Integrating the Bulgarian Security Sector in Euro-Atlantic Structures: Post-1989 Reforms in a Changing Landsca

established through the partnership of 23 research institutes and universities, funded by the European Commission and enlisting the participation of a large number of researchers. The project is structured in 14 work-packages addressing *inter alia*

the military). That is, the extent to which they (as institutional structures) have been able to adapt, rhetorically but also in terms of tangible outcomes, to dominant European discourses of (in)securitisation,[4] organised crime and terrorism being the two prevailing ones. In such conditions, when new threats have been easier to address because of their character and the usable experience accumulated by the given service, the chosen reform path seems to have commanded a wider support base and has turned out to be more effective in terms of enhancing its capacity to deliver concrete and presentable results. This relation also works the other way round, e.g. the more complex the threat, the higher the level of disagreement on strategies and on organisational re-arrangement.

Secondly, and on a more general note, informality (e.g. the use of informal networks in policy-making) within post-communist Bulgaria is another relevant background for the present research. As post-1989 politics developed, control over (and the frequent usage of) the security sector has been a wanted asset by consecutive political elites. The ability to withstand such calling has pro 0 0 95.aesha3iu0.050 0112 89.99995 481.418

current state of affairs is reviewed in conjunction with pre-1989 practices in order to elicit grounds for comparison. Part III then further enhances the comparative element of the study by presenting the process of reform in the military (and the process of its international integration), which serves as a kind of ideal type for benchmarking successes and failures in police reform. Part IV concludes.

Part I – Informality in Post-Communism

Informality[6] in socio-political research is of highly am

to the state during communism later, once renounced and cast out, impaired its law-enforcement capacity. Reform was then undermined at the one locus where such networks had privileged access – police and its services. This is precisely the case of Bulgaria.

Only informality, however, is not capable of explaining why reform is or isn't paralysed. A number of studies demonstrate that it is primarily a context in which other factors play a role as well, whether related or not to its occurrence. Ledeneva (2003) studied Russian *blat* and Chinese *guanxi* before and during transition/reform.[8] Both developed in response to a centralised economy characterised by an ineffective distribution of goods and simultaneously compensated for this shortcoming and subverted its normal functioning. In the post-communist period, due to the weakness of the state, the *blat* took a turn to more corrupt practices benefiting mostly powerful businesses to the detriment of society as a whole. Drawing on a number of surveys acr94 Tw .161.2l88na0.0004 0 0

influential networks, which sought particularistic gains. Hence the assumed relation between informal practices, on the one hand, and discretionary laws and favouritism, on the other. The state becomes inefficient in controlling illegitimate practices in which it, through its elite, is often implicated. Various ‘inflexibility traps’ appear,[11] while reforms do not successfully reclaim power for state institutions. This is the background against which the reorganisation of the Bulgarian security sector was conducted.

Part II – Police Reform: Factors and Outcomes

Within the security sector of the country, reform and international integration of the police and its specialised agencies has taken longer (than the military) to produce tangible results within the changing landscape of threats and challenges. Most broadly the reasons for this are two-fold. On a general level, what Okey called the dangers of ‘immediate liberalism’ (2004: 28) have generated space for a ‘status quo’ rhetoric on the part of those in power, including members of the elite security services. Much benefit was to be gained from stalled reform, particularly if one belonged to the side of the power-holders. As it turned out, access to the latter was essential for fledgling private enterprises in the post-1989 economic liberalisation. More specifically, the way police had operated during communism did not contribute to the requirements for a genuine 2 246.190led 4 p

speeral

Later (post-1989) this translated into what Williams and Deletant dubbed the 'culture of cynicism' (2001: 20), i.e. the regrouping of security personnel into informal networks with no interest in reform and with strong preference for 'business as usual'.

