

# CIVIL-MILITARY RELATIONS IN MUSLIM COUNTRIES. THE CASES OF EGYPT, PAKISTAN, AND TURKEY

**Thomas C. BRUNEAU**  
**Tyrell MAYFIELD**  
**Kevin MCCASKEY**  
**Jason WEECE**  
**Florina Cristiana MATEI**

Department of National Security Affairs, Naval Postgraduate School,  
Monterey, California, USA

*This article analyzes the role of the military in the contemporary politics of Egypt, Pakistan, and Turkey. While there is literature on military coups, and analyses of the military in democratic consolidation, there is little on the military's role in democratic transitions. There is virtually none on Arab or Muslim countries. The Arab Spring has brought renewed attention to the role of the military in these problematic transitions. Utilizing a common framework, based on Alfred Stepan's "prerogatives", the article compares and contrasts the position of the military in these three countries. In order to explain the different powers of the militaries in accord with these variables, the article then examines a series of five commonly identified factors promoting or impeding the political role position of the military.*

**Key words:** *civil-military relations; civilian control of the military; Turkey; Pakistan; Egypt; military prerogatives; military and democratic transition.*

## 1. INTRODUCTION

The purpose of this article is to describe and then analyze the dramatic changes taking place in civil-military relations (CMR) in three major countries in the Middle East and South Asia: Egypt, Pakistan, and Turkey. For a very long time all three states were governed under threat of or under authoritarian regimes in which the military played a central role. Currently there are major changes in the relationships between the military and civilian leaders in Turkey and in Egypt, and the situation in Pakistan is even more in flux following the first-ever

successful election following a civilian president completing his term of office.

While there is much in the media on all three countries, there is no comparative work on them. The lack of comparative analysis is one that deserves remedy, especially in light of the fact that organizations in Pakistan and Egypt have been studying Turkish civil-military relations. For example, the Pakistan Institute of Legislative Development and Transparency (PILDAT) sent a parliamentary group to study civil-military relations in Turkey in 2009, while in 2011 Egypt created a National Defense Council closely

emulating the Turkish National Security Council (Milli Güvenlik Kurulu [MGK]) model, to help the military preserve its influence in setting national security policy, [1] and, in the fall of 2011 the military – led government of Egypt at the time commissioned the translation of the Turkish constitution into Arabic.

The focus in this article is on the first dimension of civil-military relations - civilian control of the armed forces [2] - rather than on the effectiveness of the militaries, as a main challenge in all three is to integrate the armed forces into a new or tentative democratic regime. This goal necessitates, for these three countries as indeed any country, that the military be placed under civilian control of the democratically – elected civilian politicians and for those same civilian leaders to have the means to actually exert control [3]. The article begins with an application of a framework for the description of civil-military relations based on Alfred Stepan’s “prerogatives,” followed by an analysis of possible independent variables, frequently cited by scholars of civil-military relations, that may have contributed to the current dynamics in CMR in the three countries, and ends with a conclusion on the shared or the unique trends in the three countries in terms of CMR. In addition to the insights that may be obtained for these three countries, our goal is also to further hone the tools of analysis for civil-military relations in countries that are either non – democratic or still in the process of democratic transition and consolidation [4]. While there is literature on military regimes, and some literature on civil-military

relations in new democracies, there is very little focused on the military during a transition, other than Southern Europe, Latin America and Central/ Eastern Europe [5]. By applying a framework for the description of civil-military relations, based on Alfred Stepan’s “prerogatives,” and analyzing a series of possible independent variables, we hope to enrich the literature in civil-military relations that may prove useful for other countries in which there are some indications of a democratic transition.

Before discussing prerogatives as a tool of analysis, a brief discussion on the nature of the research is required. In a project such as this, where three states are analyzed, the temptation to ‘discover’ parallels during the research can lead a researcher astray. To combat this temptation each state was analyzed separately from the others and by a different researcher. Only when attempting to ensure that the same standards and evaluation method were employed across the countries did the comparative process begin. In this manner the similarities virtually leapt out at the team. Details we had considered essential to the narrative sometimes turned out to be unique to a state, whereas other seemingly inconsequential idiosyncrasies were shared across the states.

## 2. PREROGATIVES

In order to compare and contrast these three countries in terms of civilian control of the military, we are using a slightly modified version of the “prerogatives” developed by Alfred Stepan in his *Rethinking*

*Military Politics: Brazil and the Southern Cone* (Princeton: Princeton University Press, 1988). It should be noted that Stepan's prerogatives were utilized in a global study of civil-military relations conducted by the Federal Research Division of the Library of Congress in 2003 and 2004. Unfortunately, the results of that survey were ultimately classified, and are not available for scholars. (Bruneau did the analysis for Portugal and Spain in the study.) Stepan, in his work on Brazil and the Southern Cone of Latin America, identified eleven prerogatives. The Federal Research Division project used thirteen prerogatives. Based on the transition mode, as well as current developments in the three countries studied here, we found that not all eleven prerogatives posited by Stepan apply to these countries. Therefore, we use nine prerogatives, and they will be rated, as both Stepan and the Federal Research Division have done, assigning values of "low", "moderate", and "high". Specifically, we are utilizing the following nine prerogatives: *constitutionally sanctioned independent role of the military in the political system; military relationship to the chief executive; coordination of defense policy; active-duty military participation in the cabinet; role in the legislature; role in intelligence; role in domestic security; role in state enterprises; and role in legal system.* The use of the prerogatives, which will be explained in detail for each of the countries, will allow us to systematically compare and contrast the evolution of the main features of control in CMR. Then, as there are major differences in the situations in

the three countries, we will attempt to explain the differences utilizing five oft-cited independent variables.

In analyzing the military prerogatives according to Stepan's approach, two important distinctions from his model must be noted. The first is that neither Turkey, nor Pakistan, nor Egypt, constitute newly democratic regimes, as Stepan used the term. They are respectively an aggressively resurgent democratic regime, a system that alternates between a "weak, unstable democratic government and benign authoritarianism" [6], and an as yet undefined regime. Struggle between, and among, civilian politicians and the armed forces for power has been an essential component of the politics in each state for decades, and the military has generally held the upper hand in the use of power. The second distinction flows naturally from the first; there are no 'clean kills' when determining whether a given military prerogative is low, moderate, or high. In Stepan's model any "active or passive non-compliance by the military" that seeks to prevent effective civilian control in a given prerogative automatically excludes a 'low' rating; under that definition there is no military prerogative that can currently be categorized as low in these three states [7].

In all areas where the Turkish Armed Forces (Türk Silahlı Kuvvetleri [TSK]) prerogative is rated as "moderate", control by the civilians is codified in law while elimination of the prerogative remains incomplete in fact. Those areas categorized as "high", are also constitutionally mandated roles for the military.

In all areas where a Pakistan military prerogative is evaluated as “moderate,” control by the civilian government is constitutionally mandated, but not fully exercised. Prerogatives evaluated as “high” are in some instances constitutionally granted to the military, but are also exaggerated through entrenched military interests that have developed over decades of military rule.

In all areas where the Egyptian military prerogative is evaluated as “moderate,” the military has either chosen not to exert more influence or it continues to expand its power and has not yet reached “high.” Prerogatives evaluated as “high” were often mandated under a prior constitution and rooted in tradition and implicit support of the president. Other “high” prerogatives were developed in the void left after the rapid fall of President Hosni Mubarak in February 2011.

### 3. SHORT POLITICAL HISTORIES

#### 3.1. Turkey

If we proceed from the premise that “democratic civilian control does not exist unless it is grounded in, and exercised through, institutions... oversight committees, and executive bodies...” [8], then the conclusion is that de facto civilian control of the military as an institution does not yet exist in the Republic of Turkey. But there are indications that real civilian control is forthcoming. These indications will be discussed following a brief review of the present status of the power struggle between the civilian government and the TSK.

