

THE CLOCK TOWER SECURITY SERIES



Democratic Backsliding & Security Governance

Alumni Scholar Group Project Summary Report

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Executive Summary

This summary report presents key findings of the research conducted between April-November 2022 and highlights the challenges of security partners, provides a framework to strengthen the rule of law in partner nations by increasing awareness, and suggests protection mechanisms against various undemocratic practices. Such practices include illegal orders, direct or indirect influences of legal mechanisms, establishing personal loyalty that replaces loyalty to the rule of law, and infiltration of politics to criminal justice mechanisms.

The research draws the following conclusions and policy recommendations:

- 1. Avoid “one size fits all” approach.** It is imperative to explore the domestic contexts and causes of democratic backsliding to understand the interaction between politics and security governance.
- 2. Understand the political tool box.** It is necessary to understand the tools and mechanisms of undemocratic political practices that undermine the functioning institutions.
- 3. Focus on the security institutions.** Undemocratic tendencies use security organizations to consolidate power and establish personal loyalty, replacing loyalty to the rule of law and democratic principles.
- 4. Beware of the risk posed by the lack of oversight of the security institutions.** All case studies reveal that the intention is not to create more robust organizations able to redesign politics but rather to establish mechanisms to keep democratic practices alive.
- 5. Reforms should be complementary to one another.** Reform processes are used by the undemocratic political structures to consolidate their power. It is essential to establish mechanisms avoiding reforms that contribute to democratic backsliding.
- 6. Protect Security Professionals.** Increasing the awareness of security professionals to resist unlawful and illegal demands from the undemocratic political tendencies requires protection mechanisms. Meanwhile, developing and supporting different forms of networks (formal/informal) should act as a preventive measure against disengagement.
- 7. Add new countries and external malign influence to the future phases of the project.** The next step of the research should include more case studies and a new component that looks at the influence of external actors on the democratic backsliding.

Background and Methodology

The George C. Marshall European Center for Security Studies is one of six United States Department of Defense Regional Centers, and the only bilateral Center—a partnership between the United States Department of Defense (DoD) and the German Federal Ministry of Defense (FMoD). An instrument of German-American cooperation, the Center addresses regional and transnational security issues for the U.S. DoD and German FMoD while maintaining a vast alumni network of security professionals. The Marshall Center contributes to security cooperation with tailored, professional education and research, dialogue, and the persistent, thorough, and thoughtful examination of issues that confront our region and the world both today and in the future. By focusing on the latest developments in the security domain, the Marshall Center makes commitments to EDUCATE, ENGAGE and EMPOWER security partners to collectively affect regional, transnational, and global challenges.¹

One of the challenges that security professionals face in the contemporary security environment is the changing political environment in countries going through democratic backsliding or increasing levels of undemocratic practices. This summary report reflects key findings of the research conducted by a selected group of Marshall Center Alumni to understand the connection between democratic backsliding and the interaction between politics and security governance.

The topic is relevant to priorities of the key stakeholders and partner nations, and the findings of the report elevate the value of rule of law, democracy, and democratic practices. It is also in line with the current vision statement of the Marshall Center that highlights empowering security partners to collectively affect regional, transnational, and global challenges. This project started with discussions among individual security experts about the rise of undemocratic tendencies and their impact on the security institutions. These security experts agreed that this is an emerging threat to democratic security practices.

¹ The Marshall Center Mission and Vision: <https://www.marshallcenter.org/en/about/our-mission>

Project Concept

Cüneyt Gürer

Democracy is one of the oldest forms of government. It emphasizes the rule by the people and is a contemporary political regime type that gives the highest level of freedom to individuals. Democracy protects individual rights and execution of these rights in the public and private realm through laws passed by democratically-elected representatives of the society and its institutional structures, thereby collectively creating the State structure.

Political scientists understand the contemporary democratization around the globe with “waves,”² meaning that the implementation of democracy has been witnessing ups and downs in establishing democratic norms and principles in the countries where democracy was not a common practice. The process of democratization has also been considered as the “end of history”³ referring to the highest point of political development of human kind, and reflected as a natural process of all States.

After the Second World War, the current international system was established to complement the democratization process around the globe and to promote democratic values through a liberal international order. There is a consensus among political regime scholars,⁴ defenders of democracy and individual rights⁵ on the fact that the current democratization is in decline and democratic ambitions have lost momentum in many countries. The definition of democratic stagnation differs according to the context and varies across the regions, however, some of the common facts are related to backsliding of democratic processes, rise of populist leaders and establishment of authoritarian institutional structures, and building personally-based autocratic governing systems in many countries that reversed gains of decades-long democratization work.

