

Theories of Civil-Military Relations

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Where does the balance lie between civil control and military freedom of action? This question has been raised time and again during the last half-century. On the one hand, discussions are held over the stringency of restrictions that should be imposed on the military, so that they would closely follow the instructions given by politicians and civilian officials without exceeding their authority. On the other hand, the importance of the military's freedom of action is underscored, so that they could professionally fulfil their demanding task of national defence.

In his speech to the *Riigikogu* (Estonian Parliament), Lennart Meri stressed the importance of democratic control: "The defence forces are a very special organisation, whom we have trusted with powerful arms and whose members we have taught how to take other people's lives if need be. Therefore, the demands of subordination to civilian authorities, the authorities elected by the people, set by the European tradition to the military are very strict, much stricter than those set to any other institution." (Meri, 2000).

What is the historical logic behind the development of the principle of democratic control and how relevant is this issue in the Estonian context? This article provides an overview of the main development stages of the theories of civil-military relations and assesses the applicability of various academic frameworks for the analysis of the role of democratic control of defence forces in Estonia. In order to limit conceptual ambiguity, definitions of the main terms are provided first.

DEFINITIONS

'Civil-military relations' is the broadest term used in this field of research. It includes all kinds of links between civil society and 'people with arms' or the military. The term 'civil' refers to the role of civilian authorities in civil-military relations, regardless of the way the authorities execute their power in a particular state. The term 'military' refers to the military institution that fulfils a special function in state structure – the guaranteeing of national defence.

'Civil control' is a general term that relates to the rules that govern national defence. Its literal meaning refers to maximum authority of civilians over the military. In English, 'civil control' and 'democratic control' may be used interchangeably. However, the term 'control' has a much broader meaning in English than its Estonian counterpart ('*kontroll*') because the English term usually refers to 'management,' which involves both oversight and control functions. Instead of '*tsiviilkontroll*,' a word to which Estonians have become accustomed, the correct term in Estonian would be '*tsiviiljuhtimine*' or '*riigikaitse demokraatlik juhtimine*' (Almann, 2003:8).

'Civil oversight' refers above all to efficient oversight of the legality and expedience of the activities of the defence forces and the commander of the defence forces as well as to

the civilian authorities' right and obligation to intervene, if these activities breach any higher-ranking legislation or are inexpedient (Õiguskantsler, 2006). In general, appropriate norms and standards must be in place to guarantee democratic control and legality of the operation of defence forces. It would certainly be unwise to claim that the only body that executes civil oversight functions is the minister or ministry of defence. Civil oversight can and, if necessary, must be undertaken by the parliament, the government, the chancellor of justice, the state audit office, law enforcement authorities and the public.

'Democratic control of armed forces' refers to a situation, where democratically elected civilians are in charge of national defence. More specifically, democratic control of armed forces is based on one precondition: in accordance with national legislation, at least one representative from a democratically-elected body of executive power must have the right to annul or suspend any legal act or action by any member of the military, regardless of his rank (Almann, 2003:34). The Peacetime National Defence Act, adopted by the Riigikogu in 2002, stipulates that the minister of defence fulfils such a role in Estonia.

In the academic world, there is no universal test that can be used to guarantee an overall quality of democratic control of armed forces. Nonetheless, the Geneva Centre for the Democratic Control of Armed Forces (DCAF) has defined eight key features that characterise an effective system of democratic control: (1) Civilian authorities have control over the military's missions, composition, budget and procurement policies; at the same time, military policy is approved by the civilian leadership; (2) Democratic parliamentary and judicial institutions, a strong civil society and an independent media oversee the performance of the military; (3) Civilians have the necessary military expertise to fulfil their defence management responsibilities, while retaining respect for the professional expertise of the military; (4) Neither the military as an institution nor individual military leaders attempt to influence domestic politics; (5) The military is ideologically neutral; (6) The military has a minimal role to play in the national economy; (7) There is an effective chain of command; (8) Members of the military are free to exercise their rights (DCAF, 2008).

CLASSICAL THEORIES

Conscious efforts to develop civil-military relations as a field of academic research were launched after the Second World War in the 1950s and 1960s. For the first couple of decades, it was a predominantly American-centred academic discipline that dealt mostly with the dynamics between the military, social elites and ordinary citizens with a special emphasis on the role of military leaders and top politicians in shaping US foreign and defence policy. From the very beginning, civil-military relations have been an interdisciplinary area of research that combines inputs from political analysts, sociologists, psychologists, anthropologists and economists.