In the years since the coming to power of the Justice and Development Party (Adalet ve Kalkınma Partisi [AKP]) in 2002, we will see that the

prerogatives of the military (TSK) are eroding rapidly. A confluence of events facilitated this evolution, including changes in domestic politics, expansion of civil society, and foreign influence. Together these considerations have changed the manner in which the military is viewed in society. The energetic refutation by the populace of TSK criticism of the 2007 electoral process, followed by the dozens of arrests stemming from investigations into the military (Sledgehammer and Ergenekon foremost among these) [9], eventually concluding with the wholesale resignations of the heads of the TSK branches, illustrate that, as Turkish and American scholars of civil-military relations Toktaş and Kurt observe “...the sense that the legitimacy of the military as an actor in the political realm was questioned by the public, giving credence to civilian rule rather than the guardianship role of the military”. [10]

The support of the electorate for the AKP, as demonstrated through general elections in 2002, 2007, and 2011, as well as local elections in 2004 and 2009, and constitutional referendums in 2007 and 2010 is historically unprecedented. This electoral support of the AKP has enabled the limiting of military prerogatives that are beginning to fracture the once profound influence on national politics that the military enjoyed since the foundation of the Republic by Mustafa Kemal (Atatürk) in 1923. The last recourse of the TSK has always been direct usurpation of power through military coup. As civil society has evolved and the consolidation of civilian control over the armed forces by

the AKP has continued, this option appears to no longer exist. We agree with the observation of Turkish columnist Mümtazer Türköne that “There are no actual coup conditions in place in Turkey.” [11]

### 3.2. Pakistan

Since its emergence in 1947, with the British withdrawal from the Indian Sub-Continent, Pakistan has struggled to consolidate democracy and expand the reach of the state’s authority to the whole country. The battles to define its sovereign boundaries have left Pakistan with a fractured civil society, a dysfunctional and largely impotent civilian government, and military and intelligence institutions which are far more organized, professional, and capable than any other state institution. Additionally, *Jihadi* organizations operating outside of state control and irredentist nationalist movements threaten the security of Pakistan from within. With the departure of General-President Musharraf in 2008, Pakistan held its first open presidential elections since his coup in 1999. [12] Musharraf stepped down as the Army Chief in 2001 but remained in power as the president through 2008. The run-up to the elections of 2008 saw the exiled Benazir Bhutto return to Pakistan only to be assassinated in December of 2007, just weeks before National Elections were to be held. Her husband, Asif Ali Zardari – who had served in various cabinet positions while his wife Benazir Bhutto was the Prime Minister – subsequently was elected president. It is very significant that Prime Minister Nawaz Sharif’s party, the Pakistan Peoples Party (PPP) was returned with a majority

in the May 2013 elections, and for the first time in Pakistan’s history one popularly elected government was replaced by another.

Pakistan has faced three recent major challenges that have significantly strained relations with the U.S., and also raise questions of domestic security and governmental legitimacy. The first challenge revolved around Raymond Davis – who turned out to be a Central Intelligence Agency (CIA) contractor – and the deaths of three Pakistanis in January of 2011. In May of 2011 the US launched a helicopter assault on a compound in Abbottabad Pakistan and killed the leader of al Qaeda, Osama bin Laden. The year closed out in November with a US led airstrike on a Pakistani Army outpost on the Afghanistan-Pakistan border and the deaths of at least 24 Pakistani Army soldiers. [13] While all of these issues have been negotiated, relations with the US, even as the US departs Afghanistan, remain tense.

### 3.3. Egypt

Following the Spring 2012 elections, the state of civil-military relations in Egypt was characterized by the struggle between the Supreme Council of the Armed Forces (SCAF) and the Muslim Brotherhood for control of not only the military, but, more generally and importantly, political power in Egypt. The leadership of the Egyptian Armed Forces was caught between its desire to transition leadership of the state to the emerging, democratically-elected government and its concern over ceding any of the autonomy the Egyptian military enjoys in determining national security

policy and managing its own and significant economic interests. The Muslim Brotherhood, on the other hand, sought to overcome their inexperience in leading a government by leveraging their popular success in the recent national parliamentary and presidential elections. Probably, the most useful term to characterize the current relationship between the ruling Muslim Brotherhood, that prevailed in the June 2012 presidential elections, and the armed forces, was “cohabitation”. [14] That “cohabitation”, however, is very unstable as witnessed by the reactions of the armed forces to the massive anti-President Mursi and anti-Muslim Brotherhood demonstrations beginning the end of June 2013. The military coup of July 3, 2013 of course ended the “cohabitation”.

#### 4. PREROGATIVES

##### 4.1. Constitutionally sanctioned independent role of the military in the political system

###### **TURKEY: Moderate**

Military involvement in Turkish politics is constructed on the foundation of the three “Irrevocable Provisions” contained in Article 4 of the Turkish Constitution of 1982. The first three articles are specifically protected by Article 4 which reads “The provision of article 1 of the Constitution establishing the form of the state as a Republic, the provisions in article 2 on the *characteristics* of the Republic, and the provision of Article 3 *shall not be amended, nor shall their amendment be proposed.*” The Constitution, drafted and enacted under close military supervision, guarantees the prerogative of the

armed forces to intervene when it deems necessary to protect these “Irrevocable Provisions”.

The prerogative is not considered high because the specific actions available to the armed forces are in fact clearly delineated by the constitution and implementing legislation. While latitude exists, the ability of the armed forces to act independently is determined by the strength of the civilian authorities and their public support now understood as the percentage of the vote received in elections. Commonplace since 1960, following the rise of the Adalet ve Kalkınma Partisi (AKP) and the constitutional reforms enacted since 2001, military involvement in politics has been drastically curtailed. That the military both actively and passively pushes back against the reforms justifies defining the prerogative as moderate [15].

###### **PAKISTAN: Moderate**

Control of the armed forces of Pakistan is vested in the president under Part XII, Chapter 2, Article 243 of the Constitution of 1973 as outlined in the Eighteenth Amendment. [16] The president is authorized to “raise and maintain the Military, Naval and Air Forces of Pakistan and the Reserves of such Forces; and to grant Commissions in such Forces.” [17] However, real control of armed forces is vested in the executive branch of government, namely the Prime Minister. This prerogative is evaluated as moderate, however, for two reasons. First, despite the constitutional definition of subordination of the military, its institutional strength compared to that of the civilian authorities results in an unbalanced relationship; and,

second, military interventionism has remained prevalent throughout Pakistan's history, and, thus, is always seen as a possibility.

#### **EGYPT: High**

The Egyptian military operated with increasing autonomy during the Mubarak years, with penetration through the executive branch, its influence over presidential succession by either providing or endorsing presidents, and its broad constitutional authority to determine defense policy and control its own economic enterprises. That autonomy continued in the immediate post-Mubarak period. Egypt was under the authority of the Supreme Council of the Armed Forces (SCAF), which abrogated the Constitution and issued a Constitutional Declaration on March 20, 2011 [18] granting itself legislative and judicial powers, in addition to its implied executive powers. One of the critical tasks of the parliament elected in the early 2012 was the selection of a 100-person Constituent Assembly charged with drafting a new constitution. The Parliament appointed the members of the Constituent Assembly, but the court ruling in June 2012 that declared the parliamentary elections unconstitutional allowed the SCAF to invalidate the Constituent Assembly when the parliament was disbanded. Also in June 2012, the military issued the Supplementary Constitutional Declaration of June 17, 2012 [19] that preserves military autonomy and granted the SCAF enough influence over the constitution drafting process to ensure the continued independence of the military. Between that time and the present there was basically a stalemate, until the coup of July 3, 2013 [20].

#### **4.2. Military relationship to the chief executive**

##### **TURKEY: Moderate**

While Article 117 of the Turkish Constitution states that "The Office of Commander-in-Chief is inseparable from the spiritual existence of the Turkish Grand National Assembly and is represented by the President of the Republic", the article is further nuanced by the provision that *during time of war the Chief of the General Staff exercises the duties of Commander-in-Chief* on behalf of the President.