Political Instability and Security Institutions

Instability of the political context in many countries creates substantial challenges for administrations, including security intuitions/professionals, and puts them in a position that jeopardizes their professional commitments. The sources of political instability vary according to regions and countries’ past, as well as political/legal structure, allowing the influence of external actors.

Strategic competition among regional and global actors also creates challenges for the smaller states/middle powers, and competition among global powers shapes policy choices of these states. These two types of political context (internal instability and external pressure), have direct impact on security professionals and their relationship with the political and legal authorities in their countries.

This project takes a closer look at the process of democratic backsliding and explains the interaction between changing political environments and public institutions, including security institutions, during the rise of populist leaders and emerging authoritarian tendencies. The research project is designed as policy-driven inquiry to provide insights for decision makers in

² Huntington, S. P. (1991). Democracy’s third wave. *Journal of democracy*, 2(2), 12-34.

³ Fukuyama, F. (1989). The end of history? *The national interest*, (16), 3-18.

⁴ Diamond, L. (2020). Breaking out of the democratic slump. *Journal of Democracy*, 31(1), 36-50.

⁵ Freedom House (2022): <https://freedomhouse.org/report/freedom-world/2021/democracy-under-siege>.

order to strengthen democratic resilience mechanisms against the contemporary reverse wave of democratization.

In the first phase of the project, selected Alumni scholars examine four case studies, looking at various forms of erosion of democratization and reasons for losing democratic momentum in these countries and, most importantly, provide policy suggestions to national and international-level policy/decision makers. In the second phase of the project, experts look at the interaction between domestic and external dynamics of backsliding by paying special attention to the impact of malign actors on democratic backsliding.

Security Institutions & Professionals Under Changing Political Environments

During the democratization process when a State pursues policies towards more democratic laws, institutions and practices, bureaucratic structures are expected to support the intent that is consistent with the political will to build a democratic country. In this ideal situation, democratic politics and public administration work in a healthy and complementary way to produce momentum for democracy, and public administration that institutionalizes the political intention of democratization. Nevertheless, numbers of examples in the last decade show that the democratization process cannot be taken for granted and giving up democratic momentum has become a reality for several countries and regions.

In most of the specific cases, giving up democratic ambitions and departing from democracy started at the political level and took time to reach to the bureaucratic structures, a process that effects all levels of public administration. When backsliding happens at the political level, bureaucracy may still hold the old good habits of democratization which creates a gap between the political departure from democratization and the ongoing democratic producers of public administration. Figure-1 presents the interaction between political and bureaucratic sphere(s) and how backsliding creates an area of conflict between politicians and bureaucrats. This project focused on the security bureaucracies and examined the potential conflict between politicians and security bureaucracy during democratic backsliding.

The area in different tones of red in the figure represents the level of pressure coming from the political actors to the security bureaucracy across the process of backsliding. The level of anti-democratic tendencies in a political structure makes the interaction with the public administration, and more specifically with the security institutions, more complicated.

