ISSUE

Civil-military relations in the MENA: between fragility and resilience

BY

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Chaillot Papers

ISs **European Union** Institute for Security Studies

CIVIL-MILITARY RELATIONS IN THE MENA: BETWEEN FRAGILITY AND RESILIENCE

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CHAILLOT PAPERS *October 2016*

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Foreword

One of the key words (and concepts) of the freshly released EU Global Strategy (EUGS) is *resilience*. The term originates from medicine (patients who have suffered a severe trauma or illness need to become 'resilient' to its possible recurrence) as well as engineering ('resilient' materials are capable of absorbing stress and strain and even of bouncing back). It has also entered the vocabulary of development policy experts. Yet it is difficult to find adequate synonyms in most European languages – so much so that 'resilience' is now being increasingly transposed and used *inter alia* in French, German, Spanish and Italian.

Building 'state and societal resilience' in the EU's neighbouring countries and regions is one of the main policy priorities listed in the EUGS. This is a hugely complex task, and one that requires a wide array of tools combined with case-specific and tailored approaches. The overall imperative is to counter or contain 'fragility' – another key term – and instability, which structurally undermine countries in Europe's vicinity and spill over into our own societies.

An integrated approach to crises and conflicts – the other main policy priority highlighted in the EUGS – requires, too, a sound understanding of the drivers of state and societal fragility in order, notably, to foster resilience. Resilience is the antidote, in other words, but in order to be effective it needs to be administered in a way that takes account of local specificities and contexts.

Florence Gaub's *Chaillot Paper* is centred upon one key source of fragility and instability among the EU's southern neighbours: the difficult relations between the civil and the military sectors. This relationship lies at the very juncture between state and society and involves issues of power, loyalty and legitimacy. Her study offers an in-depth comparative analysis of the main countries in the MENA region (from Morocco to Turkey via Egypt and others) and highlights the fundamental flaws and failures that have so far prevented a more functional and balanced relationship between civilian and military authorities – crucial to building 'resilience' – from emerging. Moreover, it does so from the perspective of security sector reform (SSR), taken as a conceptual and operational framework with which the international community – and especially the EU – can contribute to consolidating the rule of law and, more generally, sustainable systems of governance.

We hope that this study will help better grasp the nuances and differences that exist even inside one and the same region while offering policy guidance in line with the principles and priorities set out in the EUGS.

Antonio Missiroli
Paris, October 2016

Introduction

'The president of the Arab Republic of Egypt is the commander of the armed forces, full stop.'

President Mohammed Morsi, 2012[1]

Security sector reform (SSR) is not new on the European Union's agenda, but it has recently experienced a revival. With the release of the Joint Communication of the European Commission and the European External Action Service (EEAS) in July 2016, a new framework to support partner countries has been created. Recognising the shortcomings of earlier approaches, and taking into account the new strategic environment, the EU is now set to assist third countries in a much more comprehensive way. Civil-military relations are part of this equation since 'effective democratic control and oversight'[2] of the armed forces is key to an effective and transparent security sector.

But in the Middle East and North Africa (MENA) it is exactly this area that has been particularly difficult to reform. Not only are most Middle Eastern political systems not fully democratic, but civil-military relations have been largely reduced to a power struggle between civilian leaders and the armed forces. Coups that have toppled governments, abortive coups and punitive measures against the armed forces are what civil-military relations have been all about in the region for decades. The recent failed attempt to overthrow the government in Turkey and the successful ousting of President Morsi in Egypt in 2013 are testimony to the fact that not much has changed in Middle Eastern civil-military relations in recent years. Reforming these relations requires, first and foremost, a clear understanding of the dynamics between the two components.

Research on civilian oversight of the defence sector in the region is thin on the ground, however. As most research on SSR focuses on the establishment of *democratic* control over the security sector, attempts to instigate such control before democracy is fully established are often seen as futile. But SSR is not merely an instrument of democratisation – in fact, the newly released framework ranks the establishment of human security rather than civilian oversight as its primary objective. There might indeed be a case for human security paving the way for democracy since improved

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1. 'Egypt's New Leader Spells Out Terms for U.S.-Arab Ties', *New York Times*, 22 September 2012. Available at http://www.nytimes.com/2012/09/23/world/middleeast/egyptian-leader-mohamed-morsi-spells-out-terms-for-us-arab-ties.html?pagewanted=all&_r=0

2. European Commission and High Representative of the Union for Foreign Affairs and Security Policy, 'Joint Communication to the European Parliament and the Council: Elements for an EU-wide strategic framework to support security sector reform', Strasbourg, 5 July 2016.

and efficient security forces can of course precede and thereby contribute to democratisation. Furthermore, most research on Middle Eastern security focuses on the armed forces themselves rather than on the civilian leaders seeking to control them.

But civilian actors, whether operating in semi-democratic or indeed authoritarian systems, still play a role in the creation of efficient and transparent security sectors. Civilian leaders are supposed not only to fund, staff and give strategic direction to the security institutions, but also to make sure that they do not develop overtly political ambitions. The dismal performance of (both internal and external) Middle Eastern security forces is therefore also the result of ineffective civilian authorities. It is the analysis of these failures on the civilian side of the equation that shapes the structure of this paper.

An analysis of civil oversight of the security sector in Middle Eastern countries is therefore long overdue – particularly in view of the fact that the region's civilian leaders generally struggle to fulfil their role as security sector supervisors. This applies to both internal and external security actors (the police and the military), but this study looks chiefly at the armed forces and their relationship with their civilian counterparts. The main reason for this focus is that in the Middle East the military also performs the role of an internal security actor and has posed a bigger threat to civilian decision-makers in the region than the internal security apparatus.

Civil-military relations: the basics

Civil-military relations take many forms, but fundamentally contain an inherent tension.

Firstly, civilians control the military formally but, informally, the military has the potential to overthrow its civilian overseers at any given time. In theory, civilian leaders are the principal in the relationship, whereas the military is the agent: civilians create the military for their own needs, make funds and staff available to it and give it strategic direction. In practice however, the asymmetry of the relationship is undercut by the fact that the armed forces possess weapons and hold the monopoly of collective violence. Somewhat ironically, the institution created to protect a political entity has the latent ability to threaten and even destroy that entity, too.

Secondly, because of the inherent tension in the relationship, both sides would prefer to put a certain amount of distance between them. Both counterparts resent intrusion by the other into their affairs: while the military seeks to limit civilian interference in its activities, civilians seek to limit military influence over politics. However, when there is too much distance, the common objective of the relationship – defence of the country – cannot be attained. As the defence of the national territory is a shared responsibility, it therefore requires cooperation (and not just control) in the strategic, organisational, operational and social domains.

Civil-military relations go sour when the ultimate objective of the relationship is lost sight of. When the focus of the interaction becomes a power struggle, defence of the country – the primary task of the military and its *raison d'être* – inevitably suffers. Where civil-military relations are out of joint, two extreme scenarios are possible: the armed forces will either interfere in politics (as occurred in Turkey in the summer of 2016 and in Egypt in 2013) or be unable to perform operationally (as occurred in Libya in 2011 and in Iraq in 2014).

The fact is, neither side can achieve effective defence without the other – in truth, they depend on each other in order to do so. The civilian side needs military expertise whereas the military side needs resources and a certain degree of operational freedom. The goal of all actors – whether civilian or military, regional or external – has to be the creation of a constructive and resilient relationship which can not only adapt to changing conditions and overcome crises, but provide security. Without

security, no economic prosperity, no political reform and no progress is possible. Resilience is a key term here: ultimately civil-military relations need to be based on a set of exchanges which have to be capable of sustaining disagreement, conflict and power struggles without derailing the system as a whole.

Therefore a delicate balance between military and civilian objectives has to be struck: civilian actors want the military to obey their orders and implement them with maximum efficiency, and they want *de facto* and not only *de jure* civilian supremacy in key policy decisions pertaining to defence.[3] The military wants its expert advice to be taken seriously, adequate resources and staffing, and enough freedom to operate. Only when these two sets of goals are achieved (at least partially) can effective defence of the country take place – and in this case, it is clear that it is constructive control mechanisms, rather than an authoritarian and disciplinary approach, that will keep the military in its technical place.

The tasks of civilian leaders therefore include the regular exchange of views with the military leadership in order to tap into their expertise, monitoring the organisation (through control over the budget and military doctrine, for instance), and providing adequate resources. Overly intrusive control and interference with the military's procedures needs to be strictly limited: too much of it will not only trigger resentment, it will also harm the effectiveness of the military on the battlefield.

