

**AN ORGANISATIONAL MODEL
OF CIVILIAN CONTROL OVER THE ARMY
IN POLISH CIRCUMSTANCES**

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INTRODUCTION

I cannot recall the first time in my military career when I came across civilian control over the army. Maybe, it was in the 1970s, when I was a second lieutenant, and when my regiment was visited by *apparatchiks* from the communist party voivodeship authorities. Back then, it seemed to me that the position of a major in that regiment was as high a position as one could get in the military, but I noticed that the colonel in command waited on the civilian party *apparatchik* with a greater attention than he would have waited on the general in charge of the entire military district.

Or, perhaps, I had my first experience with civilian control over the military twenty years later, when I served in the chief headquarters of the UNPROFOR peace operation in former Yugoslavia. Unfortunately, the lack of competence on the part of civilians who were in command of the operation nearly provoked accusations of fraud and deliberate abstention from necessary actions.

But, maybe, it was not until my studies in the Marshal Centre in Garmisch Partenkirchen, that I became acquainted with the model of civilian and democratic control over the army which was presented to me by a lecturing officer from the country with the longest democratic tradition. In fact, that model and its interpretation constitute a system of legal regulations to keep the military under the control of civilian administration.

However, it is also possible that I did not give a deeper thought to the matter until I started to work on this project. I contemplated the things I understood, and wondered about those which I still could not comprehend, which must have had an impact on my research. Therefore, the character of this work is more of a personal reflection and cognitive impressions, rather than a pragmatic scholarly lecture. I would like to offer my apology to all those who may find it disappointing.

I. METHODOLOGY OUTLINES

I must admit that when I embarked on this project early in 1994, I followed what was the current trend then. However, I was unaware of the difficulties I would have to identify and cope with.

The subject, the goals of the research, and the working hypothesis were formulated in a situation when structural reforms had been going on in Central Europe for four years. For the first time since the second world war, the parliaments were elected in democratic elections, and they determined the shape of the executive branch of government. Looking back at those times, I can see now that those four-years-old democracies were convinced that they had successfully concluded structural reforms.

I strongly shared that opinion, which may be reflected by the goal of the research as formulated in the application document. The document reflects a somewhat imprudent belief that it would be enough to review the experience of several countries in Poland's geopolitical vicinity, both those with well-established democratic systems, and those which aspired to democracy, and to analyse their standards, which were either binding or currently being introduced. These analyses were to lead to positive conclusions which would supply grounds for the development of a model suited to Polish circumstances.

There were opinions that, after the four years of democratic reforms of the system of government (i.e., in the end of 1994), the model of democratic, civilian control over the armed forces introduced in Poland had been basically right. These opinions served to justify the goal and the structure of research proposed in the application document. The Polish system of civilian control over the army was comprised of: a dynamic and efficient parliamentary control exercised through appropriate committees of the Sejm and of the Senate; a civilian minister of national defence first appointed in 1992; an open character of the defence budget; and several other elements. Back then, it seemed that the only problem was to explain to West European political and military leaders that the system was right, while the reservations concerning it were wrong, and rather related to the past situation, before 1990.

That attitude was common to political and government circles in most of the young democracies. A certain evolution in the way of thinking observed in Central Europe, which led

to a better understanding of the character and substance of civilian control, took place between 1994 and 1996. More or less at the same time, the countries of the region saw a rapid development of active co-operation with West European security structures: either as associate members, as it was the case with the Western European Union, or through the Partnership for Peace programme in co-operation with NATO. The experience of Central European countries drawn from that co-operation showed, first of all, that the structural reforms carried out in many areas were, in fact, superficial. A view started to prevail that the implementation of democratic standards such as a free market, privatisation, or introduction of civilian control over the army was a long term process involving a number of aspects.

In Poland, that situation led to a public debate about the status of civilian, democratic control over the armed forces. Participants of the discussion included both Polish and foreign experts.¹ Although the debate was mainly an exchange of views, without going into deeper analysis of the subject, its direct benefit was the revealing of considerable differences of opinion about the shape of the civilian democratic control, which was seen both among the military and political circles. Today, after a certain time, I can say that conclusions drawn from the discussion had a major impact on the ongoing research.

The procedure adopted during the research was the following: hypothesis, evaluation, conclusions, planning. The hypothesis concerned changes in the functioning and organisation of top level state administration bodies in Hungary, the Czech Republic, and Slovakia, with the aim of the changes being to implement the goals, principles, and methods of civilian democratic control over the army. The point of reference was provided by the systems binding in Britain, Germany, and the United States, which served as model solutions for the research. Conclusions drawn after the evaluation of hypotheses were compared on a current basis with the relevant measures planned to be implemented in Poland.

One of the chief difficulties which posed considerable problems at the hypothesis making stage was related to a small amount of information on the subject. The sources available in the Visegrad Group countries were mainly comprised of opinions which had nothing to do with accurate scientific information. Particular statements contained views and

¹ Jeffrey Simon, *Polish Civil-Military Relations and NATO Expansion*, Department of International Security, Ministry of National Defence, Warsaw-Toruń, 1995.

assessments of the functioning of civilian democratic control mechanisms. They often referred to singular cases of insubordination of the military against the civilian authorities. The experience gathered during that stage of the research showed that such a situation was justified from the psychological and sociological point of view. The political circles in the young democracies were not, and they still are not, interested in revealing their weaknesses, especially in a situation when the implementation of civilian and democratic control over the army became one of the main criteria set for the candidates aspiring to membership of West European security structures.

The sources concerning the old democratic systems, those referring to the present situation, were mainly monographs on the system of civilian control in a given country. That information, when compared to the local situation, often indicates signs of a lack of civilian control in the countries with young democratic systems.

At this point, I would like to pay tribute to the classic writers on the subject. By studying what I consider to be the core sources concerning the matter, I enhanced my understanding of the character and the substance of civilian control over the army. The following two theories made the greatest impact on the later analyses:

- the theory of Samuel P. Huntington stipulating an absolute separation between the citizens and the professional army;²
- the theory of Jack A.A. von Dorm stipulating that the two seemingly contradictory processes, i.e., the remilitarisation of the society and the civilisation of the military, constitute a particular civil-military dimension of the social life.³

Apart from that, when gathering materials for this work, I took part in discussions with theoretical and practical experts on the subject representing the countries where the mechanisms of civilian democratic control over the army are based on well-tested and

² See: Huntington S.P., *The Soldier and the State. The Theory and Policies of Civil-Military Relation*, Cambridge Mass. 1957, p. 192.

³ Cf. von Dorm, J.A.A., *The Military and the Crisis of Legitimacy* in "The Soldier and the Problem of Legitimacy," London 1976; and, by the same author, *The Decline of the Mass Army* in "The Soldier and the Social Change," London 1973; *Models of the Military; Civilisation or Remilitarisation* in "Journal of the Royal United Institute for Defence Studies," vol. 120, No. 1, Rome 1975, p. 127.

established systems. During these discussions I observed mainly a lack of precise information on the matter. I often got the impression that I was forcing my partners to define obvious things which they very much took for granted. Jeffrey Simon was maybe the only one whose statements fostered my optimism by bringing the matter down to the mechanisms which governed the exercising of power in a democratic system; sorry for that simplification Jeff.

It might have also been the lack of precise information about the civilian control over the army that suggested to me the project to design a model whose implementation and success would be only up to the decision makers. Now, I know that the task was a very daring one. Back then, when giving preference to an engineering approach to the subject, I was not aware that, apart from the political dimension and the organisational aspects, the matter involved a significant social factor as well, and, in the case of Poland, also psychological factors rooted in history.

The first stage of the research made it possible to develop, to a sufficient extent, the initial hypothesis into an advanced working hypothesis. I believe that the essence of that hypothesis is comprised in the following statement:

In the countries with well established democratic systems, there is no one single model of civilian and democratic control over the armed forces. I believe that the systems in these countries are of a national character, they are rooted in the historical and political tradition, basing on developed institutions, and mainly therefore, these systems are sound and convincing.

I admit that the very formulation of that statement has a philosophical character. Mainly because and a lit bit out of spite that reflections connected with the evaluation of that part of the hypothesis are presented in the second chapter of this paper entitled "Epistemological and Ontological Background".

One of the main goals of the research at the stage of formulating the hypothesis was to identify the initial forms of civilian control over the army in Poland, from the late 1980s until now. On that basis, I distinguished the trends occurring in the development of these forms of civilian control, attaching a particular importance to the conditions in which the process was taking place.

In 1995 and 1996, vital and sometimes even revolutionary changes, mostly of a formal character, were introduced with respect to the system of civilian control over the military in Poland. Due to the character and the depth of these changes, instead following the plan and focusing on designing a model, I devoted my attention to the analysis of the ongoing developments, which, in fact, meant analysing the situation of the civilian democratic control. During my analysis, I rejected all the unimportant aspects, concentrating mainly on the evolution of the legal system, and the constitutional law in particular, as well as on the functional and organisational patterns used for its implementation. That part of the research produced such interesting results that I decided to present it as a separate, third chapter entitled "Beginnings and Current Situation".

