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

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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 w hile 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 18th 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 18th 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 NPSD 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 18th 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 exits. 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 it 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 7th 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 ascendency 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 18th 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 10th 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.

[5] See, for example: Felipe Aguero, Soldiers, Civilians, and Democracy: Post-Franco Spain in Comparative Perspective (Baltimore: Johns Hopkins University Press, 1995); Thomas Bruneau, "The Military" in Jeffrey Haynes, Ed, Routledge Handbook of Democratization (London: Routledge, 2012); and, Narcís Serra, The Military Transition: Democratic Reform of the Armed Forces (Cambridge: Cambridge University Press, 2010, translated by Peter Bush).

[6] Stephen P. Cohen, "The Future of Pakistan," South Asia Initiative, (Washington D.C.: The Brookings Institution, January, 2011), p. 31, http://www.humansecuritygateway.com/documents/BROOKINGS_TheFutureofPakistan.pdf.

[7] Alfred C. Stepan, Rethinking military politics: Brazil and the Southern Cone (Princeton, N.J.: Princeton University Press, 1988), p. 93.

[8]Thomas C. Bruneau, Florina Cristiana Matei, and Sak Sakoda, "National Security Councils: Their Potential Functions in Democratic Civil-Military Relations," Defense & Security Analysis 25, no. No. 3 (2009).

[9] Ergenekon refers to an organization that was suspected to have existed for decades behind the scenes. In 2007 a cache of weapons and explosives was discovered and has since become a wide-ranging investigation into corruption, the Turkish 'deep state', and suspected military involvement in efforts to undermine the civilian government. Sledgehammer is the name given to a suspected coup plot alleged to have been in the planning since 2003. In February of 2010 authorities conducted operations in 9 Turkish provinces and placing dozens of high ranking military officers

under arrest for charges related to planning and executing a coup. Subsequently arrests have continued, and trials relating to both Ergenekon and Sledgehammer continue, with the scope of the investigations and alleged crimes both expanding continually.

[10] Şule and Ümit Kurt Toktaş, "The Turkish Military's Autonomy, JDP Rule and the EU Reform Process in the 2000s: An Assessment of the Turkish Version of Democratic Control of Armed Forces (DECAF)," Turkish Studies 11, no. No. 3 (2010).

[11] Mümtazer Türköne, "Who is Directing Turkey?," in Today's Zaman (Today's Zaman, 2012).

[12] It should be noted that since 1947, Pakistan has had four successful military coups: 1958, 1969, 1977 and 1999.

[13] Salman Masood and Eric Schmitt, "Tensions Flare Between U.S. and Pakistan After Strike," The New York Times, November 26, 2011.http://www.nytimes.com/2011/11/27/world/asia/pakistan-says-nato-helicopters-kill-dozens-of-soldiers.html?pagewanted=all.

[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 18th 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.

[20] See Hazem Kandil, "Deadlock in Cairo," London Review of Books 21 March 2013.

[21] Catherine Yang, "Ending Dictatorship: Pakistan's Eighteenth Amendment", Harvard International Review, Summer 2010, pp. 10-11.

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

[23] C. Christine Fair, "Security Sector Governance in Pakistan: Progress, But Many Challenges Persist," Security Sector Reform Issue Paper, No. 5, January 2012, 5, http://www.cigionline.org/publications/2012/1/security-sector-governance-pakistan-progress-many-challenges-persist.

[24] Muhammad Ziauddin, "Civi-Military Relations in Pakistan: Parliament's Quest for Oversight on Defence in Pakistan," Pakistan Institute of Legislative Development and Transparency, (January, 2012), p. 8.

[25] Jane's Military and Security Assessments, Pakistan, October 10, 2011, 170, http://jmsa.janes.com.

[26] Jane's Military and Security Assessments, Pakistan, October 10, 2011, 170, http://jmsa.janes.com.

[27] Sharp, Jeremy M. "Transition Under Military Rule," Congressional Research Service (CRS) Report RL33003, June 21, 2012, p. 1.

[28] See George Fulton, "Why Pakistan's Zardari Will Not Fall to a Military Coup", Foreign Affairs, January 22, 2012, http://www.foreignaffairs.com/print/134311. And also Dialogue Group on Civil-Military Relations, "Political and Economic Power of the Military," Pakistan Institute of Legislative Development and Transparency, 2008, p. 8.

[29] Jane's Military and Security Assessments, Pakistan, October 10, 2011, 124, http://jmsa.janes.com.

[30] Lale Kemal, "Turkish Defense and Security Budgets On Rise," Today's Zaman (2011), http://www.todayszaman.com/

news-265946-turkish-defense-and-security-budgets-on-rise.html.

[31] Muhammad Ziauddin, "Civi-Military Relations in Pakistan: Parliament's Quest for Oversight on Defence in Pakistan," Pakistan Institute of Legislative Development and Transparency, (January, 2012), p. 4.

[32] Muhammad Ziauddin, "Civi-Military Relations in Pakistan: Parliament's Quest for Oversight on Defence in Pakistan," Pakistan Institute of Legislative Development and Transparency, (January, 2012), pp. 8-9.

[33] Muhammad Ziauddin, "Civi-Military Relations in Pakistan: Parliament's Quest for Oversight on Defence in Pakistan," Pakistan Institute of Legislative Development and Transparency, (January, 2012), p. 9.

[34] Shuja Nawaz, "Crossed Swords: Pakistan, Its Army and the Wars Within", Oxford University Press, Karachi, 2008, p. 575.

[35] P. K. Upadhyay, "Pakistan Military's Desire to slip into the Driving Seat Once Again", Institute for Defence Studies and Analysis, January 13, 2012, p. 2.

[36] See: Hasan-Askari Rizvi, "Civil-Military Relations in Contemporary Pakistan," Survival, Vol 40, no. 2 Summer 1998, p. 100; and, C. Christine Fair, "Security Sector Governance in Pakistan: Progress, But Many Challenges Persist," Security Sector Reform Issue Paper, No. 5, January 2012, p. 11, http://www.cigionline.org/publications/2012/1/security-sector-governance-pakistan-progress-many-challenges-persist.

[37] Hasan-Askari Rizvi, "Civil-Military Relations in Contemporary Pakistan," Survival, Vol 40, no. 2 Summer 1998, p. 100. C. Christine Fair, "Security Sector Governance in Pakistan: Progress, But Many Challenges Persist," Security Sector Reform Issue Paper, No. 5, January 2012, p. 11, http://www.cigionline.org/publications/2012/1/security-sector-governance-pakistan-progress-many-challenges-persist. Hassan Abbas, "Reforming Pakistan's Police and Law Enforcement Infrastructure: Is it Too Flawed to Fix?," United States Institute for Peace, Special Report, No. 266, February, 2011, p. 17.

[38] Husain Haqqani, Pakistan: Between Mosque and Military, (Washington DC: Carnegie Endowment for International Peace, 2005), p. 110.

[39] Anatol Lieven, Pakistan: A Hard Country, (New York: Public Affairs, 2011), p. 192.

[40] Hasan-Askari Risvi, "Civil Military Relations in Contemporary Pakistan," Survival, Vol. 40 no. 2 (Summer 1998), p. 100.

[41] Anatol Lieven, Pakistan: A Hard Country, (New York: Public Affairs, 2011), p. 406.

[42] And Hassan Abbas, "Reforming Pakistan's Police and Law Enforcement Infrastructure: Is it Too Flawed to Fix?," United States Institute for Peace, Special Report, No. 266, February, 2011, p. 17.

[43] Hasan-Askari Rizvi, "Civil-Military Relations in Contemporary Pakistan," Survival, Vol 40, no. 2 Summer 1998, p. 101.

[44] Husain Haqqani, Pakistan: Between Mosque and Military, (Washington DC: Carnegie Endowment for International Peace, 2005) pp. 25, 223.

[45] Gareth Jenkins, Context and Circumstance: The Turkish Military and Politics, vol. 337, Adelphi Series (New York, NY: Routledge, 2005).

[46] C. Christine Fair, "Security Sector Governance in Pakistan: Progress, But Many Challenges Persist," Security Sector Reform Issue Paper, No. 5, January 2012, 16, www.cigonline.org. And Hassan Abbas, "Reforming Pakistan's Police and Law Enforcement Infrastructure: Is it Too Flawed to Fix?," United States Institute for Peace, Special Report, No. 266, February, 2011, pp. 4-5.

[47] Hassan Abbas, "Reforming Pakistan's Police and Law Enforcement Infrastructure: Is it Too Flawed to Fix?," United States Institute for Peace, Special Report, No. 266, February, 2011, pp. 4-5.

[48] C. Christine Fair, "Security Sector Governance in Pakistan: Progress, But Many Challenges Persist," Security Sector Reform

Issue Paper, No. 5, January 2012, p. 16, www.cigonline.org.

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

[50] Ahram Online, "Amended Declaration," June 18, 2012.

[51] "Pakistan: Military economy hampers competition, growth," Oxford Analytica, p. 1.

[52] "Pakistan: Military economy hampers competition, growth," Oxford Analytica, p. 2.

[53] Robert Springborg, "Economic Involvement of Militaries", International Journal of Middle East Studies, 2011, vol 43, issue 3, pp. 397-399.

[54] "Pakistan: Military economy hampers competition, growth," Oxford Analytica, p. 1.

[55] "Pakistan: Military economy hampers competition, growth," Oxford Analytica, p. 2.

[56] Andrew S. Ross, "Egypt's military, an economic giant, now in charge," San Francisco Chronicle, February 13, 2011, http://www.sfgate.com/cgi-bin/article. cgi?f=/c/a/2011/02/12/BU1V1HLVP6. DTL#ixzz1pHzTWvPB.

[57] Gareth Jenkins, "Ergenekon, Sledgehammer, and the Politics of Turkish Justice: Conspiracies and Coincidences," MERIA 15, no. 2 (2011).

[58] C. Christine Fair, Pakistan's Slow-Motion Coup, Foreign Policy, http://www. foreignpolicy.com/articles/2012/01/05/ pakistan_s_slow_motion_coup.

[59] Syed Jaffar Ahmed, "The Formal and Structural Determinants of the Quality of Democracy in Pakistan", Pakistan Perspectives, Vol. 15, No. 2, July-December 2010, p. 9. And Constitution of Pakistan, Article 6 as modified by the 18th Amendment.

[60] Stephen P. Cohen, "The Future of Pakistan," South Asia Initiative, (Washington D.C.: The Brookings Institution, January, 2011), p. 36, http://www. humansecuritygateway.com/documents/ BROOKINGS_TheFutureofPakistan.pdf.

[61] Human Rights Watch, "Egypt: Retry or Free 12,000 After Unfair Military Trials," September 10, 2011, http://www. hrw.org/news/2011/09/10/egypt-retry-or-free-12000-after-unfair-military-trials

[62] Stephen P. Cohen, "Pakistan: Army, Society, and Security," Asian Affairs, Vol 10, no. 2 (Summer 1983): 3, p. 119.

[63] Thomas C. Bruneau and Florina Cristiana Matei, eds. Routledge Handbook of Civil-Military Relations, (London: Routledge, 2012).

[64] Huntington's argument and construct for a professional military force is not particularly an original idea. Max Weber makes the original argument for expertise, a feeling of responsibility and a political party or machine (which we would identify as an attribute of "corporateness" today) in what he categorizes as the three fields in which expert officialdom was required; finance, war and law. Huntington's construct for a professional military force is really an expansion on Weber's early description fleshed out and presented for post WWII consumption. Max Weber, From Max Weber: Essays in Sociology, (London: Routledge, 2007), pp. 88, 103, 115.

[65] See Genaro Arriagada, The Politics of Power: Pinochet (Boston: Unwin Hyman, 1988), although he refers to as "distorted professionalism", Chapter 10.

[66] Ioannis N. Grigoriadis, Trials of Europeanization: Turkish Political Culture and the European Union, 1st ed. (New York: Palgrave Macmillan, 2009), p. 42.

[67] Linz and Stepan, Problems of democratic transition and consolidation: Southern Europe, South America, and Post-Communist Europe, p. 7.

[68] For more information, see: Cristiana Matei, "Romania's Transition to Democracy and the Role of the Press in Intelligence Reform", in Thomas Bruneau and Steven Boraz (eds), Reforming Intelligence: Obstacles to Democratic Control and Effectiveness (Austin: University of Texas Press, 2007).

[69] "OSCE Code of Conduct on Politico-Military Aspects of Security," 3 December 1994, pp. 1-7, http://www.osce.org/fsc/41355.

[70] Felipe Aguero, Soldiers, Civilians and Democracy: Post-Franco Spain in

Comparative Perspective (Baltimore: The Johns Hopkins University Press, 1995), p. 203.

[71] Thomas Bruneau and Florina Cristiana Matei, Routledge Handbook of Civil-Military Relations (London: Routledge, 2013).

[72] Samuel P. Huntington, The Third Wave: Democratization in the Late Twentieth Century, (Oklahoma: Oklahoma University Press, 1991), pp. 72-85.

[73] Samuel P. Huntington, The Third Wave: Democratization in the Late Twentieth Century, (Oklahoma: Oklahoma University Press, 1991), p. 85.

[74] José Mária Maravall and Julian Santamaria, "Spain and Prospects for Democracy", in Guillermo O'Donnell, Philippe C. Schmitter, and Laurence Whitehead eds., Transitions from Authoritarian Rule. Southern Europe, (John Hopkins University Press, 1986), pp. 71-108.

[75] Samuel P. Huntington, The Clash of Civilizations and the Remaking of World Order (N.Y.: Simon & Schuster, 1996).

[76] Bill Park, Modern Turkey: People, State, and Foreign Policy in a Globalised World (Milton Park, Abingdon, Oxon, England; New York: Routledge, 2011). p. 62.

[77] Özbudun, The Constitutional System of Turkey: 1876 to the Present, p. 63.

[78] Syed Jaffar Ahmed, "The Formal and Structural Determinants of the Quality of Democracy in Pakistan," Pakistan Perspectives, Vol. 15, No. 2, July-December 2010, p. 3.

[79] C. Christine Fair, "Why the Pakistan army is here to stay: prospects for civilian governance," international Affairs 86:3 (2011), p. 585.

[80] Revkin, Mara, "Egypt's constitution: Conflicting visions," Egypt Independent, February 22, 2012, http://www.egyptindependent.com/node/674531.

[81] Kandil, 21 March 2013, p. 1.

[82] IISS 2010

[83] Park, Modern Turkey: People, State, and Foreign Policy in a Globalised World. p. 62.

[84] Jane's Military and Security Assessments, Pakistan, October 10, 2011, p. 119, http://jmsa.janes.com. Pakistan maintains an army of 550,000, an air force of 45,000 and a navy of 25,000 with an additional 500,000 men in the reserves.

[85] "Asia: Humiliation of the military men; Pakistan after bin Laden," The Economist, 14 May, 2011, p. 1. (electronic version); Myra MacDonald "U.S.-Pakistan and the phone calls after the bin Laden raid", Reuters, May 14, 2011, at http://blogs.reuters.com/pakistan/2011/05/14/u-s-pakistan-and-the-phone-calls-after-the-bin-laden-raid/.

[86] Jane's. 2011, 39.

[87] Springborg, Robert. "Learning from Failure: Egypt," Unpublished Draft, January 23, 2011, p. 179.

[88] Jane's. 2011, p. 4.

[89] Ergun Özbudun, "Turkey–Plural Society and Monolithic State," in Ahmet T. Kuru and Alfred C. Stepan, Democracy, Islam, and Secularism in Turkey, Religion, Culture, and Public Life (New York: Columbia University Press, 2012). p. 75.

[90] These include Susurluk, the Manisa Affair, and the 1999 earthquake among others.

[91] Grigoriadis, Trials of Europeanization : Turkish Political Culture and the European Union, pp.50-53.

[92] Grigoriadis, Trials of Europeanization : Turkish Political Culture and the European Union, p.57

[93] Examples include Cumhuriyet http://en.cumhuriyet.com/ and the Zaman http://www.todayszaman.com/mainAction.actionrepresenting nationalist and pro-AKP views respectively.

[94] Jayshree Bajoria and Eben Kaplan, "The ISI and Terrorism: Behind the Accusations," Council on Foreign Relations, May 4, 2011, 3, http://www.cfr.org/pakistan/isi-terrorism-behind-accusations/p11644 .

[95] Jayshree Bajoria and Eben Kaplan, "The ISI and Terrorism: Behind the Accusations," Council on Foreign Relations, May 4, 2011, 3, http://www.cfr.org/pakistan/isi-terrorism-behind-accusations/p11644.

[96] Jayshree Bajoria, "Pakistan's Institutions and Civil Society," Council on Foreign Relations, August 25, 2008, p. 6,http://www.cfr.org/pakistan/pakistans-institutions-civil-society/p14731.

[97] Central Intelligence Agency, World Factbook Pakistan, https://www.cia.gov/library/publications/the-world-factbook/geos/pk.html.

[98] Stephen P. Cohen, "The Future of Pakistan," South Asia Initiative, (Washington D.C.: The Brookings Institution, January, 2011), p. 37, http://www.humansecuritygateway.com/documents/BROOKINGS_TheFutureofPakistan.pdf .

[99] The EU continues to produce a series of reports entitled "Year Regular Report from the Commission on Turkey's Progress Towards Accession" that include EU analysis of the role of the military in Turkish politics. Since 1999 not a single year has gone by without a 'Negative Critique' in multiple categories including standing of the TSK in the judiciary, parliamentary control over the military budget, involvement of the TSK in day-to-day politics and others. Reports are accessible at http://www.avrupa.onfo.tr.

[100] Stephen P. Cohen, "The Future of Pakistan," South Asia Initiative, (Washington D.C.: The Brookings Institution, January, 2011), 21, 41, http://www.humansecuritygateway.com/documents/BROOKINGS_TheFutureof Pakistan.pdf.

[101] Stephen P. Cohen, "The Future of Pakistan," South Asia Initiative, (Washington D.C.: The Brookings Institution, January, 2011), 43, http://www.humansecuritygateway.com/documents/BROOKINGS_TheFutureofPakistan.pdf.

[102] Jane's Military and Security Assessments, Pakistan, October 10, 2011, p. 128, http://jmsa.janes.com.

[103] In 2010 the US provided an additional $2.7 billion in direct aid and military reimbursements to Pakistan with 2011 and 2012 estimated at $1.3 and $1.6 billion respectively. K. Alan Kronstadt, "Direct Overt U.S. Aid and Military Reimbursements to Pakistan, FY2001-2010," Congressional Research Service, August 2009, http://www.fas.org/sgp/crs/row/pakaid.pdf.

[104] Sharp. 2011, 17.

[105] Sharp. 2011, 19.

[106] Paul Kapur and Sumit Ganguly, "The Jihad Paradox: Pakistan and Islamist Militancy in South Asia," International Security, volume 37, issue 1, p. 31.

[107] Paul Kapur and Sumit Ganguly, "The Jihad Paradox: Pakistan and Islamist Militancy in South Asia," International Security, volume 37, issue 1, p. 31.

[108] "Background Note: Egypt," U.S. Department of State, January 17, 2012, http://www.state.gov/r/pa/ei/bgn/5309.htm.

[109] "Background Note: Egypt," U.S. Department of State, January 17, 2012, http://www.state.gov/r/pa/ei/bgn/5309.htm.

[110] "Egypt Christians vent fury after clashes kill 25," Reuters, October 10, 2011.

[111] David Elkins, "Rights Groups Slam Renewed US Military Aid to Egypt", Inter Press Service, March 24, 2012, http://www.commondreams.org/headline/2012/03/24 .

[112] Michael Devine, "Religion in the Thirty Years' War and Peace of Westphalia: Relevant to Pakistan Today?," Joint Forces Quarterly, Issue 56, 2nd Quarter (2012), p. 25.

[113] Michael Devine, "Religion in the Thirty Years' War and Peace of Westphalia: Relevant to Pakistan Today?," Joint Forces Quarterly, Issue 56, 2nd Quarter (2012), p. 25.

[114] Egyptian Government, "Constitutional Declaration 2011".

[115] Steven A. Cook, The struggle for Egypt: from Nasser to Tahrir Square (New York: Oxford University Press, 2012), p. 29.

DISCLAIMER

MANAGING INTRA-REGIONAL CONFLICTS IN SOUTHEAST ASIA. THE CASE OF THE SOUTH CHINA SEA

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This paper is aiming to address the Association of Southeast Asian Nations' (ASEAN's) management of intra-regional conflicts by integrating the study of the core-source of its current position, comparing and contrasting the different two most significant periods of its existence: the early Post-Cold War Era and its current unveilings, and hedging towards explaining why its barely-enough pragmatism is no longer a solvable demeanor for its survival. The paper will focus on the The South China Sea conflict in the pursuance to explain the distinctions that ASEAN's management of intra-regional conflicts has gained through experience, through realizing its limited containment capacity as far the regional role of great powers is concerned, or through a critical removal of passivism in the confidence-winning processes of extra-regional partners. The paper's choice to address The South China Sea as an intra-regional conflict may be surprising for some, or may inflate others more straightforward as far as the choice for instrumental methods is concerned. In order to better explain this paper's macro-purposes, the South-China Sea conflict is an intra-regional conflict, as the Southeast Asian states involved have divergent claims regarding the sovereignty dilemma. Secondly, more interesting issues might be brought to the table with the involvement of a great power in an intra-regional conflict. Last but not least, as connected to the previous argument, ASEAN's engaging and sensitizing of China may generate, from an early start, effects on the perception-building process between the actors involved.

Key words: *regional management, intra-regional conflicts, security dynamics.*

1. A SECURITY DYNAMICS INVERSION IN THE POST-COLD WAR ERA. IMPLICATIONS FOR *ASEAN*

In *the post-Cold War Era*, the system level is no longer viewed as the major catalyst of regional order. Hence, the regional systems and subsystems have developed strategic capabilities to resist the primary system's unilateral pressures. More often than not, the primary system is not as keen on intervening and influencing all the regional institutional settlements as in the Cold War period. Regions have taken advantage of the *great power retrenchment* and have developed *autonomous regional orders* [1]. After the Cold War, a short period of time was described in scientific literature as: *unipolar passivism* – which is a hegemonic system's unwillingness to control the remotest system areas and engage into full dominance. It was a new turning

point in the field on International Relations, as regional levels were trying to fill in the void left out during the *retrenchment process*. Regions began to feel more creative in the process of distancing themselves from the center and in the process of undertaking a leadership role in regional affairs. The sub-systems began to matter in a way unparalleled before: they could generate a self-reliant security effect for a genuinely independent security structure.

For *ASEAN*, developing a regional sub-system, was a much hardened task by other extra-regional signals, than the system ones. In the post-Cold War Era, *ASEAN* had finished with the period of *its formative years*[2], was celebrating its diplomatic achievements during the *conflict period with Vietnam-led Indochinese states*[3] and was just beginning to publicize the first by-products of its regional security order. The immediate Post-Cold War period found in ASEAN a low-key international organization, that had undergone *a process of self-invention*, but that had produced a not so thick bunchful of suis-generis norms. *ASEAN*'s raison d'être was *intra-regional conflict prevention*. At the time of its establishment one of the most stringent security problems was to protect the new-founded organization from the great power conflicts in Indochina. After the end of the Indochina Wars and the destabilizing conflict potential eradicated, Laos, Cambodia and Vietnam were granted membership status. In the immediate period of the Post-Cold War Era, as it was entering *the phase of its peaceful expansion*[4], *ASEAN*'s regional management was beginning to take contour and shape. A few characteristics stand to reason in the evaluation procedure of *post-Cold War ASEAN regional management*:

- *A commanding position that ASEAN acquired within international fora* during its diplomatic leveraging inside the United Nations, thus shielding the region from the great powers' solutions;
- *The aspect of a talk-shop*: *ASEAN* gathered licit evidence that it could soft-bargain intra-regional conflicts and that it could represent a launching-pad for regional solutions, but was unable at the time to come up with more stamina to up-date the Southeast Asian sub-system;
- *An inability to supersede the intra-regional power asymmetries* – a different distribution of economic, military and political power was a paramount feature of Southeast Asia;
- *An un-sustainable broad theme of a non-intervention in domestic affairs*;
- *An unwillingness to address traditional security issues*.

Nowadays, a strong, *refreshed ASEAN* is not an easy, nor a truthful picture to contemplate either. A wide spectrum of changes in regional dynamics offered many unpleasant episodes[5], in which *ASEAN*'s unpreparedness in regional management issues patched up with the fiery episodes it encountered. *ASEAN's contemporary intra-regional conflict management* identifies security and defense priorities, as well as security assessment risks, with the following annotations, thus marking a step forward from the model utilized in the first years of the Post-Cold War Era:

- *A continuing process of mutual engagement* between the parties involved in a conflict, mainly through multilateral dialogue Structures;
- *The ability to take a more hard-line position, when thought necessary*; A more hard-line position does not transform *ASEAN* into a bully – this new convenience of *ASEAN* management of intra-regional conflicts refers to a role-reversal: *ASEAN*'s aim to preempt conflicts before they happen, or before spiraling, through *the mediation institution*;
- *ASEAN's act of maturity in security issues*: *Promoting an ASEAN-wide political and security cooperation*; *ASEAN*'s collective military presence is not yet a fact in Southeast Asia, but it will be in the coming years if *ASEAN Security Community* will prove resistive to national objections made by some regional states who do not see this a practical idea;
- An ability to recycle the lessons from the past: *ASEAN* is still a stickler for *the non-interference norm*, but not in a frenzied manner, as a partial reaction to the escalation of conflicts in the region and as a need to set a part for itself in these new evolutions.

In the next section, we will be trying to analyze *ASEAN*'s wherewithal in the South China Sea disputes, denoting several aspects where the over-strained relationship with a claimant state and a Southeast Asian extra-regional actor – China-involved and is still involving powerful bearing situations in which hard-choiced need to be made.

2. THE SOUTH CHINA SEA CONFLICT

The South China Sea Conflict is composed of several allaying concerns and analyses regarding the multi-tasking of *China's lack of affability, territorial myths, extra-regional leverage and regional diplomacy*, *the ambivalent neutrality of some regional states: the Philippines and Vietnam*, *the over-present unilateral responses to China's balancing acts in the South China Sea*, *ASEAN's departure from the stand-by mode and the consequences of such a decision*. One of the most recent ones happened in June, 2011. The news that Vietnam would conduct five live-fire exercises in the South China Sea on the 15th of June 2011 aroused Chinese worries. China views the the South China Sea as an appendix of its territory. This imperial legacy and its persistent effect on current Chinese foreign policy behavior make the South China Sea an unstable flash point in regional affairs. Therefore, it takes little for this kind of foreign policy behavior to resurface.

Vietnam accused China of breaking a cable of a seismic surveillance vessel. China repudiated Vietnamese allegations and, instead, affirmed that Vietnam played the stalker role and chased Chinese fishing trawlers. In addition to this, Vietnam claims the fact that the incident took place at a distance of 200 nautical miles away from the Vietnamese territory, so it took place on Vietnamese territory, under international regulations. The dispute quickly transformed into a show-off of military power. Despite the fact that the prospects were rather gloomy, the Philippines made perfect use of the conflict to also reassert its territorial claims in South China Sea. Both Vietnam and the Philippines regard the South China Sea as their undisputable area of jurisdiction. Particularly interested

in the Paracel Islands, Vietnam accentuated its territorial claim also by taking a historical approach. Vietnam adamantly refuses to co-share an area that, from a Vietnamese angle, is under Vietnamese rule since the fifteenth century. This episode – chosen because of its rotational effect on two of the most concerned regional states in the turn of events in the South China: Vietnam and Philippines – highlights the complexity of the conflict and the fact that any delay of an *ASEAN* response will squash any of its eventual efforts. In the following, we will try to present the different correspondences to *ASEAN*'s critical steps in delivering an area-focused strategy.

2.1. Disseminating the South China Sea Dilemma

Reflections upon the South China Sea have always been mindful of considering the host of potential territorial conflicts that may easily emerge in a geographical area where sovereignty has been loosely defined. The South China Sea conflict represents a very interesting case study due to the fact that it was considered for a long time an obscure area to analyze. Regional processes were not well-endowed with institutional mechanisms, instability thrived and suspicions heightened about the main regional actor controlling the situation: China. And China was not an actor that achieved conspicuously little in the Southeast Asian region[6]. China was not an arrogant agitator, but rather a traditional master of the region, aiming to thwart any questioning about this auto-imposed status-quo. Exchanging views about the recent developments in the

South China Sea is not an easy job, especially because exhausting the multiple interpretations does not come easily at hand. Countering China in the South China Sea was never a full-size option for the littoral states of Southeast Asia, but rather a task that exhausted their security resources [7]. As the years went by and *ASEAN's regionalism* began to blossom and the Southeast Asian states emerged as newly and fully emancipated units of the regional sub-system of Southeast Asia, the *South China Sea Dilemma* appeared. *The South China Sea Dilemma* refers to the turning into a play tub of three interconnected dimensions of the South China Sea situation: *a sovereignty dilemma*, *an energy dilemma*, and *a military dilemma*. If *ASEAN* wants to continue to shore up its diplomatic prowess in the case of South China Sea, punctual answers need to be found to this perilous conjuncture of security derivates of the South China Sea situation.

The Sovereignty Dilemma - A self-supporting representation by Vietnam, Malaysia, Taiwan, Brunei, Indonesia and Philippines against China's historical sovereignty claims upon most of The South China Sea was and is an all-too-rare occurrence as the power inequalities became even more obvious at the bilateral handling level. In its turn, China sees any state that interferes with its sovereign monopoly as a perpetrator. Encouraged by the sensible economic effects of the *Opening of the Doors*, China ambitiously pursued its imperial dream. China wanted to display a major comeback from the humiliations suffered during the nineteenth century and during the

Second World War. After solidifying their independence and encouraged by the fact that Southeast Asia was no longer a volatile, bellicose and unstable melting pot of major power intervention, the regional states of Southeast Asia also issued territorial claims to some features of the South China Sea. The claims differ in size, purpose and intentions, but each and every one of them is indicative of the respective actor's status in the regional architecture, political force and threshold regarding its capability of reaction to pressures.

The substance of China's claim can be, in a nutshell, explained as **the definition of the South China Sea as a Chinese lake**. China's claim to the lion's share of the most important maritime hot-spot in East Asia [8] is currently exercised over the Paracel Islands and 15 features in the Spratly Islands. In a map formulated even from the Kuonmintang Regime Era (1947[9]), The South China Sea was sketched out as a maritime portion single-handedly pertaining to the Chinese territory, under the form of a **"U"-shaped line**. China's actual claim is, in fact, a mixture of calling for **the historic right doctrine**: s**overeignty by tradition**, in which the time-factor plays an overwhelming role and **the continental shelf and economic exclusive zone doctrine** – which can be used, in accordance with China's claims to the features of the South China Sea in which China's property rights have not reached full-term yet. The **United Nations Convention on the Law of the Sea** (1982) underlines a very important principle which needs to be prompted in states' behavior, mentioned in the section referring to the **Agreement**

relating to the implementation of Part XI of the Convention:

Desiring by this Convention to develop the principles embodied in resolution 2749 (XXV) of 17 December 1970 in which the General Assembly of the United Nations solemnly declared inter alia that the area of the seabed and ocean floor and the subsoil thereof, beyond the limits of national jurisdiction, as well as its resources, are the common heritage of mankind, the exploration and exploitation of which shall be carried out for the benefit of mankind as a whole, irrespective of the geographical location of States.[10]

By natural consequence, no state in the world will likely concede China the right to maneuver the largest part of a sea that strategically links quintessential commercial maritime routes with highly important global inter-connections. In a map envoy presented to the **United Nations Comission of the Continental Shelf**, China refers to the **"U"-shaped line** as adjusting to the inclusion of the **relevant waters**. China protested when in 2009 Vietnam and Malaysia put forth claims to the **United Nations Comission of the Continental Shelf**, with the aim of extending their continental shelf [11]. Due to the territorial proximity of the littoral states of the South China Sea, a precise delimitation of the continental shelves of each one of them is a pretty difficult undertaking, as the different claims tend to overlap. The question that arises here is how can an international law settlement act as a panacea for all the actors involved?

It is very hard to say that the role of international regulations is overrated or irrelevant in this case.

The **United Nations Convention on the Law of the Sea** (1982) renders a few guidelines to produce less sparks in case a maritime conflict shall arise:

The sovereignty of a coastal State extends, beyond its land territory and internal waters and, in the case of an archipelagic State, its archipelagic waters, to an adjacent belt of sea, described as the territorial sea [...] Every State has the right to establish the breadth of its territorial sea up to a limit not exceeding 12 nautical miles, measured from baselines determined in accordance with this Convention.[12]

Furthermore, other technical recommendations have been made to decipher any possible limbos that might occur in the implementation process:

(a) For the purposes of this Convention, the coastal State shall establish the outer edge of the continental margin wherever the margin extends beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured, by either: (i) a line delineated in accordance with paragraph 7 by reference to the outermost fixed points at each of which the thickness of sedimentary rocks is at least 1 per cent of the shortest distance from such point to the foot of the continental slope; or (ii) a line delineated in accordance with paragraph 7 by reference to fixed points not more than 60 nautical miles from the foot of the continental slope; (b) In the absence of evidence to the contrary, the foot of the continental slope shall be determined as the point of maximum change in the gradient at its base. [13]

China's sense of sovereignty not only creates political and regional tussle, but also a context for great power browbeating. Yes, Southeast Asia is a natural, outspoken, unabated sphere of influence, as far as China is concerned. However, China's sense of entitlement showcased a spiraling trajectory, bearing in mind that China felt the need to collect as much of the perks as it could from the status of **winning power of the Second World War**. Numerous actions have been made by China to reinforce its exorbitant claims – whether through the use of the People's Liberation Navy, or through elusive paramilitary structures acting to protect its maritime interests from the naval expansionism of other littoral states. Intimidating, harassing, bullying have been the buzzwords associated to Chinese behavior, the attributions being made by the regional states. The regional states felt very uneasy with the structural changes in Chinese foreign policy, signaled ever since China occupied the Paracel Islands in 1974, within a military backlash with Vietnam. When tackling sovereignty claims, **the regime of features in The South China Sea** can also explain the progressive development of facts. Depending on the nature of the feature claimed – **reef**, **bank**, **island,** etc. – an exclusive economic zone can be attributed to the claimant actor, or not.

The sovereignty dilemma represents a hard-line issue that **ASEAN** is, practically, exposed to and forced to contend with. **ASEAN's diplomacy** has a very limited role to play in this matter. **ASEAN's diplomacy's main focus** is to create a conducive environment in the South China Sea for regional peace and prosperity. China's presence in the South China Sea always made sure that not a single opportunity was left untapped.

China's envisaging of the South China Sea lies in *the concept of sea as a territory* – *haiyang guotuguan*, outlining China's unwillingness to share. This positional consolidation has attracted immediately extra-regional critics [14]. *ASEAN* states, however great a future fallout with China or however imperative the shelving of the sovereignty issue will prove to be, do not want to cloister China in the category of *other regional actors* and, hence advocate the settlement of disputes, but not at any cost. *ASEAN* has also done very little, almost nothing in appeasing the contradictory approaches of the *ASEAN* states involved in this dispute [15]. There are no patterns available – formally or informally converged – that would underpin an equitable intervention made by *ASEAN* for a decisive and all-embraced finale. According to the opinion upheld by this paper, *ASEAN* needs to secure much-needed intra-mural support for intra-regional intervention. China ratified the *United Nations Convention on the Law of the Sea* (1982), but still gives steadily away arguments from rather obsolete historically-supported claims. The reservations under which China sealed in the *United Nations Convention on the Law of the Sea* (1982) topple the core considerations under which the document was designed to legislate. China thrives from the confusion and from the sizeable uncertainty the situation transmits and is still clogging to it.

The military dilemma - China's muscle stretching in the South China Sea is not the most confrontational trait of the military dilemma of the South China Sea. The reasons for considering that a military dilemma adumbrates upon the South China Sea conflict are compound. A top one would represent the embodiment of the strident domestic nationalism by the People's Liberation Navy. *Nationalism* is construed by China as a means to project in the region inflated and self-important approaches: the self-depiction of China as *a big state* and the delineation of the Southeast Asian states *as small states* [16] is a patent and indisputable argument regarding China's regional self-portrait. Through the use of the People's Liberation Navy, China will gradually proliferate its sovereignty in the South China Sea waters. During 2009-2011, certain statements made by People's Liberation Army Navy (PLA/PLAN) officers raised many eye-brows, while leaving the Southeast Asian littoral states in dismay. To list just one, Admiral Lin Huaqing – the commander of the PLAN during the 80s – claimed that China will be able to exercise control over the first chain of islands in the South China Sea, which correlates several important chokepoints in the region: the Philippines, Indonesia, eventually Singapore and the Malacca Strait [17]. Even if the majority of the comments were made by officers who are no longer part of the active human resources of the PLAN, their acknowledgements are not overlooked by China's neighbors.

Another very important feature of the *military dilemma* of the the South China Sea is the snarling display of Chinese military might! New, improved military facilities are likely to be used by China in the near future in the freshly-endowed South Fleet:

type 2208 fast track craft for high-intensity combat in the near seas, the new type 056 corvette, the launching of the Yunan-class submarine during 2010, the Yulin military base, pitched in with Kilo-class convention submarines imported from Russia. The major frictions in the South China Sea are also attributed to the military enrichment program from which the military structures in the South China Sea and the para-military structures benefitted. As Chinese experts agreed: "a stronger navy would back up a firmer claim" [18]. A military solution to the the South China Sea conflict would not be beneficial for either one of the parties involved. Like any great power, China's main focus in foreign policy is to obtain geopolitical and economic survival. More than anything, China would not risk to be dragged into a maritime conflict in which the United States would surely toggle along, especially after the launching of the US Trans-Pacific Partnership and after the recent compression of US regional ties.

The *energy dilemma* educes from the rather dim and smudgy accounts of what the seabed of the South China Sea is thought to be hiding: a seabed rich in minerals, natural gas and oil. According to the United States, the seabed of the area hides 28 billions of barrels of petrol. The Chinese statistics amount to 213 billions of barrels of petrol in South China Sea. The gas reserves in the South China Sea seabed are thought to amount to 2 quadrillion cubic feet. Regardless of the accuracy of the numbers presented, any claimant part that could come into the possession of the biggest share of these resources can, without question, influence the

balance of power in Southeast Asia. In some estimates, The South China Sea is referred to as: *the Second Persian Golf [19]*. As far China is concerned, the energy issue remains a dire issue. Even if China is still able to produce for itself 85% of the energy it needs, considering the development spur of the last few years that China witnessed, China's thirst for energy has become an unquenchable thirst. Ever since 1993, when China became a net oil importer, China has been prospecting new ways to reduce its oil imports from the Middle East.

Profit-seeking ventures in the South China Sea are the mirage that enchants especially the oil companies. However, until now, the disputed areas of the the South China Sea have remained, for the most part, untapped. The restructuring of China's national oil companies has transformed their purpose towards profit-oriented policies. As state-owned, but not state-run, China's oil companies have leveraged a strong influence upon the central government to begin the exploring and drilling activities in the disputed areas. Until now, this type of activities has not been initiated [20]. On the other hand, Southeast Asian states have keenly addressed the issue of exploring unspoiled areas in the South China Sea. Disagreements quickly erupted between the Southeast Asian states that also share in common a claiming rivalry. For instance, Malaysia and Brunei argued over developing a gas field-project in an area where their territorial claims overlap [21]. *ASEAN* does not have an energy policy per se – collectively endorsed in South China Sea- especially due to the territorial dilemma's implications.

This does not obstruct Southeast Asian states to individually try to oversee the area in order to gain as many advantages as they can.

The three dilemmas of the South China Sea are strongly intertwined, thus, exposing the scarcity of the situation, especially from *ASEAN*'s angle. *ASEAN* faces the luring presence of China as an actor and as a major component of the Southeast Asia conflict in three miens – *one regarding sovereignty*, *the other regarding the military profile of the parties involved* and *the last one regarding energy*.

2.2. *ASEAN*'s absenteeism from the regional management

At first, *ASEAN* did not provide the pacifying degree that the region sought for. For lengthy periods of time, and especially during the Cold War, China was entangled in radical domestic policies and was not that interested to pursue maritime expansionist schemes in Southeast Asia. Some cartographic references of Chinese maritime ambitions could have been perceived in 1936, when China for the first time included in an official document the South China Sea as being Chinese. China's later actions did not unveil the fact that the possible spillover of tensions from the thronged area of the South China could be rendered a fact, as it had in other occasions [22]. As time passed by, China's claims used a multiple-edged rhetoric, using a combination of five important principles: *the principle of the archipelago*, *the principle of the historic presence*, *the principle of the continental shelf*, *the principle of the exclusive economic zone [23]*. Meanwhile,

during most of its formative years and during the subsequent periods of time, *ASEAN*'s absenteeism from the regional management was tributary to other important principles: *effectively managing the communist insurgencies in Southeast Asia*, *striving to maintain a region-free of great power intervention*, *aiming to cement a slender, but important normative main-body that will help the organization not lose its functional and operational capabilities in the future*. The US – as one of the greatest extra-regional actors with the potential to build a naval presence in Southeast Asia that would not have been left unobserved, did not show undiluted interest in this region, as it had shown in other parts of the globe.