Beyond these broad guidelines, civil-military relations can take various shapes as both civilian and military leaders develop them together: depending on the national, geostrategic, or even cultural context, many different options for civil-military interaction exist.[4] The civil-military nexus is therefore to be understood not as a set of structures or procedures primarily, but as a set of *relations* to be managed by certain procedures and structures. And these can occur in many different configurations.

Broadly speaking, civilians can cooperate constructively with the armed forces as an equal partner while keeping them in check (the normative ideal-type scenario); civilians can exert excessive control over the armed forces (a situation described as 'constabulary control'); civilians and the military can coexist but the military has more power than the civilian sector (known as the 'garrison state'); and lastly, the military can interfere in politics ('the praetorian state'). Where neither civilians nor the military form a cohesive bloc, no relationship is possible.[5] Every one of these paradigms can achieve effective defence of the country, and even be able to create the basis for smoothly-running civil-military relations: agreements between civilian and military leaders on the social composition of the officer corps, the political decision-making process, recruitment methods and military doctrine are essential

3. Peter D. Feaver, *Armed Servants: Agency, Oversight and Civil-Military Relations* (Cambridge: Harvard University Press, 2003), p.61.

4. Claude Welch, 'Civilian Control of the Military: Myth and Reality', in Claude Welch (ed.), *Civilian Control of the Military: Theory and Cases from Developing Countries* (State University of New York Press: Albany, 1976), p.3.

5. A. R. Luckham, 'A Comparative Typology of Civil-Military Relations', *Government and Opposition*, vol. 6, no. 1, January 1971, pp.26-34; Amos Perlmutter, 'The Praetorian State and the Praetorian Army: Toward a Taxonomy of Civil-Military Relations in Developing Polities', *Comparative Politics*, vol. 1, no. 3, April 1969, p.384.

FIGURE 1. MODELS OF CIVIL-MILITARY RELATIONS

1 — Civilians cooperate with the military but keep it in check

2 — Civilians control the military but do not cooperate constructively

3 — The military is unchecked by civilians but does not interfere in politics

4 — Both military and civilians too fragmented to have a constructive relationship

5 — The military wields decisive political power

ingredients.[6] But within the democratic context, only the first three of the above-mentioned paradigms are permissible.

In order for civilian authorities to play a constructive role in civil-military relations, they will have to possess certain attributes. In addition to legitimacy, these can be summed up as institutions, resources, trust, and an understanding of how to cooperate with the armed forces. Where civilians lack one or more of these and face a military institution which is superior in terms of defined roles, structure, coherence, autonomy and identity they have found, and continue to find, controlling this organisation an onerous task.[7] Civilian governments are thus further weakened in the relationship in states where the internal threat is high and the external threat is low, whereas they are stronger where the threat levels are reversed. Most Middle Eastern states fall into the former category and confirm this hypothesis. (Where threats are high both at the internal and external levels, civil-military relations are likely to be poor).[8]

Ideally then, a strong civilian organisation cooperates with a strong military organisation in order to jointly work towards the same goal, the defence of the country.

Finally, an actor often overlooked in civil-military relations study is civil society. However, in the region studied here, interaction between civilians and the military more often than not takes place outside such frameworks – as was recently demonstrated in Turkey. Instead of focusing just on civilian oversight, this study consequently looks at civil-military relations as it provides a broader social and state context for analysis, with an emphasis on the civilian end of the spectrum.

It finds that civilians – leaders and society alike – struggle on several fronts to forge constructive relations with the military. Civilian actors in the region do not use non-punitive tools for control, do not exchange views with military leaders as equals, deliberately politicise their armed forces and, ultimately, suffer from a lack of legitimacy which weakens them in a situation where they are locked in a power struggle with the military. SSR mechanisms can indeed improve certain of these aspects, whereas others are part of a much larger and longer societal process. The tools available in SSR provide mechanisms and procedures that facilitate civilian oversight of the military; they are however ineffective in the short term when it comes to how the armed forces relate to civilian leaders or civil society.

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6. Rebecca L. Schiff, *The Military and Domestic Politics: A Concordance Theory Of Civil-Military Relations* (Routledge: New York, 2009) pp. 32-48.

7. Claude E. Welch & Arthur K. Smith, *Military Role and Rule: Perspectives on Civil-Military Relations* (Belmont: Duxbury Press, 1974), p.40.

8. Michael C. Desch, *Civilian Control of the Military: The Changing Security Environment* (Baltimore: Johns Hopkins University Press, 2001)

Objective or subjective control?

In a host of Middle Eastern countries, civil-military relations have been reduced to the power struggle that is often at the heart of the relationship: civilian leaders strive to prevent the armed forces from using the violent means which they control against the civilian government. In order to achieve this objective, leaders in the region have resorted to a panoply of mainly punitive measures collectively known as 'coup-proofing' – a strategy whose efficacy was summed up in Saddam Hussein's boast that 'with party methods, there is no chance for anyone who disagrees with us to jump on a couple of tanks and overthrow the government.'[9] This consists of practices such as:
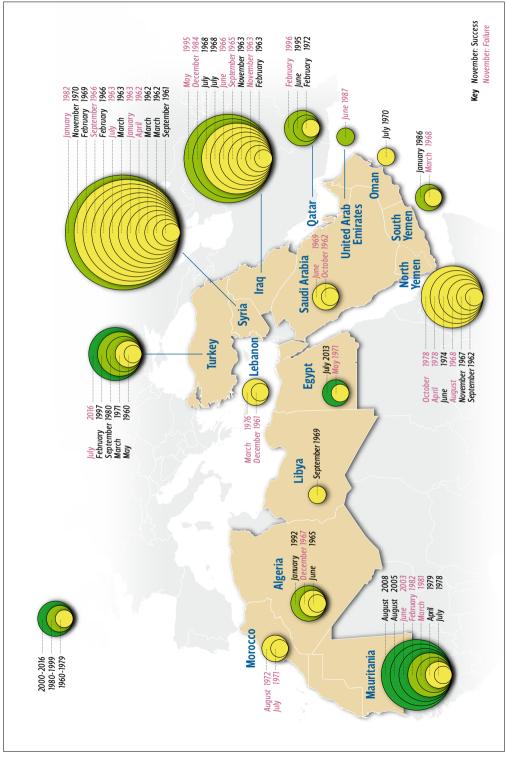
- the exploitation of individual loyalties or ethnic identities

- the creation of paramilitary structures

- the establishment of security agencies which monitor the loyalty of the military

- fostering tactical specialisation among the officer ranks.[10]

The primary target of these measures is the military leadership, as it is the officer corps which initiates the overwhelming majority of coups. States applying coup-proofing strategies exploit institutional features and attributes of the armed forces to ensure that the military does not acquire too much power in society at large.

The main reason for this choice of strategy is that it is effective and its result immediate – but coup-proofing comes at a cost in terms of military effectiveness and hurts the military operationally. The cases of the Libyan or Iraqi military, which imploded in times of acute crisis, are such examples; but other armed forces in the region, such as in Saudi Arabia or Syria, were equally the object of such mechanisms and, therefore, barely operational at times. But civilian leaders who want to control the military while preserving its operational capacity have alternative means available to them other than punitive ones.

9. David Hirst, 'The Terror from Tikrit', *The Guardian*, 26 November 1971.

10. James T. Quinlivan, 'Coup-proofing: Its Practice and Consequences in the Middle East', *International Security*, vol.24, no. 2, Fall 1999, p. 133.

FIGURE 2. MILITARY COUPS IN THE MIDDLE EAST AND NORTH AFRICA FROM 1960 TO THE PRESENT

Civil-military relations in the MENA: between fragility and resilience

Key *November:* Success
     November: Failure

Turkey
July 2016
February 1997
September 1980
1971 March
May 1960

Syria
January 1982
November 1970
February 1969
September 1966
February 1966
July 1963
March 1963
January 1963
April 1962
March 1962
March 1962
September 1961

Iraq
May 1995
December 1984
July 1968
July 1968
June 1966
September 1965
November 1963
November 1963
February 1963

Qatar
February 1996
June 1995
February 1972

June 1987

July 1970

Oman

United Arab Emirates

South Yemen
January 1986
March 1968

North Yemen
October 1978
April 1978
June 1974
August 1968
November 1967
September 1962

Saudi Arabia
June 1969
October 1962

Lebanon

Egypt
July 2013
May 1971

Libya
March 1976
December 1961

September 1969

Algeria
January 1992
December 1967
June 1965

Morocco
August 1972
July 1971

Mauritania
August 2008
August 2005
June 2003
February 1982
March 1981
April 1979
July 1978

2000-2016
1980-1999
1960-1979

Sources for data: E. Be'eri, 'The Waning of the Coup in Arab Politics'; The Center for Systemic Peace.