Though the Turkish Armed Forces are constitutionally responsible to the Prime Minister, the ability of the military to initiate a coup (or make gestures in this direction) has historically given the TSK direct influence over the Prime Minister and control over how that office could maintain oversight of the military. This prerogative is not considered high because since 2007 the Prime Minister has demonstrated both through the promotion system and through several investigations/arrests that he has begun to assert de facto control of the TSK.

##### **PAKISTAN: High**

With the passing of the 18<sup>th</sup> amendment to the constitution of Pakistan in April 2010, the functions of chief executive effectively transitioned from the president to the prime minister, reversing the consolidation of power that occurred under General-President Musharraf (1999-2008). The 18<sup>th</sup> amendment grants the president authority to appoint the heads of the military services on the advice of the prime

minister. These changes may well bolster civilian authority in the future by removing the authority of appointment from one person—the president—and placing it in the hands of a diverse, popularly elected body led by the prime minister. [21] Civilian control of the military is outlined in the constitution under article 245 that prohibits the courts from questioning, “the validity of any direction issued by the Federal Government.” [22] Even so, this prerogative is evaluated as high as loyalty and cohesion remain high within the military and *de facto* control of the military resides with active duty commanders and service chiefs.

#### **EGYPT: High**

After the fall of Hosni Mubarak, the Minister of Defense, Field Marshal Mohammed Hussein Tantawi, performed the functions and duties of the chief executive. Field Marshal Tantawi concurrently held the position of Chairman of the SCAF. During Hosni Mubarak’s presidency, the relationship was extremely close due to the fact that Mubarak, like his predecessors Anwar Sadat and Gamal Nasser, was a former military officer. Mubarak used the military as the main means of securing his control over the state. In the last years of the aging Mubarak’s regime, debate occurred over presidential succession. Mubarak’s son, Gamal, was the most likely candidate to succeed his father as president, and Gamal’s ability to garner the support of the military leadership was seen as critical to his success. With Gamal out of the picture and the unforeseen election of a president from the Muslim

Brotherhood, the balance of power between the presidency and the military is problematic. Morsi won the election, but the SCAF initially still asserted its dominance. Then, the situation was “cohabitation”, and today, after the coup of July 3, 2013, it is military regime.

#### **4.3. Coordination of defense policy TURKEY: Moderate**

Article 118 of the Turkish Constitution stipulates that national security policy will be prepared by the National Security Council (MGK), which is comprised of four ministers of the state (Justice, Internal Affairs, National Defense, and Foreign Affairs), their deputies, and the service chiefs. Prior to amendment in October of 2001, the opinion of the MGK was given priority over other recommendations. Combined with an imbalance of TAF representation on the MGK, the National Security Policy Document (NSPD) reflected the interests and concerns of the TSK. Furthermore, the NSPD has generally been considered a type of secret document that determines which internal and external threats require military action. The National Security Council Law of 1983 set exceedingly broad definitions of national security, such that virtually anything that the military could justifiably get away with from a public relations standpoint would be considered legitimate.

This prerogative is not considered high because more recently, the AKP (through the Grand National Assembly) successfully increased the number of civilians on the MGK, as well as making the position of Secretary General a position that



could be filled by a civilian, and has been since 2004. Furthermore, the civilian government has taken steps to prevent an expansive definition of security that previously allowed MGK interference in school curricula, television broadcasting, the appointment of public ministers, etc.

#### **PAKISTAN: High**

The passage of the 18<sup>th</sup> Amendment to Pakistan's Constitution in 2010 formally transformed Pakistan into a parliamentary democracy with defense committees in the Senate and the National Assembly to conduct oversight over the military [23]. However, foreign and defense policy, especially decisions concerning Afghanistan, India, and the US have historically been dictated by the Chief of Army Staff and still remain largely off limits to civilians. [24]

Pakistan's military establishment has always coordinated defense acquisitions directly with foreign governments without including civilian personnel. Historically, the US provided much of Pakistan's equipment, but this relationship has recently come under severe stress. France and the United Kingdom are additional sources of equipment and resources, but China has held the position of an all-weather ally, though they provide a significantly lower level of support [25]. Turkey is developing its relationship with Pakistan and signed a bilateral agreement in 2010 aimed at developing closer ties [26]. The military's central role in defining defense policy and direct coordination with foreign militaries outside of civilian scrutiny results in assessing this prerogative as high.

#### **EGYPT: High**

The SCAF's Constitutional Declaration of March 2011 establishes the National Defense Council, comprised exclusively of military officers, but headed by the president, which will define and coordinate defense policy. The Supplemental Constitutional Declaration of June 2012 further solidifies the military's autonomy in executing its own affairs. The SCAF constituted the National Defense Council on June 18, 2011, [27] with responsibilities to revise Egypt's national security strategy and national defense.

#### **4.4. Active-duty military participation in the cabinet**

##### **TURKEY: High**

As discussed above, the MGK encompasses the Army, Navy, Air Force, and Gendarmerie. Combined with military dominance over the Turkish National Intelligence Organization (MIT) (which constitutionally falls under the Prime Minister), executive level participation of the TSK in the government remains high.

##### **PAKISTAN: Moderate**

Pakistan's civilian leaders have significantly reduced the direct influence of the military in the day-to-day running of the government. In March 2008, just prior to President-General Musharraf's departure, the civilian government forced General Kayani to withdraw all military officers working in government departments. [28] The military chain of command flows through the chief executive to the Minister of Defense, to the Secretary of Defense and to the Chairman of the Joint Chiefs

of Staff.[29] This arrangement appears to be only relevant at the administrative level, as the Chief of Army Staff actually has operational control of the military operating outside of the JCS structure. There are no civilian secretaries at the service level and each active duty service chief serves as the real administrator of his branch. This prerogative is evaluated as moderate because despite the absence of military officers in cabinet positions, the Chief of Army Staff intervenes in the military decision making process at the highest level.

#### **EGYPT: Moderate**

General Abdel Fattah al-Sisi, who had been director of military intelligence, was made Minister of Defense on 12 August 2012 replacing General Tantawi. When President Mursi announced this decision, he also promised to respect the armed forces' independence. He also promised weapons and training from a wider range of sources, beyond the U.S. However, al-Sisi was the only active-duty military member in the cabinet until he led he coup on July 3 of this year.

#### **4.5. Role in the legislature**

##### **TURKEY: High**

Though constitutionally the preparation of the state budget falls under Articles 161 and 162 and it is supposed to be the domain of the Legislature, the military maintains de facto control of their own budgeting process. The budget is prepared by the military and presented to the Grand National Assembly (GNAT), which, as a rule, approves the budget with little or no debate. The lack of transparency in defense spending is exposed in a study by Bilki University revealing

that while in 2009 the Ministry of Finance presented 41 pages of allocations, and the national police force 28, the Ministry of Defense only provided 2.5 pages.[30]

Should the Turkish public want official data on the spending of their military, they have access to the information only through international sources such as the Stockholm International Peace Research Institute (SIPRI), Jane's, and NATO; no domestic data are published. In a bid for greater oversight, in 2011 the Turkish Court of Accounts received legal authority for the first time to begin auditing military expenditures. This move was strongly contested by the Turkish General Staff on the grounds that auditing would prevent military secrecy in purchasing and allocation.

##### **PAKISTAN: High**

Pakistan's legislature has historically exercised very little oversight of the military. Since the 2008 return to civilian rule, representatives of the Pakistan military have briefed joint sessions of the legislature only twice: once regarding national security issues in general and the second appearance following the death of Osama bin Laden. [31] The legislature has established four standing oversight committees, but they have had little or no effect on defense related decision - making, oversight or reforms; their recommendations have been implemented. [32] The Defense Committee of the Cabinet has held nine meetings since the 2008 elections, all of which were in response to specific events and none focused on future requirements or potential threats to the country.[33]

As of 2008, the defense budget was a single line item in the national budget and the legislature had no process or mechanisms for oversight, auditing or accountability. [34] Meanwhile, calls for increased parliamentary scrutiny of military and intelligence budgets have increased. [35] The lack of oversight exercised by the parliament and the absence of transparency in military budgeting and expenditures results in this prerogative being evaluated as high.