However, even after *ASEAN*'s institutional emancipation, with the breakthrough-moment of the *1976 Declaration*, *ASEAN* did not plunge into adopting a more responsible strategy towards China's presence in the South China Sea. Only in 1992, *ASEAN* issued *The Declaration on the South China Sea*. The Declaration did not include any legal distinctions. It was, however, the first diplomatic move that *ASEAN* would use to try to regulate China's intentions and make them more predictable. China counter-responded with an anti-legalistic approach as it was not ready, nor eager to be obliged to respect binding regulations. *ASEAN*'s informal style of diplomacy and the regional elites' pursuance to keep it that way suited China. Furthermore, *ASEAN* was not able to speak in one voice. Managing the overlapping territorial claims in the South China Sea meant managing divergent point of views. Pro-China *ASEAN* states

sided with China partly out of fear of Western enmeshment with regional affairs, partly out of the desire to protect domestic security interests that took precedence over regional ones. Malaysia was in its anti-West period. It occupied two reefs in the South China Sea and felt that a rapprochement with China would trigger a reciprocal support from China's part. *ASEAN* was merely beginning to tackle the South China Sea as a matter of concern and had not taken a tough approach concerning the preservation of common interests in the area. Feeling let down by *ASEAN*, Philippines signed a *Visiting Forces Agreement* with the United States, allowing the US to utilize Philippine facilities for training. The Philippines used the *1951 Treaty of Friendship* as a means to reassure China and other regional states that it will not be left out in any debate concerning territorial and sovereignty assignment. If China had not been involved, the US would have taken a more mellow approach. It would have still favored the Philippines, but it would not have been militarily committed.

2.3. Escaping Absenteeism: Institutional Re-Inventing, Institutional Interlocking and Socialization in the China-*ASEAN* Relationship

When discussing *ASEAN*'s escapism from absenteeism in the South China Sea, it is worth considering *the utilitarian*, *almost neutral approach*, that the Southeast Asian states (and even U.S.) have sometimes applied towards China and its role in regional dealings. During the afflictive Vietnamization

period of the Vietnam War and after the Sino-Soviet rupture, China was seen by the U.S. as a lesser evil and as a possible mediator. During the Third Indochina Conflict, China was allowed to invade Vietnam, as a punitive measure against its invasion of Cambodia. China was seen, in this case by *ASEAN* (Association of Southeast Asian Nations) states, as the tolerated problem-solver, even if this view was short-lived. During this period, China's aggression towards Vietnam in the South China Sea was just a piece of the very instable security puzzle in Southeast Asia.

With other conflicts unveiling, the Sino-Vietnamese squabbling was a small-scale, less significant conflict. While Chinese assertiveness in the South China Sea heightened, it was clear that the conflict no longer revolved around a bilateral basis. With other regional countries being drawn into it by Chinese uncompromising posture and with *ASEAN* expanding its membership in Indochina, the situation in the South China Sea became a regional predicament. *ASEAN* is currently taking shy steps to building *a regional community* of security cooperation and welfare purposes, verifying all the key requirements: *an implicit interdependence*, *an embryonic version of cognitive regionalism - a consciously built regional identity*, *the devising of norms and mechanisms to solve dispute and eventual conflicts* (it is important that these norms and mechanisms exist, even if their implementation is not a productive one in the incipit stages). *ASEAN*'s current meaning of security was not circumscribed to a non-exclusive dimension. *ASEAN*

began to embrace *a holistic concept of security* – based on a convivial juxtaposition of military, political, economic and social factors. *The 1967 Declaration* states *inter alia*:

the countries of Southeast Asia share a primary responsibility for strengthening the economic and social stability of the region and ensuring their peaceful and progressive national development and are determined to ensure their stability and security from external interference in any form or manifestation.[24]

The *2003 Bali Concord II Declaration* announced the objective of creating the *ASEAN* Security Community by 2015, in an integrated three-pillared construction. *The ASEAN Community Idea* does augur a generic security identity for the Southeast Asian states and a security community that has resulted, just like the EU, from statist construction and just like the EU, is currently transcending its statist origins. Just like the EU, the *ASEAN Community Idea* is a self-generating process in its branding of regionalism and in its quest for becoming a security community. *ASEAN*'s steering of Southeast Asian regionalism falls into the language of constructivism. By employing a constructivist take upon Southeast Asia's regional security dynamics, the quality of the interstate interactions becomes inextricably intertwined with the way that the norms are shared between the states that take part in the interaction process, powerfully illustrating the close linkages between global, regional and domestic actors. *The 2011 Bali Concord III* aims at enriching *ASEAN'*s global role

through coordinating the substantial flare of the *ASEAN plus One*, *ASEAN plus Three*, *ASEAN Regional Forum* and *East Asia Summit* regional processes. According to the Declaration, *ASEAN* has to remain the highlight of this batch of regional frameworks. Also according to the Declaration, *ASEAN* has to give a strengthened and much needed capacity to the *ASEAN* Secretariat. In order for the community building to occur, *ASEAN* needs a powerful and self-engaged *ASEAN* Secretariat. However, compared to the eurocracy-type mechanisms that the EU uses, the *ASEAN* Secretariat does not, by far, have the same sense of accomplishment that the former has. Its powers are still loosely defined. Another curveball mentioning is that *ASEAN* will create a more legalistic *ASEAN* Security Community, based on the rule of law. This observation is very important as many *ASEAN* governments are regarded by the international community to have played foul tricks on the domestic implementation of the rule of law. If legalism is no longer treated as a simple aesthetic factor, *ASEAN'*s critics will certainly downsize their commentaries. Of course, this will be a gravity-defiant move, as *ASEAN'*s glints off informality. Beyond any shadow of a doubt, sovereignty, independence and non-interference were mentioned as headfirst reference points. The improvement of military-to-military communication and the enhancement of civilian-military communication were mentioned, together with the creation of an *ASEAN* platform on global issues by 2022. A hissing trajectory towards a denser international role of *ASEAN* is

setting in place, as Susilo Yudhoyono Bambang said: "*great hopes are placed on our region*".

The adoption of a *Code of Conduct for the South China Sea* would mean a guarantee for a Chinese peaceful rise and for the curtailing of the *Chinese misinterpreted spontaneity* in its bilateral dealings. The idea emerged in 1996 at the *ASEAN* Ministerial Meetings. China did not give in during negotiations. The concept of a *Declaration of a Code of Conduct* was more value-based and less compulsory for the parties involved. *The November 2002 Declaration on the Conduct of Parties in the South China Sea* meant that, generally, the situation in the South China Sea remained unchanged. *ASEAN*'s facilitative role, played so as to obtain China's unquestionable engagement, was a celebrated failure. China was not engaged multilaterally. There was a slight possibility that the Declaration could be catalytic for more transparency in territorial disputes.

ASEAN has made tremendous efforts in ensuring, through multilateral and bilateral dialogues, which were not confined to an Asian membership, the preservation and the maintenance of regional peace for a period of almost 35 years and China's socialization with *ASEAN*'s normative ensemble. One of the most incredible feats of *ASEAN* diplomacy is the fact that *ASEAN* managed to obtain from China the signing of the *Guidelines for the Implementation of the The South China Sea Declaration*. After the *China-ASEAN Summit of November 2010*, China committed itself to work with *ASEAN* for the implementation of the *Guidelines for the Declaration of Conduct in South China Sea*.

2.4. Managing China's fragmented actorness in the South China Sea

This paper is ostensibly making use of the term *actorness*, referring to an actor's innate prerogative to make use of its innermost ideas, interests and objectives, in an inter-subjective context.

China's actorness in the South China Sea resembles a kaleidoscope composed of different and heterogeneous actors. This harmful diversity not only produces ill effects for China's lack of celerity when implementing authority, but also to *ASEAN*, when trying to assess the numerous actors that China has to create a rising comfort level between.

Toils are in store for China when addressing the bureaucratic management of the South China Sea, veiling the fact that China has to be able to deal with a few layers of instability of its own, and not provoked by other regional states. The emphatic power of the term: *nine dragons who are stirring up the South China Sea* – underlines the nature of crowdedness of the South China Sea: "realities are changing much faster than our politicians, diplomats, and lawyers can handle them"[25]. Not only is the Chinese central authority spread out in multiple levels of authority, but other different sources of provenience of authority can be tracked down. If the myth is only complacent to nine actors, in reality, in the South China Sea, there are 11 central governmental agencies, 5 other agencies for law reinforcement and plenty of private actors [26]. The Ministry of Foreign Affairs, even if it is supposed to be the general on-looker of the events in South China Sea, finds it very hard

to meddle into the decisions taken by other administrative bodies: firstly, because the levels of authority are too many and secondly because his jurisdiction is not a comprehensive one. His jurisdiction is remarkably absent from the legal investitures of, for example, the Bureau of Fisheries Administration. Consequently, the Ministry of Foreign Affairs is not at legal liberty to impose sanctions upon other actors or to institutionally reward their loyalty for their homeland.

Compared to the poor maritime presence of the Southeast Asian states domestic actors, the coastal governments of China's coast provinces are keenly concerned about the regional dynamics of the South China Sea, as they are key defenders of their economic plans. In stark comparison to other actors of the public sector, the coastal governments are resentful of the heavy political, thorny guidelines which the central government has prescribed for China.

The governments of Hainan, Guandong and Guanxi engage as actors in the South China Sea conflict for the undeniable purpose of maximizing an economic situation [27]. The powers with which these governments are invested emanates from *the principle of decentralization*, unwisely implemented in China. The provinces' governors have the same uncut authority that the central governments have. Justly or unjustly, the local governments seldom escape the central control, as their decision-making process does not have to take into account messages distributed by the central authorities. Of the three local governments, the Hainan government, ever since its creation as a territorial administrative unit (in

1988), was handed over the general management of the Paracel and Spratly Islands and the management of the adjacent waters.

For *ASEAN*, more actors equal more worries and more unpredictable fuses in powder kegs! In this panoply of different actors, for the majority of them, their huge number will distort the role that the Ministry of Foreign Affairs is committed to playing in the South China Sea maritime dispute, especially as far the coordination management is concerned. But this is, nevertheless, China's worry! *ASEAN*'s worry would be how to supervise the implementation of the policies it proposes, if it is trying to make use of the *pre-emptive diplomacy* that proved, over the recent period, to be successful. The common ground, for most of these actors, is the fact that they are *domestic actors* – which means, that, in a given situation, they will try to pursue their own self-centered interests, even without a head-bowing behavior towards the Chinese actors from the first line of command. In the South China Sea dispute, *ASEAN* used as a regulatory and cooperation mechanism with China *the Joint Working Groups*. This type of mechanisms can be used when interacting with the relevant domestic actors, especially with the local governments. *Joint Working Groups* between Chinese provincial governments and the provincial governments of the Southeast Asian coastal states may be instated, for collaborative purposes. If the *Joint Working Groups* proposal is considered to be another demultiplication of institutional structures, then, during the *ASEAN*-China Summits, a parallel structure including the actors afore-

mentioned, can be integrated. Given any eventuality, the inclusion of these actors in *ASEAN*'s approach towards the South China Sea conflict is unavoidable.

3. CONCLUDING REMARKS: PROCRASTINATING THE CHALLENGE OR CHALLENGING THE PROCRASTINATION?

Drawing a conclusion from the arguments presented, the South China Sea is an example of how a regional organization was able to convert its bone-structure employed as a survival tactis in an on-going string of changes in the regional dynamics. If in the past, *ASEAN* suffered from *chronic absenteeism* and was unable to deliver a viable, regional counter-response to Beijing's evolving strategy in the South China Sea. *ASEAN* is not ready yet to step up its game in the South China Sea, as it has to deal with a closer threat perception: that of managing the overlapping claims of its regional states: the territorial claims of the Southeast Asian states not only overlap with China's, but also overlap with their other intra-*ASEAN* partners. This is a scenario that may develop in a variety of destabilizing ways. According to the opinion presented by this paper, the positive turns of the conflict and, most of all, China's modest compromise to forego joint actions with *ASEAN* in order to formulate guidelines for the implementation of the *South China Sea Declaration of Conduct* already created a precedent in regional affairs! Whether this is part of *China's newly-adopted* charm offensive, or if it is only a skillful *ASEAN* exercise of greater influence in the region, the shift in

China's regional perception has been produced, together with numerous expanding areas of cooperation.

As far as the extra-regional incumbent balance of power is concerned, the interdependence of *geopolitics, energy and international relations* delivered in the South China Sea triggers three different patterns of behavior. U.S.'s lateness to interfere in the South China Sea disputes can be atoned by gaining *ASEAN* back-up. Balancing China, in this case, would require U.S. to go beyond the protection of its commercial interests in the Pacific sea lanes just like *a bishop*. Southeast Asian states can, self-directedly, promote their interests if these interests are to be elucidated in a collective manner. The geographical juxtaposition to Southeast Asia and the South China Sea enables China to play magnificently *the role of a rook* on the maritime chessboard. *ASEAN'*s imprecision and lagging smoothens China's castling on the maritime chessboard. US can, ultimately, be the wise bishop and promote its interests by admitting that *ASEAN* is its most efficient diagonal leverage!

If China's socialization, in some areas, is certainly deferential to *ASEAN's model of conflict management* – which implies *a heavy use of diplomacy* – the acute lack of harboring other relevant Chinese actors in *ASEAN*'s strategic calculations (especially Chinese domestic actors!) is both a challenge and an opportunity for *ASEAN*.

NOTES

[1] The notion of *regional order* utilised in this paper is devoted to the following defition: *a set of rulings and conduct prescription norms, to which a regional*

grouping – composed of states and non-states actors, is pledging allegiance to.

[2] *1967-1977.*

[3] *1978-1987.*

[4] *1998-1997.*

[5] Like: *The Asian Financial Crisis (1978)*, *non-conventional security threats –* such as: *SARS, floods, food security issues.*

[6] For a long time, Chinese power and influence was unopposable.

[7] Dating back to ancient times, Vietnam liked to play the role of a small state that was not too lenient on accepting every major-power dictate. Every other Southeast Asian state considered that it had more pressing domestic problems to attend and second-ranked the issue of property claims in South China Sea. For China, Southeast Asia per se, as a whole region, was a realm of natural Chinese influence, where the Middle Kingdome established tributary relations with its southernmost neighbours who had the most to suffer from the global implications of Imperial China; The strong liaison between China and the subordinate actors from Southeast Asia was interrupted throughout the periods of *European Colonialism, the horid period of the Japanese Occupation*, and, then, *the re-enactment of the European Neo-Colonialism.* For Vietnam, The South China Sea synthentised a long-nurtured ambition for regional hegemony and a power-item that was created, through geographical juxtaposition and fated to be Vietnamese.

[8] Compiled with the fact that the South China Sea holds a important strategic position for the prosperity and peace of the wider Asia-Pacific region – as suggested by: *Stirring Up the South China Sea*, Asia Report, International Crisis Group, 23rd of April 2012.

[9] The year instilled a trend for Chinese cartographers to include the *''U''-shaped line* in all the oficial maps produced to date.

[10] *United Nations Convention on the Law of the Sea* (1982*), Agreement relating to the implementation of Part XI of the Convention*, retrieved from:http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm, *accession date: 13th of June 2013, accession time: 16:38 p.m.*

[11] According to article 76, Part VI – Continental Shelf, of the *United Nations Convention on the Law of the Sea* (1982): ''*The continental shelf* of a coastal State comprises the seabed and subsoil of the submarine areas that extend beyond its territorial sea throughout the natural prolongation of its land territory to the outer edge of the continental margin, or to a distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured where the outer edge of the continental margin does not extend up to that distance''.

[12] *United Nations Convention on the Law of the Sea* (1982), *Section 1 – Article 1, Section 2 – Article 3*, retrieved from:http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm, *accession date: 13th of June 2013, accession time: 16:58 p.m.*

[13] *United Nations Convention on the Law of the Sea* (1982), *Article 76 – Definition of the continental shelf*, retrieved from:http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm, *accession date: 13th of June 2013, accession time: 17:23 p.m.*

[14] During the *ASEAN* Regional Forum Summit in July 2010, US Secretary of State, Hillary Clinton over-stressed the importance of providing multilateral frameworks for multilateral disputes and reiterated US policy objective towards Asia-Pacific region, of maintaing commercial sea lanes open in the South China Sea (a forceful mentioning for what US considers to be of vital interest for its foreign policy in the region). It was US's way to elucidate the fact that the South China Sea belongs to the category of collective commons and not to a unilateral territorial accreage.

[15] The Philippines protested against Vietnam and Malaysia's requests to explore an area located at a distance of 200 nautical miles off their exclusive economic zones in the South China Sea. The Philippines' contestations were rapidly joined by the Chinese ones. From all the claimant states, the clearest and the less ambiguous claims are the ones made by Vietnam and Malaysia.

[16] As mentioned by the Chinese Foreign Minister Yang Jiechi during the 17th reunion of the *ASEAN Regional Forum* in July, 2011.

[17] As informed by: *Stirring Up the South China Sea*, Asia Report, International Crisis Group, 23rd of April 2012.

[18] Goldstein Lyle (2011), *Chinese Naval Strategy in the South China Sea: An abundance of Noise and Smoke, bu little fire*, Journal of Contemporary Southeast Asia, 33.3, pages:320-347.

[19] As informed by: *Stirring Up the South China Sea*, Asia Report, International Crisis Group, 23rd of April 2012.

[20] Fixing energy prices is a government's preorgative.

[21] Malaysia granted exploration rights to the Murphy Oil Company and Brunei granted exploration rights to Royal Dutch Shell and Total.

[22] With other geographique counterparts, China's actions generated immediate and forestalling reactions: in Sino-Indian relations, in China-Tibet relations or in the Sino-Soviet relations.

[23] As suggested by: Marvin C. Ott (2011), *Deep Danger : Competing Claims in the South China Sea, China and East Asia*, September 2011, Volume 110, Issue: 737, page 236.

[24] *The ASEAN Declaration*, Bangkok, 8 August 1967, Preamble.

[25] Conversation with Singaporean officer, Singapore, 1 June 2011, as presented in: Holslag Jonathan (2012), *Making Waves: China and Maritime Security in Asia*, Asia Paper, Voulme 6, Issue 3, 24th of May 2012, ISSN:2034 – 5364, *The Brussels Institute for Contemporary China Studies*.

[26] *Bureau of Fisheries Administration, China Marine Surveillance, Local Governments, the Ministry of Foreign Affairs, Energy Companies, China Coast Guard, The China Customs Anti-Smuggling Bureau, National Tourism Administration, Environment Ministry*.

[27] An economic situation about which China can currently boast , without fear of receiving patulent sneers.

REFERENCES

Books, Articles, Studies
[1] Acharya Amitav (2006), *Constructing Security and Identity in South-East Asia – An interview with Jillian Moo – Young*, Brown Journal of World Affairs, Winter/Spring 2006, Volume XII, Issue 2;

[2] Beeson Mark, Fujian Li (2012), *Charmed or alarmed? Reading China's regional relations*, Journal of Contemporary China, 2012, 21 (73), January, pages: 31-51;

[3] Bowles Paul (1997), *ASEAN, AFTA and the New Regionalism*, Pacific Affairs, Vo.70, Summer 1997, pages: 219-233;

[4] Donald K. Emmerson (2005), *What do the blind-sided see? Reapproaching Regionalism in Southeast Asia*, The Pacific Review, Vol.18, no.1, March 2005, pages: 1-21;

[5] Goldstein Lyle (2011), *Chinese Naval Strategy in the South China Sea: An abundance of Noise and Smoke, but little fire*, Journal of Contemporary Southeast Asia, 33.3, pages:320-347;

[6] Holslag Jonathan (2012), *Making Waves: China and Maritime Security in Asia*, Asia Paper, Voulme 6, Issue 3, 24th of May 2012, ISSN:2034 – 5364, *The Brussels Institute for Contemporary China Studies*;

[7] Marvin C. Ott (2011), *Deep Danger : Competing Claims in the South China Sea, China and East Asia*, September 2011, Volume 110, Issue: 737, pages 236;

[8] Reily James (2012), *A Norm-Maker or a Norm-Taker? Chinese Aid in Southeast Asia*, Journal of Contemporary China, 2012, 21 (73), January, pages: 71-91;

[9] Tran Truong Thuy (2006), *Recent Developments in the South China Sea: Implications for Regional Security and Cooperation*, Center for Strategic and International Studies, 2006;

[10] Smith M.L.R. (2006), *ASEAN and East Asian International Relations. Regional Delusion*, Edward Elgasr Publishing Limited, 2006;

[11] *Stirring Up the South China Sea*, Asia Report, International Crisis Group, 23rd of April 2012;

Official Documents
[12] *The ASEAN Declaration*, Bangkok, 8 August 1967, Preamble;

[13] *United Nations Convention on the Law of the Sea* (1982), *Section 1 – Article 1, Section 2 – Article 3*, retrieved from: http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm, *accession date: 13th of June 2013, accession time: 16:58 p.m.*

THE REPRISAL ATTACKS BY AL-SHABAAB AGAINST KENYA

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The incursion of Kenya Defence Forces (KDF) into Somalia was met by a series of threats from the Al-Shabaab that it would increase the attacks against Kenya if the troops were not withdrawn. The capture of Kismayu by KDF has weakened the nerve of Al-Shabaab but has not eliminated the imminent danger of a substantive terror attack. Since the incursion by KDF, Kenya has succumbed to a sequence of grenade and Improvised Explosive Devices attacks, roadside bombs, landmines and raids by fighters using small arms and light weapons and Rocket Propelled Grenades against Kenyans mostly in North Eastern, Coastal and Nairobi counties, marking the resurgence of terrorism in the country. We argue that Kenya is more vulnerable to Al-Shabaab terrorists attack than before the KDF incursion by citing the frequencies of reprisal attacks from October 2011 to January 2013. Hence, our troops should be withdrawn and deployed within our boundary.

Key words: *incursion, international law, reprisal attacks.*

1. INTRODUCTION

Since the entry of the Kenyan defence forces (KDF) into Somalia, it was expected that Kenya would suffer blows of reprisal attacks from her neighbour. Even before it started, the military expedition was met by a series of threats from the Al-Shabaab that it would attack Kenya if it dared send its forces to Somalia [1].

Kenya Defence Forces' (KDF) preemptive and preventive actions were justified after the terrorist group Al-Shabaab performed a series of kidnappings and cross-border incursions into Kenya, all of which threatened security and the lucrative tourism industry in East Africa's largest economy [2].

Towards the end of 2011 events like the kidnapping of two foreigners and the killing of another in the Kenyan resorts on the east coast, the abduction of two aid workers from the Dadaab refugee camp, and the attack against Kenyan soldiers in cross-border raids raised a lot of concern for the Kenyan

government [3]. There was credible intelligence that the Al-Shabaab terrorist group would continue to attack Kenya. Therefore, the most appropriate decision on behalf of Kenya was to conduct a military operation to take preventive action to stop such further attack [4]. Because the terrorist group had previously attacked Kenya, preventive action was justified. Given the sporadic nature of terrorist attacks, it appeared that the threat was escalating. Therefore, a decisive opportunity to attack and damage such a group prior to it launching another attack on Kenya was seized [5].

The Kenya Defence Forces decided to use a campaign strategy because, given the nature of the terrorist group, it was difficult, if not impossible, to defeat a terrorist group in a single strike. But in most cases, terrorist groups do not facilitate the targeting structure to carry out this approach since, for example, most terrorist groups are dispersed across a number of cells with little contact between them [6].

As a result, there may not be enough information to stage a campaign. Consequently, in most situations, governments are reduced to attacking terrorist organizations on a piecemeal basis, using a series of individual strikes [7].

2. METHODOLOGY

The research was gathered primarily through desk-based research. The secondary data on the subject was drawn from journals, newspapers, conference proceedings, government/corporate reports and Internet and was critically analyzed. According to Bryman [8], secondary analysis is analysis of data by researchers who will probably not have been involved in the collection of data and in addition, is concerned with analyzing already collected data within another study [9]. Secondary analysis allows for the examination of existing data, yet it can produce new and more detailed information, including the emergence of conclusions that differ from those in the original report [10]. The advantages of secondary analysis are that it provides high quality data [11] and, as a result of the quick and easy access to materials since documentary research is largely free of the restrictions and difficulties faced in primary data research, the researchers do not encounter rejection, non-response, bias, or any other respondent-based problems [12]. The findings and analysis are presented under the sub headings of: Kenya Defence Forces (KDF) incursion into Somalia and the International Law, Self-Defense in International Law, The Consequences of KDF's incursion into Somalia, Kenya Defence Forces (KDF) Successful Capture of Kismayu is merely suspended hostilities with Al-Shabaab, Reconstruction as a phase in war termination and Escalated reprisal attacks against Kenya by Al-Shabaab since KDF's incursion into Somalia.

3. KENYA DEFENCE FORCES' (KDF) INCURSION INTO SOMALIA AND THE INTERNATIONAL LAW

International law holds that the use of force between states is illegal. Article 2(4) of the UN Charter prohibits the *"threat or use of force against the territorial integrity or political*

independence of any State" [13]. The two exceptions to this general rule are the Security Council authorization for the use of force to keep peace as provided in Chapter VII of the Charter, and that done in self-defence. Article 51 of the United Nations (UN) Charter, that says *"nothing shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in exercise of this right of self defence shall be immediately reported to the Security Council"* [14].

There should be an armed attack prior to the preemptive strike for Article 51 to be applied. However, there is no unanimous interpretation of this provision. The advocates of preemption say there is no explicit mention of any prohibitions and the states have the right to act. Since there is no unanimous acceptance or rejection of whether an armed attack is a necessary pre-condition for preemption, it has generally been accepted that a preemptive strike can be launched irrespective of a prior armed attack [15].

3.1. Self-Defense
in International Law

Article 51 is not the only authority that permits the use of force in self defense. Even though the issue of when an armed attack is justified because of the right to self-defense is still under debate, the Security Council has clarified that *"an attack must be underway or must have already occurred in order*

to trigger the right of unilateral self-defense" unless an earlier response has already been approved by the Security Council. Therefore, no state can take it as its own right to attack another state on reasons that the latter is hypothetically planning or developing weapons for a likely campaign. The use of force should not involve *"anything unreasonable or excessive, since the act justified by the necessity of self-defence must be limited by that necessity and kept clearly within it"* [16].

At the onset of the entry into Somalia, Kenya advanced the argument of the country's right to self-defence as embodied in Article 51 of the UN Charter, [17] which clearly recognizes the inherent right of individual or collective self-defence in the wake of an armed attack against a member of the UN. The use of this particular article as the legal justification for Kenya's invasion raised a lot of questions regarding what constituted an armed attack against the state and whether such actions necessitated an incursion. Some argued that Kenya did not follow the right procedure required in pursuit of the right to self-defence as the country did not report its intended actions to the UN Security Council (UNSC) [18].

However, even after news of the invasion surfaced, the UNSC remained silent, despite the fact that it was not informed of Kenya's intentions to intervene in Somalia. Utterances by the UN Secretary-General Ban Ki-moon came nearly two months into the incursion; he commended Kenya on its role and efforts in stabilizing Somalia [19]. Many analysts have drawn comparisons between the

incursion in Somalia and the 2003 invasion of Iraq by the US [20].

Kenya's incursion was launched "to protect its territorial integrity from foreign aggression" as explained by Saitoti, Kenya's late minister for internal security a day before the launch of the incursion in mid October 2011[21]. This statement implied that the KDF would move in and advance as far into Somalia as possible in pursuit of Al-Shabaab terror group. The move marked Kenya's largest military operation since its independence in 1963 [22].

4. THE CONSEQUENCES OF KDF's INCURSION INTO SOMALIA

The incursion into Somalia has made Kenya more vulnerable on the domestic front as the country risked its national security as a result of the offensive in Somalia. By its incursion into Somalia, Kenya provided ample justification for Al-Shabaab to finally make good on its threats to attack Kenya. The terror group subsequently announced that it would carry out reprisal attacks against Kenya [23]. It was clear that the Al-Shabaab terror group is against Kenya intervention in Somalia. There have been escalated terror attacks in North Eastern, Coastal and Nairobi Counties since the beginning of the incursion, providing evidence that threats of Al-Shabaab counter attacks are real. By Al-Shabaab losing Kismayu to Kenya Defence Forces, reprisal attacks on Kenya are likely to become more pronounced [24].

4.1. Kenya Defence Forces (KDF) and SNA's Successful Capture of Kismayu is Merely Suspended Hostilities with Al-Shabaab

The Al-Shabaab terror group were uprooted from Kismayu by KDF and SNA forces. Military personnel possess a strong desire to ensure that assigned tasks are completed successfully and their confidence in their own solutions makes it harder for them to accept a war ending short of victory. From a tradition of past conflicts, the notion of victory has widely pervaded into the military as the only form of ending a war with honour [25]. Nevertheless, Al-Shabaab might only be retreating in order to regroup and re-emerge stronger in tactics similar to those of other radical groups like the Taliban in Afghanistan.

The capture of Kismayu by KDF and SNA has raised fundamental question, like: does Somalia's young and newly-elected government have adequate means to govern Kismayu [26]. The question relating to the governance of Kismayu is one that needs to be addressed urgently so as to open the port for operation and the issue of the charcoal, estimated to cost billions, be sorted out. This the Somalia government should do in consultation with all stakeholders.

4.2. Reconstruction as a phase in war termination

A key component of war termination is to determine how the liberated areas will hold free and fair elections and have democratically elected leaders to govern them. War will always come at a great cost. For Kenya the incursion into Somalia has been very expensive. Financial experts estimate the cost of the

incursion at Ksh.210 million (US$2.8 million) per month in personnel costs alone, this during a year when Kenya has recorded a Ksh.236 billion (US$3.1 billion) total budget deficit [27].

Kenya's government has no financial capability to do this in Somalia because the high cost of keeping troops in an open-ended war is one of the reasons behind Kenya's decision to integrate into AMISOM [28]. It is estimated that the Kenya government is spending at least Sh200 million per month on the war, a staggering amount especially in a year of record Sh236 billion budget deficit [29]. This inability to fund its own budget shows that it cannot fund the reconstruction in Somalia which is part of war termination [30].

The cost of supporting personnel, maintenance and procuring military equipment and hardware became too much for Kenya to bear alone. Therefore, the country turned to the international community, the UNSC, the Intergovernmental Authority on Development (IGAD) and the AU to support its invasion of Somalia in the hope that this support would ease the financial and legal burden of the invasion. The response was positive when, on 22 February 2012, the UNSC authorized an increase in the AMISOM force to 17,731 troops. An increase in funding from US$300 million per annum to around US$500 million was also awarded [31]. However, the KDF allocation still accounted for the largest increase in the 2012/2013 Kenya budget at Ksh.70 billion [32]. This huge spending on the war continues to put pressure on the country's budget as funds to the military are partly responsible for the diversion of spending from key sectors like agriculture, health environment and education.

5. ESCALATED REPRISAL ATTACKS AGAINST KENYA BY AL-SHABAAB SINCE KDF INCURSION INTO SOMALIA

The KDF incursion into Somalia has increased Kenya's civilian casualties as reprisal attacks from Al-Shabaab [33]. In Kenya, grenade attacks did not only cost lives, they also fuelled feelings of resentment from locals who blamed the government for focusing more on the KDF invasion of Somalia while neglecting the internal security of the country. Seemingly, the KDF might have been successful in rallying up citizen opinion in support of the invasion during the early stages. However, if civilian casualties continue, the forces will receive more condemnation from citizens in Kenya.

The first attack by Al-Shabaab was on a blue-collar bar known as Mwaura's in downtown Mfangano Street in Nairobi on Monday, 24 October 2011, at around 1:15am [34]. The hurled grenade left one person dead and wounded more than 28 [35]. A second blast occurred later the same day, when a grenade was tossed out of a moving vehicle into the Machakos bus terminus where 59 men and ten women were subsequently hospitalized, of which two were in intensive care and five people were confirmed dead [36].

On November 5, 2011, a grenade attack at Garissa's Pentecostal Church left two people dead and five seriously injured while on November 24, 2011 four people are killed by blasts in border towns. Three people

were killed and scores wounded in twin grenade attacks in Garissa, one in Ngamia Road and the other at Chege's Café. Militants blow up a Kenya military truck using an improvised bomb and open fire on troops in Mandera. A soldier was killed and three others injured [37].

Garissa is the most attacked town by Al-Shabaab sympathizers

The Al-Shabaab terror group is suspected of carrying out six attacks in Kenya in December 2011; some of the attacks resulted in injuries and casualties while some resulted in no injuries [38]. On December 5, 2011 an administration police officer was killed and three others critically injured in an explosion at IFO refugee camp in Garissa County. On December 11, 2011 two separate explosions caused by roadside improvised explosive devices (IEDs) near the Somalia border left an administration police officer dead, and two regular police officers injured in Mandera and nine Kenya Defence Forces soldiers wounded in Wajir when their truck ran over an explosive on the road. On December 12, 2011 an intelligence officer and his driver were injured in an explosion in Wajir and on December 15, 2011 twin grenade attacks in Garissa, one at Florida Hotel and the other at a local prison officers' canteen at Bulaistin left two

people injured while on December 19, 2011 two people were injured after gunmen shot at them in Garissa Town and on December, 21, 2011 police officers escape unhurt after an explosion in Dadaab [39].

In January 1, 2012, four attackers in military uniform hurled a grenade at revelers celebrating the New Year at Locus night club in Garissa Town and indiscriminately sprayed bullets on hundreds fleeing from the blast at the packed club, killing five people and also killing an administration police officer at Bula Sheikh residential area as they fled, while on January 11, 2012 about 100 heavily-armed attackers bomb an administration police camp in Gerille Division, Wajir, killing seven people, including three administration police officers. The attackers also stole a cache of assorted firearms, and abducted two government officials [40].

In March 10, 2012 a series of explosions rocked Machakos bus station, Nairobi, killing six people and injuring 63 and in March 31, 2012 a hand grenade and a home-made bomb were used in the simultaneous attacks at a prayer rally in Mtwapa and in a restaurant at Mombasa's Tononoka area in which a man died and 33 other people were injured.

On 29 April 2012, an attack was reported at God's House of Miracle Church at Ngara Estate in Nairobi [41]. One person died and 11 people were admitted at Kenyatta National Hospital [42]. In the month of May 15, 2012 three grenades hurled at Bella Vista Club in Mombasa by unknown people killed a woman and injured five other people [43]. An Administration police officer was killed and four others seriously injured

in Dagahaley, Lagdera Division, after the Land Cruiser they were travelling in was blown up by an explosive while on May 28, 2012 explosive blew off the roof of Assanand's House on Moi Avenue, killing one person and injuring 36 people.

On June 2, 2012 a man hurled a petrol bomb at the Nyerere Road Oil Libya petrol station in Kizingo. No one was injured while on June 24, 2012 an explosion at Jericho Beer Garden in Mishomoroni, Mombasa left four people dead and 30 injured and ripped off the roof of a house next to the pub [44].

There were several terror attacks between the months of July and December. On 1 July at around 10:15am, masked gunmen attacked two churches (the Central Catholic Cathedral and AIC churches) simultaneously in Garissa, located approximately 140 kilometers from the Somali border. The assailants killed seventeen people and left fifty injured [45]. The churches are 3 kilometers apart and the dead included two police officers, four men, nine women and two children [46].

Four people were reported injured on 18 July when two hand grenades went off at a barbershop in Wajir. On July 21, 2012 police in Kitale arrested two terror suspects, Abraham Kemoi Setot and Caleb Anyela Onyango, who were on a mission to allegedly bomb the Umoja Catholic Church, a busy parish in the Eastlands area of Nairobi. In addition, three police officers were injured on 25 July when their patrol vehicle hit a landmine [47]. The police also arrested a man who was carrying two grenades at the Nakuru Agricultural Show shortly before President Mwai Kibaki arrived

to deliver a speech [48].

On 3 August, one person was killed and six more were left injured at the Eastleigh neighborhood near the Kenya Airforce headquarters in Nairobi [49] and on 28 August, three Kenyan policeman were killed and over a dozen wounded in a grenade attack during riots in the port city of Mombasa over the killing of Islamist cleric Aboud Rogo Mohammed [50].

On 20 September, a 9 year old boy was killed when a grenade was hurled to Sunday school children at St Polycarp Anglican Church along Juja road in Nairobi [51]. On 21 September, four police officers and three civilians were injured during a series of two explosions. The first explosion targeted a GSU lorry and the secondary explosion went off when officers rushed to the scene [52]. There were several attacks on administration police officers in September. On 30 September, two police officers were shot dead from behind while patrolling along Ngamia road in Garissa [53]. Additionally, on 15 September, two administration police officers were injured in an explosion when their vehicle hit a landmine [54]. On 27 October, CID officer Yussuf Yero was shot and killed in a Hagdera, Daadab mosque as he read the Koran [55].

On 1 November, a policeman was shot dead and another seriously injured by assailants in Garissa town. The officers were on patrol when they were ambushed by four men, one of whom was a teenager [56]. On 4 November, a policeman was killed and 10 people were injured in a grenade attack on a church in Kenya [57]. On 18 November 10 people were killed and 25 seriously injured when

an explosive went off on a mini-bus (matatu) in Eastleigh. The explosion is believed to be an improvised explosive device or bomb [58]. On 20 November, three Kenya Defence Forces soldiers were gunned down in Garissa as they changed their burst tyre.

An explosion went off on 5 December in Eastleigh, Nairobi killing 1 person and wounding 6 others [59]. The explosion that occurred during rush hour traffic was caused by a roadside bomb [60]. On 7 December 5 people were killed and 8 others injured in an explosion near a mosque in Eastleigh area of Nairobi. The wounded included the former area Member of Parliament Abdi Yusuf Hassan [61]. A second attack was carried out at the same mosque on 16 December, seriously injuring one person [62]. On 19 December, two people were injured after two blasts went off outside Al Amin mosque in Eastleigh area of Nairobi. The blasts took place during rush hour [63] and supected Al-shabab militants shot three people dead and injured one person on Kenyatta Street in Garissa on 20 December at 7pm. On 27 December, at 11pm a police officer was shot dead while his colleague escaped unharmed after being attacked by suspected Al-Shabaab terror group in Mandera town [64].

A grenade was thrown into this passenger mini bus in Eastleigh area of Nairobi

On 4 January, 2013 at 7pm two people were killed and seven wounded in a grenade attack at Dagahale area in Garissa. The grenade was hurled from a saloon car at a tent where people were chewing Khat [65]. A grenade was thrown into a police vehicle as it drove past a crowd along Ngamia road near the local District Officer's (DO) office on 7 January 2013. Four people including three police officers were seriously wounded in a grenade attack on a police car in Garissa town [66]. On the evening of 9 January 2013, two grenades were thrown into the World Food Programme (WFP) compound in Mandera Town. There were no injuries reported. The blast occurred as a group of worshipers were leaving a nearby mosque after their prayers [67].

Doctors attending to the injured

On 16 January 2013, suspected Al-Shabaab terror group shot dead 5 people and injured 3 others at a restaurant in the eastern town of Garissa. Authorities said they believed the gunmen belonged to the Al-Shabaab group, because the victims included a senior prison warden, fitting a pattern of attacks against security forces [68]. Two men believed to be suicide bombers of Somali origin died on the morning of 17 January 2013 after Improvised Explosive Devices (IEDs) they had went off in Hagdera refugee camp in Dadaab [69].

6. CONCLUSIONS

The incursion by Kenya Defence Forces (KDF) into Somalia and return of semblance of peace proved to be a daunting task, since other former initiatives by United Nations and United States of America with more resources and military might and experience had failed. A logical conclusion is that a military approach alone to counter a complex conflict cannot work.

A more comprehensive and integrated approach involving political and social actors, relevant national stakeholders, as well as regional and international players is a better strategy to adopt. Kenya needs to understand that the elimination of Al-Shabaab from Somalia is not going to mean the end of the threat of terrorism within its own borders. The stability and development of Somalia will help create an environment where both Kenya and Somalia can co-exist peacefully as neighbors, resulting in more peaceful relations in the region

7. RECOMMENDATIONS

A. Demobilization and reintegration of Kenyan unemployed youths who had joined the terrorist group Al-Shabaab by providing amnesty, education, vocational opportunities and employment for former combatants may prevent them from rejoining Al-Shabaab terrorist group.

B. Development of proactive policies to combat International terrorism. The government needs to refine current policies and explore alternative ways and means to combat International terrorism, especially given that al-Shabaab

has resorted to launching counter-attacks on Kenyan soil. Kenya cannot ignore the retaliatory terrorist attacks that are now more prevalent within the country while fighting the enemy outside. It is prudent for the government to implement long-term measures to guard against threats to the country by enhancing the capacity of security personnel in strategic approaches to International terrorism at Kenya's National Counter-Terrorism Centre which will provide enough pool of highly trained professionals in the area of counter-terrorism which will minimize the infiltration by Al-Shabaab and hence reduce collateral damage and deaths of Kenyans caused by Al-Shabaab terrorist.

C. A post Conflict reconstruction plan- KDF having neutralized the threat of Al--Shabaab by the capture of Kismayu, the government of Kenya needs to partner with the Somali government to support the new administration by empowering the military and leaving them to take control of their country.

D. Kenya Defence Forces (KDF) combat success alone will not provide a sustainable peace. Recognize the importance of inclusivity in trying to achieve a stable Somalia. The conflict in Somalia has socio-political, economic and humanitarian dimensions to it that the Government of Kenya needs to recognize and take into consideration. Greater inclusion of the Somali government as well as regional and international stakeholders is important for efforts to stabilize Somalia.

E. Somali administration to take lead in decision-making-Since Somalia people have a young and fragile government, the government

of Kenya should note that this new government needs to be consulted prior to any action being taken within its territory. It is imperative for Kenya to offer its support to the new government in dealing with Al-Shabaab while Somalia is in the process of reconstructing its social fabric and physical infrastructure and resettling thousands of Somali refugees and Internally Displaced Persons.

