

PILDAT DISCUSSION PAPER

NATIONAL SECURITY COUNCIL

**A debate on institutions and
processes for decision-making on
security issues**

CIVIL-MILITARY RELATIONS | APRIL 2012

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Head Office: No. 7, 9th Avenue, F-8/1, Islamabad, Pakistan
Lahore Office: 45-A, Sector XX, 2nd Floor, Phase III Commercial Area, DHA, Lahore
Tel: (+92-51) 111-123-345; Fax: (+92-51) 226-3078
E-mail: info@pildat.org; Web: www.pildat.org

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PREFACE

The discussion paper **National Security Council: A Debate on Institutions and Progress for Decision-Making on Security Issues** attempts to provide background information on the evolution, scope, nature and role of National Security Council in various countries of the world and its comparison with the National Security Council in Pakistan.

Authored by **Dr. Hasan-Askari Rizvi**, renowned Defence and Political Analyst, the paper looks at various models of the NSC in various countries while reviewing in comparison whether the NSC in Pakistan would prevent future military interventions in the country. The paper was first published in August 2005 while it has been updated in April 2012 to reflect changing trends and scenarios.

The role of institutions and processes for policy making on national security can be understood only in the political and historical context of the state in question. In an established democracy, the NSC-like entity has a limited and advisory role. The top brass of the military play a marginal role in the final stage of policy-making because the overriding principle is the primacy of the civil/political over the military.

The paper argues that the experience of Pakistan and Turkey shows that the existence of the NSC is no guarantee that the military will not use other means to pursue its agendas in political and other domains and that it would not defy the constitution and democracy.

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The opinions, findings and conclusions or recommendations expressed in this paper belong to the author and do not necessarily reflect the views of the PILDAT or the British High Commission.

Islamabad
April 2012

ABOUT THE AUTHOR



Dr. Hasan-Askari Rizvi
Political and Defence Analyst

Dr. Hasan-Askari Rizvi is an independent Political and Defence Analyst. He obtained an M.A. And Ph.D. in Political Science and International Relations from the University of Pennsylvania, USA, and an M. Phil. in Politics from the University of Leeds, UK. Earlier, he obtained his Masters degree in Political Science from the University of the Punjab, Lahore. He was Quaid-i-Azam Professor of Pakistan Studies at the Columbia University, New York (December 1995-July 1999), Allama Iqbal Professor at the Heidelberg University, Germany and Research Scholar at the University of New Mexico and Sandia National Laboratories, Albuquerque (2002). He has also served on the faculty of Political Science Department, University of the Punjab, Lahore, (1971-2001) where he also held the portfolio of Chairman of the Department of Political Science. He is also a recipient of the Presidential Award **Sitara-e-Imtiaz** in 2010.

Dr. Askari is a prolific writer and has many books to his credit. Dr. Askari has been a member of PILDAT Dialogue Group on Civil-Military Relations since 2004 in addition to advising PILDAT on various other initiatives.

Introduction

National Security is a multifaceted sphere of state activity. It is no longer confined to military security on the territorial boundaries of the state. The domestic context is no less significant because the issues of internal strife, dissident or separatist movements, societal disharmony and instability have strong direct and indirect implications for national security. The growing activities of trans-national non-state organizations that pursue religious-cum-political agendas by violent and terrorist means have added to the security problems of the states.

The issues of national security have multiplied because it is not always possible to draw a clear line between internal and external domains of the state, especially in the case of the state facing serious internal regional, ethnic conflict or separatist movement. Such events have a tendency to attract varying degrees of international attention and intervention if these persist and intensify over time.

These national security issues cannot be left altogether with the top brass of the military. Similarly, the civilian political leadership cannot alone tackle them. Both need to consult each other. If military top brass have a better understanding of military security affairs, equipment and professional handling of military matters, they need civilian support and input because security is not simply about fighting wars, weapons and countering terrorism.

Military security is situated in political and diplomatic contexts that are taken care of by civilian political leadership. The latter also cultivates societal ownership and support for security policies. Such a societal support becomes more critical in the case of internal conflict, separatist movement and terrorist activity. National security is thus a joint or shared civilian-military enterprise. Appropriate institutions and processes are evolved for this purpose

Civil-Military Consultation

Every state evolves institutional arrangements and procedures for civil-military consultation, sharing of views, deliberations for decision-making, policy coordination and review of national security policy.

These arrangements vary from state to state. Even if the nomenclature of institutions and processes for the making of national security policy are the same, their powers and role can be different in different countries, depending on

the overall power architecture of the political system. Special institution like the National Security Council (NSC) can be found in a number of countries but its position and role is always unique to the country concerned.

Political Context

The role of institutions and processes for policy making on national security can be understood only in the political and historical context of the state in question. In an established democracy the NSC-like entity has a limited and advisory role. The top brass of the military play a marginal role in the final stage of policy-making because the overriding principle is the primacy of the civil/political over the military. The democratic parameters of the political systems of the United States, India and the United Kingdom regulate the role of the NSC. The military and intelligence establishment offer their opinion and advice on military security affairs but they are not the final arbiter of the security policy.

In the states with a long tradition of military's assumption of political power, the NSC becomes a legal and constitutional cover for their expanded role in policy making and implementation after they are no longer directly exercising political power. It helps the military and the military dominated intelligence to protect their expanded role and continue influencing security affairs.

Given the weaknesses and discontinuity of civilian and political institutions and processes, the top brass are able to play decisive role in policy making, although the law may assign an advisory role to the NSC. In such political systems the NSC-type institutions are one of the channels through which the military top brass mediate their influence. The legal and constitutional cover gives their role respectability and recognition in the political system. However, this does not exclude other methods the militaries with direct political experience use to protect and advance their professional and corporate interests or persuade the civilian leaders to adopt or discard a particular course of action or policy option.

