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**Monterey, California**



**THESIS**

**BULGARIAN MILITARY IN TRANSITION -  
THE LEGAL FRAMEWORK OF DEMOCRATIC  
CIVIL-MILITARY RELATIONS**

by

Galentin I. Gueorguiev

December 1998

Thesis Co-Advisors:

Donald Abenheim  
Edwin R. Micewski

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DEMOCRATIC CIVIL-MILITARY RELATIONS**

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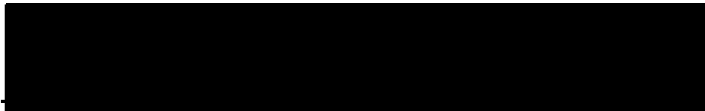
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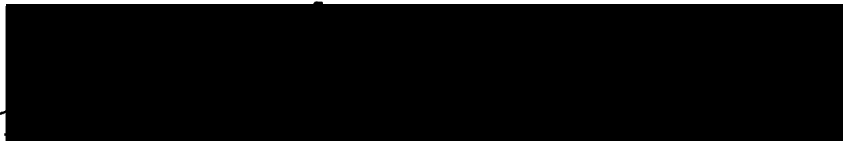
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## **ABSTRACT**

The Republic of Bulgaria is situated at the center of a politically and economically unstable region. The changes in Central and Eastern Europe since 1989 have provided the countries of that part of the continent an opportunity to reintegrate into the community of democratic nations. Reform of the armed forces, strengthening of civilian control of the military and achieving interoperability with NATO forces are major priorities in the process of admission. One of these priorities is the creation of democratic civilian control over the military. The existence of a clear legal and constitutional framework, defining the relationships between the state and the armed forces has paramount importance for exercising the democratic civilian control over the military.

The existence of developed legal framework is probably even more important in the Bulgarian case because of the lack of civil society till 1989 and a law system influenced strongly by the Soviet legal theory. The new Bulgarian Constitution was adopted in 1991, the Defense and Armed Forces Law in the end of 1995 and amended a year later. This thesis represents a study of Bulgarian civil-military relations, legal basis for military activities, and how this legal foundation relates to development of the civil-military relations.

## TABLE OF CONTENTS

<b>I. INTRODUCTION .....</b>	<b>1</b>
<b>II. HISTORICAL BACKGROUND .....</b>	<b>9</b>
A. FROM LIBERATION TO NATIONAL CONSOLIDATION 1878-1944 .....	9
B. THE COMMUNIST RULE 1944-1989 .....	18
C. THE HARD TIME OF CHANGE (1989-1997).....	20
<b>III. THE ROLE OF THE MILITARY .....</b>	<b>27</b>
A. FROM BATTLES TO COUPS.....	27
B. APRIL 1965.....	29
C. THE FRUSTRATED BULGARIAN REFORM .....	30
D. MINISTRY OF DEFENSE.....	37
<b>IV. POLITICAL AND LEGAL FRAMEWORK.....</b>	<b>45</b>
A. INSTITUTIONS INVOLVED IN NATIONAL SECURITY UP TO 1991 .....	46
B. PRESIDENTIALISM OR PARLIAMENTARISM .....	50
C. THE PRESIDENT .....	54
D. CONSULTATIVE NATIONAL SECURITY COUNCIL .....	61
E. THE NATIONAL ASSEMBLY.....	62
F. THE COUNCIL OF MINISTERS .....	68
G. THE MINISTER OF DEFENSE.....	70
H. THE CHIEF OF STAFF .....	73
<b>V. CONCLUSION.....</b>	<b>75</b>
<b>BIBLIOGRAPHY .....</b>	<b>79</b>
<b>APPENDIX A .....</b>	<b>83</b>
<b>APPENDIX B.....</b>	<b>85</b>
<b>APPENDIX C .....</b>	<b>87</b>
<b>INITIAL DISTRIBUTION LIST .....</b>	<b>89</b>

## LIST OF FIGURES

Figure 1. Confidence in State Institutions - 1997.....	27
Figure 2. Ministry of Defense Organization .....	38
Figure 3. Bulgaria's Military Expenditure 1988-1997. ....	41
Figure 4. Defense Policy Decision-Making in Bulgaria 1970-1989.....	47
Figure 5. Current Military Leadership Chart – 1998. ....	55

## EXECUTIVE SUMMARY

### I. INTRODUCTION

The Balkans has been a constant source of instability in Europe. The ethnic difference and territorial disputes have earned this region fame as the "powder keg" of Europe. Most of these problems remained latent during the communist rule. The end of the Cold War opened a Pandora's box and revived these conflicts giving them new dimensions and strength. The events in former Yugoslavia 1990-1998 and further development of the situation in Kosovo 1997-1998 indicated that the Balkans would continue to be a threat to peace and stability in the new century.

The Republic of Bulgaria is situated at the very center of the constantly unstable Balkans. Its geo-strategic position; its moderate and open foreign policy; its traditionally well-trained and sufficiently equipped armed forces all made Bulgaria an important factor in the improvement of the Balkan situation, in particular, and Europe as a whole. The profound changes in South Eastern Europe since 1989 have provided the countries of that part of the continent a unique opportunity to reintegrate into the community of free and democratic nations.

For democracy, successful civilian control, defined as supervision of the military by civilian officials, is fundamental. Because military's fundamental purpose is to prevent or to wage armed conflict, military institutions are designed for controlled violence. Over the centuries they have developed the organizational structure, procedures, and individual values that are needed to prevail in a war. In the 20<sup>th</sup> century, the Euro-Atlantic democracies have been especially effective in developing such aspects of the military.



Democratic civilian control is not a single event but a prolonged eternal process, as with other aspects of statecraft. This process has just begun for the countries of Central and Eastern Europe. The beginning of the democratic transformations in the post-totalitarian socialist countries of Central and Eastern Europe, including Bulgaria, followed the standards of the Atlantic-western democracies in the field of civil-military relations. Such standards included achieving a high degree of western-style professionalism in the military, reaching an effective subordination by the military to the civilian leaders and a clear and competent recognition of the role and the social mission of the military.

There are different approaches used to evaluate principles of democratic control over military, but all of them include the developed legal basis as important factor for such control. This factor is probably even more significant in the Bulgarian case because of the lack of civil society till 1989 and a system of law influenced strongly by Soviet legal theory.

The situation has changed since 1990, but the process of adoption of the new laws was hindered by a sharp political contradiction in the Parliament, deterioration of the economy, and unstable governments: six within eight years.

In a period of forty-five years, Bulgarian lawmakers framed three constitutions. The ones adopted in 1947 and 1971 were the communist's efforts to legitimate their rule. The new Bulgarian Constitution was adopted in 1991. The Armed Forces and Defense Act was adopted barely at the end of 1995 and amended a year later. In 1998, new laws were drafted concerning military police and alternative military service. The process of

creation of the legal basis for democratic civilian control under the military is still in progress and research within this area is timely and valuable.

## II. THESIS STATEMENT

This thesis presents a study of Bulgarian civil-military relations as well as a treatment of its historical and political background. The paper describes also the legal basis for military activities in Bulgaria and how this legal foundation relates to the development of civil-military relations. Special attention will be placed on the role of the President in the security environment and his relation with the executive power in this area.

This thesis argues that contemporary civil military relations in Bulgaria are still not in accordance with the provided Euro-Atlantic criteria. Although efforts were made by Bulgarian authorities, especially during the last year and a half, the legal basis still is insufficient for the military and the state. Furthermore, the role of the “dual executives” – the President and the Prime Minister in the area of national security – is still not clearly defined. Any ambiguity in the area of national security decision-making can threaten the establishment of democratic civilian control over the military. Therefore, the existence of a developed legal basis regulating national security decision-making process and providing a mechanism for firm control over the military is “condition sine qua non” for democracies in transition, and Bulgaria in particular.

### III. CONCLUSIONS

Bulgaria must struggle with new regional disorder that has major effects on its security. The realities of Balkan wars, Soviet disintegration, and political development on the Southern flank of Europe are issues that planners have to master. If countries in transition, such as Bulgaria cannot secure sufficiently their position within the new Europe, one can expect the old threats of the Balkan nationalism to remerge again.

Within the Partnership for Peace framework Bulgaria made significant steps toward integration into the Euro-Atlantic security arrangements. In this process the Bulgarian military underwent a series of changes after 1989. One decisive step among those was adoption of the adequate legal basis, particularly in the last amendments of the Armed Forces and Defense Act. Thus, the civil-military relations in the country met the first requirements for effective political control over the military. A lot of efforts should be directed in the area of restoration of military prestige and effective accountability of the Armed Forces. What might be needed above all seems to be:

1. An intensive military reform expressing itself in an efficient military education system.
2. Increasing the military professionalism of the Officer Corps.
3. Increasing military efficiency by switching from conscript to professional army.
4. Reducing the total number of the Armed forces but improving their mobility and training.
5. Increasing the social status of the military personnel.
6. Eliminating the ambiguities in the legal framework.

Recent changes in the legal basis gave a firm foundation for these steps. It is up to the Bulgarian political and military leaders to make this project work.

Bulgaria stated clearly its desire to become a member of the Atlantic Alliance. It also declared its readiness to start accession negotiations. A key aspect of Bulgarian strategy for NATO's admission is to demonstrate commitment to being a responsible partner and reliable future ally able to meet the obligations of membership. This objective can not be achieved without effective and durable democratic civilian control over the military.

The prerequisite for such control is a clearly defined and fully accepted civilian decision-making system. Although the Armed Forces and Defense Act introduced the basic principles and norms in order to facilitate civilian control over the military, the process of legal reform is not completed. The National Security Concept, adopted recently, defined the nation's objective are in the process of building a safe national security environment. The Euro-Atlantic integration is a part of the concept and its paramount goal. This goal introduces a variety of indispensable requirements and standards that Bulgaria has to meet in order to accomplish it. The existence of a developed and thorough legal basis for every single act of military activity will diminish the chances of ambiguities or unclearness in this area. It will support establishing firm democratic civilian control over the military and ensure that non-appropriate involvement in politics will occur.

Political and economical instability in the country elevated the role of the President's office, although the Constitution promulgated Bulgaria as a parliamentary republic. Directly elected, the President had to abandon his arbiter's position and to play a significant role in politics. Apparently, he enjoys a lot of public confidence and is seen as a pillar of the democratic process. The President, as a supreme commander, has

significant authority over the military, thus becoming a major actor in national security decision-making. Therefore, the precise distinction should be made between his and the Prime Minister's authority in order to escape any ambiguities and overlapping of responsibilities. Otherwise, the military would not know how to maneuver between both and whose order to follow.

Only when there are no such ambiguities or obscurities it is possible to divide the functions related to the national security between several institutions without jeopardizing the main goal – creating a stable and safe national security environment.

## ACKNOWLEDGMENT

The author would like to acknowledge the guidance and direction provided by Associate Professor Donald Abenheim and Colonel Edwin Micewski in the successful completion of this thesis. Special thanks is given for the overall guidance and support in the research effort to the staff of the Center for Civil-Military Relations, the professors from the National Security Affairs Department, and the academic associate Professor Thomas Bruneau.

## I. INTRODUCTION

The Balkans has been a constant source of instability in Europe. The ethnic difference and territorial disputes have earned this region fame as the “powder keg” of Europe. Most of these problems remained latent during the communist rule. The end of the Cold War opened a Pandora’s box and revived these conflicts giving them new dimensions and strength. The events in former Yugoslavia 1990-1998 and further development of the situation in Kosovo 1997-1998, indicated that the Balkans would continue to be a threat to peace and stability in the new century.

This thesis presents a study of Bulgarian civil-military relations as well as a treatment of its historical and political background. The paper describes also the legal basis for military activities in Bulgaria and how this legal foundation relates to the development of civil-military relations. Special attention will be placed on the role of the President in the security environment and his relation with the executive power in this area.

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providing a mechanism for firm control over the military is “condition sine qua non” for democracies in transition, and Bulgaria in particular.

The Republic of Bulgaria is situated at the very center of the constantly unstable Balkans. Its geo-strategic position; its moderate and open foreign policy; its traditionally well-trained and sufficiently equipped armed forces all made Bulgaria an important factor in the improvement of the Balkan situation, in particular, and Europe as a whole. The profound changes in South Eastern Europe since 1989 have provided the countries of that part of the continent a unique opportunity to reintegrate into the community of free and democratic nations. As the Bulgarian foreign minister Nadezhda Mihailova pointed out:

In Bulgaria, we see membership in the Atlantic Alliance, the European Union and the Western European Union not only as a reliable source of security guarantees but also as a natural expression of our foreign policy orientation. The very prospect of membership has provided an incentive for reform in our country, acting as a stimulus for modernization and as one of the main influences on Bulgaria's constructive and peaceful foreign policy over the last seven years.<sup>1</sup>

As the cases of Poland, the Czech Republic, and Hungary demonstrate, reform of the armed forces, strengthening of civilian control of the military and achieving interoperability with NATO forces are major priorities in the process of admission. The very process of acceding is comprehensive and depends on successful accomplishment of certain requirements, equal for all applying states. One of these chief criteria is the creation of democratic civilian control over the military forces.<sup>2</sup>

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<sup>1</sup> Nadezhda Mihailova, “Security in south-eastern Europe and Bulgaria's policy of NATO integration,” *NATO Review*, spring 1998, pp. 6-9.

<sup>2</sup> Study of NATO Enlargement, September 1995, “NATO Official documents.” Available [Online]: <http://www.nato.int>. 5 September, 1998.



For democracy, successful civilian control, defined as supervision of the military by civilian officials, is fundamental. Because military's fundamental purpose is to prevent or to wage armed conflict, military institutions are designed for controlled violence. Over the centuries they have developed the organizational structure, procedures, and individual values that are needed to prevail in a war. In the 20<sup>th</sup> century, the Euro-Atlantic democracies have been especially effective in developing such aspects of the military.

Democratic control should always be a two-way process between armed forces and society. As put in the words of German Major General Harald Kujat, the former Assistant Director of the Plans and Policy Division, of the International Military Staff of NATO, Brussels:

In a democracy, firm constitutional guarantees should protect the state - including the armed forces - from two types of potential dangers: from politicians, who have military ambitions, and from military with political ambitions.<sup>3</sup>

Forty years ago, the well-known theorist of civilian control, Samuel P. Huntington, argued, that the way to optimize civilian supremacy was to recognize such "autonomous military professionalism."<sup>4</sup> In what he called "objective civilian control,"<sup>5</sup> Huntington asserted that the state should encourage an independent military sphere so

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<sup>3</sup> Major General Harald Kujat, "The Role of the Military in a Democracy," July 1998, "NATO Official documents." Available [Online]: <http://www.nato.int/speech/1998/s980702h.htm>, 14 October 1998.

<sup>4</sup> Samuel Huntington, *The Soldier and the State: The Theory and Politics of Civil-Military Relations*, The Belknap Press of Harvard University Press, Cambridge Massachusetts, London England, 1985, p. 83.

<sup>5</sup> Ibid.

different civilian groups would not maximize their power in military affairs by involving the military in political activity.

Such interference, he believed, not only harmed the effectiveness of military forces and thus a nation's security, but also actually invited the military to involve itself in governance, beyond national security affairs. An officer corps focused on its own profession, and granted sufficient independence to organize itself and practice the art of war without interference in those areas which required technical expertise, would be politically neutral and less likely to intervene in politics.