REFERENCES

[1] Pflanz M, (2011) Al-Shabaab warns Kenya of reprisals if Somalia deployment continues. The Telegraph, 7 October. Available from: <http://www. telegraph.co.uk/news/worldnews/africaandindianocean/somalia/8831849/Al-Shabaab-warns-Kenya-of-reprisals-if-Somalia-deployment-continues. html> (Accessed 11 July 2012).

[2] Kelly K J, (2011) Stop al Shabaab, Kibaki tells UN. Retrieved September 24, 2011, from http://www.nationmedia.com.

[3] Aluanga L, (2011) Al Shabaab militants aim softer targets. Retrieved October 16, 2011, fromhttp://www.standardmedia.co.ke

[4] Khalif A, (2011) Kenyan army in for "mother of all battles". Retrieved October 17, 2011, from http://www.nationmedia. com.

[5] Mkawale S, (2011) Kenya invokes right of self defence over Al-Shabaab. Retrieved October 15, 2011, from http://www.standardmedia.co.ke.

[6] Bothe M, (2003) "Terrorism and the Legality of Pre-emptive Force" In European Journal of International Law (2003)14(2):227-240.

[7] Bocha G, (2011) Kenya sets up bases to fight Somali raiders. Retrieved October 9, 2011, from http://www.nationmedia.com.

[8] Bryman A, (2004) "Social Research Methods", Edition 2, Oxford: Oxford

University Press Cane, M.A., S.E. Zebiak and S.C. Dolan (1986). Experimental forecast of El Niño. Nature 321: 827-832.

[9] Sarantakos S, (2005) "Social Research", Edition 3, Basingstoke: Palgrave Macmillan.

[10] idem

[11] Bryman A, (2001) "Social Research Methods", Oxford: Oxford University Press.

[12] Sarantakos S, (2005) "Social Research", Edition 3, Basingstoke: Palgrave Macmillan.

[13] Security Council Resolution 487 (June 19, 1981) The resolution refers to Article 2(4) in the preamble just before operative paragraph one which condemns the strike as a violation of the Charter.

[14] idem

[15] Odhiambo E OS, Onkware K, Kassilly J, Maito L T, Oboka W A, Wakhungu J W And Ntabo O M (2012) Kenya's Pre - Emptive and Preventive incursion against Al – Shabaab in the Light of International Law in journal of Defense Resources Management Vol. 3, Issue 1 (4)/ 2012 Brasov – Romania, pp. 27-36.

[16] Jennings R, (1996) Oppenheim's International Law Volume 1, 9th ed., New York: Longman.

[17] United Nations, (1945) Charter of the United Nations. United Nations. Available from: <http://www.un.org/en/documents/charter/chapter7. shtml> (Accessed 11 July 2012).

[18] Tams C J, (2009) The use of force against terrorists. European Journal of International Law, 20 (2), pp. 359–397.

[19] United Nations Secretary-General praises Kenya's invasion of Somalia. Pan African News Wire, 8 September. Available from: <http://panafricannews.blogspot.com/2011/12/united-nations-secretary-general. html> (Accessed 31 July 2012).

[20] Antić M, (2009) Iraq war: Was It morally justified? Zagreb, University of Zagreb.

[21] Akolo J, (2012) Kenya vows to defend its territory. KBC News,

15 October. Available from: <http://www.kbc.co.ke/news.asp?nid=72938> (Accessed 13 July 2012).

[22] Throup D, (2012) Commentary on Kenya's intervention in Somalia. Centre for Strategic and International Studies. Available from: <http://csis.org/ publication/kenyas-intervention-somalia> (Accessed 11 July 2012).

[23] International Crisis Group (2012) The Kenyan military intervention in Somalia. Africa Report No 184, 15 February. Available from: <http://www. crisisgroup.org/~/media/Files/africa/horn-of-africa/kenya/184%20-%20 The%20Kenyan%20Military%20 Intervention%20in%20Somalia> (Accessed 18 July 2012).

[24] Eby C A, (2007) The nation that cried lone wolf: A data-driven analysis of individual terrorists in the United States since 9/11. Boston College, Boston.

[25] Summers Harry G Jr, (1986) "War: Deter, Fight, Terminate; The Purpose of War is a Better Peace," Naval War College Review, vol. 39, no. 1, January–February p. 19.

[26] Daily Maverick (2012) The war against al-Shabaab: Round two begins now. Daily Maverick, 1 October. Available from: http://dailymaverick.co.za/ article/2012-10-01-the-war-against-al-Shabaab-round-two-begins-now (Accessed 2 October 2012).

[27] International Crisis Group (2012) The Kenyan military intervention in Somalia. op cit.

[28] Jamah Ally, (2011) Talks to end doctors' strike collapse. Thursday, December 8 2011 http://www.standardmedia.co.ke/

[29] Business Daily (2011) Kenya shifts cost of Somalia war to the United Nations http://yaskaarshe.wordpress.com/2011/12/07/kenya-shifts-cost-of-somalia-war-to-the-united-nations.

[30] Jamah Ally, (2011) Talks to end doctors' strike collapse. Thursday, December 8 2011http://www.standardmedia.co.ke.

[31] United Nations, (2012) United Nations Security Council Resolution 2036 adopted unanimously. Available from: <http://www.un.org/News/Press/docs/2012/sc10550.doc.htm> (Accessed 13 July 2012).

[32] Anyanzwa J, (2012) Kenyans brace for hard times ahead as budget is tabled. Standard Digital, 14 June. Available from: http://www.standardmedia. co.ke/?articleID=2000059820&story_title=Brace-for-hard-timesahead (Accessed 17 September 2012).

[33] Shabelle Media Network (2012) Somalia: Kenyan jets kill 2, wound 3 civilians in south Somalia. All Africa, 24 March. Available from: <http://allafrica.com/ stories/201203240307.html> (Accessed 12 July 2012).

[34] Strazius Jason & Odula Tom, (2012) Associated Press. "2 blasts in Nairobi amid fears of terrorist reprisal". 2012 Hearst Communications Inc. Retrieved 29 May 2012.

[35] The Associated Press, (2011) "Two grenade blasts rattle Nairobi; 1 dead", The Associated Press. Retrieved 29 May 2012.

[36] Clarke David, (2012) "A grenade attack at a bus station in central Nairobi killed five people and wounded 69, the Kenya Red Cross said on Sunday". Reuters. Retrieved 29 May 2012.

[37] Wambua Maria, (2012) On the bloody trail of Al-Shabaab terror attacks http://www.nation.co.ke/News/On-the-bloody-trail-of-Al-Shabaab-terrorattacks/1056/1653362/-/xnrw0a/-/index.html

[38] Bosire Boniface, (2012) Timeline: grenade and landmine attacks in Kenya

[39] Strazius Jason & Odula Tom, (2012) Associated Press. "2 blasts in Nairobi amid fears of terrorist reprisal". 2012 Hearst Communications Inc. Retrieved 29 May 2012.

[40] Wambua Maria, (2012) On the bloody trail of Al-Shabaab terror attackshttp://www.nation.co.ke/News/

On-the-bloody-trail-of-Al-Shabaab-terrorattacks/1056/1653362/-/xnrw0a/-/index.html.

[41] Ndonga Simon, (2012) "Kenya: Church Grenade Attacker 'A Known Terrorist". AllAfrica. Retrieved 7 August 2012.

[42] Ombati Cyrus, (2012) "Police link Al Shabaab to Ngara church attack". Standard Group Limited. Retrieved 29 May 2012.

[43] The Star, 2012 http://www.the-star.co.ke/news/article-93703/teenager-gang-killed-garissa-policeman-patrol.

[44] Benyawa Linah & Ochami David, (2012) "Police guarding key blast suspect in hospital". Standard Group. Retrieved July 9, 2012.

[45] Nation Team (2012) "17 dead, 50 injured in twin Garissa church attacks". Nation Media Group. Retrieved 1 July 2012.

[46] Aljazeera.com, (2012) "Kenya grenade attacks hit church services, Africa Al Jazeera English". Retrieved 1 July 2012.

[47] Bosire Boniface, (2012) Timeline: grenade and landmine attacks in Kenya.

[48] idem

[49] The Daily Telegraph, (2012) (London:TMG). 3 August 2012.ISSN 0307-1235. OCLC 49632006. "At least one killed in Nairobi explosion Telegraph". Retrieved 7 August 2012. "Eastleigh neighbourhood."

[50] Bosire Boniface, (2012) Timeline: grenade and landmine attacks in Kenya

[51] The Star, 2012 http://www.the-star.co.ke/news/article-93703/teenager-gang-killed-garissa-policeman-patrol.

[52] Ombati Cyrus, (2012) Standard Media. Four GSU officers injured in Garissa explosion. Retrieved 26th Sept 2012.

[53] idem

[54] Rashid Abdi, (2012) "Police arrest 83 over Garissa church attacks - News". nation.co.ke. Retrieved 5 July 2012. "Kenya Police, Administration Police, National Security Intelligence Service and the paramilitary General Service Unit".

[55] Aynte Abdi, (2012) "How Shabaab is losing the battle, but maybe winning the war". African Arguments. Retrieved 21 November 2012.

[56] The Star, 2012 "Grenade Attack kills one in Mombasa Night Club. The Star. 16 May 2012. Retrieved 31 May 2012.

[57] http://www.bbc.co.uk/news/world-africa-20196493.

[58] Business Daily Africa.com, 2012 http://www.businessdailyafrica.com/6-dead-in-Eastleigh-matatu-explosion//539546/1624650/-/14asbjk/-/index.html.

[59] Standard media, 2012 http://www.standardmedia.co.ke/?articleID=2000072236&story_title=Kenya-Eastleigh-blast-victim-dies.

[60] BBC, 2012 http://www.bbc.co.uk/news/world-africa-20645415.

[61] BBC, 2012 http://www.bbc.co.uk/news/world-africa-20617516.

[62] Standard media, 2012 http://www.standardmedia.co.ke/?articleID=2000073065&story_title=Kenya-At-least-one-injured-in-Eastleigh-blast.

[63] Aljazeera.com, 2012 http://www.aljazeera.com/news/africa/2012/12/20121219172758769966.html.

[64] Capital fm, 2012 http://www.capitalfm.co.ke/news/2012/12/gunmen-kill-kenyan-policeman-in-ambush-2.

[65] Standard media, 2013 http://www.standardmedia.co.ke/?articleID=2000074682&story_title=Kenya-Two-grenades-thrown-into-WFP-premises.

[66] Standard media, 2013 http://www.standardmedia.co.ke/?articleID=2000074505&story_title=Kenya-Police-officers,-civilian-hurt-in-Garissa-attack.

[67] Standard media, 2013 http://www.standardmedia.co.ke/?articleID=2000074276&story_title=Kenya-Two-killed-in-Garissa-grenade-attack.

[68] The Miami Herald, (2013) "Kenya police: Suspected militants kill 5 people". Retrieved 2013-01-15.

[69] The Standard, 2013 "Terror suspects die after bombs explode on them". The Standard. 17 January 2013. Retrieved.

TACKLING PIRACY AND OTHER ILLEGAL ACTIVITIES IN NIGERIAN WATERS

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Nigeria has continued to attract international attention as a hot spot of maritime insecurity due to rising incidents of piracy and attacks against maritime assets. This article briefly discuses the challenge of maritime insecurity in Nigerian waters and suggests some responses that will enhance a remediation of the problem.

1. INTRODUCTION

Nigeria presently accounts for a large volume of cargo and vessel traffic in the Gulf of Guinea and also in the West African Sub-region [1]. It is estimated that 96% of Nigeria's import cargoes are transported through maritime channels [2]. Nigeria is also a major producer and exporter of crude oil and natural gas with a majority of oil and gas reserves located in the Niger River Delta and offshore in the Bight of Benin, the Gulf of Guinea and the Bight of Bonny [3]. Consequently, a large portion of the infrastructure for the production and transportation of oil and gas is located within the Nigerian maritime sector. This also underscores the strategic economic importance of the maritime industry in Nigeria. However, Nigeria has begun to attract constant international attention as a hot spot of maritime insecurity [4] due to rising incidents of piracy and attacks against maritime assets in the oil and gas industry. Recent findings indicate that Nigeria records the second highest rate of piracy and acts of maritime insecurity in Africa [5] - coming after Somalia in the Gulf of Aden, which has now gained international notoriety as one of the hottest spots of piracy in the world [6].

The United Nations Convention on the Law of the Sea (UNCLOS) defines "piracy" as of any of the following acts:

"(a) any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed:

(i) on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft;

(ii) against a ship, aircraft, persons or property in a place outside the jurisdiction of any State;

(b) any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft;

(c) any act inciting or of intentionally facilitating an act described in sub-paragraph (a) or (b)." [7]

However, the above definitions of the UNCLOS do not appear to explicitly cover attacks against ships and maritime assets in territorial or coastal waters. The International Maritime Organization (IMO) attempts to provide a broad definition of "piracy" to include acts of armed robbery against ships or at sea which also encompasses attacks in territorial waters including internal waters and on vessels in port [8]. The International Maritime Bureau (IMB) also provides a broad definition of "piracy" as "an act of boarding or attempting to board any ship with the apparent intent to commit theft or any other crime and with the apparent intent or capability to use force in the furtherance of that act."[9] Aside from explicit acts of piracy as defined above, other notable forms of illegal activities on Nigerian waters include: smuggling, armed extortion of vessels, kidnapping, oil infrastructure vandalism, illegal oil bunkering and crude oil theft. In this regard, "Nigerian waters" refers to the territorial waters of Nigeria including every part of the open sea within thirty nautical miles from the coast of Nigeria [10].

2. PIRACY AND OTHER ILLEGAL ACTIVITIES IN NIGERIAN WATERS - THE STATE OF THE PROBLEM

To some extent, within the last ten years, it appears that Nigerian waters have been characterized by the *Hobessian* law of the state of nature - where life is nasty and brutish. A research published by the United States Naval War College in 2010 indicates that, out of 178 attacks reported in the Gulf of Guinea between 2003 and 2007, 137 of the attacks took place in Nigerian waters. In these attacks, it was also reported that about 237 foreigners and dozens of Nigerians were kidnapped in sixty separate attempts [11]. Also between December 2005 and 2009, Nigeria also recorded an enormous rise in piracy and other illegal activities in the form of oil infrastructure vandalism, kidnapping and militant takeover of oil infrastructure located in the costal areas of the Niger Delta by militant groups. This state of affairs caused some oil service companies to withdraw from the country, while several multinational oil companies had to shut in production and declare *force majeure* on oil shipments. Consequently, Nigeria's oil production capacity fell from 2.9 millon barrels per day to about 1.7 and 2.1 million barrels per day [12]. Reports also indicate that the Nigerian Trawler Owners Association (NITOA) lost over 60% of their entire fleet to piracy between 2006 and May 2010, causing many fishing companies to close operations and even relocate to other countries [13]. Following the Federal Government's declaration of an Amnesty programme for the Niger Delta militants in December 2009 there appears to have been a reduction in the spate of attacks against maritime assets in the oil and gas industry [14]. However, other forms of illegal activities such as smuggling, armed robbery, armed extortion of vessels, kidnapping of seafarers, illegal oil bunkering and crude oil theft appear to have continued unabated. Between January and September 2011, the *Nigerian Maritime Security Review* reported over 31 attacks on

international shipping assets within Nigerian waters- with most attacks concentrated in the Niger Delta, the Bakassi Peninsula and the Calabar River [15]. Also in the first two months of 2012, the IMO reported 10 incidents of attacks against international shipping assets [16]. In September 2012, the IMB reported that about 37 foreign ships were attacked in Nigerian waters [17]. Additionally, the International Energy Agency (EIA) also released a report in the month of November 2012 which disclosed that Nigeria loses about 7 billion US Dollars every year due to crude oil theft [18]. As a result of insecurity in Nigerian waters, Liberia, Norway and the Panama Maritime Authority have also raised their International Shipping and Port Facility Security (ISPS) Code Security levels from I to II for ships operating in the Nigerian costal waters and ports [19]. Thus, acts of piracy and illegal activities on Nigerian waters pose grave challenges to national security and economic stability and also constitute a hindrance to trade and investment which is required for economic growth in Nigeria. Due to maritime insecurity, the transportation of goods through maritime channels is exposed to higher risks which are also factored into shipping costs and marine insurance premiums. For example, in April 2012, the International Bargaining Forum (a global labour federation for the transportation industry representing 600,000 seafaring members) designated the territorial waters of Nigeria as a high risk area due to pirate attacks. This implies that seafarers have the right to refuse to enter Nigerian waters and are entitled to double their daily basic wage, as well as death and disability compensation while within Nigerian waters [20]. The eventual result is that all these costs are transferred to consumers in the form of high prices for imported goods.

3. CHALLENGES AND SOLUTIONS

A major factor that is responsible for increased pirate attacks and illegal activities on Nigerian waters can be traced to underdevelopment and poverty in the Niger Delta area. The failure of successive regimes to timely address underdevelopment, poverty and environmental degradation in the Niger Delta enabled the emergence of several ethnic militant groups as self help mechanisms for environmental and political agitation and also for more a equitable distribution of Nigeria's oil revenues in favor of the oil producing areas. However, to a great extent, the objectives of these militant groups have been eroded by corruption and greed. Militant groups now engage in organized criminal activities that cause maritime insecurity such as pirate attacks, armed robbery, hostage taking, armed extortion of vessels, oil bunkering and oil theft [21]. These groups easily recruit youths due to massive unemployment and the poor social economic situation in Nigeria. It is noted that these militant groups are usually backed by powerful politicians, government officials and members of the armed forces to engage in the theft of crude oil [22]. Consequently, the government appears to lack the political will to tackle acts of maritime insecurity where such will affect the vested

interests of these organized criminal groups. Another major factor that is responsible for piracy and illegal activities on Nigerian waters is that the Nigerian Navy lacks the capacity to provide an effective and credible deterrent for such acts. It is noted that this lack of capacity is linked to lack of planned and preventive maintenance, lack of equipments and spare parts, lack of adequate training (such as coxswain and seamanship skills), lack of fuel, poor maintenance of weapon systems and poor supply of ammunition [23]. This state of affairs has also been linked to the overwhelming neglect of maritime security forces in terms of funding and personnel strength when compared to land-based forces. For example, a research published in 2010 revealed that the Nigerian Army has about 62,000 soldiers, while the Nigerian Navy has about 8,000 soldiers [24]. Another notable factor is that the law enforcement and justice systems are very weak in Nigeria as there has not been any remarkable effort to investigate or prosecute individuals suspected of taking part in or sponsoring acts of piracy and other illegal activities on Nigerian waters. This appears to have encouraged organized criminal groups to continue their activities with impunity.

Tackling piracy and illegal activities in Nigerian waters will require the creation of employment opportunities and the improvement of social and economic conditions in the country especially in the Niger Delta area. This measure will reduce the continuous drift of youths into piracy and maritime criminality as a means to earn a living. There is also

the need for maritime security forces to partner with coastal communities in securing Nigerian waters. The government will also have to improve funding and capacity building in maritime security forces such as the Navy, Air force, Customs and Marine Police rather than contracting out the provision of maritime security services to private security firms [25]. There is also the need to implement efficient radar coverage systems for Nigerian waters, as well as technological systems such as Community Vessel Traffic Monitoring Information Systems, Integrated Maritime Surveillance Systems with satellite communications solutions and Automatic Identification Systems for vessels, in order to enhance vessel monitoring, as well as the early detection and prevention of pirate activity. It is imperative that Nigeria and other states in the Gulf of Guinea consider establishing a viable multilateral naval security framework to tackle the rising trend of piracy in the Gulf of Guinea. There is also a need for law enforcement authorities to investigate and prosecute individuals suspected of taking part in or sponsoring piracy and maritime criminality in Nigeria, as this will serve a deterrent. Finally, given that corruption has been the bane of Nigeria, effectively tackling piracy and illegal activities in Nigerian waters will also require the effective enforcement of anti corruption laws and a high level of patriotism from all stakeholders. There is no doubt that piracy and maritime criminality have a great potential to cause enormous harm to national and economic security in Nigeria. This very fact underlies

the need for the government to work towards addressing these issues with a sense of urgency.

NOTES & REFERENCES

[1] *See* Kennedy K. Mbekeani and Mthuli Ncube, "Economic Impact of Maritime Piracy", *Africa Economic Brief*, (14 July, 2011) Vol. 2, Issue 10, p.7.

[2] *See* Chioma Yingigba Jaja, 'Freight Traffic at Nigerian Seaports: Problems and Prospects', *Medwell Journals* (2011) Vol. 6 (4) pp. 250-258.

[3] *See* Energy Information Administration (EIA), *Country Analysis Briefs – Nigeria* (August, 2011).

[4] *See* Adjoa Anyimadu, *Maritime Security in the Gulf of Guinea: Lessons Learned from the Indian Ocean* (Chatham House: London, July, 2013), p.4.

[5] *See,* F. Korthals Altes, et al, *Combating Piracy At Sea a Reassessment of Public and Private Responsibilities* (Advisory Council on International Affairs: The Hague, Netherlands, December 2010) pp.12-13, 18-19.

[6] *See* Office of Naval Intelligence, United States, "(U) Somalia and the Gulf of Guinea: Piracy Analysis and Warning Weekly (PAWW) Report for 11 – 17 July 2013", *Maritime OPINTEL Report* (18 July 2013), available at <http://www.oni. navy.mil/intelligence_Communinty/piracy/ pdf/2013717/PAWW.pdf >. *See* Stefan Mair (Ed) *Piracy and Maritime Security* (German Institute for International and Security Affairs: Berlin, March 2011). *See* International Chamber of Commerce, *Piracy and Armed Robbery against Ships: Annual Report 1 January–31 December 2007* (London: International Maritime Bureau, 2008), pp. 5–6.

[7] *See* article 101 UNCLOS. For an analysis of the definition of "piracy" under article 101 of the UNCLOS, *see* Geneva Academy of International Humanitarian Law and Human Rights, *Counter piracy under International Law* (University of Geneva: Netherlands, August 2012) pp.11-15.

[8] *See* Stefan Mair (Ed) *Piracy and Maritime Security* (German Institute for International and Security Affairs: Berlin, March 2011), p.5.

[9] *See* International Chamber of Commerce, *Piracy and Armed Robbery against Ships: Annual Report, 1 January– 31 December 2006* (London: International Maritime Bureau, 2007), p. 3.

[10] *See* section 1 (1) of the Nigerian Territorial Waters (1967).

[11] *See* Arild Nodland, "Guns, Oil, and "Cake" Maritime Security in the Gulf of Guinea", in Bruce A. Elleman, Andrew Forbes, and David Rosenberg, (Eds) *Piracy and Maritime Crime Historical and Modern Case Studies* (Naval War College Press: Newport, Rhode Island, USA, 2010),p.196.

[12] S*ee* Energy Information Administration (EIA), *Country Analysis Briefs – Nigeria* (August, 2011).

[13] *See* Nigerian Ships and Ports Communications Company, *How NITOA Lost over 60% of Trawlers to Piracy in Four Years*, (2010) available at <http://www. shipsandports.org/news.php>.

[14] *See* Freedom C. Onuoha, *Piracy and Maritime Security in the Gulf of Guinea: Nigeria as a Microcosm* (Al Jazeera Centre for Studies, 12 June 2012) p.7.

[15] *See* Bergen Risk Solutions, The *Nigerian Maritime Security Review,* No.18, October 2011, p.2.

[16] *See* Alessi C., "Combating Maritime Piracy", *Council on Foreign Relations,* (13 March, 2012) available at<http://www.cfr.org/ france/combating-maritime-piracy/p18376.

[17] *See* The Punch Editorial Board, "Tackling piracy in Nigeria's territorial waters", *The Punch* (October 26, 2012).

[18] *See* FOX News (13/11/2012) *Energy Agency: Widespread Thefts of Crude Oil in Nigeria cost Country 7 Billon US Dollar a Year,* available at <foxnews.com/world/2012/11/13/ energy-agency-widespread-thefts-crude-oil- in-nigeria-cost-country-7b-year/>.

[19] *See* Arild Nodland, "Guns, Oil, and "Cake" Maritime Security in the Gulf of Guinea", in Bruce A. Elleman, Andrew Forbes, and David Rosenberg, (Eds) *Piracy and Maritime Crime Historical and Modern Case Studies* (Naval War College Press: Newport, Rhode Island, USA, 2010), p.196.

[20] *See* Freedom C. Onuoha, *Piracy and Maritime Security in the Gulf of Guinea: Nigeria as a Microcosm* (Al Jazeera Centre for Studies, 12 June 2012) p.9.

[21] *See* Muhammad Nura Inuwa, *Oil Politics and National Security in Nigeria* (A Master's Thesis submitted at the Naval Postgraduate School Monterey: California, December 2010) pp.39, 42-43. *See generally*, Elias Courson, *Movement for the Emancipation of the Niger Delta (MEND) Political Marginalization, Repression and Petro-Insurgency in the Niger Delta* (Nordiska Afrikainstitutet: Uppsala, 2009).

[22] *See* IRIN News Agency, UN Office for the Coordination of Humanitarian Affairs, "Conviction of Admirals Confirms Navy Role in Oil Theft," (6 January 2005), available at <http://www.irinnews.org/>.

[23] *See* Arild Nodland, "Guns, Oil, and "Cake" Maritime Security in the Gulf of Guinea", in Bruce A. Elleman, Andrew Forbes, and David Rosenberg, (Eds) *Piracy and Maritime Crime Historical and Modern Case Studies* (Naval War College Press: Newport, Rhode Island, USA, 2010),p.201.

[24] *See* David Mugridge, "Piracy Storm Brews in West Africa: Gulf of Guinea under Maritime Siege", *Defence IQ,* (18 August, 2010) available at <http://www.defenceiq.com/sea/articles/piracy-storm-brews-in-west-africa-gulf-of-guinea-u/>.

[25] In 2012, the Nigerian government through the Nigerian Maritime Administration and Safety Agency (NIMASA) awarded a $103 million maritime security contract to secure Nigerian territorial waters for a ten year period to Messers Global West Vessel Specialist Nigeria Limited (GWVSL) a private company allegedly owned by Government Ekpemupolo, a former leader of the militant Movement for the Emancipation of the Niger Delta (MEND) despite an existing Memorandum of Understanding (MoU) between NIMASA and the Nigerian Navy. The development has been seriously criticized by several stakeholders as been detrimental to the development of the Nigerian Navy and other maritime security forces. *See*, "Fighting Tompolo at Inland Water Ways", *Insider Weekly* (September, 03, 2013) available at <http://insiderweeklymagazine.com/ed462.php>. *See* Francis Ugwoke, "Controversy over Maritime Security Contract", *Thisdaylive* (February, 05, 2012) available at <http://www.thisdaylive.com/articles/controvesy-over-maritime-security-contract/108615/>. *See* Bergen Risk Solutions, *Nigeria Maritime Security Review* (July, 2012) No 21, p.9.

STRATEGIC PLANNING
IN INFORMATION RESOURCES MANAGEMENT

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The field of strategic management has offered a variety of frameworks and concepts for the past years, many with the declared aim of "taking business and its management seriously". Strategic planning can help an organization to build its sustained competitive advantage in the face of an uncertain marketplace, but it requires new ways of thinking in order to create feasible alternatives.

This article examines how the Chief Information Officer (CIO) can use strategy and planning as an enabler to meet the mission of an organization. The analysis focuses on some common problems that occur in strategic planning. Managers need to identify these potential issues, so that they can recognize and deal with them if they arise in their own strategic planning. A systems approach is taken which presents planning as an open inclusive process that seeks to produce flexible systems capable of growth and adaptation to meet changing needs and missions.

Key words: *strategic planning, mission, vision, strategic plan.*

1. INTRODUCTION

When we discuss about strategic planning, we should clearly understand if it is different from normal planning and if so, what makes strategic planning different from day-to-day planning. Obviously, we plan to be prepared for some expected or unknown event. In the climate of nowadays' constant change, organizations have to continue to deliver their missions. Thus, it becomes essential for them to consider the effect of that change on their future direction.

In this paper we will cover some of the various perspectives on strategic planning, pondering over the drivers of the planning process. Finally, we will focus on what constitutes strategic planning in information resources management. In this respect, the guiding principle underlying the approach taken in this paper is that the challenge for any organization is to manage change and not to be managed by it.

2. STRATEGIC PLANNING

What is strategic planning and what does it offers to an organization? Planning takes place at many levels, from the day-to-day planning that ensures the delivery of short term goals/activities, to the long term planning that affects the structure and future direction of an organization. Strategic planning is concerned with high-level issues that often relate to an organization's existence and it usually involves a long-term view.

One of the most suitable definitions states that strategic planning is *"... a specialized planning method for organizations based on the three core elements of a clearly defined*

mission statement, acknowledgement of basic values that must be expressed in its actions and a vision of desired future outcomes." [1]

The documented result of the strategic planning process is the strategic plan.

The strategic plan is a guide to achieving the mission of the organization. It is a great communication tool and a way of informing what the organization intends to do and how it intends to achieve its Vision. The strategic plan is also a mechanism for connecting planning programs and initiatives with the organization budget.

Some **indicators** that highlight when the strategic planning process takes the wrong track, is imperfect, malfunctioning or not serving its basic purposes are as follows:

• The process of producing the strategic plan means to put more effort into the publication of the document than into the development of the content;

• Planning is withheld by a small group of planners (not all senior leadership is involved);

• The process of producing the strategic plan takes place somewhere outside the organization, separated from the normal work process;

• There are internal memos which dictate that the vision statement is to be completed "by today" if not "by yesterday";

• The strategic plan is not easily accessible / available to be read;

• Few persons from the organization ever read the strategic plan and, even more, the senior leadership does not expect the employees to read it.

Such indicators show whether an organization is really conducting strategic planning with a view to improving how it meets its mission, or whether it is just following a legislative requirement without understanding the true purposes of strategic planning. Poor planning becomes a mean in itself, rather than a mean to an end. More effort appears to go into producing the plan as a finished publication than in the development of the content. As a result, the strategic plan is often ignored and is ineffective in helping the organization adapt to major changes in the future [2].

To conclude, strategic planning is not just a programming function, where the chronological component of the plan or its publication becomes the most important product. What should distinguish between good and poor strategic planning is the thinking involved in the development of the plan and not the programming. The focus needs to be on strategic thinking and not strategic programming. We should properly consider and plan for the unknown and unexpected that we may face in the future, rather than planning for the easy and expected things.

To be effective, the strategic plan must be read and understood at many levels throughout the organization. Everyone should recognize their role in supporting and delivering the requirements of the plan. Similarly, everyone should recognize that the plan is relevant to the mission and purpose of the organization.

The process by which good strategic plans are produced should be different. For example, leadership

has the responsibility to ensure the plan is developed, but good strategic planning does not assume that only the leadership has the right answer; some of the ideas from the lower levels of the organization may well be exactly what is required. At the same time, we have to consider that organizations that are currently profitable will have a hard time convincing senior management (and less likely employees) that a change in how people behave is necessary or worth the organizational pain [3].

The future of organizations and what they will become in 5 years does not yet exist, we have to create it. Our actions and decisions (both individual and collective) will create the future. This is the nature of strategic planning - organizations must plan for the unknown. We can react to the unknown or we can shape the unknown, but only effective strategic planning can make the difference between shaping and having to react. Regardless of the perspective one adopts, the fundamental purpose of planning is to integrate organizational efforts in order to achieve a common goal [4].

In today's world, we need a change in the way we think. If we assume the future is predictable then our planning becomes linear and internally focused. If we assume the future is unknown and we are planning in a time of uncertainty, we have to acknowledge the existence of risks and the fact that the old ways of working may not be adequate.

It is widely accepted the fact that how we think governs how we act. Regarding the planning aspect, if we think on "short term" we will (in most cases) inevitably plan only for the "short-term". Similarly, if we think in a narrow mindset, then we will only be able to plan in a similar manner.

3. STRATEGIC PLANNING AND INFORMATION RESOURCES MANAGEMENT (IRM)

Every organization should connect its investment in Information Technology with improved program effectiveness and service delivery. The development of a Strategic Plan assists the organizations to focus on results and performance, linking budgets, planning and performance targets, and contributes to the recognition of information systems' role in delivering improved performance.

From an Information Resources Management perspective, the strategic plan is a mechanism that allows the Chief Information Officer (CIO) to connect the strategic objectives of the organization to programs and initiatives that involve information systems. Establishing this connection serves to make senior leadership aware of how information systems contribute to the mission and vision of the organization. The characteristics of an organization's key decision-makers influence strategy and subsequent organizational performance [5].

Strategic Planning is not just required by legislation, it is also a good business practice. Only by adequate planning can organizations be prepared for the future, particularly the ones that experience or anticipate greater changes. Organizations need to display the following characteristics:

- Accountability;
- Alignment;

- Awareness;
- Adaptability.

Planning as Accountability

In the specific context of this paper, planning as accountability means the organization intends to provide and can demonstrate value for money. Best practices worldwide show that a successful organization will always include in its strategic plan at least the following elements:

- A comprehensive mission and vision statements;
- General goals and objectives for major activities and operations;
- Strategies to achieve these goals and objectives;
- The relationship between the long-term goals and objectives and the annual performance goals;
- Key external factors (beyond internal organizational control) that could influence the accomplishment of the goals and objectives;
- Realistic performance measurements;
- A description of how program evaluations will be used to revise the strategic goals.

Planning as Alignment

Planning as alignment is interpreted in the light of all organization's components working together. In this respect, to achieve the mission strategic planning promotes / provides:

- An integrated structure;
- Autonomous (but coordinated) actions through out the organization;
- Organizational cohesiveness through a shared sense of direction, intent and purpose;
- Shared values, beliefs and assumptions;

- Concentration of effort;
- Flexibility for responding to a changing environment.

Planning as Awareness

In this specific context, planning as awareness means an organization understands the environment and customers it is serving. Its strategic planning process contributes to an increasing visibility of responsive intent to the customer, reduces the information overload and indicates creative ability to adapt to change.

Planning as Adaptability

In this specific context, planning as alignment means an organization can be responsive in a world of constant change.

4. COMMON ISSUES IN STRATEGIC PLANNING

The strategic plan needs to address high-level issues and include a long-term view. Above all it is concerned with achieving organization's mission and adapting to what the organization and stakeholders decided it needs to become. In other words, the Strategic Plan addresses where the organization must go or what it must become, why it needs to change, and how it gets there, while also achieving its mission.

For a suitable planning process to be put in place several issues need to be addressed. The most common concern is the way we plan. The common understanding of planning is best expressed through the following questions:

- Where is the organization going?
- Why is it going there?

- How will it get there?
- How will we know that the organization is getting there?

The synthesis and result of the above questions are expressed by three basic organizational concepts: *Mission*, *Vision* and *Plan*. The Mission specifies *"what the organization does, its very purpose"*, the Vision expresses *"what the organization intends to be in the future, where it is going"*, while the Plan explains *"how to get to the Vision, while achieving the Mission"*.

The development process for the vision is a tricky one. Thinking about how organizations develop and then achieve their vision takes us back to an issue raised before, that of "strategic thinking" rather than "strategic planning". The process of understanding where an organization needs to go is far more valuable than the process of planning. After all, if the destination is incorrect, then no amount of planning will get you where you should be.

The mission statement and vision statement create a suitable framework for the planning process to be put in place. One common mistake is to establish a too ambitious vision for the organization. The reality of strategic planning tells us that the vision should be challenging but must be at least theoretically attainable. The vision is therefore a "TO-BE" state which differs significantly from the present "AS-IS" state. Setting the vision is therefore very important, leadership must be open to ideas and aware of the uncertainty and change that face the organization.

Because visions can be very powerful motivators (consider only the challenge *"This nation should commit itself to achieving the goal, before the decade is out, of landing a man of the moon and returning him safely to Earth"* [6]), we must however, be very careful not to simply create a slogan. Therefore, there is a strong requirement to visualize the vision - what it would mean to the organization if we achieved it.

The strategic plan must recognize why the organization is going in a specific direction. Reasons include pressure from customers and stakeholders, changes in technology and work practices or an existing failure to achieve the organization's mission.

A common issue regarding the strategic plan is the tendency to consider it finalized (as an activity) in the moment when its documented format is issued. The point here is the plan without a subsequent action is wasted effort and it is just "shelf ware".

If you are going to achieve your vision, the organization must undertake a course of action that derives from the strategic plan. However *"... sometimes strategies must be left as broad visions, not precisely articulated, to adapt to a changing environment"* [7]. In other words, occasionally being too specific on the approaches derived from the strategic plan is a mistake.

The figure below shows a diagram that clearly represents the Strategic Management Process Model.

Fig.1. The Strategic Management
Process Model [8].

The diagram shows many of the influences in the strategic management process. Although the strategic plan should be revised and published at least annually, strategic planning is not done only once a year, but it is an on-going process. Obviously, the vision and mission will not normally change over a number of years, but both the strategic objectives and goals may change, often as a result of an assessment of how well the organization is moving towards its vision.

Having set a strategic direction, the next process is to translate that into action. Often an organization will establish a small number of strategic objectives, broad "goals" for the organization to achieve.

These strategic objectives are achieved through focused programs and initiatives. Many of these programs will depend upon information systems - thus reestablishing the connection between strategic objectives and information system programs.

To successfully implement the strategic objectives, an organization must have the capability to execute the strategy. By capabilities we refer to the individual, process and organizational tools, skills and knowledge required to successfully implement change [9].

Managers need to recognize and deal with some common potential problems in the implementation of strategic planning, as follows:

- *Lack of commitment* - A common concern in strategic planning is the potential lack of commitment from the leadership of the organization. Top management bodies are often unwilling to support a system of strategic planning, because they consider it decentralizes authority and power. Therefore, the design of strategic planning process should be done having in mind the necessity of an increasing top management commitment;

- *Organizational politics* - A major problem is represented by the individual agenda of planners and managers, which have their own interests, beliefs and biases. Planning is supposed to be objective and personal biases should not influence the process;

- *Organizational climate* - A successful strategic planning process also requires a favorable climate within the organization regarding the concept itself. Briefly speaking, if the organizational culture does not support strategic planning, then there is little chance of it being properly used;

- *Resistance to change* - The necessity of carefully introducing the strategic planning process into the organization cannot be overstressed. It always implies new (or different)

ways of doing things and people may reject it simply because it is not a familiar concept.

In some cases, the strategic planning model is followed exactly and the mission statement is revised and refined multiple times, the SWOT analysis is completed and we finally create a list of goals with deadlines. The task is accomplished, but there is only one problem: it does not work. And when or if it does, it does not work nearly as well as it needs to work to have the improvements that are necessary to stay ahead of your competitors.

In this case, several issues prevent us from an easy-to-follow implementation activity of the strategic plan:

• *There are no strategies inside the strategic plan* - The plan is completely lacking any defined/real strategies; without the strategy, the chances of using your resources to create the results you want are based mostly on luck. Even if results are achieved, they are obtained with a much greater level of effort than was necessary;

• *There is no list of obstacles for each strategy, nor any contingency plans for each obstacle* - The end result will be that it will take us longer to accomplish our goals, because we'll need to regroup as we encounter each obstacle;

• *There are no clear structure or implementation deadlines* - The global project leader for the initiative is not defined, it is unclear to whom and when will give status reports and so are the milestones.

5. CONCLUSIONS

The theoretical and practical importance of developing and applying strategic planning to sustain an organization's competitive advantage in complex and volatile external environments has promoted this issue to the forefront of the research agendas of many scientists. So, the strategic planning capability is recently receiving much more attention, becoming focused on the organization's ability to renew its resources in line with changes in its environment.

The turbulent and changing nature of the environment suggests that the strategic management process could not be static and should still be considered valuable. It must continually evolve and develop, otherwise organizations may only be able to be competitive on short term. To have a persistent advantage, organizations must plan for the future and consequently continue to upgrade their resources to create new strategic growth alternatives.

REFERENCES

[1] Dean, L.A. *Council for the Advancement of Professional Standards in Higher Education*, 6th edition, 2006, Glossary of Terms. Available from http://www.gvsu.edu/dos/glossary-of-terms-72.htm.

[2] Johnson, G. *Managing Strategic Change Strategy, Culture and Action*. Long Range Planning, Vol. 25, No. 1, p. 28, 1992. Available from http://xa.yimg.com/kq/groups/

18937164/744773344/name/johnson%252B(1).pdf.

[3] De Long, D. *Building the Knowledge-Based Organization: How Culture Drives Knowledge Behaviors*. Center for Business Innovations, Ernst & Young LLP, p. 4, May 1997.

[4] Orne, D., Kotha, S., Erickson, R. *Planning for Managers in the Middle*. Tool and Manufacturing Engineers Handbook, Chapter 1 - Planning, p.1-3, 1988.

[5] Wilkinson, A.J., Mellahi K. *Organizational Failure: A critique of recent research and a proposed integrative framework*. International Journal of Management Reviews, Volume 5, Issue 1, p. 15, 2004. Available fromhttp://onlinelibrary.wiley.com/doi/10.1111/j.1460-8545.2004.00095.x/pdf.

[6] Kennedy J. F. *Excerpts from "Urgent National Needs" Speech to a joint session of Congress*, 25 May 1961, Available fromhttp://history.nasa.gov/Apollomon/apollo5.pdf.

[8] Mintzberg, H. *The Fall and Rise of Strategic Planning*. Harvard Business Review, January-February, p. 112, 1994. Available from http://staff.neu.edu.tr/~msagsan/files/fall-rise-of-strategic-planning_72538.pdf.