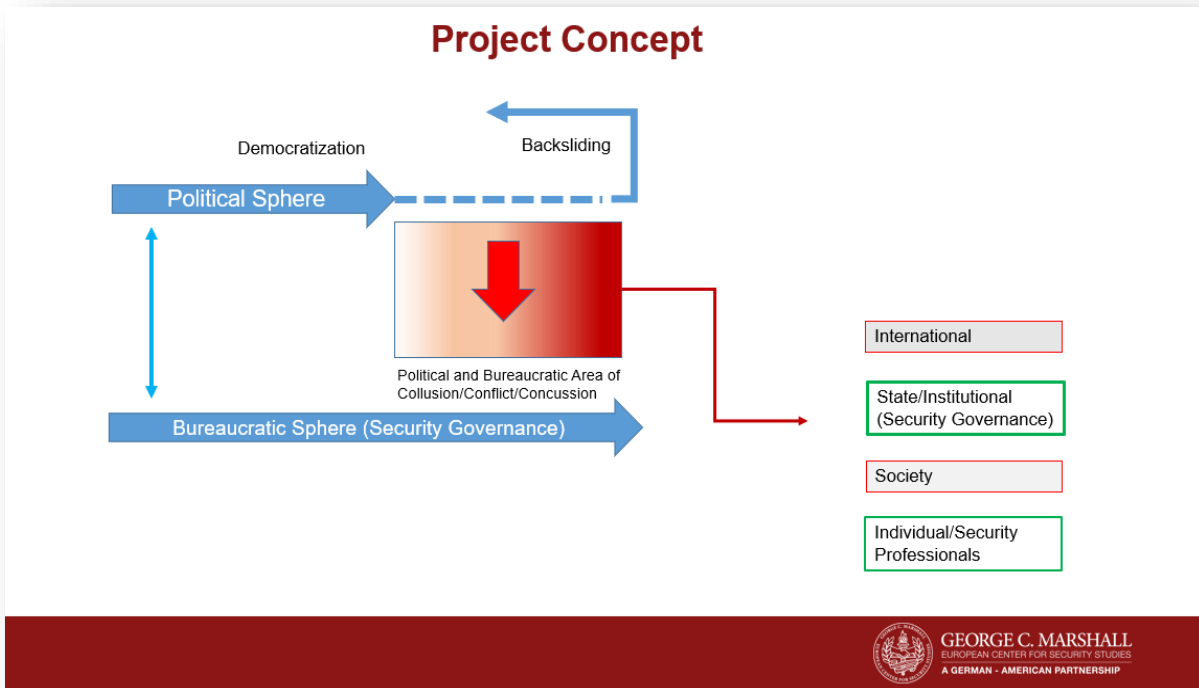


Figure 1 Political and Bureaucratic Interaction Under Democratic Backsliding

Undemocratic political tendencies in a given country tend to use bureaucratic apparatus in general, and security institutions in particular, as a tool to consolidate power. As the backsliding continues, the pressure intensifies including different forms of demands of politicians from the administration. Such demands deviate from the democratic practices and create a conflict/concussion/collusion area for the politicians and bureaucracy.

As the backsliding continues, this area creates a significant amount of pressure on the security institutions and professionals and it also has negative consequences at different levels. As illustrated in the figure with green frames this project mostly focused on the impact of backsliding on the institutional and individual levels of security governance.

Project Focus

This project focuses on the South-East European countries and analyzes the position of security organizations and professionals in changing political environments by paying close attention to the risk factors of democratic erosion. The key research question addressed in the cases studies presented in this summary report is: *“How do changing political environments affect security governance and what type of mechanisms can strengthen their position against unlawful interference?”*

Field research during the project identified interesting insights into the process of interaction between politics and bureaucratic apparatus, in one case, and security institutions in three other cases - that either caused reduction of democratic momentum or increased democratic backsliding

tendencies. As it is also observed in other studies, security institutions are not only critical for an effective democracy, but for rising autocracy as well.⁶ Therefore, they are at the center of democratic backsliding; nevertheless, they do not get enough attention by the policy and research community.

One of the case studies in this project found that, in the South-Eastern European context, historical legacies, cultural acceptance of undemocratic interference of politics to bureaucracy (including security governance) and social loyalty to political parties/representatives - rather than loyalty to the rule of law - are essential indicators over time for the unlawful interference of politics in public (security) institutions for power consolidation. Other case studies emphasize the destructive effect of “never ending reforms” in the security sector. Reforms are ideally good instruments to increase the effectiveness of the security governance; however, when the reforms take longer than they should, and lose their main objectives and orientation, they become counterproductive and even harmful.

Today’s autocrats are establishing an erroneous leadership role model while learning from each other and adapting to new circumstances. This project suggests that the international community should focus on democratic practices of security governance. Traditional attention of researchers has mostly been on the democratic oversight of security forces. This project identified a need for a paradigm shift to look at the issue from a different perspective and encourage policy makers to start thinking about the ways of supporting security governance to, at least, slow down democratic backsliding.

In this process, the core issue will be to ensure we do not appeal for too strong security organizations ready to redesign political order and dictate politics, but rather those that will remain loyal to democratic principles and good governance. Therefore, the international community should establish and promote mechanisms to support organizational resilience against emerging non-democratic practices of autocrats.

This topic is relevant to elevate the value of rule of law in partner nations and aligned with GCMC’s current vision statement that highlights *empowering security partners to collectively affect regional, transnational and global challenges*.

The Alumni Scholars Group Project helps us understand the challenges of security partners and provides a framework to strengthen the rule of law in partner nations by increasing awareness and suggesting protection mechanisms against various issues such as illegal orders, direct or indirect external influences, and infiltration in criminal justice mechanisms. The next step of the research will include more case studies and a new component that looks at the influence of external actors to the democratic backsliding.

⁶ Gajic, S. S., & Pavlovic, D. (2021). State capture, hybrid regimes, and security sector reform. *J. Regional Sec.*, 16, 89.

