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The Normative Aspects of Building Democratic CMR in Post-Communist Romania

Romanian Case

Contents

The Romanian society has experienced a dramatic pace of transformation and change after 1989, at all levels of society. Before 1989 Romania was a Communist country, a member of the Warsaw Pact, which experienced one of the fiercest dictatorial regimes, having a well defined defense doctrine, a mass army of about 300.000 soldiers and a well developed national defense industry. Today, Romania is both a NATO and EU member, with an active contribution to the international security, whose peacekeeping troops are spread from Iraq and Afghanistan to the Balkans, possesses volunteer army with a flexible force of 75,000 soldiers and 15,000 civilians and its security sector experiences a profound transformation.

This paper aims to describe the process of building democratic civil-military relations within the context of democratization of a former Communist country, such as Romania. The focus of description is the legal and institutional status regarding the democratic soldering.

The first part of the paper will present the historical framework that characterizes the Romanian political culture and traditions regarding the image of the democratic soldier. The second part analyzes the process of setting up the constitutional and legislative norms regarding the form of government and the institutions and mechanisms of democratic control of the military. The third part will present the missions and the status of the military encapsulated in the laws and military concepts. The last part will describe the process of norms transfer and the role of Western institutions and programs in building a democratic soldier.

1.   Political Culture and National Traditions

Some papers on post-communist transitions, within the path-dependency theory, argue that it is necessary to explain the influence of prior heritage on the tracks of East European transitions and to expand the focus of description and explanation to regional level (Zulean, 2006: 207-208)[1]. The next part of the paper explains the influence of cultural and political heritage on setting up the norms of democratic soldier.

The modernity of the Romania was a sinuous process that started with the (partial) unification of two Romanian Principalities in 1859, the election of a Romanian "Principe", followed immediately by a German King, Carol the 1st Hohenzollern-Sigmaringen. The process of modernization triggered not only a progressive movement but also a conservative reaction to the import of the Western norms that is known in the Romanian literature as the "theory of the forms without content". This is a constant dispute in the Romanian recent history, with reverberation in post-Communist transition.

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1   Zulean, Marian, 2006, "The military in post-communist countries in transition", in Social Sciences and the Military, G. Caforio (Ed), Routledge Publishing House.

Unfortunately, the democratization process was interrupted by the "Royal" and "military dictatorship", during the Second World War, and a long period of Communist dictatorship by 1989.

Emerging norms of democratic control has been introduced by the first Constitution in 1866, which established Romania as a constitutional monarchy. Later on, the Constitution of 1923 developed the norms and improved the quality of democratic norms. Thus, a Supreme Council of National Defense (CSAT in Romanian) was established in 1924 as a permanent political body in charge with national defense. The prime minister, minister of defense as well as the Crown Prince were among the main members of CSAT. The parliamentary commissions and the Supreme Court of Accounting had important responsibilities in civilian control. However, the spectrum of the Second World War brought a non-democratic regime and a new Constitution (1938), followed by the Second World War and the Communist regime that lasted by 1989.

Although Romania was an Ally for the Nazi Germany during the Second World War, by August 1944, the local fascists (the Iron Guard) were not part of the governance.

After the WWII, the Communist regime dismantled the "royal" professional military and established the political control of the Workers Party (re-named Communist later on), after 1947. Members of the Communist Party, with a working class background replaced the professional officers. After 1965, Ceausescu adopted a more independent security policy within the Communist Pact but he tightened his grip of the country with the help of the secret service, the Department of State Security ("Securitatea"). Until 1989, the 4th Directorate of "Securitatea" has been the most important instrument to control the military. Also, the military doctrine switched to a more "national" orientation ("the struggle of the entire people"). Moreover, Ceausescu feared a Russian intervention, after Romania's opposition to the invasion of Czechoslovakia, in 1968.

Under Ceausescu's tight control, the military lost its power and influence. Although the conscript military was at the core of defense policy many officers and soldiers accomplished economic tasks in agriculture and industry. These policies led to a de-professionalization of the military. However, the 1989 "revolution", when the soldiers were the decisive factor in overthrowing Ceausescu and supporting the new regime had a

special meaning for adopting the democratic norms of civilian control.

Reviewing the history, one might wonder if the tumultuous history and the previous patterns of proto-democratic society, military and royal dictatorship or the Communist regime had created different layers or ideologies within the contemporary society and the military itself. There is not enough available research and literature to have a comprehensive answer. However I would argue that the military doctrine of "the struggle of the entire people" had the most important effect, both on military mind and civilians. Rooted in the Great Romania (between the world wars) and mastered by Ceausescu propaganda, this doctrine has had both positive and negative effects in transition. Among the positive effects was the solidarity and trust in the military as a nation builder.