The initial goal stated in the application document was to work out, on the basis of the information gathered, a model for democratic civilian control over the army under Polish circumstances. When formulating that goal in 1994, I did not know what models would be proposed by the Polish parliament and by the government, or what time span would be envisaged for their implementation. I assumed that it would be a long term project, and that, as a researcher from the National Defence Academy, I could present reflections which would be of interest to the decision makers. I did not predict, and, probably, I could not predict, that within a matter of several months from the time when I declared my readiness to carry out this project, I would be appointed the director of the Department of International Security in the Ministry of National Defence. That situation made it possible for me to observe directly the process of the Polish model of civilian democratic control being shaped, and to be personally involved in the process. I became an advocate of the system which was being implemented. My plan to design a model was translated into practical action. Under these circumstances, I had to change the initial task of the project to a more modest one. As a consequence, this paper outlines the functioning model and uses general methodological remarks and conclusions drawn from analysis as grounds for recommendations how to improve the civilian control over the army in Poland, which is presented in chapter four. I suggest that the readers should not expect to receive an exhaustive list of recommendations. A plan to do so would be both impossible and unreasonable. The recommendations formulated in chapter four are rather suggestions to address certain issues related to civilian, democratic control over the armed forces, which still pose problems in Poland.

The final part of this paper presents the author's personal reflections on the course of the research.

II. EPISTEMOLOGICAL AND ONTOLOGICAL BACKGROUND

I am convinced that, in order to establish a full definition of what is now understood by civilian control over the army, it is necessary to go back to the basics of knowledge about the phenomenon and specific patterns of behaviour it implies.

The task to determine the basic principles of civilian control over the armed forces is not an easy one. I adopted an approach founded on the belief that knowledge is derived through the application of the cognitive approach⁴ to the subject under study. This led to the assumption that the project consists in: identifying the ontological principles of the subject, in this case, civilian democratic control in itself, and determining the epistemological principles of its understanding.⁵ Therefore, I believe that it is both possible and worth-while to establish the substance of civilian control and to formulate its appropriate epistemological definition.

The following classification criteria were formulated for the purpose of identifying the substance of civilian, democratic control over the armed forces: objectivity, concreteness, independence, autonomy, all with regard to the substance, scope, and mode of exercising civilian control.

The scope and boundaries of identification are determined by:

- the armed forces, their organisation and functioning;
- the state as an instrument and as a structure;
- the state consciousness.

⁴ In my understanding, the cognitive approach means establishing a compromise between the methodological outlines and the cognitive methods under given circumstances.

⁵ As regards the civilian control over armed forces, it is necessary to clearly separate the ontological and the epistemological aspects if one wishes to grasp the essence of the matter in an orderly way. Among the general philosophical assumptions, a particular significance is attached to the ontological ones, i.e., the assumptions derived from ontology which deals with the theory of being, the character and structure of being, and the general theory of ontological objects. In the ontological sense, the status of the subject of civilian control over the army may pertain only to some of the categories, namely, those having some ontological reference, as oppose to those which play only an auxiliary role as tools used to describe it. In the ontological sense, a subject is a part of the universal reality which may not only be identified as a singular object by means of appropriate cognitive acts, but whose material aspect also comprises the basis for such an identification.

The results of identification are formulated in the following thesis and axioms:

- The state is a system of appropriately shaped elements and relations occurring among these elements. Elements and relations aimed at attaining the same goals form subsystems within the system of the state.
- The armed forces, commonly identified with the army, the military, are comprised of armed soldiers organised in military units of different types and size, delegated by the state to safeguard its interests and to engage in combat.
- The armed forces have a uniform organisation structure and a centralised system of command, as well as clearly determined rules governing the soldiers' military service, life, and training.
- The armed forces are prepared to act in emergency situations, and, during the time of peace, they are trained to act in case of a war.
- The armed forces constitute a separate part of the state system, a subsystem.
- The subsystem of the armed forces is closely interrelated to the subsystems of the state government system (comprised of the legislative, the executive, and the judiciary branches of government) at all government levels.
- The main categories of relations existing between the state government bodies and the armed forces include: supervision, management, information, and proposal-making.
- The arrangement of relations of: supervision, management, information, and proposal-making between the legislative, executive, and judiciary authorities on the one hand, and the armed forces on the other, defines two extreme models of the role and place of the armed forces in the state, and a wide range of intermediate models which may be identified in-between the two extremes.

First model: Supervisory, fully autonomous role of the armed forces in a state.

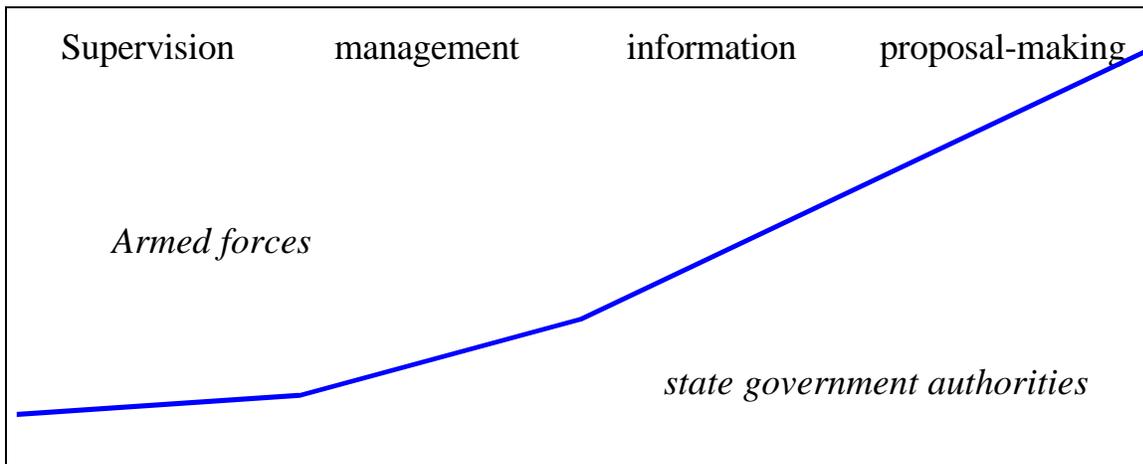


fig. 1: Subjectivity of the armed forces.

The subjective model implies that the armed forces are formally guaranteed, or they assume supervision and management powers within the state system. The legislative, executive, and judiciary state authorities are used as tools by the armed forces to perform management and information functions. For propaganda reasons, the government authorities may also be granted seemingly extensive proposal-making powers.

Second model: Subordinate, instrumental role of the armed forces in a state.

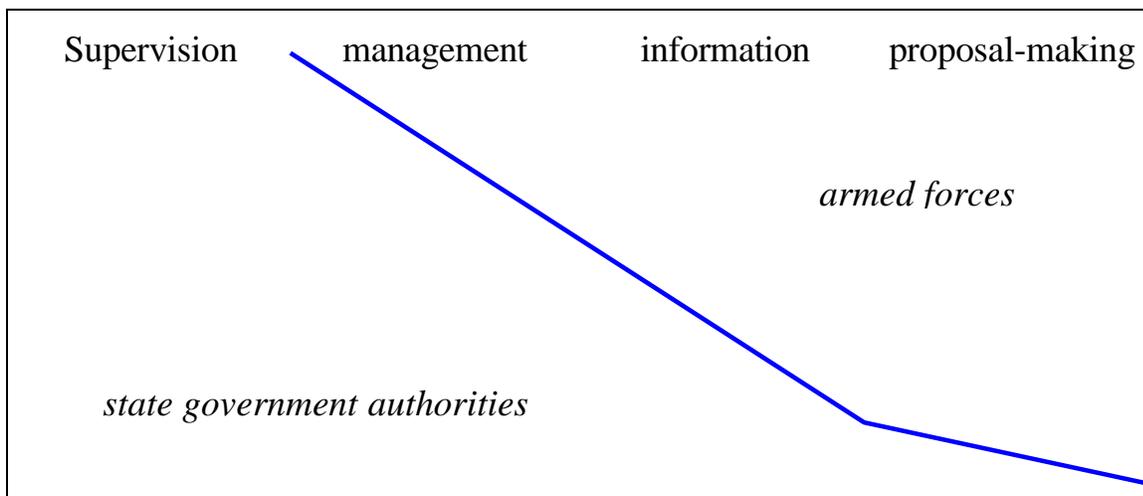


fig. 2: Subordinate role of the armed forces.

The subordinate model implies that the supervision and management powers are fully vested in the state legislative, executive, and judiciary authorities. The information and proposal-making powers are also divided equally among all the subsystems of the state system.

- The supervision, management, information, and proposal-making functions are performed through structured activities.
- In the state system, structured activities are aimed at achieving a specific goal, they follow a certain order of actions, and consistently uphold the rules of implementation going through every stage of these actions. During all of these stages, the following six functions are exercised in a varying degree: goal-defining, planning, organisation, justification, and control, while the decision making function overlaps with all the aforementioned ones.⁶

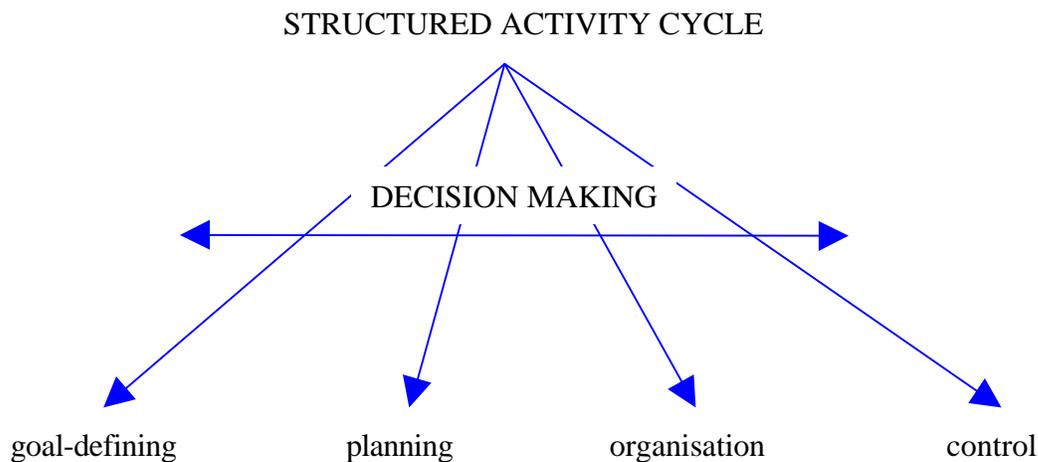


fig. 3: Functions of the structured activity cycle.