Shortfalls in Public Administration: Understanding the Background of informal Interactions

Elira Luli

This research observes the quality and performance of public institutions (including the security sector) in times of democratic backsliding, focusing on Albania as a case study. The aim is to observe to what extent political power contributes to efficiency shortfalls whenever it interrupts the operational and functional chain of public administration. Moreover, following questions addressed during the data collection stage of the research: What are the causal effects of this relationship in creating fractures, although various reforms were undertaken? How does the relationship impact institutions' consolidation and efficiency, professionals, state budget, other growing negative occurrences, and why does this power persist with regime change?

The exploration starts with a background description because it is necessary to understand how the interaction is connected to the historical facts and institutional developments overtime. In Albania, as in other countries of Southeast Europe, political power manifests a propensity to rule over or combine with other powers, upsetting the system of checks and balances. The persistence and tradition of this interference usually results from three contextual factors:

1. History: State-building processes, governance, and political modus operandi legacy.
2. Political Culture - How political traditions and norms persist despite the development of structures and institutions over time.
3. Egoism (interactivity of actors from political power and bureaucratic apparatus) - as a psychological condition that turns into a normative condition when interests are at play - setting up an "ego-system."⁷

Despite the abovementioned, democratic backsliding is easily noted through various dynamics. Nevertheless, when the slip is fast and brisk, "it reduces the quality of democratic institutions and governance, but does not abandon them."⁸ Consequently, in the case of Albania, the public administration at various levels not only cannot safeguard democracy at the political level but becomes even more vulnerable to interference for disruption and changes.

In Albania, during the transition years, the quality of institutions diminished any time the direction and management of institutions was changed because of political rotations in governance. The "tendency among the ruling political elites" has been "to seize the economic, structural, and cultural resources of the state,"⁹ constantly deviating the end goals from public interest and

⁷ Darcan, E. (2022, August 02-04). "Turkey's Democratic Backsliding and Security Governance: Case Study Findings" [Paper presentation]. George C. Marshall European Center for Security Studies Alumni Scholars Group Project: Security Professionals in a Changing Political Environment 2022, Germany.

⁸ Democratic Backsliding: How it Happens and Why: <https://democracyparadox.com/2021/12/06/democratic-backsliding-how-it-happens-and-why/>.

⁹ PUDAR, DŽIHIC, KAPIDŽIC, ČEPO, DŽANKIĆ and VASILJEVIĆ J. 2019 Political Culture in Southeast Europe. Navigating between Democratic and Authoritarian Beliefs and Practices, Friedrich-Ebert-Stiftung (12pg).

demands. The actions of seizure require a certain interactivity between politicians and loyalist or political interests' accommodators settled through cronyism/clientelism/nepotism ties at the core of these institutions.

Because of this interactivity, the causal effect is noted through various aspects. The operational process constantly remains incomplete and destabilized because the employees massively and frequently change - affecting institutional memory and a creation of an elite management class. The data in this paper collected through various reports, articles, and (25) interviews¹⁰ shows that during these 32 years of transition, public institutions (including security sector) have been unstable because state-building experience and past cultural-political legacies affected political and administrative developments after the regime change.

These conditions shaped the behaviors and norms of the selfish individuals vested in power at both the political and administrative levels. These individuals tend to concentrate into groups (composed of crony/clientelism/nepotism ties) and inhabit institutions – with some sectors showing more vulnerability than others regarding favors and interests' exchange for profits. In these circles, illegal orders and other infringements may happen because the experience evinces a lack of impunity at both levels (politics-bureaucracy).

At the same time, oversight institutions for public administration are deemed not immune from the political grip, which impacts the very principle of checks and balances. Frequent dismissals have caused a “drain/burnout”¹¹ on professionals. They often struggle inside and against the “vertical culture”¹² with overloads and fewer opportunities to develop their careers because of a paucity of other principles (meritocracy, fair competition, and carrier development).¹³

Moreover, the budget burden through this transition period has been high on Albanian taxpayers because these frequent dismissals, in most of the cases, were found in violation of the laws by courts and court decisions required recompense and reappointment by these institutions. Additionally, a “bureaucratic swelling is noted”¹⁴ driven by the intention to raise political support for electoral periods or gain specific interests.

Reforms have managed to achieve some progress to a certain level, but in comparison to the enormous international technical and monetary assistance - in general – mismanagement is noted, and they have not achieved complementarity to one another. Throughout all this time, the

¹⁰ Interviews Data (25 respondents) - 16 subject-matter experts and 9 (ex)employees from public institutions. Questionnaire on the research “Shortfalls in Public Administration. Understanding the background of informal interaction, by Elira Luli for the Group research project “Democratic Backsliding and Security Governance, Tiranë, (August-September)2022.