Figure no. 1   *Trust in institutions*
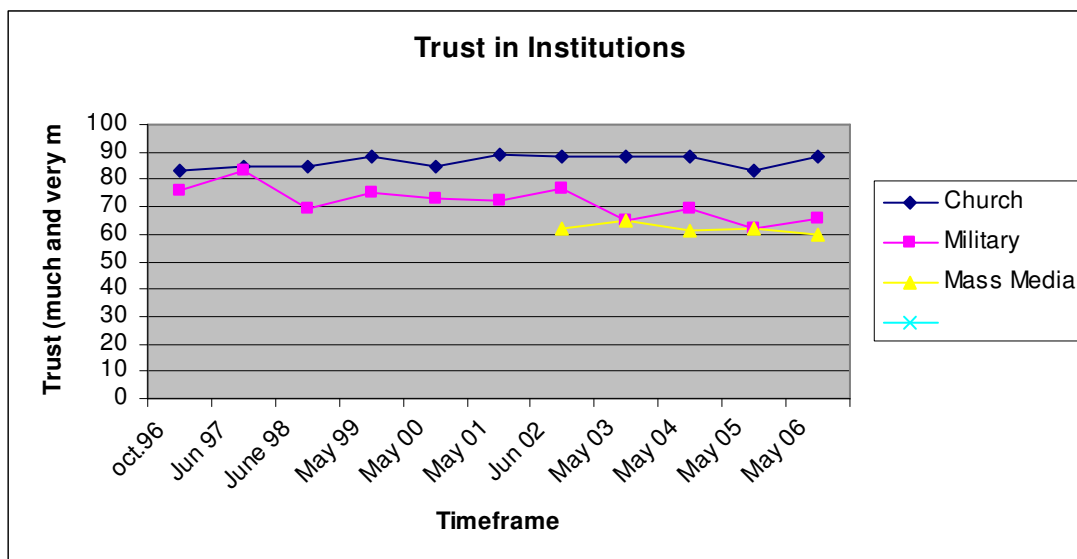
A public opinion barometer presents above the most trusted institutions in Romania. As one can see in the Figure no.1, in the 1996-2006 timeframe, the Military was one of the most trusted institutions, alongside the church. About 70% of the public has much and very much trust in the Military. Therefore, the population support was a constant resource in reform.

On the other hand, the same doctrine became an obstacle in military thinking, when Romania wanted to join NATO, because the mindset was focused on self-defense and national orientation. Despite the population high support to join NATO, sending troops abroad under NATO flag was considered as wrong decision, against the Romanian tradition. Even though Romania participated to peacekeeping operations since early 1990s, only after joining NATO the National Security Strategy (2006) openly proclaimed the power projection as an important mission for its military. There are still debates about the role of the military abroad but not as a strong opposition.

By the same token, such groups as "Royalists" (supporters of monarchy) or "Antonescians" (the supporters of the former military regime Antonescu) had played a role only among the veterans not on active duty officers. The only consistent group with potential for obstacle against the reform was the one of the former Communist apparatus. Although the Communist activists chain of command was dismantled immediately after 1990 its ideology, particularly what is called "national-communism", had an indirect influence until 1996, proposing a slow pace of reform.

Another important factor in defense reform, closely related with the "struggle of the entire people" was the threats perception. The historical legacy and perception of external threats are two inter-related variables, very important in the Balkans. The public opinion Barometer, produced by the Paul Lazarsfeld Society in 1992 and 1996, shows the development of threat perceptions in Eastern Europe[2]. How the Romanian public perceived the threat of war? In 1992, the Romanian public was obsessed by: (1) a Russian threat (more than 60% of population); (2) a war with an unspecified neighbor country; and (3) the danger of minorities as infidel citizens. This could be explained both by the influence of Ceausecu's previous obsessive propaganda, the historical built perceptions on Russia as the main enemy as well as by the debates on Russia's involvement in the Romanian revolution and Trans-Dniester. The inter-ethnic strife, such as the street fights of Romanians and ethnic Hungarians in Tirgu-Mures in March 1990, has contributed to that obsession as well. In general, the perception of external dangers has decreased from 1992 to 1996. The solution to counter the threat was proposed immediately after 1994: a

cooperative strategy under the Partnership for Peace and NATO aegis. It seems that joining NATO was considered a sort of panacea to solve not only security concerns but also the prosperity. During the last 17 years, a constant high percentage of 75-80% of the Romanian public supported NATO membership, the highest support among the Eastern Europeans.

As a conclusion, the major issues in reforming the defense system and setting up democratic soldering norms were the following: (1) re-inventing the democratic tradition and establishing the democratic norms of soldering; (2) an over-dimensioned and mostly de-professionalized military; (3) a weak civil society and a lack of civilians with security expertise; and (4) the need to reform the entire security sector. Those issues will be addressed in the next chapters.

2.   The Establishment of Democratic Norms of Civil-Military Relations

Constitutional Provisions

The substantiation of the civilian control over the Armed Forces as a framework for "democratic soldier" has its origins in the Romanian Constitution, adopted in 1991, that was a product of a long debated constitutional process[3].

