

COMMON NORMS AND GOOD PRACTICES OF CIVIL-MILITARY RELATIONS IN THE EU

Anne Aldis and Margriet Drent, editors

2008

HARMONIE PAPER 21

Common Norms and Good Practices of Civil-Military Relations in the EU
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First published in July 2008 by
The Centre of European Security Studies (CESS)
Lutkenieuwstraat 31 A
9712 AW Groningen
The Netherlands
Director: Peter Volten

ISBN: 978-90-76301-23-5

The Centre for European Security Studies (CESS) is an independent institute for research, consultancy, education and training, based in the Netherlands. Its aim is to promote transparent, accountable and effective governance of the security sector, broadly defined. It seeks to advance democracy and the rule of law, help governments and civil society face their security challenges, and further the civilized and lawful resolution of conflict.

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PREFACE

The European Union has no authority over its member states in civil-military relations. Even the Solana office, which carries out the European Security and Defence Policy, does not concern itself with the way member states organise their defence establishments. This has remained a national responsibility. Nor are civil-military relations part of the *acquis communautaire*, the mound of regulations and agreements that states must comply with if they are to join the Union. So what is the point of a book on EU policies, practices and standards in civil-military relations?

First, the subject is relevant. The Union does sometimes concern itself with civil-military relations in non-EU states. It does this when supporting efforts at security-sector reform (SSR) in conflict-prone countries, and has published two policy documents on SSR.¹ It also looks at civil-military relations, and many other things, when assessing whether candidate members meet the political criteria for accession to the EU laid down in Copenhagen in 1993. Finally, civil-military relations sometimes also figure in other frameworks, like the European Neighbourhood and Partnership policy.

The trouble is that when the EU does deal with civil-military relations, it is hard to predict and understand its actions, because so little is known about European principles, policies and practices in this area.² What are these principles, policies and practices? If each EU state has its own, what is the common standard that serves as a benchmark for accession candidates? What is recognised as good policy and good practice? What is essential, and what is merely desirable? How much reform in civil-military relations will satisfy the EU that a candidate country is in line with European policies and standards? We need answers to these questions.

¹ One is mostly for use by the Solana office (*EU Concept for ESDP Support to Security Sector Reform*. Brussels, 12566/4/05). The other is for use by the European Commission in the framework of external assistance, enlargement and the European Neighbourhood and Partnership policy (*A Concept for European Community Support for Security Sector Reform*. Brussels, 2006, no. SEC (2006) 658). Both mention principles important to civil-military relations and invoke the specific and explicit guidelines on SSR and governance formulated by OECD DAC (*Security System Reform and Governance, Policy and Practice*. Paris, OECD DAC, 2004).

² This point is made by an international task force in David Greenwood (rapporteur), *Turkish Civil-Military Relations and the EU: Preparation for Continuing Convergence*. Groningen, CESS, 2005. Also see Sami Faltas and Sander Jansen (editors), *Governance and the Military: Perspectives for Change in Turkey*. Groningen, CESS, 2006.

Second, it is possible to find some answers. They will often be partial and tentative, but they will be useful. They will help EU policy-makers, especially Commissioner Olli Rehn, to deal more effectively, consistently and transparently with the issue of civil-military relations in the context of enlargement. They will help policy-makers in countries seeking accession to the EU, especially Croatia, Macedonia and Turkey, to understand which reforms in civil-military relations are expected from them. Finally, they will enable journalists and scholars like ourselves to track the progress that candidate countries are making toward accession.

Our volume was pulled together by Margriet Drent of the University of Groningen and Anne Aldis, formerly of the UK Defence Academy. Ritske Bloemendaal managed the whole process with the assistance of Kars de Bruijne. The Directorate-General for Enlargement of the European Commission took an active interest in our project. With the Slovenian Government, D.G. Enlargement plans to organise a seminar to discuss this book. Naturally, the responsibility for its contents lies with the authors alone. CESS wishes to thank all these contributors, and the Netherlands Ministry of Foreign Affairs for sponsoring this work.

Sami Faltas, Executive Director of CESS

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INTRODUCTION

Anne Aldis and Margriet Drent

Why are we presenting another book on civil-military relations? Many trees have already been sacrificed in the name of a better understanding of the relationship between those in uniform and those they serve. Unfortunately, it appears that the more that has been written, the more elusive the last, definitive word on the subject becomes. And we must say at the outset that this book does not provide it either. Perhaps that is because the subject is too broad to cover in a single volume.

The Preface to this collection of essays explains something of how we came to address the topic, in search of some guidelines that could inform those in and around the European Union (EU) who were new to it. Though this is not a textbook, we do aim to summarise practices in the EU and give some examples. The lack of definitive treatments became all too evident to us when we began to discuss what a 'normal' relationship between the military and society might look like in a European context. Not only is there not a single European model, the more we examined the subject the more obvious became its multifaceted nature, as evidenced in discussions of civil-military relations in books and articles, conferences and other forums over even the last two decades. Indeed, so different were the topics highlighted as relevant, or given as important priorities for different countries, that one might be forgiven for wondering whether the topic had become a catch-all for those with different agendas entirely: military and/or political reform, the nature of future war, improving governance or efficiency, and so on. To spare the reader much time and tedium, let us briefly summarise our journey to the present volume, explaining as we go why much that is often included in the subject is not to be found in this collection of essays.

Written material on civil-military relations, we somewhat superficially decided, splits generally into two main avenues. One is the sociological, which seeks to analyse and explain how society interacts with its uniformed subset and vice versa, primarily as individuals or groups. The other is the procedural, which sets out how the relationship functions at the institutional level. It is the second of these that primarily interests us here. It is of interest to us because of the rationale of writing this book: the lack of definitive EU standards concerning democratic governance of the military, despite the formulation of the Copenhagen criteria in 1993 where each candidate country must have institutions that guarantee democracy. Particularly with Turkey gaining official candidate status in 1999 the issue of democratic civil-military relations has become part of the enlargement issue. Alignment to European practice is the

central requirement demanded by the EU. As can be understood from the Commission's Progress Reports, this 'European practice' could predominantly be understood as a certain institutional set-up and division of authority between the elected politicians and the military. But those who seek greater definition than this will look in vain to find it in the EU's official documents. This leaves an unfortunate vacuum at the heart of the EU's professed standards, which this book seeks to fill – albeit only in part – with a series of chapters describing the situation empirically, and by means of a few case studies. But before we settle to discussing current practices in detail, we must take a moment to consider the effect of history and culture on procedures and institutions.

The reason for so doing reveals some of the twists and turns we took in our mental journey. And in a word, that can be summed up as 'Europe'. In describing a phenomenon as 'European', one would expect there to be certain traits that persist however small the geographical or cultural subdivision we are examining within Europe; and which perhaps might distinguish it from, say, Africa or southeast Asia. And as several essays in this collection will demonstrate, this is by no means the case with our present topic. Even equating Europe to the European Union, there is in civil-military relations a diversity of experience and practices, of the kind that the Union as an institution has laboured to eliminate in other spheres over the half-century of its existence. As the EU turns its attention to the security and defence aspects of its internal and international relationships, can we assume it will seek in the next decades to achieve the same procedural and legal consistency in those areas as it has now achieved in measures to facilitate trade and effective governance?

Culturally, politically and economically, of course, the EU prides itself on its members' common values. But these are by no means solely European. North American, some Asian, African and South American countries also espouse values that are substantially the same. However, as Bailes, Drent and Volten in this volume imply, the European Union is a distinct political entity that is more than the sum of its constituent member states and institutions. The EU has a strategic culture, arguably a nascent one, with consequences for the civil-military relationship. Both mirroring and driving developments within its member states, the EU aims for an integration of instruments, among which the military, to tackle threats. This alters the relatively autonomous functional position of the armed forces. Also, these aspects of the EU are part and parcel of the entire 'acquis' package and have to be taken into account by aspirant member states.

This commonality applies in military relationships also, where NATO's Partnership for Peace has adherents around the globe, even among those with no desire for membership. Yet each country's history has shaped the relationship between the military and society in a different way, because of specific threats, circumstances and experience of conflict. This may be why, sociologically speaking, there is such a diversity in our topic from country to country, depending on the political culture. One may be in the throes of

changing from a conscript to an all-volunteer military system. Another may be agonising over whether women should be allowed to serve in front-line units. A third might be trying in vain to reconcile popular support for 'our boys' fighting abroad with the unpopularity of the deployment itself. How the idea of 'soldiers as citizens in uniform' works out in practice – their rights and liberties – is a vital part of a society's attitude to their armed forces, and practices differ enormously.

All these topics have been and continue to be chewed over, and sometimes countries can share lessons learned to good effect. There is a large literature, for example, on group dynamics, bullying and initiation rituals; on the effect of families' housing and welfare concerns on recruitment and retention. Such treatments are usually based on case studies of one or more countries, and are relatively easy to find, although the extent to which one country's experience is directly applicable to another is the subject of ongoing debate. Suffice it to say that a large corpus of empirical data is available to inform countries addressing such problems for the first time, and there is comfort in the recognition that one is not alone or unique in facing them.

Can we have the same confidence that similar experiences have already led to convergence down the institutional track? That is the nub of the question we set ourselves to answer. Despite the divergences in political cultures and the effects of history, is there a generally accepted way of codifying and managing the institutional relationship between a society and its military inside the EU? And is this a characteristically European variety?

The short answer to all these questions is 'not exactly'. There are many unresolved debates in the civil-military relationship which bubble just under the surface of public consciousness, rising to the surface occasionally when another topic impinges upon them. For reasons of space, the detailed argument to support much of this assertion will have to be taken on trust. Indeed, we invite the reader to set to work to form his own opinion. To facilitate this, we have included in this volume a large selection of suggestions for further reading. These cover standard theoretical works on the military and society, individual and comparative case studies and various sources on main themes within civil-military relations to offer useful resources to this end.

We therefore feel marginally less embarrassment at our decision to concentrate on a single important aspect of this huge topic, namely on a discussion of the current institutional characteristics of civil-military relations in the EU. Some would categorise this simply as 'civil control of the military', but this wording argues implicitly that the military, unlike other government instruments, is peculiarly in need of control. Would one speak similarly of civil control of the healthcare system? Or of education, or even public spending? In all other aspects of government, the iterative processes of policy formulation and modification can be separated from their implementation. Normally, the electorate expresses a view on major policy options through the ballot box, and implementation is rightly in the hands of, say, education or healthcare

professionals. Informal 'civil' oversight of the results is exercised largely through public debate and formally via the public's representatives in parliament.

Is defence different? To what extent should it be different, and why? Two of our authors, Wim van Eekelen and David Greenwood, take different conceptual approaches to the topic, and indeed several aspects of their arguments can be found in other chapters also. We have not attempted to impose uniformity on our authors, preferring to allow the reader to see that here, too, there is a variety of legitimate views on the principle, which can lead in some cases to different practices. Suffice it for us to note that the argument on this question of principle is rarely conducted among the public at large. They may take it for granted one way or the other; they may not even have thought about it. The argument of principle appears in the pages of academic journals or specialist books; however sometimes certain aspects are brought to bear in political debate about questions of security and foreign policy, and it is certainly of interest to those in uniform. Views do differ, and there is nothing wrong in that. We prefer to concentrate here on describing the practices, sometimes succeeding in illuminating some of the principles underlying them.

But one of the key considerations that any country must factor into its civil-military relationship is the extent to which it relies on its own military forces to ensure its security. It is today a commonplace that military capability is only one instrument in a comprehensive toolbox which countries have available to improve security at home and abroad. The old equation that military equalled defence equalled security has long been unpicked. Today the security challenges which society wishes to tackle are much less specific in their manifestations and therefore require more complex responses. Terrorism and violent extremism; migration and cultural clashes; energy security and the environment are among those which may need to be tackled at home. Internationally, whilst direct territorial threats are still manifest in certain parts of the world, including parts of the EU, alleviating world poverty, food and health shortages; improving governance standards; and dealing with trade or other forms of political pressure now concern most European countries more.

Even in their approach to purely military aspects of security, most EU countries prefer multinationality. This preference lies in the international legal legitimacy of their operations, but operationally they have implicitly or explicitly eschewed the idea that their armed forces might act alone. The effect this has on the transparency and therefore the legitimacy of any particular policy decision, particularly in an emergency, is not clear. It still needs to be worked through in practice. At a minimum, it complicates public debate and therefore makes public validation of any decision reached one stage more remote than if it were made at a purely national level. As it applies to issues of security and the EU, the accountability of the current process – and that envisaged when the Lisbon Treaty comes into force – has certainly not been tested in a crisis, where real choices might be made from several competing policy options favoured by

different countries. The EU's normal practice is for decisions to be made by a process of bargaining from national positions, with those who are not vitally involved allowing those who are to dominate the debate, since they will bear the brunt of the financial or other consequences. This is not to say that difficult and urgent choices cannot be made in a crisis, but there is a real risk that, as with the NATO deployment to Afghanistan, the collective will does not translate into effective collective action, especially where a long-term commitment may be required. In her contribution, Alyson Bailes examines the multinational dimension of security decision-making and its implications in the new security environment. Because we believe these are now fundamental issues which EU decision-makers must tackle, we have placed her chapter as the concluding one in the present volume.

Indeed, Hans Born and his team have identified for us by undertaking new research the existence of what they term a 'democratic deficit' in decisions to undertake missions under the European Security and Defence Policy. In a very detailed study, they lay out the mechanisms by which national oversight bodies (normally committees within parliaments) scrutinise such decisions, before and/or after the decision is collectively taken in Brussels. That there are huge variations in timing, level of detail and expertise in the national scrutiny procedures they describe in their survey does not mean the process does not work. There have been few complaints so far, perhaps because the decisions have not been controversial. But it does mean that, at the worst, national governments can give commitments to collective action which have not been validated or publicly justified to anything like the same extent that purely national deployment decisions would be.

But what of the other subjects we felt had to be addressed? We aimed in compiling this selection of essays to give a flavour of the kind of fundamental instruments that are available, and to illustrate how they are used in practice in some European countries. For reasons of space and readability, we have made no attempt to give a compendious overview of the framework in every country or to offer a view on their effectiveness or applicability to other countries. The reader is referred to our suggestions for further reading if he would like to pursue such a check list. There is no shortage of such material. In particular, the OSCE's Code of Conduct on Politico-Military Aspects of Security and the publications of the Geneva Centre for Democratic Control of the Armed Forces (DCAF) are already among the standard reference works on the subject and we have no intention of duplicating the excellent work they contain. Instead, we sought to illustrate current practice in an attempt to gauge the extent to which a standard approach is already in place, and in the process allow the reader to ponder what might be the limits of any further *rapprochement*.

We do not intend to draw conclusions: it is up to each reader to make up his or her own mind. However, we do feel moved to make a few general observations in the light of our experts' treatment of some of the detailed

aspects of our topic. Although there has been much talk of a common European approach and common values, it is startling how far the actual mechanisms vary from country to country. Individual countries are very protective of 'their' way of doing things, which has usually evolved as the result of a long process of adaptation to local conditions. Since military forces are consciously or unconsciously seen as epitomising national identity, we can expect governments to be even more fiercely protective of their national way of doing things in their defence establishments than they are of other cultural, legal or financial idiosyncrasies. It is extremely difficult to identify which aspects in particular might be used as a template for further convergence. But if one considers the marked trends towards convergence across the EU in other fields, such as business or even culinary fashions, it is noticeable that the growing similarities have not crowded out national characteristics. Nevertheless – taking into account all the disclaimers just mentioned – the basic ingredients of practices in all EU countries that can also be deduced from the contributions to this book can be boiled down at a national level to a number of norms: politically neutral armed forces, governmental oversight of general staffs through defence ministries, extensive oversight powers for the parliament and in general clear subordination of the armed forces to democratically elected governments. On the issue of legal and political rights that armed forces personnel enjoy in comparison to their counterparts in society there is still much diversity in Europe. However, there is a tendency in recent years that the rights of the ordinary citizen and those of the military are growing together. Increasingly the soldier is regarded as any other employee and citizen and enjoys the rights that go with that. This tendency is strongest in the more prosperous and democratically advanced member-states of the European Union, such as the Federal Republic of Germany and The Netherlands.

The individual contributions highlight, first, in Volten and Drent's chapter, that the primacy of politics in the civilian-military relationship is the hallmark of a democratically governed society. Civil-military relations require not only the primacy of politics, but also military professionalism, and, most importantly, a balance between these two elements. In general, when reviewing theory and practice after the Cold War Volten and Drent note that changing strategic circumstances have influenced the balance between civilian direction and military professionalism. Here, a convergence can be discerned when taking a closer look at four EU countries, the Federal Republic of Germany, France, United Kingdom and Romania. All four feel compelled by practical needs to further centralise civilian decision-making on security. The complexity of security responses to the variety of threats demands a more unitary organisational set-up in which the military's impact and role has decreased. However, it remains difficult for civilian leaders to contest the conceptual and operational considerations of the military.

In exploring the varieties of parliamentary practice, Wim van Eekelen also enables us to see that although the detail varies from country to country, the general approach is really quite similar. Despite occasionally slow or ineffective oversight mechanisms, the processes he describes encapsulate how legitimacy, accountability and informed decision-making are ensured in several EU and NATO countries. In the process, however, he highlights, as do several of our authors, a potential problem in the growing disconnect between the experience and therefore the ideas and priorities of parliamentary decision-makers and their military servants. The repercussions of misapplied spending and ill-defined military missions can, of course, blight a political career, but they are literally life-threatening for the soldiers, who may feel their professional advice has been disregarded. The welfare aspects of citizenry in uniform are also touched on in this chapter.

Among the key factors influencing parliamentary actions are public opinion, and especially its mediator, the media. The fact that this has only a limited impact on specific military actions should not, of course, lead us to underestimate its importance. Public will in itself is the informal, sociological hub of the whole institutional relationship. The difficult thing is to work out what it actually is on any given issue, and the extent to which the institutional relationship is accurately reflecting the civil will – indeed to ponder whether it should aim to reflect it very closely, given the fickleness and malleability of public opinion. The extent to which new forms of communication like social networking websites or blogs are now setting the pace in many debates will make it even more difficult to keep abreast of the ebbs and flows of informal expression of public opinion. In her chapter on the subject, Jasmina Glišić offers us a *tour d'horizon* of academic insights, as well as confirmation that for the man in the street defence is not a high priority, though ongoing military operations abroad will be the subject of hot debates in the media and elsewhere.

We then move on to explore the way civil society impacts upon the more technical aspects of the military's job, in the formulation of a national security policy and military doctrine; in ensuring efficiency and transparency in procurement and other aspects of financial management; and on the decision to deploy forces. Each chapter takes a fundamentally different approach. Kees Homan discusses certain generic characteristics of security policies, and concludes, like Wim van Eekelen on parliamentary practice, that despite differences in wording, the ground covered is largely the same. The extent to which these documents are a strong enough basis on which to form a military plan of operations is, mercifully, not one which civilians have been called on to address. What they do provide, clearly, is a concept of what kind of military posture the country envisages, and upon which force structuring and procurement decisions can be based. And there is no doubt that despite the similarity of many EU countries' basic documents, their military postures, like their scrutiny procedures, are far from closely aligned. The potential for this to

lead to disagreement at the international (particularly EU) level is highlighted by most of our authors.

David Greenwood's chapter on procurement and financial management takes a different tack. He sets out in textbook fashion a set of guidelines for best practice; and indeed there should be little leeway for different standards of accountability, whether the auditing is done in open forum or in a quieter setting more suited to questions which may compromise national security. Despite the variations in procedure across national boundaries which Greenwood alludes to, he argues convincingly that there are common principles underlying national practices across the EU – and further afield.

We round off our collection, as already noted, with a thought-provoking chapter on how all this might need to be addressed at the EU level. Our writers expose many divergences in detail across the EU. These may be dismissed as technicalities which do not undermine the larger, more generic, fundamental similarities of approach. One might point to the fact that the EU's more recent members have been able to adopt the principles of transparency and accountability when designing many of their institutions from scratch after 1989: indeed, the Czech Republic leads the field in the democratic accountability of the scrutiny procedures outlined by Hans Born and his team. However, in so doing, several had to rewrite some of the legislation they passed in their initial parliaments to mirror more closely the EU's way of doing things. Can we expect both old and new members, to say nothing of aspirants, to undo their existing mechanisms, which seem to work rather well at national levels? It may be better to live, as we currently do, with under-defined common principles and diversity in detail. And we should be grateful that we EU members have the economic and intellectual headroom to indulge in exploring such an overarching framework. Many on our borders are facing much starker challenges, and are not yet able to benefit from high-quality public debate on such issues.

But the final chapter also reminds us that while we have been focussing on the armed forces, to cover the full spectrum of security which citizens have a right to expect, the shared principles and common practice that the EU might seek needs also to be extended to justice, policing, intelligence sharing, and the use of special and clandestine forces. The applicability of the procedures and mechanisms we have outlined to these, perhaps more difficult areas will be the true measure of the limits of convergence norms and practices across the EU.

I. CIVIL DIRECTION OF THE MILITARY: REDEFINING THE BALANCE IN FRANCE, GERMANY, ROMANIA AND THE UNITED KINGDOM

Peter Volten and Margriet Drent

Civil direction of the military is the core of a system of democratic governance in defence policy and is part and parcel of the EU's understanding of 'alignment to European practice' of countries aspiring to membership. The phrase is a rather vague requirement, though, since there is no such thing as one single 'European' practice. In fact, there are many different practices. Just as there are no Western-European democracies with identical formal and informal rules and regulations, democratic civilian control of the military differs and is shaped by context and history.

At the most it is possible to formulate a minimum set of standards on what constitutes 'democratic civilian control' that meets general agreement and includes the notion of civil direction of defence policy-making.³ The Centre for European Security Studies (CESS) has, among others, attempted to clarify this requirement distinguishing four aspects of democratic-style civil-military relations, of which the first three are concerned with civil direction:

- 'a clear division of authority between the Head of State and the Head of Government and the latter's security-sector ministers enshrined in a written constitution or public law and designating who controls the military, promotes officers in peacetime, has emergency powers in crises and the authority to declare war;
- peacetime governmental or executive oversight of general staffs and commanders through defence ministries, with the ministry clearly responsible for all key choices about the size, shape, equipment and deployment of the armed forces (and accountable officials having the decisive voice);
- a popular perception of civilian and democratic control of the armed forces, with (a) military staffs clearly answerable to civilian office-holders [...] and (b) those civilian office-holders themselves clearly accountable to the elected representatives of the society-at-large;

and

- legislative oversight of the defence organisation – primarily but not exclusively exercised through 'the power of the purse' – which (a) goes

³ An attempt to examine these existing and emerging international norms and criteria is undertaken in the following paper: Owen Greene, *International Standards and Obligations: Norms and Criteria for DCAF in EU, OSCE and OECD Areas* (Geneva: DCAF, 2002).

beyond perfunctory (rubber-stamp) approval of what the executive proposes, and (b) engages, through committees, the main opposition parties, and (c) is supported by knowledgeable parliamentary staff and 'outside' expertise'.⁴

For our purposes, clarity of the division of labour among the actors within the executive, governmental oversight of general staffs through defence ministries, and accountability of military staffs and civilian office-holders are the important elements of civil direction. But the general criteria must be placed in the international and national historical and present context, for EU countries as well as for aspirant countries. We are thus looking for an assessment of *the extent to which civil direction is actually taking place in light of historical perspectives and political cultures in Europe and in individual countries*. This key question addresses nothing less than the delicate balance between the execution of political control and respect for professional military expertise, a difficult and exciting, if not emotional problem every single democracy is wrestling with to 'get right' and in often very different circumstances indeed.⁵

So, we are embarking on an attempt to sort out what the 'European practices' (plural) of getting it right are. If there is no single and clear-cut European model for civil-military relations and for security and defence decision-making available, then how do European states strike the balance between civilian direction and a recognition of military professionalism in their diverse defence policies? Since an analysis of 27 cases of all member states is beyond the scope of this chapter, we are forced to be selective and focus in particular on some countries with a distinct history and political culture and see how they have aligned their defence policy to the needs of the post-Cold War strategic environment. We have chosen Germany, France, Romania and the United Kingdom since all four countries are different – presidential or parliamentary – democracies with different histories and are reasonably comparable as to the size of their armed forces. Romania is chosen as an example of defence reform under extreme circumstances of moving away from the Soviet-style mass army to the establishment of a more NATO-tailored defence organisation and force structure.

However, before turning to these cases, we first dwell on some important questions of theory and practice bearing on the basically shared developments in Europe since the end of the Cold War and the changed role of organised armed forces since WW II.

⁴ Margriet Drent, David Greenwood, Sander Huisman, and Peter Volten, *Organising National Defences for NATO Membership, The Unexamined Dimension of Aspirants' Readiness for Entry*, Harmonie Paper, no. 15 (Groningen: CESS, 2001), 8.

⁵ See also: Andrew Cottley, Timothy Edmunds, and Anthony Foster, eds, *Democratic Control of the Military in Postcommunist Europe. Guarding the Guards* (Houndmills: Palgrave Macmillan, 2002), 5-7.

Theory and practice after the Cold War: an adjustment of objective civilian control

Civil-military relations require not only the existence of the primacy of politics, but also the provision of military professionalism, and, most importantly, a balance between these two elements. For Huntington, this balance is the core problem of civil-military relations, through which the degree of professionalism is defined. Professionalism is not confined to the “expertise, responsibility, and corporateness” of the military institution, but is also dependent on the extent to which the professional soldier is allowed and enabled to do his job. The conflicting relations of the two main actors are the nub of the problem, according to Huntington.

The military institutions of any society are shaped by two forces: a functional imperative stemming from the threats to the society's security and a societal imperative arising from the social forces, ideologies and institutions dominant within the society [...]

The interaction of these two forces is the nub of the problem of civil-military relations. The degree to which they conflict depends upon the intensity of the security needs and the nature and strength of the value pattern of society.⁶

Huntington here relates the political and the military considerations and, in a broader sense, the ideational and material aspects of security and defence policy. The functional imperative is clearly a realist requirement focusing on the preparation for conflict or the threat of conflict. The societal imperative highlights security from views on social organisation, human interactions and the surrounding world, *Weltanschauung*. The political domain ultimately should prevail over the military-professional views and their more narrowly defined, military-strategic considerations. This is an intricate matter involving wise political leadership and taking into account the political culture of a country.

Huntington postulates that national security is best served under conditions of ‘objective civilian control’. This requires that the political leadership should seek to maximise military professionalism. At the same time, the military leadership should not acquire political influence and, instead, respect the ‘realm of political autonomy’.

Nowadays, the defence policy-making process needs to be institutionalised and civilianised in different ways, both internationally and nationally, as part of the wider and new concept of security. Institutionalisation means the introduction of norms and practices that ensure the accountability,

⁶ Samuel P. Huntington, *The Soldier and the State* (Cambridge: Harvard University Press, 1957), 2.

stability and transparency of the political – civilian – authorities' oversight of security and defence matters. The process of civilianisation implies a distinct, albeit tailored role of civilian/non-military experts in designing and executing a security and defence policy. Civilian, responsible political leaders should stand at the helm and be able to rely on both military and civil servants throughout the institutions dealing with security and defence, reflecting an effective division of labour in light of new and varying, specific expertise.

This directly bears on the notion of strategy and its political and military realms. After forty years of nuclear deterrence, and the threat of large-scale warfare gone for nearly two decades in Europe, military strategy may seem to belong to another world. Peaceful conditions seem to have overtaken military strategy. However, military strategists may strongly disagree and instead point to the history of mankind. Some may argue that, with the twentieth century as the age of extremes and incredible destruction and forty years of Cold War just behind us, it is even impossible to think about a world without the business of strategy. But is, for example, Colin Gray right when he claims the existence of 'Strategy Eternal' and forcefully argues that "there is an essential unity to all strategic experience in all periods of history because nothing vital to the nature and function of war and strategy changes?"⁷

This seems hard to maintain. Strategy is not just a plan or policy design, but also a process, 'a constant adaptation to shifting conditions and circumstances in a world where chance, uncertainty, and ambiguity dominate'.⁸ Political and military considerations come together in strategy. Strategy is paradoxical, because political-military relations are in essence conflicting. Strategy is an ongoing struggle between political objectives, the domain of the government, and military aims, the principal responsibility of the professional military.

Moreover, the post-Cold War situation is characterised by opportunities to construct inclusive arrangements in the whole of Europe and in terms of a vast range of security issues, the military being only one. A security strategy aiming at the enlargement of the 'zone of peace and prosperity' includes other security issues – political, social or economic – perhaps even more than the military one. The political agenda has dramatically changed and the *political*-strategic aims have become manifold and multi-dimensional. The formulation of security policy in the less-structured, even volatile, European strategic landscape is far more complex than the traditional defence policy and force planning. These developments have far-reaching consequences for the political and military roles and responsibilities, and hence for civil-military relations.

⁷ Colin S. Gray, *Modern Strategy* (Oxford: Oxford University Press, 1999), 1.

⁸ Williamson Murray, and Mark Grimsley, "Introduction: On Strategy", in: Williamson Murray, MacGregor Knox, and Alvin Bernstein, eds., *The Making of Strategy: Rulers, States, and War* (Cambridge: Cambridge University Press, 1994), 1.

Perhaps most important, and insufficiently recognised, is the internationalisation of civil-military relations and the end of (almost) exclusively unilateral activities taking place between the two domains *vis-à-vis* the outside world. The traditional, domestic and nationally confined orientation has not disappeared – and will probably never disappear – but has been notoriously overvalued in our thinking. As a matter of fact, the materially constructed reality of ‘strategy eternal’ and classical civil-military relations continues to influence, if not dominate, the approaches to our object of study. A ‘strategy revisited’ recognising emerging, new and different realities is necessary to supplement the familiar, albeit narrow approach. Such a strategy will not only take into account the interaction between the domestic civilian and military players, but also the interaction at the international level. (Civilian) governments interact as do the military in the transatlantic and European context. So we must deal with sets of interaction patterns: domestic and international as well as at each level between the civilian and military participants.

Both political and military leaders have been slow to recognise the need to adjust the military institution to the new circumstances. The international duties of the military are bound to determine the professional status and judgement upon the military performance. Professionalism, according to Huntington consisting of *expertise, social responsibilities and international esprit-de-corps or corporateness*, must follow suit. *Expertise* today includes new skills like peace keeping, policing, and playing the role of a diplomat and international legal authority, even that of nation-builder. *Social responsibilities* today include providing security in so-called out-of-area regions where neither affinity with the territory nor sharing values or identity with the locals are self-evident, to put it mildly. *An international esprit-de-corps* today requires a fundamentally reviewed system of education, training, career planning, promotion and internalisation of group culture.

The EU and NATO face new strategic challenges and, as a consequence, have to recognise changes in the relationship between the political and military domains of strategy in an international context. Currently, the EU is revisiting its strategy, combining its impressive politico-economic weight with some military interventionist power. The latter could be used in the framework of co-operative security, that is, with the consent of the parties involved. Such a role of military power *in addition* to the enlargement of a ‘socially constructed reality’ of a zone of security and prosperity means a different approach from that of ‘strategy eternal’.

Thus, political purpose inevitably also guides military professionalism. The political leadership must take into account the societal and international changes deriving from social forces, ideologies and institutions, the military following in their track. The political setting ultimately defines the outcome of civil-military relations and these have to be addressed actively, not passively in our rapidly changing political environment. The concept of ‘objective civilian

control' seems to undergo a metamorphosis urging a new balance to be struck between civilian control and military professionalism.

The theory of civil-military relations in the Euro-Atlantic area will have to take into account the changed and multi-faceted objectives of politics and the consequences for the professional military. The autonomy the military enjoyed during the Cold War in designing force structures as a unilateral response to unequivocal threats is a thing of the past; or should be. Political leadership in enabling genuine military professionalism still holds; at the same time, striking a new balance in civil-military relations is in high demand.

These basic points of orientation on security do inevitably raise questions as to the development of the means and instruments of the implementation of strategy, the use of violence and its aftermath. In the modern security environment in Europe and beyond the role of the armed forces, however, deserve a new look, taking into account the vastly expanded means of managing the use of violence and its consequences. Ever since WW II, the last major war between huge military forces engulfed in conventional warfare, the usability, effectiveness and efficiency of traditionally organised armed forces in the pursuit of (offensive) political purposes have been gradually declining.⁹

In the new era of post-Cold War armed conflict conventional forces have been assigned to principally peace-keeping and peace-enforcing missions, the two not always clearly discernable on the ground. If and when military intervention was necessary, the (Western) armed forces did not always fare well, unprepared for a mission that had little or nothing to do with decades of training for a confrontation at the inner-German border. The role of diplomat-soldier appeared to be difficult or simply too difficult (Srebrenica comes to mind). Kosovo showed the – self-imposed – limitation of using regular forces (air force) against an enemy having a reputation of successfully conducting guerrilla warfare and NATO's military victory was tainted by "Winning ugly".¹⁰ The peace-keeping task thereafter could hardly be characterised as a professional-warrior duty and would soon be taken over by increasing numbers of police units.

This leads to the final observation of the diminishing effectiveness of conventional military power: the ever more growing importance of creating stability and nation-building. In the case of local consent, the military's role is of doubtful significance and in the case of local resistance, the military face the type of insurgency and guerrilla tactics that is now bedevilling the coalition forces in Afghanistan, not to mention those in Iraq bordering on civil war. Basically, the challenge of creating the conditions for peace-building and

⁹ Cf. Martin Van Creveld, *The Transformation of War* (New York: Free Press, 1991); for a concise version of his argument, Martin van Creveld, "La puissance militaire en question", *Politique Étrangère*, no.1 (2003): 11-24.

¹⁰ Ivo H. Daalder, and Michael E. O'Hanlon, *Winning Ugly: NATO's War to Save Kosovo* (Washington: Brookings Institution Press, 2000).

establishing stability requires political measures, not military effectiveness in the good, old manner. The military genius of Clausewitz' Strange Trinity cannot compensate for the failing of the government nor embolden a shattered society. Foreign troops are sooner or later bound to be seen as an occupation force, either by political factions or by segments of the population, or both.

Whatever the effectiveness of political, economic and social assistance, it should be clear that the task at hand is first and foremost part of political-strategic considerations and that the military play the residual role of offering a helping hand in fire fighting. So, all in all, the military as structured in the traditional way and continuing their professional duties has shown an ever decreasing importance in the changing security environment and an ever sliding impact on establishing security in a changed political environment.

Last but not least, overshadowing these observations of the decreasing role of the military in security policy is the momentous shift in power bases reflecting on security. Energy, oil and gas, comes straight to mind, the more so given the assertiveness of Putin's Russia to play that card against the West in recent years. Others power resources also fall into the category of security concern, an ever growing one for that matter. Not only scarce material resources are at stake, but also the relocation of technology and high-tech skills, the movement of employment to low-cost places, the rising inequalities between North and South, but also gross differences of income in the Western world, to name a few. These tendencies are bound to affect the democratic institutions and procedures, augmenting pressures and tensions in Western societies.

The foregoing is not to suggest that we should simply dismiss military power. Far from that. The point is that strategy has taken a turn in its constitutive elements and that the role of the military institution, as it still is predominantly organised, deserves a critical review in relation to a vast range of other political means. Except for outright inter-state wars, violence appears to be the continuation of politics *tout court*. One would expect these observations to find their way into the conduct of defence policy as well as the reflections on politics. If so, the question is to what extent politicians, military, civil society or society at large consider the strategic options one way or the other. In the following paragraphs we discuss these European insights by addressing a number of key concepts and focal points of the discourse with a special interest in the four selected countries.

International governance versus national sovereignty

The forty years of NATO's Cold War history have seen an unprecedented degree of integrated military planning in the defence organisation. The allies were able to formulate a common – nuclear – strategy and, notwithstanding the

recurring debates about burden-sharing and defence expenditure, managed to deploy robust and state-of-the-art conventional forces. As a defence organisation, NATO focused on military-strategic capabilities aimed at a capacity to dissuade and, if necessary, to withstand a Soviet military offensive. Ultimately, the national governments decided on what and how much to contribute to the common defence, but the heat from Brussels headquarters on the allies to deliver reflected a shared sense of alliance-wide responsibility and roles, or what we would today call international governance in force planning and deployment. Political guidance for a political-strategic approach to a common security policy took a back seat in Brussels which, in spite of French reservations, agreed to the assumed leadership role of the US in this respect.

After 1989, this was bound to change, at least among the European member states, whether in EU or NATO organised governance. America's predilection for military-strategic considerations encountered dissenting, even opposing views in NATO, hampering the design of a common strategy to this day, while the EU proceeded from its civil rather than from a military identity, showing an ever more outspoken political-strategic approach to the former 'East' and beyond. This is reflected in the political and economic integration of the new member states and, once the EU was called upon to present its views on security matters as well, culminated in the *European Security Strategy* or Solana document of 2003. Meanwhile, the EU did start to organise its defence forces, battle groups and military command infrastructure, albeit much of it in duplication with NATO and at a snail's pace. Thus, EU governance in the field of security policy exists and stems to a large degree from political, civil direction.

From here onwards, however, one stumbles into half-hearted and disputed views on the question of the employment of military power under the aegis of American or European leadership and, above all, into the perseverance of national sovereignty as the bedrock of defence planning and defence reform in light of the drastic changes in the security environment. France, the Federal Republic and the UK are of different minds politically, and it is difficult to see a flourishing European governance in the field of security without a basic understanding between the three. France advocates a pro-European defence policy as a means of establishing a 'puissance-Europe', but the political elite in Paris has remained entrenched in thinking about French sovereignty and the prerogative of national defence in international relations. Since General de Gaulle, French diplomacy has been an attempt to put its national preferences of 'puissance-France' into the European context, hoping to be supported by the strength of the French-German axis as the engine of European co-operation. The decline of the French international position after WW II and the decolonisation process during the 1950s and 1960s, together with the soaring weight of Germany in Europe ever since, followed by its reunification and EU enlargement eastwards, however, have irreversibly shifted the balance towards

Central Europe and promoted a multilateral rather than a French, national, sovereign approach to security matters.

Since the Constitutional Court decided in 1994¹¹ that Germany could take part in military missions in a multilateral framework outside the NATO Treaty area, Germany has been wrestling with its changed role. More than 40 times the government has asked approval for operations abroad (including extension requests) from the German parliament, to which the normative legitimacy and legality of the missions have been guiding principles. Especially in the debate whether or not to take part in an international military operation, the lack of a clear point of strategic reference is felt particularly urgently.¹² The broad scope of German security policy ranges from conflict prevention to crisis management and post-conflict rehabilitation, involving a broad array of policy instruments. All these policies and instruments, it is felt, must be more effectively interlinked and are in need of more strategic direction. Moreover, all deployments are channelled through multinational organisations. Therefore, this interlinking must also be transferred to an international level.

The norms and values codified in the German Basic Law of world wide peace, the unity of Europe, strengthening of international law and collective security are too general to give sufficient guidance.¹³ This leaves the German security elites with multi-interpretable points of reference to define Germany's role in world affairs. A civil, political direction for the German international stance is problematic, to say the least. To what extent can one count on German participation in defence missions abroad, in particular as regards the new challenges of peace enforcement and the fight against terrorists and insurgents far away?

The United Kingdom has a clear and outspoken preference for trans-Atlantic co-operation and for the strengthening of NATO, if necessary through a European defence policy, even European defence forces. But the UK was relatively quick in assessing the new role of the armed forces and proved to be willing to service the newly defined purpose of its army. Indeed, the Strategic Defence Review (SDR) of 1998 was a much revered document, particularly because of the inclusive process that informed its contents. The Labour government that came into power in 1997 was quick to shed its anti-military attitude and introduced an active and after 2001 even a proactive security

¹¹ On 12 July 1994 the Constitutional Court ruled that the Federal Republic of Germany is at liberty to assign German armed forces in operations mounted by the North Atlantic Treaty Organization (NATO) and Western European Union (WEU) to implement resolutions of the Security Council of the United Nations (UN). The same applies to the assignment of German contingents to peacekeeping forces of the UN. The Federal government is required to obtain the Bundestag's explicit approval for each deployment of German armed forces.

¹² See: Stefan Mair, ed., *Auslandseinsätze der Bundeswehr. Leitfragen, Entscheidungsspielräume und Lehren*, SWP-Studie, S 27 (Berlin: SWP, 2007), 5.

¹³ See the German Basic Law, preamble, Art. 24, 25, 26.

policy, abundantly making use of the military instrument as a 'force for good' by combining realist and ethical assumptions. The SDR stated that 'We do not want to stand idly by and watch humanitarian disasters or the aggression of dictators go unchecked. We want to give a lead.'¹⁴ So, the British armed forces have conducted major operations in Iraq (air strikes since 1998), Kosovo (1999), Sierra Leone (2000), Afghanistan (since 2001) and Iraq (since 2003). In a situation of 'wars of choice' where the immediate survival of the nation is not at stake the decision to send troops and the scale of the commitment is a choice for the government of the day. The British did it as a sovereign state that, particularly in the case of Iraq, opted for the 'special relationship' with the US rather than acting in the context of 'international governance' by either NATO or the EU.

Romania, as an example of an aspirant state for integration in the framework of 'international governance', no matter be it NATO or EU, showed its eagerness to participate in the new missions the West was facing after 1989. National sovereignty was circumscribed by 'conditionality' put forward by NATO and the EU, but the large and independent-minded, national defence organisation during the Warsaw Pact era was a useful asset for promoting the achievement of Romania's foreign policy goal of rapprochement with Western structures. Romania could deliver substantial units in a number of cases of peace keeping and peace enforcing as a willing partner. The unanimity among the Romanian political elites regarding the promising Westward trek forged an outspoken civil direction as to the role of the armed forces. National sovereignty had suffered for decades, but Bucharest understood that regaining it in the new setting of post-1989 implied some flexibility in national pride and sovereignty. In this case, as in most countries of transformation, international governance in the form of Partnership for Peace and the Membership Action Plan provided an effective political guidance for defence reform, especially when pressures mounted as the day of NATO's judgment at the Prague summit in 2002 came closer.

So, it would be unfair to say that NATO and the EU do not represent a tool for international governance at various levels of political (civil) direction. New tasks, like those in the Balkans, were recognised in summit meetings, council meetings and by the ministers of Foreign Affairs and Defence. The vocabulary in the declarations and documents changed: references to large-scale warfare disappeared; territorial defence receded (yet did not disappear from defence plans); and peace keeping and peace enforcing moved to the area of priorities. Still, the role of international governance at the various levels was limited and it took harsh experiences on the ground before significant changes within the defence structures and reform of the armed forces began. The 'lessons learned' in the Balkans were a necessary impetus in the process

¹⁴ *Strategic Defence Review* (London: HMSO, 1998).

of alignment to the declaratory policies. Military capabilities were only slowly adjusted and military international cooperation among new coalitions and in unprecedented circumstances followed cautiously and not without irritation on the sides of the national contingents, viz. the tragic fall of Srebrenica or the air campaign in Kosovo. A truly international direction was lacking due to the fact that *sans stratégie, pas de régie*.