Since 1914, with war increasingly dangerous and destructive, civilians have wished to gain wider control over combat to assure balance with political and strategic purposes. With weapons and operations becoming ever more technical and complex, military leaders will want as much clarity in instruction and autonomy in execution in order to assure success with the least human and resource cost.<sup>6</sup>

Democratic civilian control is not a single event but a prolonged eternal process, as with other aspects of statecraft. This process has just begun for the countries of Central and Eastern Europe. The beginning of the democratic transformations in the post-totalitarian socialist countries of Central and Eastern Europe, including Bulgaria, followed the standards of the Atlantic-western democracies in the field of civil-military relations. Such standards included achieving a high degree of western-style professionalism in the military, reaching an effective subordination by the military to the

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<sup>6</sup> See Richard Kohn, "An Essay on Civilian Control of the Military" Available [Online]: [http://www.unc.edu/depts/diplomat/amdipl\\_3/kohn.html](http://www.unc.edu/depts/diplomat/amdipl_3/kohn.html), 24 August 1998.

civilian leaders and a clear and competent recognition of the role and the social mission of the military.

There are different approaches used to evaluate principles of democratic control over military. As Jeffrey Simon, Senior Fellow at the Institute for National Strategic Studies, Washington, D.C., one of the prominent scholars in the area of civil-military relations asserts, there are four conditions for the existence of effective democratic oversight and management of the military:

1. A clear division of authority between president and the government (Prime minister and defense/interior minister) in Constitutions or through public law.
2. Parliamentary oversight of the military through control of the defense budget.
3. Peacetime government oversight of General Staff and military commanders through civilian defense ministries.
4. Restoration of military prestige, trustworthiness and accountability for the armed forces to be effective.<sup>7</sup>

Major General Kujat, in his speech to NATO information seminar in Sarajevo, Bosnia on 2<sup>nd</sup> and 3<sup>rd</sup> July this year added two more principles to these pointed out by Simon.

According to him they are:

1. The existence of a clear legal and constitutional framework, defining the basic relationship between the state and the armed forces.

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<sup>7</sup> Jeffrey Simon, *NATO Enlargement and Central Europe, A study in Civil-Military Relations*, Washington, Institute of National Strategic Studies, National Defense University, 1996, pp. 26-27.

2. A significant role of parliament in legislating defense and security matters, in influencing the formulation of national strategy, in contributing transparency to decisions concerning defense and security policy, in giving budget approval and in controlling spending - using 'the power of the purse' in issues related to 'the power of the sword.'
3. The hierarchical responsibility of the military to the government through a civilian organ of public administration - a ministry or department of defense - that is charged, as a general rule, with the direction and supervision of its activity.
4. The presence of a well trained and experienced military corps that is respected and funded by a civilian authority. It acknowledges the principle of civilian control, including the principle of political neutrality and non-partisanship of the armed forces.
5. The existence of a developed civil society, with a clear understanding of democratic institutions and values, and, as a part of the political culture, a nation-wide consensus on the role and mission of their military.
6. The presence of a reasonable non-governmental component within the defense community capable of participating in public debate on defense and security policy, presenting alternative views and programs.<sup>8</sup>

As we can see, both authors include the legal framework as an important prerequisite for democratic civilian control. This factor is probably even more significant in the Bulgarian case because of the lack of civil society till 1989 and a system of law influenced strongly by Soviet legal theory.

The situation has changed since 1990, but the process of adoption of the new laws was hindered by a sharp political contradiction in the Parliament, deterioration of the economy, and unstable governments: six within eight years.

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<sup>8</sup> Major General Harald Kujat, "The Role of the Military in a Democracy," July 1998, "NATO Official documents." Available [Online]: <http://www.nato.int/speech/1998/s980702h.htm>, 14 October 1998.

In a period of forty-five years, Bulgarian lawmakers framed three constitutions. The ones adopted in 1947 and 1971 were the communist's efforts to legitimate their rule. The new Bulgarian Constitution was adopted in 1991. The Armed Forces and Defense Act was adopted barely at the end of 1995 and amended a year later. In 1998, new laws were drafted concerning military police and alternative military service. The process of creation of the legal basis for democratic civilian control under the military is still in progress and research within this area is timely and valuable.

## II. HISTORICAL BACKGROUND

### A. FROM LIBERATION TO NATIONAL CONSOLIDATION 1878-1944

Although Bulgarians are proud of more than thirteen centuries of history, the modern Bulgarian State was created as a result of the Russo-Turkish war of 1876-78. The Russian victory dictated to the Ottoman Empire the Treaty of San Stefano and produced a "vast Bulgarian state, encompassing most of Macedonia and having access to the Aegean."<sup>9</sup> Thus, ended almost five centuries of Turkish domination. In the Medieval times Bulgaria was a powerful kingdom. The new Bulgarian state<sup>10</sup> emerged as an insignificant agrarian country strongly dominated by the policy of the European Great Powers. Soon after the liberation, Britain and Austria-Hungary, who feared that a large Bulgarian state would contribute to Russian power in the Balkans, used their influence to reduce Bulgaria's size by two-thirds in the 1878 Treaty of Berlin.<sup>11</sup>

The treaty confined Bulgaria to the area between the Danube and the Balkan Mountains: the area south of these mountains was declared autonomous Ottoman province – East Rumelia. Alexander Battemberg, a German prince, was imported as a Bulgarian monarch.<sup>12</sup> This contributed to the orientation of Bulgaria as a German ally in both world wars, partly because of aspirations to regain territories lost by the unjust

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<sup>9</sup> Andrew Michta, *The Government and Politics of Postcommunist Europe*, Westport, Connecticut London, Praeger, 1994, pp. 88.

<sup>10</sup> It was called The Third Bulgarian Kingdom.

<sup>11</sup> Michta, p. 88.

<sup>12</sup> He had fought with the Russian army in 1877-1878 but was also acceptable to the other great powers.

Treaty of Berlin. The first Bulgarian Constitution was adopted in 1879 and was amongst the most democratic in Europe.<sup>13</sup> The Constitution promulgated Bulgaria as constitutional monarchy with a unicameral parliament and included guarantees of absolute political and civil liberties.

In 1885, following the union between Bulgaria and East Rumelia, Serbian armed forces invaded Bulgarian territory, but were quickly stopped and subsequently defeated by the newly born Bulgarian armed forces where the highest military rank was captain.<sup>14</sup> The decisive battle of Slivnitsa<sup>15</sup> secured the union and the new state and opened the opportunity for Bulgarian entry into Belgrade that was “prevented only by Austrian diplomatic intervention.”<sup>16</sup> This war greatly enhanced the reputation of Bulgaria, but its diplomatic result – the treaty of Bucharest – did not recognize the union.

This time, Russia was able to express its discontent with the presence of Alexander Battenberg as prince in Sofia. The Prince’s personnel policy in the army after the war also contributed to his abdication. A point of discontent between him and the senior officers was the army model. Battemberg had tried to shape his new army “after the German rather than the Russian model,”<sup>17</sup> but as the officer corps was largely trained in Russian they opposed this attempt.

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<sup>13</sup> Richard Crampton, *A Short History of Modern Bulgaria*, Cambridge, Cambridge University Press, 1987, p. 24.

<sup>14</sup> *Ibid.*, p. 29.

<sup>15</sup> Slivnitsa is a small town situated at 25 miles west from Sofia, near the border with Yugoslavia.

<sup>16</sup> Crampton, p. 30.

<sup>17</sup> *Ibid.* p. 31.

On 20 August 1886, an well-organized military coup d'etat was initiated. Despite the general atmosphere of discontent, the removal of the prince was far from popular, and the Prime Minister Stefan Stambolov was able to organize an effective opposition. Within days Sofia was surrounded by the troops loyal to the prince, but he realized that without Russian support his stay in Sofia was at risk. Only several days later he appointed a three-man regency and left the country.

A year later Prince Ferdinand of Saxe-Coburg-Gotha was approved by the Grand National Assembly as the Bulgarian monarch. In 1908, while Turkey was preoccupied with the Young Turks movement, Ferdinand declared complete independence from the Ottoman Empire. The vassal status, which the treaty of Berlin had enforced upon the country, was ended on 5 October and Ferdinand assumed the title of king.<sup>18</sup> Full independence made Bulgaria a more active party in the Balkan politics. The end of Ottoman occupation heightened territorial ambitions that involved Bulgaria and its neighbors in three wars within four years.<sup>19</sup>

The period from 1908 to 1912 was one of conflicting interests in the Balkans and collapse of the system created by the Treaty of Berlin. In 1912, after negotiations, Serbia and Bulgaria reached a temporary agreement on the disposition of Macedonia, the chief issue separating them. Subsequent agreements by Greece with Serbia, Bulgaria, and Montenegro completed the Balkan League, an alliance designed by Russia to finally push the Turks out of Europe and diminish great-power interest in the Balkans.

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<sup>18</sup> In Bulgarian tradition the monarch is called "Tsar".

<sup>19</sup> "Bulgaria a country study," Federal Research Division Library of Congress, Glenn Curtis, ed., Washington, 1992, p. 29.



The First Balkan War began in October 1912. Bulgarian forces moved quickly across the Ottoman Europe, driving the Turks out of Thrace. The Bulgarian achievements in this war were summarized by a British war correspondent:

A nation with a population of less than five million and a military budget of less than two million pounds per annum placed in the field within fourteen days of mobilization an army of 400,000 men, and in the course of four weeks moved that army over 160 miles in hostile territory, captured one fortress and invested another, fought and won two great battles against the available armed strength of a nation of twenty million inhabitants, and stopped only at the gates of the hostile capital.<sup>20</sup>

After several unsuccessful attempts to conquer Constantinople, Ferdinand realized that peace is the only option. In the peace negotiations that followed, Bulgaria regained Thrace, but the alliance against the Turks collapsed over the unresolved issue of Macedonia.

The final removal of the Turks from Europe posed the problem of dividing the Ottoman territory and heightened the worries of the European great powers about the balance of influence in that strategic region.<sup>21</sup> Disagreement about the disposition of Macedonia and demanded compensation on the basis of “direct proportion to the magnitude of their military effort and sacrifice”<sup>22</sup> quickly rearranged the alliances of the First Balkan War.

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<sup>20</sup> David Johnson, “Splendid fellows, splendidly led - In 1878, Bulgaria had no army. By 1913, it had one of the most formidable land forces in Europe.” Available [Online]: [http://www.thehistorynet.com/MilitaryHistory/articles/1997/0897\\_text.htm](http://www.thehistorynet.com/MilitaryHistory/articles/1997/0897_text.htm), September 20, 1998.

<sup>21</sup> Curtis, p. 30.

<sup>22</sup> Crampton, p. 61.

These controversies ignited a Second Balkan War in 1913, when Bulgaria attacked Serbia. Turkey, Greece, and Romania then declared war on Bulgaria because they all feared Bulgarian domination of the Balkans if Macedonia were not partitioned. Because most Bulgarian forces were on the Serbia border, Turkish and Romanian troops easily occupied Bulgarian territory by mid-1913, and Bulgaria was defeated. The Treaty of Bucharest (1913) allowed Bulgaria to retain only very small parts of Macedonia and Thrace; Greece and Serbia divided the rest, insulting Bulgarian territorial claims and annulling the gains of the First Balkan War.

In 1915, largely in the hope of gaining lost territory Tsar Ferdinand favored Central Powers in World War I. For its participation on the side of Central Powers, Bulgaria expected part of Turkish Thrace, substantial territory in Macedonia, and monetary compensation for war expenses.

In October 1915, a secret treaty was signed with the Central Powers and Bulgarian forces invaded Serbia and Macedonia. After initial success Bulgaria suffered from the devastation of the war, economic collapse and defeat and disintegration of its army.<sup>23</sup>

By 1917 the military stalemate and poor living conditions combined with news of revolution in Russia contributed to large-scale unrest in the Bulgarian society. By September 1918 the Bulgarian army was thoroughly demoralized by antiwar propaganda and harsh conditions. A battle with the British and French at Dobro Pole brought total

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<sup>23</sup> See Michta, p. 88.

retreat, and in ten days Entente forces entered Bulgaria.<sup>24</sup> Several days later an armistice was signed and Bulgaria left the war defeated.

As a result of this loss and an extremely severe economic situation, Ferdinand was forced to resign and his son Boris III became tsar. The Treaty of Neuilly-sur-Seine of 27 November 1919 imposed a humiliating and unjust peace treaty upon Bulgaria, depriving it of a lot of its territory. The treaty limited the post-war Bulgarian Army to a small volunteer force of 20,000 men. These limitations caused enormous distress in the Officer Corps. As a result of the war Bulgaria emerged as a revisionist state with a deep sense of humiliation and national resentment toward the Entente powers.<sup>25</sup>

The period after World War I was characterized by slow economic growth, uneasy political coalitions and strong involvement of the military in political life. The military factions were some of the decisive allies among the opposition groups that toppled the agrarian government headed by the peasant's leader Alexander Stamboljiski, in June 1923. The world crisis that began in 1929 ruined the Bulgarian economy.

In the 30's a new coalition with the name Zveno emerged on the political scene.<sup>26</sup> The leaders of Zveno were two Army colonels – Damian Velchev and Kimon Georgiev. Zveno's main goal was "to consolidate and reform existing political institutions so that state power could be exerted directly to promote economic growth."<sup>27</sup>

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<sup>24</sup> See Crampton, p. 71

<sup>25</sup> See Michta, p. 89.

<sup>26</sup> In Bulgarian it means link of a chain.

<sup>27</sup> Curtis, p. 38.

Zveno drew its membership from intellectual, commercial, and military circles. It advocated "national restoration" through an authoritarian, technocratic regime. The military played an important role in this coalition. A Military League, a professional military organization that was created after the defeat in World War I, with the main purpose to protect the interests of the officers and NCOs from the burdens imposed by the peace treaty, tried to play a leading role in politics.

On the night of May 18<sup>th</sup>-19<sup>th</sup>, 1934, the Military League carried out a coup d'état described as an "excellently planned and executed operation"<sup>28</sup> that installed Kimon Georgiev as Prime minister. The Zveno government, advised by Velchev, assumed a dictatorial character, dissolved Parliament, and abolished all political parties. It imposed strict censorship on newspapers, prohibited trade unions, and reorganized the educational system to stimulate the training of more technicians and scientists and to discourage the formation of a large intelligentsia.

Shortly after taking office, Georgiev suppressed the Internal Macedonian Revolutionary Organization that was guilty for serial terrorist attacks, established friendlier relations with Yugoslavia, and resumed diplomatic relations with the Soviet Union. In addition, his government reduced the peasants' debts, reformed the nation's credit system, and encouraged the extension of professional medical care into rural areas.<sup>29</sup>

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<sup>28</sup> Crapmton, p. 111.

<sup>29</sup> See Curtis, p. 38.

The "divisive forces" associated with parliamentary politics were eliminated by the suspension of the constitution and the suppression of all political parties.<sup>30</sup> A new assembly was created, composed of individuals without party affiliation and elected from approved government lists.

The real beneficiary of the 1934 coup, though, was Tsar Boris III. He relied on his own clique in the army to unseat and jail Georgiev, and to install a subservient government, by the end of 1935. Bulgaria thus ended the 1930s as a royal-military dictatorship, the form of government that had become nearly universal in Eastern Europe.<sup>31</sup>

When World War II began in Europe, Bulgaria proclaimed neutrality.<sup>32</sup> The increasing power of Germany in the Bulgarian political life was manifested in 1940 by the removal of the pro-Western Prime minister<sup>33</sup> and his replacement by notorious Germanophile, Bogdan Filov. Needing Bulgaria to anchor its Balkan flank, Germany increased diplomatic and military pressure.<sup>34</sup>

The desire for territorial expansion at the expense of Yugoslavia and Greece and the awareness that German troops would have to pass through Bulgaria to reach Greece

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<sup>30</sup> See Crampton, p. 112.