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2   See Marian Zulean, "Threats Perception and Security Policy in Post-communist Romania", Central European Issues, Volume 5, No.2, 1999/2000.

3   The National Salvation Front, in 22 December 1989 set up a Committee to issue a new Constitution. A special body, Adunarea Constituanta, was established, in March 1990, with the main mission to draft a Constitution in 18 months. On November 21st, 1991, Adunarea Constituanta voted the new Constitution

Although that Constitution was modified, in 2003, the basic provisions and its philosophy, regarding the separation of powers and the roles of the military remained basically the same. Thus, Romania was set up as a semi-presidential republic, where the President is the commander in chief of armed forces and the president of the Supreme Council for National Defense (Constitution, 1991, art 92/1), while the Parliament is in charge with declaring the status of war, reviewing the reports of SCND, issuing laws, asking questions the Government or individual ministers. According with its Article 117, the armed forces are "exclusively subordinated to the people's will in order to guarantee the country's sovereignty, independence, territorial integrity and constitutional democracy" (Constitution, 1991).

The Constitution has been amended, in 2003, as a consequence of Romania's invitation to join NATO, the foreseeable invitation to join the EU and the necessity to clearly state the property rights. However nothing fundamental has been changed, the basic organization of defense is similar with the Constitution of 1991. The Article 55 states the right and obligation of the citizens to defend Romania but the next paragraph stipulate that a regular law could specify how the military duties should be accomplished.

That offered the opportunity for professionalization of armed forces and adoption of an all-volunteer-force structure for the military, starting with January 2007. Although the President remains the commander in chief of the military and president of SCND his constitutional powers has been limited by the lack of right to dismiss the prim-minister and the provision that the Parliament should approve the national defense strategy.

The article that states the "subordination of the armed forces to the people's will…" was amended with the provision that it can contribute to the collective defense or peacekeeping abroad (Constitution, art. 118). Articles 148 and 149 offer the provisions on how Romanian public institutions would handle the process of joining NATO and EU, letting a regular law to settle the framework. The Parliament not only that is the sole authority to issue laws but has important role in defense policy, defining the missions and budget to the military, ratifying treaties, asking the ministers for reports and programs. Moreover, the Commissions on Defense, Public Order and National Security are responsible for thorough control of the military while the Government ensures the implementation of any policy.

Legal Provisions on Organization of National Defense

The *Law on National Defense* no. 45/ 1994 complements the Constitution and defines the fundamental principles of accomplishing national defense, the structure of the system of national defense, and the public authorities' attributions in the field of defense. The national defense is based on different elements of power, the military ones being central. The law defines the structure of national defense, the Government being responsible for

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and it was adopted later on, in December 8th 1991, by a public referendum (Muraru et alt, 1993: 249-250).

organization, implementation of procedures according to its constitutional rights. According to Article 10 the <u>defense forces</u> consist of armed forces and protection forces: the former are military units of Ministry of Defense, Domestic Affairs, Intelligence, while the later are civil defense units and medical units. Armed forces and Protection forces should act together for national defense. In case of war the political leadership establishes the Grand Headquarter to manage the war.

Due to uncertainties regarding the emerging NATO's open door policy and the threats perception, as far as the remains of the strategic culture on "the struggle of the entire people" doctrine some laws, such as *Law of the integrated concept of national security* or the *Law regarding military doctrine* were drafted in the spirit of self-defense mindset but never approved while others were adopted and modified later on. It is the case of such laws as the *Law on preparing the national economy and territory for defense* (no. 73/1993), the *Law on preparing the population for defense* (no. 46/1996). According to these laws, the preparation of the national economy and territory for defense is the task of the Government through its Central Office for Special Problems that elaborates a plan for mobilization and a budget. The Law on preparing the population established in details the conscript service during peacetime and wartime. The laws were adapted after Romania was fully integrated into NATO. Thus, a new Law *on preparing the national economy and territory for defense no. 824* was issued in November 2003, while a *Law on preparing the population for defense no. 990* was issued in 2006. The basic institutions responsible remain the same but the main problem was related to adaptation of the plans and norms to a national economy that was privatized. The public authorities are responsible for preparing the economy and territory for defense but on a contractual basis, from the public budget. The Law on preparing the population stipulates in details the human resources for defense, according to the constitutional rights. Thus, every person more than 18 years old, men or women, must be either in active duty, reserve or alternative service but only in case of war or emergency. According with Article 10 the professional military are only officers, NCOs, technical staff. On the other hand, according to the Law no. 395/2005 the mandatory service is suspended from January 2007 until a status of war or emergency is instituted.

