..

V. CONCLUSION

The progress of democratization of civil-military relations in post-communist countries from Central and East Europe is quite remarkable. The cases of Hungary and Bulgaria showed that despite starting from different stages of societal, political and economic development they managed in a rather short timeframe to establish basic constitutional procedures and primary institutional capacities for democratic control of armed forces. In both countries the civilians and military better understand now the roles, the functions and the procedures of relationship in democratic civil-military relations.

A. ANALYSIS OF THE CAUSAL FACTORS, SHAPING DEMOCRATIC CONTROL OF THE ARMED FORCES

Establishment of good arrangements for exerting democratic control of the military show that historical legacies did not play a decisive role in forming post-communist civil-military relations. Although different in their nature, historical traditions of both countries during pre-communist and communist times did not present good examples of democratic control of the military. When it comes to involvement in domestic politics they had different experiences – Hungarian history had no record of serious involvement of the military in domestic politics, while Bulgarian military conducted several coups d'etat before the communist regime and attempted to overthrow the government in the communist time. Nonviolent transitions proved that neither a totalitarian (communist) past, nor a non-democratic pre-communist experience is determining.

The military was traditionally not involved in domestic politics in Hungary and Bulgaria, and is still not involved in post-communist countries. Many scholars would agree that the lack of involvement of the military in domestic politics allowed for a smoother transition from totalitarian to democratic control. The military in communist countries had never enjoyed any prerogatives to define domestic or foreign policy. Therefore they were ready to accept the control by democratically elected governments without any contestations. I would add that this issue is twofold and the second part of it

concerns the propensity of the political elite to use assistance of armed forces for achieving its goals. The type of transition presented an opportunity for all basic democratic arrangements to be negotiated before regime change. Therefore there was no political will to engage the military to defend a political stance. The transitional period forced military and civilians to change their attitude and expectations and to learn how to work in a new democratic manner. They naturally changed the pattern of civil-military relations.

The different path of transition of Hungary and Bulgaria meant different starting positions in the path to democratic consolidation. Different social, political and economic conditions did not play a very significant role in achieving democratization of civil military relations, but did play a role in its timing. Negotiated transition in Hungary determined a faster and smoother consolidation of democracy. Despite the fact that the regime controlled the transition in Bulgaria, it achieved consolidation of democracy relatively early. Linz and Stepan find this surprising and have two hypotheses about that:

- the institutional choice of Bulgaria for a parliamentary system with proportional representation, facilitated minorities representation and
- an especially active pretransitional civil society – Bulgaria was in totalitarian stage in term of development of oppositional organizations, but it "had more intellectual capital than our category of *early-post-totalitarian* [state] would suggest."[244]

While the consolidation of democracy came to Hungary very early, the Bulgarian transition to democracy led to the establishment of democratic institutions, but the shadow of regime-controlled transition damaged their performance until 1997. The political instability during the period of 1990-97 limited democratic reforms, including democratization of civil-military relations. At the same time the negotiated character of the transition gave Hungary political stability and allowed for the smooth development of democratic civil-military relations. The established institutions employ a democratic way of interaction and even started to refine themselves in order to get better performance. For example, in 1991, a decision of the Constitutional Court solved a dispute between Hungarian President Goncz and Prime Minister Antall. In these cases the path of

244 Juan J. Linz and Alfred Stepan, Problems of Democratic Transition and Consolidation, 342-3.

transition from post-totalitarian regime to democracy is important for the subsequent performance of the institutions, but not in their formation. Since democratization of the civil-military relations depends on the performance of the institutions it definitely influences the speed of the establishment of democratic control of armed forces.