[9] Grant, J.H. *Advances and Challenges in Strategic Management*, International Journal of Business, Vol. 12, No. 1, p. 15, 2007.

ANALYZING THE IMPORTANCE OF INITIATIVE IN AN INFANTRY COMPANY'S BATTLE EXERCISE

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The purpose of this paper is to present how to study tactical phenomena from battle space situation pictures to find out if real initiative leads to success in the battle. In this paper, numerical values are calculated to determine whether there is also a correlation between situational awareness and initiative. The results are verified based on battle space situation pictures. In addition, the analyses of distributions describing the variation in the soldiers' feelings of their own forces and the adversary having the initiative are used to support the results showing which fighting side has the initiative.

Key words: *military tactics, infantry, company, attack, initiative.*

1. BACKGROUND

The tactical basic research, "Success Factors of Company Attack" (SCA research), which was carried out in the Finnish Defence Forces (FDF) during the years 2004-2007 forms the empirical background of this paper. The SCA research was focused on analyzing different individual effects of the measured variables, which were selected from the areas of tactics, situational awareness, battle task load, human factors, background factors and battle outcome. During this research, 59 attacks conducted during battle exercises by infantry companies were analyzed. The research material used for this paper consists of 590 schematic and illustrated tactical maps to describe the situation and 118 event catalogues to describe the actions taken in the battle space. Also, 103 written reports and numerical values of 118 measured tactical variables and perceptions of 130 observed factors were utilized to compose this paper. [1]

2. THE TACTICAL VIEWPOINT & THE APPLIED RESEARCH METHODS

In the literature dealing with tactics [2] in the FDF regulations and field manuals, e.g. Komppanian taisteluohje [3], KOTO, 2008, and Prikaatin taisteluohje, PRTO, 1984 [4], and in recent tactical research, Huttunen, 2010 [5], initiative is regarded to have an essential impact on the success of a battle. In the literature dealing with tactics, e.g. Kuusisto, 2004 [6], in the FDF regulations and field manuals, e.g. KOTO, 2008 and PRTO, 1984, and in tactical research, e.g. Lind, 1985 [7], Huttunen, 2010, situational awareness is also regarded to have an

essential   impact on the success of a battle. The SCA research showed that the largest differences between the values of measured variables were found in the mean values of initiative in successful and unsuccessful attacks

To be able to establish the size of the critical time windows for the analyzed tactical actions and to recognize initiative, observation points and verifiable time delays are needed for the battle space model. The first observation point is set at the battle engagement moment of the company. The second observation point is set at the start of the weapon effect. Two time intervals are determined, from background data, between these   two   observation points.   The   first   time interval covers the time used by the leader to decide and order the actions. The second time interval covers the time used   to   perform   the actions to start the weapon effect. The tactical analysis   of initiative   produces three types of information about the differences recognized between the initiatives of the infantry company and its adversary:
- Separated or individual actions indicating Initiative;
- Continuous flow of action indicating initiative;
- The feeling of having initiative.

The   dependency   of   initiative on the fulfillment of the battle task and the suffered casualties is defined by establishing probability values of initiative and the corresponding casualty ratio at each measurement level. The next step is to calculate if the advantageous initiative indicates a positive progress of the casualty ratio with a high correlation.

The phenomenon of changes in initiative is studied based on the Battlespace   Situation   picture series   (BSP)   of   successful and   unsuccessful attacks. T h e i n v e s t i g a t i o n c o n c e r n s whether t h e observations from the BSP together with the quantified results from the written reports support each other. The final step is to compare whether the real initiative led to success in the battle.

3. ANALYZED WRITTEN OBSERVATIONS

By quantifying the observations collected during the SCA research, three main results were achieved. Approximately 39% of observations dealt with such aspects as "initiative was taken", "was kept", "was developed" or any other "positive" phenomenon   connected   with initiative. A typical observation is "The attacker aimed to take and keep the initiative and succeeded well in this". Roughly 41% of observations dealt with such aspects as "initiative was lost", "was not utilized", "was wasted" or any other "negative" phenomenon connected with initiative. A typical observation was "Now the initiative was given to the defender and the defender was able to stop the adversary's attack with a small amount of soldiers". In approximately 20% of observations, it could not be established which fighting side had the initiative. A typical observation is "The initiative alternates significantly between the yellow and blue side".

4. ASPECTS DEALING WITH TIME AND TIMING

From the research material, seven types of timing dealing with battle situations of analyzed attacks can be found. In addition to this, the classification of the qualitative analysis produced five types of speeds which are relevant for analyzing different tactical phenomena connected with the time window.

Based on the results, the different types of timing are as follows:

Type 1: Well-timed actions

Type 2: Timing of situational evaluation (Well- timed evaluation)

Type 3: Knowledge-based timing of actions

(Acting in real-time)

Type 4: Ineffectiveness in timing (Time is wasted on secondary actions)

Type 5: Timing or time ratio dealing with trained and unexpected situations

Type 6: Timing (time delays) of command and control chains

Type 7: Timing of action of one's own force which is forced due to the adversary's actions.

The five types of speeds which are relevant for analyzing different tactical phenomena are as follows:

Type 1: Absolute (max./min.) value of the action Type 2: Speed of the action combined with the surprise effect

Type 3: Adjustable speed or flexible speed adjustment based on the battle situation

Type 4: Tactical motion speed

Type 5: Estimated speed for a maneuver or an action.

The evaluation criteria are constructed from the previous twelve items for analyzing aspects which deal with time, timing, the speed of actions and initiative.

The literature dealing with tactics contains qualitative results that support these observations. For example, Rekkedal (2006) [8] proposes a connection between the leader's initiative-taking and its effects on the timing aspects of a battle.

5. SOLDIERS' FEELING OF HAVING INITIATIVE

In the SCA research, soldiers' feelings of having initiative were measured through questionnaires and interviews. The results showed that the distributions of the results, which showed the soldiers on both fighting sides having feelings about initiative, partly overlapped, AF15339, Jakaumatarkastelut, 2009 [9]. It is therefore interesting to research if the quantified results from the qualitative analysis of the written reports from the SCA research support this finding of overlapping distributions.

In the background research, the soldiers of both fighting sides were asked to evaluate their own feelings about having initiative at each measurement level of an attack by making a mark at that point on a line, 100 millimetres long, indicating the strength of their feeling (see **Figure 1**). As a result of this measurement arrangement, quantified data was collected continuously. This way to produce quantified and scaled data made it possible to carry out the mathematical analysis dealing

with the soldiers' feelings about having initiative.

The NASA Task Load Index (NASA-TLX), presented originally by Hart and Staveland (1988) [10], is a subjective, multidimensional assessment tool that rates perceived workload on six different subscales: Mental Demand, Physical Demand, Temporal Demand, Performance, Effort, and Frustration. Based on the observations of one of the developers of NASA-TLX [11], the use of NASA-TLX has spread far beyond its original application area and focus for the past 20 years. In this paper, the measurement and analysis setup is applied to evaluate the level of "the feelings about having initiative".

Different types of instruments could be utilized for analyzing subjective human factors, e.g. vigilance under different workloads. For example Finomore et al. (2009) [12] have compared the output of the Multiple Resources Questionnaire (MRQ) and NASA-TLX in different task-types and operating environments. In this comparison, the MRQ indicated that the workload was greater when observers operated in a multi-task environment as compared to a single-task environment, a dimension to which the NASA-TLX was not sensitive. In this paper, the NASA-TLX principles for measuring subjective workload has been applied in the field of estimating "the feelings about having initiative", and therefore, all of the evaluation criteria of the original NASA-TLX method must be tuned. These types of restrictions must be understood when evaluating the observations presented in this paper.

Fig. 1. Measuring and quantifying the data dealing with the soldiers' feelings about having initiative.

For tactical analysis purposes, it is necessary to establish which fighting side has the initiative at each moment of the attack and how strong the initiative is. This is carried out by calculating the size of the overlapping area of the two distributions describing the variation in the soldiers' feelings about own forces' and adversary's taking the initiative. (see **Figure 2**). The probability that both sides feel they have the initiative is calculated.
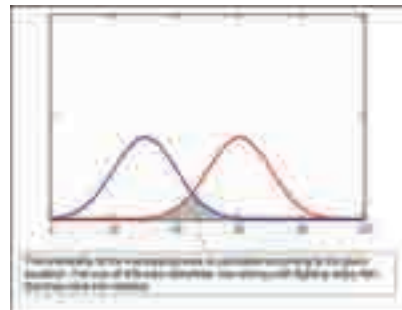
Fig. 2. The overlapping area of the two distributions describing the variation in the feeling of having the initiative.

The probability of the two fighting sides to have different opinions about having the initiative is calculated by applying the simple Equation 1.

$$z_p = \left| \frac{\mu_b - \mu_r}{\sqrt{\sigma_b^2 + \sigma_r^2}} \right|$$

where
z_p = Normal distribution coefficient
μ_b = Mean value (own side)
μ_r = Mean value (adversary)
σ_b = Standard deviation (own side)
σ_r = Standard deviation (adversary).

According to the calculated results, on average, the calculated risk of a contradiction between who has the initiative is 2.1 to 2.7 times higher in unsuccessful attacks. In successful attacks, the correlation between the feeling of having the initiative and the casualty ratio is remarkable │r│=0.694. However, the coefficient of determination as a percentage is only 48%. Although the analyzed results of initiative indicate a remarkable difference between successful and unsuccessful attacks, these results only deal with the "feelings about having the initiative". Therefore, more weight is given to the results gained from the BSP to find out how initiative affects the result of an attack. A practical case example is presented on a tactical map in **Figure 4**. Equation 1 is valid only when both distributions describing the feeling of the fighting sides' initiative follows a normal distribution curve. In this case, the normality of the analyzed curves has been checked both near the mean value (Kolmogorov- Smirnov) and at the ends of distribution curves (Anderson-Darling). If needed, the combination of normal distribution and Weibull distribution is available to calculate the probability of the overlapping area [13].

6. OBSERVATIONS FROM TACTICAL MAPS AND EVENT CATALOGUES

When recognizing and analyzing initiative, tactical maps and event catalogues play a key role. Items to be recognized and their possible indicators are presented in Table 1. The principal flowchart (see **Figure 3**), which includes feedback loops to also check the right timing of each tactical action together with situation evaluation, success evaluations are therefore often used to illustrate tactical phenomena.

Relevance, importance, the right sequential order and timing of the followed items change constantly with the situation. The evaluation of these features is possible either relatively or qualitatively in a specified situation. This enables the expression of the differences between one's own forces and the adversary using the terms "more" or "less" and "faster" or "slower" corresponding to simplified values of "yes" and "no".
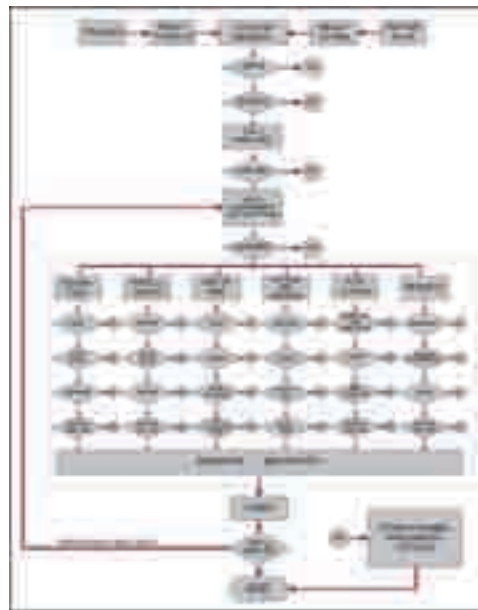
Fig. 3. Flowchart for analyzing attacks (notice also right timing of actions and situation evaluation).

Table no. 1. The l i s t o f i t e m s (i.e. dealing with initiative) to be recognized and their possible indicators.

Tactical phenomena	Tactical maps		Event catalogues	
	Item	Probable indicator	Item	Probable indicator
Changes in initiative	Readiness to manoeuvre	Positioning related to terrain and adversary	Readiness to manoeuvre	High/low
	Readiness to use fire	Positions of m o r t a r s , antitank and light weapons	Readiness to use fire	Sign/order Preparation Signal links
	Decision making	Action/no action Action according to decision	Decision making	Decision/no decision Content and pursuit
	Deception	Patrol/subunit manoeuvre Use of fire	Deception	Sign/order and timing Content and pursuit
	Manoeuvre	Battle pull	Manoeuvre	Sign/order
	Use of fire	Casualties	Use of fire	Timing
	Reserve	Subunit position	Reserve Order/ sign	Subunit readiness

The case study exemplified on the map (see **Figure 4**) shows that initiative is recognized in the case of this battle based on the following criteria:
- The dotted lines show the trained, planned and prepared maneuvers of platoons or other reasonable elements, which are planned for use in fulfilling the battle task ("BEAT").
- The tactical symbols show how the leader has planned to utilize trained, planned and prepared reconnaissance to support situation evaluation and decision making. It is essential to notice that unlike in unsuccessful attacks, in this case the leader has used his initiative to carry out reconnaissance processes actively and early enough.
- The tactical symbol shows that the leader has shown his initiative in combining the plans of trained maneuvers with the timely and justified use of indirect fire.

By applying the previous flowchart model, it is possible even to calculate the number of observed

characteristics. The results show that the number of positive replies to the questions in the flowchart is on average 2.3 times higher in successful attacks.

Fig. 4. An analyzed example of how initiative had an effect on the leader's decision-making in the deployment area in one of the successful attacks.

7. CONCLUSIONS

This paper has shown that initiative is in a key role when analyzing the aspects affecting the success of an attack.

When discussing initiative, it was shown that an almost equal amount of positive and negative observations about having initiative were recorded. Approximately 39% of positive observations and approximately 41% of negative observations of initiative were directly connected with timing or a time window. This means that the reasons for either the failure or success of an attack are connected with initiative, and furthermore, with time and timing.

When comparing successful and unsuccessful attacks, the following main result was gained: The dominant phenomena causing failure are found from aspects dealing with initiative. On the other hand, the main aspect which unfavorably affected the result of the attacks was that the leaders had lost their freedom of action by giving the initiative to the adversary, which made it impossible to affect the adversary in creative ways. In the literature dealing with tactics, these kinds of aspect have been emphasized (e.g. Liddell Hart, 1954) [14]. In addition to this, the leader's personal character has not been open to looking for new possibilities to take initiative. These types of aspects have also been noticed by Tynkkynen (1996) [15]. Hannah et al. (2010) [16] have identified the importance of the leader's character, but they integrate also the leader's skills, knowledge and competences with different types of roles which the leader might have in the battlefield.

The quantitative analysis conducted in this research has shown that there is a positive correlation between one's own strengthened initiative and an advantageous casualty ratio together with the fulfilled battle task. Based on the analyzed situational maps of different attacks, it has been shown in this paper how strongly the initiative of one's own force affects the success of an attack and how initiative or actions of initiative can be observed in the situational maps. According to the results, a larger number of observations of one's own initiative indicated better success in battle. In addition to these, the analyzed numerical values have indicated that leaders seem to have a strong "feeling of initiative" in successful attacks.

REFERENCES

[1] Sormunen, J., and Eskelinen, H. (2010) *Mitattua taktiikkaa–Komppanian hyökkäyksen menestystekijät*, ISBN 978-951-25-2138-8, Edita Prima Oy, Helsinki.

[2] Kesseli, P., (2001), In Pursuit of Mobility. The *Birth and Development of Israeli Operational Art. From Theory to Practice*, National Defence University, Department of War History, Rekkedal, 2006

[3] *Komppanian taisteluohje*, (2008), Edita Prima, Helsinki.

[4] *Prikaatin taisteluohje*, (1984), Gummerus, Jyväskylä.

[5] Huttunen, M., (2010), *Monimutkainen taktiikka*, National Defence University, Department of Tactics and Operational Art.

[6] Kuusisto, R., (2004), *Aspects on availability, National Defence University*, Department of Tactics and Operational Art.

[7] Lind, W.S., (1985), *Manoeuvre Warfare Handbook*, Westview Special Studies in Military Affairs.

[8] Rekkedal, N.M., (2006), *Nykyaikainen sotataito – sotilaallinen voima muutoksessa*, National Defence University, Department of Tactics and Operational Art.

[9] National Defence University, AF15339, Jakaumatarkastelut, 2009.

[10] Hart, S.G. and Staveland, L.E., (1988), Development of NASA-TLX (Task Load Index): Results of Empirical and Theoretical Research, Human Mental Workload, *Advances in Psychology* 52.

[11] Hart, S.G. (2006), Nasa-Task Load Index

(NASA-TLX); 20 Years Later, *Proceedings of the Human Factors and Ergonomics Society Annual Meeting*, Vol. 50, no. 9.

[12] Finomore, V.S., Shaw, T.H., Warm, J.S., Matthews, G., Weldon, D., Boles, D.B., (2009), On the workload of vigilance: Comparison of the NASA-TLX and the MRQ, *53rd Human Factors and Ergonomics Society Annual Meeting*.

[13] Kapur, K.C., and Lamberson, L., (1977), *Reliability in Engineering Design*, John Wiley & Sons Inc., New York.

[14] Liddell Hart, B.H., (1954), *Strategy - the indirect approach*, New York.

[15] Tynkkynen, V., (1996), *Hyökkäyksestä puolustukseen - Taktiikan kehittymisen ensimmäiset vuosikymmenet Suomessa*, National Defence University, Department of Tactics and Operational Art.

[16] Hannah, S.T., Jennings, P.L., Ben-Yoav Nobel, O., (2010), Tactical military leader requisite complexity: Toward a referent structure, *Military Psychology* 2010, Vol. 22, Issue 4.

ASSESSING SMALL SAMPLE WAR-GAMING DATASETS

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One of the fundamental problems faced by military planners is the assessment of changes to force structure. An example is whether to replace an existing capability with an enhanced system. This can be done directly with a comparison of measures such as accuracy, lethality, survivability, etc. However this approach does not allow an assessment of the force multiplier effects of the proposed change. To gauge these effects, planners often turn to war-gaming. For many war-gaming experiments, it is expensive, both in terms of time and dollars, to generate a large number of sample observations. This puts a premium on the statistical methodology used to examine these small datasets. In this paper we compare the power of three tests to assess population differences: the Wald-Wolfowitz test, the Mann-Whitney U test, and re-sampling. We employ a series of Monte Carlo simulation experiments. Not unexpectedly, we find that the Mann-Whitney test performs better than the Wald-Wolfowitz test. Resampling is judged to perform slightly better than the Mann-Whitney test.

Key words: *hypothesis testing, small sample, war gaming, Mann-Whitney, Wald-Wolfowitz, resampling.*

1. INTRODUCTION

One of the fundamental problems that military planners face is the assessment of changes to force structure. Whether this be the addition of a new weapon, or the substitution of a new weapon system for an old, planners must assess whether the proposed change will be beneficial. Typically this involves an assessment of whether the military benefit of the change is worth the incremental cost.

There are a number of ways to measure the military benefit. In the case of a new weapon system replacing an old, the most common way is to compare the two systems directly using criteria such as accuracy, lethality, survivability, etc.

The problem with this approach is that it is difficult to gauge the force multiplier effects of the change. One way to get at this effect is to war-game both systems and then compare them on measures of effectiveness such as force exchange ratios, survivability ratios, etc. However it is usually the case that war-gaming iterations are expensive to generate both in terms of time and dollars. Hence it is important that the statistical tools used to assess populations differences in a particular measure of effectiveness be methodologically correct and as powerful as possible given the number of iterations that can reasonably be produced.

Hence this paper has two purposes. The first is to review hypothesis testing techniques for

detecting population differences in the context of war- gaming output. The second is to assess the relative power of some small sample tests to detect these differences. In particular, we examine the Wald - Wolfowitz test, the Mann-Whitney U test, and re-sampling. To do this we employ a series of Monte Carlo experiments to measure Type I and Type II errors for each test. We find that resampling performs favorably against the other two tests. However, in the case where sample size is low and the underlying variance is high, all tests give substantial Type II errors. Consequently, the choice of the number of iterations to run for each scenario is an important consideration.

2. THE PROBLEM

Suppose we are interested in the effectiveness of a *New* force structure relative to the Base force structure. To do this, we will run *n* iterations of a war game with the New force structure and *n* iterations with the *Base* force structure. We assume that there is a single measure of effectiveness, say force exchange ratio, which measures the military benefit of a given force structure, and that higher values of this measure are better than lower values. Suppose that war-gaming both force structures produces two random samples of the measure of effectiveness, one for the New force structure,

$$X = \{X_1, X_2, ..., X_n\} \qquad (1)$$

and one for the Base force structure,

$$B = \{B_1, B_2, ..., B_n\}. \qquad (2)$$

We assume that the X_i are iid from a distribution with mean $E(X_i) = \mu_X$ and that the B_i are iid from a distribution with $E(B_i) = \mu_B$:

In practice, it is usually the case that both force structures are run in a small number of well-defined

scenarios, and multiple measures of effectiveness are considered in each scenario. This should not present a problem for the development herein. It simply means more work to test hypotheses about the performance of each measure of effectiveness in each scenario. Hence we focus on a single measure of effectiveness in a single scenario.

The other problem this paper ignores are the statistical issues associated with closely related datasets. For instance, if the New and Base force structures are run in slightly different scenarios, there is not likely to be much difference in the resulting samples, and a joint test (ANOVA) is likely to be more powerful than a series of scenario-based tests.

Let

$$\Delta_i = X_i - B_i, \quad i = 1, 2, ..., n \qquad (3)$$

be the sample differences in the measure of effectiveness. We consider a simple hypothesis test about the underlying mean of these differences. By assumption we have that

$$\mu_\Delta = E(\Delta_i) = \mu_X - \mu_B \qquad (4)$$

The null and alternative hypotheses are these:

$$H0: \mu_\Delta \leq 0$$
$$H1: \mu_\Delta > 0. \qquad (5)$$

Most of the standard tests of this null require us to examine the difference in sample means:

$$\bar{\Delta} = \bar{X} - \bar{Y}. \qquad (6)$$

To develop the properties of these tests we need to compute the sampling distribution of $\bar{\Delta}$. There are a number of possible distributions depending on the size of the samples and their underlying distributions.

Case I (Any Sample Size, Underlying Distributions are Normal): If X and B are drawn from a normal distribution with known standard deviations, σ_X and σ_B, then $\bar{\Delta}$ is normally distributed with mean $\mu_X - \mu_B$ and standard deviation

$$\sigma_{\Delta} = \sqrt{\frac{\sigma_X^2}{n} + \frac{\sigma_B^2}{n}} \qquad (7)$$

Case II (Large Sample, Any Underlying Distribution): If X and B are drawn from arbitrary distributions with respective means μ_X and μ_B and unknown standard deviations and n is large enough (in this case, about15), then Δ is approximately normally distributed with mean $\mu_X - \mu_B$ and standard deviation

$$s_{\Delta} = \sqrt{\frac{s_X^2}{n} + \frac{s_B^2}{n}} \qquad (8)$$

where s_X and s_B are the respective sample standard deviations.

Case III (Small Sample, Underlying Distributions are Normal): If X and B are drawn from normal distributions with respective means μ_X and μ_B and unknown standard deviations, and n is less than 30, then the statistic

$$t = \frac{\overline{X} - \overline{B} - (\mu_X - \mu_B)}{s_{\Delta}} \qquad (9)$$

follows a t distribution with degrees of freedom

$$df = \left[\frac{s_X^2}{n} + \frac{s_B^2}{n}\right]^2 \left[\frac{s_X^4}{n^2(n-1)}\right] \qquad (10)$$

$$= \frac{(n-1)(s_X^2 + s_B^2)^2}{s_X^4 + s_B^4} \qquad (11)$$

In the case where df is not an integer, we round down to the nearest integer to be conservative.

Case IV (Small Sample, Underlying Distributions Unknown): If X and B are drawn from arbitrary distributions with unknown standard deviations, and n is less than 30, then we cannot say much about the sampling distribution of the difference in means. One approach would be to assume the underlying distributions of the

measure of effectiveness were normal. However, this is not usually the case for war-gaming output. These distributions tend to be non-symmetric.

The hypothesis testing for Cases I through III is well developed. What we are interested in is statistical techniques for Case IV, as this is the most likely situation we will find ourselves in when we are studying war-gaming output.

3. TECHNIQUES FOR SMALL SAMPLES

There are a number of non-parametric tests available for small samples. We consider three: the Wald-Wolfowitz test, the Mann-Whitney U Test, also known as the Wilcoxon rank sum test, and a re-sampling procedure. The details of the first two can be found in any statistics text. See for example Aczel (1996) [1]. Over the past ten years, resampling has come to the fore as a legitimate contender to traditional parametric statistics. Good references for this technique are Efron and Tibshirani (1993) [2] and Simon (1997) [3].

3.1. The Wald-Wolfowitz Test

Suppose we have the following measure of effectiveness output for 6 iterations of a war-game with the New force structure and 6 with the Base force structure in the same scenario:

Obs.#	New, X	Base, Y
1	169.4	110.1
2	126.6	110.5
3	155.4	114.2
4	152.5	64.5
5	118.2	83.1
6	81.2	96.7

The question is whether there is sufficient evidence to conclude that

the New force structure is better.

The Wald-Wolfowitz test examines the following hypotheses:
H0 The two populations have the same distribution.
H1 The two populations have different distributions.

To apply it, we first pool the datasets and order the data from lowest to highest observation:

Obs. #	Ordered
1	64.5
2	81.2
3	83.1
4	96.7
5	110.1
6	110.5
7	114.2
8	118.2
9	126.6
10	152.5
11	155.4
12	169.4

Next, in the adjacent column, we mark from which sample the observation came:

Obs. #	Ordered	Sample
1	64.5	B
2	81.2	X
3	83.1	B
4	96.7	B
5	110.1	B
6	110.5	B
7	114.2	B
8	118.2	X
9	126.6	X
10	152.5	X
11	155.4	X
12	169.4	X

We count the number of "runs" in the sample column. A run is a sequence of like elements that is preceded and followed by a different element. For instance, in the above table, Observations 3 through 7 are all "B"; this sub- sequence is preceded by an "X" and followed by an "X". Hence observations 3-7 comprise a run. The sample statistic we are interested in is the number of runs in the Sample column. There are four of them: Observation 1, Observation 2, Observations 3-7, and Observations 8-12. Now if the New system were better we would expect a small number of runs with most of the "B" observations having low observation numbers and most of the "X" observations having high observation numbers. Tables of the cumulative distribution function for the number of runs, *r*, for various sample sizes can be found in Aczel (1996). If we look up the tabled value for a sample size vector (6, 6) and *r = 4*, we get 0.067. This means that, under the null that the two distributions are the same, there is only a 6.7% chance that we would observe 4 or fewer runs. Consequently we would be inclined to reject the null hypothesis and conclude that the New force structure is superior.

3.2. The Mann-Whitney U Test

Again, this test examines the same hypotheses as does the Wald-Wolfowitz test:
H0 The two populations have the same distribution
H1 The two populations have different distributions

Suppose we have the same samples as above:

Obs.#	New, X	Base, Y
1	169.4	110.1
2	126.6	110.5
3	155.4	114.2
4	152.5	64.5
5	118.2	83.1
6	81.2	96.7

In the same way as above we order the sample observations:

Obs. #	Ordered	Sample
1	64.5	B
2	81.2	X
3	83.1	B
4	96.7	B
5	110.1	B
6	110.5	B
7	114.2	B
8	118.2	X
9	126.6	X
10	152.5	X
11	155.4	X
12	169.4	X

Next we add the "ranks" of those sample observations coming from the "X" sample:
$$R_X = 2 + 8 + 9 + 10 + 11 + 12 = 52. \quad (12)$$
We then form the test statistic U:

$$\bar{U} = n^2 + \frac{n(n+1)}{2} - R_X$$
$$= 6 \cdot 6 + \frac{6 \cdot 7}{2} - 52 \qquad (13)$$
$$= 5.$$

The cumulative distribution for the U statistic are also tabled (see Aczel (1996)). The chance that we would observe a value of U of 5 or less is .0206. Hence we would reject the null hypothesis that both samples are from the same distribution.

Our conclusion is that the New force structure has a higher measure of effectiveness.

3.3. Resampling

Here is how resampling works with the dataset used above. We first resample from the "New, X" sample by picking 6 points with replacement. This can be accomplished in EXCEL using 6 calls of the function

=SMALL(data_range,INT(n*RAND())+1)

where data_range contains the original 6 datapoints and $n = 6$. Next we do the same thing with the "Base, B" dataset. One resampling of each dataset is shown in the following table:

Obs.#	New, X	Base, Y
1	81.2	96.7
2	152.5	83.1
3	81.2	110.1
4	81.2	83.1
5	152.5	64.5
6	126.6	83.1

Note that there are repeats in both resamples. For instance in the "New, X" resample, 81.2 appears three times and 152.5 appears twice.
Next we compute a sample average for each resample. For the "New, X" resample, it is 112.5 and for the "Base, B" it is 91.5. We then record which sample mean is higher. Finally we repeat this experiment a large number of times (I usually do 10,000 iterations using the @RISK add-in to EXCEL) and count the number of times that the "New, X" average is greater than the "Base, B" average. In the 10,000 iterations I did, the "New, X" average exceeded the "Base, B" average 9,950 times. From this we conclude that the p-value of the null is

$$1 - \frac{9950}{10000} = .005 \qquad (14)$$

Hence we would reject the null hypothesis and conclude that the New force structure gives a higher measure of effectiveness.

3.4. A Monte Carlo Experiment

In order to measure the effectiveness of these three tests, we designed a Monte Carlo experiment with the following steps:

Step 1: Generate two random samples of size *n* of the measure of effectiveness for each force structure from normal distributions with the following parameters:

	New, X	New, Y
Mean	100+d	100
Standard Deviation	σ	σ

where we will vary the parameters *n, d* and σ. In the case where *d = 0*, there is no difference in the two systems. Where *d > 0*, the New system is superior.

Step 2: Using the samples generated in Step 1, measure *p*-values for each of the three tests described above.

We did Steps 1 and 2 a large number of times for fixed values of *d, n,* and σ. This gave us distributions of *p*-values for each of the three tests. We then compared these distributions to determine which is more effective. The case *d = 0* was used to measure Type I error. For each test we observed the percentage of time that it produces a *p*-value lower than .05 (and, in addition, .10). The cases *d = 10* (μ_X = 110, μ_B = 100) and *d = 20* (μ_X = 120, μ_B = 100) were used to measure Type II error.

4. RESULTS

We first examine Type I error results using $\mu_X = \mu_B = 100$ (the proposed system provides no additional benefit). We are interested in the proportion of time each of the tests provides a p-value less that 5% and 10%. Table 1 summarizes our results for two values of n (n = 5, 10) and 5 values of σ (σ = 5, 10, 15, 20, 25). First note that the resulting p-values are consistent with the various relative values for n and σ. For instance, for a given n, Type I errors increase as σ gets larger. We would expect this to happen as, in general, a larger standard deviation tends to mask the correct conclusion.

In addition, for a given σ, Type I errors fall as n increases. With larger sample sizes you would expect to have lower Type I errors.

In general, all three tests return empirical Type I errors that are low. The Wald-Wolfowitz and Mann-Whitney tests tend to perform about the same. Each gives slightly lower Type I errors than resampling.

Now to Type II Error. We examine this error for two assumptions, $\mu X = 110$, $\mu B = 100$, and $\mu X = 120$, $\mu B = 100$. Table 2 gives our results for $\mu X = 110$, $\mu B = 100$; Table 3 corresponds to $\mu X = 120$, $\mu B = 100$. First note that the Mann-Whitney and resampling perform much better than the Wald-Wolfowitz test. They each give uniformly lower Type II errors. Note as well that resampling outperforms the Mann-Whitney test, although this enhanced performance is quite small for some parameter values. Finally, we note that none of these tests is very good if data uncertainty, σ, is large relative to μX and μB. For instance, if $\mu X = 110$ and n = 5, the Type II errors are at least 75% for each test.

Table no. 1: Simulation Results for μ_X =100, μ_B = 100

	TYPE I ERROR, $\mu_X = \mu_B = 100$					
	n=5					
	Fraction of p-values ≤ 5%			*Fraction of p-values ≤ 10%*		
σ	Wald	Mann	Resampling	Wald	Mann	Resampling
5	.038	.048	.090	.038	.076	.138
10	.044	.052	.083	.044	.078	.134
15	.041	.048	.088	.041	.073	.137
20	.039	.048	.091	.039	.075	.139
25	.040	.045	.089	.040	.073	.143
	n=10					
	Fraction of p-values ≤ 5%			*Fraction of p-values ≤ 10%*		
σ	Wald	Mann	Resampling	Wald	Mann	Resampling
5	.018	.044	.068	.050	.094	.120
10	.020	.044	.067	.049	.096	.116
15	.018	.040	.076	.054	.091	.125
20	.019	.048	.068	.050	.094	.119
25	.019	.048	.071	.049	.099	.124

Table no. 2: Simulation results for μ_X = 110, μ_B = 100

	TYPE II ERROR, $\mu X = 110, \mu B = 100$					
	n=5					
	Fraction of p-values > 5%			*Fraction of p-values > 10%*		
σ	Wald	Mann	Resampling	Wald	Mann	Resampling
5	.613	.135	.053	.613	.083	.026
10	.894	.601	.442	.894	.501	.326
15	.934	.768	.640	.934	.685	.526
20	.946	.837	.729	.946	.771	.631
25	.951	.861	.776	.951	.805	.687
	n=10					
	Fraction of p-values > 5%			*Fraction of p-values > 10%*		
σ	Wald	Mann	Resampling	Wald	Mann	Resampling
5	.272	.007	.002	.265	.002	.001
10	.833	.351	.254	.798	.209	.157
15	.930	.621	.519	.893	.464	.394
20	.953	.747	.660	.918	.612	.541
25	.965	.805	.736	.932	.675	.621

Table no. 3: Simulation results for $\mu_X = 120$, $\mu_B = 100$

Type II Error, $\mu_X = 120$, $\mu_B = 100$						
n=5						
	Fraction of p-values > 5%			*Fraction of p-values > 10%*		
σ	Wald	Mann	Resampling	Wald	Mann	Resampling
5	.042	.000	.000	.042	.000	.000
10	.609	.136	.055	.609	.083	.027
15	.833	.419	.264	.833	.319	.171
20	.899	.602	.449	.899	.503	.333
25	.922	.708	.558	.922	.618	.442
n=10						
	Fraction of p-values > 5%			*Fraction of p-values > 10%*		
σ	Wald	Mann	Resampling	Wald	Mann	Resampling
5	.000	.000	.000	.000	.000	.000
10	.275	.007	.002	.269	.002	.001
15	.671	.147	.083	.644	.068	.042
20	.837	.355	.254	.801	.208	.162
25	.892	.514	.404	.856	.352	.286

5. CONCLUSIONS

In this paper we have reviewed some non-parametric methods for hypothesis tests of differences in population means for small sample war-gaming datasets. Our experiments, although limited in scope, indicate that resampling compares quite favorably with other tests. However, it should be noted that no test is capable of overcoming a shortage of data, data that may be quite variable. Planners should be aware that if sample variance is high relative to the mean measure of effectiveness, there is a good chance that a small-sample dataset will not be able to pick up that the New force structure is better than the Base when that is actually the case.

Future work will assess the accuracy of ANOVA tests in multiple, smallsample scenarios.

REFERENCES

[1] Aczel, A. D., Complete Business Statistics, Irwin, Chicago, 1996.

[2] Efron, Bradley, and Robert J. Tibshirani, An Introduction to the Bootstrap, Chapman and Hall, New York, 1993.

[3] Simon, Julian L., Resampling: The New Statistics, Resampling Stats, Arlington VA, 1997.

THE ROLE OF PRAGMATICS
IN UNDERSTANDING HUMAN COMMUNICATION
IN AN INSTITUTIONAL SETTING

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This study tries to show the importance of pragmatics in understanding human communication in an institutional setting. Speakers and listeners are actively involved in a negotiating process that leads to creating a cycle of actively changing contexts in which speech acts win their legitimacy of being real doers of action in real-time situations. Particular cultural repertoires in human societies facilitate language with a wealth of contextual resources that can help anchor meaning by favouring particular speech acts to other ones. In investigating some dialogical tactics practiced by some Kuwaiti customer service employees in Kuwait, I found that Mey's pragmeme is the ideal outcome of these dialogic encounters. In Mey's viewpoint, no speech act means anything without the cultural context in which it originates, a stance which casts a serious doubt on the semantico-syntactic analysis of speech acts in a Searlean sense. The communicative value of ethos in institutional encounters relies primarily on looking at meaning from a pragmatic perspective, to be more precise here from a pragmemic perspective. In order to assess the level of their socio-pragmatic awareness and their ability to depend on their socio-pragmatic resources to persuade their customers, I interviewed a group of customer service employees at some Kuwaiti banks. The results of the study showed cogently that bank employees in Kuwait have high socio-pragmatic awareness, which helped them significantly in attracting more customers to their banks. Those employees showed clear awareness of strategic positive politeness and effective usage of appropriate pragmemes, contextualised speech acts (Mey 2001, Capone 2005). Making promises, guaranteeing exceptional services, and pampering clients with versatile banking products are some of the socio-pragmatic strategies used by the aforementioned employees.

Key words: *pragmeme, institutional language, societal pragmatics, negotiating pragmemes.*

1. INTRODUCTION

Pragmatics plays a major role in understanding and evaluating human communication in institutional settings, which adds to it a new societal dimension in deciphering messages in an institutional context. This new stance as depicted by Jacob Mey in his book, *Pragmatics*, [1], entitles the field of Pragmatics to be a new science of human communication that relies primarily on context and human interaction. This paper will try to answer an important question regarding one of the major topics in Pragmatics: Speech Acts. Searle's philosophic and linguistic treatment of speech acts [2], Sadock's linguistic account

of speech acts [3], and Harnishe's formal account of speech acts [4] all rely on the simple idea that looking at Pragmatics should be done through a syntactic prism. This narrow view victimized Pragmatics and provided unrealistic explanations of pragmatic phenomena. Jenny Thomas, in her book *Meaning in Interaction* [5] totally rejects this syntactic outlook, which casts a serious doubt against the syntactic and purely formal account of Pragmatics. Thomas correctly states that pragmatics is a probabilistic science and context plays a crucial role in glossing meaning. Maybe one of the most important pragmatic terms that was not given proper due of attention is the concept of *pragmeme* as suggested by Jacob Mey. This dynamic pragmatic concept provides one with a realistic understanding of what a real speech act is and how it functions in discourse. In conducting this research, I interviewed a group of Kuwaiti bankers who were very willing to answer my long and detailed questions to see whether pragmemic dialogicality plays a role in institutional communication. My basic idea behind this research is to prove that speech acts do not exist without a real context and real users, exactly as Mey suggests. I would even go as far as suggesting that interlocutors are dynamically engaged in negotiating pragmemes. Negotiation of pragmemes creates a genuine momentum for glossing meaning in context. Also, I stress the fact that glossing meaning, which is based on negotiating pragmemes, is done through understanding the fact that in order for speech acts to operate as pragmemes,

one should look at them from outward inward. That is, one should look at how pragmemes operate pragmatically and then interpret them semantically, an idea stressed also by Mey [6] in one of his papers on reference and the pragmemes.

2. LITERATURE REVIEW

It is important to stress in this section that this new outlook of situated pragmemes is revolutionary in the sense that it provides a logical and contextual interpretation of what speech acts really are. This outlook clashes with the traditional understanding of speech acts in a Searlean sense; therefore, I will mainly concentrate on Mey's theory of pragmemes and relevant resources written in the same direction of research. Using canonical speech acts in the traditional sense (Searle, 1968; Bach, K. and R. M. Harnish 1979; Levinson, 1983, Sadock, 1974) will be definitely counterproductive for the purpose of this applied study. Looking at speech acts from a purely linguistic prism would dwindle the real role of pragmatics as a societal science whose tools are mainly contextual rather than formulaic and bereft of any context. Linguistic accounts of speech acts minimize their importance in context, simply because they are meant to analyze idiosyncratic sentences rather than genuine, spontaneous, and real-time communication. Human communication enjoys a special status of complexity that simple speech acts in sporadic sentences would never interpret language used by real interlocutors in institutional discourse.

In his book, *Pragmatics* [1], Mey emphasizes the difference between a

canonical speech act and a pragmeme, a new concept which he glosses to represent a contextualized speech act. He shows that a speech act does not actually exist without a valid context, which legitimizes its existence. Interlocutors use contextual factors to benefit from contextualized speech acts as such achieve their communicative goals. The concept of *pragmeme* as suggested by Jacob Mey was delineated and supported by several scholars, among whom are Caponi, Jaszczolt, and others.