The former Secretary-General of NATO, Lord Robertson, used to say that the problem was not so much that NATO-Europe did not spend enough on defence, but that it did not spend the money *wisely*. Given the roughly 200 billion Euro spent in Europe, it is hard to disagree. Indeed, international political direction in rational and effective planning fell short of success and could not overcome the inclination to cling to national sovereignty and national decision-making. Of course, defence budgets were cut and armies downsized according to the logic of 'peace dividend' by eager ministers of Finance or out of sheer necessity as in Central and Eastern Europe. But the structures of the national armed forces and the equipment maintained, even acquired, have remained intact to a significant degree. Thousands of tanks, armoured vehicles and artillery pieces, thousands of fighter aircraft, and a huge naval capacity are still in the inventory, while shortcomings in airlift capacity, special forces or simply in numbers of operational units are an enduring headache, whether in Afghanistan or in the – basically French-led – operations in Africa like Darfur. As said before, internationalisation of civil-military relations and civil, political direction lags behind in the process of ineluctably soaring international military action beyond the fringes of Europe. The international governance of military operations and reconstruction seem to run up against as strong a sense as ever of national sovereignty in security and defence matters, an historic stronghold and firmly embedded political culture. Therefore, we should turn to the domestic setting and look at the decision-making processes and the degree to which they are under civil direction in relation to military professionalism.

Civil direction amidst conceptual frictions and military prowess

The EU may have a common political-strategic concept provided by Solana's office; the multi-dimensional character of this political rather than military-operational strategy as well as the political divisiveness within the Union, however, seriously complicates the implementation of the Common Foreign and Security Policy. Likewise, NATO's lack of a military-strategic concept, a less demanding albeit still complex undertaking, fosters division and hampers the execution of the military operations of NATO. More often than not, national decision-making of security policy, both in political and military respects, thus relies on domestic concepts and institutional arrangements. Finding an unequivocal and shared strategic outlook is hardly an easier job and the

domestic track is by no means conducive to overcoming the divisiveness in the international realm. On the contrary: history, custom and political culture vary widely in individual countries, all leading to idiosyncratic views on the international order and the preferred ways to approach it.

Strategy is the domain where the political and military considerations meet, but in many respects also collide. Whereas the political choices are of a strategic – superior – level and often in flux and changing, the military's primary concerns relate to the tactical and operational level characterised by long life-cycles of weapons systems, established organisation, 'proven' ability or valued tradition and professional experience. The post-Cold War, changing and volatile political landscape thus confronted the military machine that ran its course for four decades with a series of challenges and surprises. But the strategic outlook was as difficult for the political as for the military leadership; both had to adjust, both came from their own past and had taken positions in the nationally developed culture. Both tried to provide direction for the future. The degree to which either one was able to succeed in meeting each other or in forcing each other in the preferred direction showed similarities as well as differences in Europe. The circumstances varied from country to country and history took its toll as well.

One general observation is in order. The military is wary of change and is inclined to keep forces intact as much as possible, preferably in large numbers. This explains in part why the structures have been slowly adapted. It was clearly visible in the former-Warsaw Pact countries, but is also a complaint one regularly hears in France, for example, where the last White Paper dates from 1994, followed by only marginal changes.¹⁵ Another reason is the desire of military commanders to reduce dependency on others to a minimum and to have autonomous forces at their disposal. Each service will therefore be inclined to defend its own corner in rationalisation debates; an air force commander, for example, is not inclined to ask an allied colleague to provide the air defence missiles to protect his air base and its fighter aircraft. This understandable reluctance on the part of the services is a generic military tendency and can be seen throughout the Western countries. It helps to explain why it is so extremely difficult to embark upon a programme of division of labour and task specialisation among the allies. What is more, the point is vehemently made to the ministers of defence and political leaders by hammering on the dangers of losing 'sovereign decision-making'. Thus, a general political inclination to national sovereignty in defence matters is strongly reinforced by military desires to maintain operational 'sovereignty'.

These are just a couple of examples of how difficult it is for civil leaders to contest the conceptual and operational considerations of the military. Even if

¹⁵ For a critical assessment see, for example, Nicolas Baverez, "Sécurité nationale, un enjeu européen", in the Gaullist-leaning newspaper *Le Figaro*, 25 and 26 November 2003.

it seems logical and rational to get 'more bang for the buck' through international military integration and task specialisation – something Lord Robertson might have had in mind when he urged a 'wiser' spending of defence money – the practice of bottom-up reasoning and input thinking as to the military means rather than top down guidance and output prioritising in light of the political goals, is an institution-wide, cherished and well-protected achievement. Moreover, very few ministers or politicians have sufficient knowledge, not to mention the courage, to engage in arguments that touch upon military prowess, proficiency and vital sensitivities.

In addition to expertise, the military profession is endowed with 'social responsibility' as a defender of the nation accepting to risk his life. He deserves the best there is to do his job. His profession is a revered one, ingrained in the nation's history. This is certainly the case in France, Britain and Romania where the military enjoy popular support as one of the most trusted, or the most trusted institution in the country. (Germany is obviously a special case where the post-WW II concept of *innere Führung* has socialised the soldier sharing responsibility in society as a citizen in uniform). In France, where the heroic past has made war, according to de Gaulle, the nation's 'second nature', every single village commemorates the sacrifices of WW I and the nation as a whole reveres the military. Polls indicate that the population favours a higher defence budget, if deemed necessary, and the representation of *vox populi* has little or nothing to debate as to defence policy. Parliament leaves the question to the president and his government, but it also shows its trust in the professional soldier. France has increased its defence budget in the post-Cold War years without notable resistance from either right or left. Consensus is high on defence matters in France. But the lenient social-economic policy towards the trade unions and 'street protests' has reached its limit, according to the new President, Nicolas Sarkozy. His aim of maintaining 2 per cent of GDP for defence must be realised through measures of rationalisation rather than through financial sacrifices by other ministerial budgets.

Similarly, the Romanian military are the most trusted national institution and have served the country in its endeavour to create some distance from the Warsaw Pact while having played a crucial role (of non-action) during the 1989 December revolts against Ceaucescu. The significant increase of the defence budget in 2000, initiated by the minister of Defence, Ion Pascu, has not seen a word of protest. Romania had to show sincerity in its NATO ambitions, to be tested only two years later in Prague, and for 78 per cent of the population the deal was worthwhile, not least because of the trust the armed forces enjoyed. Anyway, given the economic strength of the nation, there is not much that can be done or is seen as urgent enough to further increase defence expenditure.

Britain is somewhat different. Whereas all defence budgets are under pressure, the British come out more loudly, including people in uniform. In particular the Afghanistan and Iraq commitments have lead to an increased

feeling that the armed forces are overstretched and under-funded and that the military covenant is at serious risk. The House of Lords labelled the situation in 2007 as 'a major national crisis and a major national scandal.'¹⁶

The critiques of the officers, retired or serving, all seem to come down to the fact that they support the government's strategic objectives but that they are critical of the lack of willingness of the government to provide the means to achieve this. Particularly since the Iraq intervention in 2003, to which a majority of the British population was opposed, the armed forces have been more at the centre of attention in the United Kingdom, and more controversially so, than at any time in decades. Respect for their professionalism under difficult circumstances, the esteem that goes with ending a tour of duty, the effect on the reputation of the armed forces and consequences for recruitment and retention are at stake as well.

In Germany, commentators also signal a marked discrepancy between the demands on the armed forces and the means that are provided to them by the state. Seventeen years of budgetary reductions and restructuring, while at the same time the Bundeswehr has been more active than ever, have taken their toll.¹⁷ When the Bundeswehr's financial plans for 2007 were leaked to the media the chief of staff, the highest-ranking soldier of the Bundeswehr, remarked that on top of the current obligations there is only limited room to meet the needs of the armed forces.¹⁸ However, the prioritisation of the budget allocation is also criticised: it is not so much the budget available, but where it is spent. The Bundeswehr has a tendency to perfect those forces that it needed in a Cold War situation, resulting in inadequate capabilities for the expeditionary type of missions which are much more in demand. Also, superfluous bureaucratic rules cost too much money and effort. A survey by the armed forces trade union on job satisfaction in 2007 revealed that the chronic under-funding in relation to the increased international deployment had taken its toll. Only 3.8% of those questioned felt supported by politics and 67% judged their personal equipment for international military missions insufficient.¹⁹ The

¹⁶ Baroness Park of Monmouth, statement in the House of Lords, Column 932, *Hansard*, 22 November 2007 [on-line]; available from <http://www.publications.parliament.uk/pa/ld200708/ldhansrd/text/71122-0002.htm#07112238000082>; Internet; accessed 14 April 2008.

¹⁷ Germany's defence expenditure as a percentage of GDP is in 2007 only 1.3%. See: *NATO-Russia Compendium of Financial and Economical Data Relating to Defence*, 20 December 2007. [on-line]; available from <http://www.nato.int/docu/pr/2007/p07-141e.html>; Internet; accessed 20 December 2007.

¹⁸ General Inspector Wolfgang Schneiderhan, quoted in: Peter Müller, "Gefährliche Mangelwirtschaft", *Die Welt Online* [on-line]; available from http://www.welt.de/welt_print/article804870/Gefahrliche_Mangelwirtschaft.html; Internet; accessed 02 June 2008.

¹⁹ "Miese Stimmung in der Truppe", *Der Spiegel Online*, 26 April 2007 [on-line]; available from <http://www.spiegel.de/politik/deutschland/0,1518,479616,00.html>; Internet; accessed 14 May 2008.

German defence budget for 2008 has been raised, but not enough to match inflation and in real terms therefore has dropped.

In conclusion, civil direction meets a strong military in terms of professionalism and societal support for a revered institution. The new roles of the military are not disputed, even welcomed, particularly in Germany, and appreciated, particularly in the UK. If curtailed, the military run into the logic of financial constraints from the government rather than empathic disengagement of the polity or society. At the same time, defence issues have plummeted in the list of popular concerns and have become a relic of the image and history of the military's social responsibility for the survival and defence of the nation-state. Defence policy is not a real concern in Europe and, in spite of all the rhetoric of 'terrorist threats', the public is not inclined to call for more resources. Basically, the military are doing a fine job and, if anything should change their revered contribution to security, people are looking at political guidance and direction. The point is whether the political and institutional arrangements are capable of giving direction; put bluntly, have the polity and political elites managed to arrange workable means to direct and to overcome the fore-mentioned, inherent and long-standing military strongholds? All that is their own responsibility.

Defence policy and institutional arrangements

The crux of the matter, as Huntington noticed, seems to be the institutional arrangements based on history, political culture and ideology. In the end, they determine the civil-military relations and we should add, they are fundamentally the domain of the political actors in shaping the arrangements in domestic politics. How do they position themselves in the hierarchical order *vis-à-vis* the military and are they able to direct them? As Huntington convincingly argued: 'Organization is the road to political power...'²⁰ We have seen that military professionalism also entails the notion of corporateness. The military not only claim expertise, experience and social responsibility in their relation to the political leaders and executive, they also possess an *esprit de corps*. In brief, they are well organised in one visible body and can act as one institution representing a powerful policy elite.

As a leading counterweight, the political institution should be organised unequivocally as well and be able to integrate the military organisation, from the very top of the executive and through the government, including the MoD, down to the organs of parliamentary and budgetary oversight. Only a transparent organisation offers a fair chance of civil direction and a mechanism responsive to political-strategic considerations, both in the executive and society at large.

²⁰ Samuel P. Huntington, *Political Order in Changing Societies* (New Haven: Yale University Press, 1968), 461.

This straightforward and self-evident requirement in any democratic system, however, appears to be a tall order. To begin with, the executive may not always present a clear line of command and allow for an informed and adequate parliamentary scrutiny of the executive itself. In Romania and France, there are questions about these arrangements and the transparency at the very top. The presidents are the commanders-in-chief, but stay at arm's length from the parliament and of democratic control. The Romanian president chairs the National Supreme Defence Council (NSDC), which reports to the parliament only once a year. Yet the Council plays a central role in the preparation of the national security documents and approves them as *binding* decisions, being *de facto* the most important institution in the decision-making process. The president thus possesses a substantial leeway for action in defence policy. Under favourable circumstances, with a prime minister and minister of defence of the same party, the president actually controls the entire executive, while creating a difficult process of parliamentary oversight.²¹

This problem of 'two executives' in foreign and defence policy also exists in France, where the president has even officially full authority and parliament will be informed as he wishes, even if the people's representative takes the trouble of demanding direct involvement in the security policy, which is hardly ever the case. At the level of the executive, there may not be a real problem *if* the relationship between the president and his government is good and the prime minister takes full responsibility in parliament, but this is not always the case and the two countries have faced – and Romania still does face – the experience of 'cohabitation'. Both under François Mitterrand and Jacques Chirac, governments have consisted of opposition parties, while at present President Traian Băsescu and Prime Minister Calin Popescu-Tariceanu in Romania are publicly in a political street-fight. Under these circumstances, the decision-making process is not only tainted, but is also likely to present an internal stand-off, allowing all sorts of political games and bureaucratic manoeuvring. For example, the chief of the general staff (CGS) and/or the chiefs of the services are likely to use their direct access to the respective leaders and play one against the other according to what fits best. In Romania the CGS is an advisory member of the NSDC, while the position of his French counterpart has been strengthened *vis-à-vis* his subordinate chiefs, the Secretariat-General of National Security as well as the minister of defence in 2004, through his direct access to the president. Informal or formal *têtes-à-tête* do not foster coherence, in any case. They cannot replace political will, the lack

²¹ See Dorina Năstase, "Institutional Choice and Bureaucratic Inertia in Transition: The US National Security Council – Institutional Model for the Romanian Council for National Defence", *The Romanian Journal of Society and Politics* 1, no.1 (2001): 90.

of which was, according to the *Institut des Hautes Études de Défense Nationale* (IHDEN), the main shortcoming of French defence policy during the 1990s.²²

Dissatisfaction with the results of the decision-making during the past decades has led President Sarkozy to decide on the establishment of a National Security Council along the lines of the White House practice. It is one more example of the present '*présidentialisation*' of decision-making, but also reflects the need to break the stalemate between so many different institutions dealing with defence policy, a practice that has hindered reform and has given (too) much leeway to the military as the revered and expert body, sidelining the ministry of defence.²³ On the other hand, the French president is seen as the single most important person to legitimise decisions, which gives him the opportunity to force the military to comply with measures that are contested and need a political solution. This has obviously always been the case with nuclear policy, but President Chirac did the same in 1996 when he took many by surprise in cancelling the military draft. A majority of both the population and the military was opposed to it at that time, but soon after his announcement, more than 60 per cent of the French rallied behind him. The decision was reached between the president and a handful of non-governmental and civilian experts and merely legitimised – or rather imposed – by the authority of the French president.²⁴ This may be effective leadership, but it raises question marks in terms of democratic decision-making. Likewise, the trend towards centralisation in France in the NSC envisaged – and elsewhere – deserves a footnote. Ministries entitled to put forward their expert views risk being marginalised by an institution that is not answerable to parliament, aggravating the *déficit démocratique* enforced with the inauguration of de Gaulle's Fifth Republic.²⁵

In the United Kingdom, the formal way in which civil direction of the military is arranged is typical for the Westminster model. The British monarch is the formal Commander-in-Chief, but in practice her government heads the armed forces. The legislative and executive are intertwined with members of parliament of the ruling party having a position in the government, therefore strengthening the electorate's mandate, but at the same time weakening the position of Parliament. The prime minister is the head of government and therefore ultimately the decision-maker for the armed forces. Among the cabinet

²² IHDEN, "*La Politique de défense de la France*", Rapport de 1ère Phase, 52ème Session Nationale, Comité, no. 1 (1999): 47.

²³ Philippe Hayez, "Pour un Conseil de sécurité nationale à la française", *Le Figaro*, 27 February 2007.

²⁴ Bernard Boëne, "The military voice in France: On the streets and in the newspapers," in: Hans Born, Marina Caparini, Karl W. Haltiner, and Jürgen Kuhlman, eds., *Civil-Military Relations in Europe: Learning from crisis and institutional change* (London: Routledge, 2004), 181-182.

²⁵ Samir Battiss, and David Morin, "Un Conseil de sécurité nationale à la française. L'Élysée à l'heure de la Maison Blanche?", *Points de Mire* 8, no 6 (Centre d'Études des Politiques Étrangères et de Sécurité, 2007).

of ministers is a dedicated minister, the secretary of state for defence. The Defence Council is the senior departmental committee in the ministry on which the commanders of the three services (navy, air force and army), the Permanent Under-Secretary of State and civilian officials of the ministry have a seat.

The decision-making process is transparent and involves a great many institutions including outside experts as was the case in preparing the Strategic Defence Review. This document was a model White Paper, a policy document that dares to make changes according to the requirements of the time and seeking broad support. That does not mean that the debate on the Review could really affect the contents. The prime minister rules on whatever suggestions may be made. In this case, the minister of defence, George Robertson, was a determined and strong personality operating with the backing of the prime minister, and driven by the political necessity to show a serious and reliable Labour stance on defence, the political direction was secured. Some genuine measures of reform were made possible because of clear civil direction. The royal prerogative, nonetheless, puts the role of Parliament in a peculiar position, especially in the case of deployment of the armed forces overseas, as in Iraq.

It is interesting that the new Prime Minister Gordon Brown announced in 2007, in his first speech in the House of Commons, a limitation of the power of the prime minister and the executive in twelve areas, among which was the power to declare war. Pending agreement on more detailed proposals, the government will have to seek parliamentary approval for overseas deployments. He also announced that the Government would from now on regularly publish a national security strategy and that a national security council would be created. A new national security council is to be set up to "coordinate military, policing, intelligence and diplomatic action and also to win hearts and minds in this country and round the world".²⁶ The British press welcomed the package that 'could fundamentally change the balance of power in the UK'.²⁷

In a Green Paper that accompanied Brown's announcement, the government proposed to the House of Commons to develop a parliamentary convention on deciding on overseas operations, taking account of the need to preserve the flexibility and security of the armed forces. "It will be important to

²⁶ *Hansard*, House of Commons, 3 July 2007, column 815 [on-line]; available from <http://www.publications.parliament.uk/pa/cm200607/cmhansrd/cm070703/debtext/70703-0004.htm>; Internet; accessed 21 December 2007. The royal prerogative to deploy troops overseas has been subject to debate before, see: House of Commons Public Administration Select Committee, *Taming the Prerogative: Strengthening Ministerial Accountability to Parliament*, Fourth Report of Session 2003–04, HC 422 (London: The Stationery Office Limited, 2004); House of Lords Select Committee on the Constitution, *Waging War: Parliament's role and responsibility*, HL Paper 236 (London: The Stationery Office Limited, 2006).

²⁷ Patrick Wintour, "Brown hands key powers to parliament", *The Guardian*, 4 July 2007.

strike a balance between providing Parliament with enough information to make an informed decision while restricting the disclosure of information to maintain operational security".²⁸ The national security council will replace the currently existing ministerial committees on security and terrorism, defence and overseas policy and Europe. It is presided over by the prime minister and includes relevant ministers and civil servants. What we saw in France seems to be the case in the UK as well: centralisation of civil direction as a way out of the indecisiveness of multi-institutional decision-making which leaves (too) much room to the professional military.

Germany is of course a special case which has its origin in the national-socialist period when the German armed forces were abused by politics and when certain parts of the armed forces became a state within the state. First of all Germany does not have a general staff, but it functions as a headless force subordinated to SHAPE in Mons. It is often called a parliamentary army (*Parlamentsarmee*), because it is under strict control of parliament and its missions abroad need the approval of the Bundestag. The parliament appoints out of its midst a *Wehrbeauftragter* or parliamentary commissioner whose task it is to function as a kind of Ombudsman for the armed forces and to assist the parliament in executing its civilian control over the armed forces by serving as a liaison between the parliament and the Bundeswehr.

Meanwhile, there is an increasing call among the defence elites for a new German security policy architecture reflecting the comprehensive nature of the security challenges.²⁹ As in France and the UK, it is felt that too often the particular interests of the various ministries involved in security policy have been dominant, resulting in fragmented policy formulation and execution.³⁰ The Federal Security Council, established in 1954, is tasked with the coordination of German security policy. However, its function has in practice been limited and restricted mainly to arms exports policy. The Council is an obvious candidate to be enhanced to function as a central body in the current discussion on how to reform the security policy decision-making structures. The Director of the Federal Academy for Security Policy, Rudolf Adam, phrased it as follows "A Federal government, that is not merely reacting within the framework of territorial defence, but which wants to actively shape and serve peace, needs a

²⁸ Secretary of State for Justice, *The Governance of Britain*, 19 [on-line]; available from <http://www.official-documents.gov.uk/document/cm71/7170/7170.pdf>; Internet; accessed 21 December 2007.

²⁹ For the discussion see: Cord Meier-Klodt, *Einsatzbereit in der Krise?*, SWP-Studie, S 34 (Berlin: SWP, 2002), 6; and Rudolf Georg Adam, "Fortentwicklung der deutschen Sicherheitsarchitektur – Ein nationaler Sicherheitsrat als strukturelle Lösung?", *Berliner Forum Zukunft der DGAP und Bundesakademie für Sicherheitspolitik* (Berlin: 2006): 4.

³⁰ Markus Meckel, and Andreas Weigel, "Aufruf zur Bildung einer Enquete-Kommission zur Reform der Sicherheitspolitik". 23 March 2007 [on-line]; available from http://www.andreas-weigel.info/pdf/pm/357_positionspapier_meckel_weigel.pdf; Internet; accessed 14 April 2008.

clear gravitational centre to enable the formulation of strategic purpose". Adam coined the idea of a German national security council to devise and develop a coherent political-strategic concept.³¹ This is a familiar issue by now, but interesting as to the generally felt need to centralise civil direction of security and defence policy.

A major difference in this respect with France is the consensus among the polity and society at large about the role of the armed forces in the comprehensive concept of security, including peace keeping and reconstruction. Whereas the French elite is still mired in a strictly defence-related understanding of the role of the armed forces, the Germans – and the British to a somewhat lesser degree – agree about the civil direction towards political-strategic objectives rather than in maintaining the traditional military-operational tasks of the armed forces.

Thus, parallel with a call for better decision-making structures within the German security community there is an ongoing discussion about the new-found role of Germany in world politics. This role should be supported and guided by an overarching security strategy, reflecting the double challenge facing German security policy today. The broad scope of German security policy ranges from conflict prevention to crisis management and post-conflict rehabilitation, involving a broad array of policy instruments. These policies and instruments, it is felt, must be more effectively interlinked and are in need of a more clearly defined strategic direction. A typical German addition, one of paramount importance, is that all deployments should be channelled through multinational organisations. That interlinking must be transferred to an international level, something, we noticed before, is a necessary step in the internationalisation of civil-military relations and bolstering international cooperation in the manifold new tasks of the EU defence organisation.

In light of the foregoing observations of the highest levels of the political organisation *vis-à-vis* the military policy elite, a few additional remarks must be made about the organisation of the ministry of defence, the work floor of defence policy. There is no doubt that the inherent tensions between the political-strategic and the military-tactical 'truths' are exposed in extreme in the institution where civilians and military work together on a day-to-day basis and decide about the outcome of civil direction nationwide. The nitty-gritty is to be found in the professional institution for defence policy and, therefore, the military professional, that is the military leadership such as a General Staff, should be part of a genuinely integrated institution. Civilianisation, that is the incorporation of experts of a non-military background, should be practised, as is the case in the British and German MoDs, a mix of civilian and military at all levels throughout the ministry. Legal or foreign policy aspects of defence matters should be dealt with by appropriate experts, in and outside the MoD. Most

³¹ Adam, "Fortentwicklung der deutschen Sicherheitsarchitektur", 4.

important, though, is that there is a clear division of labour between the policy-making officials and those who must implement the political directives. Here we often find a source of tension between the civil direction of the MoD and the military leadership. After all, the Chiefs of Staff claim the responsibility for eventually executing the mission assigned and for the means made available for it. So, everywhere there are complaints about the funding of their missions and the assets to accomplish them.

The point, however, is not that the military should not be under-funded or given unreasonable tasks to perform. The point is that policy-making is not their affair; they are advisors, important as they are, but not decision-makers. Moreover, it is to the benefit of the military professional that a vibrant discussion between them and those responsible for the overall direction takes place. Transparency is not something democracy simply requires for the sake of democracy; it serves the institution very well in its performance.

Nothing is a more telling experience that those in Central and Eastern Europe where the General Staff was omni-present and powerful during the communist rule and was seen as the 'brain of the army'. In Romania, nothing serious happened in the domain of *reform*. The limited purse of the finance minister forced the general staff to downsize, but not to reform. For about ten years little or nothing happened, because there was not civil direction within the ministry. Then, two years before NATO's judgment about Romania's eligibility for membership in 2002, minister Ion Pascu, a defence expert, took office facing a Herculean task of reforming the top of the MoD and breaking through the *esprit de corps* of the hitherto all-mighty General Staff. The latter had been able to 'save the life' of no less than about 450 generals, 1700 colonels, 3800 lieutenant-colonels, and 5000 majors who had no functional assignment. 'Buddies' are not people who kick each other out. Of course, the minister had to find a way of reducing a 300,000 army to about 100,000 and simply found this reversed personnel pyramid amongst the chaos this created. Moreover, the *de facto* ascendancy of the military in national defence policy over the previous years, had to be reversed. The move to centralise planning under a civilian state secretary for defence planning rather than under the CGS, who was until recently also a state secretary (sic), was a move of crucial importance. It opened the way to centralising planning and budgeting under political control and better priority-setting. At the same time, such a system of division of labour and responsibilities improves policy implementation. That is the key. Plans and strategies for procurement can and should be developed by the general staff, but the prioritisation of the projects and the relationship between them and the budget are determined by the policy division. Projects that cannot be afforded should not be started. Indeed, the budget branch of the general staff was transferred to the State Secretary's department. This – to a significant degree –

enabled Romania to meet the requirements of NATO and to receive an invitation for membership.³²

The Germans go even beyond an integrated ministry of defence: they are actively pursuing a model of a comprehensive approach to security – not just defence. Consequently Berlin is working towards interdepartmental cooperation on defence involving ministries of development, interior, foreign affairs and defence. Germany is a front runner in developing civil-military approaches to conflict management. Germany is for instance unique in having a Centre for International Peace Operations (*Zentrum für Internationale Friedenseinsätze*, ZIF) in Berlin. ZIF is a unique instrument in the training of military and civilian personnel alike in preparation for crisis management operations. The Centre contributes to the recruitment and training of a pool of civilian and military experts and also has an analysis unit for drawing lessons learned from such peace support operations. The German dedication to '*vernetzte Sicherheit*' (Whitebook 2006) or 'networked security' also shows in the adoption by the Red-Green government of an Action Plan for Civil Crisis Management.³³ The action plan tries to draw lessons learned from conflict situations on how the German civil crisis management infrastructure can be best build up.

Although these initiatives are referred to as commendable, the political and policy elites increasingly voice the need for a new German security policy architecture reflecting the comprehensive nature of the security challenges.³⁴ Members of the security committee of parliament have urged the setting up of a study commission on security policy reform to advise parliament on how to reform the security policy structures. It is felt that too often the particular interests of the various ministries involved in security policy have been dominant, resulting in fragmented policy formulation and execution, a concern that seems to be universal.³⁵

Conclusion

Reform and modernisation of the defence organisation and the armed forces are a difficult undertaking. Change must be pursued in a resistant and complex

³² See for an extensive account of the preparation of nine aspirant countries before the Prague Summit of 2002: Drent, Greenwood, Huisman, and Volten, *Organising National Defences for NATO Membership*.

³³ The Action Plan for Civil Crisis Management was decided on by the government on 12 May 2004, *Aktionsplan Krisenprävention, Konfliktlösung und Friedenskonsolidierung* [online]; available from <http://www.auswaertiges-amt.de/diplo/de/Aussenpolitik/Themen/Krisenpraevention/Aktionsplan-Volltext.pdf>; Internet; accessed 14 April 2008.

³⁴ For the discussion see: Meier-Klodt, "Einsatzbereit in der Krise?", 6; and Adam, "Fortentwicklung der deutschen Sicherheitsarchitektur," 4.

³⁵ Meckel and Weigel, "Aufruf zur Bildung einer Enquete-Kommission".

environment in which civil direction is indispensable. In theory, civil-military relations are defined by the primacy of policy and politics, but in practice, military professionalism claims an enduring and powerful input in defence policy. Moreover, politicians come and go whereas the military institution as a fairly homogeneous entity is a persevering staying-power. If there is no or weak civil direction of the military, business-as-usual reigns and things tend to remain the same. Lessons learned from military action may be drawn, but conceptual anticipation by the military is in high demand and is mostly confined to the military-operational and military-tactical level. Political-strategic guidance in a – sometimes rapidly – changing environment such as during the 1990s should not be the soldier's duty and must come from the political domain in shaping a national or international strategy.

International strategic guidance, let alone directives, is sparse, particularly since the end of the Cold War when the security landscape became more complex and multi-faceted. The members of the trans-Atlantic community are seldom of the same mind and often stubbornly stick to their national points of view, clinging to a rather outdated, albeit self-ordained notion of national sovereignty. Co-ordination of national policies takes place in a modest way. Common approaches are based on compromises, a sum of fragmented instead of integrated bits and pieces. Therefore, defence policy and the process of alignment to new circumstances must be analysed in the context of national rather than international organisation. On that level, however, we also noticed divisiveness among the political actors and even competition at the highest levels of the executive.

Political culture, tradition and history are unmistakably prescribing the margins of manoeuvre of both political and military players. The history of Germany and the German army has evidently shaped the views on the role and use of military power and, indeed, facilitated the conspicuously high level of consensus as regards the multinational orientation in German security policy and the socialisation of the German professional military. Conversely, the heroic past of France as clearly perceived in the French polity and society puts the military in a highly revered spot endowed with professional prestige.

In spite of the difficulties encountered by political leaders like institutional friction, bureaucratic inertia or lack of military expertise, there are successful attempts of civil direction *vis-à-vis* the military in terms of reforms and policy changes. One important factor for successful action concerns the political circumstances under which action is taken. The British Strategic Defence Review, for example, was undertaken by a Labour government that was determined to be seen as serious and dedicated to national defence, instead of as a party with a critical and unsupportive attitude to defence and defence expenditures. The review had to be a solid policy document and to create the widest possible endorsement. In the case of Romania, the national agreement on the goal to become a NATO member put Pascu in a position to

act effectively and overcome resistance to a number of unpleasant measures. Second, as the Romanian case illustrates, political unity at the level of the executive is essential. Weak coalition governments or 'cohabitation' with competing presidents and prime ministers are harmful for the decision-making process and facilitate opposition to reform and the continuation of business-as-usual. Third, the political leadership and determination of the leader are of paramount importance. Again, George Robertson is exemplary; so is Ion Pascu. But also the boldness of President Chirac in abandoning the military draft in France is a case in point; he used his presidential authority and avoided a long and possibly heated debate, not least among the military and by them in the media.

However successful these and other examples of civil direction may be, the general trend towards greater centralisation of the decision-making in one or another form of a national security council is a revealing conclusion as well. It shows the felt and experienced limits as to the degree to which civil direction is actually leading to change and reform. At the same time, transparency and accountability, two essential elements for balanced, critical and democratic decision-making, are endangered by bringing power to institutions that are to a lesser degree – or even not at all – scrutinised by Parliament. Informed debate within and between the institutions should not be seen as an obstacle, but as part and parcel of democratic-style and responsible leadership. This leadership must face political culture and history, military professionalism, the 'right' political circumstances; political and institutional arrangements that are all impressive, though not insurmountable obstacles to civil direction in civil-military relations and defence reform.

II. PARLIAMENTARY PRACTICE IN DEFENCE AND SECURITY

Wim van Eekelen

Parliamentary control has developed in stages through history. The role of the first parliaments mainly consisted in agreeing the monarch or feudal ruler's expenditure and the levy of taxes. Later the function of authorizing legislation was added in connection with the concept of the *Trias Politica*, which separated the competences of the executive, legislative and the judicial. In modern times, parliaments increasingly deal with policy issues, thus obliging the executive to obtain parliamentary approval for initiatives and actions.

This chapter starts out by defining some widely shared elements of parliamentary democracy in NATO and EU member countries in relation to defence and security issues. It traces the changes in the security environment after the end of the Cold War, which enhance the political nature of decision making in this field, and consequently also the primacy of politics over military expertise. Nevertheless, defence is different. This section also analyses the important norms in the Code of Conduct, which the Organisation for Security and Cooperation (OSCE) agreed in Budapest in 1994. The second part describes the procurement process for defence equipment and develops a model sequence for interaction between Parliament and the Ministry of Defence. Thirdly, this chapter looks at the variety of parliamentary involvement in decision-making concerning the dispatch of forces on peace support operations. The fourth section relates to human rights and welfare of service personnel, who as voters are of direct concern to elected parliamentarians. The fifth section is devoted to the international parliamentary dimension, which increasingly contributes to consensus building among national parliamentarians. The concluding section attempts to draw some general conclusions from the preceding analyses and addresses the questions which should determine the quality of parliamentary control within a particular country.

1. Changing security and the role of Parliaments

A survey of NATO countries shows a wide range of parliamentary practices, of which very few apply the *Trias Politica* in full. There is a major distinction between parliamentary and presidential systems, but even in parliamentary systems the division of powers is not perfect, as members of the executive often also sit in parliament. The division of competences between president, prime minister, cabinet and parliament varies greatly and this becomes even more complex in the field of defence and security as a result of differing provisions

relating to the role of the armed forces and their leadership. In France, foreign policy and defence are the “reserved domains” of the president. In the UK, the House of Commons has little influence on defence and security policy decisions, except when White Papers are being discussed, and the principal role of its Select Committee on Defence is to evaluate some specific aspects in special reports issued for public information. In other countries the influence of parliament on policy continues to increase to such an extent that its “control” function has assumed executive proportions. This will be discussed more fully later in this chapter.

The role of parliaments is increasing everywhere, partly because electorates are better educated, partly on account of changes in security environments. In the past, when the main priority was to ensure collective defence to counter aggression, the role of parliaments was minimal if an attack occurred. Many constitutions still uphold the provision that parliaments should be involved in a declaration of war. However, nobody declares war any more, even in situations which entail serious fighting. During the Cold War there were few voters with defence interests except those parliamentarians who had defence establishments or defence firms within their constituencies. We witnessed heated debates on issues like the neutron bomb against Soviet conventional power and on cruise missiles against the SS-20 missiles directed against Western Europe, but there were very few parliamentarians with specialized knowledge of these complicated matters. With the current emphasis on Peace Support Operations (PSO), however, the decision to join and to commit forces is a selective and thus a more political choice. The decision to dispatch soldiers abroad has become a matter of foreign policy and is, therefore, subject to parliamentary scrutiny, just like any other issue in this field. In fact, even more so, as participation in PSOs has a significant impact on the status a country enjoys in the international community.

A second new development is the closer link between internal and external security, especially with the advent of international and catastrophic terrorism. Even in PSOs much of what our forces do abroad resembles what the police force does at home: they deter by their presence and are armed and able and willing to use force if necessary. This comparison was valid up until 9/11. In Iraq and Afghanistan, military action now has to deal with escalating violence and has become more robust, in some cases approaching all-out warfare, albeit without airpower. In the Democratic Republic of the Congo, the UN forces did not shrink from using force either. As a consequence, the military profession has acquired new dimensions. Not only has it become more dangerous and burdensome, with prolonged absences from home on expeditionary missions, but also more demanding, involving new tasks such as mediator, diplomat, mayor, infrastructure builder and the captor of hearts and minds. Clausewitz is back again in the sense that the participation of the military is a necessary extension of the realisation of political objectives, the difference being that there

is no clear demarcation between war and peace and little chance of a military victory. As the Solana strategy for the EU of 2003 pointed out: no crisis can be solved by military means alone.

Security has also become a mainstream element in policies that used to shrink away from support for the military. In foreign aid policy there is now widespread recognition that without security there is little chance of development. The OECD/DAC was first to give a prominent place to security sector reform and governance in its guidelines, followed by concepts introduced by Javier Solana's staff in the European Security and Defence Policy and by the European Commission. Canada initiated an approach to "human security" focusing more on the security needs of individual citizens, which was widely supported, but this is still in need of more focus if it is not to lose its impact by trying to cover almost everything. Other acronyms have appeared, all connoting the increased relevance of the security sector. DDR stands for disarmament, demobilization and rehabilitation of former fighters, a central aspect of conflict resolution and internal stability. The three Ds of Diplomacy, Defence and Development are also connected with the need for an integral cross-sector approach. The OECD/DAC has taken the lead in stressing the links between security and development and it has made security sector reform and governance a "mainstream" element of development policy. It also was adamant in stressing that the standards of accountability in the security field should be as close as possible to those expected of the rest of the government. Finally, Kofi Annan's report *In larger freedom*³⁶ gave prominence to the "responsibility to protect" which governments have with regard to their own citizens and which in principle could give the international community a role in failed or fragile states. This concept owes much to the persistent efforts of Gareth Evans, former minister of foreign affairs of Australia, who subdivided the concept into a responsibility to prevent, to react and to rebuild.

Within NATO the security perspectives of the old and the new members have not yet been consolidated. The old members aim at a new Alliance mainly concerned with peace support operations dealing with instabilities which could spill over and threaten their own countries. To the new members, however, due to their vivid memories of Soviet suppression, NATO means an assurance against renewed Russian expansionism. Moscow's recent tendency to throw its weight around has resuscitated those concerns. No wonder NATO finds it difficult to construct a new Strategic Concept. The current one, dating from the 1999 Washington Summit, well before the terrorist attacks on the Twin Towers and the Pentagon, is clearly obsolete, but undertaking an update risks becoming divisive in light of frequent differences of opinion between the US and France on the tasks of the Alliance. Under president Sarkozy France might be

³⁶ Kofi Annan, *In Larger Freedom. Towards Security, Development and Human Rights for All*, September 2005 [on-line]; available from <http://www.un.org/largerfreedom>; Internet; accessed 14 April 2008.

more accommodating and even rejoin the military structure of NATO. Yet, US pressure for the Alliance to “go global” is unlikely to succeed, not only because of French opposition, but also on account of doubts about the political desirability of operations with a NATO label from the outset.

All these considerations show that defence has become more political and requires new forms of civil-military relations. All new concepts point in the direction of inclusive policy coordination. In the panoply of procedures and practices among NATO members Turkey finds itself in a special position. It is tempting to regard its “dangerous neighbourhood”, its borders with Iraq, where the search for stability is as yet uncertain, and its Kurdish region, from which terrorist attacks originate, as an argument for exemptions in transparency and accountability. This raises the question to what extent defence is so special compared to other government departments that exemptions from otherwise normal constitutional and parliamentary procedures are warranted. Ideally, the criteria for assessing accountability should be as similar as possible to those applying to other government departments. However, in practice differences remain.

Why defence is different

Defence is not just another department that spends taxpayers' money. It concerns the security and, in the final analysis, the territorial integrity and independence of the nation and involves decisions to commit lives and expenditure for this purpose. Decisions of this magnitude impose an additional burden of responsibility on the political leadership to get things right and to ensure that decisions and policies enjoy public support.³⁷

Secondly, defence involves the maintenance of armed forces, which occupy a special and distinctive position in that they wield the instruments of the state's monopoly on legitimate violence. This monopoly is shared with other uniformed services, which together make up the “security sector”.

Thirdly, the military represent a highly disciplined group, knit together by traditions, customs and working habits, but above all by the need to work together and to depend on each other in times of crisis and conflict – a dependence which can literally mean the difference between life and death. It builds strong loyalties and a degree of cohesion that few other professionals can claim. These qualities of discipline, dedication and loyalty make the military profession different, and in some ways distinct, from the rest of society. A conscript army will be better embedded in society than an all-volunteer force, but may suffer from a lack of motivation. Professionalisation, on the other hand,

³⁷ For these paragraphs I am indebted to the analysis of Simon Lunn, former Secretary General of the NATO Parliamentary Assembly, in his address published in: Philipp H. Fluri, and Eden Cole, eds., *Defence Institution Building: Partnership Action Plan on Defence Institution Building Regional Conference*, (Geneva: DCAF and the Austrian Landesverteidigungsakademie, 2005), 50.

will enhance the level of training and technological capabilities of the armed forces, but makes the security debate within the country more difficult. Modern armies are increasingly like multi-functional organisations in that they adhere to economic and financial criteria of efficiency. Modern armies make use of civilian expertise especially for logistical functions. Guard duties are being transferred to private security companies and commercial caterers provide meals for entire brigades. Conversely, the actual military combat capabilities are concentrated in downsized organisational cores, which are likely to develop their own role models and military virtues.³⁸ This can lead to a disconnection between political and military elites, which is exacerbated by the lack of military experience among parliamentarians, in that they no longer function as a link between the military and society because they have no personal experience as conscripts.

The downside of creating a core group is the natural tendency of the military to believe that defence is best left to them, that they are best able to assess the threats to national security and the means to counter them. This encourages worst-case scenarios and budgetary claims that go beyond the amount parliaments are willing to grant, and make the intrusion of non-professionals and outsiders such a sensitive issue. Yet, all military activities must, at some stage, come under the scrutiny of the political leadership to ensure that they are consistent with other priorities of the government. The primacy of politics should be clear, but it should be accompanied by a division of labour and what might be called a “balance of trust”. The military should accept political leadership and refrain from making political statements, but government and parliament should accept responsibility for the decisions they take that deviate from military advice. They should also refrain from micro-management in the implementation of mandates once they have been given to the military, and focus on *ex-post* accountability.

This balance of trust is particularly important in the civil-military relationship. As Simon Lunn observed, the highly organised and hierarchical structure of the military tends to give them a rather uncomplicated view of the world, a view which is often at odds with the more complex world of politics: “the terms concession and compromise, essential to the balancing and reconciliation of competing interests in domestic and international politics, do not sit easily with the clarity and directness of assessment and decision that are essential characteristics of an effectively functioning military. This can lead to very different perceptions of the same problem and can represent a source of friction between the military and the political sides”.³⁹

³⁸ See Karl W. Haltiner, Franz Kernic, and Paul Klein, eds., *The European Armed Forces in Transition* (Frankfurt: Peter Lang, 2005).

³⁹ Simon Lunn, in his address published in: Fluri and Cole, eds., *Defence Institution Building: Partnership Action Plan*, 51. See also Simon Lunn, “The democratic control of armed forces in principle and practice”, in: Hans Born, Philipp Fluri, and Simon Lunn eds.,

In most NATO and EU member states, military and civilian colleagues working together within the Ministry of Defence has become a standard feature, as has the practice that the minister of defence is from a civilian background. Outside these organisations, this is not always the case; nor was it customary in communist regimes, where the field of defence was reserved for the military only, while the primacy of politics was maintained through a Politburo. Western experience suggests, however, that a civilian is better equipped to take account of broader policy issues and present them in public debate, and more able to negotiate with his cabinet colleagues in the competition for resources.