#### **EGYPT: High**

Until the courts declared the parliamentary elections unconstitutional, leading to the disbanding of parliament, the new legislature that temporarily existed had no authority over the military; however, the legislature was expected to try to establish control of the military through the development of the new constitution. For its part, the SCAF was expected to take steps to retain autonomy over the defense budget and defense policy. At that point, the military, with the apparent backing of the courts, skillfully outmaneuvered an attempt to bring it under control of a legislative body by denying parliament's ability to even exist. Even today, in the post-SCAF era, the legislature has no authority over the armed forces. Indeed, the civilian politicians lose prestige as the armed forces' prestige increases.

#### **4.6. Role in intelligence**

##### **TURKEY: Moderate**

Intelligence agencies in Turkey include the MIT and the national police force intelligence service. While the MIT does not fall under military authority, it has historically

employed former military members who have the required skills. The organization, however, claims to be independent of the Turkish military and by all indications this claim is valid. The rating of moderate for this prerogative is based upon the role of the military in gathering its own intelligence that has been used to discredit politicians, journalists, academics, and others whom they have been deemed a threat to internal security. Thus, while the armed forces do not control the civilian intelligence organizations, an independent and unsupervised intelligence gathering capability exists within the military structure and this capability is a central aspect of AKP investigations of the military.

##### **PAKISTAN: High**

Pakistan has three main intelligence organizations: The Inter-Services Intelligence (ISI), Military Intelligence (MI) and the civilian - led Pakistani Intelligence Bureau (IB). The ISI is a semi-military organization that reports simultaneously to civilian and military leadership. It is staffed by both active duty military officers and civilian employees and led by a director general (an active duty Lieutenant General) who is appointed by the Army Chief of Staff and approved by the prime minister.[36] The director general is accountable to the prime minister constitutionally, and also attends army corps commanders' meetings and reports directly to the Chief of Army Staff. [37] The second intelligence agency is known as "Military Intelligence", and is staffed and controlled by the military, reporting directly to the army chief.[38] MI focuses on military related security issues,

is responsible for monitoring the “political and ideological allegiances of officers”, [39] but at times it has also been involved in domestic political issues.[40] The Pakistani Intelligence Bureau (IB) falls under the purview of the civilian Interior Minister.[41] Typically the IB is tasked with operations within the sphere of the state bureaucracy and is led by a civilian police officer, although during periods of military rule it has been led by an active duty major general. [42] Much like the ISI, the IB has been deeply involved in the monitoring of domestic political activities.[43] The IB often works at cross purposes to the MI or ISI supporting, or repressing different domestic political parties.[44] The military has fully penetrated all three intelligence agencies and uses them to further both military and political objectives, resulting in this prerogative being evaluated as high.

#### **EGYPT: High**

The Egyptian Armed Forces provides senior staff for the General Intelligence Directorate (GID), which gathers intelligence on national security issues, with a primary focus on counterterrorism. Military Intelligence, on the other hand, falls under the Ministry of Defense and its purpose is to ensure the loyalty of military officers to the government and monitor affiliation with Islamic extremists. Major General Abdel Fattah al-Sisi, formerly Director of Military Intelligence, became Minister of Defense.

#### **4.7. Role in domestic security**

##### **TURKEY: High**

The Turkish Armed Forces Internal Service Law (1961), the

1982 Constitution, and the National Security Council Law (1983) have all contributed to the culture and philosophy of the armed forces, which views threats to the state to always include foreign and domestic sources. Indeed part of the reason that the NPSD was withheld from members of parliament was the belief that certain representatives might themselves constitute a threat to the security of the state through involvement with or sympathy for Islamic fundamentalism.

The exercise of this prerogative is achieved largely through the role of the Gendarmerie. While the Gendarmerie falls under the Ministry of Internal Affairs during peacetime, and the command of the army during war, in practice the Gendarmerie functions as a branch of the armed forces in the key areas of promotions, professional education, budget allocation, and organizational philosophy. The Gendarmerie frequently runs into conflict with national police forces regarding roles, responsibilities, and intelligence gathering.[45] This prerogative is high because the Gendarmerie operates without oversight from civilian authorities in terms of budgeting, definition of roles, establishing threats, etc. Additionally, while many of the reforms and improvements that have been discussed have come as requirements of the EU accession talks, the EU has not placed an emphasis on removing the military from this area of state security.

##### **PAKISTAN: Moderate**

Pakistan has almost twenty police and para-military security organizations, most of which operate

under the control of the Ministry of Interior and separate provincial police organizations.[46] Due in large part to the ineffectiveness of Pakistan's national police force—which is largely seen as corrupt, incompetent and excessively brutal[47]—the army plays an important role in internal security affairs. While this serves to bolster the army's authority in the near term, sustained domestic operations strain the military's relationship with the public and the army's readiness. [48] The employment of the military in civil support roles is outlined in article 245 of the Constitution that states that the armed forces under the direction of the civilian government shall “act in aid of civil power when called upon to do so.”[49] While the military is employed at times to maintain domestic security it is reluctant to do so and is aware of the potential for it to diminish its status and legitimacy in the eyes of the population. In light of the military's limited role in internal policing, but its active role in domestic intelligence, this prerogative is rated as moderate.

#### **EGYPT: High**

The former Interior Minister for President Mubarak was placed on trial for allegedly inciting the killing of anti-Mubarak protestors. With the Supplemental Constitutional Declaration of June 17, 2012, the SCAF has reasserted its role in domestic security through Article 53/2, which provides the SCAF approval authority over presidential decisions to commit the armed forces to intervene in internal unrest. [50] Historically, that role has gone to the police and Central Security Forces. In the massive anti-Mursi

demonstrations the armed forces were absent before General al-Sisi led the coup on July 3 of this year.

#### **4.8. Role in state enterprises**

##### **TURKEY: Moderate**

Through different organizations the TSK operates extra-governmental economic enterprises originally designed to improve military power and provide resources for infrastructure, manpower, etc. Through OYAK Holding (military pension fund established in 1961 to provide for retired and injured veterans of the Armed Forces) as well as the Foundation to Strengthen the Turkish Armed Forces (TSKGV), the TSK has access to resources without oversight by the legislative branch. Budgets for military owned-state companies tied to TSKGV are generally inaccessible. The TSKGV does not provide the Parliament with data on allocations.

##### **PAKISTAN: High**

Pakistan's Military is heavily involved in the economy, mainly in three major areas: military welfare foundations, the service industry, and land, controlling over 33% of all heavy industry and 10% of all assets in the private sector.[51] These semi-private ventures are heavily subsidized by the government, produce low profits, and have received numerous government bail-outs resulting in reduced foreign investment and a negative impact on private sector.[52]

Military welfare foundations exist for all four of Pakistan's branches of service which were established for the purpose of creating what Robert Springborg refers to as “parallel ‘officer economies’”[53] that provide employment opportunities for

former and retired military personnel and their families.[54] Finally, the military's perpetuation of the colonial land grant system has resulted in the military becoming the largest landholder, controlling nearly 6% of the entire country and over 12% of land owned by the state, the majority of which lies in rural areas.[55] The military has deeply entrenched itself in the economy of Pakistan, building its own economic buffer from civilian intervention in the budget and establishing a broad and enduring patronage network resulting in this prerogative being evaluated as high.

#### **EGYPT: High**

The scope of the military's involvement in the Egyptian economy is well known, but there is no agreement on extent, with estimates ranging from 5-40% of the \$515 billion economy.[56] The military is a major employer, therefore Egypt scores high at this category. The Egyptian military's autonomy to pursue its economic interests is one of the biggest issues involving negotiations between the military and the new civilian leadership.

#### **4.9. Role in legal system**

##### **TURKEY: Moderate**

The civilian government under the AKP has significantly limited the judicial prerogative of the TSK. The 7<sup>th</sup> EU harmonization package passed in 2003 included the abolition of State Security Court provision from the Constitution (Article 143). This effectively ended the trial of civilians in military courts, which took place without scrutiny of civilian oversight. Previously, the threat of being tried in a military court was enough to silence virtually any critic of the TSK.