Although Linz and Stepan assert that return of the former Communist Parties in power is not harmful for democracy, the examples of Hungary and Bulgaria show that they at least can decelerate democratization of civil-military relations.[245] For instance, the policy of Hungary's 1994-1998 socialist-liberal coalition reversed the process of civil-military reform of the Ministry of Defense inaugurated by the previous conservative government. Most of the civilianized positions were remilitarized and more power in defense planning and military intelligence were given to the General Staff. The same tendency was also present in Bulgaria during 1992-1997 when the Bulgarian Socialist Party was able to control some of the governments and even to form its own government in 1995-1997. The defense reform was almost a forgotten issue and many posts were remilitarized.[246]

Comparison of all studied factors shows that Bulgaria and Hungary are different in all of them except international influence. International context was characterized by long-lasting conflict in Yugoslavia, close to the borders of Bulgaria and Hungary, demise of Soviet/Russian influence and gradual enhancement of Western influence. The last one seems to have a leading role in the development of civil-military relations since NATO and the EU require that applicant states possess respective levels of democratic control of armed forces. Especially effective in this aspect were NATO's Partnership for Peace (1994) and Membership Action Plan (1999). Membership Action Plan helped Bulgaria to refine its legal basis, to develop its institutional establishment and to improve the performance of its institutions.

International studies on the defense sector of Hungary and Bulgaria, which revealed deficiencies in civil-military relations, also assisted institutional development in these countries. Education abroad and advisors at home provided by NATO countries supported countries' efforts in specific areas as defense planning, education and many

245 Ibid., 454-7.

246 Rudolf Joo, "The Democratic Control of Armed Forces."

more, and inevitably contribute to the development of the democratization of civil-military relations, by sharing foreign experience.

The importance of international influence as a factor to democratization of civil-military relations depends on internal perception. For example, the Bulgarian president supported a close relationship with the international community and even the Parliament adopted a declaration in 1993 confirming Bulgaria's intention to join NATO and WEU. However, from 1995 to 1997 the new Socialist government showed a real indifference to NATO's offer for a closer relationship and avoided any firm engagement.[247] The Hungarian defense minister Keleti, also a Socialist, shared a similar attitude towards NATO, which was pushing for reforms in the Ministry of Defense.

Although ultimately international influence proved to be the most important factor leading to the improvement of democratic control of the armed forces, differing internal political attitudes determined its effectiveness during transition. A government's perception of international influence stems from its political affiliations. In this respect Plamen Pantev stresses that the accusations of Western favoritism are unfounded, rather Western support "has produced differentiated results, depending on the different national social, political and economic processes."[248]

In Hungary and Bulgaria as parliamentary and multiparty countries, almost all of the governments were formed by coalition. Unfortunately, studying coalition culture of the post-communist countries is not a subject of this thesis and the proper answer of the correlation between international influence and coalition governments' performance requires additional study.

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247 Plamen Bonchev, "Civil-Military Relations in the Process of Security and Defence Policy Formulation: A Case Study of Bulgaria's Participation in PfP."

248 Plamen Pantev, "The New National Security Environment and its Impact on the Civil-Military Relations in Bulgaria," *Research Study #5,* Institute for Security and International Studies, Sofia, 1997, available http://www.isn.ethz.ch/isis/Publications/, accessed August 14, 2003.

B. ANALYSIS OF THE END-STATE OF DEMOCRATIC CONTROL OF ARMED FORCES

1. Analysis of the Development of the Legal Basis

The adopted legal basis in Hungary and Bulgaria define in detail national security strategy and policy (See Table 4.). The development and amendment of these documents meets the new aspects of the international security environment and respects NATO membership requirements.

The political climate allowed Hungary to develop its national strategic security documents, such as the National Security Strategy and Military Doctrine faster, while in Bulgaria civilians were able to take part in this important area after overcoming the period of political instability. Development of the legal basis for establishing democratic control of armed forces in Hungary and Bulgaria has a lot of commonalities. Despite different paths of transition to democracy both countries were very insistent to start democratization of the civil-military relations with depolitization of armed forces. This task was so imperative that it was fulfilled even before the first democratic elections in both countries occurred and new Constitutions were adopted. The new Constitutions were adopted as soon as possible. In Hungary, the old 1949-Constitution was amended in 1989 even before democratic elections in 1990 on a basis of the Round-Table decisions. Bulgaria formed a constitutional Great National Assembly, which adopted a new Constitution in 1991. The Constitutions define main principles of the democratic control of the armed forces, such as chain of command, power and responsibilities of bodies involved in democratic control of the armed forces, and the role of the armed forces as defenders of national security.

