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## A Brief Review of Civil-Military Relations in the Republic of Croatia

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### *Summary*

Modern civil-military relations theory is concerned with the distribution of power and influence among individual elements representing the civilian authority and the armed forces. This review presents a brief examination of civil-military relations in Croatia – including past and present factors affecting its development. The Croatian Constitution, the Law on Defense and other defense legislation represent legal parameters defining the special relationship between popularly elected politicians, appointed bureaucrats and soldiers. The Croatian Ministry of Defense and its General Staff are in the process of reforming and re-organizing. The new structures, although tailored for Croatia's needs, are also very similar to those of Western defense institutions. The present civil-military challenge for Croatia lies in achieving the adequate balance between its “desire” for democratic development and liberalization, on the one hand, and its conservative, traditional “need” for military security, on the other. In Croatia's case, it is a question of the extent and nature of the application of civilian control exercised by the political leadership. Primarily, this implies the critical role of the Croatian Parliament, or rather the potential role it could play in military affairs.

### *Introduction*

The last decade of the twentieth century in Europe may be identified, from a political perspective, with the birth of new democracies, emerging from the breakup of three cold war-era structures – the Warsaw Pact, the former Soviet Union and the former Yugoslavia. The sudden disappearance of the ideological apparatus that exercised central control over military forces suggested that incidents of *coups d'état* might now become commonplace, given the powerful “tools of violence” at the disposal of the military and its previous central role in the respective cold war structures. The armies of the new democracies were ripe to challenge the civilian authorities as they faced social and economic problems. However, with the exception of the failed coup attempt in Russia, this did not happen on a significant scale.

\* Opinions and conclusions expressed or implied within this paper are solely those of the authors, and do not necessarily represent the views of the Ministry of Defense of the Republic of Croatia.

In early 1991, a threat of a military coup existed in Yugoslavia, which had been already experiencing serious political, economical and ethnic difficulties. The war in Croatia (1991-1995) and Bosnia-Herzegovina (1992-1995) and the human suffering and devastation that followed eventually drew international concern to what was repeatedly termed Europe's "backyard war". It was clear that future peace and stability in the region would not only depend on inter-national relations, but would also significantly depend on the internal stability of the individual countries in the area. Western nations believe that democratic civilian control of the armed forces is a fundamental imperative – one that would greatly contribute to the internal development and stability of the new democracies in south central Europe.

This paper presents a brief review of civil-military relations and their development in the Republic of Croatia. Past and present factors affecting the establishment of democratic structures, mechanisms and processes will be considered. An understanding of the "nuts and bolts" of civil-military relation issues by policy makers is absolutely essential for future development. Furthermore, politicians and military officers alike must understand the benefits of a democratic and modernized civil-military model for the society, and that achieving effective mechanisms for democratic and stable civil-military relations is a long-term, continuous and evolutionary process requiring constant improvement.

### *Civil-Military Relations: Theory and Practice*

Modern civil-military relation theory is concerned with the distribution of power and influence among individual elements representing the civilian authority and the armed forces. This concept has important implications for today's developing democratic societies. In brief, it may be interpreted as the problem of establishing and developing "democratic civilian control of the military". At the heart of the theory is the issue of having "an institution strong enough to protect civilians yet not so strong as to ignore civilian direction – in short, the problem is one of civilian delegation of authority and control of the military."<sup>1</sup>

The conceptions of "who guards the guards" in Plato's *The Republic* and the relationship between political and military affairs in Clausewitz's *On War* represent fundamental examples of the sophisticated evolution in thinking attributed to civil-military relations. The emergence of the military in society as a separate institution occurred well before the emergence of democratic governments and countries<sup>2</sup>. Ever since the development of this armed, separate and highly specialized body in the social community, society has been very suspicious and fearful of the armed forces which

<sup>1</sup> See Feaver, P. D., p. 170.

<sup>2</sup> Many scholars argue that today's military institutions can be traced back to the developments in the Middle Ages and that the standing, peacetime army evolved in Europe in the seventeenth and eighteenth centuries.

were ironically designed to protect that very society<sup>3</sup>. Johnson and Metz described the US military at one point in history as “a guard-dog so thoroughly trained to attack that it became unsuitable as a pet or companion”<sup>4</sup>.

As societies and national armed forces have evolved over time, so too has the nature of the problem regarding civil-military relations. Samuel Huntington and Morris Janowitz, probably the two best known Western experts on modern theoretical aspects of civil-military relations, examined the issues from a Cold War perspective and developed fundamental principles, particularly relying on “professionalism”<sup>5</sup>.

With the end of the Cold War and the emergence of new democracies in Central and Eastern Europe, the question of civil-military relations and democratic control of the armed forces gained considerable international attention. In fact, democratic control of the military is a fundamental requirement in order for the new democratic countries of Europe to join the North Atlantic Treaty Organization (NATO) or participate in its Partnership for Peace program (PfP)<sup>6</sup>. “Ensuring democratic control of defense forces” is one of the primary objectives pursued by the nation-signatories of the PfP Framework Document. The state of civil-military relations is a fundamental measuring stick for closer relations between Western political-military institutions (i.e., NATO, Western European Union) and the new democracies in Central and Eastern Europe.

Today, models of civil-military relations are uniquely effected by historic forces which vary significantly in each society and represent an ongoing process – often based on a prolonged process of trial and error<sup>7</sup>. The differences in the approach to the issues are not only seen between Western countries and the new democracies, but also among the well-developed, Western countries themselves. Although an ideal “role model” for establishing effective harmony between the civilian authority and the military within a given society or a “quick remedy” to civil-military problems is nonexistent, Western democracies have developed certain structures and practical mechanisms that have proven to contribute to their national stability, political and social development and rational use of national resources.

<sup>3</sup> The military’s functional expertise can be identified as the “management of violence”. It is this skill that distinguishes a soldier from a citizen (D. Porch). The military is also distinguishable from other government instruments, such as police forces, in that they are trained to employ “maximum force”.

<sup>4</sup> See Johnson, D.V. – Metz, S., p. 491.