¹¹ Karamuço Ervin, Questionnaire on the research “Shortfalls in Public Administration. Understanding the background of informal interaction, by Elira Luli for the Group research project “Democratic Backsliding and Security Governance, Tiranë, September 2022.

¹² Gjinali Arditi, Questionnaire on the research “Shortfalls in Public Administration. Understanding the background of informal interaction, by Elira Luli for the Group Research Project “Democratic Backsliding and Security Governance, Tiranë, September 2022.

¹³ Interviews data, Questionnaire on the research “Shortfalls in Public Administration. Understanding the background of informal interaction, by Elira Luli for the Group Research Project “Democratic Backsliding and Security Governance, Tiranë (August-September) 2022.

¹⁴ Beqja Mentor; Gashi Shpendi; Radonshiqi Romina; Nunaj Teuta; Shehi Dashamir. Questionnaire on the research “Shortfalls in Public Administration. Understanding the background of informal interaction, by Elira Luli for the Group research project “Democratic Backsliding and Security Governance, Tiranë (August-September) 2022.

international community has played an incredible role with its technical and monetary assistance for the standardization and modernization of public administration.

However, the technical nature of the support has left “much discretion to the Albanian institutions on the usage of funds for reforms” and “in the (weak) implementation of international organizations directives.”¹⁵ At the same time, “institutional monitoring by the EU and civil society has not produced the right effects for various reasons.”¹⁶ To that end, many studies in the literature and all interviews confirm that the “Achilles heel” to compromising good governance at almost all levels of administration remains perpetual political interference.

The narration of these facts urges for rapid actions in regard to public administration depoliticization. Thirty-two years after communism, Albania should leave behind extreme politicization - a visible concern not only in the public administration but in every sector. From a short-term perspective, the rule of law must act as a robust and efficient mechanism to protect public institutions from political interference.

At the same time, in the long-term, a sound strategy is needed to break through an outdated political/ administrative culture. Oversight institutions need to be immune from the political grip - in terms of how the heads of these institutions are elected, who elects them, report procedures, how they report, and how much accountability is demanded from the parliament when they report yearly.

The international community should support civil society to provide a proactive role and engagement through impartial observations and reports on public institutions. The results and findings of these reports and observations have to incite consultations and gatherings between the parliament commission on public administration, civil society’s representatives and oversight institutions to take measures for further improvement.

Finally, institutions need an elite management class to cultivate professionalism, integrity, and performance, make the best possible management, and efficiently economize values/material resources. Adopting these high ethical norms requires constant stability in public institutions (including the security sector) and a culture of appreciation for hard-working professionals. Once achieved, it can act as a critical defense against corruption and political interference.

¹⁵ Zogaj Besian, Questionnaire on the research “Shortfalls in Public Administration. Understanding the background of informal interaction, by Elira Luli for the Group Research Project “Democratic Backsliding and Security Governance, Tiranë, September 2022.

¹⁶ Krasniqi Afrim, Questionnaire on the research “Shortfalls in Public Administration. Understanding the background of informal interaction, by Elira Luli for the Group Research Project “Democratic Backsliding and Security Governance, Tiranë, September 2022.

Perpetual Reforms in the Security Sector: Opportunity to improve or a mean to control? Case Study of Bulgaria 2009 – 2021

Aneta Manuilova

This case offers an interpretation of the reform process in the Ministry of Interior (MoI) of Bulgaria, affecting the Coordination, Information and Analytical Directorate from 2009 to 2021. This is an example of perpetual contradictory reforms which harm the immune system of administration and limit its abilities to prevent the backsliding of democracy. The hollow reforms can be explained with the lack of strategic thinking or can be seen as deliberate attempts of politicians to destabilize and subjugate the administration.

Perpetual reforms in the security sector are a constant trend in the countries in the Southeastern Europe in the last years. Reasons are both external and internal. From one side the EU is a trigger for reforms which is positive and welcomed by the national society. Bulgaria joined the EU in 2007 with a monitoring measure which required the European Commission to regularly report on the progress of the country's judicial and police reform process. From the other side, constant protests of citizens dissatisfied with politicians who did not answer to public expectations to democratize the institutions, can be classified as an internal trigger for reforms. Both factors, external and internal, prompted a boost of political promises for reforms in administration, and in the security sector.

The Bulgarian MoI constitutes a significant part of the security sector in the country uniting the police, crisis response services, and several administrative directorates. For the last 10 years, the Law of the Ministry of Interior and its Rule Book have been amended around 60 times imposing several reforms in the MoI. Some of the changes harmonized the possibilities of Bulgarian institutions to participate in the EU police and judicial cooperation.