<sup>31</sup> See "Balkan States: History: Postwar politics and government." Britannica Online: Available [Online]: <http://www.eb.com:180/cgi-bin/g?DocF=macro/5000/55/67.html>, 1 August 1998.

<sup>32</sup> See Crampton, p. 121.

<sup>33</sup> Georgi Kioseivanov was appointed by the king to serve as Prime Minister after the defeat of Zveno 1936–1940.

<sup>34</sup> Curtis, p. 41.

led Boris to join the Axis on March 1, 1941. German troops used Bulgaria as a base from which to attack Yugoslavia and Greece, and in return Bulgarian forces were permitted to occupy Greek Thrace, Yugoslav Macedonia, and part of Serbia. After the German invasion of the Soviet Union and the Japanese attack on the U.S. naval installation at Pearl Harbor in 1941, Bulgaria yielded to German pressure to declare war on Great Britain and the United States. That move was regarded as having symbolic importance only, and Tsar Boris avoided joining the war against the Soviet Union, fearing that it would lead to public unrest.

After the German attack on the Soviet Union, the Bulgarian Communist Party organized the resistance against Nazis inside the country. About 10,000 persons are estimated to have participated in the resistance movement, making it the largest resistance movement among all of Germany's allies. Politically, the communists sought the coalition with other opposition groups, and in August 1943 the Fatherland Front was formed, composed of communists, left-Agrarians, Zveno, socialists, and some independent political figures. The front's influence grew as the military situation of Germany deteriorated.

In May 1944, faced with the continuing German collapse and harsh Allied threats that Germany's allies would be severely punished, the Bulgarian government began secret negotiations for surrender with the Allies.<sup>35</sup> An attempt to proclaim Bulgarian neutrality in August 1944 was rejected as insufficient by both Britain and the Soviet Union.

On September 5, 1944, the Soviet Union declared war on Bulgaria, and Soviet forces began to enter the country unopposed. Thus, the country managed to be at war

simultaneously with all warring groups.<sup>36</sup> Concurrently, the Fatherland Front began preparations for a coup d'état. On September 8, military forces organized by Zveno and partisan detachments of communist resistance occupied key points in Sofia and toppled the government in the name of the Fatherland Front. Kimon Georgiev of Zveno became the new Prime Minister, thus headed the government of the Fatherland Front.

## **B. THE COMMUNIST RULE 1944-1989**

The earliest Marxists in Bulgaria were faced with an underdeveloped society with a largely peasant population and without striking inequalities in income. Under normal circumstances the communist party had to face a long wait until gaining influence and power. The Balkan Wars and humiliation after the defeat in World War I caused a rapid sequence of disproportionate human and material losses. Those facts contributed to the communists' popularity because they opposed the war. Furthermore, Bulgarian communists had very close relations with their Russian colleagues. A Bulgarian was the first organizer of the Marx group in Russia in 1883.<sup>37</sup> George Dimitrov, who had gotten a world popularity after the Leipzig Trial in which he defended himself against false Nazi claims, in the 1930's became a chairman of the Moscow based Comintern. Many other Bulgarian communists had served in different Soviet State or party institutions, the majority of them in the Red Army.

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<sup>35</sup> See Crampton, p. 133.

<sup>36</sup> L.A.D.Delin, *The Communist Parties of Eastern Europe*, New York, Columbia University Press, Ed. Stephen Fischer-Galati, 1979, p. 55.

<sup>37</sup> *Ibid.*, p. 49.

In the 20's the Bulgarian communist party became influential as a political force, though mostly because of outside events. In September 1923 the party organized and carried out an unsuccessful attempt to seize power that brought about its official prohibition.<sup>38</sup> Its second chance at success came as a consequence of the world "Great" depression in the 1930's, when under another name it won 31 out of 274 seats in the parliamentary elections of 1931.<sup>39</sup> However, the dissolution of all political parties by the Zveno government forced the party to go underground.

The party emerged as an important political factor framing the new political map of Bulgaria in September 1944. The Bulgarian communist party (BCP) gradually consolidated its position, eliminating its Fatherland Front allies. Major steps were made in order to neutralize the army that had a tradition of decisive participation in politics. Soldiers councils were formed in many regiments and 800 officers removed. The attack upon the army involved not only the removal of unreliable officers but also an introduction of political commissars.<sup>40</sup> The whole Bulgarian army, as a potential rival, was sent out of the country to fight with the German forces under Soviet command. After the end of the military operations the leadership of the army was purged and the influence of the conspiratorial Military League eradicated. The monarchy was abolished by a referendum in 1946 and the BCP's political monopoly was consolidated. In 1947 the new Constitution that legitimized party rule was adopted.

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<sup>38</sup> Ibid. p. 50.

<sup>39</sup> Ibid., p. 51.

<sup>40</sup> Crapmton, p. 146.



In 1954 Todor Zhivkov was elected leader of the communist party. Surviving Khrushchev's overthrow in 1964, Zhivkov exercised power for another 27 years, making him the dean of the Warsaw Pact leaders. The story of his success was hidden in his ability to demonstrate ultra-loyalty to the Soviet Union. This approach was partly a product of the traditional pro-Russian sentiments in a society where Russia was perceived as a liberator, but it was also the natural response of a rigid and unimaginative party leadership.<sup>41</sup> Under Zhivkov's rule Bulgaria became one of the milder communist regimes in the region.<sup>42</sup>

An experimental, although basically conservative, attitude to economic reforms produced a reasonably successful agricultural basis and the appearance of dynamism in industry.<sup>43</sup> In the 1980s, however, foreign debt rose sharply, due to an increase in oil prices, reductions in Soviet subsidies and delays in structural reform, which made attempts to finance investment and consumption futile.<sup>44</sup>

### **C. THE HARD TIME OF CHANGE (1989-1997)**

On November 10, 1989 the day after the Berlin Wall came down, Politburo colleagues forced Zhivkov's resignation "on health grounds." There were massive street

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<sup>41</sup> Marek Bankowicz, "Bulgaria: The Continuing Revolution" in *The New Democracies in Eastern Europe-Party systems and Political Cleavages*, ed. Sten Berglund, and Jan Ake Dellenbrant, 2 edition, Vermont, Edward Elgar Publishing Company, 1994, p. 229.

<sup>42</sup> See J.F.Brown, *The Challenge to Soviet Interests in Eastern Europe: Bulgaria and Czechoslovakia*, The Rand Corporation, Santa Monica, December 1986, p. 16.

<sup>43</sup> Ibid. pp. 10-11.

<sup>44</sup> See EIU "Country Profiles – Bulgaria," December 19, 1997. Available [Lexis/Nexis]: EUROPE/BULGAR, 15 August 1998.

demonstrations, and the Union of Democratic Forces (UDF), an umbrella organization of anti-regime groupings, was formed in December 1989. The BCP made many compromises, trying to adapt to the new situation. Clauses in the constitution promulgating the BCP's political monopoly were revoked. The BCP itself was renamed the Bulgarian Socialist Party (BSP). A new government under the former minister of foreign trade at the time of Zhivkov, Andrei Lukanov was installed and the opposition was engaged in "round-table" discussions.<sup>45</sup> This way of transition to democracy was described by Linz and Stepan as one that was "initiated and never lost control"<sup>46</sup> from the leaders of the previous regime.

As other post-communist states in the Balkans, Bulgaria suffered from a so-called "democratic deficit"<sup>47</sup> that hampered the transition to democracy. None of the post-communist states in this area had a strong legacy of democratic rule. Most of them had experience with autocratic or military rule during the inter-war period. The communist rule in these states was more repressive than in Central Europe and this fact disallowed the existence of a developed civil society.<sup>48</sup> The communist regime in Bulgaria was firm and acted decisively in discouraging any attempt at civil society building. Hence, when communism collapsed, there were only a few organized groups to direct political

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<sup>45</sup> See Bankowiz, p. 232.

<sup>46</sup> Juan Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation*, Baltimore and London, The Johns Hopkins University Press, 1996, p. 333.

<sup>47</sup> See F.Stephen Larrabee, *Instability and Change in the Balkans*, Santa Monica, RAND Publications, 1992, p. 32.

<sup>48</sup> Ibid.

participation. That is why the process of democratization in Bulgaria and other Balkan post-communist states has been more chaotic and violent than the one in Central Europe.

The first eight post-communist years were years of political instability and economic distress in Bulgaria. The first free elections of the Grand National Assembly in 45 years were held in June 1990. The main purpose of the elections was creation of a legislative body that would adopt a new Constitution. Both, the communists and the opposition realized the importance of electoral victory.

Free and competitive elections, are the cornerstone on which democracy is built. Elections can provide a representative government, a mechanism of control, give opportunity for citizens to participate in the political life of the society, and last but not least the elections can provide a legitimate political system.<sup>49</sup> So, BSP needed electoral victory since it would allow the party time to transform its political power into an economic one, using the process of privatization.

On the election BSP won 48 percent of the vote and 52 percent of the 400 seats.<sup>50</sup> Thus, a newly created “socialist” party was able to produce a Parliament that would adopt laws in favor of its aims. This result came as a surprise. In most of the former communist countries the first elections clearly showed a negative attitude of the voters against former leaders. In Bulgaria’s case the result demonstrated how strong the influence and the real power of the socialist party had been.

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<sup>49</sup> Ibid, p. 100.

<sup>50</sup> Jon Elster, Claus Offe, and Ulrich K. Preuss, *Institutional Design in Post-communist Societies: Rebuilding the Ship at Sea*, Cambridge University Press, 1998, p. 148.

In July 1990 Petar Mladenov, leader of the 1989 coup, was expelled from his office as state president and replaced by the UDF leader, Zhelyu Zhelev.<sup>51</sup> After attempts to involve the opposition into a broad government of national unity, Lukanov formed a cabinet in September 1990, but proved unable to rule. The situation in Bulgaria became comparable to the personal arrangements in Poland. In Bulgaria the opposition gained the presidency, while the communists retained control of the government. In Poland it had been the other way around.

As the economic situation deteriorated, the unions staged a national strike and Lukanov resigned. In late December 1990 a "government of experts" emerged, headed by the non-partisan judge Dimitar Popov. It contained BSP, UDF, and Bulgarian Agrarian National Union members. The government had a limited mandate, focusing on Emergency economic measures, the new constitution and new elections. The new constitution was passed in July 1991. This accomplished the mission of the Grand National Assembly.

The new elections were held in October 1991 and produced a parliament with a slight UDF majority. The UDF won 34.36 percent of the vote and got 110 seats (45.9 percent), the BSP got 33.14 percent of the vote and 106 seats (44.2 percent), and the MRF 7.55 percent of the vote and 24 seats (10 percent).<sup>52</sup> The UDF formed a government headed by Phillip Dimitrov with the support of the Movement for Rights and Freedoms (MRF), which held the balance of power in parliament. Despite passing a

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<sup>51</sup> See Bankowiz, p. 233. Zhelyu Zhelev had been a President since July 1990 to January 1997. First, he was elected by the Parliament in July 1990, the second term he got as a result of direct elections in January 1992.

<sup>52</sup> See Elster, Offe, and Preuss, p. 121.

privatization law and a revamped foreign investment law, the UDF experienced growing differences both with the MRF and within its own ranks. Zhelev also became hostile to the UDF's extreme style of anti-communism. A scandal involving arms exports to former Yugoslavia caused a vote of confidence, which Dimitrov lost.

A compromise emerged at the end of 1992 with another "government of experts," headed by the professor of economics Lyuben Berov. This government was supported by the MRF, the BSP, and one faction of the UDF. However, by early 1994 the government was under fire from President Zhelev, the MRF, and the trade unions, its unpopularity fueled by the drastic depreciation of the Lev (national currency) in March. Having achieved a long-awaited settlement with the country's commercial debtors in June 1994, Berov stood down.<sup>53</sup> Elections followed in December 1994 and yielded a majority of 125 seats<sup>54</sup> for the BSP and its left-wing allies.

The BSP, which under Zhan Videnov had stressed its ability to deliver humane and controlled reform, formed a new government. But Videnov's government was not a success. Suspicions of corruption among Videnov's entourage grew as grain was exported in the middle of a grain shortage in winter 1995. The economy began to deteriorate in 1996. In November the International Monetary Fund insisted on a currency board, which began to operate in July 1997. In November 3, 1996 the UDF's candidate for president, Petur Stoyanov won a convincing victory with 15 percent more votes than

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<sup>53</sup> See *EIU "Country Profiles - Bulgaria"*, December 19, 1997. Available [Lexis/Nexis]: EUROPE/BULGAR, 15 August 1998.

<sup>54</sup> See Elster, Offe, and Preuss, p. 148.

BSP's candidate. That was a clear indication of the people's attitude toward the socialist capacity to rule.

In late December 1996, after the crash of the national currency, Videnov resigned as both state and party leader. His interior minister, Nikolay Dobrev, was designated by the BSP as the next premier, but public opinion stopped the appointment. There was a demonstration in front of parliament on January 10, 1997. People broke into the building and police used force against the crowd. In transitional arrangements the UDF-aligned mayor of Sofia, Stefan Sofianski, became caretaker Prime minister, heading a largely like-minded cabinet.

The popularity of Sofianski's government and of the similarly UDF-aligned president, Petar Stoyanov (he had helped defuse the situation in early February) increased the popularity of the UDF. With its allies in the United Democratic Forces (UtdDF), it won a comfortable majority of 138 seats<sup>55</sup> in parliamentary elections in April 1997. The BSP emerged as the second largest force with 58 seats.

The UDF leader, Ivan Kostov, formed a UtdDF government in May 1997. The currency board was set up on July 1. By the end of 1997 the economy was recovering. An important legislation on banking and crime control had been passed which pleased the IMF and the World Bank, and unity within the UtdDF had been preserved.<sup>56</sup>

The new government declared Bulgaria's desire for full membership in NATO in February 1997.

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<sup>55</sup> "Union of Democratic Forces" Available [Online]: <http://www.bild.acad.bg/udf>, 5 September 1998.

<sup>56</sup> See EIU "Country Profiles – Bulgaria," December 19, 1997. Available [Lexis/Nexis]: EUROPE/BULGAR, 15 August 1998.