It is interesting to note that military governments or the top brass of the military that has expanded its role in non-professional domains are usually supportive of setting up special policy consultative bodies where they could continue to matter in policy after the restoration of civilian constitutional role. This also increases their overall clout in the political system and increases their access to policy making and management processes.

In **Iran**, the Supreme Leader enjoys primacy over the state institutions. The military's role is subsidiary to the Supreme Leader, the President and other constitutional bodies where Islamic clergy has representation.

The role of NSC in **Turkey** has three dimensions that show that the role of the NSC can change with the change of civil-military equation. The Turkish military has a long tradition of governance and political management. The NSC enabled the top brass of the military to exercise influence over the political government, if and when needed, and supervise the performance of the government. It also shows that the setting up of the NSC does not stop the military to use other means to assert itself against the civilian government. The existence of the NSC did not stop the Turkish military to assume power directly by dislodging a civilian government.

Turkey also shows that the **civilian government can push back the military** and weaken the role of the NSC by popular support, political continuity, effective governance and economic performance. The AK Party government has been in power since 2002 by winning three general elections and securing performance legitimacy by good governance and economic management and gaining respectability at the international level. This made it possible to curtail the role and power of the NSC and reduce the clout of the military top brass in Turkey.

Leading Examples of National Security Councils

All states have institutional arrangements and processes for enabling the key civil and military leaders to consult each other, harmonize their perspectives and coordinate their efforts to formulate policies on internal and external security matters. These could be the highly personalized arrangements created by a ruler that involved his close friends and advisors. The ruler decided if and when consultation was needed. Sometimes this consultation could be highly personal and informal. There could also be an elaborate and formal structure comprising committees, sub-committees and key civilian and military officials who meet under a formal arrangement to exercise clearly defined powers. The composition of institutions and processes for formulation of national security policy depends on the nature and dynamics of the political system and the disposition and orientation of the dominant elite.

What appears to play a decisive role in shaping the institutional arrangements and processes for national security formulation as well as the role of the top brass of the military in these arrangements are the political traditions of a country. If the political system is dominated by military, tribal or ethnic groups or religious formations, the institutional arrangements will reflect that power hierarchy. Therefore, the political system experiencing long years of military rule finds it difficult to restrain the role of the military in non-professional fields, especially in governance and state management. The NSC or some other special institutional arrangements are created to accommodate them in policy making and management.

The established democracies that have contained the role of the military primarily to its professional domain may also create the NSC or some other institutional arrangement for civil-military consultation on national security but the role of the top brass is limited and the political civilian leadership makes the final decision, albeit, after seeking input from the military. Such institutional arrangements do not serve as a legal umbrella for the top brass of the military to expand their role at the expense of civilian institutions and processes.

The following brief review of different countries shows that NSC reflects the overall disposition of the political system and that it can be understood within the overall political

context of the concerned state.

All states have some institutional and procedural mechanisms for consultation, coordination and policy-formulation on internal and external security affairs. These can range from a highly personalized arrangement created by a ruler to an elaborate formal structure comprising committees, sub-committees and key officials. Their composition and role depend to a great extent on the nature of the political system and the disposition of the dominant elite.

The following examples of the NSC show that these institutions reflect the overall disposition of each political system. Therefore, the dynamics of the NSC can be appreciated only if it is located in the overall political context of the state in question.

National Security Council of USA

The NSC was first created under an act of the Congress in July 1947. It had 7 members: the President, Secretaries of State, Defence, Army, Navy and Air Force, and Chairman, National Security Resource Board. In 1949, the NSC was re-organized. Vice President was added and three service secretaries (Army, Navy and Air Force) were dropped. In March 1953, the post of Assistant to the President for National Security Affairs (National Security Adviser) was established. Well-known National Security Advisers of the past include W. W. Rostow (April 1966-January 1969), Dr. Henry A. Kissinger (January 1969-November 1975, served concurrently as Secretary of State from September 1973), Dr. Zbigniew Brzezinski (January 1977-January 1981), General Colin L. Powell (November 1987-January 1989, later served as the Secretary of State), Samuel Berger (March 1997-January 2001), Dr. Condoleezza Rice (January 2001-January 2005, later served as the Secretary of State.) and General James L. Jones (January 2009-October 2010), etc.

The NSC advises the US President on planning, coordination and evaluation of military, security and foreign policies as well as the direction of the Central Intelligence Agency (CIA). Its actual role varies, depending on how much the President relies on it. The composition varies over time. Its formal members are the President, Vice President, the Secretary of State, the Secretary of Treasury, the Secretary of Defence, National Security Advisor, the Chairman of the Joint Chiefs of Staff, and Director Central Intelligence Agency. Others who are

invited to attend include the Chief of Staff of President, Counsel to the President and Assistant to the President on Economic Policy. Other officials, including the Attorney General, can be invited when needed.

The President's National Security Adviser acts as the Director of the NSC who interacts with the President on a regular basis. Expert civilian staff assists the National Security Adviser and the NSC in performance of their tasks.

Indian National Security Council

India established the NSC in November 1998 by the Bharatiya Janata Party (BJP) led government under Atal Behari Vajpayee against the backdrop of the nuclear explosions in May 1998. It was also the fulfilment of the BJP election manifesto. Brajesh Mishra (Principal Secretary to the Prime Minister) was appointed the first National Security Adviser.

The NSC in India has a three-tier structure. At the apex is a seven member body, often described as the NSC. It is chaired by the Prime Minister and includes the Union Ministers of Home, Defence, External Affairs, Finance, and the Deputy Chairman of the Planning Commission. The Prime Minister's Principal Secretary functions as the National Security Adviser and participates in the NSC in that capacity. Other cabinet members and senior officials can attend the meeting if invited. The NSC deals with a wide range of issues with external and internal security, military affairs, conventional and non-conventional defence, space and high technology, counter-insurgency, counter-terrorism, economy and environment.