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There are essentially two dimensions of civilian control of the military, both resulting in the military's distance from politics. Whereas objective civilian control consists of civil oversight mechanisms, subjective civilian control draws the military into the civilian arena for the purpose of cooptation.[11]

Objective civilian control mechanisms include constitutional constraints (for instance on who is the authority responsible for declaring war); clear delineations of the military's responsibilities, civilian control over military budgets and doctrines and civilian monitoring of military activities. What all these mechanisms have in common is that they are codified and make the interaction between civilian leaders and the armed forces not only transparent and predictable, but also regular. In order to diversify objective civilian control, there are ideally several institutions involved: the ministry of defence, the relevant committee in parliament, the offices of the president and/or prime minister and more. Where objective control is effective, it ensures that civilians have to engage with their military counterparts while having the last word on key decisions – but not on details of all military operations.

By and large, Middle Eastern leaders make very limited use of these elements of constructive civilian control over the armed forces. In most cases, military decision-making is concentrated in a few hands rather than more broadly dispersed, and mechanisms to control the armed forces are punitive rather than constructive in nature. Instead, leaders in the region have displayed a preference for subjective civilian control: politicising the armed forces in their mirror image in order to control them.

Bound by law? Constitutions and defence matters

The existing legal and regulatory frameworks and procedures in the Middle East and North Africa show that objective civilian control of the armed forces exists in some countries more than in others. They are the starting point for security sector reform even though practice has deviated considerably from written theory.

In **Egypt**, successive constitutional amendments have seen civilian control over defence issues – and by extension over the military – progressively reduced: almost all tools used for objective control of the armed forces have been hollowed out or rendered ineffectual. In the 1923 constitution, the king was the commander-in-chief, and had the power to declare war and appoint and dismiss officers, but the constitution remained silent on other military issues. But although technically controlling the armed forces, King Farouk did not use these powers effectively, ultimately leading to the coup of 1952. The subsequent Egyptian constitutions of 1971, 2012 and 2014 all successively expanded the armed forces' power over their own affairs, but the most recent iteration certainly goes the farthest in this respect.

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11. Samuel P. Huntington, *The Soldier and the State: the Theory and Politics of Civil-Military Relations* (Cambridge, MA: Harvard University Press, 1957).

While the president is the Supreme Commander of the Armed Forces in the constitution of 2014, he needs to consult the National Defence Council (a 15-member body chaired by the president and comprising civilian and military leaders from the executive and legislative branches) and requires a two-thirds parliamentary majority in order to declare war. This strengthens the armed forces and the legislative's role in the business of war, and in the absence of a sitting parliament (such as between 2012 and 2015) gives the military the final say. The 2014 constitution also establishes the defence minister as the commander-in-chief, thereby somewhat rivalling the position of the Supreme Commander – and without specifying how the two posts are different

Since 2014, the powers of the National Defence Council have been enhanced as it now supervises (as distinct from controls) the military budget. This had in theory been supervised by the National Assembly – however details of budgetary expenditure are undisclosed and therefore there is no effective parliamentary oversight. Entirely beyond civilian reach are the military's economic activities which do not feature as part of the budget. It is also worth noting that the council had been originally created by a rather weak President Sadat in 1971 as a tool to contain the military – but remained largely inactive until the military revived it only two weeks before Morsi became president, this time as a tool to contain the civilian leadership.

The same constitution also institutionalised for the first time an organisation, the Supreme Council of the Armed Forces (SCAF), which is made up of the military's most senior officers. Although the SCAF's history dates back to 1954, its role had not previously been enshrined in the constitution. Civilian control over the body was to be ensured by the president's mandatory presence at its meetings – but when the council met without Mubarak present in 2011, this was the first sign that the military was deserting him, a tactic it repeated in the run-up to the ousting of President Morsi in 2013. Since 2014, the SCAF is headed by the Minister of Defence – who, the constitution stipulates, must now always be an army officer. Lastly, the 2014 constitution declares that 'The Armed Forces belong to the People', thereby creating a special status for the military when it comes to subordination to civilian power – and it maintained the provision enabling the prosecution of civilians in military courts in matters concerning military security. Egypt is therefore a country where civilians have been formally almost entirely removed from oversight over the defence sector.

Iraq started out like Egypt with a constitutional set-up granting supervision of military activities to king and parliament. Following the coup of 1958, the Iraqi military was mentioned in the provisional constitution only as the 'midwife' of the revolution: the constitution remained otherwise silent on the institutional format for governing defence matters. Following the Baath coup of 1963, Iraq moved away from constitutions, with legislative authority exercised instead by the respective revolutionary command councils, which were a law unto themselves. Finally, the 1970 constitution enshrined clear civilian authority over the armed forces. The Revolutionary Command Council became, in theory, the state's supreme authority. It was empowered with all decisions pertaining to defence, including declarations of

war, supervising the budget and electing the president – and if need be, transferring all these powers to the latter. In addition, the constitution bestowed the president with the title of Supreme Commander, and made appointment of officers and supervisions of ministries his prerogative. Although a clearly authoritarian system – no provisions were spelled out on how members of the council were appointed – it created a clearly defined role for the military. However, these provisions also hurt the armed forces in its operational capacity – effects which still can be felt today.

The 2005 constitution established, at least in theory, a balanced framework for civil-military relations. Article 9 clearly spells out that the Iraqi military 'shall be subject to the control of the civilian authority (and) shall not interfere in the political affairs and shall have no role in the transfer of authority'; parliament was given an important say in a host of military matters; the constitution prohibits military personnel, ranging from rank-and-file soldiers to employees in the ministry, from engaging in political activities such as running for office or campaigning – but it does preserve their right to vote (in contrast to countries such as Egypt or Tunisia.) The constitution also clearly limits military jurisdiction to 'crimes of a military nature committed by members of the armed forces'. In spite of this sound constitutional blueprint for civilian control over the armed forces, it was effectively hijacked by Prime Minister Maliki who sidelined both parliament and the defence ministry in the process. The Iraqi constitution consequently affords an example of sound mechanisms lacking proper implementation.

In **Algeria**, a look at the country's constitution shows that the power of the armed forces has been progressively curbed by civilian leaders, but not necessarily by establishing constructive civil-military relations. The country's first constitution of 1963 highlighted the military's contribution to independence by declaring it the direct descendant of the guerrilla organisation *Armée de Libération Nationale*. It also clearly stated that the armed forces 'continue to participate, in the framework of the party, in political activities and the building of the country's new social and economic structures'. Although the president was declared to be the Supreme Commander of the Armed Forces, and vested with the right to appoint military personnel and to declare war (with approval of parliament), this constitution enshrined a political role for Algeria's military, extending its powers beyond classical defence tasks.

Over the next three constitutions of 1976, 1989 and 1996 this state of affairs evolved considerably. The primacy of political institutions over the military was restored as early as 1976, but the special status of the armed forces as 'midwife' of independence (and therefore the special status of the country's war veterans) was still highlighted. The constitution continued also to give the armed forces a role of not only defence but also 'protection of the economic zone', reflecting Algeria's then socialist stance. Both constitutions of 1989 and 1996 reduced the role of the military further (the amendments of 2016 did not concern the armed forces): the constitution's preamble still stresses the importance of Algeria's war of independence, but now emphasises the role of the civilian wing, the *Front de Libération Nationale*. Defence of the country is still 'organised around the armed forces', giving it a *primus inter pares* status among those state institutions involved in defence, but this is the only time it is mentioned.

The president retains the right to declare war after having consulted parliament and the High Security Council (a body including the Speaker of Parliament, the prime minister as well as the ministers of defence, foreign affairs and interior), and he is the Supreme Commander of the Armed Forces. The military's budget is reviewed, like the rest of the state's budget, by parliament. Algeria's constitution is therefore clear on who exercises legal authority over defence matters, but the president's powers are considerably stronger than those of parliament.

As in Algeria, in **Turkey** the power balance in civil-military relations has moved progressively towards the civilian sector over the last decade. In the decades after World War II, Turkey's military managed to institutionalise its political role. Although the president retained the role of commander-in-chief, the military enjoyed considerable freedoms. The Turkish constitution of 1961 – enacted after the coup of 1960 – for instance created a National Security Council. Although made up half of civilians and half of military officers, the body effectively institutionalised military advice to the council of ministers. It also defined national security rather broadly as 'the protection of the constitutional order of the state, its national existence'. Turkey's military therefore had assumed an advisory role beyond pure defence matters. The role of the council was further enhanced after the military coups in 1971 and 1980. In addition, the rather ambiguous references in the constitution to the role of the armed forces as 'guarantors' of the constitution and laws – not unlike in Egypt – create a role for the military outside the executive. This is further reflected in article 35 of the Turkish Armed Forces Internal Service Law which states: 'The duty of the Turkish Armed Forces is to protect and preserve the Turkish homeland and the Turkish Republic as defined in the constitution' – which has been interpreted, repeatedly, by the officers as the right to remove civilian leaders from power.