Laws on political parties, affiliations, demonstrations, and the press were also liberalized in this 2003 package, further eroding the military prerogative in the legal system. This prerogative is categorized as moderate because the military continues to resist civilian efforts to completely eliminate it. In a stunning reversal of roles, the ascendancy of the civilians over the military regarding the legal system has begun to draw international attention as officers are being detained and brought to trial with limited and sometimes virtually non-existent respect for the due process stipulated in law.[57]

##### **PAKISTAN: Moderate**

Pakistan's Supreme Court regularly intervenes in executive decision-making, has legally sanctioned military intervention, but has failed to charge any of the generals who have executed coups with treason in accordance with the constitution. [58] The 18<sup>th</sup> Amendment addresses this judicial failing by amending Article 6 to make a court validation of the abrogation of the constitution a crime of high treason.[59]

The tensions between the judiciary and both the legislative and executive branches of government are obvious. The military's relationship with the Supreme Court is unsteady and the court has come down both in favor of, and against military actions in the past. The court alone however, is not strong enough to bring down a government or remove a president without the tacit approval of the army. While judges and lawyers have effectively resisted individual military figures as demonstrated by the protests that helped drive President Musharraf from power in 2008, they have never successfully challenged the military as an institution.[60] Conversely, the

executive and legislative branches cannot control the court or remove members without army support. While the military generally respects the court’s decisions, it has also benefitted greatly from the court’s antagonistic relationship with the civilian government and the court’s decisions to sanction military coups as constitutionally valid in the past. This prerogative is evaluated as moderate for these several reasons.

**EGYPT: Moderate**

Civilian courts demonstrated increasing independence under President Mubarak through application of judicial review and

due process. Judicial independence has continued in post-Mubarak Egypt through judicial review of SCAF proposals for changing election laws. However, the military’s judicial system has tried and imprisoned thousands of protesters using their own tribunals, triggering concern from international human rights groups. [61] Further, the decision of the courts to effectively disband parliament, which was resisted and became null and void, raised serious questions regarding the judicial branch’s level of independence from the SCAF.

A summary of findings regarding the nine prerogatives, can be found in the following table:

**Table no.1:** Scoring the Prerogatives

Selected Military Prerogatives	TURKEY			PAKISTAN			EGYPT		
	LOW	MOD	HIGH	LOW	MOD	HIGH	LOW	MOD	HIGH
Constitutionally Sanctioned Independent Role of the Military in Political System		XXX			XXX				XXX
Military Relationship with the Chief Executive		XXX				XXX			XXX
Coordination of Defense Policy		XXX				XXX			XXX
Active Duty Military Participation in the Cabinet			XXX		XXX			XXX	
Role of Legislature			XXX			XXX			XXX
Role in Intelligence		XXX				XXX			XXX
Role in Domestic Security			XXX		XXX				XXX
Role in State Enterprises		XXX				XXX		XXX	
Role in Legal System		XXX			XXX			XXX	

## 5. INDEPENDENT VARIABLES THAT MAY EXPLAIN PREROGATIVES AND CIVIL – MILITARY RELATIONS IN THE THREE COUNTRIES

### 5.1. Justification for examining these variables

In order to compare and contrast these three countries in terms of civil-military relations, we will examine a series of independent variables, which according to some experts have proven relevant in countries from other regions of the world that transitioned to democracy. Specifically, the variables we are examining are: the nature of civilian government; the military as an institution; texture of civil society; international influence; and, religion. First, a brief comment on each of these variables.

#### The nature of civilian government.

The civilian government's capability to create and implement democratic changes and policies can influence civil – military relations. For example, as Pakistan expert Stephen Cohen states, "The importance of legitimate and effective political leadership as a prerequisite for civilian control cannot be overemphasized." [62] Indeed, the record shows that if there is a modicum of political will, interest, and expertise on the part of civilian decision - makers, on how to promote democratic reform in general and concerning the armed forces in particular, institutionalizing civil-military relations can be successful. In countries that transitioned to democracy in Latin America and Southern and South Eastern Europe, researchers have found that the incentive to reform

civil-military relations can come from an interest in reducing the military prerogatives by developing democratic institutions on practical grounds, such as to punish the earlier non-democratic regime's abuses and prevent these practices from infecting the new democracy. The cases of Chile, Argentina, Spain, and Slovenia, which deliberately invested in the democratic reform of the armed forces for these practical reasons, are some examples. In each country, active interest and political will to "invest" in CMR have been boosted by taking advantage of opportunities and circumstances, such as: the isolation of former key - military leaders (i.e. in Chile); awareness of the political elites of the rise of post-Cold War global security challenges and threats, and hence the need to maintain effective yet democratically accountable armed forces (e.g. in Chile, Colombia, Portugal, Spain, Romania, and Mongolia); desire to increase their country's prestige and credibility at both domestic and international level (e.g. in Romania); awareness by decision - makers that the armed forces are more than a "security" or "defense" tool, and can be an instrument of foreign policy and even economic well-being (e.g. in Mongolia, Romania, Chile, and Hungary); and, external influences by countries and collective security institutions (which will be discussed below). However, very often policy makers initially lacked knowledge about how to deal with institution building, including relations between civilians and the military, but finally learned and have strengthened democratic civilian control of the military (in Spain, Chile, Romania).[63]



Military as an institution. Samuel Huntington uses Max Weber's categories to define professions (expertise, corporateness, responsibility) to analyze militaries. [64] It is a fact that some militaries are more professional than others. This issue looms large in analyzing the differences in Chile vs. Argentina, where the former retained professional integration even during the long period of dictatorship.[65] This made it easier to consolidate the democratic regime, including democratic civil-military relations, once the political environment evolved with negotiations between the military regime and civilian opponents.

Civil society is, as Grigoriadis argues, one of the most accurate indicators of the existence of "substantive, participatory democracy." [66] Linz and Stepan identify civil society as "that arena of the polity where self-organizing groups, movements, and individuals, relatively autonomous from the state, attempt to articulate values, create associations, and solidarities, and advance their interests." [67] Civil society is rightly seen as a necessary prerequisite in the pursuit of democratic control of the armed forces. We have seen that a spirited and robust civil society (to include a free press) can influence civilian control of the armed forces in new democracies and help reduce military prerogatives. The example of Romania, whose civil society, and especially media, have compelled elected officials to follow NATO's requirements and bring the armed forces and intelligence agencies under democratic civilian control, as well as to adopt the Atlantic

Alliance's interoperability standards with regard to protection of classified information, is a case in point.[68]

International influence has been crucial in some cases in advancing democratic civil – military relations. To begin with, major powers, such as the United States, have contributed financially to the shaping of CMR in some countries. Colombia, which the United States has assisted since 1998, in reforming its security system (to include reform of the ministry of defense, civilian control of the armed forces, national security strategy) is an obvious example. And, in Europe, international security and defense organizations, such as the Organization for Security and Cooperation in Europe (OSCE), North Atlantic Treaty Organization (NATO), and European Union (EU) have greatly influenced new democracies to reform their security forces and democratize their civil-military relations as a condition of integration. The Organization for Security and Cooperation in Europe (OSCE), for example, requires all new members to adhere to the OSCE "Code of Conduct on Politico-Military Aspects of Security", whose Chapter VII deals with the military, other security forces, intelligence agencies, and civil-military relations. [69] Both NATO and the EU have provided the aspiring members with a series of conditions for accession, including strengthening civilian democratic institutions, institutionalizing democratic civilian control of the armed forces, and achieving interoperability and compatibility with the Western democracies in military operations. For example, Felipe Aguero,

in discussing the importance of NATO for democratization of civil-military relations, states: “Spain’s incorporation into NATO provided an international impetus for centralization and civilianization of top defense structures. Also, the intense debate prior to the final incorporation helped to expand the participation of diverse civilian sectors in the definition of issues that would have otherwise been left exclusively to military quarters.” [70] The same applies to newer members of NATO, including Romania, Hungary, and Slovenia.[71] There are several concrete and overlapping incentives for civilian elected officials in Europe to “invest” in civil-military relations, In other regions, the Organization of American States (OAS), and the African Union (AU) also urge new democracies to reform their security forces and democratize civil-military relations as a condition of membership; likewise, the Association of Southeast Asian Nations (ASEAN) and its Regional Forum also emphasize defense transparency and cooperation in non-traditional security arenas. Unlike Europe, however, with NATO, OSCE, EU, etc. there are minimal “carrots and sticks”.