- The mode and the scope of involvement of the armed forces in the structured activities in a state, mainly in the exercise of the supervision and management functions, are determined by the system of government in a given state.

The armed forces constitute an important instrument within the state policy.

- The political system of government determines the place and the role which the armed forces play in the state system. The task to make decisions is vested in political circles whose legitimisation originates from their power to govern the state. The character of that government, which may be theocratic, totalitarian, or democratic, defines the place and the role of the armed forces in a state, as well as their relations with civilian authorities.

⁶ *Encyklopedia Organizacji i Zarządzania*, publisher: Państwowe Wydawnictwo Ekonomiczne, Warsaw 1982.

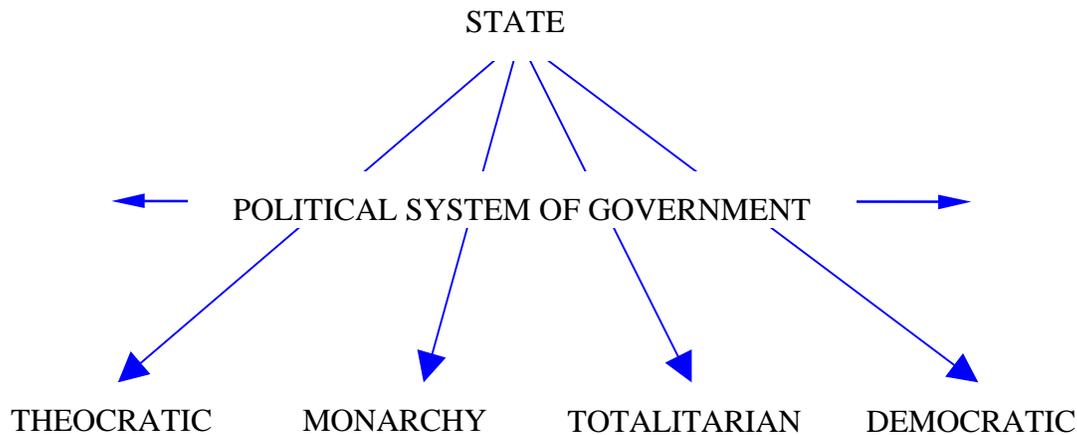


fig.4: The political system of government.

- A system of government in which the armed forces have a subordinate status, they are supervised and managed within a system of the state legislative, executive, and judiciary authorities, and they have no other means to influence these authorities than through information and proposal-making; such a system is, in this sense, a democratic one.
- The role and the place of the armed forces in a democratic system are defined through the goals and the tasks of the democratic supervision by the supreme state government authorities over the armed forces.
- The democratic supervision of the supreme state government authorities over the armed forces is commonly called the civilian democratic control over the armed forces (CDCAF).⁷ In this sense, the term 'control' is a synonym of 'management'.⁸

⁷ The term 'civilian democratic control over the armed forces' appeared in the Polish language simultaneously with the first concepts pertaining to the language of democracy. That was a long time before the principles and mechanisms of civilian control started to be formulated and created. There would be nothing wrong with that, were it not for the fact that the key term, i.e., control, turned out to have already been well defined by the organisation and management sciences. The meaning attributed to the term in the context of organisation and management was commonly accepted in the everyday language. In this sense, control is one of the functions in the structured activity cycle.

The nature of the control function lies in a permanent and regular supervision by the manager over the subordinates. In an extreme case, it may take the form of surveillance. However, control in its supervisory sense is based on three traditional aspects: evaluation of performance, evaluation of assignment, and comparison of performance and assignment. Such control should function on the basis of a feed-back, permanently perfecting the organisation structure. By adopting that definition of control, one would restrict the scope of civilian control over the army to supervision and surveillance, thereby provoking justified psychological resistance and protests, both among those who would be controlled, and among those in control. Especially, given the fact that civilians who, by definition, are aliens in the military, would be to perform that strictly police function. Instances of resistance against the implementation of civilian control in that sense have been observed in the Polish armed forces on a number of occasions. I repeat, the primary reason which provoked that was the transfer of the term 'control' in the Polish, narrow meaning of the word.

⁸ Here, I will use the term 'civilian democratic control over the armed forces' to signify the democratic supervision of the supreme state government authorities over the armed forces.

- In a broad meaning of the term, civilian control over the armed forces is meant to ensure the participation of civilian representatives of the supreme state government authorities in the exercise of the structured activity functions. In that understanding, the term comprises civilian: planning, organisation, justification, control, and decision making.
- The scope of performing the functions of the structured activity cycle (shortly, control functions) with regard to the armed forces is determined by mutual interrelations between the supreme legislative and executive authorities in the state, and the armed forces, under a permanent supervision by the judiciary.

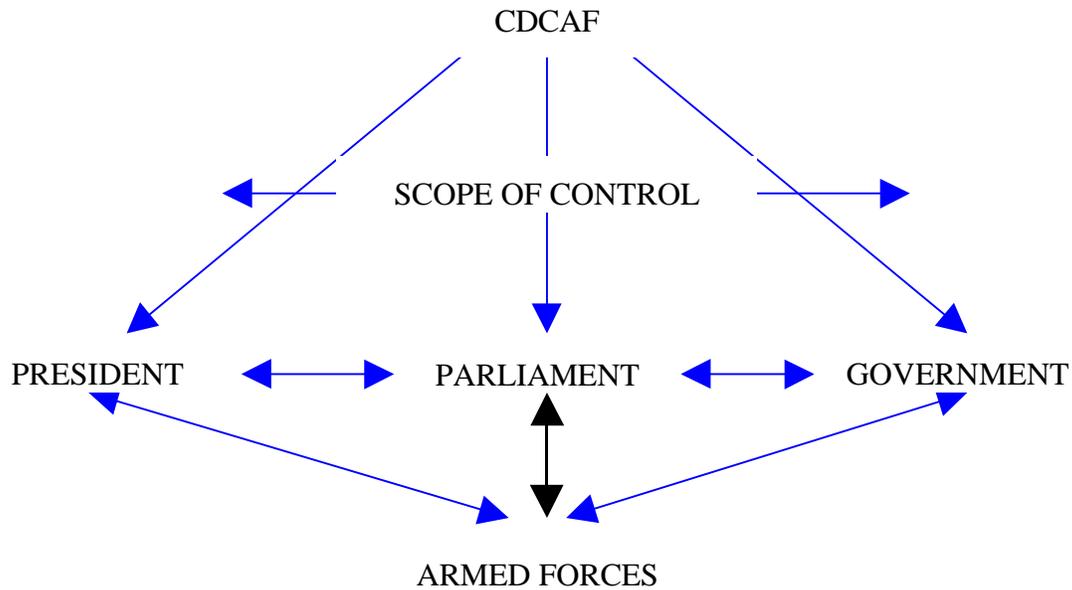


fig. 6: Scope of civilian democratic control

- By means of control, the president, the parliament, and the government are involved in direct interaction with regard to the armed forces.
- The subject of control includes the armed forces and their resources, and, in particular: soldiers and their combat readiness, subordination under law, law as such, and finances

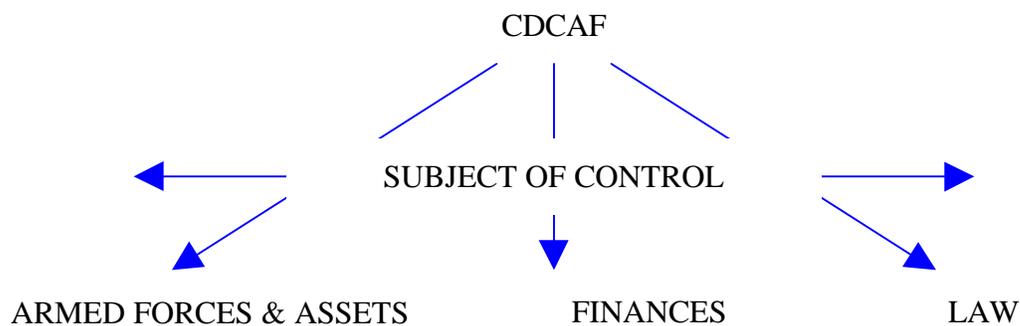


fig. 7: Subject of civilian democratic control.

- The main form of performing democratic control over the armed forces by the legislative and the executive authorities (the parliament and the government, respectively) is by means of direct participation of civilian representatives in the structures of the armed forces.
- Due to the organisation of the military whose character is primarily that of a hierarchy-line-and-command structure, the distribution of civilians representing the legislative and the executive authorities with regard to the armed forces is uneven. Civilians are present mostly at the top levels of the structure, which involve the least administrative tasks and the greatest decision making powers, whereas the civilian presence decreases gradually in the lower levels of the structure.

fig. 8: Presence of direct CDCAF in the military structure.

- The powers and the ability of representatives of the legislative and the executive authorities to perform direct control functions with regard to the armed forces are concentrated at the top levels of the military structure.
- The absence of civilians representing the state administration at the lower levels of the structure diminishes the possibilities to exercise the same extent of civilian democratic control throughout the entire armed forces.
- Military personnel enjoys a potential freedom of management, without civilian control, at the inner levels of the armed forces.