Another important aspect of national defense in a world of small contingencies and crisis is related with the status of war, emergency or crisis and the missions of the military during such crisis. There were serious debates related with the *Emergency Ordinance (EO) no. 1/1999 on the state of siege and the state of emergency*, adopted within a few hours, after repeated postponement, under the pressure of the events generated by the coal miners' revolt of January 1999. Besides the procedural aspects regarding the avoidance of the debates within the Parliament, there were some criticisms that the EO didn't fully comply with the constitutional provisions that regulate exceptional states, having shortcomings regarding the attributions of the bodies involved in crisis situations.[4] From the point of view of civil-military relations it should be noted that this emergency ordinance grants increased powers to the military during a crisis.

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4   See C. Monac and C. Sava, Stările excepționale (2000), pp. 305-320.

The shortcomings were corrected in 2004, when a *Law no. 453 to approve the EO regarding the state of siege and emergency* was voted in the Parliament. According to its Article 7 "some attributions of the public administration could be accomplish by military authorities during the state of siege and emergency" but the measures are temporary and could be ceased when the danger stops (Article 16).

The provisions on crisis management were complemented by a new *Emergency Ordinance no. 21 on National System of Emergency Management from April 2004*, which takes into consideration terrorist attacks, climate catastrophes and other nonmilitary risks. The national system is a network of administrative bodies, in the responsibility of the Domestic Ministry. However it is under debate the organization of a National Crisis Management System as a unitary system aiming to prevent and manage any crisis, internal or external.

The *Law no. 42/2004 on participation of armed forces to missions abroad* establishes in article 2 that the missions abroad should be: collective defense, peacekeeping, humanitarian assistance, coalitions, common exercises, individual and ceremonies. The mechanism of approval is the following: the prime-minister proposes and President approves, after consulting the SCND, to send the troops abroad. Afterwards the President has to inform the Parliament in 5 days after decision. If the international mission is not under an international treaty the Parliament only should approve the proposal of the President.

One can notice a plethora of laws, regulations and directives after 1989 and might wonder if such flow was digestible by the society and military brass. There are many explanations for this phenomenon. First of all, the early involvement of the military in the days of "revolution" in December 1989 and a civil society debate about the possible guilt of some military leaders created an expectation of careful regulation. Basically, any involvement of the military in internal strife was discouraged by the lack of regulations; the soldiers asked for over-regulation to determine every mission. On the other hand, the slow pace of reform in the early 1990s, the lack of clear prospects for NATO membership created a set of laws and rules for self-defense. However, the clear prospects and NATO's Membership Action Plans asked for a new set of regulations to adapt the organization and the missions. They evolved toward more clear and more digestible set of rules.

Institutions and Mechanisms of the Civilian Democratic Control

According to the Constitution, all three public powers, executive, legislative and judiciary, have responsibilities in the monitoring and oversight of the military[5]. Among all the forms of democratic control, the Parliament's oversight role is the most complex one. The oversight process refers to the crucial role of the Legislative to monitor and review the activities of the Executive.

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5   These institutions are presented in detail by G. Diaconescu, F. Şerban, and N. Pavel, Controlul democratic asupra armatei (Bucharest: Editura Enciclopedică, 1996).

The Parliament issues laws on national defense, approves the deployments abroad and grants the over fly rights to the friendly airplanes. The Parliament exerts its authority by receiving reports on the military's programs and activities and through the mediation of its commissions for defense, public order and national safety. The role of the commissions is very important in promoting laws on national defense and security, and also in the approval of the defense budget.

The Parliament also convenes government officials, as well as the minister of National Defense, to answer specific questions regarding Romania's national security and approves the defense budgets. The defense expenditures are transparent to the democratically elected public authorities, including the Parliament. In 1999, the president of the House of Deputies' Commission for defense, public order and national safety saw three obstacles to the perfect functioning of parliamentary control: the lack of clear regulations regarding the relations with other institutions with control responsibilities, the military's lack of initiative in reporting to Parliament, and the lack of independent expertise of the parliamentarian commissions, which makes them too dependent on the governmental agencies.[6] Some of the shortcomings were corrected afterwards.

The President of the country represents the Romanian State and is the guarantor of the country's independence, unity and territorial integrity. He is the Supreme Commander and president of the Supreme Council of National Defense (SCND), a position that confers upon him a major influence over issues of national security, such as the declaration of the state of mobilization, emergency or siege. In the case of aggression the President has the responsibility to repel it.

SCND organizes and coordinates all activities related to national defense and safety. Decisions within this agency are taken by a group of ten persons, led by the president of Romania. The modification of SCND's structure reflects the dynamics of "civilian control." In 1990 SCND included only five civilians out of ten; since 1997 only the chief of the General Staff has been a military officer. The counselor on security issues and the directors of the Intelligence Services (SRI and SIE) are directly accountable to the President, and the chief of the General Staff is indirectly accountable to the President, as

the Supreme Commander, while the other five are ministers, members of the Executive. This fact generates the perception of the existence of "two governments."[7]

The Prime Minister is the vice-president of SCND and the chief of Civil Protection. He leads the Government's executive activity and implements defense policy,

through the mediation of the Minister of Defense. The Government ensures the implementation of the foreign and security policy in compliance with its Governmental

6   Ioan Mircea Pascu, Parliamentary Control over the Military, in K. W. Treptow and M. E. Ionescu (eds.), Romania and Euro-Atlantic Integration (Iaşi, Oxford, Portland, 1999), pp. 112-120.
7   One of the main critics of this overlapping of responsibilities is the Dutch professor Peter Volten. See his Organizing National Defences for NATO Membership, Harmonie Paper 15, Centre for European Security Studies, Groningen, 2001, pp. 108-110.