It is noteworthy that the military has no representation at the highest level of the NSC. However, the chiefs of the three services, especially the army chief, can be invited if and when needed. For example, Army Chief General N.C. Vij attended the NSC meeting in July 2004. This was the first meeting called by the Congress-led United Progressive Alliance government under Dr. Manmohan Singh.

The second tier is labelled as the Strategic Planning Group (SPG). It is headed by the Cabinet Secretary and includes the chiefs of the Army, Navy and the Air Force, the Governor of Reserve Bank of India, Secretaries of the ministries of Home, Defence, External Affairs, Finance,

Secretary Department of Defence Production and Supplies, Scientific Adviser to the Defence Minister, and several other secretaries of union ministries and Director Intelligence Bureau. It could be described as the expanded version of the Union Secretaries Committee to which three service chiefs and some others have been added. The SPG undertakes the long-term review of defence matters and strategic issues for the consideration of the apex body.

The third level is the National Security Advisory Board (NSAB) which comprises the persons of eminence from outside the government with expertise in external and internal security, foreign affairs, defence and military affairs, science and technology and economics. It acts as a think tank for the policy makers and recommends policy options on the issues under its purview. It is supposed to meet at least once a month. The NSC can ask the NSAB to study particular issues. The first NSAB comprised 27 former officials, academics and journalists that was assigned the task of writing a draft of the Nuclear Doctrine.

The existing Joint Intelligence Committee (JIC) has been re-structured and designated as the NSC Secretariat (NSCS).

National Security Council in UK

The NSC was established by Prime Minister David Cameron in May 2010 as an inter-department council for coordination of the efforts of various department and agencies for strengthening all aspects of national security. The departments whose work is to be coordinated and integrated at the highest level include foreign, defence, home, energy and international development. Other departments and agencies of the government could also be summoned to the meeting.

The NSC is chaired by the Prime Minister. Other members are Deputy Prime Minister, the Chancellor of the Exchequer, the Secretary of State for Foreign and Commonwealth Affairs, the Home Secretary, the Secretary of State for Defence, Secretary of State for International Development, Secretary of State for Energy and Climate Change, Chief Secretary to the Treasury and Minister for Government Policy. Other Cabinet Ministers attend as required (i.e. depending on what the Council is discussing). Similarly the Chief of the Defence Staff, Heads of Intelligence Agencies, etc. also attend when required.

The National Security Council (NSC) is the main forum for

collective discussion of the Government's objectives for national security and about how best to deliver them in the current financial climate. A key purpose of the Council is to ensure that Ministers consider national security in the round and in a strategic way.

The Council meets weekly.

According to the UK Cabinet Office, there are three ministerial sub-committees of the Council:

- i. to consider Threats, Hazards, Resilience and Contingencies including a restricted group to consider intelligence matters
- ii. to consider Nuclear Deterrence and Security and
- iii. the UK's relationship with emerging international powers

Their remit is to examine more specific national security areas in which a range of relevant Departments participate. Additionally there are associated cross-Government senior official groups that support and inform these ministerial level structures. Principal amongst these is the Permanent Secretaries Group chaired by the National Security Adviser. The National Security Adviser also acts as secretary to the NSC.

Since its establishment, the NSC has come up with **2010 Strategic Defence and Security Review** and the **National Security Strategy**. Both of these, however, have received damning reviews from the House of Commons' Public Administration and Defence Select Committees. It is believed that instead of the current method of ministerial analysis rooted into financial constraints and woes, the Government should invest in independent studies that are militarily literate and combine grand and operational strategies. These independent studies should lead to force structure recommendations.

Iran's National Security Council

Article 176 of the amended 1979 Constitution establishes a 14 member Supreme Council for National Security (SCNS) in Iran. It includes the President of the Republic (Chairman); heads of three branches of the government (executive, legislature and judiciary); the Chief of the Supreme Command Council of the Armed Forces; the officer in charge of the planning and budget affairs; two representatives nominated by the Supreme Leader;

ministers of Foreign Affairs, Interior and Information; a minister related with the subject, and the highest ranking officer from the Armed Forces; and the Commander of Islamic Revolutionary Guards.

The composition of the SCNS shows that it has only three uniformed persons as its members: two represent the military and one represents the Islamic Revolutionary Guards. The overall primacy of the Supreme Leader and the government is well recognized in the SCNS system.

The SCNS performs three major functions:

- i. Formulation of defence and national security policies under the guidelines determined by the Supreme Leader;
- ii. Coordination between the security policies and the country's politics, social, cultural and economic fields and intelligence; and
- iii. Mobilization of material and intellectual resources for coping with internal and external threats

The SCNS can set up sub-councils on defence and national security issues. Each sub-council is presided over by the President or a member of the SCNS appointed by the President. The sub-councils report back to the SCNS. The decision of the SCNS is implemented after its confirmation by the Supreme Leader.

Turkish tides in National Security Council

The NSC (Mylly Guvenlyk Kurulu - MGK) was originally established in Turkey in 1961 when the military rule led by General Cemal Gursel was civilianized with the introduction of a new Constitution prepared under the guidance of the military regime. Article 111 of the 1961 Constitution established the NSC "to recommend to the Council of Ministers the necessary basic guidelines regarding the coordination and the taking of decisions related to national security." It was obligatory for the cabinet to consult the NSC before declaring a state of emergency.

The NSC under the 1961 Constitution consisted of 10 members. These were: the President (Chairman), Prime Minister, Chief of the General Staff, Ministers of Defence, Internal Affairs and Foreign Affairs; Commanders of the Army, Navy and the Air Force; and Commander of the Gendarmerie. As all the Presidents during 1961-1980 had

military background, the people with military background constituted a majority in the NSC.