In analysing the course of police reform in Bulgaria, the following text addresses three inter-related issues. Firstly, the involvement of police services (particularly secret police) in pre-1989 domestic politics. As it turns out, they were key in maintaining Zhivkov's hold on power, in the process detaching themselves from other relevant state institutions and establishing a large informal network of agents. Secondly, the emerging structural dependencies of police services following their re-integration within the reforming law-enforcement machinery of the state. In order to produce tangible results they had to start liaising and cooperating with other state institutions, particularly the (now independent of Party control) judiciary and its branches, and rely on their input as

Relations with the KGB were so close that a number of foreign observes considered Bulgaria's police security services (KDS)[12] as its branch. The cooperation has been twofold. On the one hand, up until the end of 1989 high-ranking KGB officials were

with the public interest, they took exclusive care of ensuring the pervasiveness of the ruling political ideology. In the process they generated a huge informal network of agents and became repositories of large amounts of important information, including of illegal cross-border activities.[15] After 1989 this information served well-placed individuals with a vested interest against reform. The efficiency of the law-enforcing state apparatus, of which the police formed an essential part, was compromised by actors who enjoyed privileged access to law- and policy-making, such as the emerging class of the 'nationally responsible capital' (see Avramov, 2005). This is key to understanding how the culture of informality stalled reform within the police branch of the security sector. I return to this in the concluding section.

II.2 – Institutional dependencies

The restructuring of the communist-designed police services was the result of two parallel pressures. On the one hand, former Cold War rivals in Western Europe and North America conditioned their help for Bulgaria's transition to democracy on the reform of what they saw as an unscrupulous tool of ideological control.[16] On the other, the new leadership of the (quickly revamped as 'socialist') party was keen to disassociate itself from Zhivkov's legacy following his ousting in November 1989. Far-reaching reforms were initiated, taking the form of institutional restructuring, legal redress and sweeping redundancies. The objective was to integrate police services into a system of law application consistent with accepted norms and practices in liberal democratic states, which is what Bulgaria aspired to become. In fulfilling it, a num

Presidency, while Military Intelligence (former third) went to the Ministry of Defence. The MIA Act of July 1991[17] became the first post-1989 legal re-arrangement of police structures and functions. It revamped the remaining directorates into various services, such as the National Security Service, the National Service for Combating Organised Crime and the Anti-Terrorism Squad (Article 11) and placed them all under the hat of the Interior Ministry, overriding any previous provisions imposing party control. In addition, a number of horizontal (i.e. applying to all services) clauses were introduced binding police officers to an obligation 'to protect the rights and freedoms and citizens and to respect human dignity' (Article 5 and others).

The follow-up Judiciary Act of July 1994[18] created another line of institutional dependence for police services, this time of a more vertical nature. With the streamlining of the courts and the creation of independent prosecution, another layer of law enforcement was built over police work, making it but an element of a process involving key players formally external to the Interior Ministry. This system was so structured that police services not only lost control over outcomes, but had to also comply with orders coming from the prosecution, for example, particularly in undertaking investigation work.[19] Since acquired evidence had to be presented in court in order to obtain a conviction, it is understandable that police work would be subject to such external control making sure cases are properly argued before a judge. Exemplifying the fact that such linkages presented a burden to a force used to standing on its own ground are the number of institutional conflicts between police and the judiciary blaming each other for the lack of effective sentences against known criminals.[20]

Further along the line of binding police work into a system of norms derived from liberal democratic societies are the numerous other restrictions imposed by the October 1997 Special Intelligence Methods Act.[21] Besides the plentiful (again horizontal) references to citizen's rights protection and respect for human dignity, the Act regulates

---

[16] In 1988, a Bulgarian governmental delegation visited the USA. The agenda of Foreign Minister Gotsev included talks about the future of the specialised police services, during which the US side asked that KDS be disbanded - interview with Colonel Peniu Kostadinov, former KDS employee and a KDS agent in the US (Hristov, 2004: 122-126).

[17] Official name 'Law on the Ministry of

and justice' (Article 2), which translated into closer cooperation of police forces, both

outstanding issues, also indicated in the report and outlined below, exemplify the poor effectiveness of Bulgarian police services.

Firstly, and most importantly, police services still must prove they can integrate with each other domestically and cooperate successfully with their international counterparts. Notwithstanding regional (e.g. South East Europe) and wider European coordination frameworks, in which they are involved, transnational organised crime networks continue their existence and operation, with very low success rates in effective convictions within the country. Secondly, staffing is a problem (including staff trained to operate in a multi-lingual/multi-national environment), the National Service for Combating Organised Crime being the prime example. Corruption within the system, as well as links between law enforcement officers and criminal groups, are a problem that has generated much public attention (particularly in the written media), but no visible consequences. Finally, an integrated multi-discip ch to crime investig is necessary, incorporating mechanisms of witness protection, harmonised statistics, etc. Most of these issues have been addressed by the newest MIA Act of February 2006,[27] but it remains to be seen whether its provisions will produce any real change.