<sup>5</sup> See Feaver, P. D., pp. 149-78, for a good analysis of the two schools of thought, including their similarities and differences. Huntington focused his study on the officer corps and the evolution of professionalism. Huntington recognized the existence of the tension between the “desire for civilian control and the need for military security”. His study treats civilian control as an independent variable, dependent on military security.

<sup>6</sup> In a January 10, 1996 speech in Washington, D.C., former US Secretary of Defense, William Perry outlined a five-point principle criteria as a guide for the aspiring NATO candidates. Sometimes called the Perry Principles, these are: commitment to democracy, tolerance, minority rights and freedom of expression; market economies; civilian controlled military forces; good neighborly relations; and compatibility with NATO. Also, see “Study on NATO Enlargement” (1995).

<sup>7</sup> See Johnson, D.V. – Metz, S., p.490: “For Americans, few national security issues are more enmeshing in tradition and emotion than civil-military relations.”

There are several recognizable and traditional mechanisms that represent practical approaches by Western democracies whereby civilian control over the military is exercised. Among others, they include:

- limiting the mission of the armed forces;
- limiting the size and structure of the armed forces;
- limiting the budget of the armed forces;
- circumscribing the power and imposing legal constraints on the military establishment;
- imposing social or “popular” constraints on the military;
- imposing professional constraints<sup>8</sup>.

Huntington would presumably argue these approaches as being subjective solutions to the civil-military relationship problem. Nevertheless, all these mechanisms have their advantages and drawbacks. A democratic civilian government needs to find the right balance in establishing effective civilian control over its military establishment while not hampering it from performing its core function of providing adequate protection for the society from external threats. Hence, a nation’s civil-military relations is a primary government concern and an issue that should also be in the conscious minds of all social segments, down to the individual “tax-payer”.

A comprehensive presentation of civil-military relations in Croatia must include an examination of several major, inter-related areas. The most important are: the historical, social and cultural heritage of Croatia; the constitution, the defense law and other legislation; the parliament; the government and other state Institutions; the defense establishment; military professionalism; and the social aspects of civil-military relations (relationship between society and the military). For example, a nation's history and culture, its political, social and economic status and its geopolitical circumstances represent some of the key factors that influence the state of its civil-military relations and the direction of its future development.

The real challenge for Croatian policy-makers is how to maintain a high level of national security readiness, including certain military capabilities considering the uncertainties of potentially strategic changes in its immediate neighborhood, and yet make significant improvements in the state of Croatian civil-military relations. When considering its strategic environment, Croatia's young democracy may be particularly vulnerable to the uncertainties of the future and the new security threats. Membership in NATO would significantly contribute to Croatia's national security and internal political and economic development and allow it to participate more actively in the shaping of security in the region and contribute to the overall peace and stability in south-central Europe.

<sup>8</sup> Lecture notes, Professor Douglas Porch, Department of National Security Affairs, Naval Postgraduate School (June 9-20, 1997).

### *Croatian Heritage and Military Tradition*

The Republic of Croatia represents one of the most unique cases in civil-military relations among the new Central and Southern European democracies to have emerged after the end of the Cold War. As one of the oldest ethnic groups in Europe, the Croatian people can trace their roots to the sixth and seventh centuries. Due to various historical occurrences and because they occupied a region marking one of the major east-west crossroads, Croats were constantly threatened, often faced extinction and had a long and active history in European military affairs. Croatia's political and military life has been, for the most part, dominated and exploited by foreign powers throughout the centuries. Yet, its resilient longing for political independence dominated its geopolitical orientation in Europe.

Croatia has not had a long, continuous tradition of national sovereignty over its military, and therefore, it has lacked the proper political and social setting for normal development of national civil-military relations. After enjoying two and a half centuries of self-rule, the Croatian kingdom came under the Hungarian monarch in the year 1102. The Croats were able to exercise some political freedom in the next eight centuries, but the idea of a free and independent Croatia remained only a dream. This may explain why freedom and independence was so much more a passionate issue for the Croats than for some of the other peoples in Eastern Europe after the fall of communism in the 1990s.

For many years, Croats served under different military commands and in their own home-guard units. They distinguished themselves as formidable military men, thus leaving a permanent mark on European military history. After World War I and the break-up of the Austro-Hungarian Empire – Croats, Serbs and Slovenes established a political union known as the Kingdom of Yugoslavia. Immediately, the Serbs dominated this new state. Croat military units were disbanded and only a small number of Croat officers were able to join the Royal Yugoslav Army (RYA). In 1938, only 10 percent of the RYA officer corps and only 31 out of 191 General Staff officers, were Croats.<sup>9</sup>

As World War II started and the Kingdom of Yugoslavia collapsed, the Croatian nation would find itself politically divided<sup>10</sup>. Two opposite military forces attracted noteworthy support from the Croat population – the communist-backed anti fascist movement and the right wing Ustase – both having strong external backing and making

<sup>9</sup> See Banac, I., *National Question in Yugoslavia: Origins, History, Politics*, Cornell University Press, Ithaca, 1984, pp. 150-3.

<sup>10</sup> The role of Croats during World War II remains a source of serious debate and discussion, often being exploited in political forums and media reports rather than serious, historical and academic circles. At the heart of this debate is Croatia's contribution to the anti-fascist movement, which was downplayed in the years following the war. In fact, five out of the eleven Yugoslav Partisan Army Corps in 1944 were Croatian (See *Enciklopedija Jugoslavije*, Jugoslavenski Leksikografski Zavod, Zagreb, 1967). According to Professor C. Michael McAdams, historian and director of the Sacramento campus of the University of San Francisco, in a April 29, 1994 letter to the *New York Times*: "...the Partisan war of liberation began in Croatia, was led by a Croat (Tito), and that 39 of the Partisans' 80 brigades were Croatian."

promises of securing Croatia's national identity<sup>11</sup>. This resulted in a difficult situation for the Croatian people still felt today.