"As Jacob Mey (2001, 2007) correctly observes, speech acts are situated and should be investigated only within the context of the situation in which they appear and the language in which they are issued. The object of study of pragmatic theory is a situated pragmatic act and its generalized theoretical equivalent, a pragmeme."[7]

As such, the pragmeme is a socio-cultural product, rather than a stern fixed linguistic term, as some linguists mistakenly believe. Interlocutors in different cultures use their socio-cultural background knowledge to use the appropriate pragmemes as such achieve their communicative goals. Even reference is not determined semantically, like some linguists believe; on the contrary, it is culturally determined in accordance with using the appropriate pragmemes in context. *"We cannot refer in and by ourselves alone: reference is only satisfactory and complete when a common interpretation for all referred items has been established. In other words, referentiality presupposes a collaborative effort, and by that token, it is a true pragmatic act."* [8] This paper will

try to show that interlocutors in institutional settings, especially in a bank setting, do depend on context to negotiate contextualised pragmemes as such succeed in achieving their communicative goals. Meaning, therefore, cannot emerge in context without depending upon pragmemes that are negotiated in context. Any situation necessitates actual collaboration amongst interlocutors who try to achieve their goals by understanding the external factors that affect their choice of appropriate pragmemes, as Mey explains*: "The theory of pragmatic acts does not explain human language use starting from the words uttered by a single, idealized speaker. Instead, it focuses on the interactional situation in which both speakers and hearers realize their aims. The explanatory movement is from the outside in, one could say, rather than from the inside out: instead of starting with what is said, and looking for what the words could mean, the situation where the words fit, is invoked to explain what can be (and is actually being) said."*[9] Another interesting element in Mey's pragmeme theorem is that institutional language draws upon the cultural heritage of that particular institution. No pragmeme is used by members of any institution that is bereft of the cultural character of the respective institution. "*A pragmeme is an n-tuple one of whose members is a speech act (sometimes called the context), the situation itself."* (Mey 2001: 221ff) [1]. Among the other members we find, first of all, the situation is another n-tuple, comprising first of all, the institution that is the dominant element in the situation. [10]. Capone further

espouses Mey's outlook of the pragmeme by saying that pragmemes "are situated speech acts in which the rules of language and of society combine in determining meaning" (Capone 2005: 13-55) [11].

3. METHOD OF ANALYSIS

In this study, I conducted some interviews with a group of Kuwaiti bankers, hoping to understand the socio-pragmatic strategies used to attract bank customers. Due to strict banking policies in Kuwait, I could not conduct my interviews in person. I was asked to send my questions to those employees and get their feedback by e-mail. This created a research hindrance typified in not being able to obtain data based on face-to-face encounters. The collected answers of the selected customer service employees at some Kuwaiti banks, which are annexed to this paper, constitute my corpus for this study. It is worth mentioning that this study is qualitative in nature, which relies upon understanding socio-pragmatic behaviour. This would eventually espouse the premise that pragmatics is a societal theory that explains social and institutional communicative interaction. The interesting outcome of this study shows that bank employees study their customers very well and depend on context and the surrounding environment of suggestive and encouraging messages to choose the appropriate pragmatic acts. Institutional language requires full awareness of cultural repertoires. In this paper, I will show that language of banking used at the customer service level maintains to a very

large extent a considerable amount of pragmatic awareness. Customer service employees at Kuwaiti banks use semiotic messages and gestural signals to create an atmosphere of trust and confidence to win the customer's loyalty to the bank. In my interviews with a group of Kuwaiti customer service employees, I asked them the following questions:

1. Is there a particular communicative strategy (Special words, phrases, and sentences) followed with every different customer? (Customized strategy)
2. Different products, different strategies (Explain).
3. Are you prepared for different kinds of customers? How?
4. Before talking to a customer, do you have a programmed persuasive plan?
5. Do you ask your customer direct questions like "why do you want to leave your bank?"
6. How do you connect what you hear from your customer with what you plan to present?
7. Are you a hasty presenter or a patient one? What are you waiting for?
8. When presenting a product for your new customer, what kind of questions do you prepare in mind?
9. Do you prioritize your customer's situation or your product? How?
10. Are you ready for objections? How?
11. What do you do to keep your name engraved in your customer's mind?
12. What kind of polite forms do you use with your customers?
13. What kind of verbs of commitment do you use with your customers?
14. Do you pay attention to socio-cultural norms and values when

presenting your products to your customers? Explain

15. What gestures do you use most in persuading your customers?

16. Write a paragraph showing how you conduct a meeting with one of your customers.

In posing these questions, my idea was to investigate whether Kuwaiti bank employees are aware of using pragmatic strategies to persuade their customers. Based on the collected answers, sample answers are found in table 1, I can say that Kuwaiti customer service employees use a persuasive plan to achieve their communicative goals. The following chart envisages their persuasive plan:
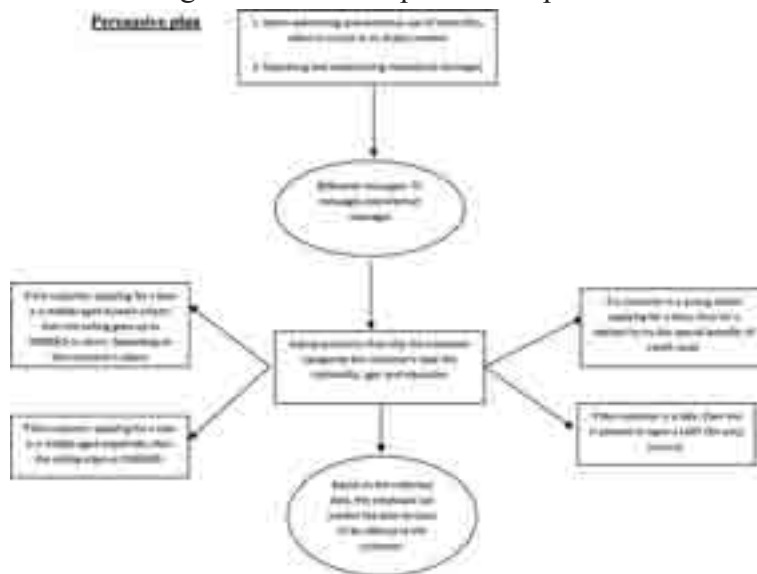
Achieving this plan is dependent on assessing the customer's age, educational, sexual, and national background. One can say that this flowchart represents the first filtering process, after which another filtering process intervenes to further determine the type of customer involved as such strongly convince him/her to accept the offer.

According to Richard Gerson [12], there are 10 type of customers as follows:

Types of Customers

"1. The Superior, Know-It-All Customer. This person knows your business better than you do and will not hesitate to tell you and anyone else who will listen. Most often, they will tell you what you're doing wrong, even when you do things right.

2. The Resistive Customer. No matter what you try to do for these people, they will resist your every effort to satisfy them. It's as if they enjoy making themselves and others miserable, or at least stressing people out.

3. The Dependent Customer. This customer is like a newborn infant that is totally dependent on a parent. This type of customer wants you to do everything and will not lift a finger to help him-or herself.

4. The Hostile/Antagonistic Customer. This customer loves to pick a fight or simply wants to stir things

up. These customers are not having a bad day; they usually have a bad life and they take it out on everyone they meet. Be careful— this customer can become verbally and physically abusive.

5. The Depressed Customer. Nothing satisfies this customer, yet, you have to pity anyone who is always sad. If you decide to listen to this customer's problems, do not become their therapist.

6. The Uncommunicative Customer. It's hard to know how to satisfy someone when he or she doesn't tell you what you need to know. In this case, silence is deafening, and it could be deadly to your efforts at customer retention.

7. The Talkative Customer. These customers probably just want someone to listen to them, but their constant talking can become annoying. You must develop a way to quiet them down without insulting them, making them feel disrespected, or shattering their self-esteem.

8. The Let-Others-Speak-For-Me Customer. This person won't say a word to you, but has friends and family act as the intermediary or messenger. This customer is also a follower, so be careful not to let him or her get influenced by another customer who is negative.

9. The Chronic Complainer. While these customers probably are a combination of several other types, they deserve separate mention. They buy, they complain and they return what they bought. Or they want a refund. Or they want an extension on their warranty. Or they just want to chew your head off. Whatever you do for them, they will never be happy with you or your business. In fact, the only time they're really ever happy is

when they're complaining and making someone else's life miserable.

10. The Perfect Customer. Here is the person who buys from you and is so satisfied with the purchase that they go out and recommend you and refer your business to other customers. If and when this customer complains, it is to provide you with feedback so you can improve your service the next time. Find your perfect customers; ask them what they love about doing business with you; then ask them for referrals. Ask them to serve as advocates on behalf of your business to other customers. Sometimes a customer can resolve another customer's problem better than a staff person can, and this creation of "community" within the business will help your customer retention efforts."

3.1. Analysis

Based on this detailed list of customer types, Kuwaiti bank employees deal with each type differently, and this is solely determined by the context itself, which further determines the type of pragmatic acts used. This shows that the employees do not use pre-programmed speech acts to persuade their clients, which debunks the traditional claim of speech acts; on the contrary, they depend on their data collection during their initial meetings with their customers to decide on the type of pragmemes to be used. This finding espouses Mey's idea that speech acts do not exist without a real context that situates them and give them effective values:

A speech act of authority, as embedded in Questioning, only makes sense in a situation of power, where

the presence and distribution of power is understood and accepted by all the participants. Thus, a question can only be a valid speech act if it is subsumed under the corresponding pragmeme and conforms with the conditions governing that pragmeme, including the situation in which the question is, or may be, asked. [13]

One of my interviewees mentioned a very unusual incident. One day, he warmly welcomed an enthusiastic customer who wanted to take a loan from the bank. The employee asked his customer to provide his official ID, *an act of asking which is required institutionally, the bank in this case*. Such a very normal act, *questioning pragmeme*, would normally trigger an immediate compliance, but what happened was unexpected to the employee; the customer was very upset and was about to leave the bank, which left the employee very perplexed. Then, the employee asked the customer about what annoyed him; the latter replied that he did not have an official ID. At once, the employee grasped the source of anger and immediately asked for any identity document other than the *official ID*. In this situation, an intricate context emerges to oblige the employee to change his pragmeme because it was understood as an act of insult rather than an act of asking. In this situation, it is the context that changed the meaning of one pragmeme into another. Understanding that in Kuwait there is a group of non-Kuwaitis who have been living in the country for tens of years without being given any official status, and of course without being given the right of abode as such not given the right to have an official ID, would definitely disambiguate the situation to the employee. Knowing this particular fact coerced the employee to reformulate his question and to ask for any identity document instead of an official ID. The employee understood his customer's anger, which made him fairly successful in keeping his customer by simply changing his pragmeme. Being knowledgeable in language and culture would definitely guarantee success in communication. "This 'situational support' rests on the assumption that every situation carries its own organizing principle. That is, the conventions and rules of society determine what is appropriate speaking behavior for a particular situation." (Mey,2009: p.750) [6]

The other filtering process is represented by the following chart:

Customer service employees are expected to deal with every type of customer in accordance with every customer's nature. They are also expected to abide by their institutional guidelines, which means that they have to be on their guard not to lose a single customer and not to fail to abide by the rules and guidelines. For example, one of the interviewees told me that when dealing with a hostile customer, he tries to absorb his/her anger by not telling the customer to calm down; on the contrary, the employee is expected to listen to his customer and even sympathize with him/her by *saying: yes, you are right; I would do the same if I were you; I sympathies with what happened to you; that situation is not acceptable; no one should be in that situation; I apologize for the inconvenience*. In such a situation, although the employee is supposed to pose the required questions to elicit necessary data from the customer, *questioning pragmeme*, he uses instead an *agreement pragmeme* to absorb the customer's anger as such succeed in retaining him/her by offering the best service available as fast as possible. He follows that with a future commitment, *promising pragmeme*, to further assure his customer of the service quality offered by the bank. Another employee told me that he would hold high esteem for the know-it-all customer by showing appreciation of the great amount of knowledge such a customer presents. In such a case, utterances like *I appreciate and value everything you say* would definitely boost the customer's spirit and urge him to buy bank services and products. As for the resistive customer, one of

the interviewees said that he would find the best counter-arguments to convince his customer of the best products the bank can offer him/her. The third type, which is the dependent customer, is found to be the easiest to handle by my interviewees. Most of them said that based on the data they collect, they would simply guide him/her to buy the most convenient products. One of the interviewees said that he once received a young gentleman in his twenties wanting to take a loan for his summer vacation. The customer said that he was *guided* by some of the banks billboards and internet commercials promising *Travel Loans* for very low interest rates. Being properly informed regarding this particular product, the customer expected the employee to start processing the loan immediately. However, the employee asked a few further questions to investigate the real needs of the customer. Then, having elicited this information, the employee found out that the customer was in need of a credit card instead of a long-term loan. Having explained the numerous benefits of credit cards, the customer was finally convinced to take a credit card in lieu of the long-term loan. This situation clearly shows that using the questioning pragmeme in the right context might lead to changing the services given to the customer. This is another situation that shows that the context of situation plays a crucial role in determining the types of questions posed and the type of pragmeme used, be it *guiding, praising, suggesting, promising*, which all depend on the context of situation. According to Mey, Pragmeme is a type of force of a particular pragmatic act (pract): it

is the combination of illocutionary and perlocutionary force.

"As to pragmatic acts, they consist of two parts: an activity part and a textual one (…). In the activity part, one finds the speech acts and other, related acts (interactional, prosodic, psychological, physical, etc.), while the textual part contains the various features (tense, modality, deixis, etc.) that characterize the more or less linear sequence of linguistic units involved in the production of the pragmatic act." (Mey, 2008:261) [14] Another important element that customer service employees strive to achieve is the quest for the perfect customer. In asking their customers about their needs, they try, in fact, to collect the required data and hunt for the perfect customer. They do that through depending on the messages advertised for in mass media, billboards, and their own assertive and assuring gestures, which help considerably in strengthening the relationship between them and their customers.

3.2. Impact of Semiotic Signals and Results of the study

Maybe one of the most influential messages that one of the Kuwaiti banks is using in the Kuwaiti market is the word ,' YABEELA'', which means *one needs it.* This word has turned into a holophrastic one reflecting one's need of everything good and valuable. Connecting this word with the picture of a camel strongly sends a message of resistance, stamina, and necessity. If one wants to have his/her money in safe hands, then this particular bank is there for you. The current international financial crisis did not affect the bank, which is further backed by the camel picture and the great *Jawhara*, Jewel, account.

In fact, depending on particular messages that are enforced by particular pictures, which reflect cultural messages, would contribute to establishing the right situation needed to trigger the right pragmemes in institutional situations. In this I mean that such pictures contribute not to specifying which pragmeme to use; rather, they help in creating a situation that could be contributive to the ambiance of institutional setting. Mey further observes that *,, the situation: the place where the linguistic interactants meet, not as disembodied 'talking heads', but as agents on the societal scene, bringing along their entire baggage of world knowledge: tacit and explicit presuppositions, expectations, and prejudices, as well as prior linguistic and world experiences."*(Mey, 2010:2883) [8]

Such situations are further supported by the semiotic messages suggested by the pictures, billboards, and any other media to help create institutional situations. Some semiotic tactics are used when receiving customers. Advertisements like (YABEELA) and (NBK IS YOUR CHOICE) and other pictures of new banking products are visible everywhere at banks. The polite reception and warm welcoming words are further strengthened by the messages conveyed directly by such ads. The main aim behind this exceptional customer treatment might be attributed to the continuous search of the perfect customer. Negotiating pragmemes is a pivotal factor in determining such customers who are rare to find and preserve as permanent bank customers. As such,

whether negotiating pragmemes or using semiotic messages would help banks anchor their reputation in the market. Semiotic signals come as a strong support for the effective use of pragmemes in context.

4. CONCLUSION

In this study, I have explained how using pragmemes can play a crucial role in understanding the nature of customers, analysing their needs, and using the right products for them. The role of pragmatics in understanding these subtle strategies is crucial for understanding the institutional behaviour of both customers and customer service employees. Looking at pragmatics as a societal theory would help one analyse social behaviour in an institutional setting in an effective way, especially if pragmatics is looked at as "Starting out from the world of reality, the 'outside', and works its way inwards, to the mental representations: from the world of generalized pragmatic acts(*or 'pragmemes'*), towards the individual, situated expression" [8] (Mey, 2010). Negotiating pragmemes is thus situated at the centre of institutional language, which necessitates a high awareness of cultural repertoires. This cultural knowledge would substantially help customer service employees analyse their customers, respect their needs, and provide the right services that are primarily geared towards their sole benefit.

REFERENCES

[1] Mey, J. (2001). Pragmatics. UK: Blackwell.

[2] Searle, J. (1969) Speech Acts: An Essay in the Philosophy of Language, Cambridge, Eng.: Cambridge University Press. (Presents a theory of speech acts relying on the notion of constitutive rules.)

[3] Jerrold M. Sadock, Toward a linguistic theory of speech acts. New York: Academic Press, 1974. Pp. 168.

[4] Bach, K. and R. M. Harnish (1979), Linguistic Commuication and Speech Acts, Cambridge, Mass.: MIT Press. (Combines elements of Austin's taxonomy and Grice's theory of conversation into a systematic account of the roles of the speaker's communicative intention and the hearer's inference in literal, nonliteral and indirect uses of sentences to perform speech acts.)

[5] Thomas, J. (1995). Meaning in interaction. UK: Longman.

[6] Mey, Jacob.2009. Concise Encyclopedia of Pragmatics. UK. Elsevier Ltd. In In Blutner, R., &Horn, L.R. (n.d.). Explorations in Pragmatics, New York.

[7] Jaszczolt, K.M.(2009). Situated Temporal Reference: A Case for Compositional Pragmatics? Journal of Pragmatics

[8] Mey, J. L. (2010). Reference and the pragmeme. Journal of Pragmatics, 42(11), 2882-2888. Elsevier B.V. doi:10.1016/j.pragma.2010.06.009. Situated Temporal Reference: A Case for Compositional Pragmatics? invited for the Special Issue on Pragmemes,. (2009).Journal of Pragmatics, (February), 1-35.

[9] Mey, Jacob, 2006. Pragmatic Acts. In: Brown, Keith, (Eds.), Encyclopedia of Language and Linguistics. second edition. Elsevier, Oxford.

[10] Mey, Jacob.(2007). Developing pragmatics interculturally. In Blutner, R., & Horn, L. R. (n.d.). Explorations in Pragmatics ≥. New York. Situated Temporal Reference: A Case for Compositional Pragmatics? invited for the Special Issue on Pragmemes,. (2009). Journal of Pragmatics, (February), 1-35.

[11] Capone, Alessandro (2005). Pragmemes. Journal of Pragmatics.

[12] Gerson, Richard. Beyond Customer Service : Keeping Customers for Life. Boston, MA. USA: Course Technology Crisp, 1998. p 26.

[13] Mey, Jacob. (2008). In Kecskes, Istvan (Editor); Horn, Laurence R. (Editor).

Mouton Series in Pragmatics : Explorations in Pragmatics : Linguistic, Cognitive and Intercultural Aspects. Berlin, DEU: Mouton de Gruyter, 2008. p 178.

[14] Mey, Jacob L., 2008. "Impeach or exorcise?" Or, what's in the (common) ground? In: Kecskes, I. and Mey, J. (Eds), Intention, Common Ground and the Egocentric Speaker-Hearer, Mouton de Gruyter, Berlin, pp. 255-275.

APPENDIX 1

1. Is there a particular communicative strategy (Special words, phrases, and sentences) followed with every different customer? (Customized strategy)

Interviewee 1: Of course, for example we use some words with Kuwaiti customers like (6al 3omrek= May Allah bless your life) and other words with the expats like (7adretak= your mastership), the same followed with the young people and the old people, man & woman, educated people & students.

Interviewee 2: Of course every customer has a different way to approach or deal with (professionally or friendly) by using words like: Sir, Mr.

Interviewee 3: There is a difference between approaching the customer or customer approaching you to apply for different banking products products.
Customer approaching you: (I should listen to him carefully then start to give him the suitable solution)
If I'm approaching the customer, I should understand the nature of the customer (nationality-education-the place where I'm meeting the customer) I should use a short and smart paragraph that shows respect to the customer. Approaching customers respectfully will attract them to our products and make them attentive to our pieces of advice.

Interviewee 4: Yes, Depending on the customer's nationality bank officers use different phases to greet customers.

Also, different NBK's products and benefits are highlighted based on nationality. Americans & Europeans are highlighted on banks strong image, rewards and rating, whereas Asians are briefed on low rate of interest and credit card benefits.

Interviewee 4: Low rate of interest, no extra or hidden charges for prepayment and no processing fee are the most common points brief while selling loans.
Credit Cards: Reward program (over 500 affiliated partners, nearest competitor has around 300) and Instant discounts are highlighted for credit cards.

2. Different products, different strategies (Explain)

Interviewee 1: Yes, we use some scripts when we want to sell loans for our customers and its different than the scripts we use to sell C.Cards or transfer the customer salary and it need from us different strategies.

Interviewee 2: This depends on the customer position or the nature of his work, ex: much traveling involved, Diners is the best product.

Interviewee 3: Simplification- translation- the use of formulaic expressions – repetition- rephrasing- gestures.

Interviewee 4: Low rate of interest, no extra or hidden charges for prepayment and no processing fee are the most common points brief while selling loans.
Credit Cards: Reward program (over 500 affiliated partners, nearest competitor has around 300) and Instant discounts are highlighted for credit cards.

3. Are you prepared for different kinds of customers? How?

Yes, if you have the good knowledge you can communicate with any kind of the customers even if they are very professional or complicated.

Yes, by reading them from the 1st meeting, the way they dress, they way they talk, the way their office is. eventually, you will automatically prepared.

First of all, welcoming the customer with smile is very important.
Frequently used questions: (How can we help you? Give your customer the right to think and choose)you have to make him trust you.

Yes, we are prepared and we have learned from our experience how to handle such customers. First, what is important here is customer interaction (good listener). Second, providing your clients with honest feedback and keeping good communication rather than avoiding them will help you win their trust.

4. Before talking to a customer, do you have a programmed persuasive plan?

Yes, most of the time we have the suitable script for every product.

After checking the customer's account, his age, his salary, the company he works for, we could form a base of understanding about the customer's requests.

When selling a loan, one needs to listen carefully to every customer's case (customer's need, type of installment, and the period).

Yes, depending on customer's profile and industry we do our homework and keep ourselves updated to answer all his needs.

5. Do you ask your customer direct questions like "why do you want to leave your bank?"

yes

yes I do because it tells you why the client is running from what he is expecting.

Yes, I am dealing with Kuwaities and Expats
Educated and uneducated Kuwaities
Different nationalities

Kuwaities coming from different intellectual backgrounds
Expats are also different.
Girls and women

If the customer is a non-X-bank customer, then we prefer to highlight the difference between X and his/her current bank. If the customer is an existing X's customer, then yes we try to retain him/her.

6. How do you connect what you hear from your customer with what you plan to present?

First of all I should know the gap between us, if there is one, and try to find any shared views to present what I want.

It helps, as you learn to avoid presenting what the customers dislike.

Before talking to a customer, do you have a programmed persuasive plan?

Yes, by asking the customer about his needs and his expectations from the bank then I build my conversation on it.

Each customer has different expectations from the bank. We listen to our customer first and reply accordingly.

7. Are you a hasty presenter or a patient one? What are you waiting for?
I am a patient presenter, but I know how to send a short and clear message to my customer.

Not hasty and not patient, I make sure that I present the higlighted points and what the customers want to hear.

Do you ask your customer direct questions like "why do you want to leave your bank?"

I am a patient presenter and would like to hear from the customer first.

8. When presenting a product for your new customer, what kind of questions do you prepare in mind?

Customers' knowledge about the product, customers' experience, customers' need, and customer's ability.

Credit cards. How often do you go into business trips ? How do you pay for renting a car? How do you pay for a hotel?...etc

For sure not , maybe I will ask him how about his satisfaction from my bank.

Why would my customers be interested to buy my product? Is my product the best in the market?If not, how to sell it as the best one?

9. Do you prioritize your customer's situation or your product? How?

a. Both

b. The customer's situation of course, because we should meet his expectation. we understand the situation and see the good product for him.

c. Customer's Situation since customers are well aware about the market, and they prefer banks to be honest with them to win their trust. Once we gain their trust, they will buy our products.

10. Are you ready for objections? How?

a. Yes, by listening to the customer very well and finding the gap to bridge it.

b. Objections create the scenarios of persuasion.

c. Yes: we have learned with our experiences how to vie with competitors. Firstly we highlight overall banks image and then products benefits.

11. What do you do to keep your name engraved in your customer's mind?

By making an exceptional service for the customer.

...try to do something for the client who kept on being rejected, like an exceptional loan or a credit card, and I am sure that the client will never forget you.

Good first experience and followed by excellent follow-up

12. What kind of polite forms do you use with your customers?

Etiquette stylistic features and formal form

Sir, Mr, Mrs, after your permission, if you may.......

We always rely on using polite manners with customers.

13. What kind of verbs of commitment do you use with your customers?

a. Doing what I promised on time or before

b. Integrity. Keeping the promise, delivering on time

c. Convenient banking experience ,such as smooth account opening process at you office, immediate action within 24 hours, assistance in getting credit card & loans and future assistance for any enquirers related with products or services

14. Do you pay attention to socio-cultural norms and values when presenting your products to your customers? Explain.

For sure, by using our bank flexible consumer services with the customers.

This is attributed to the fact that the audience is from different countries and different cultures. if the customer is religious, for instance, we make sure not to talk too much about interest rate, for example, which is prohibited in Islam.

Yes, we do give importance to socio-cultural norms depending on customer's nationality and religion. Our approach differs ffrom customer to customer depending on his/her socio-cultural background.

15. What gestures do you use most in persuading your customers?

Using body language and face expressions

Good eye contact, body movements, facial expressions with a smile

16. Write a paragraph showing how you conduct a meeting with one of your customers.

Good morning, Mr. Ahmed, thank you for giving me some of your precious time and I promise I won't take much of it. I am here regarding your inquiry about a loan. as you know the central bank rules keep on changing every day, if not every hour, and all local banks must obey their regulations, of course. So, if you're thinking of taking a loan later on to buy a land or an apartment back home, I recommend that you take it now because I do not guarantee if you're going to be eligible when the time comes to take it. So take it and keep it in a Jawhara account in order to be saved and the time comes to use it, go ahead and use it and if you find out that you are not in need for it, you can always pay it back. This is a win-win deal.

I usually meet with HR or Finance manager of the company for the bulk deals. I prefer to do my homework first before approaching the client. My homework includes profile study, NBK current relationship, customer's expatiation and agenda of the meeting.

I have set rules for customer meetings such as: Get the meeting off to a good start, Appreciate HR support for NBK, Share good customer experience from the same company staff, Encourage them to share their view about our services and ask for their feedback or suggestion and most importantly remain positive and constructive.

Appendix 2
Bank advertisements
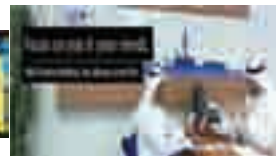
TEACHING MILITARY ETHICS
IN THE ROMANIAN MILITARY
EDUCATION ESTABLISHMENTS

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Teaching military ethics as an independent discipline in the Romanian military higher educational institutions may prove a conundrum. Some of the reasons for this are rooted in the dominant cultural background and religious inheritance of the Romanian people and in the ethos and culture of the Romanian military. In addition, the research focused on this topic in Romania is rather scarce and conducted mainly by Romanian scientists at an individual level rather than at a collaborative or cooperative one. All of the above have an important say in the attitude of those who take various educational programs, as well as in trainers'/educators' struggle to find the best approach towards such a topic. This article aims at highlighting the main challenges and opportunities raised for both researchers and educators who are keen on addressing military ethics as a subject matter in the Romanian higher military education establishments. The method to be employed is an AS IS analysis of the status military ethics has in the curricula of various Romanian military higher educational establishments. The educational offering under scrutiny concerns the undergraduate, graduate and postgraduate studies offered by the "Carol I" National Defense University, by the service academies: "Henri Coandă" Air Force Academy, "Mircea cel Bătrân" Naval Forces Academy, "Nicolae Bălcescu" Land Forces Academy, as well as by departments like the Regional Department of Defense Resources Management conducting postgraduate career courses. The analysis will be based on information from open sources. Given the terminological variations of the term 'ethics', as well as the likelihood for certain training/educational programs not to explicitly include the term in their curricula, we will center the scope of the investigation on the way the principles guiding militaries' ethical behavior included in the Code of Conduct for Romanian Military And Civil Personnel[1] presented in the Order of the Minister of National Defense no. M94 of 8.06.2004 are included in the curricula of the aforementioned educational programs. Apart from these guiding variables, we will also critically analyze the match between the goals and objectives of the subject matters listing ethical issues, the methods chosen to teach these (i.e. "formal classes in moral philosophy", case studies, motivational speakers, role models, etc. (Robinson et all: 2008, 9-10), their target audience and the level of education. In the end, based on the findings we will make a set of recommendations concerning the steps that could be taken towards teaching ethics as an individual subject matter on various educational programs within the Romanian military.

Key words: *military ethics, ethics education, curriculum, Romanian military, defense higher education establishment.*

1. INTRODUCTION

Why discuss and hold ethics education and training in the Romanian military higher education establishments under scrutiny? Doesn't the trust the Romanian people show in the military [2] is proof enough that values are well preserved and cherished and that

the military live up to the role they assume? Doesn't the religiosity [3] of the same people guarantee that those entering the military organization as recruits, fix term contract employees or civil servants observe moral values and act in accordance with these? Doesn't the existence of an ethical code and of statutes of those serving the goals of the armed forces, be them in uniform or not, ensure the preservation of the same values? The answer is that, despite de evidence above, both Romanian society as a whole and the military as an important part of it have undergone a number of changes for the past 23 years. All these could not have possibly left any trace in people's collective unconscious. Thus, even though the definition of values remains unchanged, the evolving times may lead to the need to revisit these values. Nowadays' people tackling contemporary challenges and realities may not necessarily uphold the same values as their parents/forefathers or as those who were raised and got their first job in communist times.

Some of these challenges were raised the very moment the Romanian society as a whole had to make the transition to democracy in 1989. Thus, switching from a regime heavily focused on "favoritism, nepotism, and loyalty"[4] towards the infrastructure supporting communism to democracy and to its ideal value of meritocracy was and still is not an easy task to be completed on the spur of the moment. Within this context, the transition of the military towards a professional army able to meet its commitments to the North Atlantic Treaty Organization and the European Union involved changes at structural

level. The end of conscription, civil control over the military, a leaner pyramid shaped structure of the armed forces, implementation of the planning, programming, budgeting, and evaluation system are just a few of the most important ones.

However, to change the structure is but a means to a goal and not real change. How do the people who are supposed to implement the change actually view it? What are their values? Do these values actually support the change or may hinder it if the needs and expectations are overlooked?

Worth noting in this respect is the comment of a military made in 2004 regarding the clash of values [5] between the 'old guard' and the 'new guard' as a result of the structural changes incurred by Romania's accession to NATO:

"(…) My hesitation (i.e. in front of the dissatisfaction with the unpaid extra hours expressed by a young military) was the result of the way I had been modeled. Working in the military without checking my watch too often was supported by the sense of patriotism, duty, as well as by the pleasure I derived from it. All this had been actually reinforced at that time by being provided with accommodation facilities and with a salary that met my needs. However, this modeling actually keeps shaping my attitude towards working in the military. (…)

Things have changed. Nowadays, young people approach life differently (…); they want to develop professionally at a faster pace, to live well and to have their extra hours paid. They are the new guard that will take over a military system shaped by different standards than the old ones."

Thus, needs and expectations change in time. Therefore, even though the system of values remains the same, the centrality or marginality of certain values underpinning the needs and expectations suffers changes. That is not necessarily the result of the transformations at the level of a particular system, but of the features and changes of society in general. Therefore, the cultural model of the latter influences and shapes the particular systems inside it, and the military system is no exception.

Nowadays, the Romanian military organization is no longer an entity insulated against the influence of civilian approaches and of Western values in general. On the contrary, the educational programs attended by many of the commissioned officers after 1989, the participation in various theaters of operations, the appointments in NATO and EU positions have opened the system to the influx of new ideas and approaches to what once used to be a stiff system. Moreover, the need of the Romanian military educational system to comply with national laws and standards in the field has triggered a two fold approach. First, at educational level, the Bologna system had to be implemented. Second, in order to align to the requirements of the labor market, the military educational institutions provide a double specialization: a military one in line with the type of service and the type of positions the cadets are to fill in upon graduation, and a civilian one (mostly in management sciences) adapted to the features of the military that allows graduates, upon retirement and under the provisions of law, to occupy civil vacant positions that require the competencies testified by the certificate released upon graduation[6].

Consequently, it appears that the line between the civil and the military becomes thinner by day in terms of career outlook. Thus, what once was an occupation for life for which special education and training was necessary, it has become a matter of choice: when it no longer meets the needs and expectations it can be changed for a better position in civil life. The paradox is that the system itself educates and trains its personnel to be able to make the transition from the military to civil life smoother. As a result, the prospects the civil labor market has to offer to a well educated military make the "institutional orientation"[7] and its inclusion of personal life less and less appealing. Values like "leisure time, family matters, living conditions, (high) salary, and career prospects on the external labor market"[8] become prevalent. As a result, when the military system 'fails' to fulfill its share of the psychological contract that the newcomers assume to exist and does not provide for the needs and expectations of the latter, attrition steps in as a result of 'disenchantment':

"The military (…) expect their job to be exciting, glamorous, and full of adventure. These expectations are usually not fulfilled; often boredom, anger, anxiety, and dislike are experienced instead of the anticipated excitement, enjoyment, and pleasure (…). Besides, there may be a certain degree of routinization, which inevitably leads to more realistic and henceforth more sober attitudes toward the organization."[9]

In conclusion, given the tighter link with the civil requirements enforced by laws like the one of National Education passed in 2011, and

commitments made to international organizations and alliances, the military as a system, and military education, as a component of the system, need to keep the pace. However, to do that is to be aware not only of the values to be promoted and upheld for any system to work as planned, but also of the surrounding environment and of its influence on the former.

2. THE ROMANIAN MILITARY HIGHER EDUCATION SYSTEM

2.1. An overview

The educational offering for commissioned officers at undergraduate, graduate and postgraduate level of "Carol I" National Defense University, the service academies: "Henri Coandă" Air Force Academy, "Mircea cel Bătrân" Naval Forces Academy, "Nicolae Bălcescu" Land Forces Academy, as well as by departments like the Regional Department of Defense Resources Management meets the provisions established by the Romanian National Education Law no. 1/2011[10]. For example, the authorization and accreditation processes for the military educational programs or the latter's quality requirements are not any different from those civil educational institutions need to observe.

In terms of the types of educational programs offered by these institutions, the **Table** below provides an overview of the educational offering for the year 2013-2014, or where data was not available, for the academic years 2010-2011, or 2011-2012.

Table no.1.
The Romanian Military Higher Educational System:
an overview of specializations offering.

Institution name	Undergraduate level (period: 3 years) (by specialization, not by name of the field)	Graduate level (master's programs) (period: 2 years) (by specialization, not by name of field; the strictly military focused ones are left out (e.g. Joint Air Force Management))	Postgraduate* level (period: 2 months) *Even though the very name of postgraduate refers to master's program or doctoral degree, the translation is the word for word one and it stands for career courses or skills enhancement courses)
"Carol I" National Defense University	Public and Intercultural Communication for Defense and Security	- Security and Defense Program and Project management - Public communication for defense and security - Crisis management and conflict prevention	Information not available
The Regional Department of Defense Resources Management	N/A	• Organization resources management (Subject matter related to ethics or dealing with the laws regulating state behavior: Ethics and leadership; Conflict management (graduate program open to civilians, as well))	- Defense resources management for senior officials - Defense resources management for experts (Ethics is part of the human resource management subject matter taught on the courses) (the modules are military oriented)

"Henri Coandă" Air Force Academy	- Organization management - Aviation management - Air traffic management (Subject matters related to ethics or related fields taught on all specializations: Military organizational behavior (elective subject matter); Military deontology Psychology and pedagogy; Intercultural communication; Military laws and regulations)	- Air space security - Management of fighting systems within the Air Force (Subject matters related to ethics or related fields Management psychology Intercultural education)	N/A
"Mircea cel Bătrân" Naval Forces Academy [11]	- Navigation, hidrography and naval equipment - Naval Electromechanical - Navigation, Maritime and Fluvial Shipping - Electrical Engineering - Engineering and Management	- Nautical sciences - Naval electromechanical systems - Engineering and management	N/A
"Nicolae Bălcescu" Land Forces Academy [12]	- Organization management - Economic and financial management - Public administration (Subject matters related to ethics or related fields: Military organizational behavior (part of the core subject matters); Military psychosociology; Military leadership; Analysis of international conflicts (elective); Military laws and regulations)	- Organization leadership (Subject matter: Leader's ethics (elective)[13]) - Organization capabilities management (Subject matter: Organizational processes and behavior (elective) [14]; Conflict analysis and crises management in organizations (elective) [15]) - Management and technology	*Postgraduate courses Information concerning their curricula is not available;*

As already discussed in the introduction, the table above highlights the direction taken by the military higher educational institutions in Romania towards the inclusion of a more general outlook onto their specializations. In addition, some institutions (e.g. DRESMARA, the National Defense University) even open their graduate programs to civilians. However, as far as ethical education is concerned, except for the master's programs of DRESMARA and of the Land Forces Academy (Organization leadership), most of the other specializations seem to take a rather cosmopolitan outlook on the training of undergraduates and graduates for coping with organizational realities in general, and with military organizational features in particular. The impression

is that the role of ethics as described by Professor Kasher[16]: "(…) providing service men and women with an understanding of their professional identity, and of what it means to be a military professional in general and more specifically a military professional in a liberal democracy" is taken over by other disciplines.

Thus, subject matters like communication, intercultural communication, (socio)psychology, conflict management, risk management seem to replace the discipline of military ethics. Even in the case of a master's program oriented towards building leadership capabilities (i.e. the one conducted by the Land Forces Academy) and that, as one of its goal states, aims at educating future leaders to be able to make ethical decisions, ethics is listed among the elective subject matters and not among the fundamental ones. Consequently, the image that results is rather fragmented and the outcome is difficult to assess. One possible explanation for this can be found in Robinson's statement according to which [17]:

"the traditional values and virtues associated with the 'warrior' such as courage, comradeship, and obedience, may be of limited use to the soldier attempting to win the hearts and minds of a foreign people, for which task he may require a more cosmopolitan ethos which looks beyond the immediate military group, as well as a keen intelligence and cultural understanding. Inculcating the former set of values, which remain necessary for traditional soldiering, may perhaps hamper the development of the latter set, whereas inculcating the latter may render the *soldier less capable of carrying out his traditional roles".*

In conclusion, the overview of the status of military ethics among the subject matters taught on the specializations offered by the higher military educational institutions in Romania highlights a cosmopolitan outlook on how (future) commissioned officers are to understand and solve dilemmas or ethical issues. Moreover, there seems to be an invisible undercurrent that makes military ethics education the Cinderella of the subject matters taught in these institutions. A visible effect of this is the attitude of numerous commissioned officers who wonder what the use of ethical education might be since the military laws, regulations, codes of conduct are clear cut and leave no room for interpretation. Moreover, the same people argue that family, the cultural model of the Romanians, as well as the insulated character of the military system provide the military personnel with the right resources to make ethical decisions. Last but not the least, most of them argue that ethics is an inherent part of a military leader's education even though it does not necessarily have to be labeled as such. Paradoxically, when this "no-nonsense" attitude and the orientation towards "by the book" answers is countered with examples and arguments from real life, the sole arguments presented in a jocular manner is that "Romanians have always proven resourceful" in times of crises and dilemmas grounding their decisions into their common sense. Thus, what is the way ahead with teaching military ethics in the Romanian higher

military educational establishments when resistance coupled with the impression that soft issues are taking over too much of the military education is a fact. Or should military ethics be taught at all? And if the answer is positive, how should that be done?

3. MILITARY ETHICAL VALUES AND THEIR PLACE WITHIN THE ROMANIAN GENERAL SYSTEM OF VALUES

To find an answer to the above questions, we will attempt to compare the extent to which the values and the ethical behavior promoted by the military rules and regulations in place find a counterpart in the system of values of the Romanian people.

3.1. Rules and regulations of relevance for militaries' ethical behavior

The documents of relevance for this article are:

a. The Code of Conduct for Romanian Military And Civil Personnel [18] presented in the Order of the Minister of National Defense no. M94 of 8.06.2004 [19].

b. The Status of Military Personnel [20] as regulated by Law no. 80/1995 and published inMonitorul Oficial, Part I n0. 155/ 20 July 1995.

c. The Status of Military Personnel [21] as regulated by Law no. 80/1995 and published in Monitorul Oficial, Part I no. 155 / 20 July 1995 [22].

The system of values promoted by the military system is anchored both in **general values and virtues** like: integrity, honesty, responsibility, incorruptability, good faith, non-

discrimination, in **occupational specific values** like impartiality in work related matters, professionalism/competency, loyalty (devotion, sacrifice), transparency, and in **social values:** law observance, public interest, democracy, citizenship/civic sense. For such a particular system of values to be in place, the existence of the aforementioned documents does not suffice. What is needed is a cultural model whose core beliefs underpin the values. Such a model exists at military level but it is based on the Romanian cultural model. The latter is built around a core of beliefs anchored in concepts like family, tradition and religion [23], as well as upon a system of values. It is a matter of evidence that in light of the military system's opening to the civil society, the former is subject to the latter's influences. Hence, to teach ethics, that is to focus on a system of values and on its relevance for desirable behavioral goals, models, evaluation standards is to understand the whole in order to better grasp the peculiar features and their relevance.

3.2. The Romanian system of values and its relevance for teaching ethics

A recent study conducted on a large number of Romanian employees [24] discusses the system of values underpinning the latter's behavior and its relevance for their behavioral predispositions. We only focus on four of them that are of relevance for this paper: core values, ideal values, structural values and ultimate/existential values. For a better understanding of the way they contribute to the overall system

and of the potential drawbacks they may trigger in terms of behavioral predispositions [25] we present them in the table below.