Program, accepted by the Parliament. The General Staff is part of the Ministry of Defense and is subordinated to the civilian Minister of Defense.

The Judiciary has an important role in the control of the military. The Constitutional Court is an institution that guarantees the supremacy of the Constitution and treats the army as any other institution, verifying the constitutionality of the normative documents related to defense. The Accounting Court is responsible for controlling the spending of public money and the Ombudsman has an important role in defending the citizens' rights and liberties. An intensely debated issue at the beginning of the 1990s was whether to maintain the military courts and military prosecutors, finalized by the decision to keep these institutions.

3.   Military Organization: Missions, Strategic Planning and Military Status

Restructuring the Military Organization

The reform process was, initially, triggered by the requirements of the 1989 Revolution and by the signing of the Conventional Forces in Europe (CFE) Treaty in 1990. As a follow up of 1989 Revolution, a reform process initiated de-Communization and downsizing the Armed Forces. Some immediate actions involved: the transfer of

"Securitate" under the MoD rule as well as the withdrawal of the military from the use as a free workforce in the national economy. The former "4th Directorate" was dismantled in December 1989, while its personnel was grouped into three categories: people over 52 years old that went to pension; people with military background and training, that were sent to their branches while the people that had records of abuses were sent into reserve and were supposed to be sent in justice[8].

The *Action Committee for Democratization of the Army* (CADA), a group of young officers played a pushing role in initiating changes. One notable contribution in

setting up the democratic civil control was the establishment of the Country's Supreme Council for Defense (CSAT), an agency for coordinating the conception and executive actions in crisis situations.

As a result of CFE Treaty, in November 1990 the RAF started the process of downsizing its tank strength from 2850 to 1375, its armored vehicle strength from 3102 to 2100, its artillery from 3789 to 1475 pieces, and its aircraft from 505 to 430.

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8   See Radu Cristescu, 2002, Serviciile secrete din Romania si scandalurile de coruptie, Antet XX Press: 164-173.

The *Law of establishment, organization and functioning of the Supreme Council of National Defense no. 39/1990* (SCND) was one of the first laws that helped the organization and coordination of defense policy. The set up of SCND had in mind to re-establish the democratic body that functioned between the world wars. It consisted of the President of Romania-as the President of SCND, the prime-minister as vice-president and another 8 ministers or chiefs of General Staff and Intelligence. A new draft of SCND has been adopted in 2002, updating its structure and main tasks but keeping the basic provisions.

The *Law on organization and functioning of the Ministry of National Defense* (MND) no. 41/1990, amended through the Law no. 389/2001, completed the legislative framework regarding the organization of national defense. The early law (1990) which represented a first step of reform tasked the MND with the organization and coordination of activity in defense policy. It defines the Military in Article 14 as "the troops of MND".

According with the Law no. 389/2001, the MND "is a specialized body of public administration" that directs all the activities regarding national defense. The central structures of MND are: Department of Euro-Atlantic Integration and Defense Policy, Dept. of Parliamentary Liaison, Dept. of Armaments, The Inspectorate, General Secretariat and General Directorate for Defense Intelligence; the General Staff is also subordinated to a civilian minister but ensures the military leadership of the Armed Forces.

A more organized and coherent series of reforms started after 1993, leading to the approval of a new structure for the Ministry of National Defense, in 1994. This entailed an overall reduction by 727 positions of the Ministry and the introduction of over 100 civilians into jobs, which had previously been held by military personnel. In addition, a General Staff was established, together with separate Land, Air and Naval Staffs. The Patriotic Guards were disbanded, and a system of territorial reserves was established. Besides these specific reductions, the size of the armed forces as a whole was also drastically reduced – from a strength of 320,000 in 1989 to 207,000 in 1999.

"Army 2000" was a document written somewhat later, which explored ways to improve the quality of Romanian military structures. The Romanian Ministry of National Defense and General Staff were fully reorganized in May 1997 – with changes affecting

both central structures and combat forces. These changes were conducted under the PfP's Planning and Review Process (PARP) with the aim of increasing NATO interoperability. At this time – before 1998 – reform priorities focused on four key areas: personnel management reforms, especially involving the officer and NCO corps; upgrading national systems of command, communication, control and information (C3I) and making them NATO interoperable through the acquisition of the communication system STAR; enhancing air defense capabilities through the installation of new FPS 117 radar sets and the opening of the Air Sovereignty Operations Center (ASOC); general infrastructure upgrading oriented towards facilitating the operation of NATO forces on Romanian territory.