The Constitutions in fact established fundamental institutionalization of the democratic control of the armed forces. The development of institutional arrangements for democratic control of the armed forces was task solved by the adoption of subsequent legal documents, such as the Defense Act in Hungary, adopted in 1993, and the Law on Defense and Armed Forces in Bulgaria, adopted in 1995. The Hungarian approach presents a better example because the plans for long- and mid-term reformation of armed forces were made after adoption of National Security Principles (1993), Defense Concept (1993) and the Defense Act (1993), which additionally cleared the chain of command and

states the responsibilities of bodies exercising oversight over the armed forces. The sequence in which the laws were adopted first assessed a strategic environment, then defined strategic goals, adopted respective missions and tasks of the armed forces and defined respective duties of the institutions. This allowed the Hungarian government to make well-grounded decisions on reformation of the armed forces. Unfortunately political instability in Bulgaria until 1997 did not allow such a sequence to be followed and the National Security Concept (1998) and the Military Doctrine (1999) were adopted far after the Law on Defense and Armed Forces (1995) was adopted.

The negotiated path of transition allowed Hungary to develop the legal basis more smoothly and consecutively. The general trend of the reforms was accepted by all political parties and followed afterward from all coalitions. Bulgaria was able to reach consensus only after the 1997 political crisis, which caused the fall of BSP-government and initiated a total change of the policy of this party.

In both countries the maturity of the political leadership accounts for a new more realistic approach in defense planning. In the late 1990s in Hungary and Bulgaria decisions on structure and size of the armed forces were taken after thorough review of existing conditions and according requirements of national and allied security documents, and respecting available resources. Both countries carried out Defense Reviews before adoption of plans for further long- and mid-term reorganization of their armed forces. Unlike in the past, their plans are based on existing resources.

The democratic control of armed forces depends on the existence of workable defense planning mechanism in the Ministry of Defense. Hungary and Bulgaria made efforts to establish a workable Planning, Programming and Budgeting System. Although Hungary made several attempts

> …and the Defense Resource Planning Group developed a Defense Resource Management Model for Hungary, difficulty resulted because in Hungary resource allocations run from top of the hierarchy down, rather than bottom up.[249]

In contrast, Bulgaria has achieved better results in this area. The Bulgarian experience in implementation of Integrated System for Planning, Programme Development, and Budgeting within the Ministry of Defense and the armed forces was

[249] Jeffrey Simon, Hungary and NATO: Problems in Civil-Military Relations, 97.

established in 2000. During three planning cycles it was refined and there is now a call to spread this experience to all ministries to improve transparency and democratic control.[250]

Table 4. Development of the Legal Basis in Hungary and Bulgaria – Comparative Analysis

HUNGARY		**BULGARIA**	
Document	***Implication for CMR***	***Document***	***Implication for CMR***
Constitution (1989 amended 1949 Constitution)	Establishes chain of command – responsibilities of the President Parliament and Council of Ministers. Defines role of armed forces: military defense of the country	Constitution (1991 new)	Defines responsibilities of the President, Parliament and Council of Ministers during peace and war.
Act on the Principles of Security Policy *(National Security Principles)* (1993):	Defines strategic goals: NATO and WEU membership	National Security Concept (Apr 1998)	Establishes basic principles of national security and defense policy
Act on the Basic Principles of the Defense of Hungary *(Defense Concept)* (April 1993)	Defines basic missions of the armed forces	Military Doctrine of the Republic of Bulgaria (1999) White Paper on Defense (2001)	Defines missions, tasks, structure and size of the armed forces.
Defense Act (Dec 1993)	Additionally clears the sphere of authority of the Parliament, President and Cabinet.	Law on Defense and armed Forces (1995) amended several times since 1997	Precisely defines all powers and responsibilities of the institutions – President, Parliament, Cabinet, Minister of Defense and Chief of the General Staff

[250] Velizar Shalamanov, "Civil-Military and Inter-Agency Cooperation in the Security Sector in Bulgaria."