Religion, according to some authors, may also influence democratization and civil-military relations. Samuel Huntington, in *The Third Wave: Democratization in the Late Twentieth Century*, directly links Western Christianity with democracy and gives examples on how the Catholic Church influenced transition and consolidation in Southern Europe, Latin America, and Central Europe. [72] he states

“if it were not for the changes within the Catholic Church and the resulting actions of the Church against authoritarianism, fewer third wave transitions to democracy would have occurred and many that did occur would have occurred later. In country after country the choice between democracy and authoritarianism became personified in the conflict between the cardinal and the dictator. Catholicism was second only to economic development as a pervasive force making for democratization in the 1970s and 1980s”. [73] Likewise, Jose Maria Maravall and Julian Santamaria, in a work on democratization in Spain review the role of religion, in particular the Opus Dei movement, in shaping democratic transition and consolidation.[74] And, in Huntington’s more polemic view flawed book, and in our, he makes the argument on “the west and the rest”. [75]

We selected these five variables because we personally have observed, or some scholars have argued, that they have contributed to promote civilian control and diminish military prerogatives in other parts of the world. In the next section we analyze whether or not they have had the same impact on civilian control in the three case countries examined in this paper.

## **5.2. The nature of civilian government in each state**

### **5.2.1. Turkey**

The organizational structure of the separate branches of government in Turkey had a negative impact on limiting military prerogatives prior to the electoral rise of the AKP in the 2002 national elections. Historically, electing a sufficient numbers of the 550

deputies necessary to form a government without a coalition was difficult due to a plethora of political parties. Coalition governments allowed the military to play one party off against another and keep the focus on the problems of parties instead of the military.

Furthermore, because the military enjoyed constitutionally defined power throughout the government (MGK in the Executive Branch, military courts in the Judicial, etc.), those parties which came to power often chose to work with the military to consolidate party power over other political parties rather than seek to challenge military prerogatives. As Park observed, "Political parties of most persuasions exhibited a readiness to cultivate the military for their own needs." [76]

Turkey employs a variation of the d'Hondt electoral system that favors large parties at the expense of smaller parties. This is exacerbated by a 'threshold' requirement wherein "political parties which receive less than 10% of the total valid votes cast nationally cannot be assigned any seats in the GNAT". [77] The d'Hondt system has enabled the AKP to form non-coalition governments with as little as 34% of the votes. Additionally, while the percentage of votes for the AKP rose to approximately 50% in the 2011 elections, the deputies' allocation sunk from a high of 363 in 2002 to a low of 326 in 2011, largely due to smaller parties breaking the 10% threshold. According to Article 80 of the 1982 Constitution "deputies represent the entire Nation, and not the constituency they are elected from or their electors".

### **5.2.2. Pakistan**

Pakistan's civilian government is a parliamentary regime characterized by weakness and political stalemate. Until May 2013, no civilian government had ever finished its five-year term, successfully held elections, and transitioned to another civilian led government. Furthermore, the structure of the system has changed continuously during the turbulent history disrupting continuity that could lead to the consolidation of democratic norms. [78]

Even today, following the first ever succession of civilian by civilian, we must agree with C. Chritine Fair's assessment: "In the short term, Pakistan's civilian institutions are unlikely to have the required incentives, capabilities or even interests to exercise genuine control over the military." [79]

### **5.2.3. Egypt**

For the first year after the fall of Mubarak, the focus of establishing civilian control of the military and achieving the goals of the revolution centered on forming a civilian government to replace the interim military council. Initially, the most pressing issue in the development of the new government was the timing of elections and the drafting of a new constitution.

Timing came into play with the SCAF manipulating the initiation of each step in the transition to serve its own interests. The original transition plan called for writing and adopting a constitution before presidential elections. In response to growing opposition, the military leaders attempted to compress the timeline for drafting the constitution, expediting the transition to civilian

rule and securing terms favorable for sustaining the long-term independence of the Egyptian Armed Forces. The Muslim Brotherhood increasingly resisted the compressed timeline, because it wished to allow time for a more deliberate constitution drafting process. The Muslim Brotherhood accused the SCAF of manipulating a hastily-drafted constitution as a means of ensuring constitutional legitimacy for military autonomy.[80] Until it was overthrown in the military coup of July 3 of this year, the Muslim Brotherhood, under President Morsi had an understanding, a “cohabitation” based, according to the Egyptian expert on civil-military relations, Hazem Kandil, “a balance of weakness”.[81]

### **5.3. The military as institution**

#### **5.3.1. Turkey**

There is mandatory national service in Turkey (all male citizens being legally required to serve 6-15 months varying by education level), with a professional officer corps trained in military schools beginning typically around the 10<sup>th</sup> grade. The five branches of service include the Army, Navy, Air Force, Gendarmerie, and Coast Guard, the latter two falling under the jurisdiction of the Ministry of Interior during peacetime. The war-fighting branches maintain standing forces of approximately 511,000 with large quantities of combat aircraft, a moderate sized navy designed for coastal defense, and the second largest land force component in NATO.[82] The Gendarmerie is tasked with maintaining law and order in rural areas not regulated by the national police using a force of roughly a quarter of a million troops.

For decades the military could maintain a pristine image when compared to the apparently self-serving politicians who emphasized politics over governance and had adopted an approach to CMR that was “typically short-term, selective, and unprincipled, suggesting that the democratic idea of civilian supremacy over the military has not been internalized by civilians as one might normally expect in a functioning political democracy.”[83]

#### **5.3.2. Pakistan**

It is widely recognized that Pakistan’s Army remains the keystone to its problematic national identity. The army was the only standing and functioning institution at partition and by default became the protector of the state of Pakistan. The Pakistan army is an all-volunteer force of approximately 650,000 members dominated by an army of 550,000. [84] The army remains the go-to power broker for the state of Pakistan. This is illustrated by events following the raid on bin-Laden when the first official communications between the US and Pakistan occurred at the military level when General Kayani, the Army Supreme Commander, was notified of the raid by the US Chairman of the Joint Chiefs of Staff, Admiral Michael Mullen.[85]

In the general terms of what defines a “professional” military, the Pakistan military is indeed professional. However, it has historically staged coups and continues to influence government.

#### **5.3.3. Egypt**

The Egyptian military views itself as the mainstay of the entire government and not solely as the

protector of national sovereignty. The military has maintained an influential role in the state since a group of officers including Gamal Abdul Nasser established the Free Officers Movement and conducted a bloodless coup in 1952 that overthrew King Farouk.[86] The military absorbs 200,000 conscripts annually and employs another 250,000 laborers in the military's other enterprises.[87] The army is the largest component of the military, with 320,000 personnel. The paramilitary security forces consist of 400,000, the air force has 30,000 personnel, the navy has 20,500 personnel, and the air defense forces have 70,000 personnel.[88] Currently, in the context of the massive demonstrations against President Morsi and the Muslim Brotherhood, the armed forces has reasserted its role as arbiter of state power.

#### **5.4. Civil society**

##### **5.4.1. Turkey**

When founding the Republic the political elites, foremost amongst them Mustafa Kemal (Atatürk), took a dim view of political parties, equating them to class warfare wherein different parties represented different segments of society. In this view "political parties were seen as the outgrowth of a class-based society and, therefore, unnecessary and harmful, in the classless Turkish society." [89] The 1982 Constitution put so many limitations on the formation and functioning of political parties that the military could limit civil society by the suppression (through the secularist court system) of political parties considered antithetical to the interests of the state

as defined by the military and secular elitist class of "Kemalists".