The division of competences and responsibility between the political and the military sides within the Ministries of Defence varies greatly, but the increased importance of PSOs conducted by multinational forces and the resulting need for interdepartmental policy coordination generally leads to a strengthening of the civilian component. Today, a new set of three Ds determine the international context: Defence, Diplomacy and Development. PSOs require a special sense of legitimacy and an awareness of the proportional application of force, which is different from self-defence. Their objective is to restore stability, good governance and the rule of law. Hence the importance of security-sector reform as a mainstream development, which extends to areas which in the past had little connection with the military as such. Areas left to military expertise include the development of doctrine and tactics, education and training, as well as the already mentioned handling of military operations. Even this is no longer a hard and fast rule, as political and military considerations frequently clash when defining the Rules of Engagement (RoE) in Peace Support Operations. The scope of military action is restricted by the political context. A current example is the operation in Afghanistan where commanders have to spend much time on “constraint management” as a result of the different RoE imposed by individual nations in relation to the tasks their forces are allowed to perform.

The key roles of Parliaments

Based on an illustrative model of competences and responsibilities of national authorities in security matters in newly admitted NATO countries, developed by Ghebali and Lambert,⁴⁰ the tasks of a National Assembly can be defined as follows:

- The main body for political guidance and control over the armed forces, which is exercised either directly or through its control over the government, in accordance with legal and constitutional provisions.

Oversight and Guidance; the relevance of parliamentary oversight for the security sector and its reforms (Geneva: DCAF, 2003).

⁴⁰ Victor-Yves Ghebali, and Alexander Lambert, *The OSCE Code of Conduct on Politico-Military Aspects of Security: Anatomy and Implementation* (Leiden: Martinus Nijhoff, 2005), 387-389.

- It adopts laws concerning the armed forces, including their budget, the National Security Concept and the Military Doctrine.
- It declares War and Peace, Martial Law or State of Emergency on the territory of the country, and authorises the sending and use of troops abroad and the entry and stationing of foreign troops on national territory.
- It ratifies international treaties.

Parliaments in NATO countries perform these tasks in different ways. All possess Standing Committees on Foreign Affairs and on Defence or National Security, many also on Intelligence and on European Affairs. With the increase in the terrorist threat the Committees on Justice and Home Affairs also enter the security picture. The committee on defence/national security is in charge of the working contacts and consultations with the institutions of the executive branch of government. In an extensive interpretation of this task its activities can be further defined as follows.

On security policy:

- to examine and report on any major policy initiative announced by the Ministry of Defence;
- to report annually on the MoD's performance in the light of national military/security strategy objectives;
- to periodically question the defence minister on his discharge of policy responsibilities;
- to scrutinise the MoD's compliance with freedom of information legislation, and to check if it informs Parliament adequately, by whatever means;
- to conduct inquiries and report to Parliament on any issues raising special concern (which falls under the authority of the committee in Belgium, Canada, Germany, Hungary, Italy, the Netherlands, Norway and others, but for instance not in Poland and Turkey);
- to examine petitions and complaints from military personnel and civilians concerning the security sector. This task is linked with the existence of a complaint procedure for military personnel, either through an Inspectorate General who functions outside the chain of command, or an independent Ombudsman, either for the general public or specifically for the military (as in Canada).

On legislation:

- to consider, and report on, any draft legislation proposed by the government and referred to it by the Parliament;
- to prepare parliamentary decisions on the size, composition, structure of the armed forces and their medium- and long term development; on

White Papers or similar documents and on laws on the legal status of military personnel, their recruitment and system of promotion;

- if appropriate, to initiate new legislation by asking the minister to propose a law or by drafting the law itself (as is the case in Belgium, Canada, Hungary, Italy, Norway, Poland, Turkey and others).

On expenditure:

- to examine and report on the main estimates and annual expenditure of the MoD
- to consider supplementary estimates;
- to report periodically on the impact of efficiency savings on the running cost of the MoD;
- to consider reports by the Board of Auditors.

On management and administration:

- to consider major reorganizations of the defence sector and its component parts.

This is an ambitious agenda that few parliaments would be able to address in its entirety. Parliamentarians' mandates are for a limited time whereas military officers normally carry out their professional duties for the whole of their life-long career. Parliamentarians cannot be expected to be experts on the details of defence, but they should be able to ask the right questions, supported by a qualified staff in parliament and within their political parties, with links to think tanks and academia. Their main task is to achieve transparency with regard to defence decisions and the underlying rationale. They should encourage the government to "reveal, explain and justify" as expressed in the triad coined by the Centre for European Security Studies in Groningen. Governments should "reveal" as much as possible about their policies and capabilities, and be able to explain them in public and defend them in the crossfire of parliamentary questions and debate. Members of Parliament need to have a keen eye for consistency, long-term effects and life-cycle costs, because defence involves long-haul logistics: equipment cannot just be changed overnight. The investment quote in the defence budget is a standard for long-term capabilities and should not drop beyond the level of twenty percent of total expenditure. Equally, there should be an awareness of the impact national decisions can have on cooperation with allies and partners. As most current operations are multinational, there is scope for the standardization of equipment, but also for "niche" contributions in order to avoid duplication and redundancies.

The topic of defence is traditionally shrouded in secrecy and exclusivity. The military have a tendency to exaggerate the need for secrecy. Equally, they do not like to wash their dirty linen in public and prefer to deal with mistakes, embarrassing incidents or cost-overruns themselves, away from the limelight of

public scrutiny. The military should realise that ultimately secrecy is not in their interests because it tends to alienate them from society, whose support is vital. Obviously there are situations when the need to know should be applied judiciously, but there are few secrets in modern society and knowledge about them is seldom essential for scrutinising policy. They relate to operational planning, some weapon characteristics like “friend or foe” recognition, and contingency planning against terrorist attacks. Parliamentarians will be most interested in intelligence assessments of potential threats and the protection of vulnerable installations, but these details cannot be made public. In such cases procedures should be developed for defence spokespersons to give confidential briefings to a limited number of parliamentarians.

It is important for parliamentarians to understand the process of threat analysis, even if they lack the professional qualifications to undertake such analyses themselves. Such analyses should result in a risk assessment which takes into account threat, vulnerability and the consequences if a threat materialises. Vulnerability is the probability that a threat, such as a military or terrorist attack, will succeed. Consequences are measured in estimates of the damage inflicted on the nation's security, economy or population. A threat is the likelihood that a damaging event will happen in a given time span or at a particular level of violence, affecting a particular target. Risk provides a conceptual measure which serves as a guide for the actions a government has to take to minimise the existing risk.⁴¹ The military will have to assess the threat carefully and make the necessary information available, without attempting to dominate parliamentary consideration. Politicians should be able to judge the evidence in the overall context of government policy and take final responsibility for the allocation of resources. This task has become more political as nowadays few will be able to quantify convincingly what level of national defence appropriations will be adequate to deal with any threats. After 9/11 the capabilities needed to deal with the Taliban and insurgency in Iraq changed considerably. The Revolution of Military Warfare, the focus on high-tech assets and the emergence of network centred capabilities, was relevant, but was not as fundamentally important as anticipated. Soldiers on the ground continued to do most of the fighting and new equipment was sought to protect them against mines and car bombs, similar to what South Africa had to cope with in Namibia in the days of Apartheid.

Finally, parliamentarians need established procedures and timetables for their work. There should be no doubt about whether and how topics will be put on the agenda and go through the process of parliamentary scrutiny. In discussing procurement decisions a financial threshold should be determined,

⁴¹ Wim F. van Eekelen, and Philipp H. Fluri, eds., *Defence Institution Building: a sourcebook in support of the Partnership Action Plan* (Geneva: DCAF, 2006), 481; and Jan Arveds Trapans, “Threat and Security”, in: Van Eekelen, and Fluri, eds., *Defence Institution Building: a sourcebook*.

below which parliament would not have to be involved. Generally, criteria should be set against which to judge policy issues. This applies in particular to decisions involving the dispatch of forces abroad, currently one of the most topical issues in parliamentary debate. The Netherlands have developed a check-list to assess concrete proposals. This checklist includes the likelihood of success, the risks involved, the participation of others and the likely duration. The latter aspect has acquired a special dimension in view of the fact that most Peace Support Operations tend to be of long duration in order to have a chance of being successful, and rotation systems prove difficult to organize.

These procedures should be applied in such a way that the parliamentary commission or the plenary have moments of scrutiny at appropriate points in time. Not only *ex post*, when nothing can be changed but also during the process of decision making. Several countries have formal or informal constitutional requirements for parliamentary approval of the dispatch of forces abroad. The formation of the NATO Response Force and the EU Battle Groups raises a problem in this respect. Countries commit themselves years in advance of the actual activation of their “stand by” role in order to allow for a programme of rotation and adequate preparation. When their time comes, there will be a presumption of availability for the crisis missions the North Atlantic Council or the EU Ministerial Council might decide to launch. Consequently national parliaments will be under pressure to agree to the dispatch of their nation’s forces, because a negative decision would seriously impact on the credibility of their commitment. The above situation favours the continuous provision of information to parliament concerning politico-military developments that could lead to the need for the deployment of forces.

OSCE norms

All OSCE governments are bound by the Code of Conduct on Politico-Military Aspects of Security, adopted during the ministerial session in Budapest on 3 December 1994. Its provisions are far-reaching and constitute in many respects a model framework for democratic norms and procedures. Important excerpts of the provisions for democratic control, contained in Section VII are listed below:

§20 The participating states consider democratic political control of military, paramilitary and internal security forces as well as of intelligence services and the police to be an indispensable element of stability and security. They will further the integration of their armed forces with civil society as an important expression of democracy.

§21 ... They will clearly define the roles and missions of such forces and their obligation to act solely within the constitutional framework.

§22 Each participating state will provide for its legislative approval of defence expenditure ... and provide for transparency and public access to information related to the armed forces.

§23 Each participating state, while providing for the individual service member's exercise of his or her civil rights, will ensure that its armed forces as such are politically neutral.

§27 ... will ensure that the recruitment or call-up of personnel for service in its military, paramilitary and security forces is consistent with its obligations and commitments in respect of human rights and fundamental freedoms.

§28 ... will reflect in their laws or other relevant documents the rights and duties of armed forces personnel ...

The Code, as a political document, has now been in effect for twelve years and remains an unprecedented normative guideline on how national governments should conduct themselves. It has some shortcomings, such as the absence of provisions for the judicial branch of government, an omission of a link with the Vienna documents on Confidence and Security Building Measures, and the lack of operative provisions on intelligence services and the police. In fact, additions in 2003 on the prevention of terrorism and in 2004 on defence expenditure have steered the Code away from a focus on democratic control. Another criticism relates to the OSCE questionnaire, to which governments are obliged to respond, but which does not publish the answers received. The present author has suggested a voluntary commitment of government to make their submitted responses public.

Theory does not equal practice and the implementation of political commitment is far from complete. Yet the OSCE Code presents a backdrop of criteria against which it is possible to judge performance. Its principles also found their way into other organisations. In 2005, the Council of Europe recommended its member states to "adhere to the principles of democratic oversight of the security sector, including intelligence services, police, border guards and the armed forces".⁴² In February 2007 the Slovak president of the UN Security Council issued a statement on Security Sector Reform, which firmly associated the UN with democratic oversight.

Differences in parliamentary practice

In a survey of Europe and North America, the Geneva Center for the Democratic Control of Armed Forces (DCAF) classified the US, France, Poland and Romania as presidential systems.⁴³ Turkey qualified as a parliamentary system, but its president has important veto powers on constitutional issues. All have defence committees with an average size of some 25 members that meet at least once a month. These committees vary greatly in size: Macedonia has only 8 members and the UK only 11 while Spain has 40 and France 72. The number of parliamentary staff varies from 1 in Macedonia, 2 in Hungary, 3 in

⁴² Council of Europe, Parliamentary Assembly Recommendation 1713 (2005).

⁴³ Hans Born, "Democratic Control of Defence Activities", in: Van Eekelen and Fluri, eds., *Defence Institution Building*, 97.

Canada, Denmark, Poland and Turkey, to 8 in Germany, 11 in France and 50 in the US Senate Committee on Armed Services. Most committees have the right to initiate legislation on defence issues, but the UK House of Commons does not, nor does it have the right of amendment to the defence budget. The Turkish Grand National Assembly does not have the right to put oral questions to the minister of defence, nor to hold hearings and inquiries on defence issues.⁴⁴ The parliaments of Canada, Denmark, Poland, Spain and Turkey have no powers concerning military strategy, or the security policy, defence concepts and force structure. In France the committee has no right to decide on military strategy and force structure and planning.⁴⁵ Involvement in the decision to dispatch forces on peace support missions will be discussed separately.

Some illustrations of the differences in parliamentary practice have already been given earlier in this chapter. They apply across the board of parliamentary work. On a scale of intensity with regard to involvement with defence appropriations, the US Congress stands at the positive end. It holds the Department of Defense firmly accountable, often in excruciating detail, and often insists on increased funding for items of regional interest. This comes close to micro-management, disturbing the consistency of the budget as a whole. The American system involves a considerable support system with a Congressional Budget Office and large numbers of staff able to conduct parallel analysis and evaluation of the proposed items. In addition, congressmen and senators have numbers of staff unequalled by any other parliament.

In Europe the scrutiny by the German *Bundestag* comes closest to the US. The German defence committee examines the budget line by line. At the other end of the scale stands the British House of Commons, whose direct oversight consists of voting for the defence budget as a global figure once a year, plus various plenary debates. The government, which rests on a majority of a single party in the Commons, does not have to obtain parliamentary approval for specific expenditure decisions. In the words of Simon Lunn, the British parliament exerts little influence over the development of the defence budget as this rests firmly in the hands of a strong executive depending on a highly professional and relatively insular civil service.⁴⁶ This is compensated to a certain extent by the reports to parliament by the National Audit Office, which keeps the government on its toes by in-depth assessments of various programmes, looking specifically whether expenditure has been used efficiently. In every system where there is an absolute majority of one party, much depends on the internal debate within the governing party, which might result in a dissenting group in parliament, but will seldom threaten the survival of the government.

⁴⁴ Ibid., 99-103. The Polish Sejm cannot summon military officers and civil servants to testify, nor conduct hearings.

⁴⁵ Ibid., 113.

⁴⁶ Lunn, "The democratic control", 57.

Most other European parliaments exert considerably more direct influence than the British. Like the German model, the Danish and Netherlands parliaments enjoy formal consultative and decision-making powers on issues such as equipment purchases and the deployment of forces abroad. All have defence committees, but the lack of expertise remains a problem. Parliamentarians are human beings with a full agenda and are not particularly interested in being trained. Most of them learn about security problems on the job. Therefore, the most productive way to increase knowledge about security affairs is to focus on the supporting staff, either inside the parliament or in the party groups. Anybody involved in parliamentary training programmes will have suffered the experience of MPs running in and out - usually mostly out.

2. Defence procurement

The acquisition of defence equipment has special characteristics in comparison with other areas of government procurement. In many cases, the Ministry of Defence is the only client, which gives it considerable discretion in the way taxpayers' money is being spent. Military equipment is bought for the long haul, which attaches considerable importance to life-cycle costs in terms of maintenance and the possibilities for "mid-life modernisation". Although logistics by and large remain a national responsibility, the advent of multinational forces at comparatively low force-levels makes standardisation and interoperability even more urgent. And finally, defence manufacturers have lost some of their high-tech lead to civilian industry. Miniaturisation and global positioning systems have become common features of civilian technology, and dual-use products are increasing in numbers. Yet, defence equipment has to meet particular specifications in terms of security, durability and all-weather capabilities.

Parliamentary influence on procurement decisions varies largely depending on whether there is a domestic defence industry. In larger countries which possess an across-the-board technological base, these matters are usually left to the executive. Smaller countries spend considerably more time on purchasing abroad and the accompanying possibilities for off-set in terms of co-production or other forms of compensation that could benefit their domestic industries. In this case the question of going either transatlantic or European has always played a role, but is acquiring a new prominence with the build-up of European capabilities in the context of the European Security and Defence Policy. This has become a thorny issue as the US Congress has put limits on the sharing of defence technology. Today, there is very little evidence of the "two-way street" that used to characterise transatlantic discussions in the eighties and nineties.

The procurement cycle has a number of decision moments before contracts are signed, each of which is subject to parliamentary scrutiny. The

first is to determine the operational requirement in the light of a threat assessment. During the Cold War this was relatively unambiguous and undisputed, but today advance warning has lost any practical significance and a threat is difficult to translate into an appropriate response. There are both qualitative and quantitative questions: what do we need and how much of it. The best we can do is to match requirements with likely scenarios, but even then there is room for political debate. For instance, after 9/11 and the intervention in Afghanistan the capabilities sought by NATO underwent substantial changes and parliamentarians had to adapt accordingly. Ultimately, they are responsible for the choices made and the assets made available. One consideration which gained considerable weight in Peace Support Operations was the physical safety of the personnel handling the weapon systems. In PSO, casualties are less readily accepted than in the defence of national independence or the integrity of territory, and parliaments spend considerable time in assessing the risks involved before they agree to send forces abroad. The threshold for tolerating casualties is not fixed, but will always figure in the debate.

A model sequence

The model of a procurement reporting procedure presented below is taken from parliamentary practice in the Netherlands, each stage being put on the agenda of the Defence Committee:

1. The first communication determines the operational requirement in general terms. Firstly, the type of equipment and an indication of the numbers needed. In most cases this will replace older equipment and new technologies, which might reduce the numbers, but increase the cost. Secondly, how much money is reserved for the project and how will this affect the overall defence plan.
2. The translation of operational requirements into technical specifications, followed by an exploration of the market, a listing of possible suppliers, a timetable for production and delivery to the armed forces. If the market cannot fulfil the requirement, a development project will be started in cooperation with industry and, where possible, with other interested countries.
3. A study of the information provided by interested suppliers. Do they meet the specifications or do they suggest alternative ways? Is their equipment in use by other forces and how did it perform? What are the possibilities for co-production and compensation? The study should result in a short-list of alternative products.
4. Preparation of the acquisition on the basis of negotiated offers, possibly complemented by field trials. The armaments directorate will judge them according to a set of criteria, including life-cycle cost, military

effectiveness and personnel safety. Concurrently, the ministry of economic affairs will draw up a list of the off-set arrangements.

5. Signing a contract, sometimes preceded by a letter of intent. In the Netherlands the deputy minister in charge of military equipment has to wait for a period of at least three weeks before signing a proposed contract which exceeds € 100 million to allow for a discussion in the Defence Committee and possible debate and vote to take place in the plenary session of Parliament. Contracts below € 5 million are left to the armaments directorate, but projects up to € 25 million have to be included in the overall defence plan by the Chief of the Armed Forces and communicated to Parliament. For projects between € 25 and 100 million the operational requirement at the beginning of the cycle is subject to approval by the Defence Committee, but further execution is mandated to the armaments directorate. Contracts above € 20 million need the approval of the full Cabinet before they are submitted to Parliament.

Parliamentary scrutiny in such detail is rare. Germany, Norway and Poland follow a similar procedure for parliamentary consent to conclude contracts above a certain amount (in Germany € 25 million). To a lesser degree the parliaments of Canada, the Czech Republic, France and the UK have provisions for the supply of information, but are not explicit about control over the executive. Most parliaments do better on legislation.

Transparency about procurement is closely connected to the way expenditure is reported and accounted for. The International Institute of Strategic Studies in London concluded that only a minority of countries reported defence expenditures to their electorates or did not do so until several years had elapsed. The Military Balance of 2003-2004 starkly commented: "The most frequent instances of budgetary manipulation or falsification typically involve equipment procurement, R&D, defence industrial investment, covert weapon programmes, pensions for retired military and civilian personnel, paramilitary forces and non-budgetary sources of revenue for the military arising from ownership of industrial, property and land assets."⁴⁷

3. Participation in peace support operations

In spite of the fact that Peace Support Operations closely involve foreign policy, most parliaments leave the responsibility for these missions to their defence committee. As a result, the foreign affairs spokespersons often question the

⁴⁷ Christopher Langton, ed., *The Military Balance 2003/2004* (Oxford: International Institute for Strategic Studies, 2003), 10-11. See Willem F. van Eekelen, *The Parliamentary Dimension of Defence Procurement. Requirements, Production, Cooperation and Acquisition*, no. 5 (Geneva: DCAF, 2005).

effectiveness of the parliamentary oversight in policy terms. Parliaments will have to find a solution for the increasing overlap of interests between the various committees exacerbated by the blurring of the borderline between external and internal security. On the whole, parliaments play a much greater role in the dispatch of military missions than in the case of civilian missions, even if deployed in the context of the European Security and Defence Policy.

In some cases the distinction between collective defence and PSO plays a role in parliaments' involvement in the decision to deploy forces. NATO's operations in Afghanistan were the result of the invocation of Article V of the Washington Treaty written after 9/11, but the nature of these operations was much more comparable to peace support and reconstruction. Nevertheless, in several instances parliamentary approval was not sought in the same way as would be normal for PSO. It also led to an unfortunate separation of effort between the EU and NATO, in spite of the UN Security Council mandate for ISAF. The argument was that the EU would not deal with cases of collective defence and should leave them to NATO. Every country had to deal with this dilemma in its own way. As time progressed, the difference between Afghanistan and other PSOs has become less important as far as parliamentary approval was concerned. The easiest solution was implemented by Romania, which regards every mission under ESDP and NATO as a political commitment inherent to its membership and simply excluded them from parliamentary approval.

In describing the role of parliaments in peace support operations (PSOs), several models can be distinguished:⁴⁸

- A. Prior authorization before the adoption of a decision to launch an operation. This does not happen in the context of NATO, but is current practice in Finland, Luxemburg and Sweden before the adoption of a Joint Action in the context of ESDP.⁴⁹
- B. Prior authorization of the deployment of troops, but after the adoption of a Joint Action by the EU or a launching decision of the North Atlantic Council. This practice is followed by Austria, Cyprus, Czech Republic, Estonia, Germany, The Netherlands and Spain.

⁴⁸ See Hans Born, Alex Dowling, Teodora Fuior, and Suzanna Gavrilesco, *Parliamentary Oversight and Civilian and Military ESDP Missions: The European and National Levels* (Geneva: DCAF, 2007). A report based on an invitation from the European Parliament, Doc EP/EXPOL/B/2006/38 PE 348.610, October 2007. It analysed in particular parliamentary oversight of four ESDP missions: *EUFOR Althea*, *EUFOR DRC*, *EUPM BiH*, and *EUBAM Rafah*. It was discussed by the Subcommittee on Security and Defence (SEDE) of the European Parliament in a workshop on 11 February 2008.

⁴⁹ Denmark does not participate in ESDP, but its parliament normally exercises *ex ante* control over EU Council decisions.

- C. A consultative role before the deployment of troops. This is the case to a varying degree in Belgium, France, Poland, Portugal and the United Kingdom.
- D. No parliamentary role, no prior information, nor consultation. This applies to Bulgaria, Greece and Romania in both military and civilian missions. In Cyprus, Estonia and Spain, parliament is not involved in decisions concerning civilian ESDP missions.

On the basis of the DCAF report a number of identifiable best practices in national legislation concerning parliamentary oversight of Peace Support Operations can be listed:⁵⁰

- 1. A specific law on military and/or civilian deployments abroad, identifying types of missions, conditions for participation, procedures (including hearings and meeting behind closed doors) and actors involved. This instrument should also deal with emergency procedures and define the function of the defence committee in relation to the plenary session of the parliament.
- 2. A specific law providing a clear mandate for parliament in scrutinizing the deployment of personnel abroad and addressing such issues as the type of information to be provided by the government and a checklist of considerations to be included, like its rationale and the national interest in the operation, the risks and chances of success, the contributions of allies and partners and the probable duration of the operation and the national commitment, and the availability of subsequent replacements.
- 3. Legal provisions for authorizing expenditure related to deployment abroad, which might take the form of a financial ceiling, a troop limit (e.g. Spain 3000, Finland 2000, and Lithuania 420 troops), or a geographical restriction. Parliaments should also insist on full *ex post* accountability concerning money spent on the mission and an assessment of its results. This should also be requested from the UN, NATO and the EU.
- 4. Regular reporting on current deployments. The German *Bundestag* receives weekly reports, which include information about the political and security situation, the performance of the units, and relevant incidents.

⁵⁰ Largely taken from Born, Dowling, Fuor, and Gavrilesu, *Parliamentary Oversight*, 56-58.

4. Human rights and welfare of service personnel

As we have seen earlier, paragraphs 27 and 28 of section VII of the OSCE Code of Conduct include provisions relating to the human rights and fundamental freedoms in the recruitment of service personnel and the reflection of their rights and duties in legislation or other relevant documents. Obviously, this is a task for parliaments to implement and monitor. A guiding principle should be that service personnel should be viewed as ordinary citizens, unless the law expressly states otherwise. Soldiers are citizens in uniform, they offer their labour and are entitled to clarity about their conditions of work, insurance and retirement. Since the abolition of conscription and the emphasis on Peace Support Operations they are increasingly becoming regular employees, not all that different from the police. Nobody questions the need for discipline and a clear line of command, but the question remains to what extent service personnel should be allowed to organise themselves and collectively represent their interests to their employer - the state.

The Netherlands have recognised the organisations of service personnel for over a century. These organisations have come close to being trade unions inasmuch as they are consulted on changes in policy and regulations affecting labour conditions although they do not have the right to strike or interfere in operational matters. Many countries have followed suit. Currently EUROMIL, which was founded in 1972 by associations from Germany, Denmark, the Netherlands, Italy and Belgium, includes 34 associations from 22 EU member states that aim to improve the working conditions of military personnel and to ensure the correct application of EU social legislation. They also safeguard the right of association, which is not universally recognised.

The European Parliament and the Parliamentary Assembly of the Council of Europe have been advocating recognition of these rights for some 20 years. The European Parliament adopted a resolution in 1984 calling on the member states: "to grant their servicemen the right, in peacetime, to establish, join and actively participate in professional associations in order to protect their social interests". The Assembly of the Council of Europe did the same in resolutions of 1988 (no. 903) and 1998 (no.1166 and recommendation 1360), and further recommendations in 2002 (no. 1572) and 2006 (no. 1742 on Human rights of members of the armed forces).

The discussion over whether European social legislation also applies to servicemen was resolved by a ruling of the European Court of Justice which stated that members of the armed forces are employees within the terms of European social legislation and are therefore not excluded. Then the debate shifted to the question whether article 12 of the EU Charter of Fundamental Rights, adopted at the Nice European Council in 1999, also applied to service personnel. Article 12 guarantees the rights of assembly and association without any limitations. This seemed to clinch the issue. However, Article 52 of this

Charter also makes a cross reference to article 11 of the European Convention on Human Rights, which contains explicit limitations for members of the armed forces, the police and the state administration. Obviously, the EU would be able to provide wider protection than the ECHR, but was that the intention of the Charter in this case? During the deliberations of the European Convention on the constitutional treaty, EUROMIL has proposed an amendment to this article stating that any limitation may only apply if indispensable for the maintenance of the functions of the state. The European Code of Police Ethics approaches the problem in a positive manner by stating in paragraph 31:

Police Staff shall as a rule enjoy the same civil and political rights as other citizens. Restrictions ... may only be made when they are necessary for the exercise of the function of the police in a democratic society ...

With the exception of Italy, the countries of southern Europe were reluctant to admit service organisations, probably on account of their historic experience with undemocratic behaviour of the armed forces. In addition, the northern countries are also far from united in this respect. The UK and France have been very reticent and London only recently made a hesitant start by appointing an independent military complaints commission with a limited mandate, restricted to making proposals and identifying trends.

The issue of appropriate complaint procedures in itself has little to do with the formation of service organizations. The organizations may advocate complaints procedures outside the chain of command as an important safeguard for the human rights of the individual, but this remains outside their main aim: to represent service personnel collectively. Models for complaint procedures vary from an Inspectorate General or an Ombudsman, completely outside the Ministry of Defence. The German *Bundestag* appoints a *Wehrbeauftragter*, who has full access to military files. Canada has a special Ombudsman for the armed forces, as do Australia, Finland, Portugal and Sweden. In assessing their mandate, it is important to verify that they will be able to act in two ways: upon an individual complaint and in response to a request from the Minister of Defence to investigate a problem of wider magnitude.

A particular matter which increasingly requires parliamentary attention is the issue of gender equality, which is topical in society at large and has now also entered the sphere of the security sector. Conscription, if still in force, remains limited to men, but volunteer services are opening almost all functions to women. Some countries have set quotas they aim to fill with women and work towards a professional and gender-sensitive management culture and

working environment.⁵¹ Mixed police patrols have become common practice in several countries. Equally recognition has grown that in some truly military functions women do better than men, particularly when it comes to constant attention and focus on detail. The problem has many aspects and attention is often focused on the prevention of violence against and the harassment of women. In dealing with massive violence PSO soldiers are better able to deal with the conflict when there are women among their ranks. The same applies when their own forces sometimes are involved in cases of sexual abuse. On the side of the fragile or failed state, women are an indispensable part of the process of peace building and social stabilisation, especially in countries where they take an active part in economic activities. An interesting example of how women can help to put a war-torn area back together again was furnished by the mission of 100 Indian policewomen to Liberia. But the issue is wider and has implications for the developed countries as well, through such issues as the promotion of women in political and public life. In several countries political parties aim to achieve equal participation of women in parliament and government. Equal remuneration of the same job is accepted in principle, but subject to differentiation in practice. The same applies to promotion, which is always more difficult to ensure, because of the important role of performance reports, which tend to include subjective assessments.

Parliamentary defence committees are bound to take an interest in these matters. Many of them count women among their members, and in the role of chairperson. Governments have female ministers of defence. Some sociologists argue that organisations that include women change in character. Whether such changes are appropriate for the military is not yet answered but the debate is still open. How parliaments should respond to this issue remains equally unresolved. Some have a women-caucus in parliament as a pressure group, but most NATO countries prefer to treat these issues in committees where women have adequate representation.

5. The international parliamentary dimension

Most Western international organizations have a parliamentary assembly, bringing together national parliamentarians who deal with their subject matter at home.

NATO, Western European Union, Council of Europe and OSCE all have their Assembly, as well as regional groupings like the Benelux and the Baltic countries. Their competence is not the parliamentary control exercised by national parliaments, but rather the “consensus building” role of representatives

⁵¹ See *Promoting gender equality in the OSCE* [on-line]; available from http://www.osce.org/publications/sg/2007/02/23166_799_en.pdf; Internet; accessed 14 April 2008.

from countries which are engaged in a common effort. Particularly when multinational forces are assembled, it is of the utmost importance that parliamentarians see eye to eye on their missions and at least have an understanding for the position taken by their colleagues from other allies and partners. Working together on reports, resolutions and recommendations has a great impact on what is best described as “security through participation” and which is far more effective than exchanging formal texts and arrangements. Moreover, the quality of their staff is excellent, which makes their reports informative and up to date. These also play a role in informing an interested public.

The European Parliament has a different role by being directly elected and having legislative competences. Its problems relate, however, to the fact that those competences do not extend to the field of the European Security and Defence Policy and the overarching Common Foreign and Security Policy. The forthcoming amended Treaty on European Union is likely to combine the functions of High Representative for the CFSP and Commissioner for External Relations, but this will probably not affect the negative position of countries like France and the UK with regard to the competence of the European Parliament to discuss military security and defence issues.

Among all these parliamentary assemblies the United Nations are absent. The Inter-Parliamentary Union (IPU) tries to fill this gap to a certain extent, but has no formal position. The IPU has co-operated with DCAF in the launch of its handbook for parliamentarians, which by now has been translated in some thirty languages. This handbook discusses the whole range of security subjects and ends each chapter with a list of concrete questions parliamentarians may pose in scrutinising their government’s policies.

6. Assessing the quality of parliamentary control

Parliamentary agendas cover many topics. This chapter has attempted to discuss those areas which bear most on the quality of parliamentary control and on the responsibility of parliamentarians towards their voters. In assessing that quality the following questions should be addressed:⁵²

1. Is there a constitutional and legislative structure with clearly defined responsibilities for the executive and legislative branches and a system of checks and balances?
2. Is there adequate coordination between foreign, security and defence policymaking and parliamentary scrutiny?

⁵² See Willem F. van Eekelen, *Democratic Control of Armed Forces: the National and International Parliamentary Dimension*, no. 2 (Geneva: DCAF, 2002).

3. Is there a clear political primacy in the ministry of defence and accountability of the military to the democratically elected representatives of the people?
4. Does the defence committee meet regularly to scrutinise the budget, legislation and policies, receive the necessary information and is it appropriately staffed with experts?
5. Is military expenditure subject to statutory auditing and are there internal control procedures to prevent fraud, corruption and misuse of public resources?
6. Is there transparency in the defence budgetary process to ensure consistency with accepted documents concerning security policy, threat perception and military doctrine?
7. Is there a complaint procedure outside the line of command or an independent Ombudsman?
8. Is Parliament involved in the decision to deploy armed forces outside national borders, either directly or through a system of pre-delegation?
9. Is there depoliticalisation of the role of the armed forces in society, but also minimum political interference in professional military matters?

As we have seen in this chapter, answers to these questions vary considerably among the member countries of NATO and European Union. Very few are affirmative on each and every point, which shows that on security and defence matters parliamentary practice still has to catch up with the procedures applied to other fields of governmental activity, where there are more similarities among the nations. The most crucial question in a democracy is the relationship between the Cabinet – including the Prime Minister and the Minister of Defence – and the Chief of Defence Staff. This question goes beyond the topic of this chapter, but greatly impinges on it. If strategic and security matters are left to the military, who will be responsible in the dialogue between government and parliament? Ultimately, responsibility should be borne by the political leaders. This chapter has argued that the primacy of politics should go hand in hand with a balance of trust in which the military feel at ease in their role of protector of the vital interests of the state. Politicians will have the last word, but professional military advice should be seriously considered. Conversely, political micro-management should be avoided, difficult as that may be in our information- and communication society. In the final analysis, a Chief of Defence should have the right of direct access to the head of state or government, if he feels that the security of the state is at risk and his advice is not being sufficiently heeded by his political masters.

III. NATIONAL PARLIAMENTARY OVERSIGHT OF ESDP MISSIONS

Teodora Fuior, Hans Born, Suzana Anghel and Alex Dowling

1. Introduction

Legislative oversight of executive decisions to deploy troops abroad is seen as a key agent of democratic legitimacy. Parliaments in EU member countries are more and more concerned with their involvement in the decision making process regarding national participation in ESDP missions. Their contribution to this process is presently considered ill-defined, or even deficient, mainly due to the combination of supranational and intergovernmental elements that comprise the EU.

This chapter primarily explores current practices in the parliaments of EU member states for scrutinising ESDP decision-making.⁵³ Our research focused on the involvement of national parliaments in the early stages of the decision making process regarding national participation in ESDP. An EU-wide survey, completed by relevant committees and secretariats of national parliaments, was used to collect quantitative information about the involvement of parliament in four ESDP missions, two civilian and two military. Additionally, in-depth qualitative research (including 41 interviews with national parliamentarians and their staff) was carried out in the parliaments of France, Germany, Poland, Romania, Spain and the United Kingdom (UK).

The results of our research show that a democratic deficit of ESDP missions exists at European and at the national levels.⁵⁴ Our findings outlined a wide variation among national parliaments with regard to important aspects of ESDP oversight: the legal basis for oversight; the power of prior approval; the handling of civilian versus military ESDP missions; the parliamentary interest in scrutinising ESDP; the executive practices of information-sharing with legislatures. This lack of uniformity has negative consequences for the

⁵³ In 2007, the Sub-committee on Security and Defence (SEDE) of the European Parliament (EP) mandated the Geneva Centre for the Democratic Control (DCAF) to conduct a study on: *Parliamentary Oversight of civilian and military ESDP missions - European and national levels*. The research undertaken for that study represents the foundation of this paper. More information about the research project, as well as the complete text of the DCAF study mandated by the EP [on-line]; available from http://www.dcaf.ch/parliamentary-oversight-ESDP-missions/_index.cfm; Internet; accessed 22 April 2008.

⁵⁴ Because the focus of this chapter is on the role of national parliaments in ESDP decision-making, the role of the European Parliament in the oversight of ESDP mission will not be discussed in this chapter.

effectiveness of Europe's parliamentary oversight architecture. The European Union's institutions and its decisional mechanisms add an extra challenge for the democratic legitimization of policy at national level. Even parliaments traditionally perceived as strong legislatures, who exercise the formal power to approve national participation in missions abroad, might fail to effectively participate in the decision making process on ESDP missions in Brussels. Civilian ESDP missions especially, in spite of representing the largest number of deployed European operations, fall through the cracks of parliamentary oversight, finding themselves in a larger democratic deficit than the ESDP military missions.

This paper is structured in the following manner. Firstly, some basic information is presented about the possible roles of parliaments in decision-making related to ESDP mission. Secondly, results are presented based on a EU-wide survey on the role of parliaments in ESDP decision-making. Thirdly, in-depth analysis is given to parliamentary decision-making and ESDP missions in six selected EU member states. Afterwards, the results of both the EU wide survey and the six selected case studies are discussed. The chapter ends with the main conclusions.

2. National parliaments and the ESDP decision making process

Three factors determine the effectiveness of parliamentary oversight: authority, ability and willingness. Firstly, authority refers to the power of parliament to hold government accountable, which is derived from the constitutional and legal framework as well as customary practice. Customary practices are often non-binding but are powerful nevertheless, particularly if they are reinforced by the power of parliament to send the government (or a minister) home or to reject/amend the yearly budget for deployments abroad. If these additional powers are lacking, parliament depends on the willingness of the government to cooperate. Secondly, the ability of parliaments to hold the government accountable refers to resources, expertise, staff and access to (sometimes classified) information necessary to assess government decision-making. Thirdly the willingness of members of parliament to hold government accountable depends, among others, on party discipline.⁵⁵

While the use of force under international auspices has increased substantially, the democratic accountability of such action has lagged behind. Even established democracies – where the control of armed forces is taken for granted – are struggling to adapt their parliamentary control mechanisms to new

⁵⁵ Hans Born, and Heiner Hänggi, *The Use of Force under International Auspices – Strengthening Parliamentary Accountability*, DCAF Policy Paper, no. 7 [on-line]; available from <http://www.dcaf.ch/publications/kms/details.cfm?lng=en&id=18382&nav1=5>; Internet; accessed 22 April 2008.

realities. Increasingly, decisions regarding the use of force are being made by national governments in the framework of international organisations. One such example is the EU, which is carrying out civilian and military crisis management operations within the framework of the European Security and Defence Policy (ESDP). Since the EU launched its first military mission in 2003 (operation Concordia in the Former Yugoslav Republic of Macedonia- FYROM), it has undertaken 20 operations, including 5 military and 15 civilian ESDP missions, not only in Europe but also in the Caucasus, Middle East, Southeast Asia and sub-Saharan Africa. The increasing importance and number of ESDP missions has provoked strong debate regarding the complex nature of EU crisis management decision-making and resulting implications for parliamentary accountability.

In order to achieve a clearer understanding of parliaments' relevance regarding ESDP missions we have to distinguish between the concepts of ex ante and post hoc parliamentary accountability.⁵⁶ Ex ante parliamentary accountability refers to any influence exercised by a parliament before national troops are deployed. It may comprise the power to mandate the government for negotiations on future missions at European level, the power to approve national participation in a mission, the allocation of budgetary funds for upcoming missions, the request of information through questions, hearings, inquiries. Post hoc accountability refers to any oversight exercised after the troops have been deployed abroad, mainly the powers to withdraw troops, extend the deployment, conduct inquiries, raise questions, hold hearings, conduct financial audits and visit troops.

The ex ante parliamentary accountability of ESDP missions poses particular challenges to parliaments in European Union. The decisional process to launch an ESDP mission is usually long and complicated, involving monitoring, analysis, civil-military cooperation, exchange of information, planning and negotiations between several executive entities at national and European level. From the parliamentary oversight perspective two moments in this process are essential:

- The formal approval of an ESDP mission in the Council of the European Union through the adoption of a Joint Action, and;
- The decision taken at the national level to contribute personnel to an ESDP mission.

⁵⁶ Giovanna Bono, *European Security and Defence Policy: theoretical approaches, the Nice Summit and hot issues*, ESDP Democracy Paper [on-line]; available from <http://www.bits.de/CESD-PA/esdp02.pdf>; Internet; accessed 22 April 2008 and; Hand Born, and Heiner Hänggi, eds., *The Double Democratic Deficit: Parliamentary Accountability. And The Use Of Force Under International Auspices* (Aldershot: Ashgate, 2004), 53-72.

Traditionally, only the second listed moment is taken into consideration by parliaments; the most important instrument for exercising parliamentary oversight on national participation in international missions is considered to be the power of prior authorisation, meaning parliament's power to approve, reject or even amend the executive's proposal to deploy troops abroad.

Joint Actions establishing an ESDP mission are adopted by the Council of European Union with unanimity.⁵⁷ Abstentions cannot hinder its adoption unless they represent more than one third of weighted votes in the Council. Usually the text of a Joint Action describes the mission mandate, its objective, its scope, resources put at the Union's disposal by the member states, the initial duration of the mission, the chain of command. Once a Joint Action is approved, member states are committed to the decision. With some notable exceptions, most parliaments of EU member states are informed and consulted about an ESDP mission by their national government after the adoption of the Joint Action. Therefore, even those parliaments which have the power of 'prior authorisation of deployments abroad', are presented with a *fait accompli*.

The democratic deficit, as constituted at the national level, is primarily the result of four factors. Firstly, there are only a few national parliaments empowered to provide their government with a clear negotiating mandate prior to the adoption of a decision by the Council.⁵⁸ Secondly, due to diverging national legal procedures, few national parliaments are mandated to formally approve troop deployments in an international operation.⁵⁹ Parliaments' powers of approval are often limited to the deployment of armed forces and do not extend to the secondment of national police personnel to external police missions. Thirdly, national parliaments receive security and defence-related information from their respective governments and are therefore dependent upon their government's transparency or goodwill in making information available. Finally, national parliaments' powers of scrutiny are largely limited to the annual approval of funds for external operations, as part of the overall national defence budget.⁶⁰ As a result, national parliaments possess an incomplete view of ESDP affairs and their oversight powers are limited to overseeing their national government's actions. They are neither collectively associated with the ESDP decision-making process nor able to collectively scrutinise the implementation of a Council decision.

⁵⁷ *Procedure for the definition and adoption of Joint Actions* [on-line]; available from http://ec.europa.eu/external_relations/cfsp/fin/procja.pdf; Internet; accessed 22 April 2008.