HUNGARY		BULGARIA	
Document	***Implication for CMR***	***Document***	***Implication for CMR***
Act on the Restructuring of the Hungarian Defense Forces (1995) – Medium-term (to 1998) and Long-term (to 2005)	Reform of armed forces aiming optimizing military structure and modifying HDF to meet NATO interoperability.	Plan for Organizational Development and the Structure of the Armed Forces until Year 2010 (1998)	Developed without clear link with available resources.
1999 Strategic Defense Review; 3 phased Action Plan: 2000-2003 (interoperability and service conditions; 2004-2006 (material and unit readiness); 2007-2010 (equipment modernization)	Analyzes capabilities of the armed forces and suggests steps for development of in order to fulfill the missions and tasks, and NATO requirements, according available resources. NATO: "Hungarian Armed Forces reform plans are based on reality."[251]	Plan for Organizational Development of the Armed Forces until Year 2004 (1999)	New approach for developing plans on defense reform – assessment of threats and available resources and defining needed capabilities.
2002 Defense Review; traces reformation of armed forces in three stages until 2013.	Evaluates new strategic conditions and draws plans for reform according available resource to reach needed capabilities.	Force Structure Review (2001 PARP) Strategic Defense Review (2003-2004)	Aiming evaluation of contemporary conditions in order to draw conclusions about needed reforms.

2. Analysis of the Institutional Arrangements

The institutional arrangements of Hungary and Bulgaria are pretty equal. They both are parliamentarian republics. The Parliaments are the most important bodies in exercising democratic control of the armed forces with clearly defined responsibilities in respect to defense and military policy in peace, war and emergencies. They have established subsequent committees, which carry out closer supervision of the executive

251 Jeffrey Simon, Hungary and NATO: Problems in Civil-Military Relations, 73.

and defense establishment by all democratic means – control of defense budget, promotions of high level officers and civilians, and etc. However both countries suffer from lack of expertise in the parliaments and in the committees. The reasons stem from lack of continuity in the parliaments and lack of traditions in using staffers' expertise. There is still much room for improvement.

Structures for exercising civilian control of the defense policy through controlling the defense budget allocation and expenditure are established at all institutional levels. National Audit Offices in Hungary and Bulgaria can make investigations and are accountable only to the Parliaments. Respective financial controlling structures are established also in governmental and ministerial level, and they are constituted to be accountable to civilian authority above the structures they audit, which guarantee their impartiality and independence.

Table 5. Bodies, Exercising Oversight and Assisting Decision-Making Process in Hungary and Bulgaria – Comparative Analysis

Hungary	Bulgaria
To the Parliaments	
Parliamentary Defense Committee – permanent body	National Security and Foreign Policy Committee – permanent body
State Audit Office	National Audit Office
To the Presidents	
Military Office – permanent body	Advisors – permanent body
	National Security Consultative Council – consultative body
National Defense Council – in war	Supreme Headquarters – in war
To the Councils of Ministers	
National Security Cabinet – consultative body Foreign and Defense Policy Secretariat – assists the National Security Cabinet	Security Council – consultative body
Government Supervision Office – permanent audit body	
To the Ministries of Defense	
MoD Collegium – advisory body	Defense Council – advisory bodies

The clear chain of command is very important for exercising democratic control of the armed forces. Hungary experienced some troubles during first years of transition because of the heritage of last communist government, but the Constitutional Court successfully met that challenge and proved that Hungary respects democratic principles of division of powers. Bulgaria cleared the existing ambiguities of the legal basis by development and changes of the Law on Defense and Armed Forces and subsequent legislation.

The effectiveness of exercised democratic control of the defense and military policy depends on the performance of all executive levels. Since the defense and military policy are important national policies, the existence of consultative bodies, with wide representation, to the president and the Council of Ministers to assist the authorities in the decision-making process and make it more transparent, is necessary. Such consultative bodies were established in Hungary and Bulgaria. The Hungarian president enjoys the help of a permanent Military Office, while the Bulgarian president has only advisors, but he heads the National Security Consultative Committee, which deliberates every issue concerning national security. The Prime Ministers in both countries hold similar positions in the security structures; in Hungary – chairman of National Security Cabinet and in Bulgaria – chairman of National Security Council, which are inter-agency structures. In their decision-making process the defense ministers also are assisted by advisory councils, which improve interrelation between military and civilians and employ their expertise to come up with appropriate decision (See Table 5 and Appendixes C. and D.).