The Allied victory in World War II helped bring Tito and his communist party to power and establish the Socialist Federal Republic of Yugoslavia (SFRY)<sup>12</sup> and its armed forces – the Yugoslav People's Army (JNA). Within this new Yugoslav framework, Croatia found itself estranged from the West for the first time in its history. This newly created state adopted a one-party political system and the Soviet model of central military and political control. The military was essentially politicized, as party ideology, political commissars and counterintelligence networks were used to maintain order. Croat representation in the senior officer corps and the lower ranks was significantly less than that of the Serbs who, like in the Kingdom of Yugoslavia, dominated the military<sup>13</sup>. Eventually, Serb influence in state policy and the armed forces cemented an alliance between the JNA and the Serbian political leadership, which became an important aspect of the role that the JNA was to play in response to the Yugoslav crisis in the early 1990s<sup>14</sup>.

### *Recent Developments: Independence and War*

Perhaps one of the most significant influences on the current state of Croatia's civil-military relations stem from two most recent developments – Croatian independence in 1991 and the war that followed (the Homeland War, 1991-5).

The first multi-party democratic elections in Croatia were held respectively in April and May 1990. With more than 35 political parties and movements registered, the elections resulted in a major victory for the Croatian Democratic Union (HDZ), which received 205 out of 356 seats in Croatia's legislative body – the Sabor. Dr. Franjo

<sup>11</sup> The Ustase enjoyed support from Hitler's Germany and Mussolini's Italy, while the communist party relied on the support of Stalin's Soviet Union and later from the Allies. While the Ustase offered promises of establishing a long-awaited Croatian State, the communists promised to liberate Croatia from fascism and safeguard its statehood within a federation.

<sup>12</sup> The SFRY was made-up of six republics – Croatia, Serbia, Bosnia and Hercegovina, Slovenia, Macedonia and Montenegro – and two autonomous regions Vojvodina and Kosovo.

<sup>13</sup> Source: *Vreme*, vol. IV, no. 139, June 23, 1993, p. 35. According to an interview with Yugoslav Army Chief-of-Staff Momcilo Perisic, the actual percentage of Serbs is much higher than 60%. Many of the officers that came from the other republics were also ethnic Serbs. According to Cvrtila, V. "Tko je što u armiji" ("Who is Who in the Army"), *Danas*, Vol. 10, No. 486, February 5, 1991, pp. 53-4: over 60% of the officers in the Yugoslav army (JNA) were ethnic Serbs. This percentage of Serbs is even higher when only general and flag officers are considered. However, it was not only the Croats that were numerically outnumbered in the JNA officer corps; other ethnic groups were also disproportionately represented.

<sup>14</sup> Cohen, L. J., p.85. Under the 1974 Yugoslav constitution, the JNA was mandated to provide "armed struggle and other forms of self-defense" and to protect the country and its system of "socialist self-management." In the mindset of the military elite, it implied their commitment to defend the regime from foreign and domestic "enemies of socialism". This resulted in the JNA's vigorous opposition to the competitive party pluralism that was about to gain considerable support in Croatia in 1989.

Tuđman<sup>15</sup>, head of the HDZ party, was elected as the president of the Republic by the new parliamentary delegates. Following the establishment of a new government and the adoption of a new constitution in December 1990, the Republic of Croatia formally became a unitary and indivisible democratic and social state – founded on freedom, equal rights, national equality, social justice, respect for human rights, inviolability of ownership, respect for legal order, the conservation of nature and the environment and a democratic, multi-party system of government.

Without an independent functioning military structure of its own, Croatia was forced to defend the results of those elections when the new government's authority was challenged by Serb rebels and the Yugoslav People's Army. A defense system, including armed forces build on recruitment from the civilian sector, had to be quickly mobilized during a crisis situation. In Croatia, the civilian police initially represented the only form of serious armed resistance<sup>16</sup>. Many of the ethnic Croats who served in the JNA as officers and conscripts also joined the Croat armed forces then being established. This mixture of civilians and professional soldiers comprise a significant part of today's officer corps in the Croatian Armed Forces.

A United Nations sponsored, internationally backed arms embargo was imposed on all of the Yugoslav republics. This effectively favored the Serbs and the JNA as they were already well equipped and armed<sup>17</sup>. Croatia was forced to find other means of equipping and arming its armed forces, including initiating indigenous production of the necessary material.

During this time, the focus of Croatia was on meeting defense requirements, while social issues, democratic development and other national policies were of secondary importance. Eventually one third of its territory was occupied by hostile forces and Croatia was forced to shelter tens of thousands of displaced persons from those areas. Following a January 1992 United Nations sponsored cease-fire in Croatia, the war shifted to neighboring Bosnia and Herzegovina. Croatia was then forced to care for several hundred thousand refugees fleeing that conflict. In addition to the strain on the Croatian economy, it was estimated that direct economic damages from the war exceeded \$27 billion (US dollars)<sup>18</sup>. Indirect damage – including psychological effects on the population, slowed social and industrial progress, hampered democratic transition and other factors – is still being felt today. In that context, it is very difficult to compare the democratic transition and the overall development of Croatia to that of other Central

<sup>15</sup> Dr. Franjo Tuđman is a historian, former dissident and retired Yugoslav Army general who fought on the side of the partisans in the anti-fascist movement in World War II. Dr. Tuđman would go on to win two presidential elections in 1992 and 1997, respectively. Article 95 of the Croatian Constitution bounds the presidential post to a five-year, two-term limit.

<sup>16</sup> The Croatian National Guard (ZNG) was initially associated with the Ministry of the Interior and its police forces and later became the Croatian Army (HV) under the newly established Ministry of Defense.

<sup>17</sup> The JNA was by then purged of the other ethnic groups and consisted mostly of ethnic Serbs and Montenegrins.

<sup>18</sup> Source: *Address of the President of the Republic of Croatia, Dr. Franjo Tuđman, on the State of the Nation at the Joint Sessions of Both Chambers of Parliament*, on January 15, 1996.

and Eastern European countries in transition. In effect Croatia has emerged from two difficult transitions – the Cold War and the Homeland War.

In May and August 1995, two separate and short military operations by the Croatian Armed Forces proved successful as almost all the occupied territories were liberated and brought under the authority of the Croatian government<sup>19</sup>. The Croatian Armed Forces were now better trained and equipped, drawing international respect for the speed and precision of their operations. The decision on the military action proved successful in the political arena as well. The military operation directly led to the signing of the Dayton Accords in Paris in December 1995 for a peaceful settlement of the conflict in Bosnia and Herzegovina and to the peaceful reintegration of Eastern Slavonia.