Other amendments brought reforms adapting the institution to the changes in the environment. However, still some reforms can be classified as hollow and lacking reasonable justification and consensus. Such is the situation with the perpetual reforming of the strategical, analytical and informational hub of the Ministry of Interior – the Coordination, Information and Analytical Directorate (CIAD). This directorate was either split into two directorates, or united in one structure six consecutive times for the last 10 years. The reforms were done both by different, but also by the same, political parties and governments.

This perpetual reform stays unnoticed by the public, but has destructive consequences on the administration, and on the level of democracy the citizens can enjoy. These negative consequences can be classified into three groups: social, individual, and institutional.

The consequences on the social level are correlated with the reduction or loss of confidence and legitimacy of the administration. Once a political decision for reforms is taken, the administration needs to complete several technical but time-consuming activities to close a directorate and establish a new one/s which go in parallel with the regular working processes. Such Reforms de-concentrate administration and limit bureaucrats' capacity to fully implement their mandate. As a result, the administration loses its legitimacy in the eyes of population. Endless and unfinished reforms in the long-term results in a loss of confidence and stagnation of the administration.

Many reforms in the security sector are followed by forced or volunteer departure of top and middle management. The consequences on individual level can be seen in the loss of experts who leave the service in disagreement with the pointless reforms or in the disengagement of the employees who chose to stay.

The consequences on the institutional level can be traced at the level of the professional environment. Perpetual reforms and changes create a perception of uncertainty and insecurity. Such an atmosphere damages the teamwork, lowers the cooperation in favor of the competition among employees, and fosters hostility in the professional environment. Operating under the expectation that the reforms are perpetual and inevitable, conveys the perception that the employee's work is not valued, increases politization, formalism, and makes the bureaucracy vulnerable to manipulation.

An administration cannot prevent democratic backsliding if there are no means to protect it from the arbitrariness of politicians. Perpetual reforms in the security sector, which are not clearly articulated and generally agreed between politicians, security practitioners and publicity, destabilize the security sector. If agreement on the needs and justification for reforms is missing, the perpetual reforming of administration blocks the bureaucracy's ability to assert the values of democracy and good governance.

Case Study of Kosovo 2008-2018

Agime Gashaj

The case study of Kosovo encompasses the timeframe of ten years, from the declaration of the independence of Kosovo in 2008, to 2018. This is the period when most of the public institutions were established and went through essential consolidation in Kosovo, including the security sector. This case study focuses on the Kosovo Ministry of Defense (MoD), or what was known as Ministry for the Kosovo Security Force (MKSF) until 2018. The emphasis is placed on the time period when the major transformation was announced in 2018, by that time the Prime Minister of Kosovo, declared the transformation of the MKSF to the MoD and Kosovo Security Force (KSF) into the service of the same name, but with the status of an Army.

This study is conducted through the observation of the institutional dynamics, interviews with civil servants, public officials, citizens and civil society organizations' experts. For the purpose of this study, various open-source data were used. Most of the Kosovo leaders, who were involved in the peace-talks during the war in Kosovo, formed political parties after the war. They remained active in political life and competed for offices. The after-war time in Kosovo created an environment in which citizens raised questions about which political leaders contributed more to the war and to freedom; thus, which becoming the main criteria for the election of the political leaders to govern the country. It is possible to argue that it provided a room for populist rhetoric. As a result, for years, political parties went unchecked for their work in the government and the ministries.

The security sector, in many countries, is characterized by a more restricted *modus operandi*, under the justification of protecting national security interests. In Kosovo, this approach, coupled with the strong sentiment of patriotism for *the uniform* in the society, enabled the political leaders to use their authority for their political purposes in the public administration of the security sector, namely the ministries, mainly in recruitment based on a clientelist and nepotist approach, centralization of authority within the institution and high informality. Such practices in Kosovo created strong politicians and weak institutions. In the institutions, these practices created powerful individuals and undefined processes.

Kosovo political leaders initially in 2014, and then in December 2018 introduced the formation of the Kosovo Army. To the public, it was presented that “Kosovo now has an Army.” What was not presented domestically is that on that day an initial phase of a ten-year long process of gradual building of capabilities was initiated, which will be concluded with the capabilities to defend the sovereignty and territorial integrity, as it was explained to the international audience.

In 2018, several changes were introduced in the institution of the Ministry of Defense, in the structure of the Ministry, the KSF, and legal amendments. What was presented to the public as a great success for the Kosovo statehood, has impacted the civilian oversight over the force, which is the main precondition of the democratic society and NATO integration.