Huntington

During the last half-century, Samuel Huntington's thoughts have largely dominated civil-military discussions in the West. Up to present day, Huntington's book, *The Soldier and the State* (1957), has remained one of the key works on democratic control. It is used as a manual for educating officers in American military academies. Huntington's ideas have shaped civil-military theories in the US and, as the US is a global power, in many other Western countries as well.

Huntington claims that there is a specific mindset – a military mind – that is characterised by conservative realism, i.e. a belief that a strong defence capability and an efficient military function are most important for all states. Real civil control is achieved by re-enforcing the beliefs held by the military and not by subjecting them to civilian thinking. Huntington asserts that the aim of ideal or 'objective' civil control is to reach the highest possible level of military professionalism. This can be done by drawing a clear line between military and civilian activities. Civilians should make political plans and military leaders should make military plans. Politicians should define strategic objectives for national defence without interfering in tactics. Military leaders should be independent from politicians in pursuing military activities.

This very clear separation of civilian and military functions is considered to be the weak point in Huntington's theory (Burk, 2002:20-22). Huntington's approach was suitable for the year 1957 and a bipolar world. In comparison with the clarity and symmetry of the Cold War era, however, contemporary international conflicts are much more complicated and asymmetric. The line between military and civilian functions has become blurred. In addition to national military units, every theatre of operations usually contains international (e.g. NATO, EU or UN) units, mercenaries, security guards, non-governmental organisations, journalists, private businesses and observers. This is why it has become hard to separate military and civilian tasks as cleanly as Huntington did.

Janowitz

Morris Janowitz's book, *Professional Soldier* (1960), offers the best alternative to Huntington's theory. Like Huntington, Janowitz has an abundance of academic followers and admirers among researchers interested in civil-military relations. The debate between (the schools of) Huntington and Janowitz focuses on whether more efficient civil control over the military is achieved by strict separation or full integration of civilian and military decision-making processes. According to Huntington, the military are unique, they do not belong to the civilian world and this is how it should stay. Janowitz claims, however, that the military and society form an organic whole that should not be torn apart (Schiff, 1995). According to Janowitz, it is very dangerous to treat the military as an institution that does not form a part of society or to alienate the military from society (Janowitz, 1960:270). The military should follow the same rhythm of development as the rest of society and should keep up with political changes. Civil control is achieved by encouraging competition for resources and attention.

Janowitz denies the possibility of drawing a clear line between civilian and military functions. His empirical study of the US military in the 20th century contains an analysis

of the social background, origin, motives, lifestyle, status and other similar characteristics of military personnel. Janowitz claims that the Allied victory in the Second World War and innovations in military technology have brought about changes in the nature of military operations and society as a whole that have shifted the emphasis on the gendarmerie role of the military. Janowitz uses the term 'constabulary forces' to describe these new forces.

DIVERSITY OF OPINIONS

The end of the Cold War induced a series of changes in both warfare and academic research on civil-military relations. International conflicts have become more complex and aggressive. In comparison with old conventional wars, the scope of combat tasks in new wars is broader because the military must simultaneously deal with peacekeeping, peace enforcement, guerrilla warfare and regular combat activities. New wars are fought on the basis of new rules, which are dictated by suicide terrorists, private businesses, hostages and child soldiers. New wars have political, ideological and often religious undertones; they are characterised by media manipulation and intentional ignoring of ethical norms (Kaldor, 2006).

The previously known clear-cut enemy figure has also vanished into thin air. The disappearance of the need to be prepared for a large-scale attack by Soviet forces rendered the West's massive armed forces useless. The defence policies of Western nations were shaped by a new security environment where one does not fight concrete enemies, but more obscure 'forces of evil.' While national military units participate in faraway operations in Iraq, Afghanistan or Africa, the need for these operations has to be explained to the public, which makes the implementation of security policies more difficult than before. All these changes have had an impact on the relationship between the state, society and the military, as a result of which a multitude of different academic theories and explanations of civil-military relations have been formulated during the last decade.