Not only then has police reform been lacking in creating the conditions for effective international cooperation, but its slow path remains among the factors still holding uncertain the prospects for Bulgaria's accession to the EU. The past decade has shown that external conditionality (operationalised through the regular progress reports of the European Commission) has proven to be the best stimulus for change. There has not been any domestically debated and agreed programme or white paper of steps that need to be taken in order to produce tangible results in law-enforcement. In addition, a number of institutional antagonisms between investigation and judicial authorities (Schönfelder, 2005) have plagued the on-going process of reform. Obviously, as of 2006, Bulgarian police services have failed to integrate themselves recognisably within the international (i.e. European, including regional efforts within South East Europe) law-enforcement system.

structural independence (in relation to other state bodies) in generating outcomes and the pronounced hierarchical organisation of the army.

III.1 Military involvement in pre-1989 domestic politics

In the years following WW II, and particularly after the signing of the WP treaty in 1955, the Bulgarian military was practically subject to Soviet control, rather than to the control of the local Communist Party. This state of affairs contributed to enhancing its domestic independence and enabled its leadership to stay aloof from the politics of suppressing any internal opposition to the communist regime. Article 6 of the WP treaty established the main decision-making body of the organisation, the Consultative Committee, which was required to meet at least twice a year. In practice, between 1955 and 1969, the Committee met only ten times, its debates were never published and its communiqués were usually identical with foreign policy statements issued by the Soviet Union (Mackintosh, 1984: 44). In short, almost everything about the WP was Soviet Union-like: decision-making, military planning, training, equipment, etc. Through this quasi-transnational institutional belonging, the Bulgarian military (e.g. its leadership) was thus spared complete domestic party guidance.

This arrangement reveals undoubtedly the ulterior motive of its designers. Soviet leadership preferred to keep Eastern European militaries under direct supervision and rightly so, as they turned out to be the ultimate guardian of international communism.[33] They were the tool of last resort when secret police failed to quash dissidence or when reformers took the upper hand within domestic communist parties. As such they formed an indispensable element of the so-called Brezhnev doctrine of limited sovereignty (see Jones, 1989), and the Bulgarian military was no exception. Its troops were flown into Prague in the spring of 1968 under Soviet command (Dawisha, 1984). Similarly during the crises in Hungary in 1956 and in Poland in the 1980s – the Bulgarian military was again on stand-by to help if necessary. Hence the army and the Ministry of Defence maintained an exclusively international focus,[34] without antagonising Bulgarian society in the way and to the extent to which the communist police services did.

---

[33] Without exception military top brass across Eastern Europe were Moscow-trained. This was a *sine qua non* for taking offices in high command.

[34] In the sense that they protected the Bulgarian communist polity against external, and others against both internal and external, threats

Involvement in domestic politics was either non-existent or remained largely invisible to the ordinary citizen, with the notable exception of the mid-1980s renaming campaign against the Bulgarian Turks, where the military took part as a fall-back support but was not the mastermi

army remained an essentially top-down structure. Moreover, in addressing security challenges (both traditional and emerging ones) the military was and remains a self-sufficient institution. That is, in discharging its functions it does not depend too much on other state bodies. It possesses its own prosecution and court (see December 1995 Defence and Armed Forces Act, Chapter 11 and the July 1994 Judiciary Act, Articles 3.1 and 18), hence does not have to rely on the civilian judicial system to the extent to which the police does. As far as outcomes are concerned, the military has the benefit of the doubt, no real-life situation has yet proven whether it is capable (or not) of addressing threats.[37] Post-1989, the military has only been used in international missions (Bosnia and Herzegovina, Kosovo, Afghanistan and Iraq) and during civilian crises at home (the floods in the summer of 2005), lacking any other real military-type threat to the country.[38]

III.3 International integration[39]

Voices for NATO accession were heard in Bulgaria already before the WP was officially disbanded. In the early 1990s, while the first democratically elected parliament considered a declaration condemning Saddam's invasion of Kuwait, a group of politicians, diplomats, academics, journalists and military professionals founded the Bulgarian Atlantic Club.[40] The Club quickly became the focal point in the accession process. Through its members is ⁄cmmded. grouj0.00053Tw 12 0 0 12 322.0108.4715.71991 Tm(e)T topo

closely associated with the former Communist Party and its security policies (Pantev, 2005).