Until 2018, MKSF was the highest Headquarter of the KSF. This was the period when the Ministry staff was learning how to exercise civilian oversight over the Forces. After 2018, the

Ministry no longer was the HQ of the Force, and all these capabilities were carried to the General Staff. This change created ambiguity in the institution. There was no internal clear guidance or communication about the change and what this decision will bring to the institution.

Processes are not clearly established at the Ministry level nor on the General Staff. Moreover, there is an ambiguity about the way the Ministry executes the civilian oversight of the Forces and how the Ministry keeps accountability and tracks the development of the Forces. As a result, there is further ambiguity related to responsibility and interaction between the Ministry and the General Staff. Moreover, this also causes different, often contradictory assessments of various activities between the Ministry and the General Staff. Such an environment generates high informality and less transparency in processes.

In the Law for the KSF, there are references for the authority of the Minister and Secretary General and no reference to the MoD. This indicates tight centralization of authority within the Minister and General Secretary. Most of the products from the Force come directly to the Minister or General Secretary which creates serious blockages in the processes and excludes 200 employees at the Ministry level from contributing to analysis and decision making. Ultimately, this also impacts the quality of decision making.

Lastly, one of the important institutions in the chain of civilian democratic oversight is the Parliamentary Oversight Committee of Security and Defense which consists of Members of the Parliament, the party in power and the opposition. This is the body which serves as an important mechanism to monitor the aims and activities of the ministers. However, in Kosovo, the Committee still requires a more structured and systematic approach to reporting. At present, the Minister, with his staff, reports on TV. The Minister reports achievements and members of the Committee ask questions. The majority of the topics are chosen in an arbitrary and ad hoc manner. It is an open process that lends itself to certain political issues becoming topics of discussions and debates and less about institutional building and reforms.

Most of the findings indicate that political leadership in the Ministry, especially in the security sector, governed with a rather free hand due to the nature of the security sector. There are indications that such an approach formed tendencies for political leaders to centralize authority, create an unclear environment of decision making and impact upon the civilian oversight of the Army. While it can be assumed that some practices were conducted for self-serving reasons, they may also be the result of the lack of clear vision in how to strengthen the institution of the Ministry.

There is a need for a more transparent and more inclusive process to introduce and implement reforms. Reforms should be well-documented, indicate changes that that should occur, show the benefits of the reforms and state a clear definition of performance indicators. This would allow for higher accountability and transparency across various stakeholders. Moreover, this would also provide more expertise to the governing body and provide greater opportunities for lessons learned within the institution. Lastly, it would also narrow the space for populist practices as it would provide more accountability and insight for the citizens and their representatives in the Parliament into the processes being used.

Case Study of Montenegro 2005 – 2021

Rajko Radevic

The level of achieved reforms of the police organization is among the key criteria for assessing the success of the process of the security sector reform, but also the overall democratization of the given country. The European Union, to some extent, monitors the progress of candidate countries in this field in the context of negotiation (Chapters 23 and 24) as part of the accession process. However, the mere fact that the intention has been proclaimed is not enough to reach the democratic policing standards and to break with the inherited authoritarian past and accompanying practices. In that context, this case study further argues that Montenegrin police have not undergone the needed reforms; rather, it implemented a mere reorganization and restructuring which is a first necessary step, but not enough.

This case study examines a series of chronological structural changes which took place in the police organization in the course of the last two decades. It places a particular emphasis on the resulting adverse effects on the effectiveness and legitimacy of police performance as well as on the overall backsliding of democracy. Subsequent to that, this case study tries to identify other primary causes besides the broadly formulated “anti-democratic heritage” that gave rise to those dynamic and radical reorganizations. Reform of the police organization has not reached the point in which the formal structures and adopted norms can be internalised and have a direct (positive) effect on the manner of management, work, ethics, and police culture. The reasons for this result are multi-fold. The primary cause is the intention of the politicians to keep the *status quo* and to keep their grip and control over key security institutions by performing mere cosmetic changes. This is having a direct effect on the democratic backsliding of the country.

The series of reorganizational changes demonstrate that the politicians never had an intention of actually reforming the police, but rather of gaining the trust and loyalty of the security institutions/individuals. More specifically, it could be argued that the reason for so many changes in the organizational aspects was direct politicization and personal characteristics of individuals who became ministers or police directors and who wanted centralize their power. A delimitation to this case study is an understanding that all politicians are acquainted with the best EU practices which purport that the Police should be within the Ministry of Interior that assigns priorities in police work, without interference in its operational aspects, from outside ministers and political interests.