The Ministries of Defense in both countries have undergone prominent changes. The Hungarian defense ministry was restructured in 2001 to include the General Staff. The full integration of the General Staff into the Ministry of Defense was discussed for years and Jeffrey Simon asserts that integration is decade-long task, but Hungary made its choice and the results are to come soon. Simon thinks that: "If successfully implemented, integration might facilitate the flow of defense needs from the armed forces to the government, opening up defense policies and activities to public scrutiny and accountability," which is the main task of democratic control of armed forces.[252] Integration would lead to dropping out of duplicated structures from one side, but also to

252 Jeffrey Simon, Hungary and NATO: Problems in Civil-Military Relations 97.

the development of a more creative atmosphere by the improvement of horizontal links between experts of the defense ministry and the General Staff on working level. This means that in the addition to the diminution of the duplicated structures an integrated defense ministry would be more efficient and would provide more effective oversight. Since Bulgaria still is creeping on the way of establishing integrated structure of the Ministry of Defense and the General Staff, it is imperative to take this decision as soon as possible in order to save time and to solve this deficiency before it becomes a member of NATO.

In civilianizing the staff of the ministries Hungary and Bulgaria have had some results, but they are criticized for appointing a lot of officers who do not rotate within armed forces and therefore their contact with them loses actuality. A possible solution is the development of a certain policy for the rotation of military cadres of the defense ministry. Another aspect of the problem is that civilian expertise in defense-related issues still exists and the development of educational programs for improving their knowledge is a reasonable goal.

C. CONCLUSION

In sum, Hungary and Bulgaria present good examples of successful democratization of civil-military relations. Their experiences have positive aspects, which could be shared and negative aspects, which have to be avoided. An examination of their experience will be very useful for countries aspiring to NATO membership, since the establishment of democratic control of armed forces is an essential criteria for acceptance. The best results are achieved if political consensus exists and national priorities are defined in the outset of the democratic reforms. Hungary managed to establish democratic control of the armed forces earlier than Bulgaria in the initial years of the democratic change. Although both countries achieved good results, they still need to refine the arrangement and the performance of the institutions for democratic control of the armed forces, such as the improvement of the effectiveness of the oversight from the integrated defense ministry in Hungary and the establishment of such an integrated structure of the Ministry of Defense in Bulgaria.

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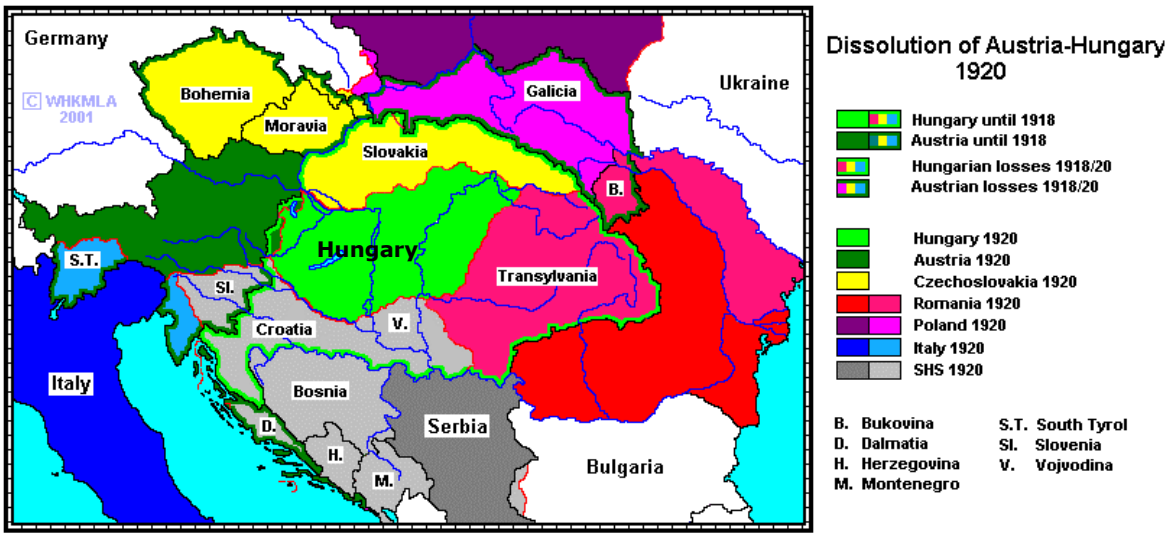
APPENDIX A. HUNGARY BEFORE WWI AND AFTER THE TREATY OF TRIANON