### *Peacetime and Reorganization Period*

The years following the recent war may be characterized by the shift in focus of the Croatian society and its political leadership – from “wartime” to “peacetime” concerns. There is no doubt that the war years greatly retarded the normal development process in Croatia. It was unrealistic to expect Croatia to wage a defensive war against a superior military force and care for hundreds of thousands of its displaced persons and refugees from Bosnia and the same time to build effective national institutions, improve the social and economic situation of the country, and accomplish the transition from a socialist to a democratic system. But now that the war was over, Croatia could fully turn its attention to the social, economic and other challenges that could help improve the nation's welfare. However, national security remained a fundamental issue, supported by the fresh memories of the experiences in the recent war. The October 1995 elections in the Chamber of Representatives of the Croatian Parliament represented another victory for the ruling party, as the HDZ won 75 out of 127 seats.

The Ministry of Defense (MOD) and the Croatian Armed Forces were directly affected by the new shift in national policies. In a January 1996 address to the Parliament, President Tuđman gave three directives to the Ministry of Defense and the Croatian Armed Forces: to shift from a wartime to a peacetime establishment; to make more economical use of national resources; and to take the necessary steps that would enable Croatia to become an integral part of Western security structures (PfP and NATO)<sup>20</sup>.

But already as early as October 1994, the Croatian Minister of Defense Gojko Šušak initiated a new program of military education for Croatia's commissioned and non-commissioned officers, based on Western military models and practices but designed to

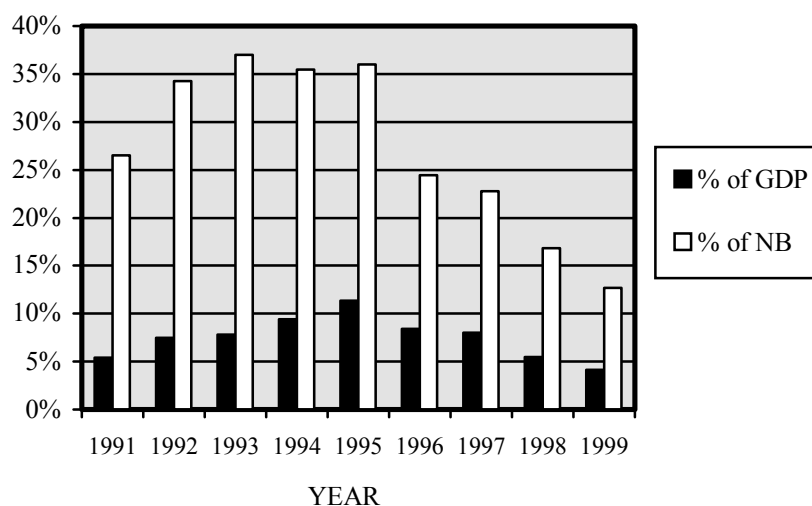
<sup>19</sup> A small portion of Croatian territory along the border with Yugoslavia, Eastern Slavonia, was not a target of the military operation and remained under Serb occupation.

<sup>20</sup> See *Address of the President of the Republic of Croatia Dr. Franjo Tuđman on the State of the Nation at the Joint Sessions of Both Chambers of Parliament*, January 15, 1996. This speech by President Tuđman marked an important turning point after the Croatian independence and the Homeland War. It was, in effect, a watershed signaling the military's orientation towards Western concepts.



meet Croatia's needs. At the time, one third of Croatia was still occupied by non-Croatian military units, yet Minister Šušak looked beyond the war and was convinced that a professionally developed cadre is the foundation on which the post-war armed forces would be based. Croatia was assisted in this effort by *Military Professional Resources Incorporated (MPRI)*, a private US-based company of retired military and civilian experts, which had gained approval from the US Department of State to assist the Croatian MOD in its institutionalization of democracy. In January 1996, the MOD and the General Staff (GS), assisted by *MPRI*, initiated a reorganization program, to include the implementation of changes in the organizational structures, procedures, processes and policies of the MOD and GS. Among the changes, was the December 1997 approval of the new, Western-styled MOD/GS organizational structure by President Tuđman.

**Croatia's national defense budget as a percentage of the GDP and of the national budget (NB)**



On Croatia's economic front, the growth rate in *real terms* of the gross domestic product (GDP) was registered in 1997 at about 5.6%<sup>21</sup>. The Ministry of Defense budget, reaching its peak in 1995 (11.38% of the GDP), was on a steadily downward trend in the post-war period (See Figure<sup>22</sup>). All indications are that this trend will continue and

<sup>21</sup> This was an increase from the 4.6% growth rate in 1996.

<sup>22</sup> Source: *Ministry of Defense Report to the Croatian Government on its Major activities in 1996 and 1997*. While data for 1998 are based on projected figures, the 1999 data are based on the proposed national budget for the 1999 fiscal year.

will have a direct impact on the extent and magnitude of military reforms and modernization. Significant cutbacks in personnel expenditures (i.e., overall force size, pays), maintenance and operational outlays are expected in the very near future. In fact, managing its finances may prove to be one of the greatest MOD challenges in the next couple of years<sup>23</sup>.

Croatia again held presidential and parliamentary elections in 1997. President Tuđman was reelected to a second term. In the April elections for the upper house, the Chamber of Districts, the ruling Croatian Democratic Union again captured the most votes<sup>24</sup>.

In May 1998, Defense Minister Gojko Šušak died after a long bout with cancer. He had been defense minister since 1991 and was a strong advocate of modernization and implementing changes in the MOD designed to ensure its compatibility with the West. His successor, Andrija Hebrang, who was the former Health Minister and a vice-president of the ruling HDZ party, continued the reform process in the MOD by highlighting transparency and openness in decision making, particularly regarding defense finances. But after only five months in office, Minister Hebrang resigned. Immediately thereafter, President Tuđman retired the Chief of the General Staff, Lieutenant General Pavao Miljavac, and appointed him as the new defense minister. The unusual move was confirmed by the HDZ majority in the Chamber of Representatives of the Croatian Parliament. The new defense minister has indicated his commitment to continuing the reform and modernization efforts, while making it clear that the readiness of Croatia's armed forces is a constant not to be disturbed<sup>25</sup>.