⁵⁸ Wolfgang Wessels, *The Parliamentary Dimension of CFSP/ESDP – Options for the European Convention* (Brussels: TEPSA, 2002).

⁵⁹ Hans Born, and Marlene Urscheler, "Parliamentary accountability of multinational peace support operations", in: Born and Hänggi eds., *The Double Democratic Deficit*, 61-67.

⁶⁰ Catriona Gourlay, "Parliamentary Accountability and ESDP: The National and the European level", in: Born and Hänggi, eds., *The Double Democratic Deficit*, 195.

3. EU-wide Survey on Parliamentary Oversight of ESDP operations

Our primary research included an EU-wide survey on the topic of parliamentary oversight of ESDP, focusing on two military missions - EU Force (EUFOR) Althea in Bosnia Herzegovina and EU Force in the Democratic Republic of Congo (EUFOR DRC) - and two civilian ESDP missions - the EU Police Mission in Bosnia and Herzegovina (EUPM Bosnia) and the EU Border Assistance Mission at the Rafah Crossing point in the Palestine Territories (EU BAM Rafah). These missions were chosen for their variety: EUFOR Althea is conducted within the Berlin Plus Agreement, using NATO assets and capabilities, whilst EUFOR DRC was an autonomous EU mission with Germany as the lead nation. EUPM was chosen since it was a substantial mission in terms of human and material contributions from EU Member States. EU BAM Rafah was one of the most recent missions launched by the EU at the time we conducted our research, in a territory which enjoys public attention and media focus for decades.

A questionnaire was distributed via email to the committees responsible for defence, European affairs, internal affairs and foreign affairs within the parliaments of the 27 Member States of the EU in February 2007. A total of 39 replies were received from parliamentary staffers and MPs from 25 European parliaments. The responses suggested that ESDP matters are seen as being the responsibility of the defence committees (18 responses), in the majority of parliaments. EU committees are less involved in these matters (8 responses) whilst foreign affairs (6 responses) and interior affairs committees (3 responses) play an even more peripheral role in ESDP. Most respondents appeared to have some difficulty in pointing out exactly how their parliament scrutinised the four missions in question. 11 respondents out of 39 stated that ESDP matters are simply not discussed within their committees. This might indicate that ESDP missions do not figure highly on the parliamentary agenda in EU Member States.

The findings of the DCAF questionnaire survey on parliamentary oversight of the four ESDP missions are considered below, with an overview of the results given in the table (see overleaf).

We have to underline the fact that this table reflects strictly the responses received to our survey regarding the four listed ESDP operations. Since some of these missions were launched, new legislation on national deployments abroad was adopted in Bulgaria, Czech Republic and Romania. The parliaments in these countries no longer have the formal power of prior approval for national participation in ESDP operations. For the purposes of this research, parliamentary approval or parliamentary debate may refer to a parliamentary activity which took place either in the plenary or in a committee. Debate means, at least, that some formal information was received from the government and the issue was on the agenda of a committee.

Table 1: Oversight of ESDP case study missions in respondent states (source DCAF Survey 2007).

ESDP operations	Parliament approved participation in at least one mission	Parliament debated participation in at least one mission	Parliament had no involvement
Military operations: EUFOR Althea and EUFOR DRC	Austria, Bulgaria, Germany, Cyprus, Czech Republic, Estonia, Finland, Ireland, Italy, Latvia, Luxembourg, Netherlands, Spain, Sweden	Belgium, France, Lithuania, Poland, Portugal, Slovenia, UK	Greece , Slovakia, Romania,
Civilian operations: EUPM Bosnia and EUBAM Rafah	Austria, Czech Republic, Finland, Ireland, Italy, Latvia, Luxembourg, Netherlands, Romania, Sweden	Belgium, Denmark, France, Poland, Portugal, Germany, Slovenia, UK	Bulgaria, Cyprus, Estonia, Greece, Lithuania, Slovakia, Spain

We also have to note that Denmark participates only in the civilian aspects of ESDP. It does not participate in ESDP military missions nor in the elaboration and implementation of any decisions or actions of the Union which have defence implications

EUFOR Althea

Operation EUFOR Althea received prior approval in 12 parliaments, during the period between the Joint Action decision in Brussels (12 July 2004) and the date of the deployment of national troops.⁶¹ The 12 parliaments in question were: Austria, Bulgaria, Czech Republic, Estonia, Finland, Germany, Ireland, Italy, Latvia, Lithuania, Netherlands and Luxembourg. The Finnish parliament discussed and approved the mission before the Joint Action decision was taken at the European level. Furthermore, 3 parliaments (France, Poland and the UK) that do not have formal approval authority discussed and agreed upon the national participation in this ESDP operation before the decision was taken in the Council. These discussions took place in EU committees. In practice, committees were only briefly informed about a text that had already been negotiated and the issues failed to raise any significant political interest within the debates. There was no consultation or formal information received by the

⁶¹ Member states may join a mission once after the date of the official mission launch and after its initial phase on the ground is completed.

parliaments of Belgium, Greece, Romania and Spain. Despite these four countries contributing to the operation, no debates or hearings were held by parliamentary committees.

EUFOR DRC

Operation EUFOR DRC received prior approval in 10 parliaments: Austria, Cyprus, Czech Republic, Finland, Germany, Ireland, Italy, Luxembourg, Netherlands and Spain. In Luxembourg, the Committee for Foreign and European Affairs, Defence, Cooperation and Immigration, was consulted by the government and agreed on the Joint Action more than three weeks before the text was adopted by the Council, on 27 April 2006. The other parliaments appear to have approved the mission after that date. Other parliaments which do not have the power of prior approval were informed by their governments and discussed EUFOR DRC within the EU Committee - in the cases of France and the UK - and within the Defence Committee - in the cases of Belgium, Poland and Slovenia. In France, the discussion took place one month before the Joint Action was adopted by the Council.

EUPM BiH

Operation EUPM BiH received prior approval in nine parliaments: Austria, Czech Republic, Finland, Ireland, Italy, Latvia, Luxembourg, Netherlands and Romania. The operation was discussed in six parliaments that do not have the power of prior authorisation: in the Defence Committees of Belgium and Slovenia, in the EU Committees of Denmark, France and the UK, as well as in a joint session of the Defence, Foreign Affairs and EU committees in Poland. No debate or hearing was held and no information was provided to parliaments of other countries that contributed personnel to the operation. This was the case in: Bulgaria, Estonia, Greece, Slovakia and Spain.

EUBAM Rafah

Operation EUBAM Rafah received prior approval in 6 parliaments: Austria, Finland, Ireland, Italy, Luxembourg and the Netherlands. Austria and Ireland did not participate with personnel in the mission but approved it nevertheless. EU committees in Denmark, France and the UK were informed about the mission and discussed the operation, around the date that it was launched. The parliaments of other countries that have contributed personnel to EUBAM Rafah were neither informed nor consulted about the operations. These include, Belgium, Greece, Romania and Spain.

4. Parliamentary Oversight of ESDP Missions in Six Selected Member States

We will further present the findings of our in-depth research in the parliaments of six member states: France, Germany, Poland, Romania, Spain and the UK. These countries were chosen on the basis of their significant contributions to ESDP missions as well as their differing political-constitutional models. 41 detailed interviews were conducted with MPs - from both governing and opposition parties, and staffers – from relevant parliamentary committees or research/policy units, all in the native language, with the aim of gaining a deeper insight into the national procedures and practices of parliamentary oversight of ESDP operations.⁶²

France

The French Parliament does not approve *ex ante* or *post hoc* the deployment of French troops to an ESDP mission, although it is mandated to clear the Council Joint Action prior to adoption. Article 88-4 of the French constitution offers the legal basis to exercise oversight of European affairs. The two parliamentary bodies which receive information about ongoing ESDP negotiations prior to the adoption of a Council Joint Action are the Delegation for the European Union at the Senate and its counterpart at the National Assembly. The main task of each Delegation is to provide *ex ante* political clearance of EU documents.

In the case of EUFOR DRC, EUPM in BiH and EU BAM in Rafah, the Government informed in writing the Delegations about the EU's intention to conduct the operations, and requested that each Delegation examine the Joint Actions according to an emergency procedure. The Presidents of the Delegations followed the emergency procedure, lifting the parliamentary scrutiny reserve and clearing the Joint Actions. The members of the Delegations were informed of these decisions afterwards. In the event of a potentially contentious document, the President of each Delegation can refuse the emergency procedure, ask for a debate and also notify the specialised committee (defence or foreign affairs). The French representative in the EU Council is not permitted to vote until the specialised committee has examined the contentious document. In spite of this power, this procedure has yet to be applied to an ESDP operation.

The Delegations may still debate a Joint Action in spite of the emergency procedure. This occurred in the National Assembly Delegation

⁶² The same set of questions was put to each interviewee and responses were provided on the condition that the identity of respondents remains anonymous. An overview of the interviewees is provided in the Annex F of the DCAF study mandated by the EP [on-line]; available from http://www.dcaf.ch/parliamentary-oversight-ESDP-missions/_index.cfm; Internet; accessed 22 April 2008.

during the planning of operation EUFOR Althea, on 8 July 2004.⁶³ The EUFOR DRC operation received more attention in Parliament, due to the French interest in the Great Lakes region and the past contributions to Operation Artemis and MONUC. On 22 March 2006, the Chief of Staff of the Army informed the Senate Committee on Foreign Affairs, National Defence and Armed Forces about the planning for operation EUFOR DRC.

Post hoc parliamentary oversight takes place mainly during the debate on the budget rectification. Yet individual costs per operation are only provided to MPs on request, either when the initial budget law or the rectification of the budget is discussed. The members of the Defence Committee of the National Assembly have visited troops in Bosnia, The Palestinian Territories and Congo. In addition, the MPs of the National Assembly were informed about the status of the four missions in the plenary by Ministers of Foreign Affairs and European Affairs during the June 2006 parliamentary session. In the Senate, two questions concerning EUFOR Althea were addressed in the Plenary. In the Plenary of the National Assembly, one question regarding EUFOR Althea was posed.

The interviewed MPs and parliamentary staffers stressed that the French Parliament has a limited oversight role in foreign affairs and defence under the framework of the 1958 Constitution. At present there is a significant degree of consensus on French participation in ESDP operations and therefore MPs tend to focus on other more conflicting issues. The reform of the legislature's role is under consideration in order to give Parliament the power to vote *ex ante* on the deployment of French troops in external operations.

All the individuals interviewed in Paris were in agreement that the approval of ESDP missions should remain at the national level and the oversight role of national parliaments in ESDP should be enhanced. The EP's role should be limited to expressing critical opinions on ESDP developments which can serve to influence national parliaments in their oversight work. In this context, it was suggested that a body combining the features of the WEU Assembly and COSAC may be more appropriate to facilitate communication between the national parliaments, and ensure ESDP oversight.

Germany

The German *Bundestag* exercises strong *ex ante* and *post hoc* oversight over military ESDP missions. According to the Parliamentary Participation Law adopted in 2004, any participation of armed forces personnel in missions requires prior parliamentary authorisation. The Government needs to inform the *Bundestag* 'in good time' before the military is deployed abroad. Parliament must be informed about the following elements of a deployment: the mandate,

⁶³ Minutes National Assembly Delegation for the European Union, 8 July 2004 [on-line]; available from <http://www.assemblee-nationale.fr/12/europe/c-rendus/c0092.asp>; Internet; accessed 22 April 2008.

geographical scope of operations, legal basis of the military deployment, maximum number of troops to be deployed, the capabilities of these troops, the duration of the mission and the estimated financial costs.⁶⁴ Parliament does not have the power to alter the Government's plans; it can only accept or reject Government proposals to deploy troops abroad.⁶⁵ To date, the *Bundestag* has never refused such a proposal. The Parliamentary Participation Act gives the *Bundestag* the power to withdraw German troops, to discontinue their mission and also to approve any extension of mission mandates.⁶⁶

German law leaves parliament to decide whether a mission is of sufficient importance to merit involvement. For missions of low intensity and importance, a government request is circulated among the members of parliament and it is considered to be approved unless, within seven days, one faction or a minimum of five per cent of parliamentarians call for a formal approval procedure.

Votes held in the plenary on upcoming military deployments are free votes, meaning that parties do not require their MPs to follow the party line. Defence Committee meetings are always held behind closed doors and the level of secrecy surrounding them depends on the nature of the issue being considered. MPs are prohibited from repeating or commenting on what has been said by participants during the meeting.

The *Bundestag* is not involved in the early stages of preparation and planning of any military ESDP mission, nor do the cabinet ministers or the chancellor inform the *Bundestag* about Germany's role in future ESDP missions. Policy-making and planning in this field are regarded as being the prerogative of the executive and outside of the responsibility of Parliament. Therefore, the *Bundestag* deals with ESDP missions on a case by case basis.

At each parliamentary session of the Defence Committee – of which there are twenty-two to twenty-four per year – the Defence Minister or his Deputy, accompanied by high-ranking military personnel, gives an overview of all current military deployments abroad. Furthermore, Defence Committee members receive a confidential detailed report from the Defence Ministry on all military ESDP missions on a weekly basis. The military EUFOR DRC mission – which was German-led – was extensively discussed in the German *Bundestag* in terms of mandate, number and quality of German troops. MPs visited troops

⁶⁴ Deutsche Bundestag, *Parliamentary Participation Act*, Para 3(2). However, the provision of a detailed proposal and information applies to regular armed forces only. The deployment of Germany's special military forces (*Kommando Spezialkräfte* – KSK) is exempt from this procedure. Parliamentarians only receive general information about their deployment, normally as part of a wider military deployment. Given the secret nature of the tasks of KSK soldiers, such as in counter-terrorist operations, no specific information is given about their exact mandate, area of operations or number of soldiers.

⁶⁵ Deutsche Bundestag, *Parliamentary Participation Act*, Para 3(3).

⁶⁶ Deutsche Bundestag, *Parliamentary Participation Act*, Para. 8.

deployed to the mission in Congo in 2006 and Parliament has exercised similar rights by recently visiting German troops stationed in Afghanistan.

In contrast to its *ex ante* and *post hoc* oversight of ESDP military missions, the *Bundestag* has no approval power in civilian missions, but exercises a limited *post hoc* oversight role, after personnel have been deployed.⁶⁷ Article 8 of the Police Act stipulates the right of the *Bundestag* to be informed about deployments of police abroad and its authority to end a deployment.⁶⁸ The oversight of civilian ESDP missions is complicated by the fact that police missions are not only staffed by federal police but also by the police services of the German *Länder* (counties). Therefore, legislative control takes place not only on the federal level but also at the regional level. Within the *Bundestag*, the Interior Committee is responsible for oversight of civilian ESDP missions, its meetings always held behind closed doors. MPs do not receive information about the budgets or expenditures of civilian ESDP missions.

There is no regular flow of information from the Ministry of the Interior to the Interior Committee of the *Bundestag*. The Interior Committee is dependent upon the initiative of individual MPs to request information about the current state of civilian ESDP operations. MPs have visited the EUPM BiH and the EU BAM Rafah missions. Interviewees perceived these visits to be crucial to the *post hoc* parliamentary oversight of civilian ESDP missions.

The majority of the MPs and staffers interviewed argued that there is a need for a greater parliamentary oversight role, both at the national level in the *Bundestag* and at the European level through the EP. A number of suggestions were put forward to strengthen the role of the *Bundestag* in ESDP missions, such as: ensuring that committees have better access to information about missions at an earlier stage in the planning process; the organisation of public parliamentary hearings; and improved cooperation between national parliaments of EU member States in sharing of information and experiences. With regards to civilian ESDP operations, several interviewees stated their belief that oversight powers should parallel the *Bundestag's* powers of scrutiny for military ESDP missions. It was argued that the EP's *ex ante* role should be buttressed through the requirement for EP authorisation of all ESDP missions, through the co-decision procedure.

⁶⁷ Former minister Otto Schilly (SDP) described the role of parliament in ESDP civilian missions, when he stated in an Interior Committee meeting that 'ESDP civilian missions are part of executive decision-making (*Exekutif Sache*)'.

⁶⁸ *Federal Police Act* (Bundespolizeigesetz), Art. 8(1), 1 February 2007 [on-line]; available from http://bundesrecht.juris.de/bundesrecht/bgsg_1994/gesamt.pdf; Internet; accessed 22 April 2008.

Poland⁶⁹

The Sejm and Senat of the Republic of Poland do not have any formal institutional oversight of Polish participation in ESDP Missions. However, there has been a steady flow of information regarding ESDP missions to Parliament and both Houses of Parliament have shown an active interest in staying informed about ESDP developments. The oversight of ESDP missions has not followed a consistent procedure and has differed significantly with each mission. The parliamentary procedures for dealing with both military and civilian missions are not established and have become an ad hoc prerogative of the Speakers of the Sejm and Senat; the Polish Council of Ministers informs the Speakers of the Sejm and Senat once a decision on deployment has been taken and they decide on an ad hoc basis which committees should be given the information.

Polish participation in Operation EUFOR ALTHEA was debated by the EU Committee several days before the Joint Action was adopted by the Council, whereas Operation EUFOR DRC was discussed by the Defence Committee almost three months after the adoption of the Joint Action but before the operation was launched. EUPM BIH was debated in a joint meeting of the Defence, EU and Foreign Affairs Committees after the Joint Action adoption but before the operation's launch.

Polish parliamentarians do not receive information on a systematic basis from either national or international sources regarding ESDP missions. However, despite not being legally obliged to inform Parliament of a decision to participate in ESDP and other international missions, on most occasions the Government has communicated these decisions to Parliament. Cabinet Ministers, Ministry of Defence staff and military officials have appeared before the Sejm and Senat committees, sometimes in joint committee meetings. The Defence Committee of the Senat has held several specific hearings on ESDP together with the EU Committee.

Participation in international fora is an additional means for MPs to gain information on ESDP. For instance, in February 2007, the Head of the Polish Delegation to the WEU Assembly presented a report to the Senate Defence Committee on his attendance at the WEU Assembly conference on ESDP in Berlin.⁷⁰ No formal visits are made by Polish parliamentarians to ESDP missions.

In common with other national parliaments, the Polish Parliament is able to exercise scrutiny of external missions through its budgetary powers. However, this capacity is limited in its extent as the budget for Polish missions abroad is set out in a block that also contains many other defence provisions.

The parliamentarians interviewed all expressed the belief that more information relating to ESDP missions should be exchanged between the EU

⁶⁹ The field report on Poland was prepared by Mr. Antoni Mickiewicz of DCAF Brussels.

⁷⁰ Minutes Polish Defence Committee, February 20 2007 [on-line]; available from <http://www.senat.gov.pl/k6/kom/kon/2007/070220.htm>; Internet; accessed 22 April 2008.

and the defence committees of the Sejm and Senat. This improved flow of information would negate the need for the defence committees to rely on incomplete information about ESDP missions provided by the Government.

Romania

The Romanian Parliament is neither consulted nor requested to approve national participation in ESDP operations. The decision to send troops on missions abroad belongs to the President, with the sole obligation to inform the Parliament of this decision within five days. The prior approval of Parliament is required only in the case of military and civilian operations where troops are not deployed on the basis of an international treaty to which Romania is party, excluding ESDP missions from parliamentary approval.⁷¹ Since the current legal framework entered into force on 15 March 2004 the Romanian Parliament has not been requested to approve any overseas mission.

The debate and the approval of the Budget Law is Parliament's only opportunity to exert influence over decision-making regarding participation in international operations. The Defence and Budget committees commonly amend the budget proposal but changes are rarely significant. The total financial burden of international operations abroad is difficult to calculate from the defence budget documents, as costs are spread over numerous budgetary appropriations.

Romania's participation in EUFOR Althea and EUPM BiH received formal prior approval of the Parliament before the current legislation came into force in 2004. The Romanian participation in EUPM BiH was approved by a Parliamentary Decision on 4 November 2002 (after the Council Joint Action was adopted). On 12 November 2003, the Parliament also ratified a Treaty with the EU regarding Romania's participation in EUPM.

The participation of Romania in EUBAM RAFAH was approved by the Ministers of Administration and Interior. Small police missions do not need the approval of the President.⁷² The status of the police officers dispatched to such operations is similar to that of liaison officers. No information about this mission was received by the Parliament, before or after it was launched.

The President informs Parliament about forces deployed abroad through a letter which is read to the plenary at the beginning of each session. However, ESDP operations have not provoked any questions or statements in the plenary, nor in the hearings and consultations of the Defence Committees.

⁷¹ Law no. 42 from 15 March 2004 regarding the participation of armed forces in missions outside Romanian territory. See Article 7, paragraph (1) and (2) [on-line]; available from <http://dlaj.mapn.ro/ro/act.php?NOR=L42/2004>; Internet; accessed 5 May 2008 (in Romanian).

⁷² They are deployed in base of Article 9 and Article 27 of Law no. 42 from 2004, which provide that participation in individual missions outside the Romanian territory is decided by the competent minister.

Small numbers of MPs, usually members of Defence Committees or Foreign Affairs Committees, visit troops deployed abroad, accompanying the Minister of Defence or other Government officials on their visits. Romanian troops deployed in different operations in BiH were visited several times, yet no official follow-up mechanisms exist to relay findings to parliament.

Most of the interviewed MPs expressed their belief that a complete change in the legislation is needed, to give Parliament the power of prior approval for national participation in international missions. When a decision must be taken quickly, emergency procedures could be established to allow the Defence Committee to grant approval instead of the plenary. The MPs also remarked that the budget proposal documents should contain more clear information about the financial burden of different types of international operations.

Due to the recent accession of Romania to the EU, the present situation may soon improve. Ex ante accountability of ESDP missions might find a strong legislative foundation in the Romanian Constitution, which stipulates that the Government should transmit to the Parliament the drafts of all documents of a binding character before they are agreed in Brussels.⁷³ A Joint Committee for European Affairs has been established by both Chambers and this committee is mandated to 'exercise parliamentary oversight of European affairs'.⁷⁴ It remains to be seen what role this committee will play in ESDP oversight.

Spain

The Spanish Parliament gives prior approval to the participation of armed forces in all military operations abroad. This authority lies with the lower Chamber of the Spanish Parliament, the Congress of Deputies. Spanish legislation mentions two procedural steps – consultation and authorisation – both prior to mission deployment.⁷⁵ The Ministry of Defence prepares a draft agreement, gathering information about missions which are being negotiated and discussed within international organisations and the means available at the national level. The draft must be approved by the Council of Ministers and is then submitted for the prior consultation of the Defence Committee. After the Committee informally agrees with the general terms of the draft, the MOD elaborates on the official, detailed text of the agreement. The final text is submitted to Parliament for

⁷³ *Constitution of Romania*, Article 148 (5) [online]; available from http://www.cdep.ro/pls/dic/site.page?den=act2_2&par1=6#t6c0s0a148; Internet; accessed 5 May 2008.

⁷⁴ Parliament Decision no.52 from 20 December 2006 regarding the establishment of the Committee for European Affairs [online]; available from http://www.cdep.ro/pls/legis/legis_pck.frame; Internet; accessed 5 May 2008 (in Romanian).

⁷⁵ Organic Law no. 5 from 17 November 2005 on National Defence, Article 17 [online]; available from http://noticias.juridicas.com/base_datos/Admin/lo5-2005.html; Internet; accessed 5 May 2008 (in Spanish).

formal approval. The law does not refer to civilian operations, where Parliament's oversight role in the decision-making process is limited.

The Government has requested prior approval of Parliament for international missions on three occasions since the new legislation was adopted in December 2005, including Spanish participation in EUFOR DRC. Practice demonstrated that the law needs to be clarified through further procedural regulations. Most importantly, it was noted that Parliament must determine whether the approval authority belongs to the Defence Committee or to the Plenary.⁷⁶ Also, the distinct procedural steps of consultation and authorisation outlined in legislation in practice were fused into one procedure; there is no formal flow of information between Parliament and the Government prior to the Government's submission of the decision to participate in an operation for parliamentary approval.

Participation of Spanish armed forces in EUFOR DRC was submitted by the Government for parliamentary approval on 19 May 2006. The decision to approve participation was taken by the Defence Committee on 30 May, (one month after the Council Joint Action) after a debate during which the Defence Minister was present.

The Joint Committee for the European Union has a marginal role in the scrutiny of ESDP operations. It can call for the plenary to debate EU issues, but ESDP operations are seen as a competence of the Defence Committee. There is no legislative provision regarding parliamentary involvement in the decision-making process on ESDP police missions and the Interior Committee is not involved in the scrutiny of civilian ESDP operations.

Parliament approves funds for external operations as part of the yearly defence budget law. However, it is an 'expandable budget', meaning that a small amount of spending is forecast in the MOD budget and it is increased during the year by using the Emergency Fund, under the administration of the Ministry of Economy. There is no requirement for parliamentary approval when money is transferred from this fund.⁷⁷

Since the Spanish Parliament has the power of prior approval for all international military operations, post hoc scrutiny has been somewhat neglected. The Government has pledged to limit the number of personnel it will

⁷⁶ Furthermore, there is no specification about what type of information related to the operation the Government request should contain. It is not specified whether or not the decision to end participation in an operation also belongs to Parliament, considered an important issue in view of the recent public controversy about Spain's deployment to Iraq. It should be noted that civilian missions are not covered by the legislation.

⁷⁷ This "*presupuesto ampliable*" started in 2006 for example, with an allocation of €10 million, approved by parliament within the defence budget. At the end of the year it reached around €450 million, with the additional money coming from the Emergency Fund.

deploy in all missions abroad to a maximum of 3,000 persons.⁷⁸ Parliament frequently receives information about the number of total deployments and also about ESDP operations. However, ESDP missions have aroused limited debate. There were no committee hearings or questions about ESDP missions in Parliament. Members of the Defence Committee have visited troops deployed in Afghanistan, BiH and Kosovo.

The level of parliamentary involvement in military operations is considered to be satisfactory by most MPs. The military is also pleased with parliamentary approval as it gives political and democratic legitimacy to the military deployments abroad. It was suggested that ESDP scrutiny could also be performed by inter-parliamentary organisations such as the WEU Parliamentary Assembly, which should be endowed with powers for post hoc scrutiny, like summoning European and national officials to hearings.

United Kingdom

The bicameral Parliament of the United Kingdom does not have powers to formally approve any aspect of British contributions to ESDP operations. However, the Parliament does exercise a scrutiny role over CFSP and ESDP, most actively through the European Union Select Committee of the House of Lords, and more precisely through its Sub-Committee C handling foreign affairs, defence and development policy. The Committee has a mandate to approve all legally-binding decisions of the Council of Ministers before the Government signs them, thus implying ex ante approval power.⁷⁹ The Sub-Committee receives a draft agreement from the Government, accompanied by an 'explanatory memorandum'. It may: approve the document; hold the document under a scrutiny reserve, requesting further information or clarification; or conduct a full inquiry. If the Government proceeds to sign a Joint Action without approval from the Committee, it is deemed an 'override', which is not desirable for the Government, but is not legally prohibited.⁸⁰ The Sub-Committee's mandate is document-oriented, so civilian and military missions are scrutinised equally.

Despite these powers, the realities of ESDP decision-making are such that ex ante scrutiny over ESDP is difficult to exercise in practice. The Government may deposit a draft Joint Action for the Committee's approval,

⁷⁸ At present this number is approximately 2500. The maximum number of Spanish deployments was 4200 when the pledge was made and at the time they also had troops in Iraq.

⁷⁹ The core scrutiny power of the Lords Committee derives from the *Scrutiny Reserve Resolution*, 6 December 1999, which commits the Government to awaiting the completion of parliamentary scrutiny before agreeing to a legislative proposal in the Council of Ministers. It expressly does not give power to mandate ministers or force their hand.

⁸⁰ Nonetheless, the Government is expected to justify its decision to override the Committee in writing. All overrides are listed in the Committee's Annual Report.

already agreed in Brussels, which though not yet legally binding is essentially politically binding. Additionally, it is frequently the case that a Joint Action is not deposited in time for ex ante approval. During negotiations over the EUBAM Rafah Mission, the Government wrote to warn the Sub-Committee that it may not deliver the documents for scrutiny in time to secure approval for signing the Joint Action in Brussels. It nonetheless made an effort to keep the Sub-Committee informed of developments.

The Sub-Committee is kept informed of ESDP through various means. ESDP reports by EU Presidencies receive close interest from the Sub-Committee members, to provide forewarning of upcoming issues as well as ongoing missions. Also, the UK Minister for Europe, who has responsibility for ESDP operations, appears before the Sub-Committee twice per year, as do senior officials from the Ministry of Defence and Foreign and Commonwealth Office (FCO).

The Defence Committee of the House of Commons plays a marginal role in ESDP oversight. The Committee's mandate is to scrutinise the work of the MoD, whereas ESDP policy is primarily the jurisdiction of the FCO. The Committee does have the power to scrutinise the UK's military budget, yet it is a blunt instrument of oversight, since budgetary endorsement does not allow for approval of specific ESDP operational budgets. The Defence Committee has not been directly involved in oversight of any of the ESDP operations in question.

The interviewees in the UK diverged in their perceptions of the need to strengthen national parliamentary accountability for British involvement in ESDP operations. The wider issue of the democratic legitimacy of the royal prerogative in troop deployment has become high profile since the war in Iraq, with many supporting a stronger role for parliament. Some parliamentarians argued that parliamentary oversight powers should not be extended in the area of ESDP operations, due to the time constraints imposed by the nature of ESDP missions and the lack of parliamentary expertise in the field of military operations. It was also suggested that there may be scope for increased parliamentary oversight of the renewal of ESDP mission mandates, as committees would have greater time to scrutinise the progress of ESDP operations.

It was pointed out that there are already several oversight bodies at the inter-parliamentary level (such as the NATO Parliamentary Assembly and the WEU Parliamentary Assembly), that exist alongside the EP and national parliaments to form a 'confused' legislative architecture. One interviewee recommended that platforms such as COSAC could provide a valuable forum for national parliaments to exchange ideas and experiences relating to ESDP scrutiny. The opaque decision-making process of the GAERC was ultimately considered to be a primary impediment to legislative oversight, be it at the national or European level.

5. Analysis of research findings

Prior approval: before Joint Action decision versus before deployment

As far as parliaments that possess the power of prior authorisation are concerned, ESDP missions were approved before national deployment, but usually after the EU Council adopted the Joint Action. Finland and Luxembourg are exceptions to this sequence, where the parliaments have approved missions before the Joint Action decision was taken. In Sweden, parliament is consulted prior to all European Council decisions and has to decide formally on the participation of the Swedish forces in a mission. However, no detailed information on how and when the four operations were approved was provided in the response to our questionnaire. According to Irish legislation, parliament should also be consulted as soon as the Joint Action is initiated but this rule can be ignored when “in the opinion of the minister” the issue “is confidential”, which was the case in each of the four missions considered here.⁸¹

Most governments are not required to secure parliamentary approval prior to signing a Joint Action in Brussels. Consequently, even parliaments that have prior authorisation power are often confronted with a *fait accompli*, due to the difficulty for a government to withdraw its commitment to contribute to ESDP missions after having committed to a Joint Action. Nevertheless, some parliaments receive information about Joint Actions before they are adopted. This practice is most prevalent within countries where parliaments have no formal power of approval but contribute greatly to ESDP missions, such as France, Poland and the UK. Otherwise, parliamentary awareness about such negotiations and about Joint Actions adopted by the European Council is limited.

In the Netherlands, the Government and the Parliament make use of a “Decision framework for military deployments for international missions”, aimed to make decisions more systematic and transparent.⁸² The Framework puts forward 10 points of attention which are important for military deployment decision-making.⁸³ The reply to the questionnaire from the Dutch Parliament indicated that the procedures for debating and approving the deployment in parliament, can be done within one day in case of emergency.

Role of Parliament: Plenary versus Committee

Prior authorisation of national participation in at least one of the four ESDP operations was given in 15 out of 25 respondent parliaments. In some parliaments, this authorisation was given by the plenary and in other

⁸¹ European Union Scrutiny Act, *Number 25 of 2002*, Sections 2 and 3.

⁸² Tweede Kamer (Second Chamber of Parliament), 2000-2001, 23 591, nr. 7, The Hague, The Netherlands.

⁸³ Tweede Kamer (Second Chamber of Parliament), *Onderzoek NATO Response Force (Research into NATO Response Forces)*, 2005-2006, nr. 30162, The Hague, The Netherlands.

parliaments it was a committee decision. There are countries where the authority to approve national participation depends on the case. Legislation authorises a committee to give prior approval in the case of minor national participation in Denmark (observer missions) and in Ireland (when less than 12 persons are deployed). In Finland, the Plenary usually has to give consent.⁸⁴ However, if less than ten personnel are assigned to an operation, the deployment is approved by the Foreign Affairs Committee. This committee plays an important role also when rapid parliamentary decision-making is necessary for rapid deployments: for the assignment of national troops to stand-by-units prior approval of the plenary is required, but further, for the deployment of these troops in operations, only the Foreign Affairs Committee must be consulted. In Spain, the Standing Bureau of the Congress determines whether the matter is to be decided in the Defence Committee or in the Plenary, depending upon the importance of the mission.

Role of Parliament: Military versus Civilian ESDP Missions

In most respondent parliaments, greater emphasis was placed on parliamentary approval of military ESDP operations than civilian missions, with 14 of the 25 parliaments giving approval to at least one military mission, compared with only 10 parliaments approving civilian operations. Yet the figures are low even for military missions, indicative of a general lack of parliamentary scrutiny of ESDP. Participation in civilian missions frequently escapes parliamentary attention because of the small number of personnel deployed. For such operations, deployment decisions are often taken at a lower executive level than would be applied to a military mission, with no obligation to report the decision to parliament.

The highest levels of parliamentary control over ESDP missions appear to be in: Austria, the Czech Republic, Finland, Italy, Latvia, Luxembourg, Netherlands and Sweden, where both civilian and military operations passed through formal parliamentary prior consultation and approval. It is noteworthy that, in the case of Czech Republic, the government sought parliamentary approval for all four ESDP operations in question, even though current legislation does not give parliament any formal power of prior approval.

Parliamentary committees with overlapping mandates

The information provided in the questionnaire suggests that ESDP operations often fall under the competency of several parliamentary committees. The slow machinery of committee structures and overlapping committee mandates have served to dissipate awareness on ESDP issues. The following committees may all potentially be involved in ESDP scrutiny: foreign affairs, EU affairs, defence, interior, development aid, budget and human rights committees. The role of

⁸⁴ Mandatory if there is no UN mandate for an operation.

these committees differs from country to country, ranging from non-involvement to a lead role. In some parliaments, like the Polish and the Dutch ones, the joint meeting of several committees is a common practice when ESDP operations are debated. In most countries, all international operations abroad, including ESDP operations, are seen as a competence of defence committees. In spite of the rapid development of civilian missions, it appears that interior committees neither play a role in approving nor overseeing civilian ESDP operations. In those parliaments that do not possess the authority to approve missions, defence committees are less active in ESDP oversight and EU committees tend to have a stronger role, such as France and the UK.

Parliamentary control over budgets of ESDP missions

The so-called 'power of the purse' does not appear to signify strong parliamentary scrutiny of ESDP missions. Important elements of ESDP missions are partly financed through either the EU common budget (civilian missions) or the Athena mechanism (military missions) and therefore fall outside of the competence of, or are difficult to be overseen by, national parliaments.

The parliaments that responded to the questionnaire approved the budgets for the four ESDP missions only as part of the annual defence budget which is approved in its entirety each year in the budget law. Nearly all of the responses received indicated that the budget for each individual mission was not approved whilst national participation in the respective mission was considered. Information about the estimated budget of an operation may be offered when it is required during parliamentary debates, but it is not formally approved.

The exceptions are Italy and Germany, where the approval for a mission includes the approval of its estimated budget. In Germany, the Parliamentary Participation Act prescribes that any military deployment proposal of the government to parliament should include information about the estimated costs. In Italy, the approval of national participation in a mission is given through a budgetary approval law. Furthermore, every year the parliament must pass a law in order to allow for the renewal and extension of the mandate. Detailed information about costs, type of forces, tasks and status of forces must be provided.

6. Conclusions

Based on the EU-wide survey and select interviews conducted for our research, four models of national parliamentary oversight of ESDP may be extrapolated.

Models for national parliamentary oversight of ESDP missions

(A) Prior authorisation role before the adoption of a Joint Action: Parliament authorises government to proceed with an ESDP mission before the EU Council adopts a Joint Action. By so doing, parliament influences its government's position in the Council debate on the future ESDP mission in question. This practice was followed in Finland, Luxembourg and Sweden.

(B) Prior authorisation role before the deployment of troops: Parliament authorises its government to proceed with an ESDP mission after a Joint Action is adopted by the EU Council but before the deployment of troops abroad. This practice was followed in: Austria, Germany, Cyprus, Czech Republic, Estonia, Ireland, The Netherlands and Spain. Germany and Spain apply this model to military ESDP missions only.

(C) Consultative role: Parliament does not have the formal power of prior authorisation, but it debates ESDP missions, sometimes even before the adoption of the Joint Action by the EU Council. If the government fails to obtain parliamentary support, it may proceed with signing the Joint Action and deploying troops under ESDP auspices. This practice was followed in Belgium, France, Poland, Portugal and the United Kingdom.

(D) No role: Parliament is neither informed nor consulted about imminent ESDP missions, even when the country deploys troops in the operation. In Bulgaria, Greece and Romania, parliament is involved in neither military nor civilian ESDP mission decisions. In Cyprus, Estonia and Spain, parliament is not involved in civilian ESDP mission decisions.

These models indicate that it is feasible to involve parliament at an early stage of the ESDP decision-making process, contrary to the commonly-held assumption that slow parliamentary procedures do not allow sufficient time for parliaments to be given a strong ex ante role in crises management decision making. In countries like Finland, Sweden or Luxembourg, parliamentary approval is given before the Council has adopted a Joint Action, which means that parliament influences its governments' position in the Council debate on the future ESDP mission in question. In Netherlands the government is *de jure* obliged to supply parliament with information about the annotated agenda of the upcoming EU Council, including upcoming deployments of troops abroad. This leads to a *de facto* approval power of parliament.

In 14 out of 25 countries, parliaments give prior authorisation to national participation in ESDP missions before the troop deployments. Notable in this category in the case of the Czech government which, despite no legal obligation

to do so, seeks prior parliamentary approval of ESDP missions as part of customary practice. However, when parliament's consent is asked after the Joint Action is adopted by the EU Council, the power of prior approval is often more theoretical than practical; national legislatures are in this situation left to approve a *fait accompli* which has already been decided on by their governments in Brussels.

Independent of the power of prior approval, parliaments can influence early stages of decision making process on ESDP through other means: In order to avoid overstretch of personnel deployed abroad, parliament and government may set various types of deployment thresholds, based on a financial ceiling (e.g. in Finland, currently set at 100 million Euros per year); on a troop limit (e.g. Spain 3,000 troops, Finland 2,000 troops and Lithuania 420 troops); or a geographical restriction (e.g. in Lithuania). Representatives of parliament may take part in discussions about deployments abroad in executive bodies. In Portugal for example, parliament is represented by three members in the Superior Council for National Defence, the executive body that decides on deployments.

The democratic deficit aggravates in the case of civilian missions, because current parliamentary oversight procedures and practices are less developed in their case. Only 10 out of 25 national parliaments have the power of prior authorisation for civilian ESDP missions. Due to their smaller size, lower costs and lower political risk, civilian missions also attract less attention from members of parliament than military missions. This reality is quite significant given the fact that eight out of 10 current ESDP missions are civilian.

The present lack of uniformity has negative consequences on the effectiveness of Europe's parliamentary oversight architecture. The good practices outlined in this chapter prove that improved ESDP oversight is possible, but political will is needed to implement such procedures or customary practices. Furthermore, improvements in ESDP oversight should be implemented as part of a network strategy, combining the EP and national parliaments. This is important, since shared oversight of ESDP missions is beneficial to both and, more importantly, to the publics that members are elected to serve. Ultimately, public accountability and democratic legitimacy, two of the cornerstones of effective democratic practice, will be enhanced through the strengthening of ESDP oversight.

IV. THE ROLE OF PUBLIC OPINION AND THE MEDIA IN CIVIL-MILITARY RELATIONS

Jasmina Glišić

Civil-military relations in most general terms include all the relations between military and civilian society, or as a colloquial but convenient phrase would state – between soldiers and citizens. In a narrow meaning, the core of civil-military relations is the distribution of social and political power in a society. Harmonious relations depend on successful interactions in which the interests of both sides are satisfied, and the military can do its job properly. Sound relations are based – according to the liberal democratic theory – on democratic control of armed forces, which means that the military is subordinated to democratically elected, civilian authorities, who in turn do not meddle with purely professional military affairs.

A second defining line should be drawn in understanding the very popular and equally vague term of “public opinion”. Strictly speaking, it should be used only for a sum of private attitudes on specific issues, scientifically collected and analysed and usually publicly presented. However, in practice, it often stands for a number of phenomena which may have very little in common. They can vary in terms of the depth and quality of the analytical process, resulting sometimes in well-informed predictions but on other occasions going down to the level of pure guessing (“the public will not accept this”). The scrutiny of how representative certain opinion is may sometimes fall to the level at which any currently dominant narrative in the public space can be mistaken for “public opinion” – as if it represents the whole population. On the other end of the scale, public opinion can be equalled to the electorate’s will, officially measured.

Public opinion polls, whose sponsors do not necessarily explain their motives or the way they will use the results, as well as the abundant academic literature based on them, seem to encompass three general areas of interest: (1) general exploration of the influence of public opinion in the decision-making process; (2) measurements of public trust and (3) public reactions to decisions, actions, activities or other examples of behaviour that are perceived as security, defence or military issues. Using polls to measure public trust in the military is commonplace. However it is difficult to use such polls to quantify the effect of public opinion on civil-military relations as a whole. What can be discussed more fruitfully using measurable data is how public opinion shapes the context within which the military do their job. Across all of this huge subject area, the impact of the media can be felt, and therefore a large part of this chapter will explore how in fact the relationship between the media, public opinion and the

military's role operates in practice. For reasons of space and lack of more than anecdotal data, the military's own view of civil-military relations is not addressed in this chapter, though some constraints on the military's use of the media to ensure public support for their missions is touched upon.

Is public opinion influential?

One of the most extensively studied questions in public opinion research related to security studies is how influential it can be in decision-making. The majority of this research is concentrated on public influence in foreign policy issues, which often practically examine *security* policy issues: questions of war and peace, isolationism and interventionism, and issues directly connected to defence, such as the defence budget.

Almond warned against the instability of public opinion, its emotional reactions and cyclic changes.⁸⁵ He referred to "the highly technical nature of most of the issues of security policy, the problem of secrecy in the handling of security policy information, and enormous risk involved in the making of policies governing the magnitude of the security effort, its composition, its deployment and its employment". "The pathos of the man in the street in this connection, therefore, lies in the fact that he is confronted with issues in which the stakes are so high as to be almost meaningless, and so complex as to be beyond his understanding".⁸⁶ Empirical studies in the 1950s and 1960s had proved how little knowledge the American voters had of foreign policy issues.