The Operational Forces consist of an Early Warning Force of about 5000 personnel, a Rapid Reaction Force of 5000 personnel and an Augmentation Force of 40,000 personnel. These forces will be allocated for both collective security missions such as NATO-led peacekeeping operations and for national defense. The Territorial Forces were proposed to have around 45,000 military consisting of Low Readiness Forces and Reserve Forces. This type of organization reflects the changing nature of the professionalization of the RAF, and particularly its shift from a "total defense" or *Neutralist* model towards the *Power Projection* type characteristic of many NATO armed forces. The direct management of these forces is the responsibility of the General Staff. The Chief of the General Staff is also the Chief of Defense, and Romania's senior military officer. The General Staff itself has been reorganized through the creation of "joint" directorates similar to those in the NATO and United States staffs. The General Staff published a medium term planning document called *Strategic Vision 2010* concerning the future structure of the RAF. This document envisioned a major shift towards all-volunteer forces by 2005 (70 per cent compared to the 47 per cent in 2000). Moreover, as part of the second cycle of NATO's Membership Action Plan (MAP), Romania aimed to reduce the size of its military to a peacetime strength of 112,000, and wartime strength of 230,000 (in accordance to objective of Program FARO 2005/2010 established in 1998). The decisions before Romania was invited to join NATO established a new force objective: 15,000 civilians and 75,000 military by 2007.

After Romania became a full NATO member, in 2004, a new draft was proposed, the *Law no 346/2006 regarding the organization and functioning of Ministry of Defense*. It might be relevant that the word "national" was dropped out, showing the new status as a NATO member. The new law presents in more details the new organization of the Ministry, responsibilities, force structure, leadership and personnel issues. Thus the central structures subordinated to a civilian minister are: Dept. for defense policy and planning, Dept. for liaison with the Parliament and PR, Dept. for Armaments, General Staff, General Secretariat, General Directorate for Defense Intelligence, Human Resource Directorate and others. According to their destination and operational status the force structures are: deployable, generation and re-generation forces. The deployable forces have to accomplish all spectrums of operative missions, particularly abroad, while the others are going to support the deployable forces on the national territory.

The Planning-Programming-Budgeting and Evaluation System

The legal framework for democratic soldier and the specific institutions involved in civilian control has been presented above. The next part will describe how these institutions and mechanisms work in practice.

The most important mechanism of control is the control of budgetary allocations and the system of planning, budgeting, and acquisition (before 1989, the military budget was a "state secret"). The improvement of this type of mechanism has been delayed until late 1990s due to uncertain forecasting of the GDP. An obstacle to the implementation of the mechanism of budget control has been the defense industry, inherited from the

Communist period, and the influence of the Defense Industry over the General Staff, the intelligence services and at the political level. The defense budget is, today, public and subject to internal audit, as well as to the oversight of other institutions, such as the Minister of Finance, parliamentary commissions or Accounting Courts.

Starting with 1998 and implemented by 2001, a new system of planning, programming, and budgeting (PPBES) has been implemented. The Emergency Ordinance no. 52/1998 regarding the defense planning defined the basic documents of strategic planning as: National Security Strategy, Government's White Paper and National Military Strategy. The Ordinance was approved by the *Law on Romanian National Defense Planning no.63/2000* that detailed the role of each institution in defense policy. The core of this new system was an integrated conception of human, material and financial resources planning and management, which will improve the capability of the Armed Forces to fulfill its operational criteria. In accordance with the law the planning of defense is based on political and strategic decisions made by the Romanian Parliament, President and Government, as well as other public institutions that assume security and national defense responsibilities. According to the Law no. 63, the national values and interests, the risks and threats to these values, as well as the main guidelines for the provision of Romanian national security are defined by a presidential document officially presented to the Parliament – the *National Security Strategy*. In order to accomplish the provisions of the National Security Strategy, the government elaborates the *White Paper of Defense*, establishing the goals, tasks and budgets of the security and defense institutions. At the level of departmental strategies, the Ministry of National Defense, as the authority responsible for the military defense of the country, produces the *Military Strategy*, while the Romanian Interior Ministry and Intelligence Services prepare their own strategies according to their own responsibilities.

A new *Law of Defense Planning no.473* has been approved in the late 2004 with the main goal of better defining the national defense field, setting the basic documents of planning at the national level as: the National Defense Strategy and Governing Program and at the departmental level documents such as White Book of Defense, Military Strategy, Directive for defense planning and programs and operational plans. However the detailed regulations meant to better define the field brought some confusions and constraints.

The main confusion that triggered political debates was related with the individualization and containment of the national defense as an overarching field to cover everything on national security, in the era when the risk of classical wars was dramatically reduced and the new asymmetric threats, such as terrorist ones, became important. On the other hand, the strict deadlines to issue strategies and the detailed content for the strategic documents became a tool for the political struggle.