### III. THE ROLE OF THE MILITARY

#### A. FROM BATTLES TO COUPS

As Figure 1 depicts, the military plays a very important role in the Bulgarian society. The armed forces enjoy a constant, comparatively high level of respect from the civilian population.<sup>57</sup>

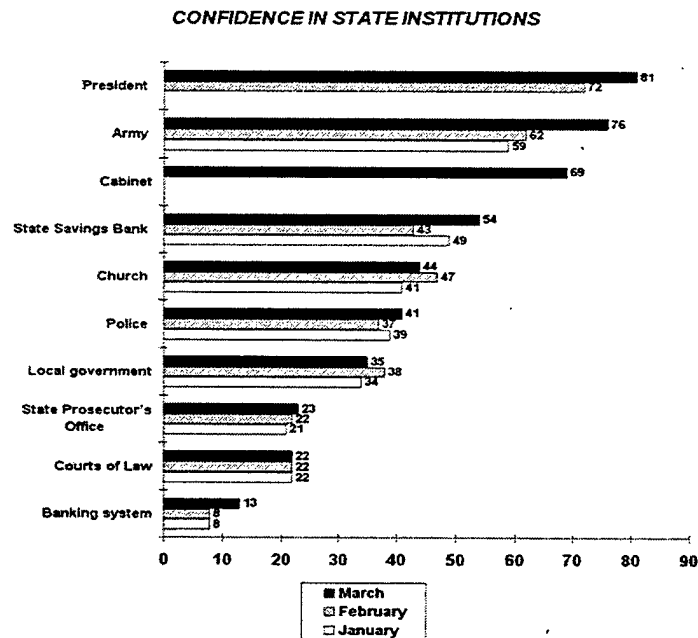


Figure 1. Confidence in State Institutions - 1997<sup>58</sup>

The military contributed to the consolidation of the independent Bulgarian state and the military prestige was an important factor in the foreign policy of the country in the first decades of the 20<sup>th</sup> century.

<sup>57</sup> See also Table 1 in the Appendix A.

<sup>58</sup> The Source is BBSS Gallup International, Archive, July 1998, Available: [Online] [www.home.aster.net/gallup/home.html](http://www.home.aster.net/gallup/home.html), 23 November 1998.

Bulgarian soldiers participated in five major conflicts, including both world wars, in a period of sixty years.<sup>59</sup> Constant instability in the area required a large standing army. The existing alliances had short lives;<sup>60</sup> therefore the state had to concentrate major human and financial resources in order to secure its territory. Hence, the military was seen by society as a pillar of stability and the only way to support national interests and goals. This is very much due to the expectations that the Bulgarian army will provide the liberation of the territories and Bulgarian population, which remained under the occupation of all the neighbors of the country after the unjust Berlin Treaty of 1878. Examples of numerous sacrifices by the Bulgarian soldiers and officers consolidated this general positive tendency and attitude toward the armed forces of the country.

This positive record, however, is paralleled by several cases of the use of the military as an instrument of political terror against its own people in 1923, 1925, and especially in the 1941-44 period. Between the 20's and 40's the armed forces have "entertained" the experience of fascist totalitarian ideological attitudes. After that an ideologically driven system of a totalitarian socialist type replaced the previous one.

Traditionally, the military had been involved in domestic political struggles. For example the Military League exerted strong political influence after World War I. This professional organization was created after World War I with the main goal to protect the social status of its members. Well organized and disciplined, it took a leading role in

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<sup>59</sup> It is counted from the creation of the state in 1878 to the end of the WWII in 1945.

<sup>60</sup> For example the Balkans Wars.



overthrowing the government and establishing Zveno authoritarian regime.<sup>61</sup>

In September 1944 military factions of Zveno, participated again in toppling Muraviev's cabinet. From the end of the Second World War until the revolution in 1989, the Bulgarian army served the political interests of the Bulgarian Communist Party.

## **B. APRIL 1965**

An interesting episode in the civil-military relation's domain occurred in 1965 when the military officers were involved in political intrigue. The reported 1965 coup attempt led by an army general was allegedly aimed at replacing the communist leader Todor Zhivkov and establishing a more nationalist, less pro-Soviet leadership in the country.<sup>62</sup> The coup was not well prepared and its organizers were captured and put in jail before its outbreak. General Todorov was reported to have committed suicide, or been killed in prison. Others were sentenced to different terms of imprisonment.

But the coup attempt was not harmless. Among its organizers was the Commander of the Sofia military garrison and other top officials in the government administration. They had a plan and loyal military units ready to fulfil it. The coup's goal was to establish a more independent model of socialism, and probably that is why the Soviet military intelligence had a primary interest in revealing the conspiracy.<sup>63</sup>

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<sup>61</sup> See Curtis, p. 238.

<sup>62</sup> J.F. Brown, *The Challenge to Soviet Interests in Eastern Europe: Bulgaria and Czechoslovakia*, The Rand Corporation, Santa Monica, December 1986, p. 3.

<sup>63</sup> There is very limited information available about the coup. One accessible is the book of Paul Lendvai *Eagles in Cobwebs*, Garden City, New York, Doubleday & Company, 1969, pp. 286-297.

Obviously, this coup attempt registered another involvement of the Bulgarian military in politics and remained unique in the socialist state's history.

### C. THE FRUSTRATED BULGARIAN REFORM

The so-called period of "perestroika," initiated in the Soviet Union and later adopted mostly as a slogan in Bulgaria, did not bring any change in Bulgarian civil-military relations. On the contrary, during the years of the Soviet "perestroika," the image of the armed forces as a burden to the state started to emerge.<sup>64</sup>

The process of undermining the military component of civil-military relations continued after the changes of 1989-90. The result was a dramatic deprivation of the military's guaranteed social status and stability. Nevertheless, a process of realization of how civil-military relations in a democratic society should look like assumed a clearer vision after the adoption of the Armed Forces and Defense Act.<sup>65</sup>

In the last decade, Bulgaria's army shifted from a highly politicized to a depoliticized one. By 1995 Bulgaria had made more progress in separating the military from politics than the Soviet Union, but perhaps less progress than other communist countries of Eastern Europe such as Poland, Hungary, and Czech Republic.

The first steps were taken with the prohibition of any political activity by the Army and the eradication of the party cells inside the Army. No doubt, the country's

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<sup>64</sup> See ISIS – Research Report, Plamen Pantev, "The New National Security Environment and Its Impact on the Civil-Military Relations in Bulgaria." 17 Jul 97. Available [Online]: <<http://www.isn.ethz.ch/isis/resrep05.htm>>, 12 February 1998.

<sup>65</sup> Armed Forces and Defense Act, Adopted 22 December 1995, Amended 16 December 1997, *State Gazette*, Volume 112, Sofia, 27 December 1995.

elite increasingly understood that the military must be reformed in order to meet the requirements of the new political situation.

As in other Eastern European countries, the purpose of Bulgaria's defense reform has been to establish democratic civilian command and control over the defense ministry and the Bulgarian People's Army. It also had to clarify the lines of authority between the President and government (Prime minister and civilian defense minister) in peacetime and in wartime.

Finally, the reform had to remove Communist Party influence from the military establishment. Under the old system, Bulgarian national security policy was formulated by a small group headed by the Party's First Secretary, with perhaps the addition of the commander-in-chief of the armed forces and the defense minister. Until October 1991 every Minister of Defense had been a high-ranking officer. Although, as expressed by the former Minister of Defense Valentin Aleksandrov:

The Minister was senior in rank, but he was addressed not as 'Comrade Army General' but as 'Comrade Minister.' In other words, is post, not his rank was paramount.<sup>66</sup>

The Minister was a member of the Central Committee of the Communist Party and a political figure very close to the Party Leadership.

The first civilian Minister of Defense – Dimitar Ludjev – was appointed by the UDF government in 1991. Since then appointments of the civilian Minister of Defense have become a tradition, and after December 1995 even a binding law.<sup>67</sup> This notion

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<sup>66</sup> "Aleksandrov Denies Conflict With Gen. Petrov," Sofia KONTINENT. 29 July 1994. *FBIS Daily Report-Eastern Europe*; 3 August 1994, FBIS-EEU-94-149. Aleksandrov was the Minister of Defense from December 1992 to June 1994.

<sup>67</sup> Defense and Armed Forces Act, Art.34, Par. 2 and 3.

had a further development in 1997 when this article was amended to state that not only the Minister but also his deputies should be civilians.

In April 1992 Alexander Stalijski replaced Minister Ludjev. He kept this post until the fall of the UDF's government in December 1992, when Valentin Aleksandrov was appointed as a member of Berov's cabinet. Both, Stalijski and Aleksandrov, were lawyers and put a lot of efforts in framing a new Armed Forces and Defense Act. But the governments, in which they participated, couldn't endure and lacked the parliamentary support that would have allowed them to act decisively in implementing a military reform. The BCP's government who took the office on December 1994 appointed retired Admiral Dimiter Pavlov as Defense Minister, thus repeating the Hungarian model.<sup>68</sup>

Pavlov declared his commitment to hasten military reform and expedite the Armed Forces and Defense Act adoption. Although Pavlov had no visible success in the first mission, he was able to accelerate the process of the preparation of the bill. Backed by the socialist's majority in Parliament, and actively supported by the Head of the parliamentary National Security Committee, the Armed forces and Defense Act was adopted in December 1995. No doubt, this law was a right step in the long process of the configuration of new civil-military relations in Bulgaria.

In February 1997, as a result of the Videnov government's incompetence to rule, the President appointed an interim government. George Ananiev, former Deputy Minister of Defense in the first UDF government, became Minister of Defense, keeping this office in Kostov's government, too.

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<sup>68</sup> Retired Colonel Keleti was appointed Minister of Defense after Hungarian Socialist Party victory.

With the probable exception of Minister Pavlov, all other civilian ministers had their "decisive battles" with the General Staff. Former Minister Stalijski will be remembered for his Ministerial Order 332, that tried to limit senior promotions only for persons graduated from military schools with at least four years curriculum. This order was indirectly a threat to the Chief of Staff, Army General Lyuben Petrov, and many other high-ranking officers. The conflict was settled, simply because Stalijski had not enough time and a strong mind to act decisively. After he left the office, the head of the Personnel Policy Department, COL Rousev, was dishonorably discharged because of his involvement in this case. Ironically, the ministerial order by which he was discharged was one of the first of the new Minister of Defense Aleksandrov that marked the so-called "pink" period between him and the Chief of Staff, Army General Luben Petrov.

Boyko Noev<sup>69</sup>, deputy minister of defense in Berov's government, and interim minister at the end of 1994, also had "tough" days with a high-ranking officer. That was Major General Lilko Iotzov, Deputy Attorney General and Head of the military Attorney General Office. The main issues this time were the questions of the corruption within the military, and the efficiency of the Military Attorney General Office. As a result of this conflict the general was dismissed, but no official investigation on the alleged corruption was involved.

Several times the reason for a direct conflict between Minister and Chief of Staff was the issue of the reduction of the personnel and particularly within the Officer Corps. A similar conflict was the reason for the sharp contradiction between Army General Petrov and Minister of Defense Aleksandrov.

In August 1994, it became clear that 812 officers would be discharged with the autumn reshuffle in the army. Army General Petrov submitted a list of 401 officers to the minister who are indispensable and who must be kept in the army despite having reached the retirement age. Most of those officers were colonels who have already reached this age. The Comprehensive Military Service Act adopted in 1958 provided that the age limit for generals is 60, for colonels 50 and for lieutenant colonels 45 years.<sup>70</sup> In this sense Aleksandrov's moves were completely according to the law that was in force.

It was understandable that the BSP initiated all available resources to protect those officers that were seen as a "last generation of Bulgarian officers for whom a strong imagination is needed in order to believe in their depoliticization."<sup>71</sup> However, the problem is not also political but rather economic. It is difficult to adapt to a pension after years of receiving a colonel's wage. Furthermore, the discharged colonels had no chance of finding another work after retirement. Obviously the problem had several dimensions and should be solved bearing in mind not only legal but political, social, and personal constraints. Finally, Minister Aleksandrov discharged the colonels, only to be ousted himself a couple of months later, in December 1994, when the socialists formed their government headed by Zhan Videnov. The new government had clearly in mind the

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<sup>69</sup> Currently Mr. Noev is a Bulgarian representative in NATO.

<sup>70</sup> Genadi Popov, "BSP Leader Calls for Aleksandrov's Resignation," Sofia, DUMA, 24 August 1994, *FBIS Daily Report-Eastern Europe*, EEU-94-168, 30 August 1994.

<sup>71</sup> Konstantin Subtchev, "Colonel's Discharge Called Economic Problem," Sofia, KONTINENT, 24 August 1994, *FBIS Daily Report-Eastern Europe*. EEU-94-168, 30 August 1994.

problem of the retirement age, because in the new Defense and Armed Forces Act they provided an extended retirement age for the colonels.<sup>72</sup>

Although civilian ministers entertained several victories in the process of gaining a political control over the Armed Forces, those steps were not completely successful. One of the reasons for that result was the lack of adequately competent experts in the national security area of politics.

During the past two years military leaders in key positions in the Ministry of Defense have stepped out for civilians, but there is still an imbalance in terms of knowledge and skills in security issues. This characteristic of the process of imposing democratic civilian control over the military is common to all post-communist states. As Jeffrey Simon noted, the same problem emerged in Hungary, Poland, and the Czech Republic.<sup>73</sup>

Since the presence of competent civilians at all levels in the ministry is essential, efforts were made to create a research and training center within the Bulgarian Ministry of Defense. Its main goal was to educate civilians in security matters. In addition, several Non Governmental Organizations as the Atlantic Club, the Center of Study of Democracy, and the Open Society play important roles in exchanging ideas and information, and organizing seminars, round table discussions and public lectures on security issues.

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<sup>72</sup> Defense and Armed Forces Act, Art.127, Par.1 provides 56 years age limit for colonel's service.

<sup>73</sup> See Simon, p. 165.

The second reason for not imposing effective civilian oversight over the military in the period of 1989-1995 was a lack of clear regulations and understanding of how the mechanism of such control should work.

Prior to February 27, 1996 when the new Defense and Armed Forces Act was put in force, the only normative base for military activities was an “ancient” Comprehensive Military Service Act, adopted in 1958. Obviously, this legal act was not prepared to meet the needs of the new reality of the 1990’s. Hence, the Ministry of Defense desperately needed a legal basis for the military reform. This basis was expected also from the military, connected with the hope that society will finally direct its efforts toward the building of a more professional and better-equipped armed forces.

Several months after the adoption of the Armed Forces and Defense Act the Council of Ministers (the Government) issued Regulations for Professional Military Service<sup>74</sup> that was planned to set military reductions and promotions, social status of the personnel, and means of disciplinary sanctions. It was issued in order to supplement the Armed Forces and Defense Act and to develop further its principles. In addition, the Regulation of Financial Services in the Ministry of Defense was also issued. Thus, the military management had sufficient legal tools for implementing its reforms at last. However, a significant amount of valuable time was wasted in the developmental process.

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<sup>74</sup> Rules for Professional Military Service, *State Gazette*, Volume 54, Sofia, 25 June 1996.



#### D. MINISTRY OF DEFENSE

The defense ministry is comprised of three deputy defense ministers plus the Chief of the General Staff, who according to a June 1997 draft amendment, would become a deputy defense minister directly subordinate to the defense minister.<sup>75</sup> As Simon noted, Bulgaria's huge defense ministry (of roughly 2,000-2,200 plus a General Staff of 700) still lacks sufficiently trained personnel and the capacity to perform effective basic functions such as transparent multi-year budgeting, long-term defense planning, and personnel management.<sup>76</sup>

The specific functions (directorates) appear to have shifted so often that it is very difficult to assess the effectiveness of communication between civilian defense ministry bodies and the General Staff directorates.<sup>77</sup> A typical example is the relationship between the Personnel Policy Directorate in the Ministry of Defense and almost identical structure within the General Staff. Although the ministry framed the basic principles upon which the promotions and reductions should be made, the General Staff Personnel directorate was in fact entitled to implement these principles without allowing sufficient oversight. This problem emerged in 1992, continued in 1993-1995, and still has the potential to hamper effective civilian control over promotions within the Officer Corps.

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<sup>75</sup> Jeffrey Simon, "Bulgaria and NATO: 7 Lost Years," *Strategic Forum*, May 1998, National Defense University, pp. 1-4.