Turkey's NATO membership has served only in a limited fashion as a moderating factor. Since joining the alliance in 1952, Turkey has experienced four successful coups. It is not the only allied nation to have done so: both Greece and Portugal were full members when the military removed governments in 1967 and 1974 respectively. In general, NATO turns a blind eye to the internal policies of its member states. It could be argued that the modernisation and transparency of the defence sector which NATO membership entails could have a beneficial impact on civil-military relations, but not enough to outweigh national political considerations.

In addition, both constitutions of 1961 and 1982 included clauses protecting laws passed by the then ruling military from being challenged for unconstitutionality even after their rule had ended, and members of the military council were protected by amnesty laws from prosecution. But this rather prominent military role has been reduced over the last decade. The number of civilians in the National Security Council has been increased and its role relegated to an advisory function in 2001. A 2010 referendum paved the way for a constitutional amendment abolishing the amnesty article. This in turn led to the trial of two of the 1980 coup leaders in 2012, and paved the way for subsequent investigations of past and current coup plotters.[12]

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12. Ariana Keyman, 'Civil-Military Relations in Turkey', *e-International Relations*, 21 May 2012

A good counter-example to this is **Lebanon**: the president is the commander in chief according to the constitution (although according to the non-written National Pact, this is a position earmarked for Christian Maronites) and is elected by parliament. He has the power to declare a state of emergency – but only along with the (usually Sunni) prime minister and only for one week, after which legislative approval is required. The president decides, theoretically, on military promotions, salaries, equipment, deployment, and budgets, but he always requires the approval of the council of ministers to do so.

Saudi Arabia has no constitution and is instead ruled by a set of 'basic laws': defence matters are regulated according to these entirely by the king. The **United Arab Emirates**' constitution makes the position of Supreme Commander, which in practice has been held since independence by the president, a post by decree. In neither case is it clear how the respective decision-makers reach their decisions and gather their information on defence matters.

While most Middle Eastern states have created a certain legal structure when it comes to defence matters, the main issue is not just the gap between institutional reality and practice. The predominance of one (usually the head of state's office) rather than several civilian institutions over the others implies very little transparency – and consequently boils down to politicisation or punitive control of the armed forces.

Military civilians? The defence ministries

One such institution which can play an important role in the relationship are the defence ministries. They formulate, endorse and implement defence policy decisions, and organise, coordinate and conduct all national activities pertaining to defence. As such, ministries are both part of the controlling bodies and subject to control: while they exercise supervision over the armed forces, they are accountable to higher executive bodies and the legislative. In theory, ministries of defence assess the geostrategic environment, identify risks and threats, and play a role in the drafting of security policies. As defence ministries are part of the executive, they have legislative initiative and may propose legislation and regulations on defence matters, including the budget – assuming there is a legislative system in place.

In the Middle East, defence ministries play a less active role: because policy formulation is often relegated to a higher level, they are merely managers and executors of the decisions of others. In addition, most ministries are staffed not with civilians but exclusively military personnel – further reducing civilian influence over and input into defence matters.

In **Egypt**, the latest constitution stipulates that the defence minister must be a member of the military, although this had been common practice since at least the 1930s: all 19 defence ministers of Egypt since 1952 had been appointed from among

the ranks of the military, and during the reign of King Farouk (1936-52) over half of his seven war ministers hailed from the armed forces. The ministry is consequently no longer a civilian institution.

In the 24 cabinets **Algeria** has had since independence in 1962, the post of defence minister has always been in the hands of a military officer who, more often than not, held this post concurrently with the presidency. Military officers Houari Boumediène, Chadli Bendjedid and Liamine Zéroual used the post of defence minister to ascend to the position of head of state (and retained the defence portfolio in the council of ministers); Abdelaziz Bouteflika, arguably the most civilian of Algeria's presidents, never actually served as defence minister but formally kept the title. Both he and Bendjedid appointed military officers as vice-ministers who *de facto* managed the defence portfolio. In the 1980s, vice-minister of defence Colonel Abdallah Belhouchet was also a member of the ruling party's central committee. Truly civilian supervision of the armed forces has therefore been somewhat curtailed.

In contrast, most of **Lebanon's** defence ministers have been civilians and were members of parliament when they assumed the post: of the country's 54 defence ministers since independence, only seven did not fit this profile: army commander Fuad Chehab held the post twice for a few months in 1952 and 1956, both times of crisis, as did his successor Michel Aoun in 1988. Prime Minister Rashid Karami combined the post with the premiership and his other executive powers during the early years of the civil war, and former president Camille Chamoun managed the defence portfolio along with interior and foreign affairs in 1976.[13]

As in Lebanon, most defence ministers of **Turkey** since the 1970s have been civilians and members of parliament. This example shows that a civilian minister of defence does not by default translate into civilian control of the armed forces. Before that, Turkey followed the regional trend of having general officers appointed to this post. But the turnover rate of civilians in this post has been high, indicating a general sense of distrust towards a single individual being too close to the armed forces: since 1920, no Turkish defence minister has ever served even two years in their post. But even their potentially stronger counterpart, the chief of general staff, has never lasted much longer, serving on average three years in this capacity.

Both **Tunisia** and **Jordan** have followed a similar model: all 27 Tunisian defence ministers since independence have been civilians – but *de facto* the presidency, whether under Bourguiba or Ben Ali, remained in charge of the portfolio most of the time. The high turnover rate with incumbents serving on average two years in office ensured that no minister was ever able to establish dangerously close ties with the armed forces. In Jordan, the function was more often than not exercised concurrently by the generally civilian prime minister – with the one exception of Zaid ibn Shaker, who was a general in the armed forces before serving three terms as prime minister.

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13. Farid El-Khazen, *The Breakdown of the State in Lebanon, 1967-1976* (I.B. Tauris: London, 2000), p. 296.

The constitution of 2003 stipulated that the defence minister has to be confirmed by parliament and the post has, since, always been held by a civilian. However, the reconstruction of the ministry after the invasion as the first defence ministry in Iraq to be staffed with civilians and not military personnel encountered some difficulties. Original plans had foreseen a reform of the Saddam-era ministry, but the Coalition Provisional Authority (CPA) decided to rebuild it from scratch. There was consequently no 'institutional memory', and no blueprint for what a defence ministry's role is. The ministry was set up within only six months and without Iraqi input; as a result, the Iraqi government inherited from the CPA a defence ministry it did not create and staffed with personnel it did not choose.[14]

Once the responsibility for the institution was handed over to Iraq, the government decided to meddle with the structures and personnel the CPA had put in place. The newly-formed ministry was not able to withstand these political interferences, and a large-scale shake-up of staff took place. Meanwhile, the Iraqi military was growing fast, but the ministry was not – leading to American as well as Iraqi concerns that the ministry would not be able to control an organisation that was effectively its superior in terms of expertise on defence matters. Nouri al-Maliki sidelined the ministry further by moving the operational headquarters of the Special Forces out of the ministry of defence into his own office, and used it without any oversight or accountability to target political opponents (previously, such targeting needed approval from the Ministerial Council for National Security, including the prime minister and the ministers of Justice, Interior, and Defence, as well as the chief of staff of the Joint Headquarters).

In **Saudi Arabia**, finally, the defence ministry has been consistently in civilian hands – for nearly 50 years, it was run by Crown Prince Sultan bin Abdulaziz Al Saud, followed by Prince (now King) Salman.

In none of these cases were defence ministries able to effectively perform their role as defence policy architects and military managers. Instead, they were either militarised by the armed forces or sidelined by the civilian leadership.

Parliamentary supervision

Since security sector reform has a strong democratic undertone, parliaments play a crucial role in the civilian supervision of the defence sector. Depending on the country, parliament or its specialised committee contributes to defence by formulating, endorsing or receiving reports on defence policies. Parliaments can be minimally involved at only the procedural level or be very active in the formulation of defence policies, such as approval of military missions. But although most Middle Eastern countries do have a legislative in some form, they are rarely fully involved in defence matters.

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14. Andrew Rathmell, Olga Oliker, Terrence K. Kelly, David Brannan & Keith Crane, *Developing Iraq's Security Sector: The Coalition Provisional Authority's Experience* (Rand Corporation: Santa Monica, 2005), p.32.