The first "National Security Strategy of Romania" was approved by the Country's Supreme Defense Council (SCND) in June 1999 and has got the Parliament's endorsement. In December 2001, President Iliescu sent to the Parliament the second "The

National Security Strategy of Romania,"[9] which proposed a vision on the security framework, defined the national interests and established the main directions of action for national security. Among the established objectives were those of preserving the state's independence, sovereignty, and territorial integrity, guaranteeing the constitutional order, consolidating the state of law, optimizing the defense capacity according to NATO standards, etc. The Strategy also identified both risk factors and vulnerabilities in the domestic sphere and established directions of action in the political-administrative, economic, social, educational, national safety, national defense and external policy fields.

In April 2006 President Traian Basescu resented and SCND approved a new National Security Strategy. This Strategy not only that proposes a classical guideline for providing national security and a strategic vision, a sort of national project, "pragmatic and realist", but also aims to systematically transform the elements of Romanian power. Among the main missions there are: participation to the global security efforts, constructing the new European and Euro-Atlantic identity of Romania, new regional security approach with focus on the Black Sea area, building a Homeland Security system, providing good governance, strengthening economy, transforming the security sector and modernization of critical infrastructure.

According to the law, today the main missions of the Armed Forces are: to contribute to the Romania's security; to defend Romania and its Allies; to promote the regional stability through defense diplomacy and to help other institutions in civil emergencies crises.

Changing the System of Education and Training

Education and training is a central part of any process of professionalization. In Romania, the RAF's traditional system of personnel management has been replaced by a new approach, which aims to re-conceptualize and reorganize the management of human resources in a more rational way. The first step in this process was introduced in 1995 in the form of the *Concept of Reforming Military Education*. The goal of this process is the development of professional military personnel and the training of students at specifically military educational institutions. The basic institutions for military education include military high schools, post-high school education for warrant officers and NCOs, higher education for command officers (three military academies), technical education, command and staff training, a training system for experts. A Regional Center for PfP Training, a Regional Centre for the Management of Defense Resources and centers for Foreign Language education have been lately created in order to prepare humane resource to be interoperable with NATO. This new system is part of a holistic approach to human resources management in the military, whose scope includes elements such as recruitment and selection, initial training, career development, reconversion and disengagement, and promotion based on proficiency and potential.

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9   "Romania's National Security Strategy," in Monitorul Oficial, part I, no. 822, 20 December 2001.

The *Concept of Human Resource Management* was initially elaborated in 1997. It was later completed with British and US assistance, and established a National Defense Framework Action Plan for 2000-2003 and a Long Term Framework (to 2010). The Concept of Human Resource Management also provides for the streamlining of the RAF's top-heavy officer corps – a structural legacy from the communist period. The current 30,000 strong officer corps will be halved, with the number of colonels reduced from 2300 to 630, the number of lieutenant colonels from 5600 to 1800 and the number of Majors from 7800 to 2200. This will create an officer to NCO ratio of 1/3. As a result of these reforms, 11,000 officers and warrant officers left the RAF in 1998. Ninety-four percent of these took voluntary retirement, and 85 per cent of them were drawn from the ranks of major, lieutenant colonel and colonel.

Two other important initiatives for the reform of the RAF include the Military Career Guide and Professional Reconversion. The *Career Guide*, which has been applicable since June 2001, is an important framework for the whole process of professionalization of the RAF, in accordance with its new missions and roles. Promotion is now a transparent process and is based on clear rules. *Professional Reconversion* is of fundamental importance in the context of the halving of the officer corps. The main measures here include the provision of social protection for officers who leave the army, as well as assistance and training to help them find civilian jobs.

The need for interoperability with NATO in the framework of the PfP has also contributed to the establishment of new goals and strategies for the reform of the RAF. The PARP, for example, has provided a structured approach for developing the interoperability of the RAF with NATO Allies. Subsequently, the MAP has helped to push Romanian military reform towards Power Projection. In the field of education, centers for foreign language training, peacekeeping, and defense planning training have also been established. Moreover, more than 1500 Romanian officers have attended courses in NATO member countries.

4.   The role of Western Norms and Assistance

The international community, particularly some international organizations such as NATO, OSCE or EU acted as important factors in supporting, advising and directing Romania's SSR. Some bilateral assistance programs of US, UK, France, Germany and Italy played also important roles. The requirements of NATO's PfP Framework, the OSCE's Code of Conduct (1994) and the Study on NATO Enlargement stated clear criteria on democratization of civil-military relations and defense reform. There were focused mostly on "first generation problematic" issues. Later on, the Membership Action Plan adopted in 1999 had a comprehensive and systematic approach and produced deeper change into the security sector of Romania.