Turkish civil society is experiencing a dramatic increase in the number and quality of non-governmental organizations. (NGOs) The rise of globalized society, increasing power of Islamic politics, and several very public government failures [90] have all been cited as reasons for the recent expansion of civil society in Turkey. [91] Financial support from the European Union also encouraged the proliferation of civil society organizations. [92]

Today, NGOs span a broad spectrum, representing everything from human rights to economics. Think tanks such SETA (Foundation for Political, Economic, and Social Research) and TESEV (Turkish Economic and Social Studies Foundation) publish journals. Nationally published newspapers cater to all sections of the political spectrum, and several of these are available in English language versions online. [93] Virtually every political party or movement has an associated think tank.

##### **5.4.2. Pakistan**

Pakistan's civil society is ethnically diverse and politically fractured. Pakistan's diversity is clearly reflected in the presence of at least eight distinct languages within the country. Pakistan's civil society is slowly organizing, gaining in power and influence and generally becoming better informed. Today there are over 10,000 registered NGOs and 8,000 trade union organizations, as well as informal citizen organizations, cultural groups and think tanks. [94] While these organizations until

now have a limited effect on state policy and its implementation due to the limited political space afforded them, their presence is beginning to influence government.[95]

Pakistan has a diverse, multi-language press that includes print, television, radio and a growing internet presence with a wide range of print news sources that span the full spectrum of political outlooks. [96] However, the impact of print media is significantly hindered by Pakistan's low literacy rate of 50%. [97] Pakistan's civil society and media are "heavily self-censored and influenced by commentators with ties to the military and intelligence agencies." [98]

### **5.4.3. Egypt**

The media in Egypt has traditionally been controlled by the state, but it grew more independent during the last years of the Mubarak presidency. Like much of the region, increased access to uncensored information through new technology and events of the Arab Spring fueled the emergence of news sources more critical of the government.

## **5.5. Influence on civil-military relations**

### **5.5.1. Turkey**

International influence is an important factor in efforts to limit military prerogatives in Turkey. International pressure on Turkey to hold multi-party elections saw an opposition party win stunningly over the Kemalist party in 1950. Shortly thereafter Turkey sent over 5,000 troops to participate in the Korean War, in a clear bid for Western

alliance and eventual accession into NATO, which was achieved in 1952. The TSK could act with relative impunity domestically during the Cold War confident that the U.S. would place higher value on the military partnership than on democracy and internal governance. Since 1990 international influence on Turkish domestic politics moved at a rapid pace with the primary players, the U.S. and the EU occasionally working in opposition to one another's policy objectives.

Desert Storm, Saddam Hussein, and Al Qaeda and terrorism placed a premium for the U.S. on security relationship. The EU has been more concerned with reforming Turkish politics in preparation for a potential EU candidacy and membership. Turkey's efforts to consolidate control of the armed forces and curtail military prerogatives have succeeded with the implementation of EU harmonization packages in the last decade.[99] The AKP has been successful in consolidating democracy largely through the external necessity to do so imposed by the EU in order to meet EU admissions criteria.

### **5.5.2. Pakistan**

The most important foreign actor potentially influencing civil-military relations is the US. US relations with Pakistan have a complicated history.[100] Pakistan reluctantly opened its airspace and overland routes to support the US led effort in Afghanistan in return for military and foreign aid following the attacks of 9/11. This period of cooperation has recently been marred by a series of events in late 2011 that began with

the Raymond Davis-CIA controversy, the Osama Bin Laden raid and finally the US airstrike on a Pakistan Army outpost on the Afghan border in November 2011. Although Pakistan is growing closer to China, there is no clear alternative to the financial and military support that is provided by the U.S.[101]

Foreign aid, specifically military aid, is important in Pakistan. Between 2001 and 2011 the US provided \$7.9 billion in funding through Foreign Military Financing (FMF) and \$5.56 billion in direct reimbursements for border operations.[102] These additional sources of income provide a significant subsidy to Pakistan's security infrastructure.[103]

### 5.5.3. Egypt

The U.S. provided Egypt with \$71.6 billion in foreign aid from 1948 to 2011. That figure includes \$1.3 billion a year in military aid from 1987 to 2011.[104] The House of Representatives proposed \$1.3 billion in military aid to Egypt in 2012, with the intent of encouraging the SCAF to continue its transition and encouraging continued peace with Israel.[105]

Compounding the tension between the Egyptian and the U.S. governments is the Egyptian crackdown on NGOs operating in Egypt. In December 2011, Egyptian security forces raided the office of several NGOs, including three American NGOs, and seized computers. As a response to perceived U.S. meddling in Egyptian domestic politics, the Egyptian government threatened to prosecute 16 Americans for violating Egyptian laws regarding NGOs and prevented those Americans from leaving Egypt.

After weeks of diplomatic effort by the United States, Egypt allowed the defendants to leave the country, and they were all found guilty in June of 2013. All but one, however, are no longer in Egypt.

## 5.6. The role of religion on civil-military relations

### 5.6.1. Turkey

The TSK and staunch secularists consider the AKP to be overly Islamic, and therefore a threat to the Kemalist (secular) nature of the Republic. As the constitution identifies the Kemalist nature society as the very core of the national identity, conflict arises between the two organizations about the very essence of the state.

The identity of the AKP is not solely about religion, but about political support and governance. There does not appear to be a plan by the AKP to establish an Islamic Republic; Islam is mainly the tie that binds the party to its constituents. The TSK, however, sees any encroachment of a differing vision of political and personal expression as a challenge to the established political norms, which they have absorbed and have been constitutionally and historically empowered to defend.

### 5.6.2. Pakistan

Pakistan has historically sought to utilize Islamic militants and the idea of *Jihad* as a tool in dealing with rival states and regional encroachments by India. Lacking a coherent and enduring national history, Pakistan has relied on the concept of *Jihad* and its unifying theme to stoke nationalism and unity.[106] As a fragmented and thus weak state,

Pakistan's employment of proxy forces in the form of non-state actors has been effective when employed against its primary rival India.[107]

### **5.6.3. Egypt**

In spite of the Islamic foundation of the Muslim Brotherhood and the fact that Egypt is 90% Muslim,[108] religion is not a critical issue in civil-military relations in Egypt. Islam is a common part of everyday life in Egypt; almost all senior military leaders are Muslim, and Islamist parties dominated the recent elections. Where religion does become a concern, though, is in attempting to analyze what direction or how far the Muslim Brotherhood, which was spawned in Egypt between the World Wars, will go to implement Shariah law. Presently, imposition of strict Islamic law is not possible, due to the unpopularity of such measures with the Egyptian population. While scoring a major victory by winning the presidency, the Muslim Brotherhood suffered a defeat with the disbanding of parliament and faces a period of consolidating its gains and plotting a way ahead against an entrenched military. Another aspect of religion in Egypt that must be noted is unchecked violence against Coptic Christians, which comprise a minority of around 9% of the population, or roughly 6.5 million people.[109] In October 2011, a peaceful demonstration by Copts over lack of protection of Coptic churches turned violent when Egyptian military forces killed 25 Coptic protesters.[110] While not specifically a component of civil-military relations, persecution of Copts brings to the forefront issues of minority rights and religious freedom

that are crucial when discussing freedom and democracy, and which any Egyptian government will have to address.

## **6. ANALYSIS AND CONCLUSION**

In this article we describe and analyze the changes in civil – military relations in three important countries in the Middle East and South Asia: Egypt, Pakistan, and Turkey, which, have been governed under the constant threat of authoritarianism, and in all three the military has played a central role. We focus only on the first dimension of civil-military relations-civilian control of the armed forces, as the challenge in all three countries has been integration of the armed forces in a potentially democratic regime. To do so, we used Alfred Stepan's eleven "prerogatives" of the armed forces, in a reduced number for our case studies (nine), which we applied to the three countries.

Based on developments in the civil-military relations illustrated by these case studies, we can summarize a number of common trends that directly bear on the current level of civilian control of the armed forces (and thus the level of military prerogatives).