The long academic debate which aims at answering the basic question of democracy (does it work?) supports two major standpoints: the first claims a high degree of political officials' responsiveness to public opinion, the second minimizes it, mostly attributing power to interest groups.⁸⁷ Contrary to what one might expect – that the last "20 years of research would enhance the credibility of some theories and reduce that of others [...] this does not seem to have happened".⁸⁸ As Burstain argues, "one of the reasons is that researchers regularly describe their conclusions in terms too vague to be very useful".⁸⁹

⁸⁵ Gabriel A. Almond, "Public Opinion and National Security Policy", *The Public Opinion Quarterly* 20, no. 2 (1956): 371-378 and; Gabriel A. Almond, *The American People and Foreign Policy* (New York: Praeger, 1960).

⁸⁶ Almond, *ibid.*, 372.

⁸⁷ Theoretical controversies are well summarized in: Benjamin I. Page, and Robert Y. Shapiro, "Changes in Americans' Policy Preferences, 1935-1979," *The Public Opinion Quarterly* 46, no. 1 (1982): 24-42 and; Ole R. Holsti, "Public Opinion and Foreign Policy: Challenges to the Almond-Lippmann Consensus Merston Series: Research Programs and Debates", *International Studies Quarterly* 36, no. 4 (1992): 439-466.

⁸⁸ Paul Burstain, "The Impact of Public Opinion Policy: A Review and an Agenda", *Political Research Quarterly* 56, no. 1 (2003): 29-40.

⁸⁹ *Ibid.*, 30.

Furthermore, he claimed that “policy is affected by opinion most of the time; often – over half the time when public opinion has any effect – the impact⁹⁰ really matters substantively”. This impact increases with the issue’s salience and it even “remains substantial when the activities of interest organizations, political parties, and elites are taken into account”.⁹¹ What is probably most important for our discussion is that there is no evidence that the responsiveness is higher on domestic issues than on foreign policy. On the contrary, all coefficients gauging the relationships between opinion and defence policy (on defence expenditures and the Vietnam War, for example) proved to be statistically significant. Burstein finds that “on defense, government is more responsive to the public than on other policies, not less”.⁹²

Scholars are still trying to determine precisely *how* officials gauge public opinion when making decisions,⁹³ *when* public opinion becomes activated and *who* moves it,⁹⁴ whether public opinion has the same impact in *different stages* of decision making⁹⁵ and in crisis and noncrisis situations,⁹⁶ and how the relationship between opinion and policy is affected by the activities of interest organizations, political parties, elites⁹⁷ and the media. However, it seems that the statement by Abraham Lincoln in 1858, that “public sentiment is everything.

⁹⁰ While the authors of the studies describe the relationship in a variety of ways (some stating that they are not trying to reach conclusions about causality, the others stating that they are) Burstein emphasizes that the term “impact” suggests that the relationship between opinion and policy is casual one. He justifies its use “for the sake of brevity and because that is what all the authors are ultimately interested in”, *Ibid.*, 33.

⁹¹ Burstein adds that “the paucity of data on interest organizations and elites mandates great caution when interpreting the results”, *ibid.*, 36.

⁹² *Ibid.*, 36. As can be noticed, almost all the studies focus on the United States and that limits the possibilities for generalization. However, those rare “studies that compare governments generally find them equally responsive (Lawrence R. Jacobs, *The Health of Nations: Public Opinion and the Making of American and British Health Policy* (New York: Cornell University Press, 1993), or unresponsive (Britain, Canada, France and the U.S. on a range of issues in Joel E. Brooks, “The Opinion-Policy Nexus in France”, *Journal of Politics* 49, (1987); and Burstein, *op. cit.*, 36). Pierangelo Isernia, Zoltan Juhasz, and Hans Rattinger, found that “French, German, and Italian publics were similarly stable in their orientation toward foreign policy issues”, in: “Foreign Policy and the Rational Public in Comparative Perspective,” *The Journal of Conflict Resolution* 46, no. 2 (2002): 201-224.

⁹³ Bernard C. Cohen, *The Public's Impact on Foreign Policy* (Boston: Brown Little, 1973) and; Philip Powlick, “The Sources of Public Opinion for American Foreign Policy”, *International Studies Quarterly* 39, no. 4 (1995): 427-451.

⁹⁴ Philip J. Powlick, and Andrew Z. Katz, “Defining the American Public Opinion/Foreign Policy Nexus”, *Mershon International Studies Review* 42 (1998): 29-61.

⁹⁵ Problem representation, option generation, policy selection, implementation and policy review (as analysed in Thomas Knecht, and Stephen M. Weatherford, “Public Opinion and Foreign Policy: The Stages of Presidential Decision Making”, *International Studies Quarterly* 50 (2006): 705-727).

⁹⁶ *Ibid.*

⁹⁷ Paul Burstein, and Linton April, “The Impact of Political Parties, Interest Groups, and Social Movement Organizations on Public Policy”, *Social Forces* 81 (2002): 380-408.

With public sentiment, nothing can fail; without it nothing can succeed”,⁹⁸ has finally been confirmed by research.

Trust in the Military

“How much do you trust...?” is a question that is now commonly used in public opinion polls and often applied both to civilian and military institutions and to officials. Difficulties in defining trust are obvious.⁹⁹ Thus “*trust* [...] refers to the extent [...] of *confidence*”¹⁰⁰ or it “is when a citizen [...] puts *faith* in an elected representative” [emphasis added].¹⁰¹ More about the notion can be understood if we take a closer look in what the trusted are trusted to do – “to make fair decisions [on the public’s behalf] and/or to provide [the public] with accurate information so that they may evaluate matters for themselves”.¹⁰² Scholars claim it is “necessary for political leaders to make binding decisions, commit resources to attain societal goals [...], and secure citizen compliance without coercion”.¹⁰³

In public opinion surveys, trust is sometimes very narrowly measured – as whether the public believes that an office-holder tells the truth. It may be related to selflessness, integrity, objectivity, accountability, openness, honesty and leadership, known in the UK as Seven Principles of Public Life, and “broadly in line with the most common ethical principles adopted in the 29 OECD countries”.¹⁰⁴ Gauging the legitimacy of a regime is beyond the scope of this paper. However, the legitimacy of a military is directly connected to our research question and therefore asks for a closer examination.

We shall begin by a brief and selective overview of surveys that measure different public attitudes toward the military. They vary immensely in terms of the topics that the respondents are asked to assess and the depth of scrutiny with which certain attitudes is explored. Most of the surveys include a

⁹⁸ Quoted from: “Lincoln-Douglas debate at Ottawa”, in: Roy P. Basler, ed., *Collected Works of Abraham Lincoln*, vol. III [on-line]; available from <http://www.home.att.net/~rjnorton/Lincoln78.html>; Internet; accessed 21 October 2005.

⁹⁹ See, for example, A. Virginia Chanley, Thomas J. Rudolph, and Wendy M. Rahn, “The Origins and Consequences of Public Trust in Government: A Time Series Analysis”, *Public Opinion Quarterly* 64 (2000): 239-256; and Van de Walle, and Bouckaert, “Public Service Performance and Trust in Government: The Problem of Causality”, *International Journal of Public Administration* 26, no. 8 (2003): 891-913.

¹⁰⁰ “Trust in political institutions refers to the extent to which individuals have a high degree of confidence in the institutions (government and parliament) and public administration of the country where they live.” OECD, *Society at a Glance: OECD Social Indicators* (Paris: OECD, 2006).

¹⁰¹ Thomas Rosamund, *Public Trust, Integrity and Privatisation*. Paper delivered at the conference of the International Institute for Public Ethics, Ottawa, 24-28 September 2000.

¹⁰² *Ibid.*, 4.

¹⁰³ Chanley, Rudolph, and Rahn, op. cit., 240.

¹⁰⁴ *Ibid.*, 7.

general question of trust in the military but some go into more detail and ask for the public assessment of “moral qualities of soldiers”, their “physical preparedness” and their “positive attitudes toward democracy”.¹⁰⁵ Among the surveys that are accessible on the websites of Ministries of Defence, one can find polls that measure “absolute” trust in armed forces,¹⁰⁶ but also those which are concerned with “relative” trust of the military in comparison with other state institutions.¹⁰⁷

While some surveys offer data measuring trust in the “military”¹⁰⁸ precisely, others depict only very general public trust in “national defence”.¹⁰⁹ Few clearly delineate public confidence in armed forces (specifically) as opposed to the Ministry of Defence.¹¹⁰ The surveys show wide variety in wordings¹¹¹ of the trust question. The respondents are sometimes asked to estimate “how favourable is [their] overall impression of the armed forces”,¹¹² or “how reliable are the Defence Forces”,¹¹³ “how good is their opinion of the

¹⁰⁵ In Czech Republic. See: Marie Vlachová, and Stefan Sarvas, “Civil-Military Relations in Modern Society – The Czech Case”, in: Jürgen Kuhlmann, and Jean Callaghan, eds., *Military and Society in 21st Century Europe. A comparative analysis*, (Garmisch-Partenkirchen: George C. Marshall European Center for Security Studies, 2000): 79-107.

¹⁰⁶ *Les Français et la défense: résultats 2006 du sondage annuel réalisé par BVA pour le ministère de la défense*, 1. [on-line]; available from http://www.defense.gouv.fr/defense/content/download/43124/431108/file/les_francais_et_la_defense_sondage_bva_les_francais_et_la_defense_sondage_bva.pdf; Internet; accessed 14 July 2007.

¹⁰⁷ Estonia: “The Rescue Service, the Border Guard, the Bank of Estonia and the Defence Forces are considered to be the most reliable institutions by over 80% of the population”, quoted after Estonian Ministry of Defence Website, December 2006 [on-line]; available from http://www.mod.gov.ee/static/sisu/files/2007-02-08_NATO_kokkuvote_eng_2006_12.pdf; Internet; accessed 02 May 2007.

¹⁰⁸ As, for example, the survey conducted by the Latvian Ministry of Defence [on-line]; available from http://www.mod.gov.lv/upload/7_sd06_eng.gif; Internet; accessed 14 April 2008.

¹⁰⁹ In Lithuania, see website of the Lithuanian Ministry of Defence [on-line]; available from <http://www.kam.lt/EasyAdmin/sys/files/whitebook-En.pdf>; Internet; accessed 06 July 2007.

¹¹⁰ In the UK: Favourable ratings for Armed Forces of 64%, [...] favourable ratings for MoD improved to 38%. Quoted from: UK MoD, *Annual Report and Accounts (2005-2006)*: 155 [on-line]; available from http://www.mod.uk/NR/rdonlyres/E8507B03-D525-4323-A1A1-898F01116B1B/0/modannual_report_0506_resources.pdf; Internet; accessed 02 May 2007.

¹¹¹ The influence of wording on the surveys’ findings has been an issue in public opinion research for a long time. Mueller emphasised 15 to 20 point increase in “support” for “US getting into the fighting in Korea” in 1950 only due to the added phrase “to stop the Communist invasion of South Korea” in the poll question: John E. Muller, *Wars, Presidents and Public Opinion* (New York: John Wiley & Sons Inc., 1973), 44.

¹¹² In the UK: UK MoD, *Annual Report and Accounts (2005-2006)*, 157 [on-line]; available from http://www.mod.uk/NR/rdonlyres/E8507B03-D525-4323-A1A1-898F01116B1B/0/modannual_report_0506_resources.pdf; Internet; accessed 02 May 2007.

¹¹³ Estonia: Tõnis Ormisson, *Public Opinion and National Defence*, December 2006 [on-line]; available from http://www.mod.gov.ee/static/sisu/files/2007-02-08_NATO_kokkuvote_eng_2006_12.pdf; Internet; accessed 14 July 2007.

armed forces”¹¹⁴ or “do [citizens] believe in the capacity of Defence to protect [their] security?”.¹¹⁵ The sensitivity of the results to different wordings is vividly illustrated by findings in the Netherlands, where

[...] over the last 25 years (up till 1990), confidence in the military... has been declining sharply ...down to the level of a meager 32% (!)” [while] the ‘approval ratings’ always have been much higher, stated either in terms of ‘necessity’ or of ‘importance’. From two-thirds to three-quarters of the public are said to ‘approve’ of the military in 1998.¹¹⁶

In another Dutch survey, conducted throughout the same decade, only a little more than one-third said the armed forces were “necessary”¹¹⁷ while almost the same number thought they were a “necessary evil”¹¹⁸ [emphasis added]. Interestingly enough, some very detailed research, commissioned by the defence bodies, does not include the trust question at all.¹¹⁹

Common themes in public opinion surveys illustrate the difficulties in cross-country analyses of the whole topic. Precious few comparative volumes on civil-military relations in Europe in the 21st century had invited the authors of case studies to include the issue of the legitimacy of the armed forces in public opinion in their analytical discussions.¹²⁰ Apart from the measurement of trust in the military, the range of subjects comprises: the level of support for NATO membership (in seven countries),¹²¹ acceptance of specific military missions (in

¹¹⁴ *Les Français et la défense*, 1 [on-line]; available from http://www.defense.gouv.fr/defense/content/download/43124/431108/file/les_francais_et_la_defense_sondage_bva_les_francais_et_la_defense_sondage_bva.pdf; Internet; accessed 14 July 2007.

¹¹⁵ Ibid.

¹¹⁶ Jan Van der Meulen, “The Netherlands: The Final Professionalization of the Military”, in: Charles C. Moskos, John Allen Williams, and R. David Segal, eds., *The Postmodern Military* (New York: Oxford University Press, 2000): 101-120.

¹¹⁷ “Necessary” (1985 : 48%, 1986: 44%, 1988 : 38%, 1989: 38%, 1990: 39%, 1991: 42%), “necessary evil” (1985 : 24%, 1986 : 33%, 1988 : 33%, 1989 : 28%, 1990 : 41%, 1991 : 23%). The rest of the respondents stated the military was “hardly necessary”, “unnecessary” or had no opinion.

¹¹⁸ *Maatschappij en Krijgsmacht* (1992), quoted from Jörg Erik Noll, *Leadership and Institutional Reform in Consensual Democracies: Dutch and Swedish Defence Organizations after the Cold War*, PhD thesis (Leiden; Department of Public Administration, 2005).

¹¹⁹ Such is, for example, the Finnish survey commissioned by the Advisory Board for Defence Information, ABDI. Maanpuolustustiedotuksen suunnittelukunta MTS, (2006) [on-line]; available from http://www.defmin.fi/files/864/MTS_tutkimus_06_raportin_tekst_eng.doc; Internet; accessed 12 July 2007.

¹²⁰ Kuhlmann and Callaghan, op. cit. , 6.

¹²¹ The Czech Republic, Marie Vlachová, and Stefan Sarvas, op. cit. , 101; and Marie Vlachová, “The Integration of the Czech Armed Forces into Society”, in: Anthony Forster, Timothy Edmunds, and Andrew Cotter, eds., *Soldiers and Societies in Post-Communist Europe. Legitimacy and Change* (Hampshire: Palgrave Macmillan, 2003), 41-55;

five countries);¹²² public support for military expenditures (in four countries);¹²³ public approval of military roles (in five countries);¹²⁴ image and prestige of the military profession (in three countries)¹²⁵, threat perception (in two countries)¹²⁶ and the accordance between the threat perceptions by government and public opinion (in one country).¹²⁷ The supporting statistics that the authors provide

Denmark, Henning Sorensen, "Denmark: From Obligation to Option", in: Moskos, Williams, and Segal, eds., *op. cit.*, 127; Slovakia, Marybeth Peterson Ulrich, "Armed Forces and Society in Slovakia," 65; Hungary, Pál Dunay, "The Armed Forces in Hungarian Society: Finding a Role?", 85; Latvia, Jan Arveds Trapans, "Armed Forces and Society in Latvia: A Decade of Development", 107. ; Romania, Larry L. Watts "Ahead of the Curve: The Military-Society Relationship in Romania", 136 and Bulgaria; Laura Cleary, "Still the People's Army? Armed Forces and Society in Bulgaria", 159. All in: Forster, Edmunds, and Cottey, eds., *ibid.*.

¹²² Germany, Paul Klein, and Jürgen Kuhlmann, "Coping with the Peace Dividend: Germany and its Armed Forces in Transition", in: Kuhlmann and Callaghan, *op. cit.*, 215; Bernhard Fleckenstein "Germany: Forerunner of a Postnational Military?", 88 and; Bernhard Fleckenstein, "Germany: Forerunner of a Postnational Military?", in: Moskos, Williams, and Segal, eds., *op. cit.*; Italy, Giuseppe Caforio, and Marina Nuciari, "Italy and its Military: Toward a New Deal", in: Kuhlmann and Callaghan, *op. cit.*, 274; The Netherlands: Van der Meulen, "The Netherlands: The Final Professionalization of the Military", in: Moskos, Williams, and Segal, eds., *op. cit.*, 114 and Jan Van der Meulen, Huber Rosendahl, Axel and Soeters, Joseph, L. "The Netherlands' Armed Forces: An Organization Preparing for the Next Century", in: Kuhlmann and Callaghan, *op. cit.*, 283-301; Romania, Hans Born, and Marina Caparini, in: Karl W. Haltiner, and Jürgen Kuhlmann, eds., *op. cit.*, 138 and Bulgaria; Laura Cleary "Still the People's Army? Armed Forces and Society in Bulgaria", in: Forster, Edmunds, and Cottey, eds., *op. cit.*, 160.

¹²³ Italy, Caforio, and Nuciari, *op. cit.*, 273; and Nuciari, "Italy: A Military for What?", in: Moskos, Williams, and Seagal, eds., *op. cit.*, 146; Denmark, Sorensen, "Denmark: From Obligation to Option", 127; Hungary, Dunay, "The Armed Forces in Hungarian Society: Finding a Role?", 85 and Latvia; Trapans, "Armed Forces and Society in Latvia: A Decade of Development," 106; Slovenia, Ljubica Jelušič, and Malešič, "La Petite Muette' and Suspicious Controller: Armed Forces and Society", in: Forster, Edmunds, Cottey, eds., *op. cit.*, 181.

¹²⁴ Italy, Giuseppe Caforio, and Marina Nuciari, "Italy and its Military: Toward a New Deal", in: Kuhlmann and Callaghan, *op. cit.*, 274 and; Nuciari, "Italy: A Military for What?", 151; Germany: Klein and Kuhlmann, *op. cit.*, 216; Romania, Adriana Stanesco, "Romania – A Delayed Modernization", in: Kuhlmann and Callaghan, *Military and Society in 21st Century Europe*, 154; France, Bernard Boëne, and Didier Danet "France: Farewell to the Draft and All That", in: Kuhlmann and Callaghan, *op. cit.*, 227-257; Slovenia, Jelušič and Malešič, *op. cit.*, 174.

¹²⁵ The Czech Republic, Vlachová and Sarvas, *op. cit.*, 101; France, Boëne and Danet, *op. cit.*, 249; Netherlands: Van der Meulen, *op. cit.*, 297.

¹²⁶ Slovenia, Jelušič and Malešič, *op. cit.*, 177; and France, Boëne and Danet, *op. cit.*, 249.

¹²⁷ France: Boëne and Danet, *op. cit.*, 249.

also vary greatly: from rich and chronological data,¹²⁸ through anecdotal evidence¹²⁹ to no figures whatsoever.¹³⁰

This further proves the difficulties but also confirms the interest in public opinion, seen as one of many¹³¹ “important civil-military variables during this century”.¹³² The hypothesis that “in the post-Cold War era, the public mood toward the armed forces becomes more one of indifference”¹³³ was not confirmed by case studies in Europe. On the contrary, “public opinion in most countries studied has remained supportive, although citizens are generally not interested in military service for themselves or their families.”¹³⁴ Scholars remain cautious in speculating about possible reasons for continuing high public support, guessing that it may be “due to the fact that military force remains relevant, even in the Postmodern era,” or “due to the increasing integration of the military and society, reflected in the increased role for reserve forces”. Bigger changes are seen as a possible result of “relatively short-term influences, such as [...] the fall of Srebrenica for the Netherlands”.¹³⁵

The observed public trust in the military in Europe has continued and even increased since the beginning of the 21st century. Eurobarometer surveys, conducted twice a year on representative samples in European Union member states, showed that in the period 2000-2003, the military was among “the top three most widely trusted institutions” for most member states in the EU 15¹³⁶. In only two countries (Spain and the Netherlands) the military stayed out of the

¹²⁸ Such as Caforio and Nuciari, “Italy and its Military: Toward a New Deal”; Nuciari, “Italy: A Military for What?”; Dunay “The Armed Forces in Hungarian Society: Finding a Role?”; Vlachová and Sarvas, “Civil-Military Relations in Modern Society – The Czech Case”; and Sorensen, “Denmark: From Obligation to Option”.

¹²⁹ “A young French officer confided to this writer not long ago that wearing a military uniform on the streets has been a whole new experience in the last few years, and the change from the previous period is definitely for the better” Boëne and Danet, *op. cit.*, 249; Bernard and Martin, “France: In the Throes of Epoch-Making Change”, in: Moskos, Williams and Segal, eds., *op. cit.*, 62.

¹³⁰ Christopher Dandeker, “The Military in Democratic Societies: New Times and New Patterns of Civil-Military Relations”, in: Kuhlmann and Callaghan, *op. cit.*, 27-43; and Christopher Dandeker, “The United Kingdom: The Overstretched Military,” in: Moskos, Williams, and Segal, eds., *op. cit.*, 32-50.

¹³¹ Others are: “perceived threat, force structure, major mission definition, dominant military professional, media relations, civilian employees, women’s role, spouse and military, homosexuals in the military and conscientious objection”.

¹³² John Allen Williams, “The Postmodern Military Reconsidered,” in: Moskos, Williams, and Segal, eds., *ibid.*, 265.

¹³³ Charles C. Moskos, “Toward a Postmodern Military: The United States as a Paradigm,” in: Moskos, Williams and Segal, eds., *ibid.*, 20.

¹³⁴ Williams, *op. cit.*, 269.

¹³⁵ *Ibid.*, 269.

¹³⁶ EU 15 refers to Belgium, Denmark, Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, the Netherlands, Austria, Portugal, Finland, Sweden and the United Kingdom.

top three in spring 2000 and in 2003. The level of trust did not change significantly by 2006 (see Figure 1).

EU 15	2000	2001	2002	2003	2004	2005	2006
Belgium	51	62	62	56	52	67	67
Denmark	75	83	83	74	67	73	73
Germany	61	67	67	62	61	72	72
Greece	86	88	88	81	84	76	76
Spain	65	63	53	53	55	57	57
France	59	66	66	62	58	66	62
Ireland	77	78	78	75	76	71	71
Italy	63	67	67	69	73	67	67
Luxembourg	62	65	65	63	62	62	63
Netherlands	74	67	67	61	53	68	68
Austria	65	70	70	62	62	71	71
Portugal	73	77	77	76	70	66	66
Finland	86	89	89	87	89	89	89
Sweden	61	71	71	63	51	57	57
UK	72	82	82	79	67	76	76

Figure 1: Trust in the Military, Eurobarometers 55, 56, 57, 59, 61, 64 and 66.

The trend seems not to be affected by the inclusion of the new member states in the Eurobarometer surveys. On the contrary. In May 2005, “among all the institutions and organisations tested, it is the **army** that obtains the highest score among European Union citizens in terms of trust (69%). That score is 6 points higher than last spring”¹³⁷ [emphasis in original]. Compared to this, trust in other (national) political and social institutions is very low: in legal systems 45%, in parliaments 38%, in governments 34% and in political parties only 17%. The relative level of trust differs greatly among the 27 EU member states but in all the countries the military enjoys the trust of at least half of the population (see Table 1).

HU	LV	LT	ES	SE	BG	SI	LU	CZ	SK	FR	PT	PL	BE
49	53	53	57	57	59	60	62	63	64	66	66	67	67

IT	NL	CY	IE	AT	EE	DE	DK	RO	EL	UK	MT	FI
67	68	70	71	71	72	72	73	74	76	76	81	89

Table 1: Trust in the Military, Eurobarometer 64, Fieldwork: October – November 2005, Publication: December 2005¹³⁸

¹³⁷ Eurobarometer 62 [on-line]; available from http://www.ec.europa.eu/public_opinion/archives/eb/eb62/eb_62_en.pdf; Internet; accessed 15 April 2008.

¹³⁸ BE Belgium; CZ Czech Republic; DK Denmark; DE Germany; EE Estonia; EL Greece; ES Spain; FR France; IE Ireland; IT Italy; CY Cyprus; LT Lithuania; LV Latvia;

These results demand an explanation. Our hypothesis is that public trust can be understood as an overall expression of the legitimacy a society acknowledges in its military. Forster's assertion is that legitimacy is connected to the roles of the armed forces, which he defines as "national security, nation builder role, regime defence, domestic military assistance and military diplomacy".¹³⁹

These functions co-exist and overlap, but the weight attached to each and the changes in the relative balance between them, along with the military's ability to carry out these functions effectively, will have different implications for the military relationship with society and its bases for legitimacy... we suggest that the legitimacy of the military in relation to society is dependent on social acceptance of the military's roles and the military's ability to fulfil the demands of these roles effectively.¹⁴⁰

However, we should keep in mind that the job description is always written by their civilian masters – elected officials.

In **Germany** the Bundeswehr has gained acceptance as an instrument for defence and for maintaining peace, and major parties largely agreed on the issue of deploying the Bundeswehr outside the NATO area of operations. In the **Netherlands** participation in peacekeeping missions was generally welcomed and "with some nuances" so were specific deployments.¹⁴¹ Van der Meulen et al claimed that "public opinion endorsed the new roles assigned to the military maybe even more wholeheartedly than official policy does"¹⁴² and that "the most severe test so far – the deployment of troops in Bosnia – showed that public opinion does not simply turn negative when things go bad". Bilateral military arrangements with the Germans, the Belgians and the British were also supported by the Dutch public. In **Denmark**, increased trust in the military was connected with its greater participation in UN, NATO, EU and OSCE

LU Luxembourg; HU Hungary; MT Malta; NL the Netherlands; AT Austria; PL Poland; PT Portugal; SI Slovenia; SK Slovakia; FI Finland; SE Sweden; UK the United Kingdom; BG Bulgaria; RO Romania; Eurobarometer 64 [on-line]; available from http://ec.europa.eu/public_opinion/archives/eb/eb64/eb64_en.htm; Internet; accessed 15 April 2008.

¹³⁹ Anthony Forster, *op. cit.*, 76.

¹⁴⁰ Edmunds, Forster, and Cottey, "Armed Forces and Society: A Framework for Analysis," in: Forster, Edmunds, and Cottey, eds., *op. cit.*, 8-9.

¹⁴¹ Van der Meulen, "The Netherlands: The Final Professionalization of the Military," 113.

¹⁴² In December 1996 43% of the Dutch considered "humanitarian help" to be the most important task for the armed forces whereas only 27% chose "defence of (allied) territory" and 21% chose "worldwide crisis-management" to be the most important task; results from the 1997 poll indicated that public support for the classical tasks might be on the rise again (Van der Meulen, "The Netherlands: The Final Professionalization of the Military," 296).

missions,¹⁴³ and therefore with public acceptance of its National Security role, which has been “re-conceived beyond narrowly defined Territorial Defence”.¹⁴⁴

Scholars point out the importance of correspondence between citizens’ and politicians’ understanding of major military roles. In **Italy**, where the military generally ranked first among the top trusted institutions, positive evaluation was given to both old and new tasks, including peacekeeping operation under the UN flag or NATO/EU command. A small majority expressed a favourable opinion about the traditional function of the armed forces (guarantee of law and order and the defence of national territory); wider support was given (85%) to another institutional function of Italian armed forces – help in case of public disasters – and for the use of the army to ensure public order in the face of illegal immigration.¹⁴⁵ Boëne and Danet confirmed that “threat perceptions of government and public opinion in **France** do not differ in any substantial way”¹⁴⁶ and that there was no fundamental disagreement on the usefulness of military missions. **Romanian** armed forces enjoyed “more than three-quarters of the population favour for the active participation [...] in the new normative roles of peace-support and peace enforcement”, according to a 2001 poll.¹⁴⁷

The crucial importance of acceptance of the military’s role for public trust was proved by the Czech case. In the Czech Republic, low trust in the armed forces in the early 1990s coincided with “not unequivocal public support for joining NATO”.¹⁴⁸ However, a “dramatic increase in 2001”, when two-thirds of citizens expressed their trust in the military, “and Minister of Defence and the Chief of General Staff together with the president were seen as the most credible representatives of the states”¹⁴⁹ went in parallel with increased popular support for NATO, the EU and the United States and strong support to Czech participation in antiterrorist activities. This is seen as a reflection of changing public perceptions of security since 11 September and significantly increased general trust in security institutions.

The **Slovakian** case seems to challenge the role base of the legitimacy-trust hypothesis. Scholars find “a gap in perceived threats to security between political elites and society at large” in Slovakia. The politicians would prefer to see armed forces contributing to regional cooperative security and responding to global threats but “the Slovakian public does not count regional or

¹⁴³ Sorensen, “Denmark: From Obligation to Option”, *op. cit.*

¹⁴⁴ Forster, *op. cit.*, 76.

¹⁴⁵ Nuciari, “Italy: A Military for What?”, *op. cit.*

¹⁴⁶ Boëne and Danet, *op. cit.*

¹⁴⁷ Larry L. Watts, “Ahead of the Curve: The Military-Society Relationship in Romania,” in: Forster, Edmunds, and Cottey, eds., *op. cit.*, 131-152.

¹⁴⁸ Vlachová and Sarvas, “Civil-Military Relations in Modern Society – The Czech Case”, *op. cit.*

¹⁴⁹ Marie Vlachová, “The Integration of the Czech Armed Forces into Society,” in: Forster, Edmunds, and Cottey, eds., *op. cit.*, 47.

global security threats as among their primary concern".¹⁵⁰ While in Germany, Denmark, the Netherlands and Romania, for example, "NATO is seen as indispensable as ever",¹⁵¹ "the Slovak government has struggled with sustaining public support for NATO membership".¹⁵² If the military's legitimacy were based only on public acceptance of the armed forces' roles, Slovakia should experience a low level of confidence in the army. However, as Eurobarometer 65 shows, 60% of Slovaks said they trusted the army, in contrast to some 37% who trusted the national parliament or 38% who trusted the government. One explanation would be that in Slovakia the public knows nothing about the Army or security policy. Another way to look at this case would be to explore other possible sources of military legitimacy. One such source is "the military's ability to carry out these functions effectively".¹⁵³

Comments on the Czech, Romanian, Bulgarian and Lithuanian cases imply that a legacy dividend may add to or diminish popular trust. This corresponds very well with the Nation Building role in the Lithuanian case, where "the military played an important symbolic role for Lithuanian independence and sovereignty".¹⁵⁴ The idea of legacy dividend does not cease to exist even when formation of the people belongs to a distant past. Thus in Romania the military remains "popularly associated with every significant advance in state building and national consolidation since the formation of the Romanian people".¹⁵⁵ This cumulative trust may be enlarged, as it was when the army joined in the December 1989 revolution, or negative, as in the Czech Republic, where "traditionally, even during the communist period, the military did not enjoy high societal esteem".¹⁵⁶ Indeed, it is difficult to believe that past experiences do not increase or decrease current public support. However, if this is understood as an effect of previous legitimacy checks then the hypothesis that trust is an overall public expression of the legitimacy a society acknowledges for its military is sustainable.

Public Opinion in Action

In order to assess the climate of opinion, we should take a look at the main concerns of the EU citizens. In 2004 and 2005, for example, security was not

¹⁵⁰ Marybeth Peterson Ulrich, "Armed Forces and Society in Slovakia," in: Forster, Edmunds, and Cottey, eds., *op cit.*, 56-75.

¹⁵¹ Bernhard Fleckenstein, *op. cit.*; Paul Klein, and Jürgen Kuhlmann, *op. cit.*; Watts, *op. cit.*; Van der Meulen, "The Netherlands: The Final Professionalization of the Military".

¹⁵² Ulrich, "Armed Forces and Society in Slovakia," *op cit.*, 65.

¹⁵³ Edmunds, Forster, and Cottey, "Armed Forces and Society: A Framework for Analysis," 9.

¹⁵⁴ Forster, *op. cit.*, 112.

¹⁵⁵ Watts, *op. cit.*.

¹⁵⁶ Vlachová and Sarvas, *op. cit.*, 101.

among them (see Table 2). The only related issue which comes into this middle-ranked group (between 17 and 10 points) of concerns is terrorism.

Issues	EB 62/Aut. '04	EB 63/Sp. '05	EB 64/Aut. '05
Unemployment	46	50	44
Economic situation	27	27	26
Crime	24	23	24
Rising prices/inflation	16	16	17
Healthcare system	16	17	15
Immigration	13	14	15
Terrorism	16	10	14

Table 2. The two most important issues facing (OUR COUNTRY) at the moment - %EU

When asked “what do you think are the two most important issues facing (our country) at the moment”, only 2% of the respondents chose the answer “defence/foreign policy”. After 50 years of peace, defence is not an issue for the EU citizens.

The divergence between high popular trust and very low public acceptance of military expenditure also requires exploration. In Germany in 2000, for example, “there is hardly any readiness among the population to raise more funds for the military establishment and defence”.¹⁵⁷ At the same time, “a remarkable absence of calls for ‘peace dividends’” was seen in France.¹⁵⁸ In Italy support for increase of military spending is always below 20% (even as low as 6% in 1989), with the exception in 1992 when it reached 20%, for current level usually is about 35% of the population, and more than 40% for reducing (62% in 1989).¹⁵⁹ This was not the case all over Europe. In Latvia support for the armed forces and defence expenditures grew,¹⁶⁰ and in Denmark there was remarkable stability of public support for military expenditure: it was about 40 percent in favour of the current level, another 40 percent of respondents wanted reductions, 10 percent preferred more expenditure and 10 percent “don’t know”.¹⁶¹

More specific case studies of how public opinion and high popular trust in the military translate into action might also help us understand better how a country’s specific policy solutions influence this important variable in civil-military relations. The exploration of public opinion flows and governmental responsiveness may shed some light on, for example, the contrast between tremendous popular trust in the UK armed forces and the feeling that some of the servicemen and women share, that they have been “misunderstood by the

¹⁵⁷ Klein and Kuhlmann, *op. cit.*, 215.

¹⁵⁸ Boëne and Danet, *op. cit.*, 249.

¹⁵⁹ Caforio and Nuciari, *op. cit.*, 273.

¹⁶⁰ Trapans, *op. cit.*

¹⁶¹ Sorensen, *op. cit.*

public at large, misrepresented by the media, mistreated by the government, so basically fu**ed from all sides".¹⁶²

Mediated influence

Most strands of public opinion influence are actually mediated by political and executive elites in the political process – the structures charged with creating the legal framework of the security sector and designing and implementing defence policy in a democracy. In very few ways can public opinion influence the military *directly*, although this should not be taken as an indicator of their insignificance.

Increasing pressure for greater transparency of the security sector is seen not only as an improvement aimed at its democratic governance but also as an influential factor in modern warfare. Growing public *need to know*, enabled, facilitated and sometimes fostered by the media, is perceived as inspiring political micro-management, dictating operational choices, constraining military force, possibly endangering operational security, etc. That means that public opinion can impact on military decisions which might otherwise be different. In addition, public opinion has been seen as a weapon that an enemy may use to win the war by merely waiting for the public support at home to run out or by influencing it directly.¹⁶³ The effects of public support on units' combat morale are already a commonplace.

However, public opinion studies used as reference in this text are probably not best suited for analysing such impacts. First, public opinion polls are not always conducted to measure them. Second, even when they are, such polls are snap-shots of public perceptions, which can be used as a justification for denying their reliability. Third, respondents may give socially desirable answers so poll results may not reflect public opinion correctly. Better results might be achieved by media content analysis and other unobtrusive techniques.

There are three main strands of public opinion which remain influential, even when mediated. First is the strand affecting military roles, which has been discussed as one of the crucial bases of military legitimacy. Though they "reflect broader socio-political perception of threat", the roles given to the military as well as their prioritisation are "mediated through the perceptions and policy

¹⁶² Posted by Grad, on the forum of the British Army Rumour Service (ARRSE), April 9 2007 [on-line]; <http://www.arrse.co.uk/cpgn2/Forums/viewtopic/t=63395/postdays=0/postorder=asc/start=15.html>; Internet; accessed 14 April 2007.

¹⁶³ Media operations are increasingly treated as "a military job" aimed at "selling the war to the public" as if the decisions to go to war are initially made by the military itself while the rest of society (political elites included?) has little to do with it and needs to be consistently persuaded to accept the continuance of war.

frames of political executives, often with complex motives in shaping (and re-shaping) the armed forces for particular and often partisan purposes".¹⁶⁴

Second is the public opinion strand affecting specific military missions and tasks which, together with more general roles, make what we call the military job description. How mediated this strand is may vary greatly, depending on constitutional and institutional regimes in a specific country. An indicative example is how the decision to deploy forces is reached – parliamentary approval is necessary "in Germany, Austria, Sweden, Ireland, and many of the new EU member states from Central and Eastern Europe" but not "in former colonial powers". However, some governments regard "parliamentary approval as indispensable although there has been no constitutional requirement to do so".¹⁶⁵ Variations are numerous, connected with the urgency of a deployment decision, the number of soldiers to be deployed or other elements of multilateral security arrangements. The question of whether or not parliamentary consent is necessary for the decision to deploy troops is considered to be a litmus test for the democratic legitimacy of defence policy. As a democratically elected legislature, parliament is considered to be "the institutional expression of the accountability of the defence sector"¹⁶⁶ and, as such, may be presumed as more reliable mediator of public opinion strands than the government.

This does not undermine the responsibility of a government for clear problem representation, well-informed option generation, accountable policy selection, effective implementation and unprejudiced policy review. But in this process, public opinion strands may be heavily mediated – not only because the elites may be devoted to their own interests but because they are often guided by what they *think* public opinion is. Additional concerns are raised by the anomaly of a heavily politicised civil service in some countries, which adds extra tensions to democratic control.

Third is the public opinion strand affecting the defence budget, most often connected with insufficient transparency and the high level of expertise necessary to understand budgetary issues, that most of the public lack. The level of reliability with which a legislature mediates this public opinion strand depends, again, on a parliament's formal powers but also on its members' crucial expertise and political will to exercise their rights.

Therefore, public opinion affects only indirectly the decisions that are of importance for the military – their job description and the means that enable them to do their job properly. But it does shape the climate within which those decisions are made: (1) it influences foreign and security policy decisions and therefore also the roles and tasks given to the military; (2) it influences military

¹⁶⁴ Forster, *op. cit.*, 75.

¹⁶⁵ Wolfgang Wagner, "The Democratic Control of Military Power Europe," *Journal of European Public Policy* 13, no. 2 (2006): 200-216.

¹⁶⁶ Forster, *op. cit.*, 27.

decisions, actions and activities and therefore their performance; (3) it affects military human and financial resources through the prevailing security climate; (4) it measures the level to which the military succeeds in its given roles and (5) it measures the level to which elites are seen as fulfilling their role in providing security for society.

The final point has not been discussed in this chapter. There is a rich literature describing the weakness of the defence vote ticket, that is commonly understood as one of the reasons for weak parliamentary oversight. "Since 1989 few votes at elections have been won on a party's position on defence, and political parties have generally focused on policy sectors with more vote-winning potential... the 2004 Spanish elections [being] exception to this general trend".¹⁶⁷

If harmonious relations between soldiers and citizens depend on successful interactions in which the interests of both sides are satisfied, the failure to mediate public opinion strands responsibly into civil-military relations, in terms of power distribution, may have serious consequences. Both the frustration of civilians who perceive the military as not doing its job properly or the dissatisfaction of the armed forces who have difficulties in sustaining their vital functions may have detrimental effects on military-society relations. In reverse relation, public opinion may contribute to the democratic balance of social and political power in civil-military relations but only if the public is willing and capable of keeping both sides equally accountable.

The Role of the Media

The media play key roles in the democratic governance of security sector: (1) they inform the public; (2) they provide the channel through which a government presents its policy and receives public feedback – public opinion is certainly reflected in media coverage, if only in the orientation of stories to sell newspapers or to gain viewers; (3) they may serve as a public forum for debate on policy options and sometimes contribute to it; (4) they may be a vehicle for generating and sustaining popular support for policy and (5) they enable public oversight, serving as watchdogs during policy implementation.

In fulfilling these roles, the media may perform more or less successfully. The media may misinform the public, they may (selectively) block the public response and play down the public debate, and they may operate as a propaganda machine. They are often accused of operating as a closed, self-fulfilling feedback loop in concert with political or business elites, whose coverage does not reflect the public's actual views, opinions or desires. The media sometimes misplay their own watchdog role: by failing to expose the

¹⁶⁷ Forster, *op. cit.* 29.

malpractice of political actors or by violating their own professional code of conduct.

Yet the media *should* strive to perform these roles responsibly because the security sector is traditionally transparency-resistant, both in consolidating and mature Western democracies. The media can influence both relations between the political and military elites (politicians and generals) and civil-military relations in a broader sense (citizens and soldiers). However, this chapter discusses what the media can or cannot do rather than what they should or should not be doing. The focus is on how the actors in civil-military relations use the media, misuse them or fail to use them.

Policy Formulation

In the complex process of translating public preferences into the day-to-day governance of the security sector, the first media role is to provide the information on which the public will form their preferences and to enable public debate on foreign/security issues. Information here stands as a shorthand for a number of different cognitive materials: from pure data, through comprehensive analyses, to alternative views, as well as for the emotional glue that puts the facts together and enables social perception.

The second important media role is to inform the elite about the public preferences. This is often overlooked due to a general belief in the supremacy of public opinion surveys. However, the elite's main source of information on public opinion seems in practice to be *media analysis*. In accordance with US findings,¹⁶⁸ UK government officials employ rudimentary media analysis more frequently than they do opinion polls.¹⁶⁹ Danjoux convincingly suggested that the public might also be “held accountable for the messages they consume”.¹⁷⁰ Given the impact the audience has on the media product, the “prevalence of audience-driven content within the media” and “the pursuit of profit [that] aligns corporate interest with audience preference”, it is reasonable to assume that the media play a significant role in *informing the elite* about public preferences. The

¹⁶⁸ Philip J. Powlick, “The Sources of Public Opinion for American Foreign Policy Officials,” *International Studies Quarterly* 39 (1995): 427-451.

¹⁶⁹ Apart from general public opinion polls that periodically measure the public trust in the armed forces and a few connected clusters of attitudes, the UK Ministry of Defence employs tens of civil servants who are engaged in media analysis (Author's interview with MoD official, 2007). Similar practice exists in Hungary (Janos Szabó, “Transforming the Defence Sector in a New Democracy: Civil-Military Relations in Hungary – Facts and Tendencies,” in: Kuhlmann and Callaghan, *op. cit.*, 109-133. Country case studies of civil-military relations do not address this question specifically but it may be assumed that the practice is widespread.