The postmodern military

At the turn of the century, one academic theory among many – the postmodern theory – became more prevalent. It focused on the debate between military sociologists over the possibility of the existence of a postmodern military. The postmodern military is characterised by the interpenetrability of civilian and military spheres, both structurally and culturally; the diminution of differences within the armed services based on branch of service, rank and combat versus support roles; the change in the military purpose from fighting wars to missions without clearly-defined purposes (e.g. Afghanistan); the military forces are deployed more often in international missions than for the defence of one's own country; the increasing internationalisation of military forces in comparison with the Cold War era (Moskos, Williams, Segal, 2000:2). Before the emergence of the postmodern military, the characteristics attributed to the military overlapped with the values and norms that were enforced by the military institution, while personal interests

of the military were less important than general welfare. The postmodern soldier, however, is primarily interested in his personal issues. In addition, the problems concerning the harassment of women and equal treatment of ethnic and sexual minorities have affected the postmodern military (Dandeker, Segal, 1996; Booth, Kestnbaum, Segal, 2001). The media has significant impact on postmodern warfare and the development of communications technology has transformed the way soldiers on a mission communicate with their loved ones at home (Moskos, Williams, Segal, 2000).

Normative theory

Eliot Cohen, known as a neoconservative in US academic circles, is a researcher who studies the criteria for the use of military force, military leadership and civil control through the prism of normative theory. His book, *Supreme Command: Soldiers, Statesmen, and Leadership in Wartime* (2002), provides a comprehensive overview of the relationship between civilian authorities and military commanders in a democratic state. Cohen has based his explanations of complex civil-military relations on four historical figures – Lincoln, Clemenceau, Churchill and Ben-Gurion – whom he uses to demonstrate the paramount importance of political leadership in wartime. By evaluating and analysing the activities of different statesmen in wartime, Cohen has formulated his theory, which complements Huntington's classical theory and develops it further.

Institutional theory

Peter Feaver's book, *Armed Servants: Agency, Oversight and Civil-Military Relations* (2003), offers yet another framework for exploring the relationship between civil servants and the military in the post-Cold War world. Feaver uses sociological terms and institutional theory for analysing civil-military relations. He claims that politicians, who are civilians, issue orders and professional military personnel execute these orders, as they have been hired to implement defence and security policies defined by civil servants. The military might be reluctant to do exactly what they were told to do. They can choose whether to follow the guidelines they were given or to do as they please. Politicians, who give orders, can in their turn, choose between four options – they can either monitor or not monitor whether their orders were fulfilled, and they can decide whether shirking deserves or does not deserve punishment.

Factors that determine their choices include the cost and payoffs of monitoring, the gap between civilian and military policy preferences, and the cost and payoff of punishing shirking if it is detected. Feaver analyses the criteria, which affect the smoothness of cooperation between civilians and the military. He claims that in today's transformed security environment, it must be taken into account whether civilian leaders consider it to be worthwhile to exercise oversight of the military, whether the views of military leaders coincide with those of civil servants and how highly the military rate the possibility of being punished for disobedience.

The biggest contribution of Feaver's theory is its claim that civilians have the last word and that they 'have the right to be wrong.' The military must identify military risks and

develop appropriate countermeasures, but only civilians have the right to decide whether these risks are acceptable to society. The military may describe the risks, while it is the civil servants who determine whether the state is actually in danger and, if it is, how the danger should be averted. The military make suggestions about the level of armament necessary for state defence and civilian leaders decide how high a price the state is willing to pay for its defence (Feaver, 1996:151).

The weak point of Feaver's theory is that he does not set out a positive plan of action, for example, for the provision of effective oversight of the military or for persuading the military to take the punishment seriously. In addition, Feaver can be criticised for simplifying civil-military relations and reducing them to a 'two-actor' game. In reality, however, the choices made by civilian leaders and the military are affected by numerous factors, which makes the whole relationship much more complicated.

Comparative analysis of East European countries

In their academic studies on civil-military relations, British researchers Cottey, Edmunds and Forster have concentrated on the focal points of the relationship between the armed forces and the society in Central and East European post-communist countries. They have developed a new conceptual framework for the analysis of civil-military relations in transitional democracies (see Cottey, Edmunds, Forster, 2002a, 2002b, 2002c, 2005; Forster, 2005). They claim that civil-military relations in Central and East European countries are shaped by the interplay between their shared Soviet past and their divergent national development paths. Cottey *et al.* list the following keywords that influence civil-military behaviour in Central and East European post-communist countries: historical legacies, domestic political, economic and social context, international security environment, institutional factors and military culture (Cottey, Edmunds, Forster, 2002a: 3–15).

Social phenomena and developments, including civil-military relations, cannot be separated from their historical background. History has a crucial role to play in national identity building. When newly-independent states emerged from under Soviet occupation and started to construct their national identities, they usually turned to idealised memories of a previous 'golden' period of independence between the two World Wars. Obviously, the historical legacy of Eastern Europe also includes the Soviet period.