Table no. 2:

Values underpinning Romanian employees' system of values

	Core values	Ideal values	Structural values	Ultimate/ existential values
Definition	Shared both at individual and collective level	Projection of what is viewed as desirable as opposed to reality.	Latent values underpinning the whole system of values	Describe the ultimate goals of existence
Characteristics	-	Related more with individual projection, rather than with group characteristics	Less subject to change Depending on the weight attributed to these the value hierarchy can suffer significant changes	-
List in top-down order of importance	• Financial gain • Power, authority • Recognition on behalf of others • Fame • Promotion • Freedom • Safety Semi core values: Integrity Friendship Team work Affiliation	• Excellence and work persistence • Honesty (attributed to a great extent to oneself and less to the others). • Confidentiality in relation with others (a prerequisite for friendship and quality relations) • Change • Personal development	Excellence and perfectionism Affiliation and interdependence Honesty and integrity Power and fame Adventure and experimenting	• Personal success acknowledged by the others and expressed in the form of financial gains and promotion (work is not necessarily the prerequisite for achieving it) • Success obtained as a result of continuous improvement, change • Moral fulfillment through integrity and loyalty • Relations' success expressed through the quality of the relations established and collaboration • Work success as a result of competency and results obtained.

The values labeled by the study authors as core ones point out to a self-centered cultural model reminding of the "carpe diem" motto. Obviously, the goals they underpin are anchored into the present. The focus is on personal status and rapid growth and these are not necessarily the result of extensive work. The presence of these values as core ones within both individual and collective systems of values can account for the lack of morality and cohesion in the public space. A closer look at their hierarchy and names makes it a matter of evidence that there are no moral values among them. Consequently, the priority is not morality, but the "here" and the "now" moment. As a result, it is more than obvious that when current behavior of individuals and groups is based on these values, a gap between the self and the others is due to emerge. In addition, competition appears. However, its goal is not to

create outlasting valuable artifacts by comparison with others, but to cover for the basic needs and to promote individual interests to the detriment of group/community interests. Thus, a paradox appears. The cultural model of the Romanians has as its stepping pillars and core dimensions: "family", "tradition" and "religion". However, in the absence of morality and tradition both at individual and group level (as it is the case with the direction outlined by the core values identified by the study) the family alone cannot make up for the missing elements.

However, how is it possible for a people with a cultural model centered on tradition, family and religion, to establish short term goals that only prove individual "value"?

To answer this it is worth mentioning that whenever undesirable behavior occurs in the public space, most Romanians blame the upbringing of the individuals and, inherently, the values inculcated by their family since early childhood. One common saying in Romanian when trying to justify/account for misbehavior actually relates this to the poor education provided by the family during the first seven years in a child's life (i.e. in Romanian: "Nu are cei sapte ani de acasa" = "His family hasn't educated him properly in his early childhood/first seven years of life".). No wonder that this saying is linked to what used to be the age when a child first went to public school to start his educational path in life.

Then, if the role of the family is so highly viewed by the Romanian people, how is it possible for the same people to anchor their behavior into values that meet their immediate needs and not their and/or the group's/society's long term goals? One explanation is that communism,

by uprooting a great number of people from their traditional walks of life (i.e. peasants, farmers), "luring" them into towns/cities and turning them into "workers" actually undermined one of the pillars of the cultural model, which is "tradition". In addition, these people's transition from a well-defined walk of life to a new one led to changes in their value prioritization. The member status of a given community in the country was a matter of inheritance and it was preserved through what now are semi core values. When moving to the city, the sense of community disappeared and the basic needs had to be met first. Moreover, the fierce competition to define one's status among people striving to do the same was no easy task. As a result, the amount of salary, the access to accommodation facilities provided by the Communist Party, the position occupied in a given hierarchy defined the new status. The latter could be achieved either through very hard work, but more often than not through compromising one's own beliefs and betraying of individual/group ideals and values in favor of communist values. Hence, communism as a "religion" emerged and its followers benefitted most.

In conclusion, the 1989 Revolution was just a matter of structural change. At the deeper level, the priority of values did not undergo any major changes compared to communist times. New positions were vacant: the rules were already in place, so why not benefit from them? As a result, even now in 2013 we can talk about a deep crisis at the level of the values upheld both at individual and community level. The return to tradition and religion has been performed. The problem is that the 'new guard' inherits the habits, beliefs, values of the 'old guard'.

Paradoxically, those who complain that misbehavior is the result of poor childhood upbringing on behalf of the family are actually those who are part of this family.

Where does all this leave us in terms of ethics education and training in the military? In our opinion, this is one of the means by which structural values can become core values. A basic truth has it that if change is to occur, then the following steps must be undertaken: structural change, individual change and adaptation through education and training, and finally group (to be read as community) forming/shaping. So far, the Romanian society and armed forces have undergone a number of structural changes. Even individual adaptation has taken place: a lot of people from the military and not only have attended various courses abroad, worked in various NATO and EU structures. However, we believe that this training and education efforts were not part of an integrated outlook on how to strengthen the smooth functioning of the redesigned structures. As a result, many of these military (and not only) are experiencing the "in-between" feeling. They have acknowledged the existence of different mentalities, of different working modes, they have shaped their expectations and working style in accordance with the new requirements. However, when coming back they have to assume the role of pioneers in disseminating their knowledge to those have stayed behind. Consequently, given the system of values described above, they should disregard the core values promoted by the wide majority of people and appeal to the ideal and structural ones if they want to make a change. So, the question is how many of

them are willing to make the sacrifice?

Thus, if the change has not taken place at the level of the majority of individuals, then how can community be shaped? In this respect, it is worth mentioning that at the level of the EU as part of the strategic framework "Education and Training 2020" (ET 2020)" [26] one of the objectives is "to promote equity, social cohesion and active citizenship" [27]. Consequently, among the competencies needed to develop as part of this objective are social and civic ones. If we compare their description [28] with some of the subject matters taught on various specializations offered by the service academies or by the National Defense University it becomes obvious that the trend is towards emphasizing these types of competencies. However, as it result from a study conducted at EU level in 2009 that assessed the dimensions of civic competence and civic knowledge of EU member states' people [29], Romania does not record any positive results on any of these (i.e. civic knowledge, citizenship values, social justice, participatory attitudes, knowledge about democratic institutions). However, compared to other countries that score pretty high on the aforementioned dimensions but do not provide any formal citizenship education at primary level, lower secondary level or higher secondary level Romania scores average for the first two levels. On the other hand, it is true that the data we are referring do not refer to the Romania miitary educational establishments. However, what is obvious at social level is that there is a clash between the value system promoted at individual level and at group level (supported by the presence of the family, tradition,

religion or hindered by the absence of one or all of these) and the one promoted at formal level. Bridging it requires ensuring the involvement of the family, the sharing of a common tradition, and a moral system in place.

4. CONCLUSIONS

Thus, where does this evidence take us in terms of the topic of this article? In our opinion, to teach military ethics is to ensure the existence/to strive for meeting (some) of the following prerequisites:

A. The military becomes a second family of the cadets. That means teaching ethics needs to be part of the overall organization behavior (i.e. well established and integrated rules and codes of conduct at organization level, well defined processes underpinned by ethical principles at organization level; formal and informal group behavior of those in charge of cadets' education and well-being directed towards treating them as part of a family not as part of a bureaucratic system; individual behavior in terms of setting good examples for cadets).

B. For ethics education and training to be effective in the military, valuing the ancestors and traditions despite the contemporary trend towards relativism and fragmentation at the level of national symbols should be a focus in the military. We are making this statement not because this is not the case, but because this has to be interrelated with the family feeling that the military should provide for the new entries in the system and not only.

C. Given the two-fold role of cadets and employees of the Ministry of Defense (i.e. both a military representative and a citizen), ethics must underpin educational endeavors. In addition, difficult as its outcomes may be to assess, ethics education and training should be approached in an integrated manner. Thus, the values, competencies necessary to uphold them should be carefully formulated and planned for every career step a military takes in terms of education and training. Last but not the least, one should not forget that education in general and ethics education in particular is about developing formal competences which are "the engine for the running of any organization, the military one included, or in other words its backbone. With the development of the formal competence an integrated system oriented towards acquiring new competences is established". Moreover, reviewing the notion of formal competence and integrating into it notions like non formal competence and informal competence becomes a necessity [30]. It is only thus that one can start talking about being ethically competent to be part of system, whether organizational or social.

D. Ethics education and training must take into account the cultural and national features. At the moment, most of the case studies presented in ethics classes (e.g. the ones used for discussion in the ethics classes conducted at the Regional Department of Defense Resources Management Studies) are developed based on the characteristics of cultures different from the Romanian one. That draws from the very beginning the distinction between "their way" and "our way", the latter not being clearly defined.

E. The goal of introducing ethics in an integrated manner into the curricula of the higher education defense institutions in Romania is to enable undergraduates, graduates

and postgraduates to make informed, educated decisions in order to reduce the risk of misdeeds and faulty steps. In this respect, the students attending various postgraduate career or skills enhancement courses should play a key role in establishing the case studies to be used at various educational and training levels. Thus, their tacit knowledge and experience gained both within the Romanian military system and abroad, on missions, should be built on and used for reference with undergraduates and graduates. Moreover, these postgraduate students could also have an important say in identifying how an integrated framework for teaching education can be better developed and how their experience can be employed for the benefits of the 'new guard'. Thus, by involving those attending career courses and who, most likely, will fill in high ranking positions in the Ministry of Defense several goals can be achieved: inculcating/ instilling into the mind of future decision makers the arguments in favor of approaching ethics education and training in an integrated manner; using their knowledge in a relevant manner in order to bridge the gap between the 'old guard' and the 'new guard', elaborating materials related to ethical issues that can be used as future reference for educational and training purposes.

We are fully aware that criticisms or doubts may be expressed concerning the feasibility of the solutions suggested. In the end, one of our goals is to actually start a discussion on the topic of this paper since brainstorming ideas may refine our solutions or trigger alternative courses of action. Moreover, even though we also know that top level decision and commitment is needed

for all the above, to start locally and involve researchers and educators in the field of (military) ethics for idea generation must be the first step. However, in this respect, it is worth remembering and reminding the following: *"If the development of fighter, specialist and leader competences cannot be contested as to the military condition in the society because the formal status of military is connected to them, for the educator and citizen competences there are a lot of doubts concerning the opportunity of using them in a formative context like this. Moreover, the two formative dimensions can lead to an intra-status lack of balance and to inter-role conflicts and can create the premises of estranging from the desired crystallization of formal status, when one of them prevails."*[31]

NOTES AND REFERENCES

[1] http://www.presamil.ro/OM/2004/25/pag%205.htm.

[2] http://adevarul.ro/news/politica/sondaj-banca-nationala-aromaniei-cea-mai-incredere-institutiile-executive-1_5162f72f00f5182b859960d1/index.html. The information is based on the data of a poll conducted in 2013, 19-27 March, by INSCOP Research http://www.inscop.ro/9-aprilie-2013-adevarul-sondaj-armata-si-bnr-sunt-institutiile-in-care-romanii-au-cea-mai-mare-incredere upon the request of the Romanian newspaper "Adevarul". As reported, the Romanian Armed Forces, included under the category of executive establishments along with the Police, the Romanian Intelligence Service and the National Anticorruption Directorate ranked the highest (64,3%) in terms of the trust expressed by the interview subjects. According to the researchers, the high percentages recorded by all the aforementioned institutions can be explained by the current socio-economic context and by

the need for stability and security on behalf of the people (http://www.agerpres.ro/media/index.php/social/item/181023-Sondaj-INSCOP-Romanii-au-multa-incredere-in-Biserica-si-Armata-si-mult-mai-putina-in-Presedintie-si-Parlament.htm). However, compared to previous polls that ranked the Armed Forces and the Church very high (75-80%), the figures elicited by the 2013 poll place the two institutions below 70% trust.

One of the reasons accounting for the high percentages recorded by the two establishments in relation with people's trust is that the historical and symbolic value of the two is very high.

[3] Idem. As part of the group of social and/private institutions (i.e. Church, Univeristies, Media, NGOs, Unions, Entrepreneurs Groups, Banks), the Church was rated the highest by the respondents (69,1%) even though, as the researchers highlighted the respondents are not very clear whether it is the Church they trust or God.

[4] Florina Cristiana Matei NATO, the Demand for Democratic Control, and Military Effectiveness, in Thomas C. Bruneau, Florina Cristiana Matei (2013) The Routledge Handbook of Civil-Military Relations, Routledge, London, New York, , p 320.

[5] http://www.presamil.ro/OM/2004/10/pag%2026.htm.

[6] Art 39, Education Law no. 1/2011

[7] Joseph L. Soeters, Donna J. Winslow, Alise Weibul *Military Culture* in Caforio, G. (ed.) (2003) Handbook of Military Sociology,Kluwer Academic/Plenum Publishers, p 241.

[8] idem.

[9] Ibidem, p. 251

[10]http://www.umft.ro/data_files/documente-atasate-sectiuni/203/legea_1_din_2011_educatiei_nationale.pdf, Section I, Art. 176.

[11]http://www.anmb.ro.

[12] http://www.armyacademy.ro.

[13]http://www.armyacademy.ro/masterat/lo/curicula_LO_2010_2012.pdf.

[14] http://www.armyacademy.ro/masterat/mco/curicula_mco_2010_2012.pdf.

[15] http://www.armyacademy.ro/masterat/mco/curicula_mco_2010_2012.pdf.

[16] Quoted by Paul Robinson *Introduction: Ethics Education in the Military,* in Robinson P., Nigel de Lee, Don Carrick (eds.)(2008) Ethics Education in the Military, Ashgate, p.4.

[17] Robinson, P. *Introduction: Ethics Education in the Military,* pp 4-5 in Robinson P., Nigel de Lee, Don Carrick (eds.)(2008) Ethics Education in the Military, Ashgate

[18] http://www.presamil.ro/OM/2004/25/pag%205.htm, http://colmil-mv.ro/subiecte/Codul%20de%20conduita%20etica.pdf.

[19] The Code of Conduct for Romanian Military And Civil Personnel presented in the Order of the Minister of National Defense no. M94 of 8.06.2004. As set out in Chapter II of this Code, its goals are to enable the personnel within the National Ministry of Defense to measure up to the highest professional standards, to guarantee that public interest prevails over any other interests, to increase civil society's trust in the competence, seriousness, promptness, and quality of law enforcement, legislation observance and of all activities undertaken in the interest of the military institution, and to ensure an increased level of transparency in the activities undertaken by the Romanian Armed Forces' personnel .

Moreover, the Code mentions in Chapter III that for military and civil personnel to undertake their work related tasks or goals as required, the following (ethical) principles must be observed: *Integrity, defined as honesty, responsibility, incorruptibility, good faith; Law observance; Objectivity defined as impartial attitude in solving work related tasks; Equal treatment or non-discriminatory behavior; Competence revealed through a responsible and professional attitude; Transparency defined as openness to sharing information of public interest with parties concerned or project ideas for constructive criticism; Loyalty identifiable through the actions that defend employer's prestige, as well as through those aimed at defending public interest by any means available (e.g not to request or to decline any favors form third parties that may adversely impact the impartiality and fairness of the decision making process); Public interest as a priority.*

These chapters are completed with a comprehensive number of rules of behavior detailing all of the above principles. Some of them worth mentioning for the purposes of this article are: *To act in accordance with the pledge the military/civilian takes to deliberately renounce at some of their rights (e.g. political affiliation, private company*

management). Moreover this involves not using information available as a result of the position occupied for unlawful purposes or for personal interests.; When in international contexts, to observe host nation rules and protocol norms; To uphold honor, reputation, dignity and the other fundamental rights and freedoms when establishing relations with third parties; To show impartiality and non-discriminatory behavior regardless of nationality, gender, religion; To avoid conflicts of interest

To use the public resources allocated solely for undertaking work related activities, to protect the public goods and to avoid any damage to these.

[20] http://www.dreptonline.ro/legislatie/statutul_cadrelor_militare.php.

[21]http://www.dreptonline.ro/legislatie/statutul_cadrelor_militare.php.

[22] According to Section 1, Articles a-f concerning main duties, the military personnel must: *Be loyal and devoted to the Romanian state and to its armed forces, to fight to protect these at the risk of sacrificing their life, to observe and protect the values of the constitutional democracy.; To observe the military oath and military regulations and to carry out commanders' and supervisors' exact orders on time by taking full responsibility for the missions entrusted. However, the military personnel is exempt from any sanctions if they refuse to carry out orders that come in contradiction with existing laws, war customs and international conventions signed by Romania.; To cherish the honor and glory of past heroic deeds of Romania's armed forces, of their unit, as well as the dignity conferred by their rank and military uniform.*

[23] Apud Dorin BODEA (2013) Valorile angajatilor romani (The values of the Romanian employees), Result Developemnt, Bucuresti, 2013, p.293.

[24] idem.

[25] Ibidem, pp. 57-257.

[26]http://europa.eu/legislation_summaries/education_training_youth/general_framework/ef0016_en.htm.

[27] idem.

[28] "Social competence refers to personal, interpersonal and intercultural competence and all forms of behaviour that equip individuals to participate in an effective and constructive way in social and working life. It is linked to personal and social well-being. An understanding of codes of conduct and customs in the different environments in which individuals operate is essential. Civic competence, and particularly knowledge of social and political concepts and structures (democracy, justice, equality, citizenship and civil rights), equips individuals to engage in active and democratic participation." Apud http://europa.eu/legislation_summaries/education_training_youth/lifelong_learning/c11090_en.htm and apud Tania STOEAN, Corespondența dintre competența formală și competența profesională în organizația militară, Editura Universității Naționale de Apărare „Carol I", București, 2010, Buletinul Universității Naționale de Apărare „Carol I" nr. 1/2010, ISSN 2065 – 8281, pp.552-557.

[29]http://ec.europa.eu/education/lifelong-learning-policy/doc/monitor12/skills_en.pdf, p. 42 apud http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=SWD:2012:0373:FIN:EN:pdf.

[30]Ioana Tania Stoean, Profesionalizarea resurselor umane, editura UNAp Carol I, Bucuresi, 2013, pp. 103-110.

[31] Adrian Lesenciuc, THE EDUCATOR'S COMPETENCE QUALITATIVE ANALYSIS IN THE MODEL OF MILITARY GRADUATE STUDENT DRAWING UP, in Economics and Management, 2008 Brno 30 June 2008, Published by University of Defence in Brno, ISSN 1802-3975, pp.66-67, http://www.unob.cz/eam/documents/eam-1-2008.pdf#page=68.

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DISCLAIMER

ONLINE MARKETING. CHALLENGES AND OPORTUNITIES FOR THE MILITARY HIGHER EDUCATION

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The impact of the Internet on marketing is a radical phenomenon whose elements are difficult to quantify. The explosive dynamics of the phenomenon has determined unpredictable evolutions, shaking the very foundations of modern economics, and putting to the test modern managers' ability, intelligence, and capacity to adapt. In this situation, online marketing is a challenge to organizations, taking into account the opportunities offered by the Internet at global level.

In higher education, online marketing is a rapid way to form and develop the image of an institution regarding not only the implementation of strategies, policies, plans, and educational programs, but also the better use of products and services that accompany the offers according to the requests of beneficiaries or interested users.

This article stresses the essential aspects of educational marketing whose requests become viable through e-marketing. To this end, we will approach the mechanism of online marketing, and further, we will concentrate on its applications for higher military education. In addition, we will approach eLearning as a modern electronic system to implement e-marketing objects.

Keywords: *educational management; educational marketing; online marketing; online marketing strategies; online promotion; online clients; military academic institutions.*

1. INTRODUCTION

The Romanian military higher education has to meet the specific requests for domestic and international defense according to NATO's strategies and directives, being affected by the competition on behalf of the civil environment, by the process of European integration, and by the need to satisfy the requirements in the new security and defense situations. From this point of view, the military higher education has to change by adapting to the new educational requirements, taking into account the restrictions imposed by the features of the military field.

In the military higher education, marketing involves the planning function and field specific educational management so that it meets the needs and expectations of the target group, as well as the use of effective means regarding the valuing, communication, and distribution of educational goods and services in order to motivate and inform the

community. To this end, the analysis, planning, and control of academic programs have to be performed in order to ensure the voluntary exchange of ideas with the target market in order to meet the strategic objectives of the military academic institutions.

The efficient military marketing is not a matter of intuition or instinct, but a thoroughly planned process as part of the educational policy and educational management of an institution. In this respect, from the educational point of view, marketing has to include strategies that are adequate to the profile of the university employing them. So, the marketing strategy of the military higher education is a cyclical process of collecting and sharing information, of planning and modifying educational policies and programs as an answer to the information obtained from the target market.

Apparently, the normal communication relationship between the military university or military academy and the community is sufficient for the exchange of information necessary for presenting the educational offer. In reality, research from the field of educational management proves the opposite. The university and its functional structures have to systematically and consciously feed the community with information.

Within the community and on the market of educational services and products, an important role is played by the image of the military academic institution, which is built based on the information regarding the training of personnel and the quality of the activities they perform. Mass-media is essential as it advertises and shapes the public image of the university/military academy, equally important being in this respect both the concrete information furnished by the academic institution via e-marketing, and the information collected by the media from the specific military field in comparison with the civil universities.

2. MECHANISMS OF ONLINE MARKETING

Online Marketing (Internet Marketing, Web Marketing) is represented by the way in which the company conducts studies in the market, produces, promotes, and sells its products. In this respect, information technology brings added value by reducing expenses regarding: publicity (i.e. by giving information via the Internet), delivery of products, and keeping customers abreast of the products and services offered, etc.

Online clients wish nowadays to be able to track their order instantaneously from the moment they click on the buy-button to the moment their shopping is delivered, to calculate the cost and the necessary delivery time and to redirect the orders. Shifting the "power" from the seller to the buyer triggers a new "eve of expectation", so the customers, be they private consumers or firms, will not tolerate anymore negative experiences, such as the partial shipment of goods ordered, delayed delivery or inappropriate return policies [1].

Internet marketing is meant to promote organizations using on-line media in order to increase sales and maximize profit. Companies can get involved in e-marketing activities such as creating their web site, promoting their products on-line, and founding or participating in on-line communities or using the webcasting [7, 14].

Figure 1 shows the system elements of e-marketing that will be presented further.
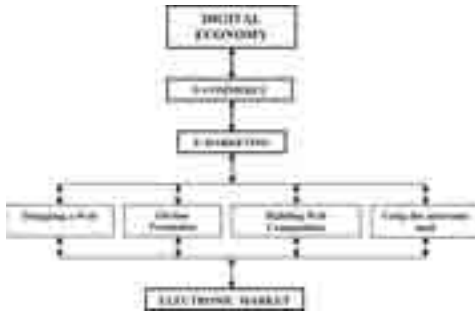
Fig. 1. System elements of e-marketing Adapted from: Philip Koler, Gary Armstrong: 2008, p.789.

2.1. Web sites

They are different in terms of content and purpose. The most common are the web sites that belong to a company. These web sites are more designed to build a database of clients and enhance sales, and less to sell directly the firm's products. When the websites belong to certain corporations, they offer a greater variety of information and facilities in an effort to answer customers' questions, create closer relationships with clients, and make the company more active in the market. Usually, they provide information regarding the history, mission, policy of the firm, or about the products and services, they offer [2].

Web sites are meant to provide information about current events, the personnel, financial balance, and employment possibilities. Most of them also provide entertainment to attract and retain visitors. Finally, the sites give customers the opportunity to ask questions or comment via email in order to mirror real face-to-face communication.

For fast connection with the market, companies create marketing web sites as real instruments of selling, promotion, research, public relations, and direct marketing. Therefore, if the site offers the possibility to sell product, it becomes a real instrument of selling. To this purpose, when registering customers on the site, they are asked the permission to be sent newsletters with the offers and promotions of the firm. Therefore, the site becomes a powerful promotion instrument. More than this, the information about products, identity, value, culture and the mission of the firm provides data for the market studies conducted by business partners, the site, thus, becoming an important instrument of target market research [10].

So marketing websites make clients interact in such a way that they are coming closer to purchasing products. Such sites will offer a brochure, hints about ways to shop, and promotional items such as coupons, selling events, and contests. Through marketing, companies can promote themselves by using leaflets, different types of publicity, or ads run on other sites.

The web site of a firm is first an efficient way of communication with market partners. In the context of the global development of e-business and of the opportunities it provides, a must in being successful involves the design of marketing web sites, which should be attractive and interesting enough to make clients revisit them.

2.2. Online promotion

Online promotion is considered one of the most efficient forms of marketing because of the costs and long term effects. Virtual sellers use

on-line promotion to introduce their own brands on the Internet or attract visitors to their web sites. Being extremely useful, online promotion as an instrument of marketing, involves reasonable costs compared to other means of communication.

On-line promotion is in fact a group of methods and techniques such as SEM, email marketing (including spam), viral marketing, and advertisement through banners, CPM (cost per mille), on-line advertisement, and contextual advertisement. Advertisement involves free software, social networking, on-line reputation management, on-line market surveys, social bookmarking, Web-blogs, marketing through mobile Internet; affiliate marketing; newsletters, etc. On-line promotion also involves SEO (Search Engine Optimization) [12].

Further, I will briefly present some of the aforementioned models and techniques.

2.2.1. Search Engine Marketing (SEM)

SEM is used to promote by increasing visibility in search engine results pages in order to maximize the capacity of the company to design, manage and shape a mixture of marketing taking into account research, contextual publicity activities and several events by developing the search value and the digital marketing. SEM is a general term that covers two domains: free traffic through SEO and traffic through paid traffic sources [20].

A search engine usually includes three components:

- the search component: which is an automated program called spider or crawler. It is also known as robot Web or simply bot. This permanently looks for text or code behind the web sites and adds the pages to huge databases.

- the index has n impressive number of information about web sites (title, address, key words, links associated with the web site or links with other pages, etc.)

- the software application which comes with the results of the search on user's computer [22].

A search directory is an organized collection of web sites, organized in categories, on hierarchical structures, according to their subject. Among the most popular search engines, we can mention Google, Yahoo!, Microsoft, Netscape and the newcomer A9 from Amazon, launched in 2004, built based on Google technology with many options to personalize the interface and the search [23]. For a more efficient search, MetaCrowlers, meta search engines can also be used as they simultaneously go over more search engines eliminating duplicate sites.

SEO "optimizes" the content of the web site in order to obtain superior results after a search. According to the context, SEO can be an umbrella term for several means of putting something on the market, including a SEO web site, or conversely, concentrating only on the paid component [24].

2.2.2. E-mail marketing

This is a more suitable way to promote business, with fewer expenses than direct marketing, postal taxes being thus avoided [24]. It is an efficient promotion instrument as it allows fast connection with potential clients with a simple click and is more convenient than sending a letter. The e-mail provides efficient

and proactive communication with the target clients, which increases the success rate of the company and sales as it brings new customers. The e-mail thus becomes an important instrument of on-line marketing for both B2C and B2B merchants.

If a company has a correct e-mail management, than it not only builds strong relationship with the customers, but it also improves profit. E-mail involves only a small fraction of the costs incurred by direct mail so compared to other forms of on-line marketing it will be extremely useful.

2.2.3. Viral Marketing

This is the equivalent of door-to-door sales for Internet companies. It involves a message sent via e-mail, which is so appealing that the receivers will wish to forward immediately to their friends. As clients themselves spread the message or the offer to others, viral marketing is very cheap and efficient for the digital economy. When the information comes from a friend, it is more possible for the receiver to open the e-mail and read it.

2.2.4. Affiliated marketing

It was coined by CDNow.com in 1994 and imposed on the market by Amazon.com in 1996 through "Associate Program". This type of marketing has rapidly developed from its inception being based on e-commerce web sites. The principle of affiliated marketing is simple: the company (*advertiser*), which wants the promotion of products rewords one or more affiliated site (*publishers*) for every visitor or client brought to them (**Figure 2**). Therefore, the publisher is the webmaster or any other representative of a website

that wants to publish the advertiser's banners and links on its site in order to earn from on-line advertisement [19].

2.2.5. Internet advertisement

Fig. 2. Concept of affiliated marketing
Source: Mihai Rusoaie, 2008:p.19.

It appears when users navigate on the Internet. Therefore, they include banners and tickers (banners that move on the screen surface) [7]. The new formats include skyscrapers (prolonged and thin banners placed on one side of the web page) and rectangles (frames that are bigger than a banner). Interstitiaries are web advertisements that appear unexpectedly when passing from one website to another.

Sponsored web content is also a form of Internet advertisement. Many companies earn the right to put their name on the Internet because they sponsor the content of web sites such as news or financial information. The sponsor pays for site in exchange for his recognition as the provider of the respective Service on the Internet. Even if many companies experiment with publicity on the Internet, they pay a minor part in most advertising mixes.

Contextual Promotion (Pay per Click, PPC) is the most efficient method as far as online publicity is concerned, but it still plays a minor part in advertising mixes. It is based on placing on-line thematic resources as far as the theme of the site corresponds to the one of the contextual

publicity. Therefore, the advertisement domain of the potential client depends on the content of his site.

Contextual publicity creates the conditions to draw the attention of those interested in certain goods. A simple example to demonstrate the aforementioned: an advertisement referring to car parts on sale will be more efficient if placed on a drivers' web site or on a similar one, etc [18].

Another category of contextual publicity is "search publicity". It consists of placing the advertisement on the web pages of search engines (such as Google, Yahoo, Yandex, etc.) Publicity appears because of specific searches within search engines. When working with this type of advertisement, it is important to pay attention to the key words that will trigger those advertisements on the page of the search engine. According to specialists, contextual publicity gradually gained its market segment on the Internet. Actually, it has already gained this segment because of its characteristics, which allow the efficient marketing and promotion of goods and services within the global network.

2.2.6. Web-blogs

In its most simple form, a blog (short form from Web log) is the most recent communication instrument (2003) being a special site that has revolutionized not only the Internet, but also many professions that are based on this such as journalism, public relations, marketing, information management, virtual communities or social network.

The Internet is full of definitions of blogs, from those that refer to them as an authentic, uncensored form of expressing the self, to more descriptive ones regarding the frequent publication of personal thoughts and to the connection with other sites that are considered interested by the author(s) [22].

Rebeca Blood, one of the first bloggers defines it as a web page with a constant, regulated and chronological series of posts about a subject or a number of subjects that often have links to other web sites. The blog posts are often arranged in chronological order, the most recent ones being more dominant as they will appear as the first listed. The blogosphere is defined as the total of ideas, information and original posts from blogs within a definite geographic, social or technical space. The activity of updating the blog is called *blogging* (some blogs are maintained by one person, others have more authors behind)[22].

2.2.7. Social networks

These are specialized sites that build communication links between people with similar interests. Those who wish to integrate and communicate in the network create a profile on *tweeter*, *facebook, myspace, linkedln, etc.,* dedicating their energy to this hobby. It works for building personal, but also professional relationships as social media has replaced somehow business cards. Other sites like ecademy.com have fewer members, but it is a good opportunity to build business relation. Globally, linkedin. com is the most popular business site, and those interested know that they will be visited by people from the same domain because now everything can be done on World Wide Web [3; 22].

2.2.8. Online Reputation Management (ORM) wishes to stress the presence of a person in the virtual zone, addressing those who are interested in that person's reputation, and those who want to build reputation on-line (for example politicians before elections).

2.2.9. Marketing via mobile Internet

Mobility is a key factor to create new life and working styles, which redefines management business techniques, and interactions between people and organizations. Therefore, the rapid development in telecommunication contributes to the globalizing the economy. To this end, the use of wireless networks is considered the key element to increase the productivity of data and information broadcasting. Moreover, mobile Internet as being available through a portable device is considered the *new economic Eldorado* [3;15].

Wireless communication includes mobile phones, PDA, tablets and other devices that are generally used by air and tourism companies, or by ordinary people to book rooms, tables, etc. For banking operations, music downloads, accessing information on forecast or sports, etc. They open new perspectives for marketing messages, as they are timely and precisely, being a cheaper alternative to more expensive third generation networks. Even if it is difficult to predict now the future impact on marketing of this omnipresent connection, which is mobile technology, it is predictable that it should play an important role [15].

2.3. Web communities

The popularity of chat rooms and group discussions has resulted in a boom of commercial and web sponsored sites, called web communities, which use the C2C advantages of the Internet. Such sites allow their members to meet online in order to exchange opinions on common topics. A possibility of connection for these communities is the *web conference*, with distance image and sound, and in real time through Internet technologies. Web conferences not only reduce the costs, increase productivity and sales, but they also offer more possibilities for development and promotion of a certain type of web activity by encouraging collaboration and strengthening relationship with customers, partners or coworkers regardless of their geographical position. Companies increasingly use web conferences as a communication medium that easily combines teleconferences with the interactivity given by the Internet connection [3; 15].

The rapid development of blogs is extremely important for customers that are part of a web community in exchanging opinion regarding the products and services.

2.4. Use of webcasting

Companies can make a contract with a webcasting firm that will immediately transfer information to customers. Webcasting involves sending important information to customers. Also known as the push program, webcasting provides an attractive channel through which online firms can send via Internet their ads and other information [3;16].

However, similar to other types of commerce, firms have to be precocious not to disturb their customers who are already overwhelmed by unwanted and low quality junk mails. Some analysts

warn that there is a very fine line between giving the customer the impression that he is offered something valuable and bothering him. Companies have to try not to be annoying by sending clients unwanted mails.

3. THE NEEDS & CHALLENGES OF ONLINE MARKETING IN THE MILITARY HIGHER EDUCATION ENVIRONMENT

The image of universities in front of their potential customers and beneficiaries of educational products and services is shaped by the attitudes and actions taken that support or, conversely, damage the image of the military academic institution, having an impact on the support offered by the community. Educational marketing means that it can be used to promote the image of the university/military academy either through online marketing, that favors publicity, or by implementingf techniques and models for learning via electronic means (**Figure 3**).

The design of educational strategies, plans and programs in accordance with the specific functions of educational marketing and management characteristic of military academic institutions, instruction, professional development, skill-enhancement are performed to the benefit of the military and civilian personnel that work for the defense, public order, and national security structures [13].

An important role is played here by the electronic institutional functions on the Internet such as online marketing and eLearning.

Fig. 3. Integration of online marketing into the military academic education

Online marketing is the best way to attract potential clients through a military academic institution's web page as it harbors the possibility to form a brand of educational products and services specific to the military university/academy.

Online marketing allows for the promotion of both the image of such an institution, and its educational products (curricula, lesson plans, and other additional activities of the former organized by stages and sub-stages).

Besides online publicity (display or contextual), within the online marketing mix, many other techniques (already presented in chapter 2) are used to bring traffic, sell and promote educational products and services via the optimization for search engines, activity on social networks (tweeter, facebook, myspace, linkedln etc), marketing email, affiliated marketing, blogging, etc.

In order to determine the efficiency of online marketing application, the *conversion rate* can be determined as follows: the number of visitors on the web page, who answered the requests of the military education institution, can be subtracted from the total number of visitors. This way, the conversion rate is a measure of the ability of the interested educational structures to convince visitors to answer

the desired purposes and objectives, bearing in mind more elements: number of visitors on the web page; a well established action objective for those visitors; a measuring system of visitors' activities on the web page; a movement flow of users on the website [21].

In the conditions of eLearning training programs, online marketing is done through this modern educational system, specific to online distributed learning.

In order to attract more customers interested in the educational process within military higher education, it is necessary to apply more objectives of online marketing strategy, which will ensure easier work and efficiency of activities in the field. These are highlighted further:

- *The creation of an efficient web page* is an important step for drawing visitors' attention and furnishing useful information about academic products and services.

- *The o*ptimization *of the site* ensures the promotion of a military academic institution on search engines in order to improve the results of its educational activities.

- *The promotion of education programs and their results* has to be part of a "must do" list because it assists the interested customers, providing technical and functional details about educational services and products.

- *The a*nalysis *of the site* helps the detection of possible errors using certain applications or technical errors that could be part of loading web pages.

- *The analysis of competition* can show the position of the military academic organization in the hierarchy of military education institutions and provide data about the quality of educational products and services of the competitors.

- *The publicity of press releases* draws the attention to the new information and changes as far as the academic institution is concerned.

- *The interaction* of a university's/ military academy's representatives with customers/potential students represents an advantage of that institution because it welds a connection between the furnisher of educational products and services and customers interested in one or more future educational programs [3].

Online marketing completes the series of activities oriented towards shaping the image of the university/ military academy, also being an important vector that helps to increase the online educational advertisement, to establish/maintain the connection with current and potential customers, and to make statistics regarding the regressive or progressive evolution of the academic military institution. Advantages of e-marketing strategies mainly refer to: stimulating communication with customers; ensuring targeted communication; obtaining recommendations in a simplified way; facilitating rapid feedback; tracking the actions of the beneficiaries of the educational products and services, as well as of the potential customers in real time; ensuring control over cost indicators and benefits, and relatively reduced costs; having control over customers interested in educational products and educational services by compiling a data base with their data, etc.

Developing online marketing supports the activity of the military academic organization, being a strategy that needs time, but which over time, brings multiple benefits.

4. OPPORTUNITIES OF ONLINE MARKETING THROUGH ELEARNING IN THE MILITARY ACADEMIC ENVIRONMENT

Social and economic development has gone through a series of stages corresponding to many technological revolutions peaking at the beginning of the third millennium with the digital society. The evolution of economy and society, generally speaking, has education as its main engine. Enriching the knowledge base of the individuals leads to the development and maturity of complementary systems: family, collectivity, region, society. All this is possible through permanent education, distance education, online education or *eLearning* in order to reach the objectives of online marketing in the knowledge-based society [7].

The limited physical space of institutions and other difficulties faced by the students together with the need for life-long learning has led institutions to apply techniques and models of traditional and online education, which can be adopted according to the purpose reached, the educational request, and the resources available.

Electronic education or *eLearning* is a modern way to develop education in accordance with technological advances. A concise definition of the term electronic learning could be: "*providing education, instruction or learning through electronic means*"[11].

The term is used nowadays to unify a multitude of teaching, instruction techniques through means assisted by the computer. Electronic education refers to the use of Internet technologies in order to furnish a large number of solutions that amplify performance and knowledge. Generally speaking, the term *eLearning* is the synonym of online learning, Web based learning [28].

Defined as e-education, the semantic area of the eLearning concept interferes and overlaps a multitude of terms that engulf the variety of educational experiences that benefit from technological support: assisted instruction mediated by the computer/ digital/mobile/ online learning/education/ instruction through multimedia, etc. Under the name of electronic materials, many electronic aids are developed to simplify the educational process: map, dictionaries, encyclopedia, educational movies, presentations in different formats, electronic books, tests, tutorials, simulations, ability forming software, training software, serious games etc. The computer, the electronic and multimedia materials are used as support in teaching, learning, evaluation, or as communication means [14].

The self-standing eLearning model involves a virtual institution that has the following functions: a) development of educational programs (including the design of learning materials); b) tutoring and supervising; c) production, storage and distribution of materials for learning; d) management and financial problems; e) marketing; f) evaluation and accreditation [11; 30].

The arguments for which an eLearning system should be built within the military university/ academy are as follows: a) the traditional management and educational systems do not correspond to the development of management as far as the distance systems are concerned; b) traditional institutions consider that distance learning has inadequate results so they are not eager to allocate resources; c) distance students' requests can be fulfilled if the institution is dedicated entirely

to their needs; d) characteristics of target population are different from the conventional system compared to the online one; e) pedagogy of distance education is different from the traditional one [15].

The implementation of educational projects and programs regarding the military and online marketing, *eLearning* fosters a series of advantages as follows [29]:

a) allows the good organization of learners' time - the temporary constraints disappear and hence the student has the possibility to organize courses according to the program of the basic activities. In this respect, the possibility to attend courses becomes real for the people who have to go to work;

b) adapts better to the skills of more learners according to everybody's rhythm and possibilities. This adaptability refers to both the learning process, and the examination dates, so, the system based on transferable credits could be used;

c) offers the possibility for people to attend courses if they do not live in military academic centers and cannot go there frequently, communication through the Internet being universal so the student/learner has the possibility to attend courses in their home town.

Therefore, eLearning is used nowadays by academic military institutions as an educational and online marketing instrument. The direct effects of these could be: shorter time for getting educational products on the market; better profit of educational products and services; reduced costs.

5. CONCLUSIONS

For the military academic institutions, internet marketing does not mean only online advertisement, but the efficient use of online marketing instruments according to each situation and set of educational objectives. So, they take into account the marketing view applied to the online environment.

E-marketing within the military academic institution has gained momentum due to the development of technology and methods used, online medium has fostered the development of a functional image and academic educational efficiency on both the internal and international market. The internet is an atypical communication channel that involves more receivers, the information exchange being made in both directions, so feedback and interactivity are increased. Similarly, the audience is greater, and the use of online instruments tools (blogs, emails, social networks, etc.) for marketing communication allows the interaction with more Internet users that can be potential customers to integrate into the military academic environment. This activity of online marketing needs a certain period of time in order to have results and involves the continuous evaluation according to relevant criteria and objectives for the purpose of the university or military academy.

We consider that an academic military institution has to take into account, in the process of shaping its own image, the main characteristics of the Internet user: wish to communicate, to interact with other users and the need for novelty, for originality. The image generates reputation, and reputation generates improved image. Even if reputation is won on its own, there are instruments which can monitor and influence it even in the online environment.

We consider that in the future, academic military organizations will develop e-marketing according to their

own strategies and techniques. As long as online marketing will continue to develop in order to become a powerful instrument meant to establish strong relationships with customers that are interested in the military education, in the communication of useful and relevant information about educational structures, people involved, teaching materials, etc., that will foster a good relationship between civilians and military in the academic field with a positive impact domestically and internationally.