¹⁷⁰ Ilan Danjoux, *Revealing the Public: A Media Analysis Approach to Public Opinion Research*, Working Paper Series, no. 25 (Manchester: Centre for International Politics, 2007), 12.

post-Vietnam “public support norm” presumes that policy-makers will abandon or alter a policy decision if they anticipate strong public opposition.¹⁷¹ How strong it needs to be may vary depending on the specific political system or the current security situation. An empirical study showed, for example, that the US policy-makers “are unlikely to change policy decisions unless public opposition reaches the ‘consensus’ range (60 percent or greater)”. This does not mean that public opinion will necessarily be a positive guide in policy making but it is assumed that “it serves as a constraint in the consideration of options” and so becomes a “first cut” factor in the decision process”.¹⁷²

The third media role in the decision-making process is their own impact on elite decisions, known as the CNN effect, in which “the media drives Western conflict management by forcing Western governments to intervene militarily in humanitarian crises against their will”.¹⁷³ Yet studies of the effect gave “mixed, contradictory, and confusing results”.¹⁷⁴ Only a few presented clear-cut conclusions confirm the CNN effect: the Kurdish crisis in 1991 and US intervention in Somalia in 1992.¹⁷⁵ In contrast to that, a number of researchers claimed that the US decision to intervene militarily in Somalia was nothing but the result of diplomatic and bureaucratic operations, so the media coverage came as a response and not as a cause of the decisions. The CNN effect was

¹⁷¹ Philip J. Powlick, and Andrew Z. Katz, *op. cit.*, 32.

¹⁷² *Ibid.*, 49.

¹⁷³ Viggo Peter Jakobsen, “Focus on the CNN Effect Misses the Point: The Real Media Impact on Conflict Management Is Invisible and Indirect,” *Journal of Peace Research* 37 (2000): 131–143.

¹⁷⁴ Gilboa’s critical survey gives good insight into a number of theoretical and comparative analyses, specific case studies, and paradigms that aimed at better understanding the CNN effect in the previous decade. It should be kept in mind that he did not carry out a standardized meta-analysis in which the findings would be codified and then compared. Eytan Gilboa, “The CNN Effect: The Search for a Communication Theory of International Relations,” *Political Communication* 22 (2005): 34.

¹⁷⁵ See Daniel Schorr, “Ten Days That Shook the White House,” *Columbia Journalism Review*, July–August (1991): 21–23; Martin Shaw, *Civil Society and Media in Global Crises: Representing Distant Violence* (London: Pinter, 1996); Bernard C. Cohen, “A View from the Academy,” in: W.L. Bennett, and D. Paletz, eds., *Taken by storm: The Media, Public Opinion, and U.S. Foreign Policy in the Gulf War* (Chicago: University of Chicago Press, 1994), 8–11; Michael Mandelbaum, “The Reluctance to Intervene,” *Foreign Policy* 95 (1994): 3–8; John Shattuck, “Human Rights and Humanitarian Crises: Policymaking and the Media,” in: Robert Rotberg, and Thomas Weiss, eds., *From Massacres to Genocide: The Media, Public Policy, and Humanitarian Crises*, World Peace Foundation (Washington DC: Brookings Institution, 1996), 169–175. Some of these findings were disputed by Gilboa, who asserts that “the language of this conclusion [Daniel Schorr, *op. cit.* 21–23] is strong, but the evidence on the linkage between coverage, public opinion, and policy is very weak (Gilboa, “The CNN Effect: The Search for a Communication Theory of International Relations,” 34). Discussing Shaw’s study, Gilboa emphasised that “the correlation he found between media attitudes and public opinion is not sufficient to establish a cause-effect relationship as well as a connection between public opinion and policy change. This could have been accomplished only by an additional examination of the policymaking process that Shaw avoided”.

disputed as a myth because the leaders were setting the media's agenda and not the other way around.¹⁷⁶

A number of studies accepted that there is *some* CNN effect but they emphasised that its strength had been highly exaggerated.¹⁷⁷ More specifically, it was assessed that is more often only "enabling" or "weak", as in the cases of Kurdistan and Somalia, as opposed to the rare "strong CNN effect" in air power intervention in Bosnia in 1994 and 1995.¹⁷⁸ The effect was generally described as "unusual, unpredictable, and part of a complex relationship of factors".¹⁷⁹

Robinson proved that challenging media coverage is unlikely in the case of elite consensus. If the government shows a high level of policy certainty, dissent might slowly dissipate as the media fall into line with the official viewpoint. If policy uncertainty is combined with elite dissent and critical and empathy coverage, the media may become an active participant in the debate and may even act to influence the direction of government.¹⁸⁰

The elites are under strong pressure because of the media's pervasiveness and the 24/7 global news coverage. A huge media interest and the growing public right and need to be informed about important security decisions also brought the *possibility* of greater transparency. But allegedly profound changes in security policy, due to which the governments are hostages of the media and are prompted by the public opinion to do something,¹⁸¹ are rarely supported by evidence. The media do not make the security decisions. This is the exclusive responsibility of the elite. Statements like "pictures of starving children, not policy objectives got us in to Somalia in

¹⁷⁶ Steven Livingston, and T. Eachus, "Humanitarian Crises and U.S. Foreign Policy: Somalia and the CNN Effect Reconsidered," *Political Communication* 12 (1995): 413–429; Jonathan Mermin, "Television News and American Intervention in Somalia: the Myth of a Media-driven Foreign Policy," *Political Science Quarterly* 112 (1997): 385–403. John Riley "Rethinking the Myth of the CNN Effect," *Annual convention of the American Political Science Association*, Atlanta (1999).

¹⁷⁷ Andrew Natsios, *U.S. Foreign Policy and the Four Horsemen of the Apocalypse: Humanitarian Relief in Complex Emergencies* (Westport, CT: Praeger, 1997); Nik Gowing, "Media Coverage: Help or Hindrance in Conflict Prevention?," in: Stephen Badsey, ed., *The Media and International Security* (London: Cass, 2000), 203–226; and Jakobsen, *op cit*.

¹⁷⁸ Nicholas J. Wheeler, *Saving Strangers: Humanitarian Intervention in International Society* (New York: Oxford University Press, 2000); Piers Robinson, *The CNN Effect: The Myth of News, Foreign Policy and Intervention* (London: Routledge, 2002).

¹⁷⁹ Stephen Badsey, "The Media and UN 'Peacekeeping' Since the Gulf War," *Journal of Conflict Studies* 17 (1997): 7–27.

¹⁸⁰ Robinson, *The CNN Effect: The Myth of News, Foreign Policy and Intervention*; Piers Robinson, "Theorizing the Influence of the Media on World Politics," *European Journal of Communication* 16, no. 4 (2001): 523–524.

¹⁸¹ See a good discussion on these overstatements in Johanna Neuman, *Lights, Camera, War: Is Media Technology Driving International Politics?* (New York: St. Martin's Press, 1996).

1992. Pictures of US casualties, not the completion of our objectives led us to exit Somalia”¹⁸² are not a good enough excuse for wrong policy decisions.

Occasionally, in the broad military-political discourse,¹⁸³ the senior commanders are responsible for providing military expertise and advice on the military aspects and requirements of missions that are planned. This debate usually does not become public but recent US and UK examples (General Eric Shinseki, Sir Richard Dannatt) show that it might happen if the armed forces are given tasks their commanders judge impossible to achieve with the resources they have been allocated. This is contrary to the basic norm of the democratic civil control of armed forces, according to which the military does not discuss political controversies in public, but may be justified as the military informing public opinion by offering their professional opinion on matters where it is relevant.

Policy Implementation

In a pluralistic democracy, support does not mean consensus. As Forster argued, it is possible for “the UK and France and more authoritarian states with sufficiently dominant executive political systems to deploy armed forces, even when there is public opposition to a particular mission”.¹⁸⁴ Since most modern wars are wars of choice, they fit in the sphere of legitimate controversy.¹⁸⁵ These limited conflicts “pose no threat to the wellbeing of the average citizen, let alone any threat to his or her physical survival or the survival of the state”.¹⁸⁶ The media role is to provide the public forum for the debate in which the political actors are trying to generate consensus or to contest the policy decision and its implementation.

The military needs to ensure ongoing popular support for its missions at a basic professional level, as a source of unit morale, as a countermeasure for the enemy’s “wait-for-the-support-to-disappear” tactic, and as one of the bases for its reputation. As Forster¹⁸⁷ emphasised, even the strongest type of military legitimacy may be threatened, for example, due to overstretch in expeditionary warfare because it may cause military failure.

Many political actors compete for the soft power that the media can provide. In general, their greatest power lies in construction of social consensus

¹⁸² Susan L. Carruthers, *The Media at War: Communication and Conflict in the Twentieth Century* (London: Macmillan, 2000).

¹⁸³ Forster, *op. cit.*

¹⁸⁴ Forster, *ibid.*, 97.

¹⁸⁵ Daniel C. Hallin, *The “Uncensored War”: The Media and Vietnam* (London: University of California Press, 1986), 117.

¹⁸⁶ Peter Young, and Peter Jesser, *The Media and the Military from Crimea to Desert Strike* (Basingstoke: Macmillan Press, 1997), 2.

¹⁸⁷ Forster, *op. cit.*

and reinforcement of the socially acceptable ideological discourse. More specifically, the media influence the public opinion through the agenda-setting mechanisms. They “may not be successful in telling people what to think but is stunningly successful in telling its readers what to think *about*”¹⁸⁸ [emphasis in the original]. The media provides the salience cues about the issues, in other words, inform the public *what* is important and *how important* it is. In this “framing” process, the media “select some aspects of a perceived reality and make them more salient in communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation”.¹⁸⁹ The media influence the political atmosphere, the nature of the debate, the political actors’ strategy and behaviour, as well as their legitimacy.¹⁹⁰

Entman showed that there are many factors that may decide whose interests will be supported by the media, in each particular set of the communication/political game: the slant of a specific news item; perceived facts; skill of the administration news managers; skill of opposition party news managers; decision biases arising from evaluation of the political game, from market competition, from personal ideology; event context and other sources of variation.¹⁹¹ To this picture, mirroring the US two-party political system, other parties, advocacy groups and civil society organisations should be added. Terrorists and freedom fighters are also among the challengers,¹⁹² competing for a slice of the media and public attention. Finally, the slant of perceived or expected public opinion should be included in this equation. Even in the case of event-driven news, media discourse is quickly constrained by the standard journalistic practice of indexing story frames to the official viewpoints.¹⁹³ Therefore, “the press can act more as ‘guard dogs’ of the foreign policy establishment than its watchdogs”.¹⁹⁴

In missions that lack news or entertainment value to the modern media, the military experience problems in securing any media coverage. “Media attention drops sharply once the violent phase of a conflict is over” because

¹⁸⁸ Bernard C. Cohen, *op cit.*, 13.

¹⁸⁹ Robert M. Entman, “Framing: Toward Clarification of a Fractured Paradigm,” *Journal of Communication* 43, no. 4 (1993): 51-58.

¹⁹⁰ Gadi Wolfsfeld, *Media and the Path to Peace* (Cambridge: University Press, 2004).

¹⁹¹ Robert M. Entman, “Framing Bias: The Media in the Distribution of Power,” *Journal of Communication* 57 (2007): 163-173.

¹⁹² Wolfsfeld, *op. it.*

¹⁹³ Therefore, for example, the mistreatment of the prisoners in Abu Ghraib was not named “torture” and presented as “a policy” in the US media because the Bush administration claimed that Abu Ghraib was “an isolated case of appalling abuse perpetrated by low-level soldiers” and no strong frame was produced to challenge this (Lance W. Bennett, Regina G. Lawrence, and Steven Livingston, “None Dare Call It Torture: Indexing and the Limits of Press Independence in the Abu Ghraib Scandal,” *Journal of Communication* 56 (2006): 467–485.

¹⁹⁴ *Ibid.*, 469.

there is little newsworthy excitement in “UN troops going quietly about their business day in and day out. Mine cleaning is only news if Princess Diana is doing it”.¹⁹⁵ Insufficient and patchy media coverage of peacetime issues undermine the military efforts to gain and maintain professional prestige and affects both the military’s vital functions and its relations with society.

By way of contrast, many factors aggravate media management in war, such as the possibilities for endangering operational security, the clash of media-military corporate cultures, and the social imperative to respond to urgent media requests in spite of the slow chain of military command. The messages sent back home go immediately to the rest of the world, enemy included. The chance “to send a message to allies and potential adversaries”¹⁹⁶ – and actual ones – given by global mass communication, is a silver lining under the tremendous cloud of interconnected and simultaneous messages, to culturally different audiences and under “the tyranny of real time”.¹⁹⁷

The difficulties in gaining popular support for military missions can cause tensions in military-society relations. Dissenting views aired by the media are sometimes seen as an extreme anti-military attitude and the military may perceive this as a general lack of support for the armed forces. A growing public disapproval of the military mission can be seen as an enemy victory. This may cause a specific civil-military gap, between the armed forces under severe professional pressure in the theatre and the judgmental audience at home. Society, however, may feel constrained to exercise its legitimate right to re-evaluate its political choice. The major illusion produced by this fear of “unpatriotic” attitudes is that the lack of war support will somehow leave “the boys and girls” abandoned in the hostile territory, without enough ammunition to defend themselves or fuel to return home. The “spiral of silence” effect does not contribute to the healthy dynamic of a democratic society.

Media management has been a source of long term difficulties that the military experience in the policy-implementation process. Much has been written about the extreme differences between the media and military corporate cultures. While the media are seen as operating individually, with no checks or constraints, and thought to be not accountable to anyone, the military has constraints and is accountable to the government, parliament and public.¹⁹⁸ During the Kosovo campaign, one of the Public Affairs Officers described his

¹⁹⁵ Jakobsen, *op. cit.*, 138.

¹⁹⁶ Marina Caparini, ed., *Media in Security and Governance* (Baden-Baden: Nomos Verlagsgesellschaft, 2004), 29.

¹⁹⁷ Nik Gowing, “Real-time Television Coverage of Armed Conflicts and Diplomatic Crises: Does It Pressure or Distort Foreign Policy Decisions?,” John F. Kennedy School at Harvard University, *Working Paper* 94-1 (1994).

¹⁹⁸ Caparini, *op. cit.*

job as “herding cats”.¹⁹⁹ In contrast to this, the military functions are based on a rigid hierarchy, vital cooperation and heavily controlled discipline.

In addition, striving to preserve its own legitimacy, the military must defend the deployment decision itself although it does not bear supreme responsibility for it. A possible consequence is a friction between politicians and generals which, if made public, challenges the basis of the democratic control of armed forces.

Policy Evaluation

The media serve as watchdogs of the security policy and its implementation. However, the media role to provide information during war is restricted. The media depend on military briefings, transport and communication systems, and protection in the theatre of war.²⁰⁰ The coverage is also limited because of the media reliance on the authority sources and journalists’ self-censorship inspired by patriotism.²⁰¹ The audience never gets the real picture of the war because of the infotainment style, in which the entertainment values predominate over traditional news values.²⁰² Finally, the Hollywood style war reports in the Western media are trimmed in accordance with taste and decency and “images of the human carnage caused by war” are media self-censored.²⁰³

Yet the media have succeeded in making certain questions very prominent in the evaluation of contemporary conflicts: the number of casualties (both on the military and the civilian side), the treatment of war prisoners, the adequacy equipment, supplies and medical care for the troops on the ground, as well as the soldiers’ cultural awareness and capability to deal with home and foreign media requests. Military (in)capacity to win the hearts and minds has also become a particular subject of evaluation in current conflicts in Iraq and Afghanistan.

The body-bag effect gained particular attention after the US intervention in Somalia, when the media published the photograph of an American soldier being dragged through the streets of Mogadishu by the Somalis. In fact, the term stands not only for the impact that media coverage may have on the public at home but for the assumed inverse proportion of the number of casualties and the level of popular war support.²⁰⁴ Numerous studies proved that the correlation is not straightforward and that the public may have various levels of

¹⁹⁹ Bob Shacochis, “Pens and Swords: A Positive Dynamic for the US Media and Military,” *Harvard International Review* 22, no. 1 (2000): 26-30.

²⁰⁰ See Phillip Knightley, *The First Casualty* (London: Prion, 2000).

²⁰¹ Simon Cottle, *Mediatized Conflict* (Maidenhead: Open University Press, 2006).

²⁰² Ibid., 83.

²⁰³ Ibid., 85.

²⁰⁴ Lawrence Freedman, “Victims and Victors: Reflections on the Kosovo war,” *Review of International Studies* 26, (2000): 335–358.

casualty aversion, depending on domestic elite casualty tolerance,²⁰⁵ the level of support given by the other countries,²⁰⁶ and the expectations of success.²⁰⁷

Whether the media coverage contributes to stronger casualty aversion remains to be explored but the elites obviously *think* that it does.²⁰⁸ Thus the media may not involve the public itself in the evaluation of policy implementation but they make the elite re-assess the decisions, aware that the public will be quickly and regularly informed about the issue.

Concerns with the body-bag effect, together with “the possibility and virtues of precision” caused the growing trend of air strikes and reluctance to deploy ground troops, seen in Yugoslavia in 1999. If the casualties of an attack are significant, then it “can cast doubt on the competence of those responsible, but also on whether the objectives of the war are worth the costs involved in seeking to pursue them”.²⁰⁹

The issue, obviously, becomes particularly salient in the case of humanitarian intervention if it happens to cause even more human suffering. This has been tested so far only in a US air force study, which found that the American public actually “have much more realistic expectations about the actual possibilities for avoiding casualties than most understand”,²¹⁰ though the results were mixed. The general conclusion was that “civilian casualties

²⁰⁵ Eric V. Larson, *Casualties and Consensus: The Historical Role of Casualties in Domestic Support for U.S. Military Operations* (Santa Monica: Rand, 1996); and Eric V. Larson, “Putting Theory to Work: Diagnosing Public Opinion on the U.S. Intervention in Bosnia,” in: Miroslav Nincic, and Joseph Lepgold, eds., *Being Useful: Policy Relevance and International Relations Theory* (Ann Arbor: University of Michigan Press, 2000), 174-237.

²⁰⁶ Steven Kull, I. M. Destler, and Clay Ramsay, *The Foreign Policy Gap: How Policymakers Misread the Public* (Washington D.C.: Center for Strategic and International Studies, 1997); Steven Kull and I. M. Destler, *Misreading the Public: The Myth of the New Isolationism* (Washington, DC: Brookings Institution, 1999); Steven Kull, and Clay Ramsay, “A Rejoinder from Kull and Ramsay,” *International Studies Perspective* 1 (2000): 202-205.

²⁰⁷ John H. Aldrich, Christopher Gelpi, Peter Feaver, Jason Reifler, and Kristin Thompson Sharp, “Foreign Policy and the Electoral Connection,” *Annual Review of Political Science* 9 (2006): 477-502. Larson’s deductive model suggested “that Americans’ support or opposition to US military operations – and their preferences regarding escalation and withdrawal – were tied to beliefs about the nature and importance of the stakes [...] the perceived prospects for success; the expected and actual costs incurred (especially in terms of US military deaths); and agreement or disagreement about the merits of a military operation among national political leaders, primarily the President and the Congress” (Larson and Savych, “Misfortunes of War: Press and Public Reactions to Civilian Deaths in Wartime,” 10).

²⁰⁸ Neuman, *Lights, Camera, War: Is Media Technology Driving International Politics?*; Steven Livingston, “Beyond the ‘CNN Effect’: The Media-Foreign Policy Dynamic,” in: Norris, and Pippa, eds., *Politics and the Press: The News Media and Their Influences* (Boulder: Lynne Rienner, 1997), 291–318.

²⁰⁹ Freedman, *op. cit.*, 340.

²¹⁰ Eric V. Larson, and Bogdan Savych, *Misfortunes of War: Press and Public Reactions to Civilian Deaths in Wartime* (Santa Monica: RAND Corporation, 2007), xix.

incidents are highly 'mediagenic' events that tend to receive high levels of reporting" and that can "lead the public to weigh the morality of wars against the importance of their aims".

The media watchdog role is easier in peacetime than during war. Procurement scandals and other abuses of office are always newsworthy, provided the media see fit to publicise them. However, the quality of the public debate on security issues in the EU new member states still leaves something to be desired. Vlachová emphasised that due to insufficient media expertise all sorts of statements found their way to the audience and public debate was sometimes loud but not very well informed. For example, the purchase of supersonic aircraft provoked an intensive debate, being "the biggest defence investment of the Czech Republic" but full of controversy and false information.²¹¹

Thus in trying to provide enough information for the public, the media may be seriously constrained by political and military control as well as by their own incompetence and reliance on governmental sources. The New Age of media sensitivity brought a new task to the military job description. Media management has become an extremely important and complex military specialisation in 21st century. At the same time, the political and executive elites have become very interested in how the day-to-day coverage will make them look in public. This leads to political micro-management of operations and constraints on the military force, and may cause friction between the civilian and military elite.

But the watchdog media role remains a source of possible military frustration in spite of its efforts to develop a modern public relations approach. This "new" military practice in the post-Cold War era was even labelled as "courting", as opposed to the previous style of "manipulating" the media.²¹² Little empirical material has been provided for this claim. It includes the observations that the armed forces "have to account to the public for their mission and how it is performed"²¹³ and that "military specialists in public opinion [now] go to great lengths to oblige them".²¹⁴ Interestingly enough, the media were critically assessed in this role because of following "their own instincts and interests, especially in the case of 'bad news'". In the case of sympathetic reporting, the

²¹¹ Vlachová, *op. cit.*, 148. "Due to the contradictory official opinions, people could learn from the media that we had to have the Gripens to become a fully fledged member of NATO, and at the same time that NATO was against the purchase, or that the Gripens were the best jets in the world, and conversely that they could not compete with American fighters, that all NATO countries had supersonics, and that our country was too small for them, that we could do only with the L-159, etc." Vlachová, "The Integration of the Czech Armed Forces into Society," 162.

²¹² Moskos, *op. cit.*, 21; Caparini, ed., *op. cit.*, provided more balanced analyses and included the challenging view of the media role in generating support for the Iraq invasion in 2003.

²¹³ Dandeker, *op. cit.*, 36.

²¹⁴ Boëne and Martin, *op. cit.*, 62.

context provided was that “journalists do not mind being shown around in faraway places”.²¹⁵

The media management kit has undoubtedly developed since World War I, when Lord Kitchener, British Minister of War, declared that “war correspondents found on the Western Front would be arrested and repeat offenders would be shot”.²¹⁶ From blunt censorship to the practise of embedding journalists, practices have included bunker mentality and sanitised news, co-opting journalists and press pools, closing sources to “disloyal” journalists and “no comment” treatment, genuine leaks and manipulation by “leaks”. This has been a history of refining the powerful control mechanisms but also the path of evolving democratic governance of security sector within the EU.

Both the elites and the military are responsible for keeping the public interested and informed on defence and military issues, and the media has a huge role to play here. Civil society has the right and the need to participate competently in the public debate on defence and security matters, in official as well as unofficial forums like the Internet. The level to which the public, the elites, the media and the military manage to succeed in these roles is the measure of the democratic governance of security sector.

²¹⁵ Van der Meulen, “The Netherlands: The Final Professionalization of the Military, *op. cit.*, 115.

²¹⁶ Cottle, *op. cit.*, 75.

V. DOCTRINE

MG (ret) Kees Homan

"I am tempted to declare that whatever doctrine the Armed Forces are working on, they have got it wrong. I am also tempted to declare that it does not matter that they have got it wrong. What does matter is their capacity to get it right quickly when the moment arrives. It is the task of military science in an age of peace to prevent the doctrine being too badly wrong."

Sir Michael Howard

"The Army has doctrine, the Navy has tradition, and the Air Force is new."

"With 2.000 years of examples there is no excuse for not fighting a war well."

T.E. Lawrence

Introduction

Although not perhaps as old as war itself, military doctrine has a long historical pedigree. In his classic work *The Art of War*, probably written in the fourth century BC, Sun Tzu identifies it as one of the five 'fundamental factors' of war, along with moral influence, weather, terrain and command. The roots of military doctrine can be found in two important developments in late eighteenth century Europe: the identification and study of tactics as a branch of war, and the founding of military academies to give candidate-officers a formal education which would fit them to their craft. By the end of the nineteenth century, the armies of all the major powers were devoting much time and attention to it, and since then interest has sharpened.

The evolution of military doctrine has long been a staple of military history. As the history of war has broadened its perspectives, our understanding of the roots and the nature of doctrine has likewise expanded. Doctrine is the product of a complex process in which many different influences combine to produce a 'standard operating procedure'.

Doctrine has many functions. Its first function is to provide a tempered analysis of experience and a determination of beliefs. Its second function is to teach those beliefs to each succeeding generation. Its third function is to provide a common basis of knowledge and understanding that can provide guidance for actions. All three of these functions come to fruition in doctrine's relationship to strategy decisions.

Military doctrine

In the dictionary, doctrine is defined as 'teachings', or in other words, something that is taught. It is a body of knowledge and understanding that is primarily derived from study and analysis of practical experience. In that sense, military doctrine defines the most effective way of using military assets on the basis of practical experience. Perhaps the best definition, one that is accurate, concise, and yet retains the vitality befitting doctrine's importance, is also one of the simplest: "Military doctrine is what we believe about the best way to conduct military affairs". Even more briefly, doctrine is what we believe about the best way to do things. Doctrine is thus not dogmatic, but is intended to guide and advise. New experiences and equipment might necessitate amendments to the doctrine.

In a healthy military the crafting of a doctrine should be a creative process born of experience but addressing the needs and possibilities of the present and short term future. It should not, however, be prepared in isolation from military strategy. It must be coherent with strategy and in part derived from it.

Doctrine must not be allowed to become dogmatic and must not lead to unimaginative and rigid thought. Doctrine represents an amalgam of collective and accepted advice on the way to employ military forces. The behaviour of forces at the operational, tactical and procedural levels is governed to a large extent by doctrine and culture.²¹⁷

Operational level doctrine may conversely influence the development of strategy in that it is in the development of operational level doctrine that options for a strategic concept may be revealed. And the strategic level can not demand what is not possible at the operational level. Nonetheless, the operational doctrine of a nation's forces will draw much of its character from the nation's military strategic concept. It is unlikely that two nations will have similar military doctrines unless there is some alignment of strategic concepts.

Doctrine is usually expressed in the form of principles, tenets and guidelines. The expressions 'tactics', 'techniques' and 'procedures'(TTP) may be used for the mechanisms that allow for the practical application of doctrine. NATO fulfils an important role in the standardization of TTP.²¹⁸ Doctrine requires judgement in application. TTP imply regularity of behaviour. It is not surprising, therefore that TTP become more important at the Procedural or Technical Level of War where there is less scope for judgement and where correct techniques and procedures are essential to the proper use of equipment.

²¹⁷ Dennis Drew, and Don Snow, *Making Strategy: An Introduction to National Security Processes and Problems* (Washington: Air University Press, 1988), 163-174.

²¹⁸ NATO, *Guidance for the Military Implementation of Alliance Strategy*, MC 400/2, 16 May 2000.

The span of strategic concepts and doctrines is as wide within Europe as across the Atlantic. France and the UK have expeditionary concepts entailing the ability to wage extended high combat at a distance, as does the United States. The armed forces of some other European nations are permitted to venture abroad reluctantly and only in a constabulary or humanitarian role.

Divergences in practice

For different reasons there is a divergence in practice between France and the UK on the one hand and the United States on the other for peace support operations and responses to complex emergencies generally. The United States puts a higher premium on force protection and is less inclined to place its forces at risk in situations in which the purpose is to reassure and protect third parties as well as to deter potential aggressors. The vaunted 'warrior ethos' of the US Army in particular is at odds with the pragmatic approach of the British Army, honed after decades or perhaps centuries of counter-insurgency operations and imperial policing in which coercive capability is held in the offing and forces on the ground give a more benign impression. It is not the case that French and British forces are potentially less aggressive but that for them aggression is not the primary tool in mastering violence.

The French and British approach is different from what has been called inaccurately the 'Scandinavian' school of peacekeeping. However it is more easily integrated than the US approach with that of nations who possess no more than gendarmerie capability and whose doctrines avoid coercion as a part of the problem rather than the solution to the 'cycle' or 'spiral' of violence.

Input factors

Doctrine is driven by the following input factors ²¹⁹:

- *The National Interest and National Military Objectives.* What is it that the government wishes the military to achieve? Such objectives will be bounded by the resources available for defence and the strategic aim in the event of a conflict.
- *The Perceived Threat.* Doctrine depends on having a clear and concise assessment of the threat which forces are expected to face. In particular, a change in the intent and/or capability of a potential enemy

²¹⁹ UK Ministry of Defence, "The Nature of Doctrine," in: *British Air Power Doctrine, AP 3000 Third Edition*, 3.11.1-3.119 [online]; available from http://www.raf.mod.uk/rafcms/mediafiles/374EE172_1143_EC82_2EDE0E7B4E01EC78.pdf; Internet; accessed 20 May 2008.

could have a profound effect on current doctrine and could well demand a rapid reassessment and change to doctrine.

- *Politics/Policies.* The wishes of the government are paramount for a society in which the armed forces are under democratic control. Changes to political structures, security policies and specifically the defence policy of a government will all have an influence on doctrine.
- *Experience.* The lessons from history are a fundamental ingredient in the formulation of doctrine.
- *Theory.* The writings of strategists and theorists continue to influence doctrine. For example, study of the writings of Sun Tzu, Clausewitz and Jomini remain useful in any study of conflict. This does not mean that one theory fits all scenarios; history shows that every conflict will be different and hence offers different lessons for the future.
- *Education.* Study of conflict makes for better commanders in conflict and war. All involved with the command, planning and execution of military operations should continue this personal preparation.

Once doctrine has been formulated, it will have a continuous effect and impact on the routine operations of all forces. The output of doctrine can be divided into four separate categories:

- *Organisation.* The defence organisation must be a clear reflection of national military objectives and how those objectives will be achieved.
- *Force Structure.* Force structure is best defined as the mix of people, weapons, associated systems and equipment allocated to execute given tasks.
- *Training Requirements.* Training and exercises must be an accurate reflection of current doctrine and incorporate lessons identified into the formulation of future doctrine.
- *Plans.* Plans are the most specific output of the doctrine process and should reflect current doctrine, but may have to change to cater for variation in context and scenario.

Level of operations

There are five levels in the conduct of military operations: grand strategy, military-strategic, operational, tactical and technical. It is impossible to draw a clear line between the levels; there is usually a gradual overlap between the successive levels.

The Grand Strategic Level

Grand strategy is to do with the full range of issues associated with the maintenance of political independence and territorial integrity and the pursuit of wider national interests. It is about the co-ordinated use of the three principal instruments of national power: economic, diplomatic and military. Grand strategy is the art and science of employing national power under all circumstances to exert desired degrees and types of control over the opposition through threats, force, indirect pressures, diplomacy, subterfuge, and other imaginative means, thereby satisfying national security interests and objectives. The aim of a grand strategy is to provide guidance and cohesion for the use of all instruments of power available to a country or alliance and coalitions to which a country is party. It is as much concerned with the avoidance of war as with its conduct. In short, the grand strategy defines the context of objectives against which governments indicate what must be achieved. Grand strategy is the responsibility of the government, regardless of whether it is operating autonomously or acting in conjunction with other governments in a security organisation such as the UN, in an alliance as NATO or in an *ad hoc* coalition.

The Military Strategic Level

Military strategy is the military component of grand strategy. It is the art of developing and employing military forces consistent with grand strategic objectives. It represents opinions on the use of military force for achieving the government's or alliance's objectives when safeguarding its (their) external security. In addition, national, multinational or Allied military-strategic authorities, are responsible for setting out the requirement for military assets. Part of this military-strategic authority is also responsible for the deployment of military means of power in any given operation.

The Operational Level

The operational level is the level of war at which campaigns are planned. Operational art – the skilful employment of military forces to attain strategic goals through the design, organisation, integration and conduct of campaigns or major operations – links military strategy to tactics. It does this by establishing operational objectives, initiating actions and applying resources to ensure the success of the campaign. These activities are the responsibility of the Joint Commander, and of the Joint Task Force Commander once deployed to the Joint Operations Area where the campaigns take place.

There is a clear distinction between the operational level and the military-strategic level. The operational commander, who will theoretically be situated in the area of operations, commands the formation and units assigned to him in order to carry out his own plan. By implementing this plan, he will achieve the necessary effects to realize his objectives. In this way he contributes to the strategic aims. The military-strategic authority, which leads

the operations in or near the area of operations, allocates targets and equipment and, in consultation with the politicians, imposes restrictions on the deployment thereof, without getting involved in the finer details of implementation.

The Tactical Level

This is the level at which war fighting actually takes place. Tactics is the art of disposing maritime, land, air and special forces for battle, and logistics for direct support of those engaged in combat to achieve success in battle. Units also operate tactically during crisis management operations. There may also be fighting during such operations, although this will be on a relatively small scale in most cases. In contrast to the operational level, at tactical level units are deployed directly for combat. In a joint operation, the highest tactical commanders are the Component Commanders working directly to the Joint Task Force Commander. Below them are the formation and unit commanders and other subordinate commanders whose task is to engage in direct combat with the enemy.

Technical or Procedural Level

At the technical or procedural level choices of courses of action are dictated by the requirement to operate equipment effectively. It determines the way in which small units, sometimes even individual personnel or weapon systems, are deployed and operate in order to achieve the tactical objective of a battle or other type of tactical activity, in a particular arrangement and sequence. The technical level deals with the actual execution of combat actions, usually with a specific weapon system. The technical level also deals with the actual execution of other tasks in support of combat actions in the broadest sense. Examples are equipment repairs, keeping a radio station operational, supplies at sea, air-to-air refuelling or a staff function.

The significance of the levels of war

The levels of war provide a general framework for the command and control of operations and a useful tool for the analysis of politico-military activity, before, during and after the conduct of military operations. An understanding of them – and of their limitations – is vital to a commander's grasp of the conduct of war.

The levels of war provide a means of achieving the coherent application of force in different ways at different levels in pursuit of strategic objectives. It is quite possible, for example, to apply force offensively at one level, while being defensive at another, both being entirely consistent with a campaign's ultimate objective.

The essence of planning at each level is to identify the desired end, the ways in which it is to be achieved, and adequate means of achieving it. If this can not be done at any particular level, the issue needs to be balanced at the next level above. Thus, planning at the different levels is very closely linked and interdependent. In practice the levels overlap and the distinctions between them will rarely be tidy.

Legal, constitutional and customary factors

National legislation and constitutional arrangements may limit how military forces of that nation can be employed. Limitations may relate to missions on which a nation's forces might be employed. For instance the extent to which German forces may be used for tasks other than national defence is a subject of internal debate. There are legal limitations on the use of armed forces of many nations in internal security roles. There may also be restrictions on the transfer of a nation's forces to multinational command or to the command of another nation. Where no formal legal or constitutional constraints exist, there may be customary limitations. As a result a government may not feel that it could achieve political support for certain uses of its forces. There are also legal provisions that affect technical interoperability, in particular where classified information is to be transferred between nations.

A crucial determinant of the national preconditions for participation in military missions is the relationship between government and parliament. In some countries participation in international peace support operations has escaped parliamentary control. In others, parliamentary involvement has increased over the decades of a country's involvement in international peace support operations. For instance, in the Netherlands the formal responsibility for decisions to participate in international peace support operations lies with the government. In the decision-making procedure the government informs parliament as soon as it receives a formal request for participation in an international peace support operation, by sending a so-called Art. 100 (Constitution) letter to Parliament signed by the Minister of Defence and the Minister of Foreign Affairs. During the debate on participation in the UN operation in Eritrea and Ethiopia (UNMEE) in 2000, Parliament demanded that the Dutch contribution should also include Apache helicopters for force protection. Although the Minister of Defence, as well as the Chief of Defence Staff and the Military Advisor of the Secretary-General of the United Nations, declared to Parliament that from an operational perspective those helicopters were not necessary, at the end the government agreed, simply to secure enough parliamentary support for the deployment.

These factors may also govern military actions during operations. National rules of engagement (ROE) may differ among the forces of nations contributing to a particular operation. Where a common set of ROE is agreed, there may be national differences in interpretation. For instance nations may have different interpretations of the concept of self-defence. Indeed the very process of agreeing a common set of ROE for a particular operation may be beset by the constraints applied by the various nations for reasons of law or custom. Very frequently nations will operate under two sets of ROE, coalition and national. In these cases national ROE may not necessarily be the more restrictive, for instance in establishing grounds for self-defence.

Recent developments

During the Cold War, the protection of national and allied (NATO) territory was central to the thinking behind operations. After the end of the Cold War, things began to change. Changes in the political situations and in political viewpoints had implications for military operations. As a consequence, doctrine development underwent a revival. The increased importance of crisis management operations and the intensification of the cooperation between the Services (joint) and between the armed forces of NATO, EU and Partnership for Peace (PfP) countries (multinational or combined), meant that the 'old' doctrine had to be revised and new doctrine developed.

NATO's doctrine

During the 1990s, NATO recognised the need to revise existing doctrine. On the basis of the American approach, a decision was made to create a hierarchy of doctrine publications, the Allied Joint Doctrine Hierarchy. At the top of this hierarchy is a capstone publication, the Allied Joint Publication (AJP)-01, Allied Joint Doctrine, the general NATO doctrine.²²⁰ Immediately below that is a series of functional publications, the keystone publications, such as the AJP-2 Joint Intelligence and the AJP-3 Joint Operations. The capstone and keystone publications form the highest level of the hierarchy. The level below that comprises publications which support the conduct of joint and multinational operations. These publications describe the contribution of the various components (land, air and naval forces) and also the underlying activities, such as joint special operations, performed in support of joint and multinational operations. The lowest level consists of publications of which the overall content is not joint but parts of which would be relevant to joint operations, for example

²²⁰ NATO, *Allied Joint Doctrine*, AJP-01(B), 2002.

combat search and rescue. By ratifying the Allied publications, member-states can use those publications in part or in their entirety in the development of national doctrine.

Comprehensive approach

Recent experience has shown that peace support operations require the application of political, diplomatic, economic, financial, informational, social and commercial, as well as military power. To resolve conflicts or crises, NATO should adopt a Comprehensive Approach along the lines of that proposed by the UK's Development, Doctrine and Concepts Centre that would enable the collaborative engagement of all requisite civil and military elements of international power to end hostilities, restore order, commence reconstruction, and begin to address a conflict's root causes. NATO can provide the military element for a comprehensive approach. Many other, national, international, and nongovernmental actors can provide the civilian elements. What has become known as the NATO Comprehensive Approach, was formally put on the agenda of the Riga Summit in November 2006. The summit tasked relevant entities to begin work on elaborating an Action Plan for how the Alliance could incorporate a comprehensive approach into its work. Preparation of the Action Plan is still in progress.

Doctrines of the Czech Republic, the Netherlands and the United Kingdom

The Czech Republic

The doctrine of the Armed Forces of the Czech Republic (AFCR) represents a summary of principles for preparing and conducting operations in which the AFCR may be involved within a multinational framework or independently.²²¹ It is a mutual doctrine of all AFCR forces. The AFCR doctrine creates the hierarchical framework and bases for AFCR doctrinal documents.

The Doctrine of the AFCR derives from the "Security Strategy of the Czech Republic"²²² as a fundamental conceptual document of the state security policy, from the "Military Strategy of the Czech Republic", and from fundamental military-political and operational standards (military publications) of NATO regarding principles and fundamentals consistent with military security of the

²²¹ Training and Doctrine Directorate Vyškov, Doctrine Centre, *Doctrine of the Armed Forces of the Czech Republic*, 2004 [online]; available from http://www.doctrine.cz/pdf/dacr_12-04_en.pdf; Internet; accessed 20 May 2008.

²²² Ministry of Foreign Affairs, *Security Strategy of the Czech Republic* [online]; available from <http://www.mzv.cz/wwwo/mzv/default.asp?id=24118&ido=7567&idj=2&amb=1&t>; Internet; accessed 20 May 2008.

state and the North Atlantic Alliance. It generalizes experience gained from combat and peace operations and combined exercises with NATO armies in the past years. It answers the questions under what conditions will the AFCR act and operate, and under what conditions can the AFCR succeed. It applies to both combat and non-combat deployments. It provides basic theoretical grounds for practical application of the military use of force across the full spectrum of threats to the Czech Republic or NATO members. It interconnects state defence political-strategic control level and command and control of the AFCR with operational level (execution of concrete operations) and has an influence on principles of the use and activities of deployed operational formations.

Understanding and creative application of the AFCR's doctrinal content requires relevant knowledge of NATO operational standards, particularly Allied Joint Doctrine AJP-01 (B), December 2002, upon which the AFCR's doctrine is based.

Chapters:

1. General Remarks
2. Military Operations
3. Fundamentals of Preparation and Conduct of Operations
4. Fundamentals of Military Operations
5. Combat operations
6. Non-Combat Operations
7. Operations on the Czech Republic's Territory
8. AFCR's National Tasks in Preparation and Conduct of Operations

The doctrine concludes that the AFCR's doctrine gives instructions on how to effectively use the AFCR's forces and means during joint activities in current operations and when ensuring national defence tasks and state security. Its use has a periodical course: information from combat deployments and exercises, development of military thought, new technologies and a changing political environment require its continuous update and qualitative changes, even rewriting.

The Netherlands

Over the past few years, the need for an integrated defence doctrine for the Netherlands armed forces had increased. The Advisory Committee on a Joint High Commander stated that joint operations were fast becoming the norm and that close, internal cooperation in such operations was so vital that an overarching doctrine was required. In order to meet this recognized need, it was proposed that the doctrine be developed for all the main tasks of the Defence Ministry, using NATO's doctrine as a basis.

The structure of the Netherlands Defence Doctrine (NDD) is largely derived from the British Defence Doctrine.²²³ The British armed forces can pride themselves on extensive experience of military operations and on meticulously written doctrine publications. It is for that reason that a similar structure has been adopted in the NDD. This structure includes:

- Types of conflict
- International security organisation
- Netherlands foreign and security policy
- Main and defence tasks of the defence organisation
- Operational execution of the main tasks

Chapters:

- Military doctrine, strategy and types of conflict
- Politico-strategic environment
- Military operations
- Operational execution of the armed forces' main tasks
- Command and Control

The structure of the NDD is based on the following underlying principles. The planners opted for an approach from theoretical to practical, from international to national and from general security policy to military operations. First of all, the NDD clarifies terms that are normally used in doctrine documents. To do so, the NDD begins with a theoretical chapter (Chapter 1), drawn from the fields of international relations and strategy, which focuses on doctrine, strategy and conflicts. The theory is then applied to the prevailing national and international circumstances. The chapter on the politico-strategic environment (Chapter 2) outlines such aspects as the international security situation, the resulting Dutch foreign and security policy and the tasks they entail for the armed forces. Subsequently, a more in-depth look is taken at military operations (Chapter 3), including elements such as the spectrum of force, the use of force, military capability and the fundamentals of military operations. These general aspects of military operations are then applied to the operational execution of the (main) tasks of the armed forces (Chapter 4), whereby a distinction is made between national and international deployment. Effective military action is impossible without unambiguous and efficient direction. The last chapter on command and control (Chapter 5) looks, therefore, at decision making and command, in terms of structures and processes, as well as the leadership provided by the commander.