Domestic political, economic and social context refers to the overall quality of democratic governance and political culture. In this connection, the British researchers list the following factors that shape civil-military relations: deep social divisions, economic recession, extreme nationalism or ethnic conflicts, the degree of social cohesion and governmental effectiveness.

The term 'international security environment' is mostly used in the meaning of NATO membership or aspirations. International factors play an important role in civil-military relations because security and defence policies are intertwined with international relations and form a part of national foreign policy. NATO emphasises the significance of

democratic control of armed forces, which is also evident in its *Partnership for Peace: Framework Document*. A study on NATO enlargement was conducted in 1995 to highlight the most important aspects of civil-military reform in aspirant countries (NATO, 1995).

According to Cottey *et al.*, institutional factors include the existing legislative framework and the distribution of power between the head of state, the government, the parliament, the minister of defence and the commander of the defence forces with regard to armed forces and defence policy. A legislative framework establishes the basis for democratic control of armed forces, defining the functions, rights, subordination rules and authority of the military. A constitution and other legal acts outline the democratic principles of security and defence policies, set strict behavioural norms for politicians and the military and prescribe punishments for illegal activities. It is usual, however, that a deficient legislative framework is not the main source of shortcomings in civil control. Military activities can be transformed by using different structures, rules and training, but it is much harder to change the mindset and attitudes of both the military and civil servants.

Military culture and professionalism are based on military education, training and the level of development of military thought and science. In this connection, the professional training of officers, their leadership capabilities, the provision of high-quality education and ongoing educational development play a crucial role. The unity of the officer corps is achieved by joint training and by promoting common attitudes and values. In general, military education can be divided into two large trends: either the military recruits graduates who already have a university degree and who then acquire additional military skills, or the military recruits undergraduates and provides them with both professional and academic skills.

The Estonian context

Due to its Soviet background and NATO and EU membership, Estonia serves as an interesting testing ground for Western theoretical models for research on civil-military relations. The theoretical framework, developed by the British researchers who performed a comparative analysis of East European countries, is the most suitable for the analysis of civil control in a post-communist country like Estonia. The exact nature of the factors that have affected civil-military thought in Estonia can be determined by examining Estonia's historical legacy, domestic and international context, legislative affairs, administrative capacity and military culture.

In the collective memory of the Estonian nation, the two major historical factors that have shaped civil-military relations are 'the relinquishing of independence in 1939 without a single gunshot' and 'the barb-wired fence between civilian and military life' in Soviet times. The most significant external factor that has influenced the development of Estonia's national defence is, of course, NATO. The prospect of NATO membership motivated Estonia and other aspirant countries to change the rules of the game in civil-military relations. In recent years, attempts have been made to replace the inadequate provisions concerning democratic control in the Estonian Constitution and other legal

acts by amending the Constitution and by adopting additional legal acts, for example, the Defence Forces Organisation Act.

There are some topics that require further analysis, for example, the development of the relationship between the armed forces and the society or the impact of economic recession or the removal of the so-called Bronze Soldier on Estonian civil-military relations. In addition, it could be examined how NATO membership, divergent views of political parties about national defence and the non-uniformity of military training of the officer corps of the Estonian defence forces have affected Estonia's civil-military behavioural patterns.

CONCLUSION

Academic research on civil-military relations is still only a narrow field within social sciences, yet its scope and importance have grown significantly in the last couple of decades. In particular, interest in the practical aspects of democratic control of defence forces has increased in Central and Eastern Europe, where civil-military theory and practice have been developed simultaneously. It should be pointed out that all Western liberal democracies have not adopted one conceptual model for democratic control of defence forces. Beauty lies in diversity. In each and every country, civil-military relations are affected by the state's history, traditions, mentality, legislative framework, domestic politics, international and regional security context, the military's role in society, the image of the military profession in the public mind, the personal characteristics of military commanders and civilian leadership, their informal relations and many other tiny little factors. In addition, all these factors are always in motion and constantly undergoing changes, which means that efforts to ascertain a fixed relationship between the military and civilians would be as complicated as attempts to paint a landscape on a merry-go-round. This is why an interdisciplinary and international approach would greatly profit further academic research on civil-military relations, thus making the best use of ideas and frameworks developed by sociologists, political scientists, anthropologists and semioticians.

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