Croatia's desire to join the PfP program thereby moving one step closer to NATO was consistently stalled in the post-war period<sup>26</sup>. In mid-1998, the US Ambassador in Zagreb William Montgomery presented a "roadmap" to PfP<sup>27</sup>, denoting three areas where Croatia needed to show substantial progress for its acceptance into the program. These include: the return of refugees; tangible indications of improvement in the democratization process (such as freedom of the press and a change in the current electoral legislation which the US claims favors the ruling HDZ party) and compliance with the peace process in Bosnia and Herzegovina (Dayton agreement)<sup>28</sup>. Although much has been done by the Zagreb government in an effort to achieve national reconciliation and to pave the way for the return of refugees, the government is still criticized for its

<sup>23</sup> This is where civilian expertise could come in handy.

<sup>24</sup> HDZ now had 41 of 68 seats. The HSS and HSLS led the opposition with 15 seats among them.

<sup>25</sup> See interview with Minister Miljavac in Croatia's daily newspaper *Večernji list*, October 30, 1998.

<sup>26</sup> Foreign Minister Mate Granić made an official request on behalf of the Croatian government to join the PfP program in a March 19, 1996 letter to the NATO Secretary General Javier Solana.

<sup>27</sup> See Ambassador Montgomery's speech to the Faculty of Law of the University of Zagreb, May 27, 1998.

<sup>28</sup> The relationship between the Republic of Croatia Armed Forces and the Croat component of the Bosnia and Herzegovina Federation military, including civil-military relations within the Federation itself, would be worthwhile scrutinizing, but is beyond the scope of this brief examination.

alleged restrictions on and control over the media, and for not reforming its election laws.

### *The Legislative Framework*

The Croatian Constitution outlines the principle framework for civil-military relations and embodies a strong foundation for its future development<sup>29</sup>. The Constitution, the Law on Defense and other defense legislation represent legal parameters of the distribution of power among popularly elected politicians, appointed bureaucrats and professional soldiers. In particular, the Constitution requires that the elected officials, such as the president of Croatia and members of Parliament, can exercise their authority without being subjected to overriding opposition from “un-elected” officials such as government and ministry appointees or military officers<sup>30</sup>. This is an important condition for the functioning of a democratic society.

Several provisions in the Croatian Constitution have a direct impact on defense and the armed forces. The most significant provisions are as follows:

- the armed forces “shall protect” Croatia's “sovereignty and independence and shall defend its territorial integrity”; the defense system “shall be regulated by law” (Article 7);
- during a state of war or an immediate danger to the independence and unity of the Republic, or in the event of some natural disaster, certain constitutional, individual freedoms and rights may be restricted (Article 17)<sup>31</sup>;
- military service and the defense of the Republic is the duty of all capable citizens, while conscientious objectors may exercise their right not to participate in the performance of military duties (Article 47);
- the Chamber of Representatives adopts the state budget, which includes the defense budget, decides on war and peace and oversees the work of the government, including the defense ministry (Article 80);
- the President of the Republic is commander-in-chief of the armed forces, appoints members to the National Security and Defense Council (and presides over the council), appoints and relieves of duty military commanders, and on the basis of a parliamentary decision, the President may proclaim war and conclude peace (Article 100);

<sup>29</sup> See Kuzmanović, T. for a thorough analysis of the Croatian Constitution.

<sup>30</sup> See “What Democracy is ...and is Not” by Philippe C. Schmitter and Terry Lynn Karl (1993).

<sup>31</sup> Only the Croatian Parliament (by a two-thirds majority of all representatives) has the authority to make such a decision. If the Parliament is unable to meet, the President of the Republic can then act on his own to make such a decision. In any event, such restrictions may not result in “inequality of citizens in respect to race, color, sex, language, religion, national or social origin.”

The Law on Defense interprets “defense” as a “classic state function” and represents a legal framework for the Croatian defense system to perform its constitutional obligation. This law, second in legal importance and authority only to the Constitution, was originally adopted in June 1991. It was modified twice from its original version – in August 1993 and July 1996, respectively. Its authors argue that the changes made to the original text now satisfy most of the conditions required for Croatia to join the PfP program<sup>32</sup>. The Law on Defense deals with issues such as:

- the responsibility of citizens regarding defense;
- the authority and responsibilities of the Government and its institutions and agencies;
- the authority of the Ministry of Defense and the General Staff;
- the rights and protection of Croatian defenders<sup>33</sup> and reserves;
- the fundamental structures of the armed forces;
- military obligations, conscientious objectors and disciplinary actions.

The Law on Service in the Armed Forces also represents an integral segment of defense legislation and an important step forward. This law regulates: the composition and make-up of the armed forces; service in and the rank system of the armed forces; the establishment of ranks, the officer promotion process and other status issues; and the rights and responsibilities of soldiers and others serving in the armed forces. The Law on Service in the Armed Forces was adopted in March 1995.

Direct civilian oversight over the armed forces is exercised through the MOD and its civilian minister of defense. The distribution of authority among the president, the minister and the chief of the general staff is fundamentally outlined in the Law on Defense. According to Article 23 of the law, the general staff is established within the MOD as an integral, but separate, institution. The chief of the GS is accountable to the commander-in-chief (President of the Republic) and the minister of defense. More specifically, the chief of the GS is directly accountable to the commander-in-chief for all issues regarding *command* and *employment* of the armed forces in peace and war, and to the minister of defense for all other affairs. This implies that the chain of command goes from the popularly elected President to the appointed chief of the general staff and directly to the different elements of the armed forces. In order for Croatia to conform to NATO and Western standards, however, the minister of defense’s role in the chain of command should be reexamined<sup>34</sup>.

Defense legislation restricts any kind of political activity, establishment of parties, the holding of political rallies and manifestations in the armed forces<sup>35</sup>. Defense legis-

<sup>32</sup> See Kovačević, P, et. al., p. 6.