In September 1980, General Kenan Evren assumed power and ruled the country under martial law for two years. The military regime appointed a consultative assembly that prepared a new constitution, which was put to referendum in November 1982. It obtained 91 percent votes in its favour. Included in this referendum was the election of General Kenan Evren as the President under the 1982 Constitution. He assumed elected Presidency on November 9, 1982 for a 7-year term.

Article 118 of the 1982 Constitution established a NSC whose composition was similar to that of the 1961 Constitution. As the “highest advisory board for the state” the NSC comprised the president, the prime minister, three ministers, the Chief of the General Staff and four other top military commanders. The military dominated the work of the NSC and its top brass also used their clout outside the NSC to pressure the civilian government.

The functions of the 1982 NSC were not different from the 1961 NSC. However, Article 118 made it obligatory for the cabinet to “give priority consideration” to the recommendations of the NSC. This article further stated that the NSC shall communicate its views to the council of ministers on the government decisions and it will also advise the council of ministers on coordination with regard to the formulation, establishment and implementation of the national security policy of the state.”

The term national security has been defined in broad terms in the National policy. It states that “National security means the defence and protection of the state against every kind of external and internal threat to the constitutional order, national existence, unity, and to all its interests and contractual rights in the international arena, including in the political, social, cultural and economic spheres.”

The NSC secretariat is headed by a general secretary who, until 2003, used to be a serving four-star general or admiral. The secretariat is responsible for keeping the records, collection of information and preparation of briefing papers for the NSC meetings.

The Turkish military is assigned special responsibilities by the Turkish Armed Forces Internal Service Law of January

1961. The armed forces are duty bound not only to defend the territorial integrity and independence against external and internal threats but they are also obliged to protect the nature of the Turkish Republic as defined in the constitution, i.e. republicanism and secularism.

The Justice and Development Party (AK Party) government that assumed power after winning the 2002 election introduced a number of changes in the NSC, starting in 2003. It was decided that the general secretary of the NSC, appointed by the President, could be a civilian. Other changes included the reduction of number of military officers to create civilian majority, and its meetings to be held every two months rather than monthly. The NSC budget was placed under the prime minister.

The post-2003 changes and their implications are discussed later in this paper.

National Security Council of Israel

The NSC, established by the cabinet in March 1999, is a profile organization that works as a part of the Prime Minister's secretariat. In July 2008 a formal law was passed for the NSC that retained the control of the prime minister over the NSC. It functions in accordance with the 2008 law and the directions of the prime minister.

Its primary function is “to serve as a centralized body for, and providing information to, the Prime Minister and the government regarding issues of national security.” It also coordinates and integrates the work done on national security by government departments and organizations and briefs the prime minister on the issues of discussion in the Ministerial Committee on National Security Affairs and elsewhere.

In addition providing necessary information and consultation to the prime minister and the cabinet, the NSC also briefs the Knesset (Israeli Parliament) committees on security matters. It may also make recommendation on national security policy to the cabinet and engage in the long range planning of national security with the help of the existing planning bodies in the government department dealing with national security. It also follows-up the security-related activities of the government departments and organizations to ensure the implementation of national security decisions.

The NSC is headed by the National Security Adviser to the

Prime Minister who is appointed by and answerable to the Prime Minister. It has five divisions:

- i. Security Policy
- ii. Foreign Policy
- iii. Company and Infrastructure
- iv. Terror Combat
- v. Organization and Operation

Each of these is headed by a senior official.

The Israeli NSC also includes an economic adviser and a legal adviser. Normally the NSC has some officials at senior positions with military background (retired or reservist) but there is no active duty top-level military officer on its staff. However, the Prime Minister has the power to make such appointments.

It may also be mentioned that the cabinet has also got a Ministerial Committee on National Security in addition to the National Security Council.

Evolution of the Concept of NSC in Pakistan

The idea of setting up a National Security Council or a similar top level organization has generally been advocated by Pakistan's military government, serving and retired military officers and their civilian allies. The main argument is that the military should be formally inducted into the policy making structure because of the role it has acquired in security and internal policy making. This will discourage the military from direct intervention in politics and governance.

Most political parties and leaders take a strong exception to the setting up of an institution like the NSC because it is viewed as providing constitutional and legal cover to the expanded role of the top brass in national affairs. This strengthens the military's role rather than trimming it, they argue.

However, the civilian political leaders are favourable to strengthening the role of the Defence Committee of the Cabinet (DCC) and various parliamentary committees that deal with defence and security affairs.

NSC under Yahya Khan

It was the military government of General Yahya Khan (March 1969-December 1971) that established the first National Security Council with Major General Ghulam Omar as its secretary. It was part of the office of the President and Chief Martial Law Administrator. The NSC did not figure in the decision making process of the military government because Yahya Khan ran the administration as a personalized enterprise, relying heavily on his trusted military and bureaucratic advisers. Major General Omar was one of the key advisers to Yahya Khan and functioned in that capacity. The NSC was only a paper organization.

Formal proposal of NSC

General Zia-ul-Haq was Pakistan's first military ruler (July 1977-August 1988) who formally proposed the setting up of the NSC in order to create constitutional and legal arrangements for ensuring a definite role for the top brass of the military in policy making on security matters and other issues of national importance.

This was a major development in the military's quest to expand and consolidate its role beyond the professional domain. This process began in the early 1950s and General Zia-ul-Haq's notion of NSC was a significant move

to secure the expanded role against criticism of illegality and unconstitutionality.

Ascendancy of the Military

The Pakistan military has moved far away from its traditional role that was based on the British tradition of civilian primacy over the military and its aloofness from active politics. It made input to policy making on security matter but the final decision was with the civilian political government. The military stayed away from the political struggle for independence from the British and the establishment of Pakistan. It maintained a professional and discipline profile. There were some limited instances of indiscipline in 1946, and, at the personal level, the Muslim officers and other ranks were generally sympathetic towards the Pakistan demand.