<sup>76</sup> Ibid.

<sup>77</sup> Simon, "Bulgarian and NATO; 7 Lost Years", p. 2.

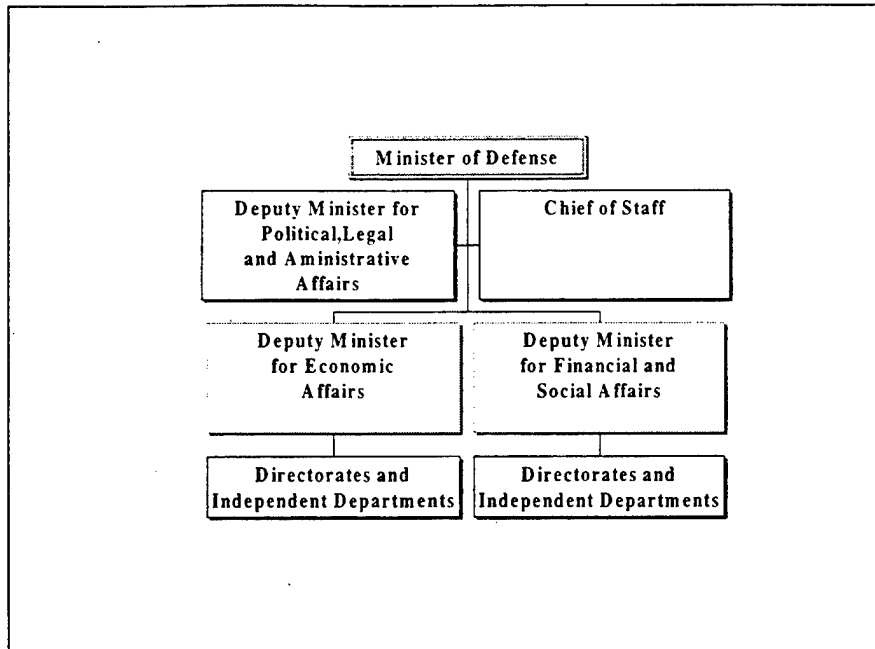


Figure 2. Ministry of Defense Organization<sup>78</sup>

The Ministry of Defense's structure, shown on Figure 2, maintained the same components that had been established between December 1991 and May 1992, under Minister Ludjev.<sup>79</sup>

As Simon noted, it is difficult to determine accountability and to identify where the responsibility lies for the long-term budget program connected to long-term planning, between defense planning and economic resources. Further, the link should be made between the personnel policy performed under the Deputy Defense Minister responsible

<sup>78</sup> Following figure represents a structure of leadership of the Bulgarian Ministry of Defense as it looked in 1997. The Source is "Bulgarian Armed Force," Ministry of Defense, Public Relations Directorate, Sofia, 1997, p. 3.

<sup>79</sup> See Figure 2 on the next page.

of the personnel and the personnel directorate under the First Deputy Chief of the General Staff.<sup>80</sup>

In sum, compared to the defense ministries of the other post-communist states in transition, Bulgaria's ministry is extremely large with a very confusing structure. Bulgaria's 3,000 person (civilian and military) defense structure is roughly twice the size of Poland; though Bulgaria's 107,000 troops are roughly one-half of Poland's 218,000 troops.<sup>81</sup> Particularly, the size of the Ministry increased in 1995-1996, when several directorates were greatly enlarged.<sup>82</sup> That was partially due to the lack of understanding of how this administrative unit had to be developed. Even now there is still not a normative regulation concerning the structure of the Ministry of Defense, which is in sharp contrast with almost all the administrative bodies of the state mechanism. This allowed several reshapings of the ministerial structure, although not in the sense of approving its management.

As Szemerkenyi asserts, the bureaucratic mechanisms that implement top-level decisions, prepare the background work with other ministries, link the Minister of Defense's responsibilities to the military command and communicate the military's needs to the Minister are essential if civilian control is to be effective.<sup>83</sup> Otherwise, ministerial legitimacy can be undermined by a lack of efficient public administrators. That is why

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<sup>80</sup> Simon, "Bulgarian and NATO: 7 Lost Years," p. 3.

<sup>81</sup> Ibid.

<sup>82</sup> Those were especially International Cooperation and Personnel Policy Directorates.

<sup>83</sup> Reka Szemerkenyi, *Central European Civil-Military Reforms At Risk*, Oxford, New York, Oxford University Press, 1996, p. 11.

framing a robust, effective, and legally enforced structure is an issue of paramount importance. The reform within the armed forces although proclaimed in 1991, has not yet really begun. In the fall of 1991 the Bulgarian Armed Forces (BAF) totaled 107,000 (with 46,000 professionals) and it remains at that level.<sup>84</sup>

The current government approved the three stages of the Defense Reform that envisions cutting the military to 65,000 maximum by 2010. The main points in the program were the downsizing of the personnel and augmentation of professionalism. Although not very successful in the beginning, the process of recruitment of professional soldiers was initiated in September 1997. During 1998 Bulgaria plans to enlist roughly another 1,700-2,000 professionals in the Armed Force, mainly in the units that are planned to participate in South European Peacekeeping Forces.<sup>85</sup> The second important issue in this program is the creation of a Rapid Reaction Corps that is programmed to have 70 percent manning and 100 percent equipment. The final stages of the reform are perceived to be fulfilled in 2010, when the Armed Forces should reach 65,000 men. Thus, Bulgaria is only at the beginning of a really painful and sensitive military reform. In contrast, Hungary already has reduced its forces from 120,000 to 52,000; Poland from 405,000 to 218,000; the Czech Republic from 130,000 to 58,000.<sup>86</sup>

Bulgaria's defense budget has been constantly reduced. The International Monetary Fund, which supervises firmly all government expenditures, discourages any

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<sup>84</sup> Simon, "Bulgarian and Nato: 7 Lost Years," p. 4.

<sup>85</sup> This initiative of the states from South Europe is almost on its final stage. It is planned for Bulgaria to participate with an engineer company within the multinational brigade comprised by Turkish, Greeks, Romanian, and Macedonian units.

increase in the defense budget that will be needed for successful military reform. The 1998 Defense budget of 487.45 billion leva (roughly 2 percent of GDP) allocates roughly 25 billion leva (about U.S. \$14 million) for troop relocation and military reform.

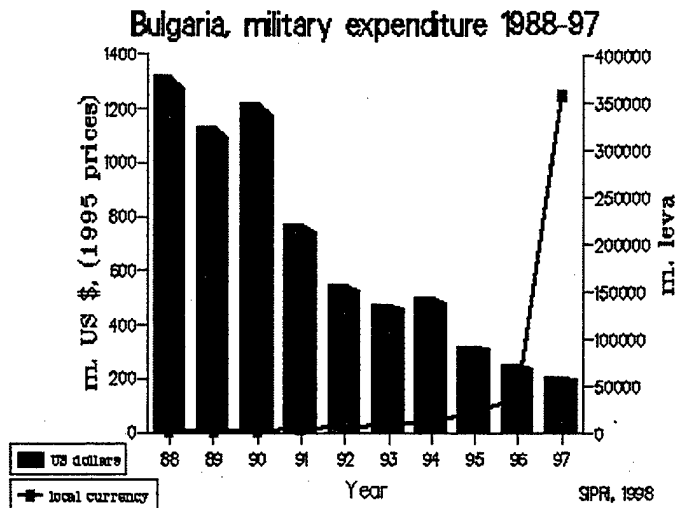


Figure 3. Bulgaria's Military Expenditure 1988-1997.<sup>87</sup>

As Figure 3 displays, this amount is in sharp contrast with the amounts that were usually spent in the 80's, although, as was pointed out, the manpower was reduced only insignificantly. Therefore, the budget remains an important constraint in carrying out the modern and successful military reform in Bulgaria.

The participation of Bulgarian's Forces in peacekeeping operations was an expression of the country's desire for a more active role in the world community's efforts towards peaceful settlement of disputes. The beginning was made in 1992 when Bulgaria

<sup>86</sup> Ibid.

<sup>87</sup> The source is "Bulgaria, military expenditure 1988-97," SIPRI Military Expenditure Database, Available [Online]: <http://www.sipri.se/cgi-bin/backend/milex.pl?coun=Bulgaria>, 11 September 1998.

participated in the UN operation in Cambodia (UNTAC) with a full contingent of an infantry battalion, military observers, staff officers and military policemen. In addition to this operation, the Bulgarian military served missions in Angola, Tadjikistan, and just recently an engineer platoon joined Dutch troops in SFOR under NATO command. In July 1998, in addition to the engineer platoon a transportation unit was sent under Greek command to participate in SFOR.

Bulgaria signed the framework document of the initiative Partnership for Peace in 1994 and became an active participant in this program. For example, only in 1997, Bulgarian units and personnel participated in 22 joint exercises within the Partnership for Peace, two times being a host.<sup>88</sup>

Following the new government's foreign policy, the Ministry of Defense initiated a package of measures in order to fulfil the Council of Ministers' Decision 192 from February 17, 1997, to seek full NATO membership. The National Program for the preparation of Bulgaria's accession to NATO was adopted. The part of this document concerned with Ministry of Defense activities provided eight different groups of activities that would enhance the chances for Bulgaria's accession. They included: updating the Individual Partnership Program (IPP) between Bulgaria and NATO for 1997-1999; active and responsible participation in pap Planning and Review Process (PARP); achieving maximum interoperability with Allied Forces; and reviewing the Concept for Military Reform 1996-2010 in the light of the requirements for possible NATO membership. All those steps aimed in the right direction but were made too late, depriving Bulgaria of the

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<sup>88</sup> The Source is *Bulgarian Armed Force*, Ministry of Defense, Public Relations Directorate, Sofia, 1997, p. 11.

chances to be among the invited countries at the Madrid Summit. Nevertheless, NATO membership is the main objective of Bulgarian diplomacy, and lot of efforts and resources are devoted to this goal.

#### IV. POLITICAL AND LEGAL FRAMEWORK

As one of the scholars of Central European civil-military relations put it:

Democratization, the introduction of basic democratic principles into security and defense policy making, begins through legal means.<sup>89</sup>

In order to have effective civilian control, a nation must establish a system or mechanism of administration, which makes this control possible. The establishment of this mechanism is an organizational and legal task which includes the modernization of defense planning and budgeting (a system enabling Parliament and the government to exercise their powers), the adopting of a law defining the rights and obligations of military personnel, and the determination of accounting techniques.

If this mechanism exists and works as an expression of the will of the whole society, the military must be subordinate to the entire governmental structure, not simply to the President or Prime Minister who exercises command. Divided control does contain dangers. The military could play off civilian authorities against each other to exaggerate military influence.

Accountability to parliament or to the legislature implies accountability to the people. It demands public discussion of defense, justification of military budgets, the investigation of mistakes and crimes.

As the Hungarian Rudolf Joo asserts:

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<sup>89</sup> Reka Szemerkenyi, p. 2.



Democratic control removes the temptation for the armed forces to intervene in party politics, taking sides or enhancing their position. The rule of law should therefore include clear norms, strong institutions and mechanisms that delineate unambiguously the limits of authority of the various actors, and also preclude any amalgamation of roles, and consequently ideological and political aspects must be eliminated from the activities of the military. Being neutral and non-partisan, the military officer can serve several successive governments. He serves the state, and the duly constituted (elected or appointed) state authority, and not just one segment of the political establishment.<sup>90</sup>

Actively exercised, parliamentary power over the military contributes to transparency in military affairs that actually strengthens national defense by reinforcing military identification with the people and popular identification with the military. The judiciary plays a supporting, but indispensable role, holding military individuals personally accountable in ways that prevent military interference in politics.

Developing controllable armed forces and a system of internal administration in accord with the principle of civilian control is an important goal. Therefore, effective and long-lasting results can be reached if there is a solid and well-developed legal basis.

#### **A. INSTITUTIONS INVOLVED IN NATIONAL SECURITY UP TO 1991**

The Communist Party has long dominated the Bulgarian national security decision-making process. The Party possessed ultimate authority in every single area of the public life, including national security. The Constitution of 1971 gave the power over defense and national security to the State Council and its specialized organ in that sphere

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<sup>90</sup> Rudolf Joo, *The Democratic Control of Armed Forces*, Institute for Security Studies, Paris, February 1996, p. 4.

– the State Committee of Defense.<sup>91</sup> As part of the State Council, which was the most powerful state institution, the State Committee of Defense, shown on Figure 4, commanded all the governmental structures that had prerogatives related to national security. In practice, however, the State Committee of Defense “was merely a rubber stamp for the Politburo”<sup>92</sup> because this state organ never exercised independent decisions, other than those provided from the Party’s Central Committee.

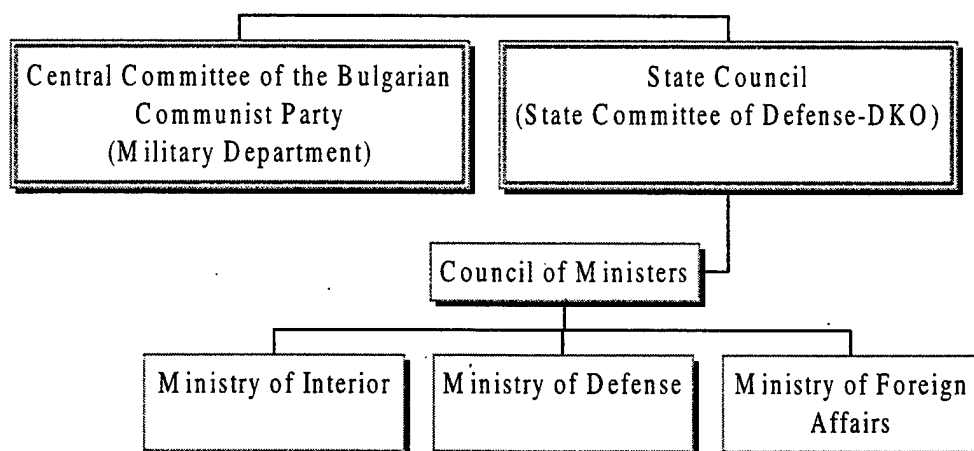


Figure 4. Defense Policy Decision-Making in Bulgaria 1970-1989<sup>93</sup>

<sup>91</sup> Galina Chuleva and Jim Derleth, “The Bulgarian National Security Decision-Making Apparatus 1970-1994,” *European Security*, Volume.3, No. 4, Winter 1994, Franc Cass, London, p. 775.

<sup>92</sup> Ibid. p. 776.

<sup>93</sup> The source is Chuleva and Derleth article.

The legal basis for the Party's supremacy was Article 1, section 2 of the 1971 Constitution, which stipulated that the Bulgarian Communist Party (BKP) was the "guiding force in the society and the State."<sup>94</sup> This provision gave opportunity to the Party to control the entire state structure. There was a Military Department of the Central Committee of the BKP that duplicated the functions of the State Committee of Defense.<sup>95</sup> It was a real decision-making body in the area of national security that shaped personnel policy, the defense budget, and directed the intelligence services. The chairman of the Military Department was a Politburo member who had direct lines of communications with the General Secretary of the BKP.