REFERENCES

1. Bayles D.(2001), *E-commerce logistics and fulfillment: delivering the goods*, Prentice Hall, New York, p.30.

2. Close, A, G.(2012), *Online Consumer Behavior. Theory and Research in Social Media, Advertising and E-tail,* Editura Taylor & Francis Gropu, New York,

3. Clow, K., Baack, D.(2007)- *Integrated Advertising, Promotion and Marketing Communications, Third Edition*, Pearson Education.

4. Dantuma, L., M., Y., Hawkins R.W.(2001), *E-commerce in the logistics sector. Assessing the effects on the logistics value chain*, TNO Report 01-41, TNO and Telematica Instituut, Delft, p. 89.

5. Gay, R., Charlesworth, A., Esen, R. (2009), *Marketing online. O abordare orientată spre client,* Editura All, București, p.70.

6. Gămulescu, C.(2005), *Marketing Online - concepte de bază,* Conference: Marketing Forum, 30 noiembrie, W TC.

7. Kotler, Ph., Armstrong, G. (2008), *Principles of marketing*, Editura Teora, București, p. 789.

8. Micu, D., marketing professor at Bucharest School of Management/*Programul Canadian MBA.,* p.35.

9. Middleton, J.(2010) *Meştrii afacerilor on-line*, Editura Meteor Press, București, p. 13.

10. Popescu, M., *Site-ul web: Între modalitate de comunicare şi instrument strategic de marketing,* Revista de Marketing Online - Vol.2, Nr. 1, p.43, http://www.editurauranus.ro/marketing-online/21/pdf/6.pdf.

11. Roșca, Ion Gh., Micu, Bogdan, Ghilic și Stoica, Marian (2006) *Informatica,*
Societatea Informaţională, eServiciile, Editura Economică, București.

12. Rusoaie, M.(2008) *E-business models in Romania*, Master of Business Administration - Executive, The Polytechnic Institute, Faculty of Management in Production and Transportation, Timisoara, pp. 18-19.

13. Stoean, Ioana, Tania (2013), *Profesionalizarea resurselor umane*, editura UNAp, București, p.45

14. Susnea, Elena (2011), *Data mining techniques used in on-line military training*, The 7th International Scientific Conference eLSE "eLearning and Software for Education", "Carol I" National Defense University , Bucharest, 28-29 April, Editura Universitară, pp. 201-205.

15. *Internet - spatiu informational si de comunicare,* http://oradeinfo.wikispaces.com/file/view/Generalitati+Internet.pdf

16. http://facultate.regielive.ro/cursuri/marketing/*marketing_in_era_internet*-65152.html.

17. http://www.gandul.info/magazin/reteaua-de-socializare-linkedin-si-a-lansat-versiunea-in-limba-romana-8372296

18. http://avansare.com/*pay-per-click-publicitate-contextuala*/#ixzz1hN2SjaBJ.

19. http://4money.ro/strategia_de_marketing_prin_afiliere.aspx.

20. http://searchengineland.com/guide/what-is-sem.

21. http://ideas.repec.org/a/ase/journl/v6y2012i1p2-16.html.

22. *Internet - spatiu informational si de comunicare,* http://oradeinfo.wikispaces.com/file/view/Generalitati+Internet.pdf.

23. www.google.com; www.yahoo.com; http://search.msn.com; www.netscape.com ; http://a9.com; www.metacrawler.com.

24. *De ce Marketing prin E-mail*?,http://www.attagency.ro/blog/internet-marketing/internet-marketing/email-marketing.html.

25. UNCTAD E-Commerce and Development Report 2001

26. http://www.oecd.org/dataoecd/45/60/22572212.pdf

27. http://www.design19.ro/blog/publicitate-online/e-mail-marketing-si-marketingul-online.

28. www.elearning-forum.ro.

29. www.elearning.ro.

30. http://www.licentaispir.go.ro/elearning.htm.

THE IMPLEMENTATION OF TOTAL QUALITY MANAGEMENT IN THE MILITARY. A STEP FORWARD FOR DEFENSE RESOURCES MANAGEMENT

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„Democracy cannot succeed unless those who express their choice are prepared to choose wisely. The real safeguard of democracy, therefore, is education."[1][ ]
Franklin D. Roosevelt

So far the implementation of total quality management as a means to improve the quality of the defense services the armed forces provide its stakeholders has proven a success in other military establishments. Hence, the current article aims at overviewing the basic principles underlying the TQM philosophy and the likely hindrances the latter's implementation may be confronted with should such an approach be taken in the Romanian military.

Key words: *TQM, defense resources management, leadership, organizational culture.*

1. INTRODUCTION

Nowadays, it is obvious that all sectors of daily live are affected by the prolonged financial crisis. Hence, the gross domestic product (GDP) will probably continue to shrink all budgets, the defense ones included. Given this assumption, the armed forces will not only have to face the problem of lack of money, but work towards identifying new solutions of fulfilling their security and defense goals by maintaining if not upgrading quality standards. The solution advanced by this article is that military decision makers set their sights on a new system approach focused on personnel management and supported by the will to maximize good results. For that, adopting and implementing the civilian Total Quality Management (TQM) approach may be a way to eliminate/subdue cumbersome bureaucracy, make jobs appealing to workers by involving and convincing them about their importance for gaining institutional results and for organization development.

In this respect, I would like to ponder over my own experience as an employee of the defense system. Thus, when I chose the military career, it was Confucius' saying that guided me: "*Choose a job you love, and you will never have to work a day in your life*". [2] I still love my job and I really believe that a solution to overcome new obstacles is to first identify an approach best suited for the situation and then counterattack with the best methods developed. Therefore, in this article I will argue

in favor of implementing TQM within the defense establishment as a solution to resort to when attempting to optimize the military system as a result of the constraints posed by the current financial cut downs and inherent personnel related issues: brain drain, demotivation, etc.

2. TOTAL QUALITY MANAGEMENT DEFINED

Total Quality Management (TQM), is not only a management philosophy, but also a set of company practices that aim at involving the human and material resources of an organization in the most effective way to achieve the objectives of the organization [3].

In a TQM framework, all members of an organization participate in improving processes, products, services and the culture in which they work [4].

The ISO 8402:1994 defines Total Quality Management as a management approach centered on quality, based on the participation of an organization's people and aiming at long-term success. **Figure 1** shows the three prerequisite management elements that are part of the TQM model [5]: *teamwork, a good quality management system customer focused, and a Statistical Process Control (SPC).*
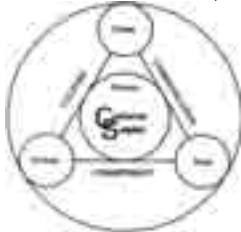
Fig.1. The Total Quality Management model [5].

For the **TQM** philosophy to be implemented in the armed forces, a long-term focus on improving the processes, which are already in place, is needed. To achieve that,

honing the ability to find out the needed improvements and the ways to implement them into standard procedures is mandatory. Then, ensuring that the improvements are usable, meet all applicable standards, and are made available to everyone involved in the process should be the next step.

The benefits of TQM in the military are that, *improved quality ultimately results in decreased costs and increased productivity*. Thus, a qualitative focus is to move towards few or no equipment failures or limitations, and thus contribute to improving the efficiency of future operations. As a result, mistakes are reduced and that contributes to a more efficient use of scarce resources and, hence, to monetary savings.

Figure 2 shows the TQM process approach, focused on quality chains which are linked at the very end to the customers' (*internal & external*) requests and expectations. Therefore, "*Customer orientation*" means focus on customers, in order to meet the needs and expectations of those upon whom the organization depends most. That is the driving force of the TQM philosophy. To be able to achieve customer orientation in an organization, the creation of a *quality culture* is needed and that must be orientated towards defining and supporting the TQM philosophy [6].

To transfer the TQM philosophy employed in civilian organizations into the defense establishments, the "*Customer*" term must be first and foremost clearly understood. For that, the meaning associated to the term both inside and outside an organization must and can be overlaid. Hence, while for civilian organizations their *internal customers* are their employees, within the armed forces the former are represented

by civil and military personnel, as well as by their families. *External customers* include those who provide or receive goods, services, or support from the organization. In addition, for the armed forces, their external customers are the civilians, the citizens to whom they have to prove trustworthy and provide overall protection against classical and asymmetric forms of aggression directed at or threatening them. Other assumed external customers for the armed forces are strategic and based on agreed treaties with alliance or coalition partners. Finally, yet importantly, we have to introduce in the same category all NGOs, host nations, health and care organizations, and such like, around the globe interacting with the military establishment.

Fig.2. The link between inputs and outputs as factors influencing the TQM processes.

3. TQM IMPLEMENTATION AND OUTCOMES

In order to analyze whether the implementation of TQM in the military organization is feasible or not, the basic elements of total quality management [7] must be overviewed in relation with the framework of the military organization. The conclusions that can be drawn cannot hold universal value, but they may be a starting point for debating over future courses of action. Therefore, the table below offers a comparative outlook on how the main elements pertaining to TQM are reflected in the two types of organizations under

discussion in this article, with details and clarifications provided for the military establishment.

Table no. 1.
The basic elements of TQM

Civilian organization	Military organization
Policy, planning, & administration	Policy, planning, and administration
Product design and design change control	- Establish an official template for all papers (work products), valuable in all armed forces' branches, and only one authority in charge of/ordering upgrades; - Establish similar expected outputs for similar processes or similar actions, as well as the best process steps for achieving them based on their characteristics.
Control of purchased material	Increase the inputs (*data or information*), the briefness and clarity of orders or tasks issued, in order to avoid the "GIGO" (*garbage in garbage out)* effect.
Production quality control	Deep analysis for every kind of work outputs and overall effects obtained. Transformation of identified lessons to lessons learned, and continuous implementation of these into the military regulations, in order to gain new best results and decrements of errors or dysfunctions.
User contact and field performance	Maintain a live and continuous contact of the area of responsibility to all its interrelated aspects, and take quick decision and action to assure reaction readiness and proper balance of force.
Corrective action	Planning process review; Operations or actions, evaluation.
employee selection	Employee selection
Training and motivation.	Training and motivation.
Use of statistical process control as an invaluable TQM tool	

Regarding all of the above, the primary outcomes gained by implementing TQM are direct benefits, such as:
• Increased pride of workmanship among individual workers;
• Increased readiness;
• Improved sustainability caused by extended time between equipment failures;
• Greater mission survivability;
• Better justification for budgets because of more efficient operations;
• Streamlined maintenance and production processes;
• Continuous improvement of each process in the organization;
• Qualitative output obtained by combining quantitative methods and human resource management techniques.

In addition, worth reminding are the three characteristics necessary for TQM to succeed within all kinds of organizations identified and presented in Joseph Jablonski's book *Implementing TQM* [8]:

Participative management: *The intimate involvement of all members of a company in the management process, equivalent to managers setting policies and making key decisions only with the input and guidance of the subordinates that will have to implement and adhere to the directives. This technique improves upper management's control of operations, and is an important motivator for workers who begin to feel like they have control and ownership of the process in which they participate.*

Continuous process improvement. *This concept necessitates a long-term approach by managers and the willingness to invest in the present for benefits that manifest themselves in the future. It is a way by which workers and management develop an appreciation for, and confidence in, TQM over a period.*

The utilization of teamwork. *A multidisciplinary team approach helps workers to share knowledge, identify problems and opportunities, derive*

a comprehensive understanding of their role in the overall process, and align their work goals with those of the organization.

Moreover, Jablonski's approach to implementing total quality management is one of many that have been applied to achieve TQM, but it contains the key elements commonly associated with a common total quality management system [9].

Table no. 2.

Jablonsky's view on TQM implementation

Preparation	- during preparation, management decides whether or not to pursue a TQM program; - they undergo initial training, identify needs for outside consultants, develop a specific vision and goals, draft a corporate policy, commit the necessary resources, and communicate the goals throughout the organization
Planning	- a detailed plan of implementation is drafted (including budget and schedule). - the infrastructure that will support the program is established; - the resources necessary to begin the plan are earmarked and secured.
Assessment	- emphasizes a thorough self-assessment with input from customers / clients—of the qualities and characteristics of individuals in the company, as well as of the company as a whole.
Implementation	- the organization can already begin to determine its return on its investment in TQM. It is during this phase that support personnel, managers and the work force are trained; - training entails raising workers' awareness of exactly what TQM involves and how it can help them and the company; it also explains each worker's role in the program and explains what is expected of all the workers.
Diversification	- managers utilize their TQM experiences and successes to bring groups outside the organization (suppliers, distributors, and other companies have impact on the business' overall health) into the quality process; - diversification of activities includes training, rewarding, supporting, and partnering with groups that are embraced by the organization's TQM initiatives

4. BRAKES ON TQM IMPLEMENTATION IN THE MILITARY

Over time the main goals of every armed force have been to deter or to fight back a potential enemy, in order to protect the national territory or the area of responsibility (AOR) from aggression.

One representative cultural element of the armed forces is their ethics, based on well-known professional values such as: integrity, loyalty, and selfless service, strengthened by commitment, competence, candor, and courage. Those cultural elements are directing the behavioral aspects of armed forces' personnel not only in the military, but also in the civilian environment, or in their private life. In addition to its ethical principles and values, the armed forces' culture has developed and has been sustained through traditions, ceremonies, daily work rituals, leadership styles, and crises responses methods. Therefore, to implement the TQM principles into the military organization is to do a cultural change and that must start at the level of senior leadership. That aspect is the first hindrance face by the TQM implementation initiative.

Another brake on TQM implementation in the military is the fear of some commanders to lose control over the demands of the external environment. That rises from their will to rather control than empower or delegate certain responsibilities to subordinates, as a result of their fear to assume that risk. Therefore, in the absence of employee empowerment and commanders' risk taking attitude no innovation or continuous process improvement is possible. Implementing TQM is taking the opportunity to switch from daily routine to effective long term planning activities, from relative amounts of work to qualitative outputs gained in reasonable work time, and from the good results an organizational component yields in isolation to the satisfaction gained from well-done and system integrated teamwork. All this will furnish a new outcome, reflected by employees' increased trust in the capabilities of the military system, the feeling that everyone is an important part of it and that there is a communal struggle and togetherness that assure institutional thriving.

In support of TQM implementation, managers have to also identify how they are to elaborate:

– a good set of evaluation procedures,

– a faithful promotion and recognition system, based on analytical, transparent, methods and procedures aimed at undertaking the right measurement of human resources' quality and capabilities, which thus avoids the dangers of demotivation and early retirement;

– a good planning process, in order to avoid the priority of the "quick fix" (*a kind of senior leadership's reaction to crises*) over the long-term solution or improvement of process.

The implementation of a TQM system in the military aims at avoiding the time wasted and the confusions generated by the differences between what is executed and what is statutory in armed forces' doctrine, rules and regulations. It will also contribute to avoiding the possible gaps between what a leader says and what he does. The success

of TQM consists in reinforcing the TQM philosophy every day, both in peacetime or crisis situations. The implementation of TQM forces the managers to make up their minds and directs them towards finding the measures to face the challenges imposed by the nowadays rapidly shrinking armed forces, as well as by the uncertain domestic and world political, financial and economic situation and its future evolution. To put the TQM philosophy into practice in the military and to reap its outcomes is to eliminate a major cultural barrier, namely the existing level of bureaucracy. In this respect, the areas that are most prone to the negative effects of bureaucracy are services provision, research and development (R&D), the acquisition planning development, the budgeting part of the PPBES. In addition, the overabundance of regulations, guidance, rules, policies, and procedures that more often than not are stand alone, without any correlation among them, is another indicator of bureaucracy.

Another barrier to TQM implementation is raised by the hierarchical nature of the armed forces that sometimes triggers blind obedience and the tendency to offer awards and recognition in order to rather reward all this and not quality oriented accomplishments. Therefore, the TQM philosophy cannot be implemented in the armed forces without a long-term focus on improving the processes, which are already in place. The focus on short-term results and fixes which is the result of inherited cultural approaches actually prevents leaders from taking risks and developing an innovative attitude. More than that, the action oriented attitude,

(*just do something, but do not make a mistake*), a numerical goals focused culture *(no one cares how you accomplish your goals or what the long-term ramifications are for the organization)*, the "clean up" of deficiencies, and the "cleaning up" findings on inspections, may cover the gaps, but at an end will drain the system, making it too weak to have a good and quick reaction to prospective threats and vulnerabilities.

Another brake on taking a qualitative rather that quantitative approach to the management process in the military is many old guard officers' reluctance to have their opinions challenged or to be forced to agree with others' different opinions on a given matter. In this respect, disagreement is often perceived as a form of disrespect and therefore, the signal transmitted is that showing candor is not a virtue. As a result, when confronted with situations requiring constructive criticisms and opinions, subordinates have already learned that taking a step back and avoiding direct involvement pays off for their future. Consequently, by resorting to TQM principles, such cases could be eliminated since the model's philosophy emphasizes the importance of personal opinion, the expression of candor and commitment, and mutual involvement in problem solving.

The implementation of the TQM philosophy in the armed forces will help the military managers in charge of administering allocated resources to identify skilled personnel to be involved in a working framework where by efficient team struggle they will be able to develop programs within the armed forces, and maybe close them despite of some external causes such as lack of resources.

5. CONCLUSIONS

Implementing the TQM model into the armed forces means first and foremost a change of organization culture. For that, in order to remove barriers, to change will and beliefs, what is needed is not just some directives or guidelines, but good intentions and a lot of energy. Moreover, it will require a great deal of commitment and risk taking on behalf of the armed forces' senior leadership. The major aspects, underlying the acceptance of the TQM philosophy are a number of prerequisite changes to be done at the outset [10]:

− changing senior leadership behavior, in order to match the new culture;

− changing systems such as evaluation and assignment policies;

− undertaking an internal audit on procedural mechanisms, such as armed forces' regulations, rules, and doctrines;

− changing the attitude and behavior of the military and civilian personnel working in the military;

− describing the new vision and ensuring people are able to understand it and foresee the future;

− rewriting, or writing a consolidated armed forces leadership and management doctrine in order to incorporate and integrate in it the elements of TQM philosophy;

− changing the performance evaluation system for officers, enlisted personnel, and civilians, taking into account the TQM focus on personnel commitment and involvement in assisting leadership development;

− modifying criteria used in granting awards;

− reevaluating the dependence on performance data, implementing and using the statistical measurement techniques provided by TQM tools and mechanisms.

If senior leadership becomes focused on embedding, and reinforcing cultural changes in the armed forces, they can remove the cultural barriers, already identified as blocking factors for TQM implementation.

In my opinion, long term planning is the key for a good management of defense resources. When crises are forcing managers to fulfill their institutions' goals, facing some human resources and financial limitations, the implementation of TQM philosophy should help them. It is a heavy work to be done at the beginning, but if the organization becomes stronger in time, the outputs are qualitative. Hence, if the products' quality will satisfy the stakeholders, the outcomes generated will make the organization stronger and will give its employees satisfaction, pride and trust. In the end, the human resources of an organization are the stepping stone and the primary contributor to the quality of the outputs and outcomes and to the success of the organization. If the outputs are not good enough, the managers should reevaluate the problems generating the lack of performance and/or scarce quality by resorting to the tools and mechanisms provided by the TQM model.

In conclusion, the aim of this paper was to overview an idea that already took shape in other armed forces and has proven successful so far. It was not the goal or scope

of this effort to refer to TQM as a universal solution for the military organization's welfare. However, pondering over it and weighing the benefits in light of the information provided is ultimately justifiable considering the volatile and uncertain world the military has to tackle nowadays. As a result, the following question that will hopefully be picked up by specialized researchers in the filed remains open: *"Is the implementation of TQM principles in the Romanian armed forces a valuable and feasible solution"*?.

REFERENCES

[1] http://www.brainyquote.com/quotes/quotes/f/franklind402955.html#SCcj2jLe4KoXu46U.99.

[2] http://www.brainyquote.com/quotes/authors/c/confucius.html.

[3] http://en.wikipedia.org/wiki/Total_quality_management.

[4] http://www.answers.com/topic/tqm#ixzz2M8jMbcWP.

[5] "Total Quality management text with cases", *John S Oakland,* ISBN 0750621249

[6] Overcoming the Cultural Barriers to TQM in the Army, *Colonel Ryan M. Zimmerman*, **U.S.** Army War College **NTIS** CRA&I Carlisle Barracks, Pennsylvania **17013,** from source:http://www.dtic.mil/dtic/tr/fulltext/u2/a251323.pdf.

[7]The American Society for Quality Control, from source: http://www.goodreads.com/book/show/3903090-implementing-tqm.

[8] Implementing TQM, *Jablonski, Joseph R*., Albuquerque: Technical Management Consortium, 2nd ed, 1992.

[9] Implementing TQM, *Jablonski, Joseph R*., Albuquerque: Technical Management Consortium, 2nd ed, 1992.

[10] Overcoming the Cultural Barriers to TQM in the Army, Colonel Ryan M. Zimmerman, Us Army War College, Carlisle Barracs, PA 17013-5050, at the address http://www.dtic.mil/dtic/tr/fulltext/u2/a251323.pdf.

FEATURES OF STUDENT PSYCHOLOGICAL COUNSELLING

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Student psychological counseling is one of the means to acknowledge student identity by employing counseling tools that allow the psychologist to make use of a set of skills essential in achieving envisaged outcomes. To act as counseling psychologist for students is to guide actions by the five wh- questions: who (the client is), why (the counselor is approached), who (the counselor talks to), what (problem the student has to tackle), how (the problem can be solved). Some of the most important features that contribute to solving student problems are the counselor's deontology, trustworthiness and attitude that are to be relied on without impeding the client's personality traits. Thus, developing awareness of the features underlying student psychological counseling and acting accordingly is the real test for any professional in the field. Therefore, the real challenge is not being in the lion's den, but living with it.

1. THE COUNSELLING PSYCHOLOGIST'S PROFILE

Counseling is a dynamic and continuous dialogue between a counselor and a client, either on an individual or group base, which unfolds by stages depending on the evolution of the counseled person(s). According to Reber S.A. [1] counseling, as defined by specialized dictionaries, consists of services like providing information, orienting, giving advice to a client (i.e. an individual or a group) on problem solving and future planning. As a result, an important element in student psychological counseling is to understand the role and scope of the counseling psychologist.

The dictum "Primo non nocere" (i.e. first, do no harm) is the landmark of the professional providing psychological counseling to students. Next, two of the major principles guiding the counseling activity are: a. all people are special and valuable given their uniqueness; b. each individual is accountable for his own decisions. In addition to these, the skills and attitudes of the counseling psychologists mold their activities

According to C. Rogers [2], one of the founders of psychotherapy, there are six prerequisites that must be met by the counseling psychologists at the beginning of their work with the counseled person:

• There must be a two-way communication between the counselor and the client;

- The counseled person must be the one seeking for assistance;
- The counselor-client relationship must be based on sincere and genuine communication;
- The counselor must show a positive unconditioned attitude towards the subject under discussion;
- The counselor must be empathic with the client's frame of reference;
- The counselor must offer the client unconditioned acceptance, which is the basis for the latter's inner psychological security.

In terms of the values and educational assets espoused by the counseling psychologists, these have to enable them to assist the clients in analyzing their problems and identifying solutions to address these, in teaching them how to approach the problem solving process by focusing their attention on understanding the underlying causes of their troubles. Consequently, the goals of the counseling psychologist are:

1. to establish an mutual agreement on the goals concerning the problems to be solved;
2. to be aware of goal hierarchy.
3. to establish strategies.

In order to accomplish all of the above, the counselor should adopt a positive unconditioned attitude to the client. In this respect, sincere heartfelt communication contributes to overcoming inner restraints and blocks. Moreover, it is recommended for such a specialist to show complete unrestrained acceptance, to listen patiently, to help the client surmount the silent moments by making him understand that he is free to approach subjects of their own choice, to say anything about himself without being constrained to talk about topics that he has to wish to tackle.

However, before reaching this stage, the counseling psychologist must prove, through the quality of his work, that he has the following competences [3]:
  a.   attitudes (how to do)
  b.   abilities/skills (what to do)
  c.   knowledge (what to know)
As far as the counselor's **attitudes** are concerned, they can be identified when the professional under discussion:
1. shows respect for the client by valuing the latter's uniqueness;
2. assists the client all along the counseling process and the evolution of the symptoms;
3. accepts unconditionally the person by acknowledging his dignity and makes no criticism regardless of what the client says or does;
4. shows empathy (i.e. the capacity to enter the student's feelings), gains insight into the other's universe as the s/he perceives it and shows no judgment;
5. displays agreement between behavior, feelings and speech and shows full awareness of one's own attitudes and capacity to acknowledge his real feelings;
6. collaborates with the student by involving the latter in the problem solving process;
7. resorts to positive thinking which builds upon his confidence in himself and in his students;
8. proves accountability by getting involved at cognitive level in the student's problems.
The **abilities/skills** of the counselor can be recognized when the latter:
1. listens actively by:
  a. not allowing silence to dominate and taking the floor to assist the counseled person;
  b. taking the floor in order to maintain contact with the student and not miss the changes;

c. assuming a "brother" like role rather than a "father" like one;

d. communicating with the interlocutor in an fair trusting unsuspicious manner;

e. listening and talking without conceiving projects about the interlocutor and without stalling the dialogue;

f. listening and participating into the discussion in an unhurried patient manner by focusing on the other's 'inner fight and feelings';

2. observes in order to better understand the message conveyed and emotional state of the client by paying attention to:

a. the verbal communication

b. the non-verbal communication

3. formulates and asks open, closed, hypothetical, justifying questions;

4. reformulates (in a 'mirror'like fashion) and paraphrases in a neutral, dubitative or interrogative manner without repeating the client's exact words/phrases in order to better understand the student's message.

5. supplies information interactively so that the student can make responsible decisions;

6. sums up as a way of reviewing and closing the discussion in order to outline the topics already discussed and clarified and to identify subjects that require future attention;

7. shows understanding by

a. echoing the interlocutor's speech through adverbs, interjections (e.g. That's right, I see…, I find interesting what…, etc.);

b. mirroring the interlocutor's speech, gestures, body language, mimic, pitch upon observing the whole sensory range in order to better understand the student's emotions and thus convey him the feeling that he is understood and accepted;

c. reverberates by repeating phrases/sentences already uttered by the interlocutor, highlights the contrasting aspects without rejecting them, reminds delicately what has already been said or completes in order to express what the client said;

8. unveils, within professional/normal limits, his own feelings experienced while working with the student in order to create a warm atmosphere contributing to the goals of the counseling process.

The **knowledge** gathered in time by the counselor helps him:

1. Correctly identify the knowledge level of the student;

2. identify the information the student needs avoiding information overload that could hinder the problem solving process;

3. use his skills of conveying the information in an interactive manner by meeting the following requirements:

a. uses language adequate to the student's level of understanding;

b. present accurate information;

c. presents the information sequentially in accordance with the events unfolding;

d. supports the student's efforts to search and identify the information needed;

e. analyses the student's information and co-evaluates it in order to remove the inaccuracies;

f. avoids delivering insufficient information so he does not interfere with the correctness of the decision made.

Another term employed by specialized literature is that of **counseling therapist**. Related to this concept, Janis and Mann (apud Holdevici) [4] identify a set o decision making styles. One of these is called the **non-conflict adherence** and characterizes someone who identifies a solution to a problem

and applies it regardless of the disastrous results. With counseling situations, a person displaying such a style is one who strongly believes in a psychological theory and applies it regardless of the circumstances.

Another decision-making style is based on **non-conflict change** and characterizes the counselor who undergoes opinion changes swiftly without pondering too much and adopts an eclectic attitude with no good reasons for that.

The **defensive-avoidant** style is characteristic of people who ignore problems or simply refuse to analyze them. The counselors displaying such a style cannot convince their clients to analyze their own problems at a deep level. Moreover, their behavior is suspiciously nice.

The style termed **hypervigilence** is representative of a person aware of the plethora of possibilities to be used in the decision making process and yet anxious and concerned about not missing important aspects. Such counselors live under a high level of stress.

The style that is most efficient in counseling is the **vigilance-focused** one. A person characterized as such is motivated and involved in the decision making process, displaying an alert and open attitude during the counseling sessions. Moreover, such a person's cognitive efficiency is not affected by possible information overload.

Holdevici (apud Ivey and Simek-Downing) [5] presents the characteristics of the efficient and inefficient counselor comparatively, as shown in the table below.

Table no. 1 Characteristics of efficient and inefficient counselors by comparison.

Seq.	Responsibilities	Efficient counseling therapist	Inefficient counseling therapist
1.	Definition of problem behavior	a. elaborates alternative definitions b. selects a working definition	a. accepts the definition offered by the student b. is unable to define the problem on his own
2.	Focus on the counseling and therapy process	Chooses a certain definition for the problem and starts working on it with the student	Is unable to choose a definition of the problem and moves from a topic to another with no clear direction
3.	Creative activity	a. is flexible in the answers provided to the student b. relies on various theories to elaborate new courses of action c. relies on creative techniques to work with the student	a. has a standard way of answering the student b. applies the same set of techniques regardless of the students' problems.
4.	Decision-making process	a. directs the student towards adopting creative solutions b. focuses therapy efforts on a model anchored in decision-making theory.	a. elaborates only one alternative to a problem. b. Questions the student without a clear-cut strategy aimed at making a decision.
5.	Conjectural factors	Defines de problem taking into account both personal and conjectural factors.	a. assesses the problem as an individual one. b. Ignores the socio-economic, psychological and social factors.

Seq.	Responsibilities	Efficient counseling therapist	Inefficient counseling therapist
6.	Likely changes	a. works on the subject b. works to change some environmental circumstances, as well.	Works solely on the subject.
7.	Work methodology	a. Changes the theoretical approach depending on the circumstances. b. Chooses an adequate set of work techniques. c. Generates new perspectives on the problem. d. Initiates open discussions.	a. relies on only one theoretical approach. b. Uses a standard set of techniques. c. Takes into account only what the student says about the problem. d. Initiates rigid discussions.
8.	Problem solving	a. elaborates multiple solutions from which the student can choose. b. Elaborates a concrete action plan. c. Elaborates the problem before giving the solution.	a. elaborates no or only one solution. b. Allows the student to manage the implementation of the solution on his own. c. Rushes into identifying immediate solutions without properly analyzing the problem.
9.	Decision-making style	Vigilance based	Non-conflict adherence, based on non-conflict change, defensive and based on hyper vigilance.

In conclusion, only upon meeting the prerequisites of efficiency listed above can the counseling psychologist "start" his endeavors. Moreover, five Wh- questions should be part of the guiding principles to rely on:
-**who** asks for him;
-**why** people contact him;
-**who** he talks to (himself or the student);
-**what** the problem is;
-**how** the problem can be solved.

2. INDIVIDUAL AND GROUP COUNSELING REQUIREMENTS

To achieve its goal, psychological counseling needs to meet the client's requests and allow the counselor positively influence the way the relationship between him and the client will unfold. Therefore, knowledge and application of the counseling psychologist's deontological code [6] allows for the application of strategies that enable the specialists in the field to live up to the high standards of this profession. The guiding principles of this code are as follows:

1. to maintain the confidentiality of the information obtained from the client;
2. to be aware of one's own limits;
3. to avoid excessive requests for irrelevant information;
4. to treat the client the same way the counselor would like to be treated, that is with respect, kindness, honesty and acceptance.

Counseling is nothing but an intensive process [6] to assist normal people who are willing to achieve their objectives and to work efficiently, whereas **psychotherapy** is a more complex psychological

treatment focused on diminishing problem symptoms or behaviors or, in other words, on re-balancing and re-constructing personality.

When approaching the client, a counseling psychologist must clearly define the former's problem, elaborate possible alternative solutions, choose an alternative and implement it.

According to Baban A. [7], the stages of the counseling process are:

a. defining the problem, namely establishing what the problem is and formulating it;

b. describing the problem from a behavioral, cognitive and emotional point of view;

c. identifying the likely factors contributing to problem emergence and development;

d. identifying the factors that maintain and activate the problem, in other words, that prevent the development of adequate attitudes and efficient skills;

e. developing the intervention plan by stages: goal, objectives and intervention strategies;

f. evaluating the intervention by assessing the changes occurred at knowledge, attitudes and skills level.

Building upon the decision making theory, Bramer [8] advances the following stages for therapeutic counseling:

1. establishing a close relationship with the client and involving the latter in the process of solving his personal problems. Moreover, the counselor must make sure that those asking for assistance are really concerned about the process and determined enough to make decisions likely to seriously influence their life.

2. identifying and clarifying the problem, as well as establishing the goals of the psychotherapeutic endeavor;

3. establishing and analyzing the alternative conducive to problem solving;

4. collecting relevant information;

5. analyzing the implications deriving from the information collected and the consequences of possible alternatives;

6. clarifying the value system underlying personal options – the clients must know exactly what they want, as well as the prioritization of their responsibilities. At this stage, the counselor must support the client in exploring his interests, abilities, competences, family related circumstances, social expectations and environmental elements.

7. reexamining the goals, the alternative solutions, the risks and their consequences;

8. choosing one alternative and formulating an action plan to reach the already established goal;

9. drawing with the therapist's assistance conclusions applicable to general life situations;

10. testing the plan by conducting regular evaluations that include new information and changes in the external circumstances.

In conclusion, the first rule of any interview focused on psychological counseling is **to pinpoint the problem** together with the client, establishing both counselor's and client's responsibilities during the process.

Once the above guiding principle is employed, there are a number of requirements that must also be met. One of the most important one is to view the process as a constructive and efficient one both at individual and group level.

Another major factor that should not be neglected is that, according to Ionescu G. [9], teenage **psychotherapy** groups offer the

framework for testing perceptions of the self and of the relationships with adults. Moreover, the group plays an important role in increasing a teenager's self-esteem, ego, personal harmony and feeling of confidence in dealing with the environment. All of the above are expectations that need to be met whenever a teenager displays behavioral problems and identity crises. Consequently, when a teenager shows personality inconsistencies, psychotherapy within a group is the method to rely on. The group should consist of approximately ten members. Generally, six of these form the core and participate constantly to the process showing interpersonal cohesion. Due to the selection process and to other unpredictable connected to the evolution of the problem, the other group members may participate sporadically and show low group adherence. Therefore, the group should not include teenagers who are sociopaths, psychotic, acknowledged as gay or suffer from drug-addiction since all of the above are the focus of therapeutic groups and/or approaches.

Both during individual and group counseling, the psychologist must remember the following:

- **a dyad** must be used in individual counseling;
- **the group** must be composed of 6-10 members, 8 members being the average group number;
- **age**: close to the group age (18-20-24);
- **gender**:the group can be either a mixed one or gender based depending on the topic of the meeting and the attitudes of the group members;
- **socio-cultural and intellectual level** favors the individual's self awareness degree and group activation;

- **room location and atmosphere:** the circle positioning of the group favors group activities, the lightening should not be annoying, the chairs shoyld be confortable and at an arm's length from one another;
- **activity atmosphere:** should be nice, pleasant in order to ensure trust and safety feelings for the client and thus prove the counselor's empathy, responsibility and focus on postitive thinking;
- **(counseling) meetings** must be run based on internal rules of the group that are commonly agreed and respected or, in certain cases, based on the personal contract between the counselor and the client;
- **meetings pace:** generally weekly, respecting the same day, place, time;
- **meetings length:** between 60-120 minutes, 90 minutes on average (especially for group meetings);
- **number of meetings:** minimum two, maximum 50 depending on the problems to be covered.

Another important feature of the counseling process is the **quality of the therapist** and for this a number of guiding principles need to be followed:

- the therapy should not start without a thorough and complex analysis of the problem;
- the process needs to start as a common effort on both sides: the therapist and the client;
- the first meeting should not touch upon intimate issues;
- the counselor should not lecture on moral matters;
- predictions should not be made from the beginning;
- The therapist should refrain from saying 'there are several cases in which the same problem occurs';

- Any aspect of the therapy should be discussed with the client;
- The therapist should model himself on the problem and the client. All of the above highlight once more that the psycological counseling process is bidirectional: the therapist focuses on the problem of the client, while the interlocutor/student manages at a certain point to reach a certain state of "symbiosis", which is the positive outcome of the atmosphere created.

3. INSTRUMENTS EMPLOYED IN PSYCHOLOGICAL COUNSELING

Taking into account the features of psychological counseling as presented by this theoretical investigation aiming the academic environment and not only, the **instruments** to be used in student counseling are the ones presented by either Carl Rogers in his **person-focused** theory or by Albert Ellis in his **behavioral rational-emotional** theory.

As far as Rogers' theory is concerned, this fouses on the main inner motivational forces contributing to a person's development. The theoreatical model is part of the experiential humanist approaches and its features are as follows:
-the counseled subject is allowed to have more autonomy and independence as a result of the premise that the latter is able to understand him/herself.

-the counseling process is client focused with the counselor acting as a facilitator of the counseling relationship and hence triggering constructive transformations in the client's personality.

-unlike dynamic models (i.e.psychoanalysis) and behavioral ones, client-centered counseling focuses on the role palyed by the emotional factors and on the person's self-perception. In this respect, the counselor must be fully aware of the client's perspective on his/her own situation.

-the person-focused counseling emphasizes the present and not the past experiences (I.e. case history) of the subject.

-the client-counselor relationship is the most important trigger for the counseling process. As far as the latter is concerned, the counselor's attitude is essential in establishing a positive climate and thus, in allowing the client to evolve.

Worth reminding is that Rogers introduced the term of **"completely functional person",** which is defined by the following dimensions:
-openness to experience and ability to realistically perceive the world;
-rational, non-defensive accomplishment oriented approach;
-involvement in life's experiences;
-trust in oneself and one's own personal values;
-capability to understand and adequately interpret life experiences;
-ability to accept the others as unique personalities;
-ability to exert personal dignity and self-respect;
-appreciation of others;
-ability to openly tell about personal experiences.

Last but not the least,Carl Rogers also introduces the change paradigm in approaching personality and believes that an aditional aim of counseling is to prepare the subject for change, for coping with future transformations. In this respect, the term introduced

is that of the **"tomorrow person"** defined by: openness to the world; focus on authenticity; will to self-fulfill; aspiration to privacy; care for others; aspiration to spiritual values.

As a conclusion to the theoretical approach proposed by Rogers it is worth noting that the aim of counseling is to provide the premises for the development of those resources that ensure a person's adaptive effectiveness and the harmonization of the relation between the person's self-concept and life experiences.

Albert Ellis elaborates a theory on the rationality of the human behavior and analyzes the main categories of irrational ideas or beliefs that can generate a certain self destructive potential and need to be identified, investigated, overcome or removed through counseling. These can deeply impact people's life generating disfunctional behaviors or increased unhappiness and are viewed by the theoretician to be the theoretical undepining of the practical counseling methodology.

According to A. Ellis, any human being is focused on three main goals: survival, sufferance avoidance, ensuring a reasonable satisfaction level. To these, several other aims related to the human tendency to achieve a state of comfort can be added: being comfortable with oneself; feeling comfortable in private relations; achieving a state of comfort within the social community, at work, in learning and leisure time situations.

Ellis' theory also known as the "ABC theory on personality" builds upon three elements: **A**ctivators/life events triggers; fundamental **B**eliefs (rational or irrational) and emotional and behavioral **C**onsequences determined by the way a person perceives and interprets life situations (vital activating events) based on

his/her beliefs. According to the theoretician, a person's state of comfort is rather influenced by the latter's ideas or beliefs than by life events as such. Consequently, the counseling process needs to focus on teaching the subject to develop rational beliefs, adequate emotions, a rational model for an efficient behavior and adequate life philosophy.

The stages Albert Ellis proposes for the counseling processes are:

-clarifying the irrational aspects of the subject's behavior with the latter and demonstrating the relationship between the client's irrational beliefs and the problems encountered;

-identifying the subject's irrational beliefs and demonstrating to the latter the way these beliefs maintain or increase the problems;

-the client should take action with the counselor, abandon some of the irrational ideas and build a rational thinking and behavior model.

-expanding the debate beyond the boundaries of the ideas upheld by the client in order to prepare the latter for a healthy life philosophy.

Both Carl Rogers and Albert Ellis contributed to the development of a structurally new approach to psychological counseling. Moreover, they found new practical means to solve the problems that may occur during the relationship developed between the counselor and the client (student). Thus, all the information presented by this article is of utmost importance in delineating the guiding lines for the counseling psychologist and for the relationship this needs to establish with the client.

Even though the content of the current paper focused solely on the theoretical underpinnings of

the counseling process, this is to be continued in the next issue of the *Journal of Defense Resources Management* with a repertoire of techniques that support the counseling relationship. In this respect, the counseling psychologists are to find a minimal useful guide to various ways to manage the counselor-client relation.

ACKNOWLEDGMENT

REFERENCES

[1] Reber, S. A. (1985) The Penguin Dictionary of Psychology, London, Penguin.

[2] Rogers, C. (1966) Developpement de la personne, Paris, Dunod.

[3] Cocorada, E. (2004) Consilierea în şcoală- o abordare psihopedagogică, Psihomedia,Sibiu.

[4] Janis and Mann (apud Holdevici) Holdevici, I. (1996) Elemente de psihoterapie, All, Bucuresti.

[5] Holdevici (apud Ivey and Simek-Downing), Ivey, A. E. (1994) Intentional Interviewing and Conseling. Facilitating Client Development în Multicultural Societes, Pacific Grove, C. A.: Brooks/Cole Publishing Company.

[6] Holdevici, I. (1996) Elemente de psihoterapie, All, Bucuresti. [7] Baban A.

[8] Brammer, M.; Lawrence, Shostrom, L. R.; Abrege, J. P. (1989) Therapeitic Psycholochotherapys, Prentice, Hall International Ins.