<sup>33</sup> Croatian “defenders” are those individuals that took an active part in the Homeland War as members of the armed forces.

<sup>34</sup> Other contentious issues are the lack of an adequate number of civilian employees in the MOD and the command-status of a “special unit of combined-forces” (Prvi gardijski zdrug). See article in *Slobodna dalmacija*, January 19, 1999.

<sup>35</sup> See Article 42 of the Law on Defense.

lation also restricts military personnel while in uniform from participating in any rallies, processions and demonstrations. However, the legislation language is unclear regarding the affiliation of Croatian military personnel with political parties. Although individual membership in a political party is permissible in the armed forces, questions arise regarding restrictions stemming from activities during elections (such as running for public office) and appointments to political party positions. As a citizen of the Republic, the Croatian soldier is allowed to vote. According to Article 28 of the Law on Defense, a Croatian soldier is not required to execute commands that are illegal or which contradict the constitutional order.

### *Institutional Mechanisms*

The Republic of Croatia has a bicameral parliament called the *Sabor*<sup>36</sup>. It is composed of a lower house, the House of Representatives, and an upper house, the House of Districts. Members gain a seat in the Parliament by way of national elections. Five members of the upper house are directly appointed by the President of the Republic. The Croatian Parliament is the key institutional body and forum for building national consensus in the country – directly accountable to the public regarding all national policies, including oversight of the armed forces. Croatia's lower house, which is responsible for overseeing the work of the government, has the power to request a “vote of no confidence” in the prime minister and any of his individual cabinet members or for the entire government. This brings the minister of defense directly accountable to the Parliament. Regarding the Parliament's role in the state budget, the State Auditing Agency, independent of the government and directly accountable to the Parliament, is responsible for overseeing the national budget and for assuring its consistency with state laws and regulations.

The House of Representatives also has a working committee responsible for overseeing all issues regarding internal policy and national security<sup>37</sup>. This committee has a wide spectrum of responsibilities, including “defense” issues. However, the armed forces are not specifically mentioned in the legislation language that outline the committee's responsibilities. A similar body, the Committee on National Security and Foreign Policy, exists in the upper house. This committee is also responsible for overseeing “defense” issues but in broad sense.

The President of the Republic of Croatia, as commander-in-chief of the armed forces, exercises extensive control over the military. According to Article 47 of the Law

<sup>36</sup> The Croatian Parliament – *Hrvatski Državni Sabor* – can trace its roots to the thirteenth century. The *Sabors*, a diet of Croatian nobility, assisted the dukes and governors (bans) that ruled the country. The *Sabor* was called into session, by a duke, governor or even the king himself, who would also preside over the session, on some important occasion to deliberate an issue. Over time, the *Sabor* defined Croatia's parliamentary tradition and played an important role in its history. See Gazi, S., p. 53.

<sup>37</sup> Committee for Internal Policy and National Security is responsible for overseeing the activities and functions of all government ministries, institutions, agencies and other bodies regarding the broad spectrum of policies that fall within the fold of domestic and security policy.

on Defense regarding the armed forces, the President is responsible for establishing: basic development plans, elementary organizational structure and the command and control system, defense plans and employment (or use of the armed forces), personnel and acquisition policies, and other policy decisions. The President also promotes officers and appoints and relieves of duty military commanders<sup>38</sup>. On an interesting note, the President may refer certain tasks of management and command over the armed forces to the minister of defense, except in cases of employment or use of the armed forces. Bound by the Constitution, the President, at the beginning of each year (normally by the middle of January), addresses the Croatian Parliament on the state of the nation. In his address, the President also gives guidance on national policy – including foreign, security and defense policy – for the government and its institutions to follow.

The Office of the President consists of the chief of staff, a staff of professional advisors and administrative personnel. They advise the president on both foreign and internal policy. A Military Cabinet, headed by a Major General of the Croatian Armed Forces, advises the President on military matters. There is also an Office of National Security, directly accountable to the President and responsible for coordinating the efforts of the intelligence community, including military intelligence.

The National Security and Defense Council is the highest national advisory body responsible for deliberating strategic issues that have national security and defense implications. The head of state presides over this council which currently includes the ministers of defense, foreign affairs, internal affairs and others, the chief of the general staff, members of Parliament and other senior advisors. Members of the council are directly appointed by a presidential decision order.

The prime minister and the government, including the defense minister, manage and coordinate the daily state functions and government institutions and agencies. The prime minister and his government are appointed by the president and must be approved by the Croatian Parliament. There is much language in the legislation that distributes certain responsibilities among the different elements of the government, industry and the private sector regarding their obligations in defense of the country. The MOD plays the central role, being responsible for coordinating and integrating a majority of the efforts associated with the defense of the country. The MOD is headed by a civilian minister – appointed by the President (on the prime minister's recommendation) and approved by the Parliament.

### *Ministry of Defense and the Armed Forces*

The MOD and the GS have undertaken a major reorganization effort over the past few years. The most important result is the development of a new organizational

<sup>38</sup> According to Article 52 of the Law on Defense, the commander-in-chief promotes and relieves of duty all senior officers and generals, and all military commanders from the battalion-level up. The minister of defense promotes and relieves of duty all junior officers and noncommissioned officers (NCO), and all military commanders up to the company-level and other equivalent ranks.

structure, approved by President Tuđman in December 1997. Senior defense leaders feel that with the new organizational structure in place, they have the institutional framework needed for providing more effective and efficient defense based on a Western model. The new structure, although tailored for Croatia's needs, is also very similar to that of Western defense ministries. Additionally, the MOD and the GS are now more complementary institutions than they were before. However, although the new structure has been approved for a go-ahead, the most difficult part is yet to follow – the implementation and functioning of the new structure.

The core organizational structure of the MOD<sup>39</sup> consists of eight assistant ministers, in charge of eight functional-area sectors. The assistant ministers are directly accountable to the minister and deputy minister of defense. The functional areas are: defense policy, personnel, property management, public relations and information, intelligence and security, command-control-communications-computers and information management (C4IM), acquisition and finances. Defense policy and C4IM, represent two new functions not present in the old “wartime” organizational structure. In addition, other elements of the new structure include: the minister's cabinet, the Inspector General's office, the Secretary (responsible for MOD internal tasks, public affairs, legal affairs and protocol), the Institute for Defense Studies, Research and Development and the Military Council.