Changes in the political leadership in November 1989 caused changes in the institutional framework of the state. In the beginning of 1990, the 1971 Constitution was substantially amended and the State Council was abolished. In its place, a presidential institution was established. The Presidency inherited the powers of the State Council in the area of national security. The amended Constitution provided also for the creation of an advisory body called the National Security Council (NSC) chaired by the President.<sup>96</sup>

Neither the Constitution nor any other law contained provisions concerning the structure, functions, and NSC's membership. Because of these ambiguities the National

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<sup>94</sup> "Bulgarian Constitutions from 1879 to 1991," Available [Online]: <<http://parliament.bg/const1971.htm>>, October 31, 1998.

<sup>95</sup> In Bulgarian it is Durzhaven Komitet po Otbrana or DKO.

<sup>96</sup> See Figure 3 in the Appendix.

Security Council functioned in an informal way<sup>97</sup> during Zhelyu Zhelev's first presidency.

The new Council was totally different from its predecessor – State Committee of Defense (DKO) – in both membership and responsibilities. The DKO was predominantly formed by military officers, such as the Minister of Defense, Minister of the Interior, the Head of the Intelligence Service, and the Chief of the General Staff. Conversely, the NSC had a strong parliamentary representation. This was an indicator of a new trend in Bulgarian politics, the move from concentration of powers in the State Council towards a decentralized decision-making authority. The NSC functioned as a consultative body to the President and was described as “something like a round table on the questions of National security.”<sup>98</sup>

The lack of clearly defined responsibilities, areas of interest, and the absence of legitimate authority hindered NSC's work. Designed with the notion to balance views of different bodies, who shared prerogatives in assuring the state's national security, NSC was active but not able to take decisive steps in shaping the national security doctrine. Partially, this was the result of the diverse political landscape and the unwillingness of the opposite parties to reach a consensus on the major issues regarding national security. In addition, the lack of the relevant legal basis for shaping NSC's prerogatives and its interrelations with the Parliament and the Council of Ministers contributed to its inability

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<sup>97</sup> Chuleva and Derleth, p. 778.

<sup>98</sup> Dimitar Yonchev, “The challenge Called National Security,” *Kontinent*, 29 October 1993, p. 16.

to form a national security doctrine and to support the adoption of the new Armed Forces and Defense Act.

## **B. PRESIDENTIALISM OR PARLIAMENTARISM**

The powers related to civilian control over the armed forces found a new development in the 1991 Constitution, and in the 1995 Armed Forces and Defense Act. In 1997, this legal basis was elaborated further when the Defense and Armed Forces Act was substantially amended. The result was a better implementation of the principles of civilian control over military and improved division of the power structure at the government level.

A post-communist constitution was adopted in July 1991, providing for a multi-party system, free elections on the basis of universal adult franchise, and specific human and civil rights. The legislators chose a parliamentary type of leadership. As Linz and Stepan argued "the parliamentary organizational form gives the political system significant advantages over presidentialism."<sup>99</sup> This notion can open a broad space for discussion, which is particularly important for societies engaged in the transition to democracy, because framing the new institutional and legal framework is a recourse and time consuming goal.

The type of political system of democracy chosen by a state in transition becomes of paramount importance for civil-military relations., The two types of institutional

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<sup>99</sup> Juan Linz and Alfred Stepan, p. 141.

framework, presidentialism or parliamentarianism, were chosen by all Eastern European countries in their endeavor to consolidate their democracy.

The U.S.A. is an example of a presidential system that is characterized by a powerful presidential office, with the President elected directly by the people, a fixed term in office, and the power of veto that can not easily be overthrown. The American President can initiate and propose legislation and is Commander in Chief with supreme prerogatives related to the armed forces.<sup>100</sup>

The main advantage of a presidential system is executive stability, based on the president's fixed term of office and democratic, direct elections that provide straight relations and responsibility between the President and his voters. One of the main disadvantages of a presidential system is related to possible "executive-legislature deadlocks"<sup>101</sup> when the President is opposed by a different majority party within the legislature. Another disadvantage can be the possible concentration of power in one person, mainly because authoritarian tendencies may emerge.

The opposite case occurs when there are dual executives - a President and a Prime Minister as head of the government. When the President has only limited or ceremonial prerogatives we have a parliamentarian institutional system. This system is characterized by the existence of a government as a collective body, and an indirectly elected Prime Minister, being a leader of the majority party. Another typical characteristic of this system is the formal appointment of the Prime Minister by the Head of State, and the

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<sup>100</sup> The US Constitution, Art. II, Section 2.

<sup>101</sup> Keith Crawford, *East Central European politics today*, Manchester, Manchester University Press, 1996, p. 281.

government's responsibility to the legislature. The existence of the government is primarily dependent upon maintaining the Parliament's confidence. The term of the government is fixed in principle (in Bulgaria it is four years), but the legislature can remove its confidence, thus dooming the government.

When the president and premier share responsibilities and prerogatives one has to speak of a semi-presidential political system. Usually, the president can exercise greater influence and power when a large parliamentary majority backs him.<sup>102</sup> Otherwise the position of the Prime Minister strengthens. In this type of governmental system the President is elected directly by the people, thus providing sufficient democratic legitimacy. The President is elected for a fixed term and he can not be removed from office except for strictly fixed criminal acts. Sometimes, such presidents have a right to chair the cabinet meetings, can frame the foreign and defense policy and have emergency powers.

In the post-communist countries pure parliamentary political systems can be found only in Hungary, the Czech Republic and Slovakia.<sup>103</sup> Within East European states in transition, there are no pure presidential political systems. Most of these states are using the semi-presidential form of government.

The advantages of semi-presidentialism include the stability of the system, because either the President or the Prime Minister is in charge, which means that it is almost impossible to have powerlessness. Another advantage is the democratic

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<sup>102</sup> As President de Gaulle, 1958-69 and Mitterrand 1981, p. 86.

<sup>103</sup> Crawford, p. 289.

legitimacy of the President, who may act as a intermediary in partisan quarrels. The disadvantages of this system encompass the opportunity of the emergence of authoritarian tendencies, when the President is backed by overwhelming majority in the legislature,<sup>104</sup> and the probable clash of the two offices, especially when the President and Prime Minister represent different political parties.

An important prerogative of the President is the power of veto. Generally, in the semi-presidential type of government, the President exercises this right limited to returning the disputed law to Parliament for further discussion, as in Bulgaria, Hungary and Slovakia. In Poland the President has considerably bigger authority, even the power of a second veto.<sup>105</sup>

Although the Constitution of 1991 proclaimed Bulgaria a state with a parliamentary form of government, the distinctive elements of the semi-presidentialism can easily be found. In the following section the argument shall be made that parliamentarism stepped out in favor of semi-presidentialism in Bulgaria. This was partially a result of political rivalry between the two major parties BSP and UDF that caused governmental changes almost every year since 1990. Thus, the only institution that remained untouched and stable was the President's office. It helped to elevate the President's role from arbiter and moderator to an active actor on the political scene, assuring him a great deal of admiration and credibility. Therefore, it is not strange that the President office constantly gains public confidence and has the highest ranks in public

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<sup>104</sup> Ibid., p. 285.

<sup>105</sup> Ibid. p. 295.



opinions pools.<sup>106</sup> This new role of the President raised the importance of the institution and made it an attractive electoral goal. That is why the two presidential campaigns that the Bulgarians witnessed (in January 1992 and November 1996) were rather intense. Both elections had to be decided in two electoral rounds, and in the case of Zhelyu Zhelev (who won the elections in 1992) the difference between the loser and the winner was small.

### **C. THE PRESIDENT**

In every modern republic, the Constitution proclaims the President<sup>107</sup> to be the Head of State. This is also the case in Bulgaria, where the President is directly elected every five years for a maximum of two terms. The authority conferred by direct election and the demands deriving from the challenges of transition mean that the presidency is much more influential than prescribed in the Constitution. Zhelyu Zhelev's role<sup>108</sup> as President was important in bringing down the Dimitrov government, and Petur Stoyanov (elected in November 1996) was a key figure in resolving the crisis of early 1997. Thus, the political instability and economic crisis brought about the Presidential Office's abilities to act as a moderator between political rivals.

The President also has undisputed authority as the commander-in-chief of the armed forces. Although he has no direct links to the armed forces, as Figure 5 makes

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<sup>106</sup> See Figure 5 and Table 2 in the Appendix.

<sup>107</sup> Constitution of the Republic of Bulgaria, Art.92, p. 1.

<sup>108</sup> Zhelev was the first free elected President in January 1992.

visible, he is entitled of important prerogatives in the national security sphere. For example, he declares mobilization and state of war, and confers higher military ranks.<sup>109</sup>

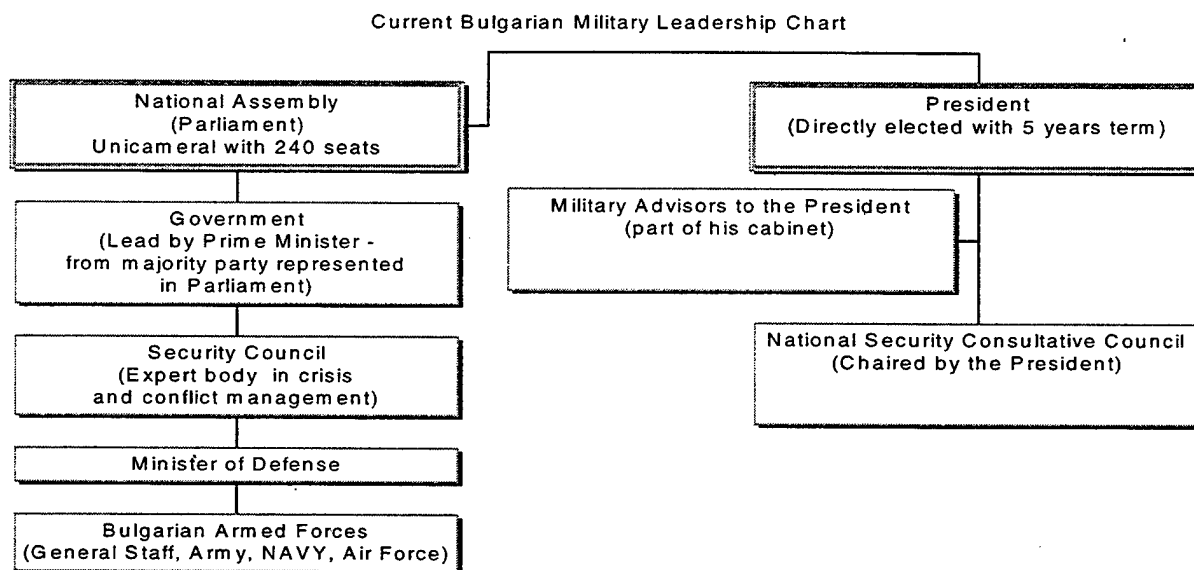


Figure 5. Current Military Leadership Chart – 1998.

He also acquires a considerable role in foreign policy and diplomacy. As the highest-ranking official in the state, he is empowered to appoint and dismiss the higher command of the Armed Forces on a motion from the Council of Ministers.<sup>110</sup> In fact, the person may be appointed to a senior office, or command, or be promoted to the highest military rank only when both the Council of Ministers and the President agree.<sup>111</sup>

<sup>109</sup> Ibid., Art. p. 98.

<sup>110</sup> Ibid. Art.100, p. 2.

<sup>111</sup> See M. Mae Johnson, "Civil-Military Relations and Military Reform in Bulgaria," *European Security*, Autumn 1995, and pp. 488-518.

There were several examples when the candidates approved by the Council of Ministers for high military posts were not accepted by the President. This situation may be repeated in the future, exclusively because political diversity and confrontation is strongly present in the Bulgarian society.

For example, in December 1996 a Bulgarian military prosecutor announced that there is evidence, which proves that the UDF headquarters had been bugged. The fact that military prosecutors are dealing with this case support accusations that spying on the Opposition coalition was organized by the Interior Ministry security services.<sup>112</sup> The political struggle gained dimensions that required involvement of all forces available, even use of official non-partisan institutions.

Since July 1990, when Zhelyu Zhelev was appointed as interim President, till January 1997 when he left the office he had worked with six governments. Only one of these governments was formed by UDF and other two had their representatives in several posts. Others were either exclusively BSP governments, as Lukanov's in 1990 and Videnov's in 1994-1996, or very strongly influenced by them as Berov's in 1992-1994. So, during most of his presidency Zhelev had to cope with governments that were everything but supportive.<sup>113</sup> These contradictions were particularly visible in the areas of foreign policy and national defense.

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<sup>112</sup> "Prosecutor Confirms Bugging of Opposition Headquarters A Bulgarian Military Prosecutor Says Today." 17 January 1997, Available [Online]: <http://www.frerl.org/nca/news/1996/N.RU.961219174939.html>, 12 February 1998.

<sup>113</sup> The Economist Intelligence Unit Ltd. "Bulgaria -Politics" November 1, 1995. Available [Lexis/Nexis]: EUROPE /BULGAR, 15 August 1998.

Zhelev stated clearly his position towards NATO membership, but the attitude of the BSP governments on this topic were ambiguous and wrapped with vague promises of further Euro-Atlantic integration. "The BSP is unequivocally for Bulgaria's membership in NATO but a number of issues should be elucidated before that,"<sup>114</sup> said Philip Bokov, one of the moderate BSP leaders.

The President's prerogative to appoint diplomatic representatives<sup>115</sup> was also a source of conflict between him and the government.

The right of appointment of the high-ranking officers was and probably will be a serious constraint in Bulgarian civil-military relations, because it might be used as a bargaining chip between the President and the Government. In cases where there are no contradictions between these two institutions the President's authority in this area cannot endanger civil-military relations in Bulgaria.

The most recent example of good cooperation between the President and the Government in imposing civilian control over the military is General Marin's case. Major General Angel Marin was appointed by the President as Commander of the Bulgarian Missile Forces in September 1997. In March 1998 at a press conference the general declared that the army reform wouldn't lead to a better army, and that NATO membership wouldn't improve its poor condition as a whole.<sup>116</sup> The President reacted firmly and requested the Prime Minister to suggest dismissal of the general, which was

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<sup>114</sup> "Senior BSP Figure Poses Questions Over NATO Entry," BBC Monitoring Service: Eastern Europe, December 17, 1994. Available [Lexis/Nexis]: EUROPE /BULGAR, 15 August 1998.

<sup>115</sup> Constitution of the Republic of Bulgaria, Art.98, p. 6.

done immediately. The Defense Minister Annie also insisted that Marian be sacked and said he had broken the law by making political comments which ran against official policy and by refusing to implement military reforms.<sup>117</sup> The President's arguments were that the military had no right to challenge the governmental political decisions such as NATO membership.

In order to fulfil efficiently his functions as Commander in Chief the President created a Military Cabinet in 1991. Originally it was comprised of three military officers (one from every branch of the Armed forces). The Cabinet was not a part of the command structure but was designed to act mostly as an advisory body. The events in recent years indicated that this apparatus might be further developed.

Under Peter Stoyanov's presidency, the former Head of the General Staff Cabinet was appointed as the Head of the Military Cabinet, obviously for the reason to improve relationships between these two institutions. In the middle of 1997, when dismissed from his office, former Chief of Staff, General Colonel Totomirov, was also appointed as a Secretary of National Security to the President. This fact apparently elevated the importance of the Military Cabinet and gave to the President a sufficient team of experienced professionals that provided him with expertise in the military area.

The recent Constitutional Court decisions on the topic of "Whether the President is a Supreme Commander-in-chief of the Armed forces of Republic of Bulgaria not only

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<sup>116</sup> "Prezidentut uvolni General Marin," The President dismissed General Marin, Sofia, DEMOCRATIYA (12 March 1998) Available [Online]: <http://www.democracia.com>, 15 August 1998.