The defence committee of **Egypt's** parliament, for instance, has very little say on defence matters. Although it formally approves the defence budget, the budgetary expenditures are not itemised and it gets no insights into the military's other economic activities. Although it now has to be consulted in order to declare war – a provision not in place in previous constitutions – it is not a policy-formulating and certainly not a supervisory body. In addition, parliament itself was elected in a manner Freedom House considered 'not free', and contains a rather high number of retired military officers – such as Kamal Amer, the head of the Defence and National Security Committee. It is therefore doubtful that Egypt's parliament plays a scrutinising role in defence matters.

In **Iraq**, parliament was easily sidelined by Maliki and his overly strong executive. Although on paper the legislative has to approve the president, the army chief of staff, senior officers, the budget, and the defence minister, Iraq's security implosion as well as political paralysis meant that these provisions were largely irrelevant. Parliament's first post-Saddam term of office in particular was marred by low levels of attendance – several sessions had to be adjourned because not even 24% of its members attended. In part this was due to the high level of violence, making the trip to and from the assembly a dangerous one, but boycotting the parliament's session (not to mention the elections altogether, as many voters in several Sunni provinces had in the 2005 elections) became a means of expressing discontent. During the year-long formation of government in 2010, the executive acted entirely alone, leaving control of Iraq's military wholly in the hands of Prime Minister Maliki. Unchecked by parliament, he interfered directly with the ministry of defence, command structure, officer appointment and tactical decisions, and contributed directly to the failure of the Iraqi military in 2014 in the face of the onslaught of the so-called Islamic State of Iraq and the Levant (ISIL). In 2013, $122 million was spent on fake bomb detectors due to inadequate supervision by the Inspector Generals. Prime Minister Abadi's reforms since then have aimed at re-establishing Iraq's balance of civil-military relations, including a reform of the defence ministry and regular testifying by the military to parliament's defence committee.

The role of **Turkey's** parliament was given greater prominence only from 2003 onwards, when its supervisory powers over the military budget were gradually expanded. But by 2011, real progress was still elusive – Transparency International rated Turkey as 'moderate to low' in terms of defence budget transparency. In part, this was because members of parliament received so little information pertaining to the defence budget that they could not monitor expenditures in an adequate manner. Furthermore, proceedings from parliamentary discussions on the defence budget are not publicly available, in contrast to the discussions on other departmental budgets. In addition, the Turkish military engages, like its Egyptian counterpart, in economic activities which do not appear in the defence budget. A 1985 law allows for the extra-budgetary financing of weapons and other military equipment from a Defence Industry Support Fund financed largely through paid military service, and national lottery and racetrack betting revenue. It is estimated that between 1987 and 2000, nearly 14% of Turkish military spending was financed through this fund but not reflected in the defence budget. The National Defence Commission which is, in

theory, responsible for the oversight of military expenditures, cannot scrutinise the defence budget, nor does it have a say in arms procurement. It is effectively over-ruled by the ministry of defence. Lastly, Turkish parliamentarians rarely use other forms of scrutiny and oversight (e.g. parliamentary questioning) at their disposal.[15]

In the past, **Lebanon's** defence committee played an important role in the supervision of the defence budget and still does to some extent. However, it plays largely a role of oversight rather than policy formulation according to the 1979 defence law. The budget is not only itemised, but parliamentarians have availed of the opportunity to scrutinise it too on several occasions. In 1970, parliament passed a law requiring civilian orders before the military could deploy inside the country. In 1971, for instance, deputy Raymond Eddé requested more information on a line declaring 27 million Lira for expenditure on weapons; when he was told that they were earmarked for Mirage aircraft, he said that no such item was mentioned in the budget proposal, and that parliament was entitled to know not only how much was spent on weapons but also on what exactly. In 1972, it investigated the so-called Crotale scandal, where a French company failed to deliver the purchased missiles but received, upon termination of the contract, 7% of the sum from the Lebanese cabinet. While parliament uncovered corruption and dismissed officers (including the chief of staff), it also moved jurisdiction over crimes related to armaments and ammunition agreements from the military court to the civilian High Judicial Council. In addition, it removed the jurisdiction for press crimes from military courts to the Courts of Appeal in 1974.[16]

Since Lebanon's 15-year civil war has come to an end, parliament has repeatedly been the victim of political deadlocks which has prevented it from voting on the budget. Nevertheless, it remains, along with Iraq (whose parliamentary system is now greatly enfeebled) and Tunisia, the only Arab country with formal legislative mechanisms to debate and scrutinise defence spending and policy.

Tunisia's parliament is the only Arab parliament so far to come close to the ideal-type legislative in terms of civilian control and oversight; however, its members and committees are not adequately staffed and resourced.

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15. Transparency International, 'The Transparency of National Defence Budgets: An Initial Review', London, September 2011.

16. Abdo I. Baaklini, 'Civilian Control of the Military in Lebanon: A Legislative Perspective', in Claude Welch (ed.), *Civilian Control of the Military: Theory and Cases from Developing Countries* (Albany: State University of New York Press, 1976), pp.255-80.

CHAPTER 3

Cooperation or distance?

Since Middle Eastern civil-military relations are often more a power struggle than a cooperative affair, civilian leaders generally prefer to shun engagement with the armed forces. But constructive and professional civil-military relations do not depend necessarily on the degree to which the armed forces are separate from the civilian realm; indeed, too much separation of the two worlds can lead to a breakdown of the relationship altogether. Lack of civilian input leads to stagnant military doctrine as it is no longer in line with the country's strategic mindset; lack of military input into civilian decision-making leads to strategic mistakes. But in terms of political involvement, civilians also need to keep their finger on the pulse of the military if they want to prevent a potential coup and increase military effectiveness. This concerns particularly two key issues in civil-military relations: (i) how (and if) to conduct military operations and (ii) military personnel policies such as recruitment and promotions. Solutions to this potentially difficult area include consultation and regular exchanges but also building a degree of trust that is often missing on both sides.

Who against? Disagreeing on the business of war

A typical example of too much separation is the case of President Morsi of **Egypt**. Although Morsi initially managed to impose his civil authority (at least it appeared that way), his disagreements with the armed forces over the campaign in the Sinai played a crucial role in the military's decision to topple him. A week after he was removed, Abdel Fatah al-Sisi, then head of the armed forces, declared on television, in relation to the conduct of the Sinai campaign: 'I don't want to count to you the number of times that the armed forces showed its reservations on many actions and measures that came as a surprise'.

But Morsi made the mistake of overestimating his authority: when he removed Defence Minister Chief Marshal Tantawi and Chief of Staff Sami Annan, Navy Commander Mohab Memish, and Air Force Commander Reda Hafez Morsi he encountered no resistance – he understood this as an assertion of his civilian power over the armed forces. By the same token, Morsi overturned a constitutional declaration that the military had issued shortly before his election, granting itself far-reaching powers (including total autonomy over its own affairs, the removal of the president's role as commander-in-chief, and the military's acquiescence to declarations of war) – and was met equally with no resistance. Moreover, Egypt's 2012 constitution granted the military far-reaching powers and leeway, most of which were pre-

served in the 2014 constitution. It was under Morsi's watch that the post of defence minister was turned into a military one, that the provision that the president had to consult the National Defence Council before declaring war was included in the constitution, and that the military judiciary was declared independent. Three months before the coup, Morsi promoted the heads of army, navy and air force to the same rank as that held by the defence minister – in an attempt to ease increasing tensions between the civilian and military authorities. In return, the military reasserted that they were not planning a coup.

Consequently, Morsi concluded that his civilian authority was consolidated: the armed forces had executed his decisions, and in return he gave them wide-ranging rights. But Morsi did not see eye to eye with the military on key strategic issues: where the armed forces wanted to act more forcefully against the Sinai insurgency and the smuggling networks into Gaza, Morsi preferred a more lenient approach.

Disagreeing over warfare and military operations is a recurrent issue in civil-military relations. Where civilians impose their opinion against the better judgement of the officers, strategic and tactical errors are often the consequence. One such example is **Iraq's** Saddam Hussein, who insisted on taking decisions during the 1980-88 war with Iran himself, ignoring the advice from the front. Another is the war with Israel in 1948: in both Syria and Egypt, the officers warned the civilian leadership that the military was not ready and subsequently failed in their mission.