Some bilateral programs assured the training and education for both military and civilian leaders and younger experts. Also, independent think tanks such as RAND or

Cubic from US or DCAF-Geneva offered assistance, organized conferences, debates and delivered studies. Individual advisers from UK, France and Germany attended the Defense Planning meetings or helped Romania to prepare planning documents or those reports for NATO. Lastly, a lot of programs and projects were preparing the civil society. Among them, the EU's PHARE or the Stability Pact, PfP Academic Consortium or OSCE. On civil society Soros Foundation or other NGOs played an important role in training and helping Romanian civil society.

Joining EU was one of the most important objectives for Romanian policymakers, before and after the formal invitation by the EU Helsinki Summit, in 1999. According to 2004 *White Paper on Security and National Defense*, "Romania affirmed its willingness to further contribute to the development of ESDP", by views expressed during European Convention and Intergovernmental Conference and by its participation to the EU peace operations (EUPM in Bosnia and Concordia in Macedonia)[10]. The provisional closing of the Common Foreign and Security Policy chapter (no. 27), the participation to the EU-led Petersberg missions and its commitment to Headline Goal were seen as tools to show the preparedness to join EU and the convergence of national defense with ESDP. According to a MoD monograph about ESDP, the Romanian contribution to the development of ESDP can be seen at three levels: political-strategic, development of capabilities and participation to the EU-led operations[11]. On the capabilities level, Romania would contribute on two Battle-groups by 2010, while defense industry will join EDA. Romania has participated to both civilian and military missions, as mentioned earlier. However, EU was seen rather as an economic construct that provides prosperity, while NATO was perceived as a military Pact that provides security. Therefore the prospects for joining NATO and EU had different meaning. Moreover, the construction of ESDP as a process in making, during the negotiation, and the lack of clear criteria of preparedness of the military- such as NATO's Membership Action Plan- reveals an image of smaller influence of the EU compared with NATO. This issue would be addressed in conclusions.

Conclusions

The paper described in a comprehensive manner the genesis of the democratic norms of soldering in Romania after 1989, the institutions involved and the mechanisms of democratic control. The pace of reform was dramatic not only in terms of downsizing the military and setting up a mechanism for democratic control of the armed forces but also in terms of strategic thinking and vision about the role of the military in a democratic society. Despite the fact that the reform process started from a domestic impulse the role of Western assistance, particularly the NATO's open door policy, was instrumental in encouraging and guiding the efforts to build a democratic soldier, based on Democratic Peace theory.

10 See White Paper on Security and National Defense, Bucharest, 2004, p. 8
11 See MoD, Department for Defense Policy, Politica Europeana de Securitate si Aparare, 2006.

As presented in the first part of the paper, the political culture and national tradition played a determinant role, in the sense that Romanian people was very keen to come back to its Western identity, to continue the process of modernization and democratization. The perception of threats, particularly the historical built perception of the Russian danger in the early 1990s created a desire to join NATO as a protector of their safety, with any efforts. That might explain the today's Romanians enthusiasm with Atlanticism. On the other hand, "the struggle of entire people" doctrine created not only a strong esteem for the military but it also fed the debates about sending troops abroad. However, the taboo was deconstructed and was not followed by activism, mostly because it was presented by political elite as a requirement for joining NATO or as a responsibility for NATO membership or responsibility to the U.S., the strategic partner that contributed decisively to the invitation of Romanian into NATO.

By the same token, the norms of democratic control of the military were proposed both by internal public during the "revolution" as well as by the Western institutions in which Romania wanted to be integrated. Thus, the population slogan from December 1989 "The Military is with us!" and its high esteem were resources that helped the implementation of norms and reforms. But not many things would've happen without the guidance, assistance and resources provided by the Western institutions. The OSCE's "Code of Conduct", PfP Framework, NATO's Study of Enlargement or Membership Action Plan were among the most important guides, based on DP theory to set the norms. Bilateral plans and programs, with France, Germany, UK or the strategic partnership with the US were instrumental in guidance, training and resources.

Although joining NATO and EU was the strategic objective of Romanian politics by 2007, one might wonder if prospects for joining NATO were more instrumental than the prospects of joining EU? The Romanian public discourse tried to balance and manage with care both but looks like the prospect for joining NATO was more important than for the EU. I would argue that is a problem of visibility. In the early stages, Romanian public and politicians saw the processes as complementary: if NATO would deliver (military) security the EU would deliver (economic) prosperity. That kind of perception became more complex and more informed after 2000. However, while NATO came up with more detailed requirements and assistance (Membership Action Plan), the EU *acquis communitaire* was rather vague on national defense issues and clearer on justice and home affairs- JAI. My conclusion regarding the genesis of DP soldering is that NATO has contributed more on professionalization of the military, while the EU norms and assistance has contributed more on security sector reform (including police) and to professionalization of the "controllers" by building an informed and active civil society.

The final conclusion is that the basic norms of democratic soldiering were successfully adopted in Romania both due to the public support, particularly its willingness to return to its Western identity and protect from a set of threats and due to Western assistance. However, the consolidation of democracy and internalization of the norms is a long process, which needs further research.

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