(From: World History Maps from KMLA, available http://www.zum.de, accessed February 20, 2004)



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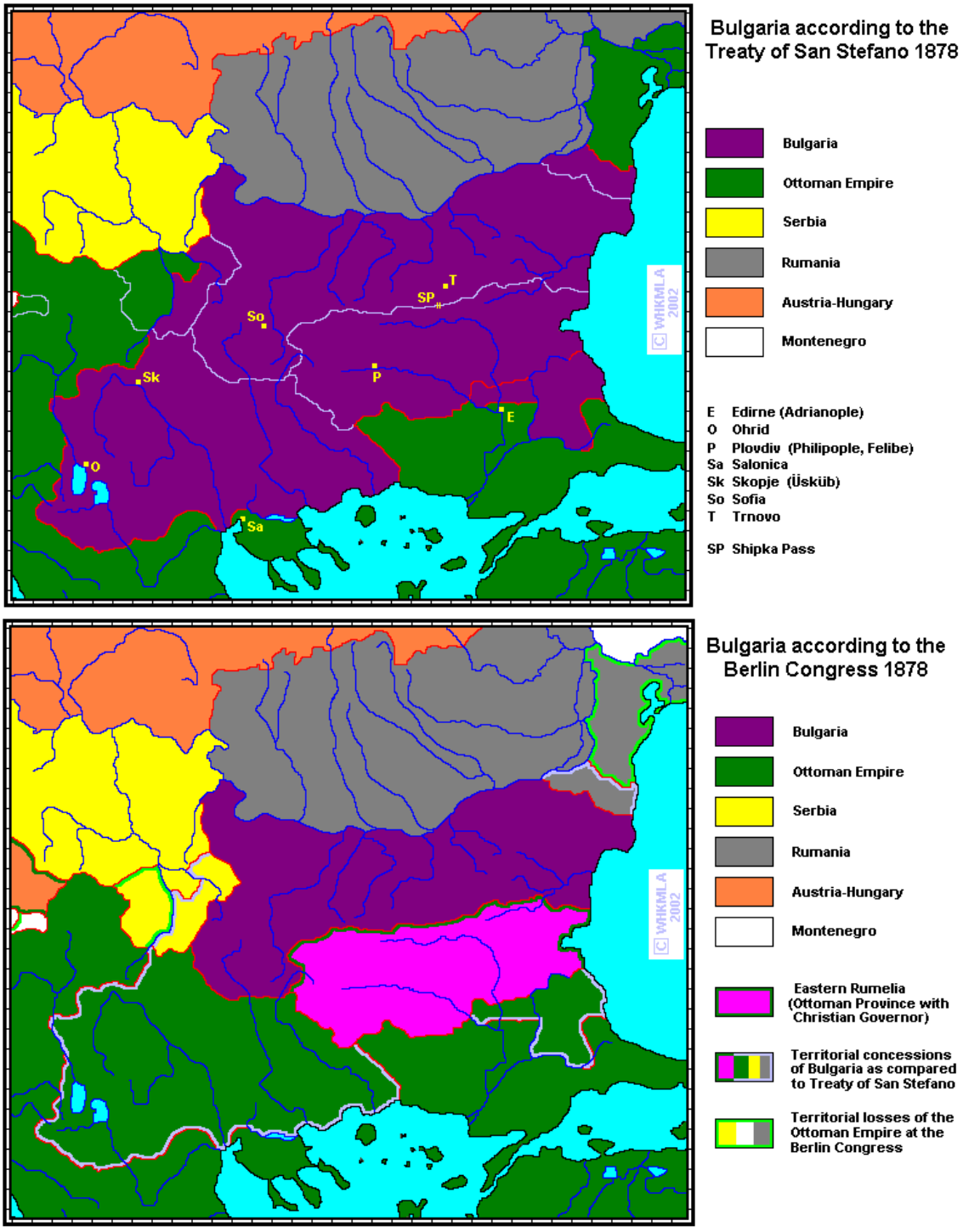
APPENDIX B. BULGARIA ACCORDING TO THE TREATY OF SAN STEFANO AND THE BERLIN CONGRESS