A similar example is **Turkey**. In the years leading up to the failed coup of 2016, Turkish officers disagreed with the government's policies towards the Kurdistan Worker's Party (PKK) which they had fought in several campaigns. When the *rapprochement* failed, the government adjusted to the more hardline approach of the armed forces, but the campaign against PKK targets, particularly in Iraq, exacted a high toll on both the civilian and the military sides. Officers began to be concerned about potential aerial bombings on PKK targets in Turkish cities, and held the initially soft approach favoured by the regime responsible for the resurgence of the militants.

Who with? Agreeing on the officer corps

The social composition of the officer corps is equally an area in which agreement between civilians and the armed forces is a crucial factor in constructive and balanced civil-military relations. Where the civilian leadership staffs the officer corps with individuals the military has trouble accepting (whether due to their origin or their professional abilities), the civil-military partners will have to confront this issue.

King Idris of **Libya** for instance not only dragged his feet on the formation of a regular armed force (it took him eight years to create a small army of 6,500), he manned the command posts with loyal yet unqualified fellow Cyrenaicans and deliberately kept the military underfunded. When the military removed him in 1969, not even units loyal to him reacted.

In **Jordan**, the officer corps was disgruntled in the 1940s over the presence of British officers in the armed forces. In 1948, when the force stood at approximately 8,000, 37 of its officers were British – a modest number, but strategically placed in the most important positions. A secret organisation of officers, calling themselves after the Free Officers (as in Egypt), began to circulate leaflets demanding the removal of British officers from the Legion. Rumours of a coup began to circulate.

Instead of reacting with a crackdown and a wave of arrests, King Hussein chose to listen to what these officers had to say. Although they implicitly posed a threat to his rule, he had developed ties of friendship with them. Their similar age, and the nationalism that drove them, was something to which he could relate. He consequently decided to dismiss the British commander Glubb and to phase out of the British officers, and eventually appointed the representative of the Free Officers, Ali Abu Nuwar, to become the new commander. Hussein's decision was ultimately the result of his understanding of the Jordanian officers' – and by extension Jordanian population's – mindset. This understanding was the outcome of, among other influences, his close relations with the Jordanian officers. This is not to say that he acted under threat; in the end, harmonious civil-military relations are forged on the basis of agreement and mutual trust, and there was no reason for Hussein to prefer retaining British officers in his military. On the contrary, by agreeing with what he rightfully read as majority opinion he protected and consolidated his position.

Recent developments in **Turkey** certainly target the officer corps almost exclusively, with the government seeking to purge its ranks of anti-Islamist elements. Over 1,600 officers have been dismissed after the attempted coup – 2% of the officer corps altogether. This purge of the military will inevitably lead to the armed forces becoming highly politicised and fuel resentment among the officer corps, given that the criteria for dismissal are to do with personal and ideological loyalties rather than military competence.

In **Iraq**, Maliki inserted his own appointees into the officer corps which was largely made up of former officers from the Saddam era who had been recalled to the army. These *dimaj* ('integration') officers lacked military know-how but had Maliki's trust; however their presence in the corps fuelled distrust and impacted negatively on cohesion.

A slightly different case is **Lebanon**, where the officer corps is recruited according to an ethno-religious quota. Although this contradicts general principles of meritocracy, it is generally accepted as a transparent method of ensuring a balance between civilian and military elements in the corps. Agreement therefore exists between civilian and military leaders.

Agreement between civilian and military authorities on key issues does not have to follow normative rules, as the case of Lebanon shows – but it is essential that both sides share a common vision of defence and how to assure it.

Chapter 4

Neutral or politicised?

Civilian authorities in the Middle East by and large rely on the strategy of politicising the armed forces. This can occur in two ways: from the top down (i.e. the civilian leadership[17]) or the bottom up (i.e. civil society actors). In both cases, the attempt to draw the armed forces into politics is a sign of political weakness: civilians call on the military when the political institutions fail and there is no constitutional room for expressing discontent.

In the case of civilian leadership, it might be the result of civilian dependence on the military (say, as a result of war or domestic crises) or lack of legitimacy; in the case of civil society it is because they see no other way to change the system by itself. This can happen in systems which are not participatory at all (such as Iraq under Saddam Hussein) or where authoritarianism is so entrenched that token elections alone are unlikely to generate change (such as Syria under Bashar al-Assad). In these cases, civilians will seek to bring about change through revolutions. In the Middle East, both civilian politicians as well as civil society actors have actively sought to drag the armed forces into politics.

Egypt: 'The army and the people are one hand'?[18]

Most recently, the Egyptian military intervention into politics was preceded by open calls from civil society urging the army to act. The protest movement Tamarod, along with the secular National Salvation Front, openly called on the armed forces to intervene following weeks of demonstrations. Consequently, both groups rejected that the military intervention be termed a 'coup' as they deemed it had been mandated by civilian forces. More discreetly, several business community leaders either declined to invest in the economy under President Morsi, used the media outlets that they owned to express discontent with his leadership, or went as far as giving financial backing to the demonstrations. While this peaked in the summer of 2013, there had been increasing calls for the military to intervene since Morsi's election.

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17. Samuel E. Finer, *The Man on Horseback: The Role of the Military in Politics* (Boulder, CA: Westview, 1988), pp. 64-76.

18. Popular protest slogan that was chanted during anti-government demonstrations in Cairo. See Neil Ketchley. '"The army and the people are one hand!" Fraternisation and the 25th January Egyptian Revolution', *Comparative Studies in Society and History*, vol. 56, no.1, 2014, pp. 155-86**.**

While this did express civilian discontent with his performance and in particular with the way in which he had arrogated supra-constitutional rights to himself, it was also the result of the events of 2011. Then, civilians had called on the armed forces *not* to act against the ongoing demonstrations – which arguably was what forced President Mubarak to step down. Unsurprisingly, in the intervening two years citizens had learned that extra-constitutional regime change requires the intervention of the armed forces. Then again, Egypt's history has been littered with examples of civilian governments' attempts to draw the armed forces on their side. Both the Muslim Brotherhood and the communist Democratic Movement for National Liberation (DMNL) were aiming for regime change in the 1940s by instrumentalising the military. But not just Egyptian civilians have sought to use the armed forces to advance their own agenda; even when allegiances within the military regime have been divided – one side turning to the civilian executive under Nasser, the other to the military under Amer – civil-military relations soured because both sides attempted to use the military as their power base. As a result, they weakened key ingredients of military effectiveness (such as strategic assessment, leadership and command and control) which contributed significantly to the 1967 defeat against Israel.[19]

Iraq: politicised to death

In both Iraq and Syria, Baath regimes came to power openly (ab)using the military to achieve this goal. In Iraq, the Baath used the military on two occasions to topple the government; ultimately, it integrated the military into the regime in order to control it. One way of doing this was via the Baathification of the military – infiltration of the armed forces was part of the Baath's strategy before, during and after the coup. In Syria, the Baath proceeded very similarly; it swiftly turned the armed forces, which had been a politically plural organisation, into a Baath-dominated force.[20]

Iraq's Prime Minister Maliki proceeded in pretty much the same way (albeit on a less extensive scale): he bypassed regular recruitment and promotion procedures to appoint officers (often without any military experience) to the corps, in order to maintain a network of informers within the institution. Officers who had taken aggressive action against Shia militias were dismissed by Maliki without any respect for formal chains of command and procedures, whereas others close to the prime minister's office were not held accountable for blunders (such as botched investigations into leads on terrorist attacks). The prime minister also began to use the Special Forces as his personal security agency, soon gaining the nickname 'Fedayyen Maliki', echoing the 'Fedayyen Saddam' militia; in 2007, he moved their operational headquarters out of the ministry of defence into his own office, and

19. Risa Brooks, 'An Autocracy at War: Explaining Egypt's Military Effectiveness, 1967 and 1973', *Security Studies*, vol.15, no.3, 2006, pp.396-430

20. Amos Perlmutter, 'From Obscurity to Rule: the Syrian Army and the Ba'th Party', *The Western Political Quarterly*, vol.22, no.4, December 1969, pp.827-45.

used it without any oversight or accountability to target and track individuals deemed to be political opponents. While Maliki took these steps to control the Iraqi military, he inadvertently politicised and thereby weakened it.

Turkey: from watchdog to poodle?