The military gained importance in the first couple of years of independence mainly because Pakistan faced serious internal and external security threats from the beginning. There was a fear of the collapse of the state due to its internal problems and security pressure mainly from India and secondarily from Afghanistan.

As the state survival emerged as the highest concern of the policy makers they viewed a powerful military as integral to the survival strategy. This helped the top brass of the military to gradually assume a direct role in policy making on security issues. As the political parties suffered from leadership and organizational problems, the top brass joined hands with the bureaucratic elite to share power and manipulate the weak political forces. The Army chief joined hands with the President to dislodge the weak political leaders and directly assumed power in October 1958.

This was a turning point in the military's disposition towards active politics. The senior commanders attempted to tailor politics to their political preference derived from their military background and experience. Field Marshal Ayub Khan firmly situated the military in the political domain. His successor, General Yahya Khan, continued with the Ayub legacy of asserting the centrality of the military in governance and political management. However, Pakistan's military debacle in December 1971 in the war with India and the break-up of Pakistan temporarily stalled the military's ascendancy.

Zulfikar Ali Bhutto, a civilian leader with popular base in the post-1971 Pakistan, assumed power on December 20, 1971 after General Yahya's military regime broke down in

the wake of the military debacle. Bhutto asserted civilian primacy by introducing several changes in the military's command structure and policy making on security issues. The major changes included:

1. The designation of the three services chiefs was changed in March 1972 from the Commander-in-Chief (C-in-C) of each service to the Chief of Staff. They were put under the command of the Joint Chiefs of Staff Committee with the President as the Commander-in-Chief.
2. The tenure of the Chiefs of Staff was initially fixed at four years. In 1975, it was reduced to three years. The government also decided not to give extension to the services chiefs.
3. The post of Chairman of the Joint Chiefs of Staff Committee (JCSC) was created on a permanent basis. General Muhammad Shariff was appointed first Chairman on March 1, 1976.
4. The government issued a white paper on Higher Defence Organization in May 1976, outlining the institutional arrangements for dealing with defence and security affairs. The ultimate responsibility of national defence rested with the Prime Minister who was assisted by the Defence Minister and the Defence Committee of the Cabinet. The latter played the key role in taking decisions on security issues. Another civil-military body, the Defence Council, was responsible for implementation of security decisions. Other important organizations involved in the decision-making on security affairs included the Ministry of Defence, Joint Chiefs of Staff Committee and its Chairman, the Chief of Staff of the Army, the Navy and the Air Force and the Headquarters of each service.

Most of these changes lost relevance after the Chief of Army Staff, General Zia-ul-Haq, overthrew the Bhutto government on July 5, 1977 for the reasons beyond the scope of this paper. He suspended the 1973 Constitution and imposed martial law in the country. Under him, Pakistan experienced the longest spell of military rule (July 1977-December 1985). The army headquarters and the office of Chief Martial Law Administrative got precedence over all civilian arrangements, including the management of policy making on security issues. Zia-ul-Haq combined

the Presidency with the command of the army in 1978 and served as the army chief from March 1976 to August 1988.

General Zia-ul-Haq invoked Islam to expand the role of the top brass of the military in governance and political management. He maintained that the armed forces were responsible not only for *"safeguarding the country's territorial integrity but also its ideological frontiers."*

He was convinced that the imperatives of preservation of Pakistan's ideology and its Islamic character demanded constitutional guarantees for enabling the military to share decision making with the political elite at the national level. He also talked of a constitutional provision allowing the military commanders to take over the reins government at the time of national emergency.

Some senior generals associated with the military regime openly endorsed General Zia's political views. The pro military political circles and the press supported these suggestions. However, the major political parties and independent political circles opposed the suggestions for constitutional cover to the expanded role of the military.

He brushed aside the criticism of his political views and made several changes in the 1973 Constitution while reviving it through the presidential decree entitled the Revival of the Constitution Order (RCO), March 1985.

A new provision (article 152A) was added to the constitution to establish a National Security Council for accommodating the top brass of the military in policy making. The NSC was empowered to *"make recommendations relating to the issue of a Proclamation of Emergency under Article 232, security of Pakistan and any other matter of national importance that may be referred to it by the President in consultation with the Prime Minister."*

The NSC consisted of 11 members who were: the President, the Prime Minister, Chairman of the Senate, Chairman, Joint Chiefs of Staff Committee, the Chiefs of Staff of the Army, the Navy and the Air Force, and the provincial Chief Ministers (four in number).

The NSC was opposed by most political circles and it had to be dropped as a part of the deal with the Parliament to get the parliamentary approved for the revised version of

the RCO as the 8th Constitutional Amendment in October 1985.

Military circles continued to advocate the setting up of the NSC or a similar body that accommodated the top brass of the military in policy making at the highest state level.

General Mirza Aslam Beg (Army Chief: August 1988-August 1991) made a strong advocacy for a constitutional role for the military in policy making and management. He wrote several articles or made statements in 1992-1994 for a shared civil-military approach to decision-making. He suggested that the Defence Committee of the Cabinet (DCC) should be strengthened and enlarged or a NSC be established to bring the top brass of the military in policy-making. These bodies could, among other thing, decide as to how much and what kind of help the government can seek need from the military in a given situation. The army was supposed to complete the assigned task and return to the barracks. He argued that a constitutional role to the military would remove the threat of martial law.