(From: World History Maps from KMLA, available http://www.zum.de/whkmla/region/balkans/, accessed February 20, 2004)



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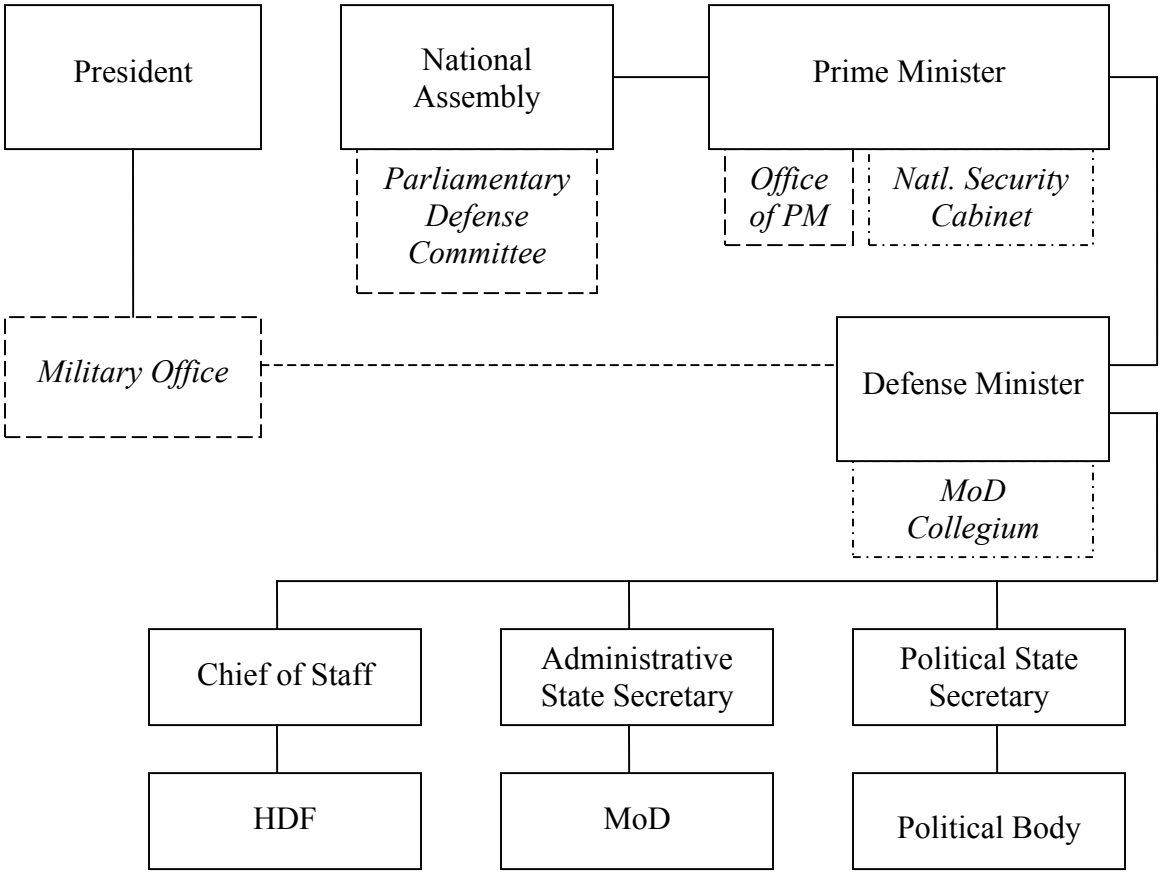
APPENDIX C. CHAIN OF COMMAND IN HUNGARY (2002)

(After: Jeffrey Simon, Hungary and NATO: Problems in Civil-Military Relations, (Lanham, Maryland: Rowman&Littlefield Publishers Inc., 2003))