- Restrictions related to the direct implementation of civilian democratic control are of an objective character.
- Structural consolidation of the powers of civilian democratic control over the armed forces takes place through:
 - the consolidation of the downward flow of control functions from the top of the structure to its lower levels;
 - the establishing of the legal and organisational framework for the implementation of control from the surrounding of the armed forces (indirect control).

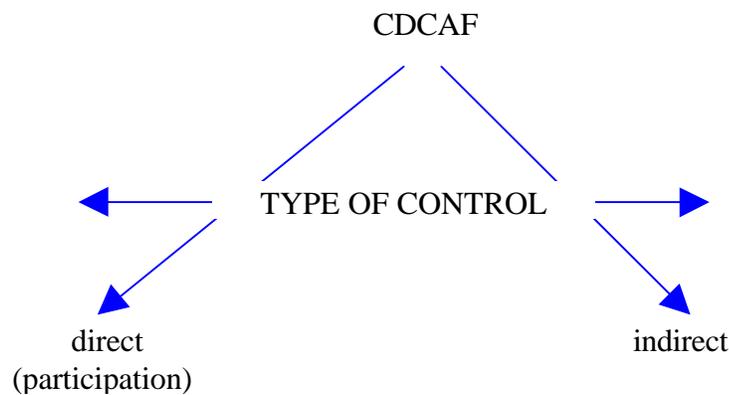


fig. 9: Division of civilian democratic control depending on the type of control.

- Civilian democratic control over the armed forces, performed both in a direct and in an indirect way, ensures the legal system of the state.
- The legal system of a democratic state should ensure the civilian democratic control by:⁹
 - 1) clearly determining the contents of the constitution and of other legislative acts concerning the legislative and the executive powers of the state authorities with regard to state defence matters in the time of peace, and in case of crisis situations, threat, or war;
 - 2) ensuring the participation of the legislative and the executive authorities in strategic defence

⁹ See: Simon J., "Demokratyczna transformacja systemu obronnego Polski a rozszerzenie NATO," *Analizy - Syntezy*, Department of International Security, Ministry of National Defence, Warszawa-Torun 1995, No. 10, p. 3-4; Trejnis Z., *Siły Zbrojne w państwie demokratycznym*, Department of International Security, Ministry of National Defence, Warszawa-Toruń, No. 40, p. 23-24.

planning;

- 3) ensuring the participation of parliament in making the decision about the use of armed forces in case of emergency, crisis situations, or war;
- 4) ensuring parliamentary supervision over the defence budget and the military special services;
- 5) ensuring the participation of parliament in making strategic decisions concerning the defence structure of the state, weaponry, the size of the armed forces, drafting procedures, and the rules of the military service;
- 6) ensuring the government's participation in planning the development of organisation structures and the deployment of the armed forces, as well as in planning weaponry procurement;
- 7) ensuring government control over the armed forces with regard to the execution of the defence budget and with regard to the functioning of the military special services;
- 8) ensuring the participation of the legislative and the executive authorities in the military personnel promotion system;
- 9) fostering the public's support for the armed forces, and building a positive image of the military.

A tentative definition

Civilian democratic control over the armed forces is an attribute and a function of a democratic state. It is a rule in a system of law and government which places the armed forces under the supervision of democratically elected political authorities. The legal system of a state determines the goals, tasks, and procedures of control maintained by all the supreme state authorities.

The shaping of the model of civilian control in a state is an evolutionary process.

III. BEGINNINGS AND THE CURRENT SITUATION

The shaping of the model of civilian democratic control over the military under Polish circumstances is an evolutionary process which constitutes an integral part of the evolution of the country's political system of government from a communist to a democratic one. The nature of such processes, and of that one in particular, consists in their multi-directional character. An attempt to identify the essence of the evolutionary process, the directions of its development, and to project the course of the process after analysis of all its aspects, is bound to fail. The analysis lead to plentiful and diversified conclusions whose character may be political, sociological, psychological, organisational, etc., which makes it impossible to draw a synthesis. Important findings often get lost among the details, and the attention of the researcher focuses on momentary aspects of the process. The fashion and glitter begin to come first, before the things which are important, albeit concealed. This way, for instance, a single personal reshuffle, possibly in a position important in the military structure, is interpreted by some as a meaningful step towards the implementation of civilian control over the army, while others see it as a move back. At the same time, legislative or organisational changes vital for the future of civilian control are barely noticed.

The evolution of mechanisms of civilian control over the army in Poland has been going on, with a varying intensity, since the late 1980s. It would be difficult to determine the precise date which marked the beginning of the process. One could date it back to the conclusion of the Round Table agreement, or to the parliamentary elections held on June 4, 1989, which brought about revolutionary changes in the Polish political arena. One could also say that the process started from the discussions held in the General Staff of the Polish Army since the late 1980s about the changes in the Polish military doctrine or in the organisation of the country's defence system. It is not the date that counts, but the situation in which the first simple forms of civilian democratic control were introduced in Poland.

Basic measures related to civilian democratic control were implemented under a system which was unprepared and, to a certain extent, hostile. These patterns were bound to be confronted with the forty-five years long tradition of undemocratic civilian, political control over the army. It is a fact that the political system of the state which imposed undemocratic forms of control over the armed forces ceased to exist during one single election day. It ceased

to exist in the formal sense. The legal and the organisational heritage left by the former system remained, and so did all the old customs, which had to be replaced with models appropriate for a democratic system.

During the initial period of civilian democratic control being introduced over the Polish army, the main task was to prevent the armed forces from obtaining autonomy within the system of the state. In order to realise the difficulties involved, it is worthwhile to note that, until 17 October 1992, the main legislative act which regulated the place and the role of the armed forces was the Constitution of the People's Republic of Poland passed by the Legislative Sejm on 22 July 1952. In practice, as late as three years after a democratic system had started to develop in Poland, the country had an organic law dating back to the times when the socialist system was being established. It is enough to recall that, under the constitutional provisions which were still binding in the beginning of autumn of 1992, the armed forces were subordinate to "(...) the Polish people's government founded on the alliance between the workers and the working peasants (...)"¹⁰ At the same time, under art. 3 of that Constitution, the armed forces were under the supervision of the Polish United Workers' Party (PZPR), the communist party which no longer existed at that time, but which, according to the Constitution, ran the government on behalf of the people who had got rid of that government back in June 1989.¹¹ During all that time, the government had no formal and legal means to control the army since, under the Constitution, it was only responsible for the general direction concerning the defence matters and the organisation of the armed forces (see: annex 1).¹² The legal situation was favourable for the army to gain autonomy within the state system. However, that was not the case, mainly because both those who were developing a democratic system of government in Poland, and the command of the armed forces were willing to co-operate. That co-operation filled in the legal and organisational loopholes with regard to control over the army.

¹⁰ See: the Preamble to the Constitution of the People's Republic of Poland, passed by the Legislative Sejm on 22 July 1952, and the consolidated text of the Constitution dated 16 February 1976.

¹¹ The Polish United Workers' Party (PZPR) was established on 15 December 1948, following the unification of the Polish Socialist Party (PPS) and the Polish Workers' Party (PPR).

¹² See: The Constitution dated 22 July 1952, art. 41.10 reading, "The Council of Ministers is in charge of the general supervision over national defence matters and the organisation of the armed forces of the People's Republic of Poland. It also determines the annual contingents of citizens drafted into the active military service."

The first public debate on the legal and organisational changes required in order to implement a system of civilian democratic control over the army in Poland, took place during the campaign before the parliamentary elections in June 1989. According to programmes of parties which ran for parliament, the requirement for civilian politicians to determine the political direction in defence matters was considered a priority.

Back then, politicians generally agreed that the president should be responsible for the outlines of the defence policy. The Polish president should be equipped with special powers with regard to these matters. It was proposed that the president should be granted a preference in determining the strategic goals related to ensuring the security of the state and co-ordinating the efforts to pursue these goals. However, the point was not to increase the powers of the president himself, but to enforce the powers related to the function of chairman of the National Security Council, which he was also holding.

Politicians regarded the Council as the main architect of the defence policy because its members represented: the parliament, the president, and the government.

In such a presidential system of co-ordinating the defence policy proposed by most of the political parties, the function of the minister of national defence would be of a particular character.¹³ The minister should be a member of cabinet, under the supervision of the chairman of the Council of Ministers, which has been the case up to date. On the other hand, the minister should be supervised by the president who is the supervisor of the armed forces, and whose right to assess candidates for the position of the defence minister should be guaranteed by law.

The minister of national defence should hold the function of vice-chairman of the National Security Council, which would grant the minister a special status in contacts with the president, as compared to the remaining ministers.

Politicians agreed that a civilian minister of defence could not be the commander of the armed forces, but he had to oversee the military. This meant that all soldiers should be under the minister's supervision. The main areas which the minister should supervise directly included: the Military Information Services, the Human Resources Department, as well as logistics and education.

¹³ The army requires the feeling of stability: interview with Piotr Nowina-Konopka, secretary general of the Democratic Union (UD), *Polska Zbrojna* No. 189, 39 September 1991.

In the opinions voiced by politicians who were taking part in the election campaign, one could clearly notice an attempt to find a compromise over the division of powers between two elements of the executive branch of government, namely, the president and the government. Leaders of the main parties stressed that the powers of the minister of national defence must not incapacitate the military. At the same time, they pointed to the fact that the civilian minister could not serve only as a front whose function would be only to supply the army with the necessary funds and to formulate general directions related to the implementation of defence tasks.