Council for Defence and National Security (CDNS)

The interim government of President Farooq Khan Leghari and Prime Minister Meraj Khalid established a 10 member Council for Defence and National Security (CDNS) in the first week of January 1997. Its members were the President, Prime Minister, Chairman, Joint Chiefs of Staff Committee, three Services Chiefs of the Army, the Navy and the Air Force, federal ministers for Foreign Affairs, Defence, Interior and Finance.

Its responsibilities included advice to the federal cabinet on formulation of defence policy, its coordination with external land domestic policies and other matters with implications for security and stability.

The first meeting of the CDNS was held on January 8, 1997, which discussed, among other things, accountability of the politicians and bureaucrats involved in corruption and endorsement of the decision by the Election Commission and the federal government to hold the national elections on February 3, 1997.

It seemed rather unusual that the interim government would set up such a council five to six weeks before the end of its assignment. Many critics argued that President Farooq Leghari established this to show that the military supported his political management during the interim

period. After all, the military top brass favoured the establishment of an institutional arrangement that gave them power sharing with the civil even when they were not in power.

The CDNS did not last long. Nawaz Sharif's second government, installed after the February 2007 general election, did not show any interest in retaining it. It met a natural death because it was not presented to the Parliament for approval.

Military demand for NSC

The issue of establishment of the NSC cropped up again in the first week of October 1998. The Chief of Army Staff, General Jehangir Karamat, addressed the Navy War College, Lahore, on October 5. While responding to a question he underlined the need of creating an institutional arrangement at the highest level for devising effective policies for coping with the ongoing economic drift and political-management problems. He maintained that *"a National Security Council or Committee at the apex would institutionalize decision making if it was backed by a team of credible advisors and a think tank of experts."*

Later he elaborated his comments saying that the Defence Committee of the Cabinet could be enlarged to serve this purpose. He emphasized that Pakistan *"needed neutral, competent and secure bureaucracy and administration at the federal and provincial levels."* He warned that Pakistan *"could not afford the destabilizing effect of polarization, vendettas and insecurity driven expedient policies."*

His statement was viewed by the political circles as a strong indictment of the civilian government led by Prime Minister Nawaz Sharif. What Jehangir Karamat said reflected the shared concern of the top brass of the Army about the deterioration of economic situation after the nuclear explosions in May 1998, political confrontation between the government and the opposition, growing civic violence including sectarian killings and complaints of corruption and mismanagement against the Sharif government. The senior commanders felt that these developments had negative implications for the military.

This was not Karamat's first public comments on the performance of the civilian government. On May 4, 1998 he said that *"Pakistan was threatened more by economic instability than defence oriented dangers."* He added that *"Pakistan currently faces a threat from within and not from*

outside." He repeated the same warning later on. His comments caused speculations about the possible imposition of martial law by the military. He denied this report on September 28.

It was against this backdrop that Karamat made his comments at the Navy War College which perturbed Nawaz Sharif who had been using the parliamentary majority to concentrate all powers in his hands. When Nawaz Sharif expressed his displeasure on the statement, Jehangir Karamat offered to resign after having failed to convince him of the rationale of his statement. Nawaz Sharif accepted his offer. Jehangir Karamat submitted his resignation in October 2008, three months before his routine retirement. He did not consult other generals on his meeting with Nawaz Sharif. They would have advised him not to resign.

National Security Council under Musharraf

The Chief of the Army Staff, General Pervez Musharraf (successor of Jehangir Karamat), assumed power on October 12, 1999 by removing the government of Nawaz Sharif. Five days later, in his address to the nation, he announced that a National Security Council headed by the Chief Executive would be set up and a think tank of experts would be attached to the NSC for providing institutionalized advice and input.

The NSC was formally established on October 30 under an order of the Chief Executive. It comprised the Chief Executive (Chairman), Chief of Naval Staff, Chief of Air Staff and other members appointed by the Chief Executive. The members were to hold office during the pleasure of the Chief Executive. It could discuss and provide "*non-binding advice*" to the Chief Executive on a wide range of issues pertaining to security, governance and societal affairs. It could take up matters relating to national security, foreign affairs, law and order, corruption, accountability, recovery of bank loans and public debts from defaulters, finance, socio-economic welfare, education, health, Islamic ideology, human rights, religious minorities and women development for realization of "*the aims and objectives enshrined in the Objectives Resolution of 1947.*"

The NSC was restructured twice in August 2000 and July-August 2001 in terms of its membership. In August 2000, its membership was limited to 6 members in addition to the Chief Executive-Army Chief who presided over the session. Other members were the Chiefs of the Naval and

Air Staff, Ministers of Foreign Affairs, Interior, Finance and Commerce.

In August 2001 the NSC membership included the President/Chief Executive (Chairman), Chairman Joint Chiefs of Staff Committee, the Chiefs of three services (Army, Navy and Air Force), four provincial governors and others nominated by the president.

National Reconstruction Bureau (NRB) was established as a think tank. A couple of advisory committees comprising former bureaucrats, public figures and academicians were attached with some ministries like Foreign Affairs but these committees did not meet after a couple of meetings.

Since this was the period of direct military rule, the NSC was overshadowed by the Chief Executive/Army Chief, the Corps Commanders' meeting and the Cabinet, and it could not shape up as an important institution for deliberation on national issues. Even after the reconstitution of the NSC in July-August 2001, it remained on the sidelines and the powers were exercised by General Pervez Musharraf who combined four offices, i.e. Army Chief, President, Chief Executive, and Chairman, Joint Chiefs of Staff Committee (until October 7, 2001). He leaned on the Corps Commanders, the Principal Staff Officers and the federal Cabinet for advice.

On August 21, 2002, President General Pervez Musharraf promulgated the Legal Framework Order (LFO) which introduced far reaching changes in the 1973 Constitution. One of the changes was the insertion of Article 152-A which established a NSC as a consultative forum under the chairmanship of the President that provided a constitutional cover to the role of the top commanders of the armed forces in policy making at the highest level.