However, such a reorganizational model is not well-accepted since political leaders continue to seek more power. Because the legal and institutional system of Montenegro is weak, it allows personal factors of key representatives of the ruling majority to influence strategic choices. Also, there is an inadequate understanding of the purpose of the reform and of the need for prior needs analysis. The adverse effects of this are numerous. The abrupt unsystematic changes over time have undermined police’s functionality, stability and performance. constant reorganization has led to the degradation of the police service, followed by other detrimental effects to the workforce; such as, uncertainty among employees, lack of professionalism and the loss of institutional memory. Finally, overall, it has had a negative effect on the level of democratization and has contributed to the countries democratic backsliding process.

Key Findings and Policy Recommendations of the Project

This report reflects the summary of key findings of the research conducted by the Marshall Center Alumni to understand the connection between democratic backsliding and security governance. Each case study presents findings about the interaction between un-democratic political tendencies and security governance.

The following conclusions and policy recommendations are drawn from the key findings of the research project:

1. Understand the domestic causes and structure of backsliding, identify key actors and the tools they use to manipulate the democratization process.

It is imperative to explore the domestic contexts - comprising state-building processes, political culture, and behavior of public officials and politicians (through time) as crucial elements that help explain contemporary political attempts to implement certain (un)democratic practices and procedures in public institutions and more specifically in security sector.

Learning more about these factors will provide solutions beyond a “one size fits all” approach and more opportunities to prevent or minimize such manipulations either by raising awareness in the society, among public administration officials, security professionals and other stakeholders as institutions, members of the parliament, and civil society organizations or by creating legal framework which offer more protection to democratic principles.

2. Focus on how political figures misuse their positions and their legitimate power reversing the democratization process that undermines the effectiveness of the public administration.

Political power can disproportionately amplify power and deep interference/seizure (as witnessed in most cases) of administration resources to the point that legitimacy and trust is eroded - if the mediating channels in a democratic society fail to demand transparency and accountability. Acquiring practices of accountability helps to identify the patterns and recognize early the indications of the misuse of power within the institution. With the early recognition of these tendencies, institutions can create more resilience in protecting standards and values in institutional processes.

3. Pay special attention to the role of security governance and how undemocratic political tendencies instrumentalize the institutional structures to establish personal loyalty, replacing loyalty to the rule of law and democratic principles.

Undemocratic political tendencies to instrumentalize institutional structures to establish personal loyalty can be observed through frequent dismissals and appointments (to have a horde of loyal supporters) and various structures and organizational changes in the name of reforms. Considering the key role of security

sector for democratic practices, it is important to underline the gravity of consequences of political influence in the institution. Comprehending the practices would provide more experience in the attempt to cease or slow them down. The international community should exercise a keen scrutiny in line with the technical/monetary assistance, establish monitoring structures or empower civil society for additional reports and oversight.

4. Beware of the risks of having too strong of security institutions (and the lack of oversight of these institutions) which may have a negative effect on the political structure of the country that causes a different type of autocratic tendency.

All case studies reveal through facts and findings that the intention is not to create more robust organizations to redesign politics. That seems less probable to happen in contexts where politicians pursue for more dominance. This report aims to appeal to the need for building solid (impartial) security institutions made up of an efficient elite management class - respecting democratic rules and procedures, meritocracy, fair competition, and career development through honest conduct as a sine qua non-condition for democratic backsliding or malign practices prevention. Striving for balance between cohesion, standardization and continuity vs innovation, change and reflection of the needs of society is what institutions learn through the process of change. A good level of flexibility and professionalism is what makes institutions efficient.

5. Keep in mind the historical, social and cultural facts that make unlawful political influence much easier in certain contexts and develop counter-measures to reduce the space for autocratic tendencies.

Clearly articulate and distinguish the difference between reform process and management of change, the later seen as adaptation of the organizations to the changes of environment.

6. Reforms are not always effective tools, therefore be aware of reforms that can be used as a tool for authoritarian political ambitions.

Reforms can be exploited for political ambitions and gains. They should be complementary to one another, not detrimental. The actors involved in the process, such as, national bodies (oversight structures), international organizations and civil society organizations monitoring the implementation of the reforms should learn how to distinguish between the need of the reforms, actual results of the reforms based on clear indicators and seek understanding and analyses on their implementation. Requiring more transparency in the process will help in detecting the flows and deviations.

7. To raise awareness about the mechanisms that can be used by security professionals to protect themselves if they decide to “speak up.” Individual protection mechanisms should be among the policy priorities for security sector reforms. Different forms of formal and

informal networks among employees as a preventive measure against disengagement should be developed

8. To implement inclusive governance and manage expectations, insist that political parties implement their election promises and look for mechanisms to prevent the politicians from using the reforming process for their own purposes.

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