LEGEND:

President – state institution

Military Office – permanent body to the state institution

Natl. Security Cabinet – advisory body to the state institution

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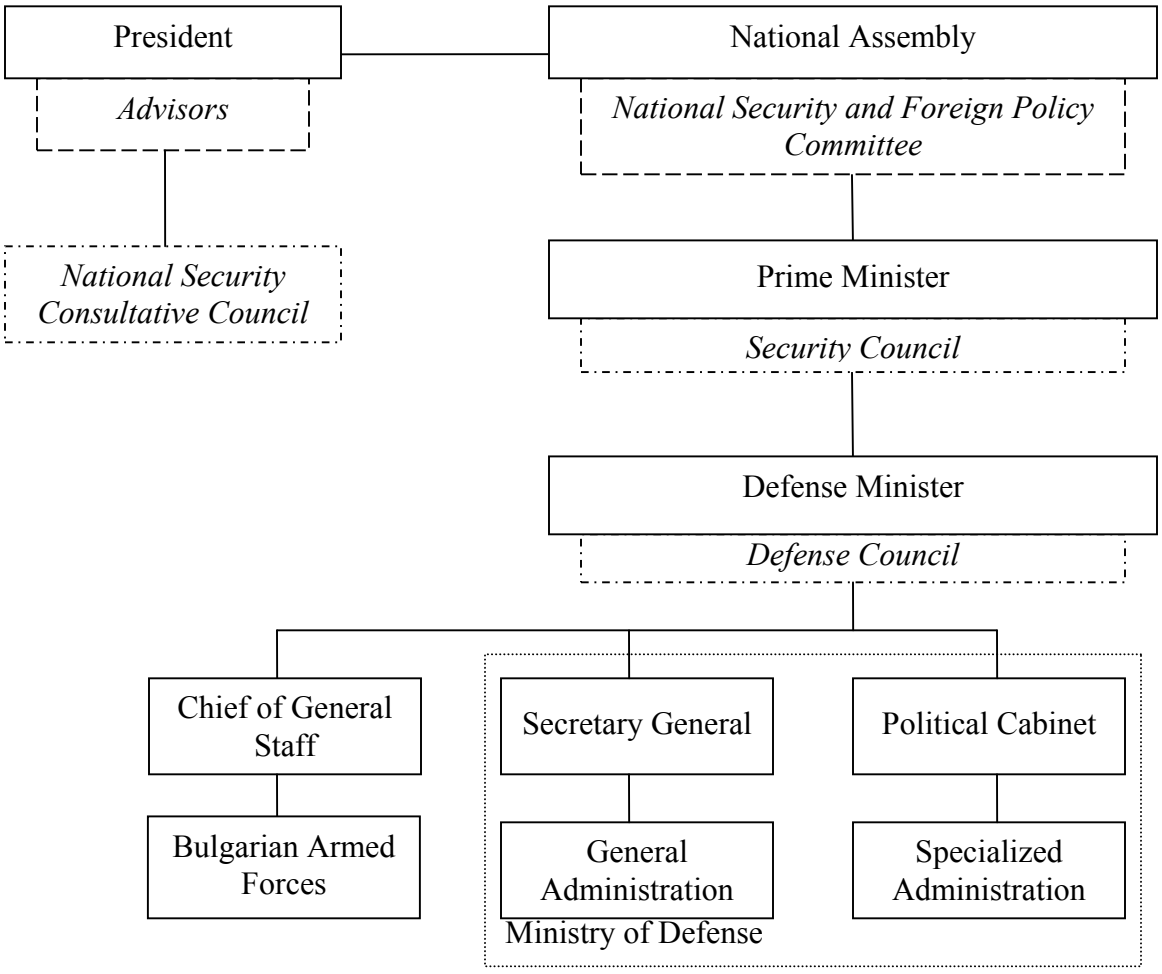
APPENDIX D. CHAIN OF COMMAND OF BULGARIA (2002)

(After: White Book on Defense (Ministry of Defense of Republic of Bulgaria, Sofia, 2002)



LEGEND:

– state institution

– permanent body to the state institution

– advisory body to the state institution

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