The General Staff and the Croatian Armed Forces also have a new organizational structure and composition. There are eight directorates accountable to the chief of the general staff. These include the following functional areas: personnel (G-1), intelligence (G-2), operations (G-3), logistics (G-4), military strategy and planning (G-5), C4IM (G-6), training and education (G-7), and resource planning (G-8). The chief is also assisted by general staff officers from the three armed force services. The new structure of the Croatian Armed Forces consists of the Ground Force Army (which constitutes six regional commands), the Navy, the Air Force and Air Defense, the Croatian Military School<sup>40</sup> and the Training Command.

The overall size of the Croatian Armed Forces is not only constrained by the Dayton agreement, but also by an ever-decreasing defense budget. The size of the force in peacetime is projected to be about 62,000. This includes a composition of full-time, professional military personnel and conscripts. In addition, there are about 9,000 military employees<sup>41</sup> and 183,000 reserves. This would bring the total to 254,000 personnel in a wartime situation.

The new structures, concepts and procedures now being put into place in the MOD and the GS simply imply “change”, a natural phenomenon that collides with the en-

<sup>39</sup> The new organizational structure of the MOD first became public when it appeared in the Croatian daily newspaper *Večernji list* on October 31, 1998.

<sup>40</sup> In addition to the individual service schools, the command and staff college and other military education programs, the Croatian MOD recently established the War College as the highest level of military education in the country.

<sup>41</sup> This number reflects civilian personnel performing various administrative tasks in the MOD, GS and in other defense segments.

trenched culture of any organization or institution. Croatia is no exception. Significant challenges clearly lie ahead. Experienced people are not readily available and need time for their professional development. Defense policy formulation and planning (as institutional functions) represent new concepts for the evolving defense system. The establishment of a new resource management system is also a significant challenge. In this environment, the underlying theme of the defense leadership in the next couple of years will be the “management of change”.

### *Current Issues in Croatian Civil-Military Relations*

The present civil-military challenge for the Republic of Croatia lies in achieving the adequate balance between its “desire” for democratic development and liberalization and its conservative, traditional “need for security”<sup>42</sup>. Many democracies have experienced this problem in one form or another. There is no simple, all-purpose solution to developing that balance and each democratic society has approached the problem in its own unique way. During the recent war, as the Croatian people saw an increase in the level of the threat the nation faced, the balance naturally shifted in favor of the need for greater military security. And of course, it came at the expense of other political and social elements in the country. Today's all-inclusive and integrated approach to national security only adds to the complexity in achieving this balance.

Although Croatia's aim of joining the PFP program and eventually becoming a member of NATO have helped shift greater attention from policy-makers to issues like civilian control of the military. Until recently civil-military relations have received little serious attention in the political, military and social circles of the country. Some of the reasons for this are:

- basic misunderstanding of the concept and the issues involved;
- consequences of 45 years of communist domination of issues by the military;
- post-war situation created other national priorities;
- existence of interest groups opposed to certain aspects of civil-military relations.

In March 1997, the MOD hosted a five-day seminar on civil-military relations in cooperation with the Naval Postgraduate School. The event drew participants from the public and government sectors<sup>43</sup> and initially received much attention in the media. Shortly after the seminar, and except for a few newspaper articles regarding civil-military relations, the issue was not addressed in public. Often the concept is misinterpreted as a civil affairs issue. At other times, it is defined as addressing only the relationship between society and the military or the numerical relationship between civilians and soldiers in the defense establishment. The legislative aspects and the role of Parliament are often overlooked. In their articles, journalists often reveal their

<sup>42</sup> Huntington calls the society's need for the military – the “functional imperative”.

<sup>43</sup> Participants included: members of parliament (including opposition parties), the MOD, GS and other government institutions, journalists and professors.



ignorance on the subject and political opposition parties generally present it as a “black and white” issue.

The authorization of the state budget – to include the defense budget as well – is perhaps the most powerful mechanism of civilian control exercised by the Croatian Parliament. However, the Parliament does not have a working committee that specifically addresses defense or armed forces issues, but rather a committee that deals with the broad aspects of national security. Whether this is adequate or not is debatable. Also important is the lack of experience on the part of the Parliament members regarding defense and military issues. Nor is there a professional staff to assist the members of Parliament on these issues. This problem, however, is shared by many other Central and Eastern European countries in transition<sup>44</sup>. Currently, the committee's role of overseeing the military is marginal, as defense issues are seldom discussed and debated in the Parliament. It is therefore unclear whether consensus on major defense issues exists or not. In any event, there are no public defense planning or policy documents available.

In practical terms, the popularly-elected President of the Republic wields much the power over the armed forces. This is exemplified in his authority to dictate the scope and spectrum of their missions and the overall size and structure of the armed forces. The President also promotes all senior military officers and commanders. On most of these issues, the Parliament plays a passive role. These are very powerful and influential mechanisms. As a legislative body directly elected by the citizenry, the Croatian Parliament will most likely refashion its role in military affairs.

The role of civilians in the MOD has received more and more attention. Today's military personnel numerically overshadow the civilian employees in the MOD. Although there are plans to develop a civilian service career personnel program in the MOD, currently, it is a more urgent priority in the MOD to have capable individuals performing key defense functions using expertise that is recognized. This implies that the numerical relationship between civilians and military personnel needs attention, but at present as a second priority. There are indications that the new organizational structure anticipates the role of appointed civilians in positions where decisions are made on defense policy, strategy and planning, resource management and acquisition of defense systems. The key will be to reach the proper, qualitative mix of professional civilians and military personnel, performing executive defense functions that would satisfy Croatia's defense needs.