²²³ Netherlands Defence Staff, *Netherlands Defence Doctrine*, 2005 [online]; available from http://www.mindef.nl/binaries/defence_doctrine_eng_tcm15-47566.pdf; Internet, accessed 20 May 2008.

Levels of operation	Doctrine Publications and Policy Documents
Grand Strategy	Policy documents Minister of Defence
Military Strategic	Policy documents Commandant of the Armed Forces NDD
Operational	Maritime, Army and Air Power Doctrines

Importance of NDD for Netherlands security policy

A defence doctrine was the missing link in the hierarchy of Dutch defence policy papers and Service-specific doctrine publications. The NDD fills this gap. The NDD is a 'doctrinal basis' from which various doctrine publications, for instance for the individual Services, will be drawn and developed. Furthermore, the NDD includes the newest national and international doctrinal developments, for instance with regard to national security and the complexity of current operations. Moreover, the NDD serves a guide for operations by the armed forces as a whole and by the individual Services. The NDD is an important foundation for the training for and the planning and execution of joint military operations by the Netherlands armed forces in a national or international context. As a connection between defence policy and the conduct of military operations, the NDD highlights how the Defence organisation contributes to Netherlands security policy.

The United Kingdom

The British Defence Doctrine (BDD) sits at the pinnacle of the UK's hierarchy of joint doctrine publications. Although it is focused primarily on the doctrinal component of the UK's military strategy, it conveys a message about the tone and nature of the British approach to military activity at all levels. That approach is flexible and pragmatic, attributes that are essential for the effective application of the manoeuvrist approach to operations. Doctrine is not, therefore, mandatory dogma to be applied in all circumstances; that is simply not the British Armed Forces' way of doing business. It is the distilled experience of many years – indeed generations – of making strategy and of mounting and conducting military operations.

Chapters:

1. Introducing Military Doctrine
2. The Strategic Context
3. The Essential Elements of British Doctrine
4. Fighting Power
5. Warfare and the Utility of Fighting Power
6. The Broader Utility of Fighting Power

7. The Philosophy of Command

The war fighting ethos

In comparison with the Czech and Netherlands doctrine, the British doctrine pays substantial attention to the 'war fighting ethos'. The need to prepare for and, if necessary, to fight and win in warfare is acknowledged as the most important function the British armed forces may have to perform.

"Every member of the armed forces must be prepared to fight and die for whatever legitimate cause the United Kingdom is pursuing through military endeavour. It follows also that doctrine must have at its core a war fighting ethos. War is a most bloody and destructive business. Essentially it is about the deliberate application of lethal violence, usually by two sides against each other but increasingly in more complex patterns. Because of the destructive nature of war fighting, those involved are forced to endure a constant threat to their lives and well-being. They will themselves be attempting to create the same fear in the minds of their enemy. The dynamic and destructive nature of this exchange produces massive uncertainty, confusion, chaos and an inevitable abandonment of initial plans for the conduct of war. With both sides attempting to gain advantage, surprise and shock will be a constraint drain on resources, both physical and mental. For those who have not experienced it, it will be difficult to imagine just how demanding and frightening a process war is. No one can be sure how he or she will react to war. Fear is commonplace, even within the minds of those most conditioned to cope with challenges; courage and leadership coupled with unit cohesion and discipline are the best counters to that fear. The bravest men and women are frightened; it is their ability to carry on despite their fears that is the measure of courage. Importantly, by its very nature, military activity is about confronting risk and managing it. It is emphatically never about avoiding risk; the military profession is not for those who are risk averse".²²⁴

²²⁴ UK Ministry of Defence, The Joint Doctrine and Concepts Centre, *British Defence Doctrine*, 3-4 [online]; available from http://www.mod.uk/NR/rdonlyres/7E9DB317-801D-4F4F-B898-752588BC5CAA/0/20071218_jwp0_01_U_DCDCIMAPPS.pdf; Internet; accessed 20 May 2008.

Some Comparative Observations

Defence policies

Defence policy principally addresses the military instrument. In the language of the levels of war, security policy is devised at the Grand Strategic Level; defence policy at the Military Strategic Level. Importantly defence policy should guide nations' defence programmes and force planning. A nation whose security and defence policies emphasize the importance of coalition operations can be expected to devote more resources to issues of technical interoperability than one whose policies favour autonomy of action.

Defence policy will also influence military doctrine but the relationship between policy and doctrine is usually a complex one. For instance the Services or arms of a nation may develop doctrine with a view to influencing defence policy. Doctrine is after all written by the military as the professional view as to how armed forces are best used. The military as a whole and individual armed services can use doctrine as a lever to influence allocation of resources.

National Military Strategic Concepts

Military Strategy is a Military Strategic Level Function. A robust strategy should contain at least two elements: a coherent set of objectives and a broad concept as to how the objectives are to be achieved. It may also address allocation of resources. Defence policy may be expressed as a strategy if it contains these elements. Indeed a nation's military strategy (if such a thing exists) should be viewed from the outside as a subset of the defence policy of that nation rather than a subordinate product.

National military strategic concepts for the future can be described in simple terms in a number of ways. First there is the commitment to defence of the territory of the homeland, which may range from none to the dominant national characteristic. Secondly, there is the intention to project forces at range from the homeland which can range from none to global projection. Thirdly there is the commitment to advanced technology and to leading edge military capability. No single nation is likely to pursue one of these choices to an extreme at the expense of the other two. However each nation's enduring military strategic concept can be described as a compromise among these choices.

Notional illustrative military strategic concepts can be represented against these dimensions:

0. No Defence

1. Homeland Constabulary

Provision is only made for police and perhaps paramilitary forces for internal security and coastguard forces for the protection of territorial waters and the Exclusive Economic Zone

2. Modest Territorial Defence

The priority is territorial defence of the homeland but the nation does not feel seriously threatened and a high level of military capability is not maintained. Contributions to peace support and humanitarian operations will be small and there will be no contribution to other forms of intervention.

3. Robust Territorial Defence

The priority is territorial defence of the homeland and the nation perceives its territorial integrity to be seriously threatened. Contributions to peace support and humanitarian operations will be small and there will be no contribution to other forms of intervention. **(Czech Republic)**

4. Modest expeditionary

There is a commitment to peace support and humanitarian operations as a national priority and forces are tailored appropriately. There will be only limited contribution to other forms of intervention as forces will be unsuitable for high intensity combat. **(Netherlands)**

5. Robust Expeditionary

There is a commitment to all forms of intervention that is limited principally by considerations of range and the affordability of equipment and large-scale forces. **(United Kingdom)**

6. Dominant Expeditionary

There is a commitment to all forms of intervention world-wide and to maintain the capability for military dominance in any foreseeable combat situation.²²⁵

The Principles of War

Strategists and tacticians alike, who traffic in intangibles and imponderables, are guided – consciously or unconsciously by the Principles of War, a collection of basic considerations accumulated over the centuries. These serve to inform the language of doctrine formulation.

The Principles of War, according to Napoleon, are those which “have regulated the great captains whose deeds have been handed down to us by history: Alexander, Hannibal, Caesar, Gustavus Adolphus, Turenne, Prince Eugene and Frederick the Great. The history of their campaigns, carefully written, would be a complete treatise on the art of war; the principles which

²²⁵ Michael Codner, *Hanging Together, Military Interoperability in an Era of Technological Innovation*, Whitehall Paper, no. 56 (London; The Royal United Services Institute for Defence Studies, 2004), 56-57. Three countries have been added by the author.

ought to be followed in offensive and defensive war, would flow from it spontaneously.”

The efficacy of any principles has long been in dispute. Some authorities, among them Liddell Hart, doubt their value (although he himself identifies several): “The modern tendency has been to search for principles which can be expressed in a single word – and then need several thousand words to explain them. Even so, these 'principles' are so abstract that they mean different things to different men, and, for any value, depend on their individual's own understanding of war. The longer one continues the search for such omnipotent abstractions, the more they do appear a mirage, neither attainable nor useful – except as an intellectual exercise.”

It is true that none of the principles are immutable, like some laws of physics, economics, and the natural sciences, which deal with certain conditions that create certain results. Nor are they hard-and-fast rules that inflict fines for minor infractions. Not every principle is appropriate for every occasion, and some seem antithetical. Nevertheless the Principles of War can be used as a practical check list to assist sound judgements by the architects and appraisers of strategic theories, concepts, and plans, provided they are administered sensibly. Users should simply recognize that no two situations are quite alike, and apply the principles accordingly.²²⁶

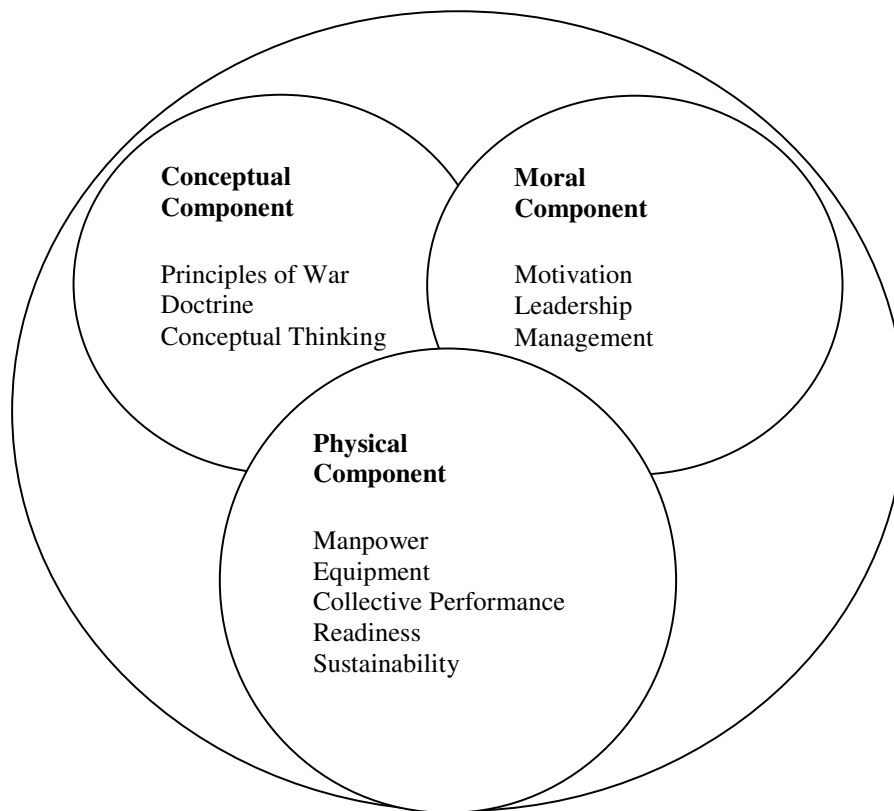
The principles of war differ slightly from country to country. The British subscribe to ten, the Netherlands to twelve and the Czech Republic to ten.

	United Kingdom	Netherlands	Czech Republic
The Selection and Maintenance of the Aim	x	x	x
Maintenance of Morale	x	x	x
Offensive Action	x	x	
Security	x	x	x
Surprise	x	x	Liberty of action
Concentration of Force	x	x	x
Economy of Effort	x	x	x
Flexibility	x	x	
Cooperation	x	Unity of effort	Unity of effort
Sustainability	x	x	x
Initiative		x	x
Simplicity		x	x

²²⁶ John M. Collins, *Grand Strategy, Principles and Practices* (Annapolis; Naval Institute Press, 1974), 22-29.

Military capability or fighting power

Military capability is the capacity for conducting military operations, and its components are similarly linked into the design, structure and posture of a country's armed forces. It consists of three interrelated components: conceptual, mental and physical. The conceptual component is made up of basic principles, doctrine and procedures. The mental component comprises three aspects: the motivation to perform the task as well as possible, effective leadership and the responsible organisation of the deployment of all assets in terms of personnel and equipment. Lastly, the physical component is the operational capacity of these assets, referred to by the term combat power. The Components of Fighting Power as they are recognized by the Czech Republic, the Netherlands and the United Kingdom are summarized diagrammatically below:



Concluding remarks

As this chapter has shown, doctrine is the bridge between thought and action. Doctrine consists of a set of beliefs about the nature of war and the keys to success on the battlefield. As the history of war has broadened its perspectives, our understanding of the roots and nature of doctrine has likewise expanded. Doctrine can be divided into three components.

Doctrine in its purest form has a somewhat timeless, intellectual component. It draws principles of war from the experience of earlier successful armed forces and their commanders. Those principles remain relevant today.

Doctrine also has a practical and dynamic component in that it interprets the principles of war in the light of current circumstances, to ensure that the armed forces are properly trained in peace.

Doctrine has a predictive component. It analyses recent conflicts in order to learn from them. It looks into the future in order to identify how military force might be used and it reviews emerging technology to assess its military potential.

But we should always keep in mind that from a broader perspective, doctrine is also the product of a complex process of different influences. The ingredients of doctrine, which combine together differently in each and every case, include: the nature of weapons technology; the influence of formative experiences; organisational and institutional interests; ideology; national culture; and the political/strategic situation.

VI. RESOURCE ALLOCATION AND RESOURCES MANAGEMENT

David Greenwood

The European Union is a community of law-governed democracies and free-market economies. Over more than a half-century of progress towards ever-closer union the obligations of membership have been defined in a number of Treaties, secondary legislation and common policies; and these make up the substantial *acquis communautaire* to which any would-be member must subscribe prior to accession. None of them, though, relates directly to the internal organisation of a country's armed forces or its military affairs generally. Formally, these are matters for the individual state itself.

That said, because of the imperatives of democratic governance, there are many similarities in approaches to civil-military relations across the union, including institutional arrangements for defence resource allocation. Further, the commitment to market economics has resulted in similar approaches to defence resources management, including military procurement and arms production. Any candidate country must therefore persuade member-states that it is like them in these respects, since success in negotiating accession requires an aspirant to show that it shares European values in the widest sense.

This Chapter has four parts. The first (I) describes how Union governments exercise their responsibility for overall management of the economy and for national public expenditure planning in particular. This is the framework in which the allocation of resources *to* defence is settled. Part II focuses on resource allocation *within* the defence organisation, covering planning, programming and budgeting in theory and practice. Resources management is the subject matter of Part III. Conclusions from a civil-military relations perspective are presented in Part IV.

I. Resource Allocation – National

There is wise saying that 'politics is about who gets what government has to give'. Governments in the European Union (EU), as elsewhere, have to see that the national resources over whose disposition they preside are applied to

- (1) sustaining the current standard of living of their citizens, by ensuring that a sufficient proportion of national income is retained by individuals to pay for personal consumption;

(2) providing for near- and distant-future needs, by ensuring that private businesses and households have the wherewithal to finance investment in real assets (buildings, machinery, vehicles, etc.);

(3) making provision for numerous civil needs in (a) health, education, welfare and social security generally, plus (b) the enforcement of law and order, the administration of justice and internal security generally, in effect the protection of citizens from other citizens;

and

(4) safeguarding all citizens from foreign aggression, coercion or intimidation – in other words providing external security – most obviously by the maintenance of military forces.

In short, some part of the national income must be left in private hands (for (1) and (2)), and some part taken by the state for public purposes (civil (3) and military (4)).

The fundamental principles that underlie this allocation in democratic societies are that apportioning resources among consumption, investment and public spending is the responsibility of the executive branch of the government-in-office, but in making its choices the administration should reflect the preferences of society-at-large. To ensure that it does this the executive is answerable for those choices to the freely-elected representatives of the population sitting in the national legislature.

In practical terms, this high-level resource allocation requires two things: first, a medium-term economic forecast of the availability of resources for all purposes, private and public, civil and military; and, secondly, formal arrangements for making the decisions (choices) about the apportionment of resources in accordance with popular preferences (as regards the private/public 'split' and allotments within the public domain). The forecasting task is essentially a technical matter, a job for the nation's economists. The 'formal arrangements' under the second heading, however, are politicians' business – indeed they are the central arena of national politics – where the hallmarks of good governance are effective legislative oversight and openness with respect to both the process and its outcome(s).

Although these arrangements obviously differ in detail from country to country in the EU, the same key players feature more or less everywhere. They are:

- The national Finance Department which, besides ensuring that decision-making is consistent with the overall management of the economy, typically orchestrates the public sector resource allocation process.
- Spending Departments, including the Defence Ministry, which submit their individual bids for funds to finance their various programmes for providing social security, internal security and external security.

- The top decision-making body – the Cabinet or Council of senior ministers – which, as the highest political authority in the land, evaluates all competing claims on resources and chooses among them.

In principle the political leadership has, or should have, complete freedom of manoeuvre in exercising its choices about the private/public ‘split’ (taxation and borrowing levels) and the pattern of public expenditure (how much for the various civil functions of government, how much for the military).

On the face of it there is considerable diversity also in EU countries’ procedures (and timetables) for high-level resource allocation. Here too, though, there are clear similarities in national practices. In the first place, no government begins with a clean sheet. There is an existing situation, the result of past choices; and for each of the state’s main spending departments (including the defence ministry) there is a *programme-in-being*, outlining intended activity to a three-, four- or five-year distant planning horizon. Theoretically this could be set aside each year and a wholly new programme devised. However, while ‘zero-based’ budgeting is sometimes advocated, and has been practised in a few countries over limited areas, it is impractical as a general approach.

Departmental bids for funds typically take the legacy of past choices as their point of departure, but more often than not suggest additions or deletions (usually marginal but occasionally radical). In the best-run systems detailed bids are prepared, with the continuing validity of the existing programme explicitly confirmed and/or the case for alteration articulated as appropriate.

Diversity in EU states’ practice is probably most evident in approaches to the central challenge of public sector resource allocation: how to enable top politicians to make informed decisions about the confirmation or modification of departmental programmes and at the same time weigh each programme against all the others (while also considering the total demand for collective provision in relation to those for private consumption and investment plus the sum of all claims in relation to whether stimulus or restraint is called for to maintain the balance of the economy).

Some bureaucracies do not serve their politicians particularly well in this regard, leaving ministers to rely on intuitive judgments. Most, though, assemble as much information as possible to facilitate choice by, for example, preparing (1) a *public expenditure survey* to show what the future holds if the leadership opts to alter nothing, allowing existing programmes to take their course, while also providing (2) material about *options for change* in departmental funding. This makes decision-making more manageable by reducing it to acceptance or rejection of specific amendments: more or less spending on defence, health, education, welfare; more or less money for the public sector as a whole, and so on.

What ministers cannot do is escape responsibility for choice. In democratic societies, only top politicians have the right to set national priorities. Throughout the EU, therefore, the culmination of the high-level resource

allocation process – the context in which defence's place in the pecking order of priorities is settled – is *ministerial decisions*, leading to updated programmes for each department of state. Throughout the Union also, these decisions are subject to ratification by the nation's elected representatives. In some countries the legislature can amend the executive's submission, line-item by line-item. In others it must accept or reject the total package.

The procedures described in the foregoing paragraphs leads to the translation of the first 'year-slice' of the various departmental programmes into budgets – and in aggregate the state budget – for the immediately forthcoming financial year. The actual appropriation of funds – to purchase the inputs to allow programmed activities to be undertaken – is another point at which elected representatives play a part, exercising the 'power of the purse'. The legislature must pass the budgets (with or without line-item adjustment, depending on constitutional custom and practice). In elementary democratic theory this symbolises popular endorsement of the priorities enshrined in the government's spending prospectus.

It goes without saying that in allocating resources to defence in this way some EU countries are more diligent than others in observing all the precepts of democratic governance. As noted earlier, good practice requires, first, a high level of transparency with respect to both process and outcomes and, secondly, all-round executive accountability, achieved by thorough legislative oversight. Moreover it is important that there should be no question of exemption from these obligations for the military or of anything that might be construed as according the armed forces preferential treatment – and certainly not prior claims – in the competition for resources.

II. Resource Allocation – Defence

The allocation of resources *within* defence – to settle who gets what the defence ministry has to give – is governed by the same principles as the process just described. However, the key players are different – at this level the various branches of the defence organisation – and so, obviously, are the procedures involved in the competition for funds among them.

Further, within the EU these procedures differ considerably from country to country. Most member-states, though, have taken note of the approach pioneered in the 1960s by the United States and adopted planning, programming and budgeting systems (PPBS) of one kind or another. These national systems come in a variety of guises, each with its own nomenclature and idiosyncrasies, but they share some fundamental characteristics.

The abiding merit of the PPBS approach is that it ensures both proper differentiation among planning, programming and budgeting

and also proper appreciation of their inter-relationship. Another is that it gives explicit attention to the relationship between *inputs* and *outputs*, and specifically to the real resource costs of the inputs required to produce a given military output.

So far as 'proper differentiation' and 'inter-relationship' are concerned, the meaning of terms is all-important. In the PPBS lexicon:

- a plan is a statement of what you intend to do;
- a programme is a plan with times (dates) attached, showing when you intend to do what you intend to do;
- a budget is programme with price-tags attached, stating what funds you are going to need to do what you intend to do when you intend to do it.

Planning, programming and budgeting are thus distinct activities. You can decide what you would like to do (and how): for example, policing national airspace using ground-based or airborne radars (for round-the-clock surveillance) plus manned interceptors or missiles (for active policing to deter intruders or, if need be, expel them, force them to land or shoot them down) plus command, control and communications facilities (for orchestrating the entire activity). But you can do this without committing yourself to a programme: that involves deciding, when the necessary investments are to be made, what intensity of operations is envisaged. Similarly you can devise a programme: a procurement timetable and an operations schedule. But you can do this without necessarily working out what it is going to cost to carry it out.

Costing is a sophisticated art-form in its own right, whether it involves calculating the expense of providing a given capability (like airspace policing) or fulfilling a particular commitment (like providing, say, an on-call infantry battalion group for peace support operations). But, obviously, it is central to budgeting for defence.

Variations on the PPBS theme have commended themselves to EU states (and others) because the approach contributes to more rational defence decision-making. Put simply, the argument runs as follows.

- Planning is necessarily conducted in terms of the *outputs* that a defence organisation has to deliver. These may be usefully categorised as capabilities to be provided (for airspace policing, border protection, manoeuvre warfare, naval 'presence', etc.) or commitments to be fulfilled (to protect a dependent territory or contribute to a joint/collective security activity, for instance).
- Budgeting is necessarily conducted in terms of the *inputs* that the organisation requires. Funds are needed to pay personnel (uniformed and civilian), to buy matériel and supplies, to acquire equipment (hardware and software).
- Programming enables the one to be related to the other, showing military provision to a two-, three-, five- or even ten-year-distant time

horizon in terms of both capabilities and commitments on the one hand, and resources to be purchased on the other.

This is what PPBS-practising countries do, in the EU and elsewhere, albeit in a variety of different ways.

To begin with, defence ministries prepare their military plans, utilising the expertise of not only the uniformed military but also policy professionals. They express these in programmes, setting out intended provision in output terms. They work out the costs of the various functions to be performed (producing an 'output budget' or 'functional costing'). With this information – that is to say, knowing the expense involved in having or obtaining particular capabilities, honouring existing commitments or assuming new ones – programme choices are made, on the basis of threat assessments, role and mission priorities and so on. This is the decisive step in establishing defence priorities and settling the allocation of resources within defence. Once these choices have been made formal requests for funds can be prepared (the 'input budget').

Needless to say, this is a stylised – even an idealised – account of how defence bureaucracies in the EU operate. What matters, however, is that the numerous 'variations on the PPBS theme' that are to be found, each with its own terminology and procedural eccentricities, have the fundamental approach and essential features in common. Inspection of the leading countries' flagship defence publications – like a French *loi de programme* or a German *Bundeswehrplan* (or their British, Dutch or Italian equivalents) – is sufficient to confirm a shared provenance.

The strength of the PPBS approach to defence resource allocation is that it facilitates rational choice. It does not itself guarantee democratic decision-making. Most EU countries, however, recognise that, in departmental priority-setting procedures as in ranking national priorities, good governance requires attention to transparency and accountability; and that this holds for their defence ministries and armed forces as for any other part of the public sector. Particularly important from a civil-military relations perspective is acknowledgment that there should be no exemption from normal procedural disciplines on the grounds that in this field – at least with regard to matters of substance – the judgments of the uniformed professionals must prevail.

In defence planning there may be a disposition to defer to the top brass, the assumption being that 'the military know best' here. In fact, though, decisions on the overall shape, size, equipment and deployment of a country's armed forces are essentially about the provision of capabilities for use in pursuit of the nation's strategic objectives and about the fulfilment of its international commitments; and it is clearly the business of politicians, supported by civilian policy professionals, to address the fundamental question: 'what do we want armed forces *for*?'

Civilian expertise has a part to play also in decision-making about *how* capabilities are provided and commitments fulfilled. Possible contributors here include scientific personnel, including specialists in operational analysis, plus knowledgeable and experienced generalists. The latter can perform a valuable function by simply challenging the conventional (received) wisdom of the military or offering an informed lay opinion on such matters as role and mission priorities.

It is because of the proven worth of non-military experts' contributions to defence decision-making that in most, if not all, EU countries responsibility for shaping the national defence effort has been entrusted to a ministry within which, throughout the bureaucracy, military expertise and civilian insights are judiciously integrated. From a democratic governance standpoint, the EU-wide insistence on such civil-military integration is essentially a safeguard. It ensures that nowhere in the Union do the interests of the military profession take precedence over the larger national interest in defence decision-making, as might be the case if this domain were – for all practical purposes – the exclusive preserve of the armed forces' leadership.

The main tests of good governance in regard to decisions about defence policy, posture and provision are, however, the same as in other areas of public affairs: transparency and accountability. So far as transparency is concerned, in some EU countries secrecy still surrounds the internal workings of the national defence ministry (and, hence, precisely how force structure choices are made and mission priorities set). Most governments, though, dutifully publish material on what is decided, elucidating the allocation of resources within defence reasonably fully. There is no standard portfolio of publications. But the best-run administrations produce regular policy statements plus a yearly crop of budget documents.

All EU countries accept that accountability is both an executive obligation and a legislative responsibility. Ministers know that it is incumbent upon them to reveal, explain and justify their actions (policy accountability) and their expenditures (financial accountability). Members of national legislatures know that one of their most important jobs is to hold their country's administration answerable for both what it does and what it spends.

Governments fulfil their obligation in a variety of ways: through publications, other submissions and statements, briefings for the print and broadcast media, public information campaigns and so on. The means by which the people's representatives discharge their responsibility include debates and ministerial question periods involving the elected chamber(s) in plenary session. More important, though, is the work of standing parliamentary commissions. It is normal practice in the EU for one or more committees to be appointed to oversee the working of the defence ministry and to report on all aspects of the department's performance. Such reporting may include the publication of evidence given – often under critical, even hostile, questioning – by senior

politicians, civilian officials and military officers plus, if appropriate, the testimony of independent experts. The quality of parliamentary oversight varies from country to country. If the body overseeing defence is dominated by members of the governing party, there may be perfunctory scrutiny and more or less automatic approval of what the executive proposes (rubber-stamping). Most legislatures, however, take seriously their duty to hold government to account and therefore ensure that opposition and minority parties are well represented on their oversight committee(s), that the scrutineers are supported by knowledgeable staff and that they have access to 'outside' expertise.

Elected representatives are also served – and often very well served – by a professional audit bureau which produces regular critical commentary on the executive branch's use of taxpayers' money (in defence and throughout the public sector). In addition to performing the classic audit function – in which propriety in public spending is the focus of attention – most such offices nowadays do so-called 'value-for-money' work as well, seeking satisfactory standards of performance in departmental operations, and exposing waste and mismanagement even where there is no evidence of outright criminal fraud.

To sum up on resource allocation within defence: throughout the EU it is recognised that across-the-board accountability, all-round transparency and fully integrated civil-military decision-making are the essential guarantors of democratic governance in deciding who gets what the defence ministry has to give. As such they are numbered among the European values that existing member-states strive to uphold and to which would-be member-states are expected to subscribe.

III. Resources Management

Resource allocation within defence is about setting priorities –among capabilities and commitments, roles and missions – and therefore about choice among *outputs*. Budgeting for defence, however, is concerned with finding funds for the purchase of *inputs* for the armed forces: manpower and matériel, arms and infrastructure.

Here there is no single EU 'model': national practice is extremely diverse. Still, all governments are interested in

- economy, or spending no more than is necessary to accomplish policy objectives;
- efficiency, using the least resource inputs for a given output or maximising output for given resource inputs (maximum output for minimum input being a logical impossibility);
- effectiveness, or spending wisely (i.e. doing the right thing in the first place).

These are the criteria by which good governance is gauged in resources management; and the commitment to getting the best possible value for taxpayers' money embraces all of them.

Once that generalisation has been made, though, there is little commonality among EU states in institutional arrangements. In the personnel field there are some countries which conscript or draft much of their military manpower (for differing lengths of service) and some which rely on all-volunteer forces (under differing terms and conditions of service). Also, most national orders of battle incorporate reservists as well as regular troops, but in differing proportions. In combat- and service-support one finds that more or less exclusive reliance on government employees, uniformed and civilian, is the norm in many states, while extensive contracting-out to private firms is commonplace in others. As regards equipment acquisition – the organisation of procurement and production – at the policy level a high degree of self-sufficiency is still important to a number of governments, the preservation of considerable self-reliance clearly matters to several others, and there are very few who do not seek to maintain technical competence and competitiveness in at least some corners of the military-industrial landscape. Differences among nations are noteworthy in several other respects as well: the significance accorded to having state-of-the-art capabilities and the attitude to cost-performance trade-offs in weapons systems, the preparedness to use commercial off-the-shelf purchases to satisfy equipment needs and the depth of commitment to maintaining indigenous production capacity – to name just a few.

Be all that as it may, amidst the diversity there are similarities too, and some evidence of converging approaches to certain aspects of defence resources management. Commentary is therefore in order on discernible tendencies in this area, some of which may have acquired the status of firmly-established trends.

Manpower policy

One 'discernible tendency' that must now count as 'firmly-established trend' is to reduce conscription terms and/or abolish obligatory service altogether in favour of all-volunteer forces. This course has found favour with most EU countries already: at the time of writing military service is compulsory in only a few.

Judgement on the question of regular v. conscript forces has been affected, among many other things, by the fact that nowadays the use of EU states' active forces is more likely to be in distant peace-support and other contingency operations than in the direct or indirect defence of national territory. The point is that, while the justification for demanding compulsory service for the protection of 'hearth and home' is accepted everywhere, the legitimacy of

sending conscripts in harm's way for any other purpose is more dubious (and in some countries constitutionally proscribed).

Other personnel policies have recently been the subject of debate in EU states. Basing, housing and welfare provision is one. The issue here is: should service in the armed forces mean access to special facilities or should the military make use of what is provided for society-at-large? Management style is another. The issue here is whether the nature of military duties nowadays, including their high technological content, means that traditional authoritarian and hierarchical forms are becoming an anachronism and even 'officers and men' distinctions are being eroded.

Operations and Maintenance

The quest for better value for money in the area of combat- and service-support – to reduce the cost of what the Americans call Operations and Maintenance (O&M) – has raised other issues. One question that many EU defence ministries have asked is: what functions must be performed by uniformed personnel under military command and discipline, and what functions might be performed more economically, efficiently or effectively by civilians (in public service or private employment)? How the question has been answered differs from country to country; but 'civilianisation' and 'contractorisation' are undoubtedly on the increase in many.

The scope for 'contracting-out' support tasks is clearly considerable. Areas in which this alternative to in-house provision have been or are being considered in different countries include: maintenance of equipment generally; selected transport tasks (where the alternatives may be to obtain a full service from a commercial contractor or to lease vehicles only); storage and delivery of matériel, stores and fuel; provision of medical facilities and health care generally; performance of routine guard duties at military installations; housing provision; and general administrative work (including accounting, record-keeping, computer services and so on). Examinations of options in these areas have typically been characterised by sharp controversy, with the many benefits claimed by advocates matched by the numerous reservations voiced by sceptics, including most top military people.

No less controversial is the other main 'discernible tendency' in the O&M field: interest in the introduction of commercial management techniques – or at least their vocabulary – to the military domain. For example, one EU member has divided its entire defence organisation into a few provinces, each under a so-called Top Level Budget Holder, who in turn supervises the activities of a number of High Level Budget Holders, who in turn oversee the work of officers or officials with specific responsibilities, e.g. for a warship flotilla or naval base, an army brigade or training establishment, a fighter squadron or radar

station. At each level the resource manager is required to formulate a mission statement, establish objectives against which performance can be gauged, compile and subsequently work to a budget. This approach has reportedly heightened cost-awareness; and attention to 'performance indicators' is now many a senior officer's principal concern.

Controversy here arises mainly where, as in the subject of this example, favoured 'performance indicators' have more often than not been of an administrative nature. This displeases military professionals accustomed to being appraised by tactical evaluations and fitness-for-role assessments. It also highlights the dangers of adopting 'management-speak' in organisations where the ethos understandably assigns prime importance to combat effectiveness, where charismatic leadership qualities have their place as well as managerial competence, and where *esprit de corps* has a value that should not be dismissed lightly.

Procurement and Production

One reason for the diversity in EU countries' arrangements for acquiring their inputs of labour, matériel and supplies for defence is that few issues associated with respect for 'European values' arise in this context. That is not the case when it comes to investment in arms and infrastructure. It is obvious that where capital spending is involved there must be the closest cooperation between the armed forces and defence-related industry, as respectively users and manufacturers of equipment. However, close cooperation means opportunities for collusion (not to mention corruption). Safeguards are necessary to ensure that a national 'military-industrial complex' does not operate as a 'military-industrial conspiracy'.

At least one threat nowadays looms less large than it used to do. Even a few years ago it was not uncommon for the state to be a major player on the supply side as well as the demand side of the arms market – notably in France and the United Kingdom, and especially in relation to naval and land forces' armament. Following a wave of privatisations in the last quarter of the last century, however, state-owned facilities such as dockyards and ordnance factories have all but disappeared from the European defence-industrial landscape; and, generally, 'closed circuit' deals are now a rare occurrence.

Today, all EU countries follow a more or less common procedural sequence in conducting their arms acquisition business.

- Military Staffs formulate operational concepts; and government laboratories, private corporations and hybrid agencies do research.
- Such work yields 'staff targets', viz. capabilities or assets that the armed forces would like to have. After feasibility study a 'target' becomes an operational requirement.

- Project definition follows, leading to development, usually culminating in the manufacture of technology demonstrators or prototypes.
- Success here leads to series production of the relevant equipment and, after a rigorous testing and trials programme, its entry into service.

In the first two stages of the procedure the judgement of military professionals may be dominant. When it comes to procurement proper, though, other contributions to decision-making assume importance; and in most nations the process is managed by a specialised division of the (integrated) defence ministry or even a separate, independent bureaucracy.

In EU states the different phases of the above sequence are marked by procurement 'milestones' at which, in accordance with the principles of good democratic governance, the acquisition comes under close scrutiny. At the main ones ministerial approval is required before proceeding. In some countries parliamentary endorsement may be necessary as well.

As befits a group of nations committed to free market economics there is normally competitive tendering at key stages of the process. That said, circumstances do sometimes blunt the sharp edge of competition. For example, there are 'preferred suppliers' in most countries: typically a leading contractor in the relevant area whose status as 'national champion' the government may wish to preserve. Productive capacity considerations may enter the reckoning too: if Firm X got the last big order, Firm Y is likely to be odds-on favourite for the next. There may also be employment concerns, and perhaps a desire to keep in business specialist design teams and production lines – in other words, defence-industrial base considerations.

All this is common knowledge, though, because in European practice the procurement process is wholly transparent. As a general rule, what goes on at each stage of the procedural sequence is well publicised, not least because there are interest groups keen to ensure that it should be: military people where it is a matter of getting an operational requirement endorsed, scientists and engineers who are anxious to see that a particular technology is 'properly' exploited, manufacturing interests (and workers' representatives) where the commitment to full-scale production is an issue, and so on. In other words, what does happen behind closed doors tends to come to light sooner or later; and the system is undoubtedly the better for that.

IV. On Civil-Military Relations

There are no rigid prescriptions concerning civil-military relations in either the EU's principal treaties (Rome, Maastricht, Amsterdam, Nice, Lisbon) or any secondary legislation. Hence there are none in the formal *acquis*

communautaire to which would-be members must subscribe prior to accession. However, as noted at the beginning of this Chapter, the Union is 'a community of law-governed democracies and free market economies'. Existing member-states accordingly regard certain norms and standards as politically binding; and they expect candidate countries to respect these also.

In reviewing the unwritten rules of membership that apply in the civil-military sphere – and, specifically, in relation to defence resource allocation and resources management – it is useful to note the several dimensions of the civil-military relationship in a modern democracy.

First, there is the relationship between the military and the state.

The European norm here is that armed forces are wholly and unambiguously subordinate to the lawfully-elected government-in-office and the armed forces' leadership has no voice in public affairs beyond its professional domain. This is generally the position across the EU. Among other things it means that the military has no special influence in public sector expenditure allocation and no entitlement to prior claims on resources.

This has implications for the relationship between the military and the executive branch of government. Subordination of the armed forces – and their high command (or General Staff) – requires that they be at all times under firm political direction. In EU states this is exercised, as in other areas of the administration, by a civilian minister. In defence, this individual heads an integrated department in which military professionals and civil servants work side by side. Also, throughout the Union, 'control' is much more than nominal. In matters of defence policy-making, planning, programming, budgeting and spending, the authority and autonomy of the military are strictly circumscribed. This is typical European practice nowadays; and not only in member-states of long standing but also in the post-communist democracies admitted to the EU in the most recent rounds of enlargement.

From the democratic governance standpoint the third dimension of civil-military relations – the role of the legislature – is of paramount importance. Here, in the EU as elsewhere, accountability and transparency are the watchwords. It is the duty of elected representatives to hold government to account for all that it does and all that it spends. So far as expenditure is concerned, this applies not only *ex ante*, covering scrutiny of the budget or intended outlays, but also *ex post*, covering scrutiny of defence accounts or realised outlays. To wield this 'power of the purse' effectively – and to exercise oversight generally – parliamentarians must assert their right to know how the government is conducting its business. This means insisting on all-round transparency. Discharging the responsibility also requires suitable structures, such as a competent and suitably supported specialist committee or committees and – for monitoring expenditures – a capable, independent and respected audit bureau. It also requires appropriate processes, such as regular and open 'hearings',

inquiries that yield published proceedings, plus a rigorous procedure for the formal certification of accounts.

The relationship between the military and a country's domestic security community of analysts, academics, journalists, interest groups and other civil society organisations is a complementary fourth dimension of civil-military relations. Transparency is of the essence here also. Unless open government is practised across the board – and certainly in relation to all aspects of defence resource allocation and resources management – there cannot be that wider societal oversight of military affairs which is the hallmark of good governance in any democracy.

Finally, the term 'civil-military relations' extends – or ought to extend – to embrace the relationship between the military and society at large. Patterns of recruitment and resettlement, the organisation of military education, the extent of military aid to the civil community, popular attitudes to the armed forces – these and many other factors determine whether a nation's armed forces are well integrated in society or whether they exist as an isolated, and possibly alienated, 'state within a state'. It goes without saying that Europe's democracies prefer their militaries integrated rather than isolated.

VII. DESIGNING A COMPREHENSIVE SECURITY POLICY FOR EUROPE AND EUROPEAN STATES

Alyson JK Bailes

I. Introduction

The security policy of a state is generally understood today as something wider than, but still including – and often taking as a starting point - its policy for military defence. The UN Charter gives every state the right to self-defence and in practice, if a nation cannot preserve its own borders and territory from attack (and resist possible political or economic blackmail), any efforts it makes to tackle other security threats ranging from terrorism to bird ‘flu are unlikely either to have much impact or to gain it much respect. But good security in other fields also supports good defence and may even be a precondition for it. It is in vain for a government to guard its borders if terrorists, criminals, saboteurs and murderers can create havoc within its territory and if private persons can lay their hands on mass destruction technologies. If the government does not protect its citizens from disease its armies will simply dwindle away, as is happening in some AIDS-hit African states. If there is no good policy for assuring energy supplies, what happens when the forces’ fuel runs out? What happens if the electricity delivery systems they rely on break down or if a cyber-attack knocks out their computer systems? Again, if the government and its defence establishment stand idly by while the country’s natural environment is plundered and polluted or transformed by climate change, or when the people are hit by major natural disasters, they will not only lose the people’s trust but perhaps one day end up defending an empty shell.

What military defence and these other possible areas of security policy have in common is that the state authorities responsible for them are always responding to some kind of *threat*, or perhaps more correctly a *risk* or a *challenge*. (While a ‘threat’ is usually understood as involving deliberate and malicious human action, risks can also arise from natural causes and from our own activities, and challenges can be of a positive kind like coming to the help of an ally or supporting peace missions abroad.) The wider the range of challenges that a given state –or international institution - includes and recognizes as ‘security’ ones, the more *comprehensive* and *multi-dimensional* its security policy will be.

The purpose of this chapter is to ask what aspects have been brought within the range of such a security policy by the European Union (EU) as an institution, and which aspects normally are – or need to be – included today by a state anywhere in the larger European region. It will look at the potential

security agenda in a rather wide way (which some might call 'post-modern'), but two concerns about the implications of this deserve to be brought into the open and dealt with at the start. First, the author will not suggest that there is any single 'correct' definition of a national or institutional security policy. Any real-life policy needs to be built up according to real local needs, with due respect both for traditions and popular acceptability; and however well it is designed it will probably need frequent overhaul. Today's hot topics in security are often the result of single influential events or equally influential fashions of thought, and no-one can say how long today's 'mainstream' thinking will flow in the same direction. In fact, it could be argued that 'correctness' in the governance of security does not lie so much in the content of a policy but rather in the way it is formed and managed, including the openness of its owners to necessary adjustment and re-thinking.

Secondly, no-one can honestly say that a comprehensive security policy is easier to design and run than a traditional military defence or that its good results can be any more easily guaranteed. The comprehensive approach itself creates many challenges for governance which are discussed in the later sections: analysing and prioritising the challenges, defining responses and tools, dividing up resources correctly, and ensuring the necessary intra-government coordination both in normal times and crisis – just for a start. On top of this, a country that is internationally active has to consider which international institutions are best to use for getting the inputs it needs to meet its national needs most effectively, and for channelling the outputs it is willing to make for its neighbours' and other regions' security. Last and not least, as discussed in many other parts of this book, the manner, style and image of policy are also very important for its success or failure. Today this means, among other things, that official policy makers have to deal with increasing demands (at home and abroad) for transparency, openness and debate, actual and perceived legitimacy, and democratic control. This chapter will touch at least briefly on all such complications, and will note where possible the implications for the future of armed forces themselves.