<sup>117</sup> "Bulgaria's missile chief dismissed over NATO," Reuters (17 March 1998) Available [Online]: <http://www.db.online.bg/bg/bgarticle?artdate=17-MAR-98&artno=4>, October 31, 1998.

in war, but also in peace time”<sup>118</sup> brought additional interpretation of this particular President’s prerogative. According to this decision, Article 100 of the Constitution prescribes what the President’s duties should be as a Supreme Commander-in-chief, without distinguishing between duties in times of war and peace. The court asserted that President keeps the quality of being Supreme Commander-in-Chief during the all his time in office. As a chairman of the Consultative National Security Council the President has the right to require from the state institutions any information connected with national defense and security he deems necessary. Furthermore, the President may issue decrees and proclamations that may include recommendations he considers important for the state’s national security.

This court’s interpretation will give new dimension to the President’s prerogatives in the national security area. When President Zhelev held this office, his Military cabinet Head, Major General Dimitrov, tried to gain more access to comprehensive information concerning military activities. These efforts were met with resentment from the General Staff and had no success. The Constitutional Court’s decision on Article 100 will give additional opportunity to the President’s Staff to collect and assess important information in the area of national security. This fact will contribute to the President’s ability to perform efficiently his duties as Commander-in-chief of the Armed Forces and will improve the implementation of the principles of civilian control over the military.

Both, the Constitution and the Armed Forces and Defense Act, contain a special section that prescribes the President’s prerogatives as Commander of the Armed Forces.

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<sup>118</sup> *State Gazette*, Volume 113, Sofia, 30 September 1998, pp. 1-5.

The Armed Forces and Defense Act repeats the basic text of the Constitution that states the President is a Supreme Commander-in-chief,<sup>119</sup> but also adds several important rights. For example, the President is entitled to approve strategic plans for Armed Forces activities, and declares a condition of higher readiness for the particular units or all of the Armed Forces.<sup>120</sup> In a conflict situation, when there is a military attack against the country or in a fulfillment of international obligations<sup>121</sup> he can declare a war. These prerogatives the President possesses only when the Parliament is not in session. Otherwise, the Parliament holds these authorities. The President's act related to declaration of war is subject of immediate approval by the Parliament, thus exercising its controlling authorities. What is missing in the Constitution's regulations though, is what will happen if the National Assembly later refuses to endorse the declaration of war.<sup>122</sup> The National Assembly has no initiating authority and has no right to declare a war if is not asked to do so by the President or the Council of Ministers. Therefore, good communications between these institutions is a prerequisite for effective work of the national security decision-making system.<sup>123</sup> One of the ways such communication can be built is through the adopting of clear and transparent legal regulation that will cover all area of their responsibilities.

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<sup>119</sup> Defense and Armed Forces Act, Art. 27-30.

<sup>120</sup> Ibid., Art. 28.

<sup>121</sup> This President's prerogative is particularly important in light of Bulgaria's potential participation in NATO.

<sup>122</sup> Jhonson, p. 497.

<sup>123</sup> See Figure 6 on the next page.

In the case of military conflict, the President forms a Supreme Command, a body that assists him with his Commander-in-chief duties.<sup>124</sup> The members of this body include the Prime Minister, Minister of Defense, Minister of the Interior, Foreign Minister, Minister of Transportation, Chief of the General Staff, and other officials appointed by the President.

#### **D. CONSULTATIVE NATIONAL SECURITY COUNCIL**

Another body, deeply involved with the process of assuring national security, is the Consultative National Security Council. It was created in 1991, but fully developed in 1994 as a result of the adoption of a specific law.<sup>125</sup> This body is chaired by the President and includes the Prime Minister, Chief of Staff, and Minister of Defense, Minister of Interior, Minister of Foreign Affairs, and other top state officials. The Council is empowered to consider a wide range of issues such as guarantees of civil peace, public order, internal and external politics related to national security, and the rights and interests of Bulgarian citizens. The Council has no decision-making authority and is only entitled to give recommendations. Until now, though, all its decisions were almost unconditionally accepted.

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<sup>124</sup> Armed Forces and Defense Act, Art. 30.

<sup>125</sup> Consultative National Security Council Law, *State Gazette*, Volume 13, Sofia, 11 February 1994.



## E. THE NATIONAL ASSEMBLY

In any liberal democracy the Parliament as the legislative organ is the representative body of the people. Being directly elected, it possesses democratic legitimacy. Most of the post-communist countries in Eastern Europe drafted Constitutions that allow the Parliament controlling authority over the government and sometimes even over the President. This is not a surprise, bearing in mind the lack of democratic parliamentary practice during the 45-year period of the communist rule and the people's desire to, "...distance themselves from anything vaguely resembling the concentration of power under the communist regimes."<sup>126</sup>

According to the Bulgarian Constitution, the parliament consists of a unicameral 240-seat National Assembly,<sup>127</sup> directly elected for four years on the basis of proportional representation. Some of the post-communists countries in the region, like Albania, Hungary, Macedonia, and Slovakia also chose this model.

Crawford characterized the Bulgarian Parliament as "democratically pluralist but chaotic"<sup>128</sup> between 1991-92 and "mildly authoritarian"<sup>129</sup> from late 1994 to 1996. The former one had no dominant party thus lacking party discipline that led to chronic governmental instability. This was the result mainly of the appearance of new

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<sup>126</sup> Crawford, p. 289.

<sup>127</sup> Constitution of the Republic of Bulgaria, Art. 63.

<sup>128</sup> Crawford, p. 261.

<sup>129</sup> Ibid.

parliamentarian groups that tried to oust the government. The second one, dominated by BSP, had a strong party discipline backing the Prime minister who could entirely control the executive branch.

The framers of the Electoral law in Bulgaria provided 4 percent of the popular vote for parties and electoral coalitions to qualify. Major constitutional change allows for the election of a larger Grand National Assembly. A simple parliamentary majority is required to approve a government, or Council of Ministers, which is headed by the Prime Minister. The same majority is required for adopting legislation. A three-quarters majority is needed for constitutional changes.

The National Assembly is the sole legislative body in Bulgaria and has fundamental powers in the national security area. It is empowered to declare war and make peace, to authorize usage of the Armed Forces outside the country, to allow stationing of foreign troops on Bulgarian territory or their passing through it, to ratify international treaties that have military nature, and to declare a state of emergency in the entire territory of the country.<sup>130</sup> National Assembly determines the total number of the Armed Forces, under motion of the Council of Ministers. The Parliament adopts the National Security Concept and the Military Doctrine, and can open or close military academies and schools.<sup>131</sup>

According to the Bulgarian Constitution, the National Assembly holds ultimate authority in approving any deployment and use of Bulgarian Armed Forces outside the

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<sup>130</sup> Constitution of the Republic of Bulgaria, Art. 84-85.

<sup>131</sup> Defense and Armed Forces Act, Art. 26.

country's borders and the deployment of foreign troops on the territory of the country or their crossing of that territory.<sup>132</sup> The Constitution addressed the Parliament authority when foreign troops are involved, but did not have any explanation of how to deal with transit of resources or equipment. The government decided to use the Civil Aviation Act and the Sea Space Act, which authorizes the Council of Ministers to take decisions. Members of the Parliament opposed the government's decision and claimed that this is the Parliament's responsibility.

Because of the ambiguities related to the permission of foreign armed forces passing through the country, the Constitutional Court issued its Decision #6 on 12 July 1994.<sup>133</sup> The particular reason for that was the UN request for moving armored personal vehicles through Bulgaria on their way to UNPROFOR troops stationed in Macedonia. The Constitutional Court interpreted Article 84 Section 11 from the Constitution in the sense that the Parliament is responsible for issuing permission only in case foreign troop deployment on Bulgarian territory or their crossing of it has a "military" or "military-political purpose or character." The Court ruling didn't help much though, because still it wasn't clear if the participation in PfP exercises has a military-political or routine training character. As a result, all joint exercises on Bulgarian territory, or on the territory of a foreign country had to be sanctioned by the Parliament.

From one point of view, that was an expression of the effective civilian oversight and parliamentarian control over the Armed Forces, but from another Parliamentarian

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<sup>132</sup> Constitution of the Republic of Bulgaria, Art. 84, Section 11.

<sup>133</sup> Decision 6 of the Constitutional Court of the Republic of Bulgaria, *State Gazette*, Volume 59, Sofia, 22 July 1994.

decision for every case caused a lot of difficulties for the government. The procedure was too complicated and didn't make a distinction between the different forms of military cooperation, which flourished after 1991. This problem finally could be solved with the amendments of the Armed Forces and Defense Act in 1997, when the government received authority to send Bulgarian unarmed military units abroad for humanitarian, ecological, educational, sportive, and other tasks with peaceful (non-military) character. This made clear the importance of a sound legal basis for imposing civilian control over the military.

The National Security Concept was adopted by the Parliament on April 16, 1998.<sup>134</sup> In this document the main emphasis was put on Bulgaria's Euro-Atlantic integration. The Concept includes a political analysis of the region and prescribes the Bulgarian objectives for reaching effective protection of citizens, society and state from external and internal threats. According to this paper, the basic principles upon which the Bulgarian national security is built are:

1. The lack of any territorial claims.
2. Bulgaria's security building is not a threat against other countries.
3. Bulgaria's expressed desire for NATO membership is not a threat to other countries.
4. The Bulgarian priority is a policy of loyalty and mutual interest.
5. Bulgaria's security is guaranteed by global and Euro-Atlantic structures for collective security.
6. The national security is backed by Military Doctrine, which determines the building and the use of the Armed Forces.

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<sup>134</sup> National Security Concept, *State Gazette*, No., 46, Sofia, 22 April 1998.

7. The Republic of Bulgaria is against any military or political Balkan unions.<sup>135</sup>

The main priority of the Bulgarian security policy is full NATO membership. The National Security Concept is the first document, adopted by Parliament, that stated clearly Bulgaria's affiliation with NATO and prescribed the future steps that have to be made in the process of accession. In its final section, the Concept describes the organization and the functions of the Bulgarian national security system.

As a result, a new body in the system of the Bulgarian national security was created – the Security Council. It was constructed as an assistant body to the Council of Ministers, and consists of the Prime Minister, Minister of the Interior, Minister of Defense, Foreign Minister, their deputies, Chief of Staff, and the Heads of the Intelligence and Counterintelligence Services. The President can participate also, personally or by his staff. He can ask for any information that he may need.

The main functions of the Security Council are to make the threat and security analysis, and to prepare and conduct crisis management and conflict management. This body shall also accumulate and prepare intelligence information for the main state institutions, such as the President, the Prime Minister, and the National Assembly.

The Security Council consists of nearly the same members as the Consultative National Security Council, and some experts made comments about probable future conflicts between these two institutions. The Security Council though, has executive functions and will deal with day to day responsibilities of the government in the national security realm. Its function, to distribute national security related information to the

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<sup>135</sup> Ibid., Art. 27-33.

President, the Prime Minister, and the Chairman of the National Assembly, underlines its importance. The creation of this body indicated that the institutional framework for national security decision-making is still not completed in Bulgaria. Only the efficient interaction between the parts of this still not tested structure will assure implementation of democratic civilian control over the armed forces. Otherwise it could create two centers of authority – one around the President, and one around the Prime Minister which - could cause problems for the military in terms of the political chain of command.

Attached to the Parliament, the National Security Committee was created in 1991, to provide sufficient parliamentary control over the Armed Forces. Its members are parliamentarians that work on legal drafts and prepare evaluation reports on national security issues. However, in many cases the members of this Committee are not competent enough to address military topics, because parliamentarians with such a background and knowledge are rare.<sup>136</sup> For example, the current Parliament (elected in 1997) has a diversity of professions represented: engineers – 51, scientists – 50, doctors – 28, lawyers – 26, economist – 25, teachers – 13, journalists – 9, diplomats – 4, and others – 34<sup>137</sup> among the latter only a few former officers from the Armed Forces. To have relative background in national security affairs is not necessarily a question of having been a member of the Armed Forces. This knowledge can also be attained by educational efforts in the field of defense and security politics. One should note that Bulgaria's political authorities have already started to carry out civil-military relations projects, both

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<sup>136</sup> See also Simon, "Bulgaria in NATO: 7 Lost Years," p. 3.

<sup>137</sup> "Union of Democratic Forces" Available [Online]: <http://www.bild.acad.bg/udf/election>, 5 September 1998.

with national and with international support in order to improve the level of expertise of the civil-military community. As far as this projects are concern these programs should intensify in the future using all possibilities within PfP and the opportunities, offered by the Center for Civil-Military Relations in Monterey, California. Another important point has to be seen in the opportunity to send abroad political and military members, who have influence in strategic security decision-making, abroad in order to let them participate in international educational programs related to military affairs.

#### **F. THE COUNCIL OF MINISTERS**

The Council of Ministers, or government, is responsible for public order and national security and exercises overall guidance of the state administration and the Armed Forces.<sup>138</sup> The government shapes and implements military policy and directs the usage of the military budget. The last amendment of the Defense and Armed Forces Act in 1997 gave the Government wider prerogatives of sending unarmed troops on ex-territorial missions when the purpose is humanitarian, educational, or other peaceful missions. Prior to that, every case has to be presented to the National Assembly for permission.

The Constitution comprises no specific articles about the role of the Council of Ministers in national security decision making. Therefore, its prerogatives should be stated in the Armed Forces and Defense Act. No doubt that, as the highest executive body in the state, the government possesses a variety of rights in shaping national security. According to Article 32 of the Armed Forces and Defense Act, the government

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<sup>138</sup> Constitution of the Republic of Bulgaria, Art.105.

guides and carries out the military politics of the state. It adopts the Bulgarian Army<sup>139</sup> structure and plans the organizational building of the Armed Forces. It adopts the Regulations for Professional Military Service,<sup>140</sup> and enacts the provisions that prescribe the rights and obligations of the professional military personnel. These Regulations define the way of military promotion and the social protection measures applied to the military – from housing to medical care and retirement.

The Regulations that are in force were adopted several months after the Armed Forces and Defense Act, in June 1996. This document introduced the contract type of professional military service, as a way to equalize the rights of military personnel with those of the other governmental officials. The Regulations define what kind of education and qualification is needed in order to receive a particular military rank. For example, one has to have a college degree from the military school or civilian university and additional courses for a particular position in order to be promoted to junior officer. In addition, the requirements for senior officers include a military academy<sup>141</sup> diploma.

The promotions are based on the position, which the officer, NCO, or the soldier occupies, in the sense that one can get a promotion only if the position is defined for a particular military rank. In addition, the professional military man has to have a good result from the individual annual assessment process and a completed course for each particular position. Although the Regulations defined a mechanism for military

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<sup>139</sup> Traditionally as an Army is perceived not only Ground Forces but NAVY and Air Force also.

<sup>140</sup> Regulations for Professional Military Service, *State Gazette*, Volume 54, Sofia, 25 June 1996.

<sup>141</sup> In Bulgarian military education tradition, the Military Academy is the institution that provides advanced officer education and training.



promotions, the attempt wasn't so successful. That is why, just recently, the government declared its intention to amend the existent Regulations for Professional Military Service in order to reduce the available high-ranking positions.