Opposition was two-pronged, uniting Socialist Party leaders and senio

In September 1995 NATO came up with an ‘Enlargement’ report, which took on board OSCE’s principles of democracy and respect for human rights and required potential applicants *inter alia* to strengthen their free institutions and to work towards military ‘standardisation’ and ‘interoperability’.[44] The latter meant initiating far-reaching reforms within the Bulgarian military, which could only muster the necessary support after the political change of 1997 when UDF forced the increasingly ineffective Socialist government to consent to pre-term elections. This is when the first talks of NATO’s eastward enlargement were completed with Poland, Hungary and the Czech Republic (all three joined in 1999) thus making the prospect of Bulgaria’s accession more tangible (see Rachev, 2003). The process entered fast track after Solomon Passy became Foreign Minister in 2001.[45] At the Prague Summit in November 2002 NATO members invited Bulgaria (together with six other Eastern European countries) to start accession talks. They all joined the organisation in May 2004.

* * *

The Bulgarian military has carried out a number of reform plans, all post-1997 (see Simon, 1998). Most generally, they envisaged reduction in armed forces and the army’s budget (due to IMF restrictions on public spending) and streamlining of organisation, particularly in terms of civilian control. The pdue to IMFe0.027277 Tm(The p)Tj12 0 0719

experience difficult to erase overnight. The present study has taken the task of discussing some of the relevant factors conditioning reform and its current progress.

Reform was clearly easier where less of it was required, but that on its own is not sufficient to completely explain the observed disparity. Both police and military have had to adjust structurally (institutional revamping and legal regulation), doctrinally (perception of threats and international allegiances) and in terms of personnel (re-organisation and downsizing), however, the settings in which these were carried out were different. The military appears to have enjoyed a number of advantages. To start with, post-1989 it was formally a much larger formation than police services, with an immediately visible anchor for international integration (NATO) and usable templates for change (NATO member states' militaries). Already in the early 1990s, there were strong voices among the political elite for reform and NATO membership. Potential antagonism was swiftly addressed through a consistent public discussion, a clever PR strategy, identifying and promoting reform-minded officers and investment in retraining and pension funds for redundant personnel.

It did take some time for the military to get their act together after 1989; substantial reforms did not start before 1997. The years until then, however, were not really wasted as reform-related discussions were kept alive in the public space. The wars in neighbouring Yugoslavia quickly precipitated a new international alignment as Bulgaria toed the (however loose) line of Western European powers at the expense of Russia. With NATO shifting its security doctrine and operational capabilities to address emerging regional conflicts, it logically became the only anchor of international cooperation for the Bulgarian military. Moreover it was willing to enlarge swiftly and to offer meaningful partnership in the meantime. The lack of involvement in pre-1989 domestic politics by the army quashed any desire for involvement in post-1989 ones. The military submitted to strict civilian/political control; those generals who opposed reform were simply replaced. Moreover, as an institutional ensemble the army did not really depend on being reintegrated into a larger institutional construction in order to discharge its functions. In these circumstances, the military was relatively successful in adapting to and addressing a changing landscape of securitisation.

achievements of the government in adjusting to liberal democratic standards of governance.

* * *

This study was aimed at explaining the divergence of accomplishments in post-communist reform within the Bulgarian security sector. In a changing landscape of securitisation, e.g. what leading liberal democratic states and the international institutions they have formed have taken to define as emerging threats (e.g. terrorism and organised crime), the Bulgarian military has been quicker to adapt than its police services. The reasons, as spelled out above, are both domestic and international. Structural dependencies and track record of involvement in politics fall within the former, the swift integration into relevant international structures (to a large extent dependant as well on their enlargement policies) within the latter. It has to be noted that, lately, reforms of the police services have picked up an unprecedented speed, obviously owing to the troubled course of Bulgaria's integration into the European Union. Only time will tell, however,

Ledeneva, A. (2004) 'Ambiguity of social networks in post-communist contexts', Working Paper No. 48, Centre for the Study of Economic and Social Change in Europe, University College London.

Letki, N. (2005) 'The consequences of lustration for democratisation: the experience of East Central Europe', in M. Hatschikjan *et al.* (eds) *Disclosing Hidden History: Lustration in the Western Balkans* (Thessaloniki: Centre for Demo