The parties believed that an apolitical army was the basic condition for the introduction of the civilian factor into the process of shaping the defence policy. The requirement for the armed forces to be apolitical was formulated in the programmes of all the leading parties in the Polish political arena. Although, there were opinions that a professional character of the army should be given priority over its apolitical attitude. At the same time, various parties and politicians supplied different interpretations of the apolitical character of the army. According to left wing parties, the apolitical attitude of the armed forces referred to political activities on military premises, while allowing the soldiers to take part in political activities elsewhere. Right wing parties supported a formal regulation which would strip professional soldiers of the right to vote and to be elected, and believed that the ban was the main condition underlying an apolitical status of the army.

The debates held during the campaign, and the results of the elections which led to the forming of the first democratically chosen government, stimulated constitutional changes and reforms at the top level of the state administration, which were described as structural reforms of the state.

The efforts were aimed at improving the efficiency of the supreme state authorities until a new constitution of the Republic of Poland would be passed. From the formal point of view the result of the work was the constitutional amendment concerning mutual relations between the legislative and the executive branches of government of the Republic of Poland, and on the local self-government. The relevant act was passed by the Polish parliament on 17 October

1992, and it has been described as the interim constitution - on mutual relations between legislative and executive authorities of the Republic of Poland and local council.¹⁴

The act supplied grounds for the implementation of civilian control, which was possible mainly by means of:

- Regulations which determined the supervisory powers of the president (art. 35). Apart from the general supervision over the external and internal security of the state, the president's powers also included: appointing and recalling the chief of the General Staff of the Polish Army in consultation with the minister of national defence, as well as appointing and recalling, on the defence minister's request: deputy chiefs of the General Staff, commanders of the types of the Armed Forces, and commanders of the military districts;
- Regulations which equipped the government with the power to make decisions on all matters related to the state policy and ensuring the external and internal security of the state, and not only being "(...) responsible for the general direction concerning the defence matters (...)"¹⁵

At the time when the work was underway on the interim constitution, the government started to develop a plan to reform the defence system of the state. The Regulation No. 67 issued by the chairman of the Council of Ministers and dated 29 December 1990, and the Regulation No. 5, dated 21 February 1991, established the Inter-Ministry Committee for the Reform of the Organisation of National Defence. Then minister Krzysztof Jan Zabinski, at that time head of the Cabinet Office, was appointed the Committee's chairman. The Committee was to sketch: the organisation structure and powers of the authorities which would be in charge of the state defence matters; the organisation and equipment of the armed forces; the functioning of non-military defence structures; and a model to ensure the necessary links between the defence structures and the national economy and foreign trade. The authors of the report stressed that the task to develop the outlines of a thorough reform of the national defence structure was mainly a result of the need to create an army which would stand up to the

¹⁴ The act was promulgated in the *Dziennik Ustaw* official gazette, 23 November 1992, No. 84, item 426, Wydawnictwa Sejmowe, Warszawa 1992.

¹⁵ Constitution of the People's Republic of Poland passed by the Legislative Sejm on 22 July 1952, art. 41.

democratic image, while factoring in European integration as a strategic goal. The Committee formulated the relevant conclusions mostly concerning matters such as the establishing of an integrated structure of the Ministry of National Defence, and the structure of the Ministry's civil-military division.

In practice, the implementation of the outlines of the report encountered numerous problems both of an objective and subjective character.

Despite the fact that the authors of the report aimed at the establishing of a uniform organisation structure of the Ministry of National Defence, in practice, that structure was divided into two parts: the General Staff, and the civilian division. The General Staff retained the powers concerning management over the armed forces, including the relevant powers related to financial matters and the human resources policy. Thereby, without a prior intention, the General Staff started to dominate in the Defence Ministry's organisation structure, by taking advantage of its legally guaranteed powers. The civilian division, stripped of powers and struggling with personnel problems, was unable to establish adequate co-operation with the General Staff. A number of offices performing the same functions were formed within the Ministry's structures, which led to many conflicts over the division of powers.

That artificial division into the General Staff and the civilian division split the Ministry for almost five years. The situation was gradually growing worse until February 1996, when the second stage of the reform was launched.

Under these circumstances, the Polish parliament played a particularly important, inspiring, and inductive role in the context of the civilian control. The parliament carefully monitored the character of the reforms taking place in all areas of the military. As an example, one may quote the parliamentary debate on defence matters held on 18 February 1995. In the resolution adopted following the debate, members of parliament stated, "(...) The fundamental task and duty of the state authorities are to ensure the security. In line with art. 8 of the Constitution, the sovereignty and the independence of the Polish Nation, its security and peace are safeguarding by the armed forces of the Republic of Poland. Bearing in mind the functions performed by the Polish Army, the army cannot be an arena for various political orientations to clash, and cannot play a subjective role in the political life either. After all, every such attempt might have a negative impact on the trust of the public, which the Polish Army has won. It

might also undermine the justified belief that the army belonged to the entire nation. Therefore the principle of a totally apolitical army, fundamental for all democratic countries, must be meticulously upheld by all.

"The armed forces, although they cannot influence the politics and the shape of the political system, constitute an extremely important instrument of the state policy. Under these circumstances, the ensuring of a proper civilian and democratic control over the armed forces has gained a primary importance in the state. A full responsibility before the parliament, as regards the army and its readiness to perform tasks, is vested in the government and, especially, in the minister of national defence who should therefore be equipped with appropriate powers."

The ensuring of a proper civilian and democratic control over the Polish armed forces, including their apolitical attitude, was one of the main elements of the resolution adopted by parliament.

Responding to the resolution, the Polish government fully shared the opinion held by parliament. At the same time, the government promised to intensify work on the bills shaping the legal framework of civilian democratic control over the armed forces.

According to the official declaration made by the government, the process of shaping democratic civilian control over the Polish army would be guided by the following principles:

- provisions of the Framework Document of the Partnership for Peace programme, dated 10-11 January 1994, and focusing on the Individual Partnership Programmes;
- the Study on NATO Enlargement (which placed a particular stress on the political aspects of the enlargement, including full respect for the rule of civilian control);
- the document adopted on 6 December 1994 at the CSCE summit in Budapest, entitled: "Code of Procedure with regard to politico-military aspects of security", which formulated (in points 20 and 21), the requirement to introduce democratic control over the armed forces performed by the authorities elected under the constitution.

The resolution adopted by the parliament on defence, and the government's attitude towards the document, stimulated the work on drawing up the provisions relating to the civilian control in the constitution which was being drafted, and in other legislative acts.

The current legal and constitutional status of civilian and democratic control over the armed forces was shaped in the Constitution Bill passed by the National Assembly on 2 April 1997.

The articles of the constitution referring to state security and defence matters stipulate that the armed forces of the Republic of Poland shall serve to protect the independence of the state and the inviolability of its borders (art. 26.1), and that they shall maintain a neutral attitude on political matters and be subject to civilian and democratic control (art. 26.2).¹⁶

Following the model of many western countries, the president is the authority in which the powers to supervise and to direct the army are vested. The president safeguards the observance of the constitution, as well as the sovereignty and the security of the state, and the inviolability and the indivisibility of its territory (art. 126.2).

The president is the highest superior of the Armed Forces of the Republic of Poland (art. 134.1). In the time of peace, the president exercises his control over the armed forces through the minister of national defence (art. 134.2). The president appoints the chief of the General Staff and the commanders of the types of armed forces (art. 131.3). It is also up to the president to appoint the commander in chief of the armed forces in the time of war.

The powers of the Council of Ministers include ensuring the external and internal security of the state. The Council of Ministers is also responsible for the general supervision over defence matters, and it determines the number of citizens to be drafted into active military service every year (art. 146.4.11).

The constitution regulates matters related to supervision over the armed forces in emergency situations, and, in particular, during war.

¹⁶ The Constitution of the Republic of Poland, Warsaw 25 May 1997.

The right to declare war and to conclude peace on behalf of the Republic of Poland is vested in the Sejm (art. 116.1). It is also the Sejm which shall adopt the resolution declaring a war in case of a military aggression against the territory of the Republic of Poland, or when an obligation of joint defence against an aggression is required by international agreements. If the Sejm cannot hold a meeting, the state of war is declared by the president (art. 116.2).

Following the relevant request by the Council of Ministers, the president has the power to declare martial law in a part or in the whole of the territory of the state in case of threat or armed aggression against the territory of the Republic of Poland (art. 229), or when an obligation of joint defence against an aggression is required by international agreements.

The constitution also regulates the use of the armed forces outside the territory of the Republic of Poland. Art. 117 stipulates that the principles of using the armed forces outside the territory of the Republic of Poland are specified by ratified international agreements or by legislative acts.

On top of that, the constitution sanctions the model of the parliament's involvement in the exercise of civilian democratic control over the armed forces, which has been shaped over the recent years. Similarly to the executive authorities, the Sejm of the Republic of Poland is equipped with control powers with regard to all the defence matters. Most of the work in that area is performed by the Sejm National Defence Committee, and, to a lesser extent, due to its rather consultative than causative character, by a similar committee of the Senate. The hearing of candidates for minister of national defence, and the power to pass a no-confidence vote concerning the policy implemented by the minister with regard to the armed forces, constitute vital elements of that control over the army.

Parliamentary committees perform their supervisory functions in a direct and permanent way. In this respect, co-operation between the Ministry of National Defence and the Sejm National Defence Committee is of a key significance. That co-operation takes place in several areas, but its most important aspect is the exchange of experience and materials concerning defence.

The Ministry of National Defence, as an element of the central executive authorities of the state, is obliged to provide the Sejm Committee with access to the documents which are at the Ministry's disposal, or which the Ministry prepares, and which are of interest to the

parliament. These materials are made available by the Ministry's particular units, or by the minister, his deputies, or experts. The Sejm National Defence Committee on its part provides the minister with access to its drafts of bills, the text of resolutions and recommendations, as well as opinions on the drafts drawn up by the Ministry.