The government has control authority over production and trade with military equipment and special production. It also organizes and supervises the mobilization of the Armed Forces. Furthermore it can adopt certain normative acts related to the Defense and Armed Forces. The government makes proposals to the President for the high military posts appointments and promotions. The government is obliged to present an annual report to Parliament on the condition of Defense and Armed Forces.<sup>142</sup>

#### **G. THE MINISTER OF DEFENSE**

The Minister of Defense is a civilian post. He heads the Ministry of Defense and implements decisions of the executive branch as far the Armed Forces are concerned. The first draft of the Armed Forces and Defense Act gave only limited authority to the Minister of Defense in terms of direct army guidance. The Minister was perceived as a political appointee and his primary duty was to transmit executive orders to the Chief of Staff. This situation changed significantly in 1997 as a result of the amendments to the Armed Forces and Defense Act. "The Minister guides the Ministry of Defense and Exercises civilian control over the Bulgarian Army," states Article 35 of the Armed Forces and Defense Act. He participates in shaping the Concept of the National Security and composes the military part of the state budget. The Minister is in charge of personnel policy and is responsible for manpowering of the Bulgarian Army. He runs the social

and economic policy of the Ministry of Defense and leads the international cooperation in the area of national security. Further, he makes proposals to the Council of Ministers for the appointment of the Chief of the General Staff.<sup>143</sup>

The Minister gained an important prerogative through the recent amendments of the law, by receiving command and control authority over the Military Police and Military Counterintelligence Services. These two institutions were initially guided by the General Staff and, as is generally the case, their supervision in terms of political control was difficult. On the grounds this obstacle for imposing civilian control over the important part of the Armed Forces structure is eradicated.

In performing his duties the Minister of Defense is assisted by the Defense Council and the Inspectorate. The Defense Counsel consists of the Chief of the General Staff, his first Deputy, the Deputy Ministers of Defense, and the Chiefs of Staff of the NAVY, Air Force, and Land Forces. In its meetings the Defense Council deliberates on issues of the military policy, the military budget, military aspects of national security, and the structure and the functions of the Ministry of Defense.<sup>144</sup>

The Inspectorate is created to assist the Minister of Defense in exercising the state's national security policy. It monitors the implementation of the state policy in the area of national defense. The Inspectorate has also rights and duties to oversee every sphere of the Armed Force's activities, from planning the budget to military education

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<sup>142</sup> That was a part of the 1997 amendments on the Defense and Armed Forces Act - Art.32a.

<sup>143</sup> This is a new prerogative of the Minister as a result of the 1997 amendments.

<sup>144</sup> See Defense and Armed Forces Act, Art. 38-39.

and training.<sup>145</sup> It turns out to be an important tool in the process of imposing democratic civilian control over the military. As the Law<sup>146</sup> provides, the experts in this office should be both civilian and military. Since many of the civilians were and still are retired high-ranking officers,<sup>147</sup> the level of civilian control might be slightly reduced. There are, of course, positions where the military experience is an important and irreplaceable advantage, but there are many others where the active duty and retired officers observe much more their corporate interest, than the principles of the civilian control. On the other hand, former military personnel might be needed to make assessments on military issues. Altogether, the Inspectorate holds profound potential to play an important role in exercising democratic civilian control, even though it definitely needs further involvement of more and better trained civilians.

According to the Armed Forces and Defense Act the structure of the Ministry of Defense is formed by the Council of Ministers on a motion of the Minister of Defense. The amendments of 1997 didn't change the fact that the ministerial structure still can be easily reshaped. This issue has to be seen as important, because in order to create an efficient system of control over the military one prerequisite is the existence of a stable and clearly shaped structure of the Ministry of Defense. This administrative body plays a paramount role in the process of exercising efficient democratic civilian control. A complicated, awkward, and duplicated structure will deteriorate its ability to fulfil its

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<sup>145</sup> Ibid. Art. 40.

<sup>146</sup> The term is used as a substitute of Armed Forces and Defense Act.

<sup>147</sup> For example Admiral Pavlov (retired) worked there before his appointment as a Deputy Minister and later ministers of defense in 1994.

mission. Therefore, serious steps should be made in order to streamline the existent structure, although this process is connected with the reduction of the personnel, that is a very sensitive and painful problem.

## **H. THE CHIEF OF STAFF**

The President under a ministerial motion appoints the Chief of Staff every three years following the rotation principle between Army, Navy, and Air Force.<sup>148</sup> Prior to the amendments to the Armed Forces and Defense Act the Chief of Staff had authority to shape the structure of the General Staff, to sign ministerial orders when they are related to the Army, and to object to such orders.<sup>149</sup> In the latter case the issue had to be presented to the Council of Ministers for arbitration. These powers given to the Chief of Staff constituted preponderance on the military side that wasn't reconcilable with the principles of civil-military relations. That is why under the last amendments from 19 December 1997, the Minister received full authority over the Armed Forces. The Chief of Staff still has the authority to sign ministerial orders, but only in strictly limited cases, such as:

1. The organizational building, preparation, planning, and maintaining of the mobilization readiness of the Bulgarian Army.
2. The preparation and execution of mobilization.
3. The participation of Bulgarian Army units in liquidation of disaster consequences.

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<sup>148</sup> Ibid. Art. 75, Amended 19 December 1997.

<sup>149</sup> Defense and Armed Forces Act, Art. 75.

4. The participation of the Bulgarian Army units in peacekeeping, humanitarian, rescue, and other operations outside the national territory.<sup>150</sup>

The new version of the Armed Forces and Defense Act no longer contains a mechanism by which the Chief of Staff can express his disagreement with the Minister of Defense. Furthermore, it is clearly stated in Article 74 that the Chief of Staff is directly subordinated to the Minister of Defense. These legal changes considerably improved the Minister's ability to command and control the Chief of Staff. Under the new legal framework it is hardly conceivable that a relationship like the one that developed between Minister Aleksandrov and Army General Petrov in terms of disagreement on personnel reduction will repeat itself in the future.

The position of the Chief of Staff of the Bulgarian Armed Forces is clearly defined now. He still keeps a leadership over the Military Intelligence,<sup>151</sup> and has authority to approve the Bulgarian Army positions chart, but he clearly acts under political the guidance of the Minister of Defense and his power to oppose ministerial acts is clearly limited. In general, the legal framework provided by Armed Forces and Defense Act fostered efficient civilian control over the military.

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<sup>150</sup> Ibid. Art. 76.

<sup>151</sup> As was stated above the Minister of Defense holds responsibility of command and control over the Military Police and Military Counterintelligence Services.

## V. CONCLUSION

Bulgaria must struggle with new regional disorder that has major effects on its security. The realities of Balkan wars, Soviet disintegration, and political development on the Southern flank of Europe are issues that planners have to master. If countries in transition, such as Bulgaria cannot secure sufficiently their position within the new Europe, one can expect the old threats of the Balkan nationalism to reemerge again.

Within the Partnership for Peace framework Bulgaria made significant steps toward integration into the Euro-Atlantic security arrangements. In this process the Bulgarian military underwent a series of changes after 1989. One decisive step among those was adoption of the adequate legal basis, particularly in the last amendments of the Armed Forces and Defense Act. Thus, the civil-military relations in the country met the first three requirements for effective political control over the military indicated by Simon, at least to a much larger extent than two years before.<sup>152</sup> Regarding Simon's fourth point – restoration of military prestige and effective accountability of the Armed Forces – a lot of efforts should be directed in this area. What might be needed above all seems to be:

7. An intensive military reform expressing itself in an efficient military education system.
8. Increasing the military professionalism of the Officer Corps.
9. Increasing military efficiency by switching from conscript to professional army.<sup>153</sup>

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<sup>152</sup> See p. 4 of the Thesis for details.

<sup>153</sup> That is in content of the goals of the Bulgarian military reform.

10. Reducing the total number of the Armed forces but improving their mobility and training.
11. Increasing the social status of the military personnel.
12. Eliminating the ambiguities in the legal framework.

Recent changes in the legal basis gave a firm foundation for these steps. It is up to the Bulgarian political and military leaders to make this project work.

Bulgaria stated clearly its desire to become a member of the Atlantic Alliance. It also declared its readiness to start accession negotiations. This policy is backed up by a significant majority of the public, which shares the values, principles and objectives represented by the Alliance, and is clearly in favor of NATO accession.<sup>154</sup> It came as no surprise that those countries (Poland, the Czech Republic, and Hungary), which had made the most substantial progress in democratic and military reforms, were the first to be invited to join NATO.

Therefore the only way to fulfil strategic foreign policy goals should be to follow their pace. A key aspect of Bulgarian strategy for NATO's admission is to demonstrate commitment to being a responsible partner and reliable future ally able to meet the obligations of membership. This objective can not be achieved without effective and durable democratic civilian control over the military.

The prerequisite for such control is a clearly defined and fully accepted civilian decision-making system. Although the Armed Forces and Defense Act introduced the basic principles and norms in order to facilitate civilian control over the military, the

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<sup>154</sup> See Table 3 in the Appendix, for opinion polls data.

process of legal reform is not completed. The National Security Concept, adopted recently, defined the nation's objective are in the process of building a safe national security environment. The Euro-Atlantic integration is a part of the concept and its paramount goal. This goal introduces a variety of indispensable requirements and standards that Bulgaria has to meet in order to accomplish it. The existence of a developed and thorough legal basis for every single act of military activity will diminish the chances of ambiguities or unclearness in this area. It will support establishing firm democratic civilian control over the military and ensure that no inappropriate involvement in politics will occur.

Political and economical instability in the country elevated the role of the President's office, although the Constitution promulgated Bulgaria as a parliamentary republic. Directly elected, the President had to abandon his arbiter's position and to play a significant role in politics. Apparently, he enjoys a lot of public confidence and is seen as a pillar of the democratic process. The President, as a supreme commander, has significant authority over the military, thus becoming a major actor in national security decision-making. Therefore, the precise distinction should be made between his and the Prime Minister's authority in order to escape any ambiguities and overlapping of responsibilities. Otherwise, the military would not know how to maneuver between both and whose order to follow.

Only when there are no such ambiguities or obscurities it is possible to divide the functions related to the national security between several institutions without jeopardizing the main goal – creating a stable and safe national security environment.



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APPENDIX A

TABLE 1. CONFIDENCE IN THE ARMED FORCES - 1997.155

	<i>Yes</i>	<i>No</i>	<i>Don't know</i>
<b>Total</b>	<b>76</b>	<b>9</b>	<b>15</b>
<i>Age group</i>			
<b>18 - 30 years</b>	<b>72</b>	<b>13</b>	<b>15</b>
<b>31 - 40 years</b>	<b>71</b>	<b>11</b>	<b>19</b>
<b>41 - 50 years</b>	<b>79</b>	<b>8</b>	<b>12</b>
<b>51 - 60 years</b>	<b>79</b>	<b>6</b>	<b>15</b>
<b>60 + years</b>	<b>80</b>	<b>5</b>	<b>15</b>
<i>Education</i>			
<b>higher, college</b>	<b>76</b>	<b>12</b>	<b>12</b>
<b>Secondary</b>	<b>78</b>	<b>8</b>	<b>14</b>
<b>Primary</b>	<b>75</b>	<b>9</b>	<b>16</b>
<b>lower than primary</b>	<b>74</b>	<b>6</b>	<b>21</b>
<i>Place of residence</i>			
<b>Rural</b>	<b>75</b>	<b>8</b>	<b>18</b>
<b>Town</b>	<b>75</b>	<b>9</b>	<b>17</b>
<b>former district town</b>	<b>84</b>	<b>6</b>	<b>10</b>
<b>Capital</b>	<b>65</b>	<b>17</b>	<b>18</b>
<i>Would now vote for</i>			
<b>BSP</b>	<b>83</b>	<b>5</b>	<b>12</b>
<b>United Democratic Opposition</b>	<b>78</b>	<b>9</b>	<b>13</b>
<b>MRF</b>	<b>83</b>	<b>2</b>	<b>15</b>
<b>Euroleft</b>	<b>83</b>	<b>2</b>	<b>15</b>
<b>BBB</b>	<b>72</b>	<b>16</b>	<b>13</b>
<b>Other</b>	<b>66</b>	<b>17</b>	<b>17</b>
<b>Non-Voters</b>	<b>65</b>	<b>7</b>	<b>28</b>

155 BBSS Gallup international, 1997, Available [Online]: <http://gallup.mobiltel.bg/state/state.htm>, 23 November 1998.

APPENDIX B

TABLE 2. CONFIDENCE IN THE PRESIDENT PETAR STOYANOV, MARCH 1997<sup>156</sup>

	Yes	No	Don't know
<b>Total</b>	<b>81</b>	<b>6</b>	<b>13</b>
<i>Age group</i>			
<b>18 - 30 years</b>	<b>93</b>	<b>2</b>	<b>5</b>
<b>31 - 40 years</b>	<b>83</b>	<b>6</b>	<b>11</b>
<b>41 - 50 years</b>	<b>80</b>	<b>6</b>	<b>14</b>
<b>51 - 60 years</b>	<b>79</b>	<b>6</b>	<b>15</b>
<b>60 + years</b>	<b>72</b>	<b>11</b>	<b>18</b>
<i>Education</i>			
<b>higher, college</b>	<b>81</b>	<b>8</b>	<b>12</b>
<b>secondary</b>	<b>86</b>	<b>6</b>	<b>8</b>
<b>primary</b>	<b>77</b>	<b>7</b>	<b>17</b>
<b>lower than primary</b>	<b>72</b>	<b>6</b>	<b>22</b>
<i>Place of residence</i>			
<b>rural</b>	<b>78</b>	<b>7</b>	<b>14</b>
<b>town</b>	<b>79</b>	<b>8</b>	<b>13</b>
<b>former district town</b>	<b>84</b>	<b>4</b>	<b>12</b>
<b>capital</b>	<b>87</b>	<b>5</b>	<b>8</b>
<i>Would now vote for</i>			
<b>BSP</b>	<b>42</b>	<b>26</b>	<b>32</b>
<b>United Democratic Opposition</b>	<b>97</b>	<b>1</b>	<b>2</b>
<b>MRF</b>	<b>79</b>	<b>-</b>	<b>21</b>
<b>Euroleft</b>	<b>60</b>	<b>10</b>	<b>31</b>
<b>BBB</b>	<b>94</b>	<b>3</b>	<b>3</b>
<b>Other</b>	<b>76</b>	<b>10</b>	<b>15</b>
<b>Non-Voters</b>	<b>66</b>	<b>9</b>	<b>25</b>

<sup>156</sup> BBSS Gallup International 1997, Available [Online]: <http://gallup.mobiltel.bg/state/president.htm>, 23 November 1998.

## APPENDIX C

TABLE 3. JOINING THE NATO?<sup>157</sup>

	<i>Agree</i>	<i>Disagree</i>	<i>Cannot say</i>	<i>Don't Know</i>
<i>Age group</i>				
18 - 30 years	58	11	18	13
31 - 40 years	51	12	14	23
41 - 50 years	46	17	18	20
51 - 60 years	39	22	16	22
60 + years	30	22	18	30
<i>Would now vote for</i>				
BSP	8	52	21	19
United Democratic Opposition	67	4	15	15
BBB	45	13	19	23
Euroleft	7	48	41	5
MRF	33	4	2	60
Other	35	25	25	15
Non-Voters	17	23	17	43
<i>Place of residence</i>				
rural	37	15	15	33
town	47	19	16	18
Former district town	45	17	19	19
Capital	56	17	19	8

<sup>157</sup> BBSS Gallup International 1997, Available [Online]: <http://gallup.mobitel.bg/state/president.htm>, 23 November 1998.

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