Social aspects of civil-military relations, particularly those issues that touch upon the inner fibers of the society, are more visible and easier to comprehend in Croatia. The recent war, which raised the image of the military and helped contribute to their high public approval rating, has also resulted in the emergence of many sociopolitical problems. The decision to continue universal military service is an important source of

<sup>44</sup> For example, see Simon, J., “Bulgaria and NATO: 7 Lost Years” National Defense University, Strategic Forum, 1998, p. 3. Simon cites several problems regarding Bulgaria's Parliamentary committee on national security: no professional staff, only three of the 21 MPs served in previous parliaments, members lack previous military and executive defense experience, and their discussions have been “muted”. The author also adds that their “ability to critically assess the force structure and budget appears limited”.

manpower in the active and reserve components of the armed forces<sup>45</sup>. It also helps the military attain a social, ethnic and geographic mix, reflecting a profile of the society. The challenge for the military is to do the same, to some extent, with the officer corps and particularly the senior officer corps. This is vital for the armed forces to be favorably viewed within different Croatian geographic regions and among the country's diverse social groups. The Serb-dominated JNA officer corps is a good example where the dominance of an ethnic group within that organization resulted in its negative perception in certain regions and from certain ethnic groups. Through its constitutional function, size and reach, the Croatian military influences society in many different ways (often immeasurable)<sup>46</sup>. Likewise, social conditions, attitudes and trends affect the military.

The relationship between the military and the media could be the subject of an altogether separate study. Certain MOD officials and military officers have frequently been the focus of attacks by the Croatian print media. Accusations range from the misappropriation of funds to the abuse of power. An issue that made headlines in 1998 was the alleged use of the intelligence apparatus in the MOD for political and individual purposes. Although the parliamentary committee that oversees national security issues dismissed the case, the media and opposition parties have tried to keep the issue alive. In the past, the MOD has been selective and very careful in releasing information and dealing with the media. Although this is a direct result of the wartime condition, it often led to irresponsible articles and reports based on rumors rather than on facts. But both the media and the MOD are culpable in this instance. In the future, the MOD is expected to take a more active role in its relationship with the media, insuring the military's accountability to society at large.

The current civil-military relationship in Croatia may be characterized from the point of view of a dependent variable – shaped by past and current security events and other internal and external forces<sup>47</sup>. Nevertheless, there are indications that the relationship is slowly showing attributes of an independent variable, one that can influence and define the limits of national strategies and policies. Perhaps, it is this notable aspect of development that may also represent a symbolic measure of Croatia's democratic transition.

### *Conclusions*

Since 1991, the Republic of Croatia and the Croatian people have expressed and exemplified a strong will to enter European and Western political, economic, security and defense partnerships. However, proper civilian control of Croatia's military is an important precondition. Croatia's overall democratic transition is distinct from any current PfP partner or aspiring candidate for NATO membership. While countries such as Poland, the Czech Republic and Hungary were implementing reforms and reorgan-

<sup>45</sup> The decision to incorporate conscripts into the professional guard brigades will also improve the quality of the overall force.

<sup>46</sup> See Eitelberg, M. J., pp. 2-3.

<sup>47</sup> See Johnson, D. V. – Metz, S., p. 498.

izing their armed forces immediately after the Cold War, Croatia was forced to fight for its independence and territorial integrity and defend its young democracy. The Croatian defense system – including policies, structures and processes – was hurriedly organized during a time of war. And while the war hindering the rate of progressive reform, it has helped Croatia to establish national pride in its military. Today, the defense establishment is undergoing a major transformation and modern, Western-compatible armed forces – under democratic control – represent an essential part of the new approach.

The state of civil-military relations in Croatia must be viewed with several key, influencing factors in mind. Primarily, these are: the historical and cultural heritage of the Croats, the recent Homeland War, the geopolitical situation, and the political, social and economic environment within the country<sup>48</sup>. It is only within this context that civil-military relations in Croatia can be better understood and comparatively analyzed with theoretical principles and practical standards in Western democracies. In Croatia's case, it is a question of the extent and nature of the application of civilian control exercised by the political leadership. Primarily, this implies the critical role of the Croatian Parliament, or rather the potential role it could play. This is one of the central problems of the current state of civil military relations in the country.

Comprehensive, all-encompassing and non-biased scrutiny of civil-military relations in Croatia and open, frank discussions of relevant issues would promote and foster greater understanding and appreciation of the military's role in society. The independent analysis of the state of civilian control over the military in Hungary by the British MOD group of experts is a good example of the kind of methodological approach that may be necessary for Croatia<sup>49</sup>. This analysis could initially focus on several key areas:

- role of the Croatian Parliament;
- improvements in defense legislation (i.e., distribution of power among civilian authorities, relationship between political parties and the military, officer promotion process);
- examination of certain defense structures (i.e., command and control) and functional processes (i.e., policy, planning, budgeting, intelligence);
- role of civil servants in the ministry of defense;
- enhancing professionalism in the military;

<sup>48</sup> See Johnson, D.V. – Metz, S., p.490: "...the relationship of civilian leaders and the uniformed military has often been adjusted to reflect alterations in the global strategic environment, the nature of warfare, domestic politics, sociocultural trends, and the capabilities and the institutional values of the military and the civilian institutions that control it." Also see Finer, S.E. *The Man on Horseback: Military Intervention into Politics*, Harmondsworth: Penguin, 1975.

<sup>49</sup> See "The Hungarian Defence Force and Civil Control in the Reflection of British Transillumination", Ministry of Defence, Department for Education and Science, Budapest, 1997. A similar study by the British group was done in Romania as well. Also see Simon, J. and Joó, R., respectively.

- social issues and the military<sup>50</sup>.

The renewed interest by both governmental and academic figures in the further development of civil-military relations, illustrates Croatia's growing awareness of its national identity and regional position. The geopolitical evolution of south-central Europe since 1990 has compelled the Croatian government to examine the country's strategic role in the region. Croatia's success in projecting a new regional role is inevitably affected by the image projected abroad by key its institutions, including the Armed Forces and the Ministry of Defense. As Croatia moves closer to Western security organizations and practices, greater scrutiny by Western observers will compel an accelerated approach toward developing Croatia's civil-military institutions.

*Translated by the authors*

<sup>50</sup> There are many other topics and areas of concern that may also be the focus of this study (i.e., the media and the military, education and professional development of civil servants and military officers).

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