The second way in which the parliament exercises its control function with regard to the armed forces is through direct personal contacts with the minister of national defence. Depending on the currently discussed issues, these contacts may involve the minister of national defence, the secretary of state in the Ministry of National Defence, vice-ministers, as well as the chief of the General Staff and his deputies. These persons' participation in the meetings of the Sejm Committee is restricted to meetings held to discuss new bills relating to defence matters or the overall security of the state, as well as the meetings during which reports are presented on the Ministry's activities.

Every time, representatives of the Ministry of National Defence are invited to attend a given meeting of the Sejm National Defence Committee, and they participate in the Committee's working meetings as experts, advisors, or as representatives of the Ministry or of the General Staff of the Armed Forces. This applies both to individual persons, as well as to whole teams which often include civilian staff of the armed forces, officers, as well as persons having no direct connections to military institutions.

A new aspect of relations between the parliament and the Ministry of National Defence came into being together with the appointment of the Ministry's under-secretary of state for relations with parliament, which took place on 26 April 1994. The main task of the under-secretary of state has been to co-ordinate the co-operation between the Ministry and the Sejm. The appointment of a representative of the ruling government coalition to that position constitutes a vital element of civilian control over the armed forces. Everyday contacts maintained with the parliament by the Ministry's senior official who was selected from among the members of the Sejm to hold that position, guarantee a better control over the defence affairs by the legislative authorities.

Control powers are also vested in particular members of the Sejm and of the Senate who have access to the Ministry's documents, and who visit the institutions, premises, and posts supervised by the Ministry. These powers are stipulated by the act on the duties and

powers of the Sejm deputies and senators, which states that every member of parliament, in order to perform his or her function, "has the right to obtain all the information and materials, as well as to inspect the activities of the state administration bodies, state companies, and other public establishments."

Members of the Sejm and of the Senate also have access to information classified as official or state secret, and they have the right to entry the premises where such information may be found, without a need to seek a separate authorisation.

With regard to comprehensive matters, such as the issues related to budget, security, foreign policy, or industry, control functions are performed by the entire parliament which makes decisions on the basis of the work of the Sejm committees and opinions agreed during their joint meetings. However, the committees hold joint meetings on temporary bases, and the scope of their work does not go beyond the matters closely related to defence and state security.

Under the Polish circumstances, the parliamentary control over the armed forces means, in fact, social control. This is possible since, via their representatives, i.e., the Sejm deputies and senators elected in free and democratic elections, the citizens are able to participate in the work of the government, thereby controlling it.

The main result of the co-operation between the parliament and the Ministry of National Defence is the Ministry's legal framework. The work on establishing it has been going on for the past five years, using western standards as a guidance, but bearing in mind Poland's specific circumstances affecting the system.

The main legislative act drawn up concurrently with the new constitution, and passed by the parliament in late 1995, was the act on the minister of national defence. The act has been implemented in the Ministry since mid-February 1995, and it has been one more legislative measure establishing formal grounds for civilian control over the army.

The act on the minister of national defence, passed for the first time since the second world war, is innovative, but, first of all, it consolidates the activities of the minister's office. Earlier, the Ministry's activities were not regulated by a separate legislative act. The Statutes

and the Rules of Procedure of the Ministry of National Defence have been developed on the basis of the new law.

The act, the statutes and the rules of procedure of the Ministry of National Defence, clearly settle two matters of a fundamental importance: the tasks of the minister as the supreme state administration authority with regard to state defence, and the scope of the minister's powers with regard to supervision of the overall activities of the armed forces. The minister directly supervises the work of the Ministry of National Defence, as well as with the help of: the secretary of state who is the first deputy minister, the chief of the General Staff, and under-secretaries of state. As far as the armed forces are concerned, which are under the minister's direct supervision, the command functions are performed by the chief of the General Staff who carries out the relevant decisions made by the minister.

The introduction of civilian supervision and democratic mechanisms in the running of the Ministry of National Defence is also reflected as regards the principle of an apolitical attitude of the army. The law fully regulates that matter in Poland.

Within the integrated structure of the Ministry of National Defence, five functional divisions have been established. Their activities effect the entire Ministry, including the armed forces. The tasks of particular divisions are the following:

1) the defence policy division performs tasks related to:

- defence projections and programming, as well as political and strategic planning;
- co-ordination of defence preparations outside the military;
- shaping the military foreign policy and international co-operation, especially including integration with western political and defence structures

The Department of Co-operation with the North Atlantic Treaty Organisation is a new element in that division. It is responsible for co-ordinating, planning, and programming the process of Poland's military integration with western defence structures.

2) the General Staff of the Armed Forces performs tasks related to:

- complex mobilisation planning, as well as strategic and operational development and use of the armed forces,

- maintaining combat and mobilisation readiness of the armed forces,
- supervision over combat training, including programming and planning,
- supervision over logistic backup of the armed forces as regards the supplies, equipment, investment, and medical services;

3) the economic and financial division performs tasks related to:

- financial management,
- formulation of the outlines of the Ministry's budget policy, and programming its financial needs,
- drawing up budget drafts and determining the rules of budget execution,
- shaping the pay scales;

4) the public affairs and parliamentary relations division performs tasks related to:

- educational and information activities,
- analysis and expertise concerning the mood, the discipline, and social developments,
- co-ordination of issues arising from contacts between the Defence Ministry's structures and the parliament;

5) the weaponry and infrastructure division performs tasks related to:

- ensuring the supplies of weaponry and military equipment,
- planning, programming, and co-ordination of research and development projects in the field of military technologies,
- activities of the military normalisation and codification services.

In the course of work on the new organisation structure of the Ministry of National Defence, the repetition of tasks (powers) within the structure was eliminated. The tasks and powers pertaining to top positions in the Ministry were precisely determined when the rules governing the minister's supervision over the Ministry were defined. In particular, that referred to the tasks and powers of: the secretary of state, the chief of the General Staff of the Armed Forces, under-secretaries of state, and directors (heads) of particular elements of the structure.

The directors (heads) of specific parts of the organisation structure play a fundamental (substantial) role in the functioning of the Ministry. They ensure an efficient and effective implementation of tasks delegated to them, employing the structures under their supervision. The minister and his office are responsible not only for the armed forces, but, under the law, also for the central, civilian organisation which is in charge of monitoring and evaluating the state defence system. At the same time, they initiate the necessary decisions to be made by appropriate state authorities (the parliament, the president, and the government), and then co-ordinate and supervise the implementation of these decisions.

Finally, formal decisions concerning the character of democratic control maintained by the state authorities over the armed forces were made after the new Constitution of the Republic of Poland had been passed by the National Assembly.

The establishing of legal mechanisms realised through legislative acts, consolidates the position of minister of national defence as the authority responsible under the constitution for defence matters, and the armed forces in particular.

IV. MODELS AND RECOMMENDATIONS

Organisational model

Assumption. Model-like state - in organisational aspect - of the civilian democratic control over the armed forces - in this sense serving as a standard - determines the legal status of the state; in case of Poland it is a well-developed state with specific characteristics of a democratic system of a state.

The model specifies objectives and tasks of the civilian democratic control over the armed forces, establishes competence of legislative and executive bodies of the state authority and characterises the system of mutual relations that emerge in the process of enforcing it. Fig. 10.

The following elements having the characteristics of a state institution can be discerned in the organisational structure of the model:

In the systematic environment remote from the armed forces

- The Sejm and Senate as legislative bodies of the state authority
- The Office of the President of the Republic of Poland;
- The Council of Ministers as an executive body of the state authority.

In the systematic environment close to the armed forces

- The Sejm Defence Committee;
- The Senate Defence Committee;
- National Security Council;
- the President's Chancellery (National Security Bureau);
- Defence Committee of the Council of Ministers;
- Economic Committee of the Council of Ministers;

In the systematic environment in the immediate vicinity of the armed forces

- Minister of National Defence - member of the Council of Ministers;
- institutions (offices) of the Ministry of National Defence.

Fig. 10. Organisational chart of civilian democratic control over armed forces

Functional model

The functional model of the civilian democratic control is shaped by the essence, contents, intensity and cause-effect relation which mutually link state institutions and armed forces. In a general system of relations we can distinguish three homogenous subsystems: management and control, information, reporting and postulating. Fig. 11

Management and control relations set a border of a decision-making subsystem in the legislative and executive dimension of the civilian democratic control. This system is made up of the Sejm and Senate in the scope of legislation; President, Council of Ministers and management of the Ministry of National Defence - in the executive field.

The contents of the information subsystem is the flow and exchange of information on the state and condition of the armed forces between practically all elements (institutions) of the organisational system of the civilian democratic control. Due to the intensity of the flow of information among individual institutions permanent information system relations have been established among: The Sejm Defence Committee; the President's Chancellery (Office), the Senate Defence Committee, Defence Affairs Committee of the Council of Ministers, institutions (offices) of the Ministry of National Defence.

Reporting and postulating relations are an indication of democratisation of the civilian control. In those relations the armed forces perform a reporting function in regard to the decision-making system, simultaneously retaining freedom to express opinions on matters of their concern. Postulating relations of the civil democratic control system are open to the society.

fig. 11. Functional chart of civilian democratic control over armed forces

Recommendations

Studies conducted as part of this paper confirm that the main organisational problem in implementing of the model is attaining and maintaining of the stability of behaviour in the controlled and the controlling in the system of democratic control of the armed forces.