As can be seen in the Table above in none of the countries are any of the military prerogatives low; they are either moderate or high. Egypt has the greatest number of "high" military prerogatives (six out of nine), followed by Pakistan (five out of nine). Similar to the former military dictatorships that transitioned to democracy twenty or more years ago in Latin America, and, presumably learning from these countries'



experiences, the military in Egypt was attempting to maintain its influence, and the problems encountered by the Muslim Brotherhood in governing gave it ample opportunity to succeed even before the coup of July 3 of this year. In the case of Pakistan, the military was given primacy from independence and has never accepted a subservient role to the civilian leadership. All three countries score “high” on prerogative five – the role in the legislature. That is because in all three the armed forces maintain *de facto* control of their own budgets and there is minimal review of the activities of the armed forces by the legislatures, whether or not defense committees have formally been established. Another common trend is that all countries feature the same score - “moderate” - on prerogative nine – the role in legal system. In Egypt this prerogative is the highest among the three, as the military courts still try civilians, while in Turkey it is the lowest, due to the European Union membership requirements, which push toward greater government transparency and respect for human rights.

In analyzing how independent variables have shaped civil-military relations we can observe the following common trends.

All three countries have had very weak civilian governments. Historically, in Turkey, governments preferred to utilize the military forces to consolidate power over political adversaries rather than challenge their prerogatives. There have been some positive trends in Pakistan after the killing of Osama Bin Laden when committees in the Parliament initiated investigations and hearings.

And, even if governments have the political will and interest to bring their military under *de facto* civilian control and reduce their prerogatives, they have not yet possessed enough power and expertise to do so.

In Turkey and Pakistan the military is a professional institution, based on expertise, corporateness, and responsibility. The militaries in these countries see themselves as “servants” of the state rather than government; therefore they tend to influence politics and reject/disregard civilian supremacy over the military as they do not identify the government of the day as fully representing “the state”.

In the three countries, civil societies have been weak and incapable of fostering an environment conducive to civilian control of the military. Turkey and Pakistan have more developed civil societies than Egypt. In Turkey, this has been possible due to the European Union involvement, which sponsors NGOs and think tanks that have been working with the political elites to develop expertise in democratic institutions and CMR. In Pakistan civil society and the media are becoming more influential, although still self-censoring. The fact that civil society, and especially the media, has exposed civil-military problems to the domestic and international audiences, demonstrates it has begun performing the function of informal oversight of the military.

Except for Turkey, international influence has had a minimal impact on democratic civil-military relations and reduction of prerogatives in the three countries. Turkey, a NATO member, aspires to EU membership, which conditions acceptance on

armed forces under civilian control. These requirements are catalysts to increase control. Pakistan and Egypt lack the EU incentives for consolidating democratic civilian control of the military. In Pakistan, it is the relationship with the US that has occasionally shaped civil-military relations in that the U.S. influence has forced the Pakistani military to cede formal power to civilian leadership. In the case of Egypt, the U.S. State Department stated the United States will continue financial aid to Egypt due to security reasons, despite lackadaisical democratic changes. [111] It would be impossible to argue that the \$1.3 billion per year in security assistance did anything to limit military prerogatives before the Arab Spring.

Religion is not a major factor in CMR in the three countries. Religion in Turkey has not exerted direct influence over CMR; at the most it has had influence over the views and aspirations of the ruling party and polity. In Pakistan religion has been used in preserving military prerogatives. Since its inception, Pakistan has used religious militants as proxy forces to pursue its national interests. During the rule of President-General Zia, every aspect of the state was closely linked with Islam from government to education and the military.[112] Furthermore, Pakistan used Islam as an ideological motivation and justification for resisting communist influences and supporting the fight against the Soviet invasion of Afghanistan. [113] In Egypt, while Article 2 of the Constitutional Declaration of 2011 continues to recognize Islam as the religion of the state,[114] the role of religion has had little

bearing on CMR. During decades the regime espoused Islamic beliefs to lend credibility to its own position while marginalizing Islamist groups like the Muslim Brotherhood. For its part, the Muslim Brotherhood currently focuses on social and political reform based upon the supremacy of Islam over all aspects of life and society[115] without offering specifics about the function of CMR in a Muslim Brotherhood-led government.

In short, we found that, in the three countries, despite significant political changes, the armed forces continue to possess considerable prerogatives vis-à-vis government. The independent variables, which have been said to influence democratic civil-military relations and dilute military prerogatives in other regions of the world, have had varying impact on strengthening democratic civilian control and reducing military prerogatives in these three countries. Those that seem least important are religion, the military as institution, and international links and resources. Those that are clearly the most important are domestic politics, including party politics, and civil society. Thus, if foreign governments, organizations, and individuals seek to influence the evolution of civil-military relations in these three countries, strategies focusing on these two dimensions seem obvious.

## NOTES AND REFERENCES

[1] “EGYPT: Proposals for change: a national security council and proportional representation”, Los Angeles Times, February 4, 2011, at <http://latimesblogs.latimes.com/babylonbeyond/2011/02/egypt-national-security-council-proportional-representation.html>.

[2] In this article we used Bruneau and Matei's conceptualization of civil – military relations: a trinity of democratic civilian control, effectiveness, and efficiency of the security forces (armed forces, police, and intelligence agencies). For more information on the CMR conceptualization, see: Thomas C. Bruneau and Florina Cristiana (Cris) Matei, "Towards a New Conceptualization of Democratization and Civil-Military Relations," *Democratization*, 15 (2008), pp. 909-929.

[3] In Bruneau and Matei's conceptualization of CMR, the control dimension of the CMR involves the following requirements: institutional control mechanisms (to provide direction and guidance for the security agencies, including the armed forces, exercised through institutions that range from organic laws and other regulations that empower the civilian leadership, to civilian-led organizations with professional staffs); oversight (exercised on a regular legal basis by the executive, legislative, judicial civilian officials, as well as civil society and international bodies, to keep track of what the security agencies do, and to ensure they are in fact following the direction and guidance they have received from the civilian chain of command); and the inculcation of professional norms (institutionalized through legally approved and transparent policies for recruitment, education, training, and promotion, in accordance with the goals of the democratically elected civilian leadership). See Thomas C. Bruneau and Florina Cristiana (Cris) Matei, "Towards a New Conceptualization of Democratization and Civil-Military Relations," *Democratization*, 15 (2008), pp. 909-929.

[4] According to Linz and Stepan, a democracy can be considered consolidated when the country is behaviorally, attitudinally, and constitutionally committed to the democratization. Importantly this does not preclude different types of a consolidated democracy. Also, Linz and Stepan introduce five arenas as prerequisite for a consolidated

democracy: civil society, political society, rule of law, state bureaucracy, and, economic society. Juan J. Linz and Alfred C. Stepan, *Problems of democratic transition and consolidation: Southern Europe, South America, and Post-Communist Europe* (Baltimore: Johns Hopkins University Press, 1996), pp. 1-15.

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[14] See Robert Springborg, “To be or not to be: The Egyptian Military confronts democracy and the rule of law” Unpublished manuscript, June 2013.

[15] Active resistance is evidenced by continued military pressure and communication to the public contesting the nature of the Republic and the role of the military. Passively the military is able to resist by failing to assist in or take an active role in the reformation process.

[16] Constitution of Pakistan, Part XII, Chapter 2, Article 243 and 18<sup>th</sup> Amendment. <http://www.pakistani.org/pakistan/constitution>.

[17] Constitution of Pakistan, Part XII, Chapter 2, Article 245. <http://www.pakistani.org/pakistan/constitution>.

[18] Egyptian Government Official Website, “Constitutional Declaration 2011,” <http://www.egypt.gov.eg/english/laws/constitution/default.aspx>.

[19] English text of SCAF amended Egypt Constitutional Declaration, Ahram

Online, June 18, 2012, <http://english.ahram.org.eg/NewsContent/1/64/45350/Egypt/Politics-/English-text-of-SCAF-amended-Egypt-Constitutional-.aspx>.

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[22] Constitution of Pakistan, Part XII, Chapter 2, Article 243, <http://www.pakistani.org/pakistan/constitution>.

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