The recent coup attempt in Turkey has given the government *carte blanche* to weed out any opposition in the armed forces. Since the military moved against the Islamic Welfare Party in 1996, the Justice and Development Party (AKP) had identified the armed forces as a potential challenger once in power. Reducing the anti-Islamist influence within the ranks has therefore been a key concern of Erdogan's since he was elected. Initial moves against the military included bringing alleged plotters to trial and the rescinding of certain laws extending military power beyond the defence sector. But in the wake of the 2016 coup the regime no longer seeks to merely reduce the role of the armed forces: instead it is determined to remove any type of political opposition from its ranks.. As the grounds for dismissal are now tainted with a political rather than purely legal agenda, the civilian battle for control over the military has become intertwined with an Islamist narrative. President Erdogan's speech right after the failed coup struck a clearly religious tone, calling it a 'gift from God' and an opportunity to weed out the 'members of the gang'. The attempt to link the failed coup to exiled cleric and political rival Fethullah Gulen, and the simultaneous mass dismissal of judges, teachers and civil servants politicises the armed forces even further, rather than achieving the opposite. Several commanders have been dismissed not for participating in the coup but for being members of Gulen's organisation; moreover the dismissals are extended not only to the units actually involved in the coup, but also to the General Staff, the Training and Doctrine Command and the intelligence community. While this might, in the short run, consolidate civilian power over the Turkish armed forces, it also alienates them further – and thereby equally consolidates the political role of the Turkish military.

Countering and curbing politicisation

As a precaution against the politicisation of the armed forces, military personnel are not allowed to vote or be a member of a political party in several Middle Eastern countries. In Egypt, this has been the case since 1971, but this prohibition was declared potentially unconstitutional in 2013 – however, given the precarious security situation, the upper house of parliament decided to postpone the military vote to 2020. Similarly, in Tunisia the armed forces have not been allowed to vote ever since that country gained its independence in 1956, as is also the case in Lebanon. At the time of writing, the ban has remained in place in both countries, whereas it was lifted in Iraq after 2003. It is worth noting that most European countries prohibit military personnel from political party membership and electoral campaigning, while allowing them the right to vote.

There are however cases where civilian attempts to draw the military into the political sphere fail, such as in Lebanon. There, several politicians in the past sought to use the military to quell domestic unrest, ranging from President Bishara al-Khouri in 1952 to Camille Chamoun in 1958, or indeed Emile Lahoud in 2005 – but in each case, the armed forces refused to intervene.

The reason for this refusal was the fact that Lebanon's military is not only liable to objective civilian control (i.e. parliamentary oversight etc.) but also to subjective civilian control, which is in many ways stronger than the former. Civilian attempts to draw the armed forces into the political sphere will fail when the military is under subjective civilian control: essentially a situation where military and society are one in terms of values and identity. The armed forces therefore reflect the dominant social forces and political ideologies of society at large, and their leadership is closely linked to the political leadership. Consequently, there is little room for disagreement between civilian and military leaders. In this model, the military 'obeys orders because it agrees with the orders.'[21]

This does not imply that society is in lockstep on every issue; rather, the military reflects whatever divisions there might be. In the three cases described above, Lebanon's presidents were the object of political criticism – with which parts of the population agreed, while others did not. These divisions were reflected in the ranks of the Lebanese military. Consequently, the army command decided not to deploy the military in a situation of internal disagreement. Whereas this aspect is often considered the Lebanese military's weakness, it is also what gives it strength at a time when there is a power vacuum at the executive level. Following the failed presidential elections of 2014 (and the vacancy at the head of state level that ensued), the armed forces were nevertheless able not only to develop a comprehensive doctrine to face the new strategic environment but also to conduct extensive operations – essentially because its plural officer corps mirrors the ethnic and confessional composition of the Lebanese population.

For the same reason, the Lebanese military has never been successfully taken over by means of a coup; in 1949 and 1961, officers affiliated with the Syrian Social Nationalist Party (SSNP) tried to stage coups, although intra-corps jealousy was probably more the motivation than politics (see chapter 2).[22] A few months into the civil war, a handful of mini-coups failed to rally support among the organisation as a whole. A Sunni lieutenant, Ahmed Khatib, attempted the creation of the Arab Army of Lebanon and called on his Sunni colleagues to join him, whereas Colonel Antoine Barakat, a Christian Maronite, created the Army of Free Lebanon in response. He was supported in this by Major Saad Haddad, who created the South Lebanon Army. While the military suffered from these desertions, this did not imply a complete disintegration and certainly not a coup.

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21. Samuel Huntington, 'Civilian Control of the Military: A Theoretical Statement', in Heinz Elau et al. (eds.) *Political Behavior: A Reader in Theory and Research* (Glencoe, IL: The Free Press, 1956), p.380.

22. Oren Barak, *The Lebanese Army: A National Institution in a Divided Society* (Albany: State University of New York Press, 2009), p.31.

It is debatable whether conscription has the same effect of political dilution on the armed forces; Egypt's military staged a coup in 2013 as a conscription force, whereas elsewhere in the region the introduction of conscription coincided with a lull in coups (Iraq, Syria and Algeria introduced conscription only after the military took power). In this context, however, the officer corps is more important than the enlisted ranks; when a regime staffs the officer corps with members from a social group it deems trustworthy, the representative nature of the corps as a 'mirror' of the ethnic and confessional composition of society at large will be compromised, as it is no longer recruited from all sectors of society. This happens particularly when political leaders feel their legitimacy is not bolstered by horizontal integration and therefore perceive the armed forces as an extension of potentially threatening groups in society.[23] Two such examples are Iraq under Saddam Hussein or Syria under the Assad family: in both cases, the officer corps was overwhelmingly staffed with representatives from groups deemed loyal to the regime (Sunni Tikritis in the case of Iraq and Alawites more generally in Syria). Due to these measures, the military leadership did not accurately reflect society as a whole, and no subjective civilian control mechanisms were in place.

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23. Cynthia Enloe, *Ethnic Soldiers* (Athens: The University of Georgia Press, 1980).

Degrees of legitimacy

Legitimacy – essentially based on the consent of the ruled to be ruled by the ruler – is what allows leaders to govern in the first place; it is also required to control the military, which is in itself a necessary ingredient of political authority. Civilian leaders rely on the security apparatus to maintain order, resolve disputes, and protect both the government and the polity. Civilian rulers therefore need to control the armed forces not only for their own security, but also to assert their authority over the polity.

Effective political authority is therefore always predicated on the combination of legitimacy and control over the armed forces – however, ultimately, legitimacy trumps control of the armed forces. Although several Middle Eastern leaders have succeeded in suppressing dissent with the assistance of the security forces, in the long run lack of legitimacy cannot be redeemed by force. On the flipside, as long as the majority of the citizenry perceive the leader to be legitimate, this gives the leadership considerable room for manoeuvre. In the Middle East, it was legitimacy which protected those leaders who survived military coup attempts – and it was the lack thereof which brought others down.

Governments can acquire legitimacy in different ways; whereas traditional legitimacy evolves over time (e.g. long-term rule by dictators or inherited rule in monarchic systems), legal legitimacy is derived from rules and laws, i.e. the ruler is elected or appointed according to a transparent system. Charismatic legitimacy is based on an individual's virtues recognised by the population as qualities that qualify him or her to lead. Legitimacy is therefore independent from the political system, and can exist in authoritarian systems as well as in democratic ones. What matters more than how the leader has acquired popular consent for his rule is the extent of this consensus in society. Where such a consensus exists, it will be more difficult – if not outright impossible – for the armed forces to remove the regime as doing so would involve acting against popular will. It is important to note that legitimacy is not a given but a process: leaders have to deliver on needs such as security, representation or welfare, or their legitimacy will be questioned by their institutions or indeed their citizenry.

Where legitimacy is damaged, the armed forces will have leeway to remove the civilian leaders without facing active opposition from the population – indeed, as seen earlier, the citizens might even call on the armed forces to do so. Where legitimacy is intact, the civilians, and indeed parts of the armed forces, will continue to support the leadership and make such a military move difficult.

Egypt: democratic legitimacy contested

One such example is the public reaction to the Egyptian military's removal of President Morsi from power in the summer of 2013. His legitimacy was legally enshrined thanks to his electoral success. However, it continued to be questioned by parts of the population after he ascended to power. Having won the election with a narrow majority of 51.7% and a voter turnout of 52% at the second round, the criticism was quickly levelled that his legitimacy effectively derived from the endorsement of only a quarter of the population. Unpopular decisions, such as the constitutional declaration which granted him supra-constitutional powers, worsening security conditions and an ailing economy all added to the popular erosion of his legitimacy. In their joint declaration, two civilian protest movements which called for the military to intervene against him repeatedly pointed at Morsi's lost legitimacy as the main reason – legitimacy he had lost because he 'violated the laws, the constitution, the judiciary and the freedom of the media.'[24]

Two squares in greater Cairo, Al-Nahda Square and Rabaa al-Adawiya Square, were occupied by protesters for over six weeks following the coup, with demonstrators holding banners aloft that read 'the people against the coup'. In total 85,000 protesters joined the protests which were brutally suppressed by the armed forces, leading to up to 900 deaths. Protest marches continued for weeks thereafter – but were equally met by counter protests called for by General Sisi. Although pro-Morsi demonstrations did not alter the course of events, they do demonstrate that legitimacy was not a clear-cut matter in Egypt. Morsi's fate shows that the legitimacy of the ballot box has clear limits – opposition to rule can be expressed outside the electoral process, and in such circumstances the armed forces may play a decisive role.