In the light of previous progress and experience of the civil democratic control in Polish conditions, the priorities in creating stable behaviour should be the following:

- Attempting to balance the proportion of vertical to horizontal control.
- Balancing formal prerogatives of the civil control with subject-matter competence on defence, experience and leadership abilities.
- Creating behaviour and attitudes in exerting civil control which will not arouse a sense of superiority and dominance in the controlling and inferiority and criticism in the controlled.
- Eliminating the false loyalty of the military personnel towards civilian representatives of the state authorities.

The principle characteristics of the Polish functional model of civil democratic control of the armed forces in the form developed between 1990 and 1997 is a vertical distribution in organisational structure of the military of most of the civil-military relations. This situation is the immediate result of the endeavour to satisfy the principle condition of the democratic civil control which is emphasising the existence of civilian officials in military structures. Promoting civilian officials to management positions in the Ministry of National Defence was deemed to be the most effective and the simplest method of satisfying this condition.

Civilian officials discharge the function of management at three main levels of the ministerial organisational structure: top management (minister, secretary of state, under-secretary of state) in full range; department directors and division heads (chiefs of sections) to a limited extent. As the result of the promotion policy being conducted a hierarchical (vertical) arrangement of the civil management has been developed. The drawback of this situation is a limited gamut of management functions performed by civilian officials which from organisational point of view greatly limits capabilities in carrying out of the civil democratic

control. In an extreme case this situation may lead to establishing an illusory model of civilian presence in the structures of the ministry.

Evolution from a hierarchical towards a 3-D model of the civilian officials' presence should be an objective in developing civil-military relations in the Polish Ministry of National Defence.

Satisfying the above postulate is closely related to with formulating a concept and preparing a plan of promoting civilian officials to positions in the Ministry of National Defence and selected posts in the armed forces. A review of the positions together with a description of requirements for civilian potential applicants should be the starting point for the concept and the plan. The target would be to the point of creating conditions for competition in expertise between civilian and military officers - which is an important attribute of a horizontal civilian control of the armed forces.

Saturation of the organisational structure of the ministry with civilian officials and providing them with formal basis for operation will not secure proper civilian democratic control unless the controlling personnel possess adequate competence, experience and leadership abilities. Effective control of the armed forces is not possible without the knowledge on their structure, organisation, functioning, values and pathologies. The studies on the subject suggest that preparation of competent civilian officials is one of important problems in implementing civilian democratic control in Polish conditions. The reproach of incompetence, and mostly lack of understanding of the problems in the military environment is among the most frequently found criticism formulated by the military personnel of the co-workers - civilian officials. The original cause of this situation are weaknesses of the educational system which does not fully meet the target of creating proper attitudes in civil-military relations.

Developing a didactic system of preparing civilian management personnel for the requirements of the Ministry of National Defence is a condition for ensuring a competent, that is effective, democratic control over the armed forces.

The bases for didactic system preparing civilian personnel for the needs of the Polish Ministry of National Defence have already been shaped. The task that remains to be done is their development and harnessing them into an effectively multi-level didactic system.

Since 1995 the National Defence University provides a course for management personnel of the state administration called Higher defence Course. Experience gained in this course may serve as a good starting point for opening a post-graduate study course and short and long-term courses for candidates to be employed in the Ministry of National Defence. A system of apprenticeship should be an integral part of the civilian personnel education process for university students declaring future application for a job with the Ministry of National Defence or the armed forces as lawyers, political studies specialists, economists, psychologists etc. Some of the students undergoing the apprenticeship should after graduation be sent to compulsory military service in institutions of the Ministry of National Defence which would be interested in their future employment.

The military didactic system, with its present curriculum, does not satisfactorily prepare commanders, staff officers and military officials for co-operation with civilian officials.

Developing proper civil-military relations is a task for the military didactic system.

Pathologies existing in the military environment, which have their origin in the past, require a change which is one of the most urgent tasks to be undertaken. Even a very knowledgeable civilian official will not be able to effectively conduct his duties unless his role is well understood and accepted by military superiors and subordinates.

Creating proper behaviours and attitudes in civil-military relations on the basis of a civilian democratic control is linked integrally in Poland with breaking down the pathology of this relations that has roots in the past. It is a sensitive subject often thought of but rarely spoken about. The civilian officials must be aware of the comparisons still made by the military personnel of their style of control with the style brimming with incompetence and complacency so characteristic of the party activists of not so long ago. At the same time the military personnel is still and too often perceived by civilian officials as the community of considerable intellectual limitations derived from their professionalism.

The objective in shaping civil-military relations is breaking with mutual distrust and forming service relations on the basis of partnership.

Proper personnel policy should facilitate development of partnership service relations between the military and civilians.

Personnel policy (including career policy) for civilian officials of the Ministry of National Defence and for career officers in Poland is conducted within the same institution but in clearly divided branches. The personnel policy of the career officers is carried out on the basis of clear principles and procedures and in respect to civilians it is simplified and has more to do with the principles of an employment policy.

What essentially differs in the personnel policy of the Ministry of National Defence conducted towards civilian officials when compared to the one conducted towards career soldiers is the promotion system.

Most of the positions in the Ministry, including the posts of department directors and part of positions of division heads, are described as military or civilian appointments. The formula of the posts being for both the military and civilian personnel in assumption gives the same opportunities to both groups when applying for them. This assumption is not and cannot be implemented fully to become a standard personnel policy practice for at least one reason - lack of clear service promotion procedures for civilian officials similar to those employed for the military personnel. It is enough to note that in case of the military promotion to a higher rank, improvement in one's education and even length of on-the-job experience facilitate - or sometimes even obliges the superior to recommend appointment to a higher position.

Therefore appointments to the first and next positions in the service hierarchy are the consequences of immediate requirements and decisions and not of projected career development. This situation does not facilitate developing proper civilian-military relations in the Ministry of National Defence and it discriminates positively the military personnel. The inadequacy of the situation is intensified by such an arrangement of promoting military personnel to top positions in central institutions of the Ministry that facilitate shaping of attitudes of false loyalty of the military officials towards the civilian. One of the reasons that is behind this is a system of promotion that involves several steps within one position.

As a rule, the top positions designed for career soldiers which are directly related to top civilian official positions are qualified for high military ranks - mostly general officers. The present personnel policy indicates that usually officers of the colonel rank are appointed to

those positions. This promotion of a colonel to a position designed for a general is received in the military community as a kind of „anointment” for the promotion to the rank of general. The „anointed” has only to prove that the appointment decision was wise. The „proving” process in an unfavourable situation may take a few years. During this time, as the experience shows, the colonel may witness several changes of his civilian superiors starting anew the process of winning favours. This situation facilitates creation of attitudes of false loyalty, fluttery towards civilian superiors and in extreme cases causes discontentment.

The presented scope of difficulties occurring in the process of implementation of the civilian democratic control of the armed forces is not in conflict with a proposition formulated earlier of the model option assumed to be followed. The remarks and recommendations presented here are based on studies of opinions of civilian and military officials of the Ministry of National Defence. I hope it explains the postulating character of this part of the report. My intention was to sincerely report the gathered opinions.

CONCLUSIONS

The research model assumed in this project was set in such a way, as to pragmatically and scientifically identify organisational parameters of Polish model of civilian democratic control over armed forces. The researches carried out in this aspect do not exhaust the whole range of possible cognitive actions. The main goal was setting researches in such a way, that would identify state, define parameters of model shaping as well as determine determinants of its full implementation.

So, to recapitulate the result of the research it is necessary to state:

Firstly. The shaping process of the Polish model of civilian democratic control is integrally connected with the process of changes in political system. The changes have determined and still determine the tempo and direction of evolution in civilian military relations.

Secondly - In the initial stage of shaping model of civilian democratic control over armed forces some priorities became visible. Mainly they concerned:

- Defining of the role, missions and tasks of Polish defence system in the whole state system in co-operation with legislative and executive organs of authorities;
- Establishing of suitable legal solutions giving the framework for the implementation of civilian control;
- Creating of suitable organisational solutions;
- Shaping of attitudes.

Thirdly. Accomplishing a range of tasks, defined by the scale of designated priorities has shaped model framework of civilian democratic control over the Polish armed forces.

Fourthly. The main task in the following years is to consolidate and strengthen the worked out solutions in such degree, that mechanisms of civilian democratic control could be taken as natural by both inspectors and the inspected.

The assumed rigours of research approach as well as obligatory form of the report limit capabilities of presenting all observations, considerations and doubts which have fallen to my lot in the verification process of the mentioned research results. One of this considerations seems to me so important, that I would like to share it in the final part of my work.

As a part of society, the armed forces have their defined duties. To perform them, the military, according to the character of the tasks, should wait till any military threat appeared. However, apart of the image of modern armed forces, they have always possessed special means to eliminate effects of environmental and natural disasters. Moreover, the armed forces have had at their disposal an organised human potential, prepared to be immediately used. It cause that public expectation for the use of a military potential is beyond the sphere of military threats. To accomplish public requirements, the traditional model of the military assistance to the civil authorities should be developed in order to achieve a quite different quality.

However, there is a certain danger. Political elite and forms of political system decide how to use armed forces. The form of this system - either fascist, totalitarian or democratic - determines the position and role of the armed forces as well as their relations with the civil authorities. Democratic system are aiming at exclusion of the military from political struggles. However, totalitarian systems aspire to make armed forces an instrument being used to gain power and remain in power. These contradictory aspirations seems to be similar to „merry-go-round of power”, where, in the extreme - negative situation, the purpose is to achieve the absolute power with having its main attribute - armed forces.

fig. 12. The military (armed forces) in the system of power.

Protection of the military from negative consequences of politician's aspiration - specially in the young democracies - is the main goal in the process of modelling the modern forms of military assistance to the civil authorities.