With the exception of the pro-military Pakistan Muslim League-Quaid-i-Azam (PMLQ) and its allies, the political parties like the PPP, PML-N, MMA and several smaller political parties took a strong exception to the President's decision to unilaterally amend the constitution through the introduction of the LFO. They were especially critical of the setting up of the NSC which, they maintained, provided the senior commanders with a constitutional basis for continuation of their expanded role in the civilian political domain.

In December 2003, the Musharraf government and the

MMA (a coalition of 6 Islamic parties that ruled NWFP-Khyber Pakhtunkhwa) reached an understanding for the parliamentary approval of the LFO of August 2002 with some changes in it in the tradition of the approval of the RCO by the Parliament in October 1985 as 8th Constitutional Amendment. This time 17th Constitutional Amendment was approved by the Parliament to give parliamentary legitimacy to the modified LFO.

One of the provisions of understanding between the Musharraf government and the MMA was that the NSC would not be part of the constitution but it would be set up through ordinary legislation by the parliament. The PPP and the PMLN and smaller parties in the opposition stayed away from the MMA-government understanding and the passing of the 17th Constitutional Amendment.

The NSC Law: 2004

The Musharraf government moved the bill for setting up the NSC in the National Assembly on April 2, 2004. It was debated on April 2, 5, 6, and 7, amidst strong opposition protests and walkouts by the PPP, the PML-N and some smaller parties. Though the MMA had signed the agreement with the government on setting up the NSC through ordinary legislation, it changed its position and opposed the NSC bill.

When the bill was referred to the National Assembly's Standing Committee on Law and Parliamentary Affairs, the ruling PML-Q and its allies approved the bill in 35 minutes. The opposition parties had abstained from the proceedings of the committee and the voting in the National Assembly.

The Senate took up the NSC bill on April 9 and discussed it on April 12, 13 and 14. The debate was virtually one sided because the opposition opposed the bill and staged walkouts.

The President signed the bill on April 19, which established the NSC for the first time through an act of the Parliament.

Prime Minister Mir Zafarullah Khan Jamali declared that the NSC would be a check on the presidential powers to dissolve the National Assembly and thus it would serve as "a safety valve to save the democratic system in the country." This perspective was rejected by the opposition parties inside and outside the parliament.

National Security Council in Pakistan (2004-2008)

The NSC, as established by the Act of the Parliament in April 2004 comprised 13 members:

- i. President (Chairman)
- ii. Prime Minister
- iii. Chairman of the Senate
- iv. Speaker of the National Assembly
- v. Chairman, Joint Chiefs of Staff Committee
- vi. Services Chiefs of the Army, the Navy and the Air Force
- vii. Leader of the opposition in the National Assembly
- viii. Four Provincial Chief Ministers

The NSC secretariat, headed by a Secretary to be appointed by the President, was under the control of the President. A retired bureaucrat, Tariq Aziz, held the post of Secretary of the NSC until Pervez Musharraf resigned as President on August 18, 2008. The federal cabinet members, senior officials and others could attend the NSC meeting by invitation.

The Act of the Parliament (Section 5) assigned the following functions to the NSC:

- a. The Council shall serve as a forum for consultation to the President and the government on matters of national security, including the sovereignty, integrity, defence, security of the state and crisis management.
- b. The Council shall formulate and make recommendation to the President and the government through consultation on the assigned matters in (a)
- c. Any proposal on an issue deemed to be of national importance which requires implementation, shall be referred by the Council to the National Assembly or the Senate for appropriate action.

Originally the NSC bill proposed that the NSC would also deal with "matters relating to democracy, governance, and inter-provincial harmony." This sentence was replaced with "crisis management" without explaining its operational implications.

President General Pervez Musharraf argued in 2004 that, as a consultative body, the NSC was not superior to the Parliament and that it served as a "check on the office of the President" because he would not exercise his powers

in disregard to the views of the NSC. He also argued that the NSC would avert the possibility of imposition of martial law because the Army Chief could use this forum to voice his opinion on the policies, governance and political management for seeking rectification of the policies. If the NSC rejected the views and concerns of the Army Chief *“he will not be able to impose martial law.”*

The pro-military political circles, especially the PML-Q, argued that the NSC promoted better consultation and coordination between the military and the civilian authorities, thereby ensuring political stability and continuity of policies. They also argued that the NSC did not assign any new powers to the top commanders. Rather, it placed their already-expanded role within a legal and constitutional framework. The recommendations of the NSC are not binding on the government or the parliament.

The opposition political parties bitterly opposed the establishment of the NSC because they believed that it conflicts with the essence of democracy that assigns the highest priority to supremacy of the elected Parliament. The NSC had created a legal basis to the expanded role of the top military commanders whose interference would increase in governmental and political affairs. They maintained that such a military dominated political environment was not conducive to development of autonomous civilian institutions and processes. The top brass would continue to overshadow the democratic and civilian processes.

The first meeting of the NSC was held on June 24, 2004. It was boycotted by Maulana Fazlur Rahman, Leader of Opposition in the National Assembly and Muhammad Akram Khan Durani, Chief Minister of NWFP. Both belonged to the MMA. President General Pervez Musharraf publicly expressed his displeasure on their decision to stay away from the NSC meeting. The Chairman Senate was also absent because he was on an official visit abroad. Federal ministers for Foreign Affairs, Interior, Governor NWFP and Vice Chief of Army Staff attended the meeting on special invitation.

The NSC discussed internal security affairs and expressed a strong determination to root out terrorism, extremism and sectarianism. It underlined the need of greater coordination among various federal and provincial authorities for dealing with the problems of internal security.