[9] Ionescu, G. (1990) Psihoterapie, Stiintifica, Bucuresti.

FLIGHT SIMULATION IN AIR FORCE TRAINING. A KNOWLEDGE TRANSFER EFICIENCY PERSPECTIVE

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For decades the issue of training through simulation has been discussed and studied to show its value and importance in fighter pilot training programs. Besides the fact that simulators are less expensive than a real airplane, and eliminate the operational risks that are present in a real flight they bring a significant contribution to the pilot training by their fidelity and realism that they show in such scenarios as in the reality. To measure the efficiency of training transfer from simulator to the aircraft, performance indicators were defined. The purpose of this article is to define these performance indicators and measurement of training transfer within the flight simulator involvement.

Key words: *flight simulation, training effectiveness, training transfer.*

1. INTRODUCTION

Simulation is a method used in aviation that refers to an amount of technology that reproduces the interaction human-aircraft for training purpose, performance evaluation, research and development. Primarly it refers to the creation of ground physical representation to reproduce the technical elements and the behavior of an aircraft under various conditions and in interaction with the human element. The current paper refers to an analysis and description of some numerical indicators that show how the flight simulator influences pilots' training.

2. FLIGHT SIMULATION BENEFITS

Applying simulation as a specific task in training has several characteristic features:

1. A great part of preparation and training for pilots and ground staff is now done in simulators.

2. The obligation of testing through simulation led to the standardization of flight simulators, particularly in the civil, even internationally, to ensure consistency of the system and to correlate links between operators and regulatory authorities and manufacturers of systems.

3. Simulation makes a major contribution to the improvement of safety in aviation, reduces overall costs of training and has a good impact on environmental conservation.

4. Simulation plays a fundamental role in research, development and evaluation of aircraft.

The obvious benefit of using simulation is that time spent for training in a simulator can replace time spent in flight (Caro:1979, p.493). If a simulator is efficient, then the time spent in the simulator can replace the time spent on the plane or even more. For example to practice an ILS landing, with crosswind, in reality

it can take more than 20 minutes between approaches, leading to congestion of air traffic, even changes in weather conditions conducive for such training. In simulation, this exercise can be performed many times without resource consumption, without affecting the air traffic or depending on air traffic controller, also the weather conditions can be set and maintained with specific criteria (direction and wind speed introduced by instructor). The aircraft can be re-positioned on the glide path without the need of a traffic circuit or it can be "frozen" to further explanations given to student.

The second major gain is that a simulator can be exploited even 24 hours a day and does not depend on weather conditions and operating cost varies from 5% to 20% of the cost of using an airplane, so the time required for general training and the total cost is reduced.

With all these arguments in the favor of using simulators, numerous discussions during their development on how to define the real effectiveness of training and knowledge transfer in real life were conducted. Even now this issue is not completely defined and understood.

3. PERFORMANCE INDICATORS

Evaluation of efficiency is done by estimating the knowledge transfer time in training, so the degree to which a specific task of learning a maneuver is facilitated by using the simulator. To measure this transfer usually operates at least two groups of students. Learning speed of the procedure using both the plane and the simulator by the first group of students, is measured and compared with the learning speed of a control group that only instructs on the plane.

The first indicator that resulted from these determinations was TEE (Transfer Effectiveness Evaluation). The easiest way to assess the quality of acquiring the knowledge is to measure the performance of certain skills before using the simulator and compare the measurements of the same skills after training in a simulator (Martin:1981). Basically it measures the ability of the pilot to execute a specific maneuver or procedure before and after the training on the simulator and calculates a ratio, resulting in an TEE indicator percentage.

$$TEE=[(T_a-T_{as})/T_a]\times100 \qquad (1)$$

where, T_a is the amount of airborne time needed by a control group to reach a specific level without using the simulator; Tas represents the time spent in aircraft necessary for an experimental group that uses simulator in its training to reach the same level as the control group.

To better understand the TEE indicator an example is given: for reaching a certain level for solo flight in traffic circuit, a control group that has never used the flight simulator in its training, needs 8 hours of flight per pilot. Other four groups that have used flight simulator as a training aid, have reached the same level of training after 7, 5, 8 respectively 4 hours of flight. Can say that the 4th group that used only 4 hours of airborne training, the TEE indicator is 50%, and for the group that has flown 7 hours, TEE is 12.5%. In Figure. 1, it can be seen the dependence between hours of flight and TEE indicator.
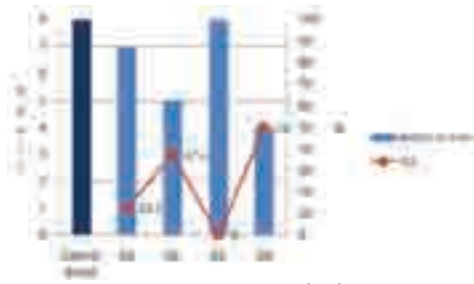
Fig. 1. TEE analysis

As TEE is higher, it can be said that flight simulator played an important role in pilots training. Some civil simulator can prepare pilots to perform solo flight without using the plane before. For so called ZFTT simulators (zero flight time training), TEE is 100%.

Another indicator of efficiency is TER (Transfer Effectiveness Ratio).

$$TER=(T_a-T_{as})/T_s \qquad (2)$$

T_s is the amount of time used in simulator by the experimental group that uses flight simulation in its training process.

In the example below, the four experimental groups have completed a training program to achieve the level of control group as follows (Table 1): each pilot from the first group has used the flight simulator for 2 hours and flown 7 hours; in the second group each pilot has trained 3 hours in flight simulator and 5 hours in airplane, for the third group was used 1 hour of flight simulator and 8 hours of flight, and the fourth, 3 hours of flight simulator and 4 hours of flight.

Table no. 1. Groups' training programs.

	Simulator time	Airborne Time
Control group	0	8
Group 1	2	7
Group 2	3	5
Group 3	1	8
Group 4	3	4

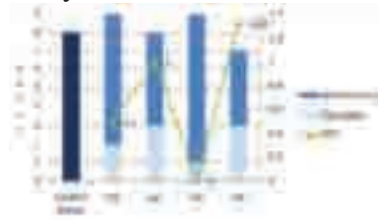In **Figure 2** an example of TER analysis can be seen.

Fig. 2. TER analysis

Therefore, for the first group TER equals 0.5, this means that one hour of airborne training is equivalent of two hours of training in flight simulator. For the second group TER is 1 which means that the training in the flight simulator can fully replace the training in the airplane. TER indicator for the third group is 0.

Usually this indicator is between 0 and 1. If the ratio between the cost of an hour of using the flight simulator and the cost of flying hour is known, and compare it with the TER indicator, some aspects about the economy of flight can be made. If the TER indicator is lower than this ratio, it can be said that the contribution of simulator to the training of pilots was deficient in resources. TER for the fourth group is 1.33 which means that 3 hours of flight simulator equivalent to 4 hours of flight. In this case, due to a less stressful environment, the simulator has helped the pilot to understand the phenomenon of flight, better than would be done in a real flight.

Cumulative results for more maneuvers of the same pilot, show the degree of progress in achieving the performance required by the use of simulators.

Another indicator is CTER (cumulative transfer effectiveness ratio).

This indicator is defined as the ratio of two numbers:

CTER=$(S_a-S_{as})/S_s$ (3)

The numerator is a difference between the number of sorties made by a group of pilots who has not used the simulator in its training and the number of sorties made by the group who has used simulator as a training aid in its preparation.

The denominator is the number of sorties made in simulator by the group who used flight simulator.

In the example below, two situations are presented.

The first one is that each pilot in an hour of training, either in simulator or flying, has executed 4 sorties. Each traffic circuit is approximately 15 minutes long. So the training was conducted as follows: the control group performed 32 sorties to gain the desired level, first group has executed 8 sorties in flight simulator and 28 flying, the second group has performed 12 sorties in simulator and 20 in flight, the third group has used 4 sorties in simulator and 32 in flight, and the fourth group has executed 12 sorties in simulator and 16 in flight.

For this situation the values of CTER indicator are the same as those of TER indicator (**Figure 3**)
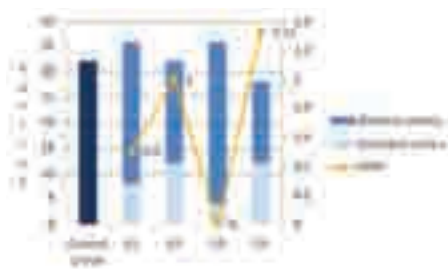

Fig. 3. CTER analysis 1

But things are different in the second case, in which different groups cannot run 4 sorties per hour, but 3 sorties or 6 in some cases.

Due to air traffic near the airport, some sorties have been made in 10 minutes, others in 20. The third group made a sortie in 20 minutes, so the total sorties executed were 3 in the flight simulator and 24 in airplane, and the fourth group executed a sortie in 10 minutes, a total of 18 sorties in simulator and 24 in flight.

In **Figure 4** it can be seen the dependence between the number of sorties and CTER indicator.
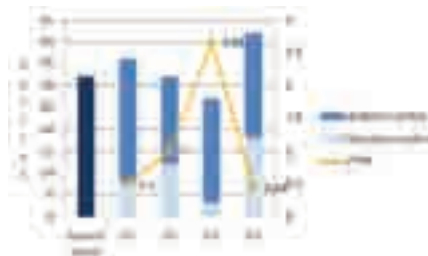

Fig. 4. CTER analysis 2

CTER indicator gives us a comprehensive picture of the economy of flight. As fewer sorties needed to achieve a certain level in training, the CTER indicator is greater.

The last indicator of efficiency is ITER (Incremental Transfer Effectiveness Ratio). ITER indicator give a situation of the economy of flights for a group that a specific criterion must be achieved. Clearly, after a certain number of hours, the benefit of an extra hour in the training device starts to reduce. In other words, there is a point where (depending on the relative hourly training costs) the cost effectiveness of using a flight simulator is a maximum thereafter it reduces towards zero (Allerton:2009).

ITER=$(T_{a1}-T_{a2})/\Delta_s$ (4)

T_{a1} represents the amount of airborne time needed by a group to reach a certain level of training; T_{a2} represents the amount of airborne time needed by another group to achieve the same

level of training as the first group; Δ_s represents the difference between the time used in simulator by the first group and the time used in simulator by the second.

Table no. 2. ITER analysis

	Control group	Group 1	Group 2	Group 3	Group 4
Control group					
Group 1	0.5				
Group 2	1	2			
Group 3	0	-1	-1.5		
Group 4	1.33	3		2	

In **Table 2** an ITER analysis was conducted. There is no value for ITER indicator of the fourth group in relation with the second, because both groups have used equally the simulator; and the ITER value for group 3 in relation with control group is 0, because both groups have used equally the airplane, so the simulator was used for nothing. After this analysis it can be said that if ITER is positive, then the transfer of knowledge from the simulator is positive. A high value of ITER shows that the proposed performance level was achieved by a group that used the simulator more effective than another, and resources of real airplane were saved.

These indicators show how to guide the training and how to use wisely the flight simulator.

4. CONCLUSIONS

A better understanding of the role and the importance of using flight simulators in pilots training is performed by analyzing and examining these indicators of training transfer effectiveness. In addition, if the economic and financial analysis of using flight simulators as training aids is known, then it can be determined in which way must to guide the training program, and how to properly use the simulator to gain the maximum efficiency. Analyzing this two factors of influence, training transfer effectiveness and financial benefits, it can be said if training was conducted with economy or waste of resources.

It is well known that in practice, things are quite different. The performance level of a group can not be established with certainty only relying on these indicators, but it can make an objective assessment of the use of the simulator as a training aid.

For future work, a cost-benefit analysis is required to determine the real gain of usage the flight simulators in training.

REFERENCES

[1] Adrian, C., Corneliu, A., & Boscoianu M., *The simulation of the adaptive systems using the MIT rule*. In 10th WSEAS Int. Conf. on mathematical methods of computational tecqs in electrical engineering (MMACTEE'08), Sofia, Bulgaria, 2008.

[2] Alvarez, K., Salas, E., & Garofano, C. M. *An integrated model of training evaluation and effectiveness*. Human Resource Development Review, 3: 385-416, 2004.

[3] Bell, H. H., Waag, W. L. *Evaluating the effectiveness of flight simulators for training combat skills: A review,* The International Journal of Aviation Psychology, Vol. 8, No.3, pp. 223-242, 1998.

[4] Brian D. Blume, Kevin F., Timothy B., Jason H., *Transfer of Training: A Meta-Analytic Review,* Journal of Mangement, Vol. 36, No. 4, pp. 1065-1105, 2010.

[5] Caro, P.W. *The relationship between flight simulator motion and training requirements,* Human Factors, Vol. 21, pp. 493–501, 1979.

[6] David Allerton, *Principles of Flight Simulation*, Wiley, 2009.

[7] Dennis, K. A., Harris, D., *Computer-based simulation as an adjunct to ab initio flight training,* The International Journal of Aviation Psychology, Vol. 8, No. 3, pp. 261-276, 1998.

[8] Koonce, J. M., & Bramble, W. J., Jr., *Personal computer-based flight training devices*, The International Journal of Aviation Psychology, Vol. 8, No. 3., pp. 277-292, 1998.

[9] Lintern, G., Roscoe, S. N., Koonce, J. M., Segal L., *Transfer of landing skills in beginning flight training*, Human Factors, Vol. 32, pp. 319-327, 1990.

[10] Martin, E. L., *Training effectiveness of platform motion: Review of motion research involving the advanced simulator for pilot training and the simulator from air-to-air combat* (AFHRL Report No. TR-79-51). Williams AFB, AZ: Air Force Human Resources Laboratory. (DTIC No. ADA095930), 1981.

[11] Morrison, J. E., Hammon,C. , *On measuring the effectiveness of large-scale training simulations*, Alexandria, VA: Institute for Defense Analysis. DTIC No. ADA394491, 2000.

[12] Orlando, J. P., *Impact study of a central lines simulation training using Kirkpatrick's four-level evaluation model,* Unpublished doctoral dissertation, University of Pennsylvania, Philadelphia, 2010.

[13] Orlansky, J., Taylor, H. L, Levine, D.B., Honig, J. G., *The cost and effectiveness of the multi-service distributed training testbed (MDT2) for training close air support*, (IDA Paper P-3284). Alexandria, VA: Institute for Defense Analysis, 1997

[14] Ortiz, G. A. *Effectiveness of PC-based flight simulation*, The International Journal of Aviation Psychology, Vol. 4, No. 3, pp. 285-291, 1994.

[15] Pirnuta, O. A., Nečas, P., Boscoianu, M., & Secarea, D. N. *The Impact of Technological Synergy on the Military Management in the Context of Transformation.* Science & Military, 2011.

[16] Prelipcean, G., Boscoianu M., Moisescu F., *"New ideas on the artificial intelligence support in military applications."* Proceedings of the 9th WSEAS international conference on Artificial intelligence, knowledge engineering and data bases. World Scientific and Engineering Academy and Society (WSEAS), 2010.

[17] Rogers, R. O., Boquet, A., Howell, C., DeJohn, C., *An experiment to evaluate transfer of lowcost simulator-based upset-recovery training*, Washington, DC: Office of Aerospace Medicine, Federal Aviation Administration, 2009.

[18] Thomas R. C., Ronald D. D., *Transfer of training effectiveness in flight simulation: 1986 to 1997*, USAF Research Laboratory, 1998.

THE MANAGEMENT OF MEDICAL ANALYSIS LABORATORIES AND BIOLOGICAL RISK PREVENTION

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The increasing number of reports on biological terrorist threats identified at international level raised serious challenges not only for the scientists but also for people responsible of population health. This paper investigates the importance of standardizing and implementing regulations regarding the activity of biological hazards analysis. Medical analysis laboratories and public health units have responsibilities in this field and consequently the need and means to implement quality standards ISO 15189 and ISO 15190 is also examined.

Key words: biological threat, ISO 15189, ISO 15190, medical analysis laboratory.

1. INTRODUCTION

Biological threats and risks, although invisible, are extremely dangerous and often have a major impact on a country's population. Biological hazards are those hazards of biological origin which adversely impact both human health and the environment. The most common biological hazards are those derived from different infectious or toxic bacteria, fungi, protozoa, viruses, and certain cell cultures. Although animals and plants can accommodate one or more of these agents, it is often forgotten that human and animal fluids may contain such agents.

ISO standards are based on the principle of procedural approach and their implementation is very useful in preventing biological terrorist attacks. This involves identifying key processes and their description through the procedures. Thus, monitoring the efficiency and effectiveness of these processes becomes much easier.

According to Romanian legal framework, the medical analysis laboratory system consists of public or private owned units, which create a network of medical service providers. Those services consist of [1]: a) The examination of human body components by using various methods and techniques of biochemistry, hematology, immuno-hematology, immunology, microbiology, genetics, cytology, pathology, toxicology, cellular and molecular biology, biophysics and so on, in order to provide information for the diagnosis treatment and prevention of disease or for assessing the health of the population; b)Advice on interpreting the results of investigations and any further investigation deemed necessary.

2. THE IMPORTANCE OF STANDARDIZING IN THE ACTIVITY OF BIOLOGICAL HAZARDS ANALYSIS

In accordance with the Order no. 1301 from 2007, article 22 (that approved the norms regarding the functioning of medical analysis laboratories) medical analysis laboratories should implement a Quality Management System congruent with ISO 15189 standard requirements [2]. This international standard is also

based on ISO/CEI 17025:2005 and ISO 9001:2008 standards.

The laboratory leadership should define and document policies and procedures for selection and use of external services and supplies, which could affect the quality of laboratory services.

Each country has its own rules and requirements regarding all medical staff responsibilities in this area. Before adopting the standard, the most common approach was to permit medical laboratories to develop their own quality management system and accreditation bodies to evaluate their own skills (confirmation and recognition of the medical laboratories competence).

The implementation of ISO 15189 is a strategic management decision because this international standard defines specific quality requirements of competence especially for medical analysis laboratories.

The standard was intended to be a valuable instrument for the analysis of trusted medical laboratories, especially because health care is essential form a national security point of view. Those institutions must be able to meet the needs of their patients and to provide a framework of standardized procedures for clinical staff in accordance with the generally accepted quality management systems. In terms of quality and competence, ISO 15189 recommends specific actions, measurements and validation procedures and establishes both management and technical requirements specific to medical analysis laboratories [3]. It contains requirements that must be achieved to allow a laboratory, that operates under a quality system (which is technically competent and is able to generate valid/ consistent results), to be certified.

The quality of the medical staff responsible for patient care is essential for medical laboratory services. Such services could include: diagnosis, validation, interpretation, reporting and patients' advice; preparation, identification, collection, transportation, storage, processing and analysis of human / animal fluids; safety and ethical considerations regarding the activity in medical laboratories.

3. MANAGEMENT DUTIES AND THE PREVENTION OF BIOLOGICAL THREATS

To operate, medical analysis laboratories established and organized in accordance with law conditions must obtain sanitary authorization operating under the affidavit, in regard with ensuring compliance to hygiene and public health. Laboratory capability implies the existence of material resources, environmental and informational resources, skills and experience necessary to perform analyses. According to legal provisions, the position of chief medical analysis laboratory requires doctors specialized in laboratory medicine, clinical laboratory or microbiology or other higher education personnel authorized to work in the medical field (like biologists, biochemists, chemists and pharmacists who have an experience of at least five years in the specialty). The management responsibilities for the medical analysis laboratory include educational, administrative and organizational aspects, in relation with scientific or advisory work directly related to medical lab tests.

The head of a medical analysis laboratory must assign persons responsible for all key functions. In laboratories with a small number of staff, some people may have several functions. All personnel must be trained to know and follow the rules of bio-safety, universal precautions and post-exposure measures. The confidentiality of test results, data, information and documents of every kind is ensured through: staff training, inclusion of this requirement in the job description and by the declaration of

confidentiality signed by every medical analysis laboratory's staff.

In the prevention of biological threats activity, laboratory medical tests may be performed in relation with medical biochemistry, hematology, morphology, homeostasis, immuno-hematology, immunology, microbiology, bacteriology, virology, mycology, parasitology, molecular diagnostics, genetics, cyto-genetics, biochemical genetics, molecular genetics and toxicology corresponding to each compartment of the laboratory structure. The tests may also provide advice on the interpretation of any investigation's results and could determine further investigation.

Bacteriological diagnosis of tuberculosis and other mico-bacteriosis can be done only by personnel especially trained for this type of activity. The practical training activities in this area consist of microscopic examination, culture and anti-biogram which can be performed only in medical analysis laboratories within TB hospitals, hospitals with an air station structure for Phthisiology and tuberculosis (TB) sanatoriums.

4. MEDICAL ANALYSIS LABORATORIES

Medical analysis laboratories must be structured and equipped to prevent accidental contamination risk and to function smoothly. The subsequent sets of rules underlying this objective consist of: the medical analysis laboratory must be set as on a "one-way" flow of unidirectional laboratory activities. (otherwise, it must be ensured the separation of activities in time; the sectors working with patients must be completely separated from other units of the laboratory); sequential implementation procedures, taking appropriate precautions and protect the integrity of audit staff; to perform

blood sampling it is required the usage of materials and containers of single use, sterile and airtight; blood samples leaving the space for collection activity must complete a circuit different from that of the other products harvested or obey a special program to obtain separate transport times; transport blood samples must necessarily meet the appropriate transport boxes, marked with the icon "biohazard"; removal of waste from medical activities of medical analysis facilities must be done in sealed containers to prevent accidental contamination of samples, staff and the environment.

If the medical analysis laboratory has a specialized structure for diagnosis of tuberculosis and other mico-bacteriosis, its functional flows of activities (circuits) must be strictly separated from other circuits belonging to other parts of the medical institution. The microscopic examination, culture and anti-biogram involved will be made in separate workspaces, under the same provisions. Also, if sputum collection is mandatory there should be a dedicated collection room.

5. THE IMPLEMENTATION OF QUALITY MANAGEMENT IN BIOLOGICAL ANALYSIS INSTITUTIONS

As stated before in this article, quality management on medical analysis laboratories must be done in accordance with the general requirements and particular requirements for quality and competence specified in ISO 15189:2007. In addition, medical analysis laboratories that carry out bacteriological diagnosis of tuberculosis shall comply with the compulsory national quality control protocol, specified in national TB control program.

Medical analysis laboratory must participate regularly in external quality assessment programs.

Organizing internal quality control is the responsibility of the medical analysis laboratory head. To fulfill the quality control, the leading/ legal representative of the medical analysis laboratory is required to provide the necessary resources. Internal quality control is performed daily, at least every eight hours or whenever needed. The internal control results are analyzed by the specialist responsible for this activity, which decides acceptance or rejection of the outcome.

6. ADOPTING SECURITY POLICIES TO PREVENT BIOLOGICAL RISKS

From a biological safety point of view and for obtaining a safe activity/ environment of medical analysis laboratories, the standard ISO 15190 requires the existence of compliant national security and bio-safety guidelines [4]. To prevent biological risks, in medical analysis laboratory microbiology department, cultures and reference stock cultures are kept in secure and padlocked metal cases, which can be only accessed by authorized personnel.

It is mandatory for the leadership of the laboratories to commit on the management system's development and implementation under the terms and conditions stipulated in the "Policy Statement" document, by setting quality objectives and providing resources needed to achieve them. In addition, it is recommended that the laboratory management to continue to seek ways to improve the system's efficiency.

To adopt effective security policies and minimize the biological risks evolved, the leadership of such medical institutions should: conduct a management analysis; assess the compliance with customer requirements; conduct internal audits and request periodical external audits from inspections authorities; take in consideration positive and negative aspects found in laboratory's work by

the medical personnel; encourage the communication among employers and between them and the leading body, with a focus on explaining the need to improve all laboratory activities.

In this way, future development resulting from a better managerial and communication process will lead to an increasing trend of meeting customer requirements, legal requirements and other requirements applicable to the organization.

7. CONCLUSIONS

Accreditation of medical analysis laboratories is subject to documentation and implementation of a quality management system based on the application of international standard ISO 15189. However, medical analysis laboratory must also document and implement bio-security rules, universal precautions and post-exposure measures according to international standard ISO 15190:2005. In this respect, there are two requirements that should be accomplished. First, the quality manager must have direct access to top management. Second, the quality manager and the responsible for quality compliance analysis should be part of the permanent laboratory's staff. Only once these goals are met, we can say that the medical analysis laboratory has a quality oriented culture of the top management which permits the existence of a streamlined biological risk prevention activity.

REFERENCES

[1] *** Norma din 20 august 2007 privind funcționarea laboratoarelor de analize medicale, Monitorul Oficial, no. 617, 2007

[2] *** Ordin nr. 1301 din 20 iulie 2007 pentru aprobarea Normelor privind funcționarea laboratoarelor de analize medicale, Ministerul Sănătății Publice, Monitorul Oficial, no. 617, 2007

[3] *** SR ISO 15189:2007

[4] *** SR ISO 15190:2005

BOOK REVIEW

*MILITARY MEDICAL ETHICS
FOR THE 21ST CENTURY*
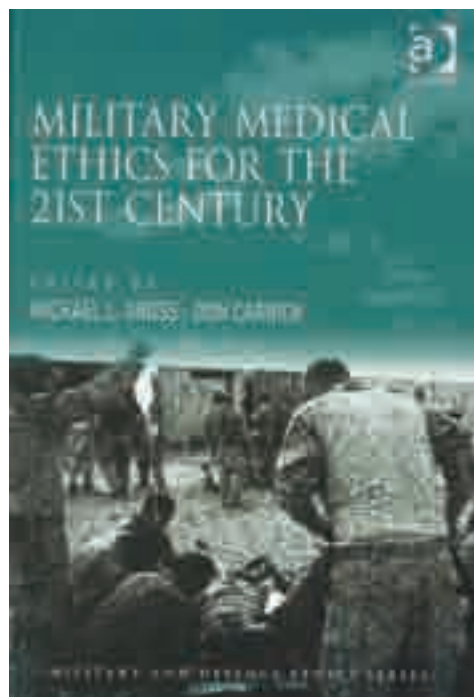
Edited by:

**Michael L. GROSS
Don CARRICK**

Ashgate Publishing Company,
2013, 304 pages

ISBN 978-1-4094-3898-4

REVIEWER:

Shannon E. FRENCH, Ph.D.

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Military Medical Ethics for the 21st Century is an extraordinary text that fills a yawning gap in two existing fields – bioethics and military ethics – while at the same time defining an important new sub-discipline – military medical ethics – and pointing the way for future scholars to continue to explore its vital issues. As editors Michael L. Gross and Don Carrick explain in their compelling introduction, the relationship between medicine and warfare has never been more complex. Not only have the realities of modern combat (including evolving forms of unconventional and asymmetric conflict, technological and biological enhancements, greater global transparency, and an expansion of international law) created new challenges for medical professionals working within the military context, but there is also an entire sphere of emerging medical technology with military applications.

This text is well designed to present readers with a wide range of challenging problems to consider. Some chapters focus on concerns that confront medical professionals working in war zones, such as whether they should treat civilians not injured by the conflict itself or if they should rigidly maintain their own neutrality and noncombatant status in all circumstances. Other chapters consider the ethics of participation in the bio-enhancement of troops and raise red flags about dual-use medical technologies that will inevitably

leak into the civilian sector. The issue of censorship of military medical research is especially intriguing, given the current proliferation of military funding for military and civilian research. Other issues addressed include the rights of military patients, the ethics of military medical experiments, the development of non-lethal weapons, medical education in the military, and tensions between military service and professional medical ethics.

Gross and Carrick have gathered a talented and international slate of authors to do justice to these weighty subjects. The result is a remarkably balanced presentation of perspectives and carefully considered arguments. None of the rich topics is exhausted, but the text provides a valuable roadmap for future study that is also tailor-made for use in a course at the college level or above. Medical professionals serving with the military and policy-makers will find this text essential, and it will also be of great interest to a more general, educated audience, concerned with how ethical principles are and ought to be applied when the stakes are at their highest.

BOOK REVIEW

WAR AND MORALITY. CITIZENS' RIGHTS AND DUTIES

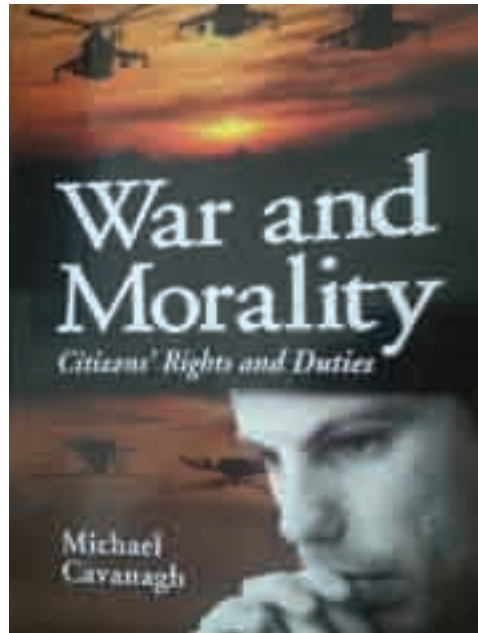### Author:

Michael CAVANAGH

Jefferson, NC: McFarland & Company, Inc., Publishers, 2012, 207 pages

REVIEWER:

Donald A. MACCUISH
Air Command and Staff College,
Maxwell AFB, AL

War and Morality citizens' rights and duties by Michael Cavanagh is an informative and thought provoking book that ought to be read by politicians, military leaders, and the public large in democratic societies. As the title suggests this book is about more than war and morality. It reminds citizens that they too have responsibilities and obligations to their society especially in times of armed conflict. Armed conflict extends far beyond war as we tend to define it. It includes, among other thing, interventions, humanitarian operations, and other situations involving the military forces of their nation.

Michael Cavanagh is a Professor of Mt. Olive College in the United States. He states "The purpose of this book is to help today's citizens make decisions with regard to whether war in general or a specific war can be a moral enterprise based on core constitutional and humanitarian values." (p. 2). Before discussing an overview of the book the reader should understand that Cavanagh does not provide the reader with a check list to determine whether a war is either moral or just. It is war neutral.

The author shares his thoughts not only about war, morality, and ethical decision-making. But he also notes that citizens have an obligation to inform themselves as to why their national political and military leaders should to commit their armed forces as well as why they ought not to commit them. Citizens, Cavanagh contends must hold these leaders accountable for whichever decision they decide to pursue.

The book is divided into eight chapters plus the introduction, five pages of notes, and an index. The author uses the notes to properly credit sources of some of his material, and not to make the book overly academic in nature. The text is both clear and concise.

Cavanagh uses his eight chapters to take the reader on a well thought out and well reasoned journey. In chapter one Cavanagh discusses conscience and moral decision-making. He talks about ethical theories and moral decision-making in easy to understand terms. This chapter alone is worth the cost of the book.

In the second chapter he focuses on the principles of Just War. This reviewer considers it one of the best summaries of these principles that he has read. Unlike many discussants of the Just War tradition, Cavanagh talks about the just termination of conflict or *just post bellum*. Why commit one's armed forces if the result is not a lasting peace?

Pacification and Realism are the topics of chapter three. Cavanagh does a good job in helping the reader understand these two concepts and the value of each.

Chapter four was quite interesting because he explains what virtue is and then compares it to values. A diligent reading of this chapter carefully will have you begin thinking reflectively. A question to ask is does my society believe in virtues? Does it reflect a set of core values, or are values merely transient depending on the situation? Values do not translate into moral behavior nor do they encompass virtues. To fully understand the difference the reader must do a lot of reflecting.

The fifth chapter is quite interesting in that the author talks about the cognitive dimension of moral decision-making. As with the previous chapter, this one encourages the reader to think reflectively.

Cavanagh begins Chapter six with: "National political and military leaders often claim civilians and soldiers are not in a position to make informed conscience decisions about war because they are not privy to important information about war." (p. 125) That statement ought to grab the reader's attention. He explains why they make such statements. Next he addresses the issues of propaganda and deceit by political and military officials. He explains the difference between persuasion and propaganda. He talks about misleading and lying to the people ultimately leads to public cynicism. The long term impact of cynicism does not serve democracies well.

In the last two chapters of the book the author focuses on the theoretical and practical issues of morality and war. Particularly interesting is his ten page discussion concerning preemptive and preventive force. The future implications for a nation that does either may reveal itself in unexpected ways.

The author concludes the book with discussions about terrorism, unmanned aerial vehicles, cluster munitions, economic sanctions, and the use of depleted uranium in munitions. There is much to think about as one reads these five sections. They are well written.

Unfortunately the author did not write a summary or concluding chapter. This is the only criticism this reviewer has about the book. If the author writes a second edition perhaps he will add a conclusion.

This book is informative and well worth reading. It ought to be mandatory reading in all military ethics courses. Politicians and military leaders are advised to read this book as well. Finally, citizens of all democratic societies would be well served by reading this book. Politicians and military leaders need to be held accountable whenever the employ their nation's armed forces.

BOOK REVIEW

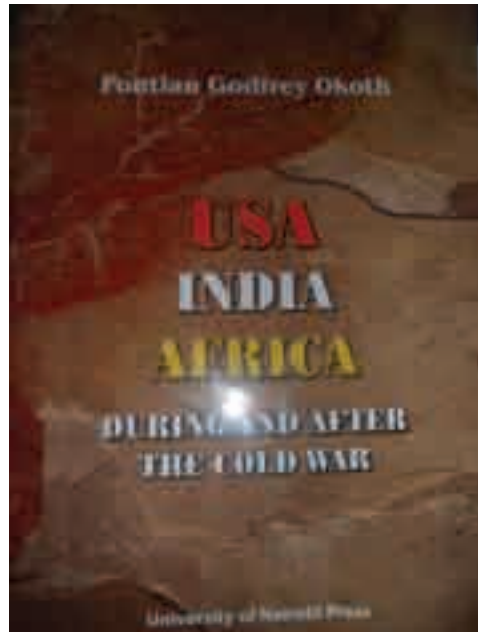**USA, INDIA, AFRICA DURING AND AFTER THE COLD WAR**

Author:

G.P. OKOTH

University of Nairobi Press, 2010, 402 pages
ISBN 9966 – 846 – 96 – 4

REVIEWER:
Corporal (Rev'd) Elijah Onyango Standslause ODHIAMBO

Kenya Military Academy (KMA), Ministry of State for Defence (MOSD) and Dept. of Peace and Conflict Studies (PCS) Masinde Muliro University of Science and Technology

The author of this book, Professor Pontian Godfrey Okoth, was the Vice Chancellor of Lugazi University in Uganda. He is a professor of History and International Relations and taught in Maseno University, Kenya and currently teaching at Masinde Muliro University Kakamega, Kenya. The book reviews history during and after the cold war and looks at how that period affected the United States of America (USA), India and Africa. It has three distinct parts.

Part I, has four chapters dedicated to foreign policies;

Chapter one introduces the nature of foreign policy by stating there is no concencus on a single definition. Foreign policy is examined at the frame of socio-economic and political interactions between states. It clearly elucidates efforts by different states to preserve their national interest. Foreign policy works concurrently with domestic policy. Foreign policy is complex in nature and difficult conducting. States changes their foreign policy to suit their objectives depending on the circumstances, this is illustrated by examples. The distinction between foreign policy and diplomacy is expounded on.

Chapter two discusses United States of America foreign policy and how it was developed by the nation founders. The United States of America foreign policy has been influenced by its self proclaimed role of "world police". The Different schools of thought have been fronted to explain United States of

America actions globally. The foreign policy of America aims at expanding its influence in the world. Former presidents and nationalists are cited to show how they contributed to United States of America foreign policy. The United States of America foreign policy is aimed at furthering its interest and hence not consistant in all other world states. This has led to other states equating United States of America as neo-colonizer in the Post-Cold war and not liberator as it claim to be even after containing Russia during the Cold war.

Chapter three focusses on India foreign policy and its first growth rate. Indian policy of non-alignment development is discussed. India is shown as a devoping power in the middle, helping developed powers. The history of India foreign policy is traced to the India National Congress before independence in 1947. The independent India foreign policy is attributed to Nehru and shows how the foreign policy of India does not supercide its national interest. The foreign policy of India is anchored on three pillars namely: non-alignment, friendship and peace. Scholars' criticism of non-alignment is presented. Indian foreign policy in relation to the United Nations (UN) is discussed. Nehru foreign policy of India on non-alignment is shown and how it has influenced and only been adjusted by those after him.

Chapter four concludes part one of the book. Factors and principles in African foreign policy and diplomacy are delt with for example factors which contributes to the growing role of African nations in the international sphere. Anti-colonialism, unity and non-alignment are explained as the social roots of African foreign policy. The positive and negative effect of nationalism and its role and impact on African foreign policy is discussed. A brief history of African diplomacy which is not old in comparison to other continents is given. It alludes to the fact that African democracy existed before colonialism. African diplomacy is based on peaceful means to foreign policy. It is crystal evident that the existence of African diplomacy does not entail the need for individual country to find its own ways to deal with issues that beset it both domestically and internationally. The formation of Organization of Africa Union (OAU) later renamed African Union (AU) shows the intent of different states of working together. The major objective of Africa Union is nto propagate the foreign policy of Africa. Professor Okoth is abreast with to the fact that Organization of Africa Union has been faced with conflict. The principle of non-alignment did not yield the desired results for most African nations. But Africa states oneness helped during the struggle for independence. Individual state self-determination is a key component in African policy and diplomacy.

Part II, has three chapters discussing bilateral relations.

Chapter five discusses bilateral relations between United States of America and India. Both countries have some similar and divergence aspect of their foreign policy but their relationship has not been cordial for different reasons. Instances when the United States of America and India had the same thinking over foreign policy issues and where they differed and why are explained. As a super power United States of America wanted India to be its ally but India had non-alignment principle. This resulted in the sour relationship as evident in 1971 during the war between India and Pakistan. The author shows

that United States of America -India relationship is not at its best and that the two countries needs each other hence a need to work towards a micable understanding in differing view point.

Chapter six discusses the relationship between United States of America and Africa under four main sub-titles: historical, political, racial and economic between two periods, 1776-1959 and 1960s as the foundation for looking at their relationship. Africa was strategic to US interest and hence they had mutual relationship in the first period. This section also details with how the United States of America related with Africa in the 1960s with several challenges which are well articulated with examples. To illustrate the relationship between United States of America and Africa, the author picks four Presidents viz: Nixon, Kissinger, Carter and Reagan and analyze their policies towards Africa. The United States of America policy towards Africa keeps changing depending on its interest and circumstances in different countries. The four Presidents; Nixon, Kissinger, Carter and Reagan merits and demerits on their policy towards Africa are discussed. The chapter also shed light at how the end of the Cold War impacted on United States of America -Africa relations and how under the leadership of President Bush and Clinton new policy for Africa was enacted with core emphasis being on human rights.

In between at the end of chapter six and before chapter seven, are pictoral portraits from pages 217-225 of key personalities whose contribution was significant in Africa, India and the United States of America after the cold war.

Chapter seven focusses on the periods-during the decolonization and post-colonial period and the Indo-African relations. This chapter asserts that Africa and India have had cordial relations for many centuries this permitted their citizens to visit each others' countries even before the advent of colonial rule. The nature of this relationship with several examples to backup this arguement is given in great details in this section and it covers diffreent sectors like social, economic and political. The chapter closes by suggesting that there is opportunity for trade improvement between India and Africa.

Part III has two chapters dealing with relations in the Post-Cold war world order.

Chapter eight discusses Africa and the Post-Cold War world order.

This chapter introduces a new world order it calls 'global apartheid' where Countries were looked at as affluent or poor. The political impact of global apartheid and how it impacted on Africa is discussed. Because of this changing snarios, Africa had to make a hard choice between despair and nationalism. Most Africa leaders chose nationalism and worked towards solidarity. The chapter closes on positive conotations that despair was not the way Africa was to go but nationalism was and is the way the continent was headed to.

Chapter nine is the final part of the third section with a detailed discussion of how ideology, policy and politics of the Post-Cold War world order impacted India. There were several ideological, political and policy questions during this period. The thinking of different scholars and thinkers are given in this chapter where the author argues that India should rethink its policies so that it can be relevant in this era. It is shown in this section that, while the East

is blosoming the West is on the decline. The position of the United Nation (UN) and the merits of the Cold War are elaborated on in this chapter which also discusses globalization, liberalization and structural adjustment. These three terminologies; globalization, liberalization and structural adjustment are explained with relevant examples cited. Five monopolies by the West are identified and discussed on how Africa is being polarized. An elaborate discussion is given on nuclear weapons and how their presence and possible use has impacted relations between nations. The invention of these weapons of mass destruction gave rise to nuclear diplomacy. The new world order has advantages and the disadvantages to the United States of America and India and is the conclusion of the book.

The weakness of the book from the first chapter is that there is no single agreed upon definition of the nature of foreign policy.One would expect the author to operationalize the term for easy comprehension of his thoughts. Though the author seems to be very objective in his articulation on issues, to the Americans it looks like subjective in the sense that they are depicted as over ambitious and bossy when dealing with other nations. Another weakness is the long sentenses in some portions which makes the narratives hard to follow.

The strength of this book is its detailed discussion on the relations between countries. This is elucidated by citation of several and relevant examples.This makes it interesting to those who want varified facts. Pictoral section in the book adds flavour to the reader in the sence that it encourages the reader to either identify with the said personality or dissagree with his thinking.

The book is well researched and written in understandable English, and arranged thematically. This is a must read book for all persons interested or already involved in International relations, Diplomacy, history, political Science and Military Science and should be a reference book to scholars, lecturers and students of undergraduate and graduate of the above named areas of specializations.