Security 'Policy' or Security 'Strategy'?

A word may be in place here about the expression 'security strategy' which is found in the title of the EU's main security policy document, the European Security Strategy (ESS)²²⁷ and in several other examples of current policy

²²⁷ The EU's European Security Strategy (ESS), *A Secure Europe in a Better World*, was first drafted by the High Representative for the Common Foreign and Security Policy (CFSP), Javier Solana, in Spring 2003 at the request of EU Foreign Ministers. After inter-governmental discussion and some re-drafting, its final version was adopted by the European Council on 12 December 2003 [on-line]; available from http://www.consilium.europa.eu/cms3_fo/showPage.ASP?id=266&lang=EN&mode=g; Internet; accessed 14 April 2008; and Alyson JK Bailes, "The European Security Strategy, an evolutionary history," SIPRI Policy Paper, no. 10 (SIPRI: 2005) [on-line];

design discussed below. It has often been pointed out that the word 'strategy' seems mis-used here since the EU's paper - and similar ones produced in recent years by the Organization for Security and Cooperation in Europe (OSCE) and the USA and Russia for their national purposes - do not provide detailed guidance for the design, deployment and use of armed forces as military strategies have traditionally done. Only NATO's Strategic Concept of 1999²²⁸ follows anything like a familiar pattern, by stating the Alliance's intent and policy aims and then describing the collective military assets and principles of action needed to execute them.

What the EU's document and other similar ones do have in common with the older definition of 'strategy' is that they try to take a broad and a long view, based on enduring interests and aiming to lay down principles and priorities of medium to long-term relevance. Just as operational and tactical decisions in a military context should flow down from the goals set at strategic level, these new documents are meant to offer guidelines for choosing the particular policies, operations or other actions that their owners will engage in, while leaving the details to be adjusted to circumstances. A further reason why such new-style 'strategies' do not contain specific military instructions is that they typically cover many different dimensions of security-related action, and would have to give instructions for all of them if they started getting into that kind of detail.

This provides a clue to one of the two essential roles such documents play today that are actually quite different from older strategies. First, whereas strategy used to be something that employed largely military and diplomatic methods and was of direct concern only to military and political elites, a modern security concept demands cooperation and obedience from just about every ministry in a government plus a number of business actors and other private players as well. The new breed of documents therefore has a strong *coordinating* or *community-building* function that goes across traditional military-civil and public-private divides. In the case of institutional (NATO, EU, OSCE) strategies, they are also aiming to coordinate and harmonise the relevant policies of individual member states. Secondly, whereas a successful strategist in the old days was often the one who best concealed his true intentions, these new 'strategies' are very much published and public documents. Towards the people of the states they cover they offer openness and a promise of efficient protection; towards other actors in the global system they provide transparency and predictability – together with warnings against ill-behaviour in some cases, and tempting offers of cooperation in others. A special case of this 'public

available from http://www.sipri.org/contents/editors/publications/ESS_PPrapport.pdf; Internet; accessed 14 April 2008.

²²⁸ North Atlantic Treaty Organization, *Strategic Concept of the Alliance*, 23-24 April 1999 [on-line]; available from <http://www.nato.int/docu/pr/1999/p99-065e.htm>; Internet; accessed 14 April 2008.

relations' purpose is when a state is preparing to enter a security-relevant organisation (NATO, EU, ASEAN), and issues a new security strategy as a way of signalling to that organisation that it has already understood and embraced its fundamental security principles.

In the end it has to be said that the use of 'strategy' in this context is one of those modern fashions recently referred to, and that the documents would perform all their purposes just as well under a different name. A country that produces for the first time, or updates, a multi-dimensional security policy is free just to call it a policy, or a strategy or even something else if that will be better understood and accepted by the people it governs. The contents and the manner of producing them are more important than the wrapping.

II. The EU's Security Strategy: Goals and Challenges

The main lines of the EU's 13-page strategy document 'A Secure Europe in a Better World' were laid down just eighteen months after the cataclysmic events of 11 September 2001 and just weeks after the US and its partners invaded Iraq. The drafters (a small team of Solana's in-house and academic advisers) were thus working under two powerful sets of pressures: the new sense, and new directions, of danger which all the Western world had lived under since 9/11, and the divisive impact of the USA's largest ever strategic action in response. Their aim was to try to build a platform on which the EU's present and future members²²⁹ could re-unite after being split down the middle by their support for or condemnation of the US action against Saddam Hussein. Clearly this could not be done by just imitating the USA's own strategic vision, as laid down the previous September in a US National Security Strategy (NSS)²³⁰ that among other things argued for pre-emptive military action against a mere suspicion of possible WMD use by enemies. The EU would have to reach back into its own common European experiences and its institutional traditions to try to define security interests and values that were not necessarily opposed to those of North Americans, but were independently defined and possibly different. At the same time, and especially after its disarray in early 2003, the EU wanted to show that it was a serious and street-wise security power that took some responsibility for protecting not just its members but the world as a whole against such scourges as terrorism and WMD. Its direct military capabilities it

²²⁹ The ten Central European and Mediterranean states who had already been told they could join the EU in 2004 were given access to the debate on finalising the Strategy.

²³⁰ *The National Security Strategy of the United States of America*, 17 September 2002 [on-line]; available from <http://www.whitehouse.gov/nsc/nss.pdf>; Internet; accessed 14 April 2008.

might be limited both in size and intent,²³¹ but it was in a mood to underline that had many other kinds and tools of power, both concrete (economic strength, aid) and 'soft' (attractive power for neighbours and a model for other parts of the world).

*Figure 1: Lists of Threats or Challenges in Selected Strategy Documents
(see Key below for document details)*

NATO 1999	Russia 2000	USA 2002	EU 2003	OSCE 2003
Tensions + Conflicts	State of economy	[Human Dignity]	Terrorism	Conflicts
Nuclear + hi-tech	Weakness in state power+ society	Global terrorism	WMD Proliferation	Terrorism
Vulnerabilities to: Terrorism Sabotage Organised crime Disruption of supply Uncontrolled Migration	Crime+terrorism, inter-ethnic tensions 'Aggravation of inter-national relations' e.g. Weakened global order+balance Nearby conflicts Cyber-threats Military threats Espionage	Regional Conflicts Threats from WMD [Global growth] [Development] [Partnerships] [Transformation of institutions]*	Regional Conflicts State failure Organised Crime	Organised Crime Discrimination+ intolerance Migration Economic + environmental problems Pol-mil threats

*The list in the updated US National Security Strategy of March 2006 is identical except for the addition of challenges connected with Globalisation.

Key

NATO 1999 = NATO's Strategic Concept adopted at Washington, April 1999

Russia 2000 = Concept of National Security of the Russian Federation, January 2000

USA 2002 = National Security Strategy of the United States, September 2002

EU 2003 = 'A Secure Europe in a Better World', European Security Strategy, December 2003

OSCE 2003 = 'OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century', December 2003

²³¹ The European Security and Defence Policy (ESDP) adopted by the Helsinki European Council at its meeting of 10-11 December 1999, was concerned only with the use of military forces for a range of crisis management tasks outside EU territory, known as the 'Petersberg tasks'. See the Presidency conclusions [on-line]; available from http://ue.eu.int/ueDocs/cms_Data/docs/pressData/en/ec/ACFA4C.htm; Internet; accessed 14 April 2008.

In the event, and as Figure 1 above shows, the EU's Strategy document chose to focus on much the same set of security challenges as all the other main national or institutional strategies of the time. Old-style war among states was not one of them. Instead, the emphasis was on combating new forms of violence that might be aimed at developed Western societies – international or transnational terrorism, violent crime, the use of mass destruction techniques by 'rogue states' or non-state actors – or that were linked with internal, 'intra-state' conflict in certain parts of the EU's own neighbourhood and further afield. Compared with the 2002 US strategy, the EU document gave a lot of space to the inherent evils of conflict and to the problem of 'weak' or 'failed' states which, even if they did not collapse in violence, were likely to condemn their people to poverty, hunger and disease and to leave black holes in the fabric of global trade and cooperation. Without any over-direct criticism of the USA, the ESS conveyed a strong message that terrorism could not be fought as something separated from its political and social background and that starting conflicts as a way of discouraging it had all the usual disadvantages of fighting fire with fire. More plainly, the document stated that countries were tempted towards WMD because something was basically wrong in their security relations with the rest of the world – not the other way round.

Turning to remedies, the ESS agreed with the US strategic analysis on some key points: the most serious threats were both trans-national and dynamic, and in an increasingly connected world the most effective measures to control them would often need to be taken far away from home. The European Union, the report argued, was now powerful and mature enough that it should and could carry its full weight in this effort. But beyond this point the ESS's prescriptions were quite different from those of the US NSS. They started with the need for 'effective multilateralism' – i.e., working with other partners not just on an *ad hoc* basis but in the framework of international organisations, under fixed rules and in obedience to the law. They went on to talk of the possibility of transforming and embracing any misbehaving states that were prepared to change their ways: and using the Union's own influence over its neighbourhood to build a 'ring of stable democracies' in Eurasia including a strategic partnership with Russia. On the use of military means for new challenges, the Strategy had this to say:

In contrast to the massive visible threat in the Cold War, none of the new threats is purely military; nor can any be tackled by purely military means. Each requires a mixture of instruments. Proliferation may be contained through export controls and attacked through political, economic and other pressures while the underlying political causes are also tackled. Dealing with terrorism may require a mixture of intelligence, police, judicial, military and other means. In failed states, military instruments may be needed to restore order, humanitarian means to tackle the immediate crisis. Regional conflicts need political solutions but military assets and effective policing may be needed in the post

conflict phase. Economic instruments serve reconstruction, and civilian crisis management helps restore civil government. The European Union is particularly well equipped to respond to such multi-faceted situations.²³²

In short, while the ESS elsewhere stressed the need to improve the EU's military capabilities for crisis management and to integrate them better with other instruments, it treated military force as a specialised tool to be used for limited and often transitional purposes (and, naturally, under close political control). This was in fairly clear contrast to the USA's strategic theory at the time – which put such stress on military superiority and on striking with overpowering force – and in even clearer contrast to the way that the US Administration had conducted its Afghanistan and Iraq operations in practice.

Did the ESS tell the full story, and the right story?

The EU states' ability to agree on the ESS as fast and smoothly as they did during 2003 was a true political success for the Union. It was followed by the adoption of more specialised 'sub-strategies' in 2003-4 on subjects as important as non-proliferation, terrorism, the future of the Western Balkans, and relations with the UN. It opened the way for concrete steps forward in the European Security and Defence Policy (ESDP) such as the launching of the EU's first non-European operation (in Congo in July 2003), the establishment of a civil-military planning cell and the European Defence Agency (EDA) dealing with equipment research and collaboration. Without the ESS it is doubtful whether EU members would have reacted so fast to the Madrid terrorist bombings of March 2004 by adopting a declaration of 'solidarity', pledging them to aid each other with 'all means at their disposal' against future terrorist atrocities or natural disasters having similar effects. It is also worth noting that in 2005-6 when many other areas of EU initiative were halted by the shock of the French and Netherlands referendums rejecting the original draft EU Constitution, interesting new ESDP missions continued to be launched and the scheme for setting up new EU 'Battle Groups' proceeded without a hitch. For an institution that was keen to profile itself as a 'civilian power', the EU found itself having to rely to a rather ironic degree on the security and defence side of its affairs as the 'locomotive' to keep cooperation moving.

However, EU agreements often succeed as much by what they avoid tackling as by what they do cover, and the ESS was no exception. Measured against the dominant security agenda of its time, it avoided almost altogether the real political issue that had torn its members apart just a few months before, namely reactions to the USA's current policies and the actual merits and prospects of the Iraq operation. Whatever it said about principles for using military force could only cover that limited portion of work that its members had

²³² From the sub-section on 'Addressing the Threats' in Section II, 'Strategic Objectives', of the ESS, *A Secure Europe in a Better World*.

agreed to do together in ESDP, not the obligations that a majority of its members also held within NATO and not their purely national decisions on whether to go to and stay in Iraq or not. Measured against today's front-page security concerns, it was extremely neglectful of – or perhaps, over-optimistic about – the strategic challenge still posed by Russia, and the longer-term uncertainty over a rising China's intentions. It devoted very few words to environmental and energy concerns, and mainly as part of the agenda of weaker states rather than of Europe itself (!).

Perhaps the Strategy's most serious weakness was that, while it did discuss how the EU's non-military strengths – economic, financial, aid, technology – could help tackle the new strains on the global system, it had to stop short of laying down clear prescriptions or even principles for using these in support of strategic goals. By virtue of the EU Treaties these resources were under control of the European Commission (or European Central Bank), not of the Council Secretariat where the Strategy was drafted or of the Foreign Ministers who debated it. Similarly, the ESS wrote about future enlargement only in very vague terms, partly to avoid dispute over the handling of individual countries (including Turkey), but also because enlargement negotiations, too, were a Commission prerogative. This very basic problem of divided authority and control over EU tools that ought to be combined in a multi-dimensional security programme was addressed by the EU Constitution's proposal to make Solana's (more powerful) successor also a Vice President of the Commission; but because of the constitutional crisis this experiment is still waiting to be carried out.²³³

The fact is that the EU has been developing and acting as a security power in many ways that lie beyond the limits of the ESS as a document, even if they do not contradict its arguments and values. Indeed, while the ESS as a political statement has no legal power over member states, there are many other fields where direct EU legislation or Council decisions calling for national implementation have dictated uniformity of EU practice and/or collective EU positions for dealing with other states. Some of the most obvious concern the security aspects of border management (particular within the Schengen group of states), asylum policy, standards for travel documents, aviation security and port security; common measures on terrorism such as a single judicial definition and set of penalties, single arrest warrant and extradition on demand; nuclear safety measures and handling of nuclear accidents; animal health policies and emerging common policies for handling human pandemics or other public health alarms; health and safety standards at work, air and water quality, safety of consumer goods; anti-pollution and environment protection standards, and many more. In the field of armaments the EU has common positions in favour of

²³³ It should happen now on ratification of the new Reform ('Lisbon') Treaty, but that means not earlier than 2009.

adhesion to and enforcement of many existing arms control and disarmament measures and support for new ones, such as the proposed Arms Trade Treaty; legally binding regulations on the export of dual-use goods²³⁴ and instruments that are designed or may be used for torture; and a political Code of Conduct setting minimum standards for national practice (including transparency) on export controls for conventional arms. The EU also maintains a number of special embargoes on arms trade or military cooperation with specific countries, the most famous being the ban (since 1989) on combat equipment supplies to China. It is part of the EU accession process for nations to be questioned about their own policies in these areas and to be both required and assisted to bring them in line if necessary – something that may make quite a difference to the content and scope of a national security policy/strategy at the given time.

Latest challenges and prospects for a comprehensive EU security policy

The EU's glass always seems to be half full to most of those who watch it enviously from other regions, and half empty to those looking from inside. With each advance in common security and defence policies it becomes more obvious how much still needs to be done. As of 2008, for example, it has become almost a cliché to note how little progress has been made in reaching a common EU strategic stance on Russia or on the linked questions of sustainable energy management (covering both intra-EU distribution and relations with suppliers). European visions of how to relate to the other states of the former Soviet Union remain strategically confused and somewhat half-hearted, even if the current form of the European Neighbourhood Policy (ENP) has better financial instruments than before. The impetus for further enlargement is lagging and has to overcome more political and popular reluctance than before, even in the fairly cut-and-dried case of the Western Balkans states. The EU seems as powerless as ever to make a decisive input to solving the Middle Eastern conflict between Israel and the Palestinians; it has no alternative vision for Iraq, and opinions differ over whether its diplomatic efforts vis-à-vis Iran have bought more useful breathing time for the West or for the Iranians themselves.

An even more basic question that is not always faced so frankly is whether and when the EU is going to become the principal owner, guardian and standard-setter of Europe's own security. Since the 1990s, both the USA as a nation and NATO as an institution have effectively closed down much of their efforts for the direct military defence of this continent. They now ask member states to send the cream of their forces on operations abroad, rather than bringing standing foreign forces to help them guard their homelands. Even if the level of threat is now too low for this to be a problem in military terms (which not

²³⁴ I.e. civilian products/technologies that could also be used for making mass destruction weapons.

all Allies are sure of!), one may ask whether it is healthy for Europe's inner peace and democracy to have dismantled so fast the Cold War pattern of large standing multinational forces. That was supposed to be an important part of the experience that helped Germany, Italy and others to rebuild a strong defence on non-nationalistic lines; but it is an experience all 10 of NATO's new members since 1990 have been denied, because of the decision to have no allied bases or units on their territory in peacetime.

If there is any need, or desire, among Europeans to maintain some of this hands-on, day-by-day experience of what collective defence and security means, it is in practice only the EU they could look to as an alternative framework – and the EU that already provides something like it in the non-military fields listed above. Yet ESDP is still uniquely focussed on capacities and rules for external crisis management. In deference to both NATO itself and the work of the Euro-Atlantic Partnership, it does not try to give its members general advice on modernising and democratising their military systems – though it is developing ever clearer guidelines for work on Security Sector Reform with its partners abroad. How long could it take and what pressures would it need for the EU to move more decisively towards assuming its responsibilities as a collective defence, as well as security community? The actions of Russia and of the USA, the politics of the EU's current six non-Allied members, the further course of enlargement and the actual security events striking Europe in the next few years could all offer part of the answer.

European national variations

At all events, any idea of the EU transforming itself into a defence power and military standard-setter in a more comprehensive way would have to overcome many specific obstacles because of the great diversity of its member nations' defence philosophies, priorities and structures. The differences here between the non-Allied members and others are hardly any wider than among the Allies themselves. European states differ in such concrete matters as the size and structure of their armed forces, their human composition (professional soldiers or conscripts) and levels of training and competence, their degree and quality of mechanisation, the size of the defence budget in relation to GDP, the percentage of funds spent respectively on manpower, equipment and operations, and so on. Perhaps more important in a policy context are the deep-seated differences in national concepts and philosophies relating to defence. Some countries (Britain and France, but also some smaller ones who previously owned colonies) see nothing wrong in deploying their troops anywhere in the world when there is a strong security argument. The newer members of the EU are particularly ready to do this if the USA calls for it. Others, like the Nordic states, also have wide operational horizons but emphasize the need for a legal/institutional mandate, while some others are reluctant to send their forces far from home on any terms. A similar range of opinions applies to the way that

operations should be conducted and in particular the acceptable levels of European use of force and risk of European casualties.

These national variations are not limited to the purely military aspects of security. If we consider the maintenance of internal security, law and order, some nations regularly use armed, 'para-military' police forces while others have a permissive attitude to letting the armed forces themselves do jobs in support of the civilian authority at home. Others firmly believe that police forces should be unarmed and are extremely cautious about using the armed forces internally except perhaps for disaster rescue and other humanitarian tasks. These variations cause considerable practical problems when trying to put together an EU police force for overseas deployment, which will need to act under a single command and in a consistent style.

Differences in European *perceptions* of security threats and priorities are perhaps an even more significant obstacle to building comprehensive common policies. It is clear that European citizens' attitudes are affected by their geographical, historical and cultural settings: a Swede will not be as concerned as a British, Irish, or Spanish person about terrorism, but a Brit will not be as concerned as an Italian about immigrant 'boat people' or organised crime, and the Swede may be more sensitive about damage to the environment.²³⁵ Many opinion polls have shown how views differ even about the handling of security challenges and partnerships beyond Europe, where in principle Europeans ought to be able to combine their different experience and skills for building a common response. In 2006, as few as 39% of French people interviewed and as many as 60% of Italians wanted to tackle global challenges in partnership with the USA; 58% of the French but only 33% of Bulgarians thought the EU could address them alone.²³⁶ Even taking the USA out of the equation, 57% of French respondents but only 40% of British ones saw China's economic strength as a threat; 73% of Germans but only 46% of French were worried about energy dependence on Russia; 70% of Poles but only 40% in the Netherlands thought a nuclear-armed Iran would be a threat to Europe.

However, the 2006 opinion survey from which these facts are taken was most interesting in showing that the range of difference between European views on the largest security issues had *narrowed down* over time. For instance, the level of support for NATO had fallen everywhere since 2002, but it had become the same (55%) by 2006 in both Germany and France which had

²³⁵ For more discussion of such differences see Alyson JK Bailes, "Differentiated Risk and Threat Perceptions of EU Members and their Impact on European Security Cooperation," *Dis Politika-Foreign Policy XXIX*, no. 3-4 (Foreign Policy Institute Bilkent University, 2004): 35-55 [on-line]; available from <http://www.foreignpolicy.org.tr/documents/vol29.pdf>; Internet; accessed 14 April 2008.

²³⁶ These poll results, and others in this and the following paragraph, come from 'Transatlantic Trends' for 2006, a publication of the German Marshall Fund with European partners [on-line]; available from <http://www.transatlantictrends.org/trends/index.cfm?id=37>; Internet; accessed 14 April 2008.

figures of 74% and 61% respectively before. In the short space from 2005-6, all Europeans' levels of concern about international terrorism, Islamic fundamentalism, immigration and global warming had risen by 12 percentage points or more while the US levels of worry on the same issues stayed relatively unchanged. In 2006 all EU members except Slovakia and Bulgaria had a majority in favour of sending forces to help reconstruction in Afghanistan; and Spain, a country traditionally reluctant to send forces outside Europe, was the most in favour of this with fully 81% of positive replies.

In the absence of greater research within Europe it is hard to say with any confidence what could be causing this convergence. Since the replies are from ordinary people, they cannot be explained by the well-known 'Europeanisation' or 'club-forming' effect which regular working together in Brussels has on the same countries' official elites. To some extent they must just reflect the force of recent events and the way that the media have reported them. But the very fact that Europeans are reacting in more similar ways to a given security stimulus, and that the media are drawing more similar conclusions in their analysis, suggests that the new transnational or global threats are highlighting the common features of European interests and beliefs in a way that earlier purely military challenges could not. In the Cold War, a person in Portugal, Ireland, or even Sweden could never feel as exposed to the Soviet military threat as a Finnish, German or Turkish citizen. Today they are all equally vulnerable to al Qaeda, high oil prices, another Chernobyl or bird 'flu, and – perhaps just as important for changing policy visions – they are all equally likely to face demands for help in preparing European military and non-military reactions to the challenges.

III. Designing a National Security Policy for the 21st Century

It should be clear from the above that neither the EU nor NATO can provide a single model of a comprehensive national security policy for existing and future member states to follow. The EU does not provide guidance for handling military self-defence and NATO does not have competence for the many non-military aspects of security management. Neither institution has managed (over half a century of existence!) to iron out the very wide variations in practice among nations all of whom are considered respectable member states. Thus, every country's own leadership must take responsibility for creating or adjusting its own multi-dimensional security policies for 21st-century conditions – while respecting, of course, whatever universal limits and guidelines are laid down by the organisations it belongs to (not forgetting the UN, OSCE, arms control treaties and specialised export control groups and so on). This approach is, in fact, likely to work out better for national solidarity and democracy as well. It is hard to imagine how a nation's people could be united in support of a blueprint

simply imposed from outside, except perhaps in very extreme circumstances of regime change and national renewal. Western nations trying to help in post-conflict situations elsewhere in the world have learned to their cost that security reforms do not survive for long unless they are anchored from the start in a high degree of local consent and 'ownership'.

Clearly, the steps that a national government needs to go through for this purpose can only be described here in generic terms. In the end, all the decisions that are likely to be most important for success come down to a kind of *balancing*, where there is no simple arithmetic to be applied and initial calculations will surely need to be adjusted over time.

One basic question that needs to be considered at the start is whether it is better in principle to keep the set of security dimensions included in such a policy as small as possible, or to reach out more broadly into areas of national life including some that might never have worn a 'security' label before. In some parts of Europe there is resistance to what is called 'securitisation' of new fields (eg: air transport, chicken raising, inter-ethnic relations), because people fear that calling them security matters will bring them under the control of traditional defence/security elites and risk distorting their original values and purposes. Often there is also a concern that the pattern of spending in a newly 'securitised' field will become distorted as too much is spent on 'defensive' or 'disciplinary' measures and the positive side of activity is starved of funds.

It is probably good that such concerns exist, to act as a balance against over-powerful security elites, but that does not mean they are always correct. In the first place, a government should 'securitise' whatever is actually most likely to hurt its people: and this will differ for objective reasons from a poor country to a rich country, from an island to a small state surrounded by rivals, from a country with high levels of terrorism and crime to one that has been spared from these plagues and so forth. An additional point here is that with the growth of mass tourism, national citizens will regularly be spending time in environments abroad that may have a very different (usually worse) security profile than the homeland, and a government needs to learn how to protect them in these contingencies too. Secondly, bringing security into a new field does not have to mean bringing heavy-handed, expensive, paranoid and zero-sum approaches. Security techniques, after all, include arms control and peace making! It is the duty of experts in the given field and the concerned security analysts to make the effort to understand each others' concerns, and to find solutions in each branch of life that 'cost' as little as possible not just in terms of extra money needs, but in terms of respecting the productive purposes of the branch in question and the freedoms of those who work in and benefit by it.

Risk and vulnerability analysis

As mentioned at the outset, a modern security policy needs to be based just as much as a traditional military one on assessment of what events might damage

the country's territory, assets, people, values, prestige, and links with the outside world. It must at least start with a *threat* analysis, looking at known enemies of a national, sub-national or transnational kind who may attack using both traditional and non-traditional forms of violence. If a state is facing a challenge to its own complete control of its territory and its legitimate monopoly of the use of force, for instance from an internal insurrection, a weak border allowing infiltration, a internal 'fifth column' serving another state's interests, and/or a high rate of domestic terrorism it is natural that these challenges should come at the top of its list of security concerns. It does not, of course, follow that any of these threats to vital interests can only be met, or best be met, with forceful military policies. History is full of examples, even within Europe, of states that suffered in other parts of their interests – particularly political and social unity, economic progress and international prestige - because of using what were widely seen as over-violent methods at home. It is also interesting to note that Western European states facing problems of insurrection and terrorism (Britain with Northern Ireland and Spain with the Basque country) were able to move towards controlling these challenges by more 'peaceful' methods, and with better chances of success, once they had full membership of the EU and were able to benefit at least indirectly by the stabilising and wealth-promoting effects of integration. Some people argue that Belgium with its strong provincial separatist feelings would not exist at all as a state today if it were not 'cradled' by the European Union.

In fact, one of the values of a national security analysis covering a wider range of challenges is that it helps to put traditional threats in proportion and show that there can be both trade-offs and synergies between the resources devoted to them and to other, non-military dimensions (more on this below). As the policy vision widens, it takes in more factors that can best be described as *risks*: for instance the risk of depending too much on energy supplies or on domestic power, transport and communications infrastructures that could be disrupted in many ways; the risk of drawing a large part of national income from overseas trade and investments where most factors are outside national control; the risk of being hit by an unpredictable natural disaster or a human, animal or crop disease epidemic. Since these risks get harder to calculate the more they lie outside human control, and the more their points of origin may be very remote from the homeland, many countries are now using methods of *vulnerability* analysis which bases policy planning not so much on what might happen but on how the country might be hit by it. For instance, many things could cause oil or electricity supplies to break down, but a vulnerability analysis will show that an event destroying an oil terminal or refinery, or an electricity distribution centre, will do more damage than one that sinks one tanker or breaks a delivery line somewhere. Such calculations give a reliable guide to what places and objects need most protection, plus if possible back-up systems and emergency alternatives. A good vulnerability analysis will also look at

human factors such as citizens' preparedness, survival skills, morale, sense of discipline and solidarity with others – all of which should be possible to improve through information, education, training and the fostering of volunteer social groups for rescue, medical first aid and so forth.

Figure 2 shows some of the general fields of government that would typically be brought into a European state's threat, risk, and vulnerability analysis today. As stressed before, a nation must decide for itself how many of these factors are relevant to its own situation and which of them need to be taken the most seriously. It is always good advice, however, not to measure their gravity just by a single yardstick – which would most naturally be 'How many people could be killed?' or 'How shocking and disgraceful would such an attack be? Also important are the questions (a) 'How likely is this to happen, and how often?'; (b) 'Would the damage be isolated and finite or could it cause "domino effects" reaching across the nation and into other fields of national life?'; and (c) 'Is there actually anything we can do to stop it?' Experience suggests that shocking, inhuman attacks can actually increase a country's feeling of unity and make people more determined not to let their beliefs and normal patterns of life be changed. Events that come frequently can multiply damage on the one hand, but on the other hand they give the government and people a chance to develop their 'coping mechanisms' and avoid the panic that is caused by the truly unexpected. Some violent and shocking events, like bomb attacks, may cause only local damage while a nation-wide electricity black-out would hit literally every dimension of life (including the efficiency of the armed forces).²³⁷

Fig. 2: Possible Security Dimensions and Typical Risks (for a developed state)

Military/Conflict	Human 'New Threats'	Functional Security	Natural Events	Social/Economic Vulnerability
Invasion	Terrorist attack	Energy imports hit	Storm, flood	Rioting and disorder
Internal conflict	Non-state WMD	Transport links cut	Earthquake	Violence bet. ethnic groups
Subversion	Violent crime	Electricity cut	Heat+cold-waves	Disaffected youth
Sabotage	Illegal migration	Cyber-sabotage	Climate change	Labour disputes
Coercion	Drugs trade	Food+water Supplies	Environmental degradation	Currency collapse
Blackmail	Arms smuggling	Loss of communics.		Economic recession

²³⁷ In fact, a scientific and comprehensive risk analysis carried out by Swiss defence experts in the early 1990s concluded that a major electricity cut would hurt their country even more than detonation of a terrorist 'dirty bomb'. See Herbert Braun, "The non-military threat spectrum," in: *SIPRI yearbook 2003: Armaments, Disarmament and International Security* (London: Oxford University Press, 2003).

There are some natural events so massive, like being hit by a meteorite, that a sensible policy can pay them only very limited attention in terms of increasing social resilience and retaining the capacity to improvise.

Stages of Policy Making and Resource Allocation

Once a government knows how many of the above dimensions and challenges it needs to bring within a comprehensive security framework, its first logical step should be to make sure it has the best possible information on them and the means for monitoring and analysing their further development. Most states do this through some kind of intelligence coordination apparatus, though with a wider range of dimensions to cover it will become more important to involve different kinds of civilian experts (and to draw upon academic knowledge, as appropriate). The second and perhaps the most difficult question of all is how many resources and how much effort to devote to each part of the security spectrum: and this is all the harder because so many resources are tied up in existing structures that may no longer reflect the true balance of challenges but can be very tricky to re-design or dismantle. There are vested interests in security analysis as in everything else, and countries that are going through a significant up-dating of their security concepts often find that they have to use the highest possible authority – that of the Prime Minister or President – to push through a process that is bound to have some losers and some winners. The large number of ministries and other agencies likely to be affected by the new concept provides another argument for building some kind of policy making and coordination mechanism at central government level, not least so that a single clear and coherent account of central security policy can be passed down to provincial and local authorities who need to play their part in the process.

There are actually two basic questions to ask about resources: (i) how much money (and manpower) should be set aside for security in general, compared with all the other things a state spends on such as education and social welfare; and (ii) how the security cake should be sliced up between the different, older and newer dimensions. Generally speaking, the temptation will always be to spend more on 'hard' security because its challenges are more familiar, their life and death quality is more obvious, the armed forces have prestige and are also seen as serving national prestige, and so on. The same factors affect institutional policy making: note that NATO defines 2% of GDP as the desirable minimum for military budgets but does not set standards for (e.g.) police and border defence spending; that the EU has Headline Goals for the military (and for civilian capacities to be deployed in crisis management) but is only now and gradually introducing common standards for infrastructure protection or epidemic defence, and so on. It is not easy for any single government to reach an entirely objective view on these matters, but one helpful principle is to look for synergies and opportunities for 'double-hatting' wherever possible. If you have an army that can also do police duties in emergency or a

police force that can use arms, you are getting more potential value out of the money spent on each. A good complex security policy for an airport will design its security structures and budget to deal at the same time with the risks of fires and accidents, extreme weather, terrorist infiltration, smuggling, and identifying passengers who may carry SARS or bird 'flu. What this hints at is that the different branches of security have a better chance of improving their impact and professionalism, particularly in the sense of cost-effectiveness, by drawing closer to each other than by jealously defending their separate fiefs.

But there are also more subtle temptations: for instance to spend most on the dangers that are most obvious in the short term and put off making sacrifices for things that will happen only more gradually, like climate change, ageing populations, or the shift of economic power to tough new competitors abroad. This has a lot to do with the fact that a democratically elected government will only be in office for a short period, and also with the fact that few finance ministers are willing to let their governments put any money aside for 'unknown unknowns'. More usually, if an unexpected disaster happens, the money for it has to be taken out of another government pocket which may well mean spending less on an equally important longer-term security need. (Many people suspect that the impact of Hurricane Katrina in the USA was worse because spending and engineering skills were being diverted from flood defences to the demands of the Iraq campaign.) Such problems are in the nature of politics and very hard to overcome, but some nations try to get the benefit of a 'second opinion' on security priorities by having permanent or occasional defence and security 'commissions' set up to offer an independent view.

IV. The Nation as Part of an International Security System

All the above analysis, however, is still too simple because it regards a nation's security planning as something self-contained. In fact, just as most of today's threats and risks spread across many nations at once or move fast from one to another, today's policy and operational remedies have to be of a multi-national nature more often than not. The actions of other nations have always been important for national security work as part of the environment that has to be *observed* to identify both threats and opportunities. In the 21st-century context a state has to ask itself two further sets of questions: what defence and security *needs* of its own can it try to meet through membership of international organisations and other forms of cooperation; and what *contributions* can and should it make to meeting the security needs of others.

The majority of European nations have met their need for effective 'hard' defence for nearly fifty years by the means of NATO, which pledges the might of the USA to their support in a crisis. Equally important, NATO was for

many decades the main Western voice in the matter of arms control, disarmament and confidence building – true to the teaching of the 1967 Harmel Report which argued that the Alliance must work equally hard both for defence and détente. However, there was never a complete match between national needs and NATO provision even in the traditional defence sphere. Many European NATO states retained overseas colonies and territories long into the 20th century for which NATO was not responsible and over which the other Allies were not obliged to support them actively (cf the UK's Falklands War). NATO did not help the USA with its Pacific and Asian security preoccupations nor support it in a united way in the Korean and Viet Nam campaigns. States on the southern and eastern edges of NATO who had security concerns about non-Soviet, non-Communist neighbours did not get much of a hearing for them within the Alliance, especially after CENTO, the mirror-image institution set up to be a kind of NATO for Western Asia, collapsed in the 1950s. Of course, when member states had a security problem with each other NATO would not directly help either side but could only use its influence to try to calm things down.

Section II above has already given some hints of the further shifts that have taken place in institutions' roles since the end of the Cold War. NATO has rapidly transformed itself into a source of active military operations for crisis management, and in the latest years had been cutting back its original deployments in the Western Balkans to concentrate more fully on overseas tasks like Afghanistan. It has carried through a remarkable act of peace building by embracing ten nations of Central Europe as full allies, but it has not fully succeeded in containing the tensions this has brought in relations with Moscow, and in particular has seen many of its earlier arms control arrangements with Eastern neighbours frozen or disintegrating. Meanwhile, the EU has steadily grown as an actor that both possesses power in many non-military security dimensions, and is aware of it and keen to use it - though so far tending to trip over its own institutional complexities and policy gaps. The small scope of the ESDP does not make the EU in any sense a military rival to NATO, and – as discussed above – it is still not at all clear whether the EU will at any stage offer its members a full defence guarantee supplementing or replacing the Euro-Atlantic bond. However, the very fact that the EU's capacities have been purpose-built for low to medium intensity modern crises, and that it can bring to bear a much wider range of instruments than NATO's including a military scalpel when needed, does give the Union some unique advantages as a global security actor. One symptom of this changing balance may be seen in the fact that the EU, not NATO, has been regarded in 2007-8 as the lead European body and the USA's key interlocutor on the longer-term future of Kosovo.

No European state today behaves as if it could be self-sufficient in the matter of security: even Switzerland has joined the Euro Atlantic Partnership (EAP) and has various economic security relationships with the EU. Most states have opted for double membership of the EU and NATO to meet the full range

of their military and non-military needs, including the more direct and obvious security goals but also broader strategic concerns like keeping some influence over the USA and having one's voice heard among the biggest Europeans. Nations that cannot or will not, for whatever reason, belong to both organisations typically seek other forms of close association with the one they are not members of. Four of the EU non-Allies have joined in NATO operations and are active in the EAP generally, while Norway, Iceland and Liechtenstein have access to the EU Single Market through the European Economic Area and Norway and Iceland are also in the Schengen system. The smaller and medium-sized states often also see advantages to themselves in continuing to work for confidence building and cross-European cooperation through the OSCE, and sub-regional stabilisation through such groups as the Council for Baltic Sea States, Central European Initiative and Black Sea Economic Cooperation.

Impact and Issues for National Policy

Whatever benefits a state may get from the various organisations in terms of its needs, there is in practice always a price to pay. One aspect of this that has already been touched on is the need to adapt national policies and actions to whatever *norms* are laid down by the bodies in question. These, as noted, may leave a lot of scope for variation in the defence area, but are very clear and 'invasive' indeed when it comes to EU security-related regulations. Also very important both for national policy formulation and resource use are the various kinds of compulsory or discretionary *contributions* that have to be made under various headings, in particular:

- (i) budget contributions (substantial for the EU)
- (ii) commitments to the assistance of other members (mainly in NATO but growing also in the EU – such as the anti-terrorism 'solidarity' commitment)
- (iii) civil and military bureaucratic resources needed to take part in institutional activities, hold Presidencies etc, and
- (iv) contributions to *ad hoc* operations, including NATO military ones and both military and civilian ones under the EU flag.

As the scale and frequency of resources needed for (iv) have grown, not only member states but also some cooperating partners (like the Nordic members of EAP) have found it necessary to make quite significant adjustments to their internal defence legislation, force structures, equipment orders and budget allocations in order to be sure of having the option to join any operation they find important for direct or indirect national interests. Indeed, in several countries domestic critics have been heard complaining that national efforts to guard the homeland have fallen below the necessary minimum while the best troops have been deployed (and often overstretched) on far-away missions. The trouble with this argument is that no European state has actually been able to take care of its territorial defence alone since 1945. The majority have

depended openly on NATO, and in particular, US help. If NATO's survival and prestige, and the USA's appreciation of European efforts, now depend on practice on the success of operations abroad, who can say that those serving in Afghanistan are not also serving the safety of the fatherland?

But this account, too, is making the equation too simple. For a broad and comprehensive security concept, a nation does not only have to pay its dues to NATO and the EU (as applicable). It must also consider its support for the UN as an institution, for UN peacekeeping operations, for development and humanitarian aid and disaster relief, and for international regulations and regimes designed to counter some of the most truly global threats like terrorism, proliferation and disease (e.g. the Nuclear Non-Proliferation Treaty and work of the IAEA, the Proliferation Security Initiative, the implementation of UN Security Council Resolution 1540 on WMD, the export control groups, the rules and programmes of the World Health Organization on infectious disease, and many more). Closer to home, a nation must consider how to run its security relations with its closest neighbours: in the mode of wariness and defence, of cooperation and mutual strengthening, or some mixture of both. It must consider whether there are any more remote states and regions with which it is civilisationally and historically linked, and for which its particular solutions and progress might act as a model.

Here too there is no single perfect prescription. What needs to be stressed in the light of this long list of options is that the external expression of security policy (or security strategy) can no longer be just a matter for defence and foreign ministries, or even aid and trade ministries, but potentially involves almost every single agency of government. Business actors also contribute to it through their growing control of trade and finance processes (and technology development); religious and ethnic groups, NGOs and charities through their outside contacts; and individuals as tourists, broadcasters and bloggers, cross-border traders and the like. One of the reason many states have adopted public strategies is to get their message across to these latter kinds of actors who for the most part can no longer simply be forced to do what serves the nation best. Clearly, the kind of governmental assessment and coordination machinery discussed above cannot be expected to handle all these extra complications by itself: but a well-considered, coordinated and balanced government line will be easier to explain to non-governmental partners, and ought to more easily win their consent and support.

V. In Conclusion: the Challenge of Democracy

The last section ended with practical arguments for making a state's comprehensive security policy transparent and attractive to the public, but there are of course higher reasons of legality, constitutionality and legitimacy for

stressing this point as well. It is an expectation both in the EU, and in NATO as expressed particularly through EAP and its enlargement criteria, that national policies will be formed and executed in a way that respects popular mandates (given through elections), involves parliamentary scrutiny, uses public money honestly, respects fundamental human rights and international laws and is ready to give a full and public accounting of itself. Nations that have been accused of falling below these standards have never actually been thrown out of the EU or NATO but some have endured periods of sanctions or ostracism, and others – even the most powerful – have seen their friends dwindle and supporters slip away.

The modern demand for a comprehensive, multi-dimensional security policy has some paradoxical effects here. The task of analysis, policy design, resource allocation and governmental coordination as described in section III above is much more demanding than traditional defence policy making. It lends itself to specialised knowledge, elite networking, and what can sometimes seem perverse choices, not to simple slogan-making or the needs of electioneering. Furthermore, as states become more interdependent and more dependent on collective EU and NATO policies - especially for the non-military aspects of security - we run up against the fact that NATO has only a very weak parliamentary organ and the EU's European Parliament still lacks real decision-making clout or financial control over the defence/security area. The French and Dutch popular 'No' votes over the EU Constitution gave a clear enough warning of how policy making in Brussels could lose touch with the real concerns of the people, and how a political backlash could paralyse collective progress even in less controversial fields.

But the EU is facing these problems partly because it is a pioneer organisation, and a government struggling with how to explain a more complex security policy to its people is feeling the pains of progress. Opinion polls like those cited above suggest that ordinary people are sometimes out ahead of governments, both in defining the new security agenda that really matters for European survival and in starting to sense the common interests that bind all European states. Consistently, such polls show a majority of citizens wanting more effort to be made for security – in the broad sense – both by the EU and its individual nations. The European challenge of this century is how to find a common European response that builds on the strengths and the natural diversity of nations, and that makes national governments more, not less, legitimate in their peoples' eyes.

Suggestions for further reading

1. Civil Direction of the Military
2. Parliamentary Oversight
3. Troop Deployment
4. Role of Media and Public Opinion
5. Defence and Military Doctrine
6. Budget and Military Procurement
7. Comprehensive Security Policy for Europe
8. Rights and Liberties: Military Jurisdiction and Discipline

1. Civil Direction of the Military

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