Jordan and Syria: traditional legitimacy protects

Like Morsi, King Hussein of Jordan was defended by sections of the population in 1957 – but in contrast to Morsi, also by parts of the military. His legitimacy was largely derived from traditional dynastic authority, embedded in Bedouin legal concepts. Hussein was aware of the political threat potential of the military – in fact, his own ascent to the throne was the result of military meddling in political affairs, as his grandfather's assassination had been allegedly plotted by a disgruntled army officer – but he had neither an adequate intelligence system at his disposal nor the political maturity to actively prevent coup attempts. His only protection against a possible military coup was the support of the population and, by extension, the personal loyalty of the troops – loyalty based on Hussein's largely traditional legitimacy. Opposed to this was a leftist government based on legal legitimacy – a government which resented the strength of the monarchy, its cooperation with Great Britain and its posture towards Israel. These leftists, supported by a pan-Arabist alliance of army officers (led by army chief of staff Ali Abu Nuwar and his deputy Ali

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24. Daily News Egypt, 'National Salvation Front and Tamarod call on army to intervene', 3 July 2013

Hiyyari) began to confront the king on crucial issues. Most notably, they demanded the appointment of a left-wing prime minister and threatened a coup should the king fail to comply. However, Bedouin units loyal to the king got wind of the conspiracy and began to rampage through the main military camp, threatening anyone they suspected of involvement in the coup attempt. Hussein, who later showed up at the camp to confront the putschists, was met with enthusiasm by these units which reaffirmed his rule and the loyalty of the military to the crown.

Although Hussein would still have to contend with a few crises – another coup attempt was uncovered two years later and led to the arrest of 13 officers (deputy chief of staff Major General Sadek Shara was suspected of being involved) – the public display of support for his rule meant that the threat of potential military interference was kept at bay. It also confirmed that the Bedouin-tribal-East Bank dimension of Jordan's population considered Hussein's legitimacy as intact – an alliance which extended into the military, which had been claimed as a possession of the tribes since its early days. In 1956, 7 out of 13 regiments of the 25,000 troops were dominated by Bedouins which were almost fanatically loyal to the king. These were mostly combat units of the infantry; the monarchy had hence managed to extend its power base into the armed forces – ultimately it was this which protected Hussein from the planned coup.

A similar example is the aborted coup staged by Syrian President Hafez al-Assad's brother Rifaat in 1983; although in contrast to Jordan there was no spontaneous public reaction to the coup attempt, crucial units of the armed forces remained loyal to Hafez. This was at least in part thanks to the popular legitimacy he enjoyed in spite of his undemocratic ascent to power: as a result of his introduction of economic reforms Hafez had managed to secure considerable popular support especially among Damascene business leaders. As the architect of the twelfth military putsch in Syria's history he was the first one to understand the intricacies of the consolidation of power. What is particularly intriguing about his rule is that he managed to extend his legitimacy to his son and successor Bashar; after Hafez's death in 2000, not only did the interim president announce the promotion of Bashar to general commander, but senior officers came to personally swear allegiance to him. This was surprising because Bashar had only returned to Syria in 1994, after his older brother Bassel, who had been groomed to become the next president, died in a car accident. He had very little time to undergo military training and build his support base, yet managed to capitalise on his father's legitimacy and win the allegiance of the military if not of broader society.

Turkey: the primacy of legal legitimacy

While the Turkish coup attempt of July 2016 failed for a host of reasons, the vehement public reaction to the news of the putsch played a critical role. Erdogan's legitimacy as a democratically elected leader, in spite of his authoritarian tendencies, remained overwhelmingly intact. In his FaceTime speech on Turkish television, he

called on citizens to take to the streets to show their support for him and their disapproval of the military's move. People were equally mobilised by text messages, and more importantly, responded to the call. Tens of thousands of protesters gathered in both Istanbul and Ankara to openly defy the armed forces – by and large, because the government's legitimacy outweighed that of the military. In the absence of popular discontent, the armed forces had underestimated the weight of Erdogan's legitimate hold on to power.

This said, counterexamples of Middle Eastern leaders whose removal by the military was either met with silence or approval by the general public are numerous: the end of the Iraqi monarchy in 1958 was celebrated in the streets of Baghdad, whereas the overthrow of Egypt's King Farouk in 1952 triggered no reaction by the public, as Nasser noted with disappointment. In 2011, the public took the lead and protested against President Mubarak until the military finally removed him. In all of these cases, the public either actively or passively acquiesced with the military's interference in politics because the regimes had lost their legitimacy.

It is important to note that in cases where civilian leaderships had military origins this does not necessarily insulate them from criticism among the armed forces or mean that their legitimacy will not be questioned by the military. Even though presidents such as Mubarak, Sadat, Nasser, Hafez al-Assad and Gaddafi had all seized power with the assistance of the military, they eventually faced opposition from elements of the armed forces. This is because once these officers had seized power, they had to take on the civilian role in the relationship and monitor, guide and control the military.[25] In that sense, they had changed sides.

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25. Gabriel Ben-Dor, 'Civilianization of Military Regimes in the Arab World', *Armed Forces and Society*, vol.1 no.3, May 1975

Conclusion

Civil-military relations in the Middle East differ in various ways from country to country, but mostly have one salient common denominator: they are ultimately not about defence or security, but about power. It is this power struggle that not only distorts a relationship that ideally should be based on constructive exchanges, but negatively affects how security is provided in these states. Both sides bear their share of blame for this, but this analysis has focused on how Middle Eastern civilian leaders are struggling to live up to their role as moderators, overseers and direction-givers of the security sector. This is mainly because no such analysis has previously been conducted: the assumption being that security sector reform, and by extension reform of civil-military relations, can only take place in states that are fully democratic, there appeared to be no need to analyse how undemocratic, or not fully democratic, civilians are engaging in the control of the armed forces.

This misreads the dynamics between armed forces and civilian actors: civil-military relations are of course often strained in countries that are not fully democratic, but they exist nonetheless – more importantly, the primary task of the armed forces, provision of security, is assured by the armed forces regardless of the state of civil-military relations. Without security, states can never develop the resilience that the EU Global Strategy for instance calls for; reforms cannot be undertaken without security, the economy cannot function properly, and perhaps most importantly, without security no transition to democracy is possible, as the case of Libya shows. Improving governance in the security sector even before full democracy is attained not only contributes to better governance before the ideal conditions are in place – it might very well be an important stepping stone on the way to more transparency and ultimately democracy.

For external players who wish to improve civil-military relations, several things have to be kept in mind.

Firstly, outsiders will find it difficult to change the entire socio-political context in which civil-military relations are embedded: they have to acknowledge the specificities and even idiosyncrasies of a certain state's defence culture. Ultimately, what matters is that the relationship produces effective and constructive exchanges on security, not that it lives up to a vague notion of an unattainable ideal of civil-military harmony.

Secondly, external actors can however contribute hugely on the technical aspects in the field of objective control. Establishment of bureaucratic regulations for budgetary supervision, assistance in capacity building in parliamentary defence committees, reform of defence ministries, drafting of national security strategies (lacking in most Middle Eastern countries) and military doctrines all help not only to monitor the armed forces but also to clearly delineate responsibilities. While these measures

cannot address issues of civilian legitimacy or lack of democratic procedures, they can nevertheless improve efficiency, cooperation and therefore trust. In either case, they will contribute to a consolidation of the state, and therefore to resilience at several levels.

Thirdly and perhaps most importantly, both sides of the relationship – civilians and military alike – have to be treated as partners in this undertaking. The armed forces especially can develop stonewalling mechanisms when they perceive reforms as aiming at punitive control. An undoing of this power struggle culture between the two will require time and resources, but it is the only way forward. Where armed forces and civilians distrust each other, neither side is served and the provision of security is jeopardised.

Annex

Abbreviations

AKP	Justice and Development Party
CPA	Coalition Provisional Authority
EEAS	European External Action Service
EUGS	European Union Global Strategy
MENA	Middle East and North Africa
NATO	North Atlantic Treaty Organisation
PKK	Kurdistan Workers Party
SCAF	Supreme Council of the Armed Forces
SSR	Security sector reform