BIBLIOGRAPHY

1. Adamczyk Mieczysław, Pastuszka Stefan, Konstytucje polskie w rozwoju dziejowym 1791 - 1982, Wydawnictwa Szkolne i Pedagogiczne, Warszawa 1985.
2. Chairman's Report, meeting of PMSC in NACC/PFP Format on Civil-Military Relations and Democratic Control of The Armed Forces in Ljubliana, Slovenia, 10-11 October 1996.
3. Civil - Military Relations in Central and Eastern Europe - workshop held in Luxembourg on 21-22 April 1995, Luxembourg Institute for European International Studies - transcript of Proceedings.
4. Democratic and Civil Control over Military Forces - Case Studies and Perspectives, NATO Defence College, Monograph series, No. 3., Rome 1995.
5. Dziennik Ustaw Rzeczypospolitej Polskiej Nr 94, Rozporządzenie Rady Ministrów z dnia 9 lipca 1996 r. w sprawie szczegółowego zakresu działania Ministra Obrony Narodowej.
6. Hunter E., Civilian Control of the Military in Democracies, Jagiellonian University, Krakow, Poland May 6, 1996.
7. Huntington S. P., Political Order in Changing Societies, New Haven 1968.
8. Informacja uzupełniająca Rządu RP o stanie realizacji uchwały Sejmu RP z dnia 16 lutego 1995 roku w sprawie podstawowych problemów obronności państwa, Sejm RP, Warszawa 25 czerwca 1996 r.
9. Informacja Rządu RP o stanie realizacji uchwały sejmiku Rzeczypospolitej Polskiej z dnia 16 lutego 1995 roku w sprawie podstawowych problemów obronności państwa, druk MON.
10. Instytucje publiczne zmiany w ich postrzeganiu - komunikat z badań, Centrum Badania Opinii Społecznej, Warszawa grudzień 1996.
11. Johnson M., Civil-Military Relations and Armed Forces Reform in Bulgaria, draft of article may be published in European Security at a later date, September 1994.

12. Kohn R. H., Poza kontrol¹. Kryzys w relacjach między wojskiem a władz¹ cywiln¹, w: „Biuletyn Polityczny” 1995, Nr 1/4.
13. Konstytucja Rzeczypospolitej Polskiej, projekt 19 czerwca 1996 r.
14. Konstytucja Rzeczypospolitej Polskiej, Warszawa 6 kwietnia 1997 r.
15. Kowalewski Marian, Obronność w Programach i Opiniach Polityków (wrzesień 1991-marzec 1992), komunikat naukowy Nr 1/92, Warszawa - AON, 1992.
16. Kowalewski Stanisław, Przełożony Podwładny, PWN, Warszawa 1975 r.
17. Monitor Polski Nr 8, Uchwała Sejmu Rzeczypospolitej Polskiej z dnia 16 lutego 1995 r. w sprawie podstawowych problemów obronności państwa.
18. Military Assistance to the Civil Authorities in Democracies: Case Studies and Perspectives, Vol. 4., NATO Defence College (ed.), Frankfurt am Main 1997.
19. Nordinger E. A., Soldiers in Politics: Military Groups and Governments, New Jersey, Prentice Hall 1982.
20. Notatka informacyjna z seminarium nt. stosunków cywilno-wojskowych, DPB MSZ, Warszawa 16-20 września 1996.
21. Opinie o instytucjach publicznych - komunikat z badań, Centrum Badania Opinii Społecznej, Warszawa, marzec 1997.
22. Prasa - Sygnały, wybór publikacji na temat wojska i obronności, 11 marca 1997.
23. Projekt ustawy o zmianie ustaw o służbie wojskowej żołnierzy zawodowych i o wyższym szkolnictwie wojskowym, Sejm RP, Warszawa 21 stycznia 1997 r.
24. Projekt Ustawy o kompetencjach organów Państwa w systemie bezpieczeństwa narodowego Rzeczypospolitej Polskiej, Sejm RP, 14 kwietnia 1997 r.
25. Review of Parliamentary Oversight of the Hungarian MOD and Democratic Control of the Hungarian Defence Forces, MAN S(ORG) Study 810, DMCS Management & Consultancy Services.

26. Simon Jeffrey, Polish Civil-Military Relations and NATO Expansion, Warszawa DBM, 1995.
27. Simon Jeffrey, Central European Civil - Military Relation and NATO Expansion, Institute for National Strategic Studies - National Defence University, 1995.
28. Sprawozdanie Komisji Obrony Narodowej w sprawie informacji Rządu RP o stanie realizacji uchwały Sejmu Rzeczypospolitej Polskiej z dnia 16 lutego 1995 roku w sprawie podstawowych problemów obronności państwa, druk NR 1371.
29. Sprawozdanie z sondażu opinii i nastrojów żołnierzy służby zasadniczej nt.: Problemy adaptacji żołnierzy zasadniczej służby wojskowej do warunków życia wojskowego, WIBS MON, Warszawa 1993r.
30. Ochenduska Czesław, Świadomość Obywatelska i Orientacje Społeczno-Polityczne Środowisk Wojskowych. Dynamika przemian i Cechy Szczególne (raport z badań zrealizowanych w latach 1993 - 1995), WIBS, Warszawa 1997.
31. Świadomość obywatelska i orientacje społeczno-polityczne środowisk wojskowych, MON - Wojskowy Instytut Badań Socjologicznych, rezultaty badań porównawczych kadry zawodowej lipiec 1993 - lipiec 1994.
32. Trejnis Zenon, Siły Zbrojne w Państwie Demokratycznym, Warszawa 1996 DBM.
33. Zachowanie człowieka w organizacji, praca zbiorowa pod redakcją W.E. Scotta.

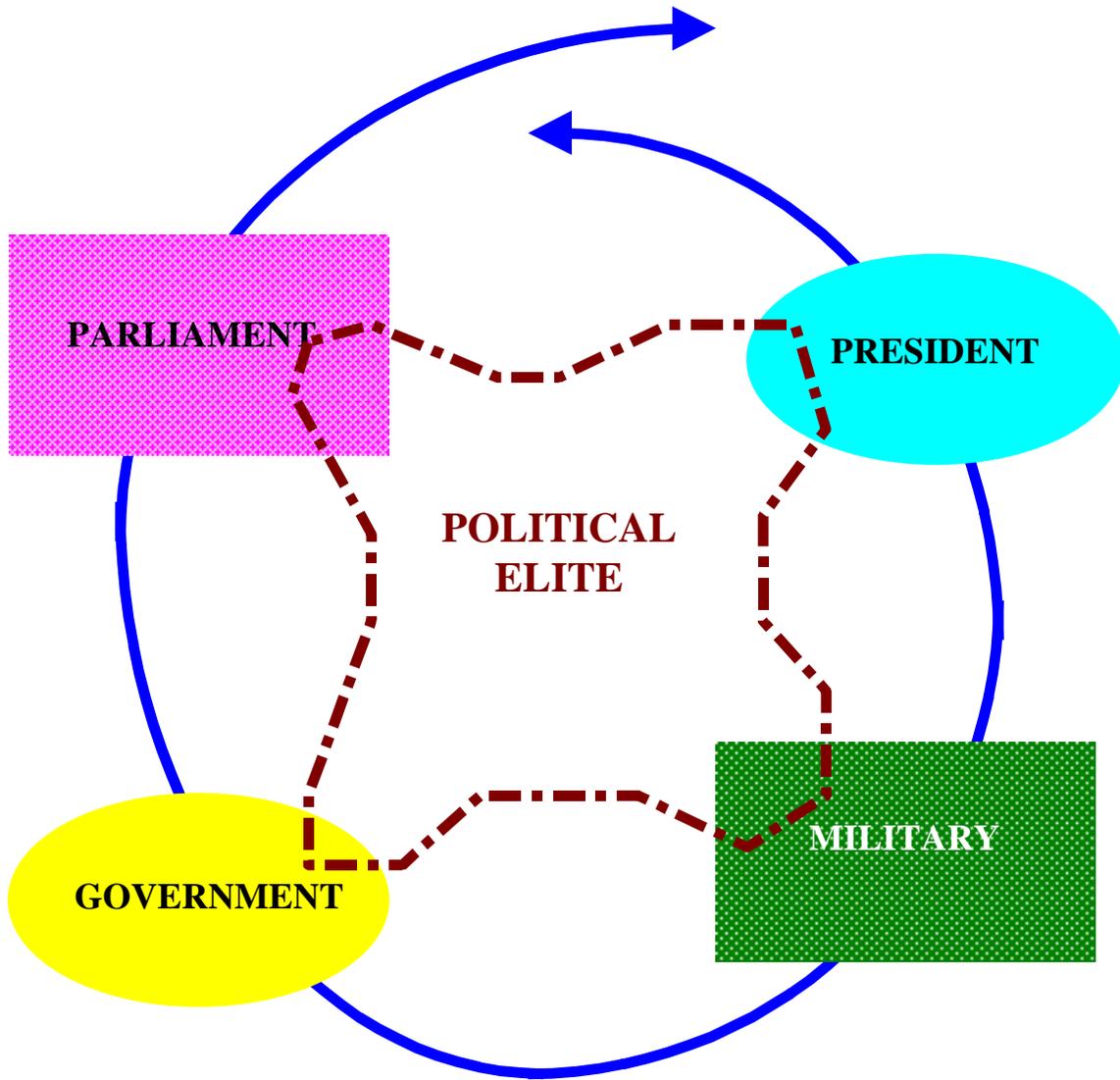


fig. 12. The military (armed forces) in the system of power.