By the end of July 2006, the NSC held 8 meetings. However, meetings were held less frequently in post-July 2006-January 2008 period because the Musharraf government got bogged down in complex problems, i.e. the Red Mosque incident, removal of the Chief Justice and the lawyer agitation for the restoration of the Chief Justice, increased suicide attacks and the imposition of unconstitutional emergency November 3, 2007.

Given the complexities of these problems one would expect a greater use of the NSC for consultation and support. This was not the case. The key decisions were made by Pervez Musharraf in consultation with his army and civilian advisers.

PPP Government abandons the NSC

The NSC has been abandoned by the PPP-led coalition government that assumed power in March 2008 after the February 2008 general election. The NSC law has not been rescinded through the Parliament but neither a meeting of the NSC has been called by the civilian government nor it intends to do so.

The major opposition party, the PML-N is equally opposed to the NSC. Therefore, its chapter appears to have been closed, at least for the time being.

Charter of Democracy

The roots of abandonment of the NSC go back to May 2006 when the PPP and the PMLN signed a document as a framework for political action, called the Charter of Democracy in London in May 2006. It had several provisions for reducing the expanded role of the military and asserting the primacy of the civilian leadership. One of the provisions called for the abolition of the NSC and emphasized the need to making the Defence Committee of the Cabinet (DCC) as the focal point for security and defence related policy making. Other political parties supported these proposals of the Charter of Democracy. The election manifesto, 2008, of the PPP pledged to replace the NSC with the DCC.

The Management of National Security Affairs

A combination of informal arrangements and institutional network takes care of security and foreign policy affairs. There is a slow but subtle increase in the role of the civilian government and the Parliament in these matters since 2008, although the military and the ISI make the principal input, at times, the decisive one, relating to foreign policy and national security affairs.

The role of the military and intelligence establishment increased in security and foreign policy making gradually over the years. The external security pressure from the early years of independence turned Pakistan into a security state and security considerations gained precedence over other considerations. This strengthened the role and status of the military in defence and security affairs.

Internal violence and terrorism increased in Pakistan during the first decade of the 21st Century. The civil administration, the police and civilian intelligence agencies were unable to cope with this challenge, forcing them to mobilize the military, especially the Army and the paramilitary forces for controlling the menace of violent and terrorist activities. The Army and the paramilitary forces have been engaged in countering terrorism in the Tribal Areas since 2003. The Air Force provides important support to counter-terrorism operations of the Army. This has strengthened the role and clout of the military in policy making and management for controlling terrorism and related problems and overall security.

The decline of the civil and the ascendancy of the military to political power have also strengthened the role of the military in policy making. During the years of direct military rule the military takes control of the ministries and civilian bureaucracy works under the military. In this way the Army headquarters and the office of Chief Martial Law Administrator/Chief Executive gains a clear edge over the civilian bureaucracy.

This trend is strengthened by induction of retired and serving military officers in civilian bureaucracy. For example, the Defence Ministry got 'militarized' during the military rule of General Zia-ul-Haq; the key posts were assigned to serving and retired military officers that compromised the ministry's civilian character and autonomy from the service headquarters, especially that of the Army.

The maximum expansion of the role of the military and the ISI in formulation and management of security and foreign policy affairs took place in the 1980s when General Zia-ul-Haq's military government joined hands with the United States, some other western countries and conservative Arab states to build Afghan-Islamic resistance in Pakistan to challenge the Soviet military that had occupied Afghanistan towards the end of December 1979. For a decade the military and the ISI controlled Pakistan's foreign and security policy and facilitated the transfer of funds and weapons from American CIA and other sources to Afghan-Islamic resistance groups trained and based in Pakistan.

Their domination of Pakistan's security and foreign policy continued after the establishment of civilian-elected governments, 1988-1999. Civilian input from the elected government and the Foreign Office was secondary to the military's perspective and interpretations on selected foreign policy and security areas like Afghanistan, India, Kashmir, Islamic militancy, the U.S., the nuclear programme, the defence expenditure and military equipment procurement.

The return to military rule under General Pervez Musharraf in October 1999 re-asserted the commanding role of the military in foreign policy and security areas. The autonomy of Foreign Office and Defence Ministry was completely neutralized.

The key foreign policy and security decisions during civilian rule in 1988-1999 were made in the non-formal meeting of the President, the Prime Minister and the Army Chief who met from time to time. The Army headquarters interacted directly with the offices of President and Prime Minister rather than going through the Defence Minister except for routine matters.

The role of the foreign minister depended on his personal qualities. This included his professional capacity, political reputation, relationship with the prime minister and his ability to work smoothly with the military top brass. Khurshid Mahmood Kasuri and Shah Mahmood Qureshi were able to function more effectively than Hina Rabbani Khar.

This pattern of foreign and security policy management revived with some modifications after the establishment of the civilian elected government in 2008. The President, Prime Minister and Army Chief meet separately or

collectively. The Chairman, Joint Chiefs of Staff Committee also interacts with the President and the Prime Minister. The Chiefs of the Navy and the Air Force have less frequent meetings with the President and the Prime Minister. The Defence and Foreign Ministers figure rarely in the meetings of the top three.

As the NSC has gone in oblivion, the DCC has acquired more salience than was the case in the past.

Defence Committee of the Cabinet

The DCC comprises the Prime Minister and ministers of Defence, Foreign Affairs and Commerce. The following attend the meeting on a regular basis: Chairman, Joint Chiefs of Staff Committee, the Chiefs of the Army, the Navy and the Air Force and the secretaries of ministries of Foreign Affairs, Defence and Finance. Any other official can be invited to attend the meeting.

A study entitled "Performance of Defence Committee of the Cabinet" published by PILDAT in March 2012 shows that the DCC held nine meetings from March 2008 to April 2012. The PILDAT study concludes that these meetings were "reactive in nature and were held to respond to an issue or crisis."

The DCC held its first meeting under the PPP government on December 8, 2008 to discuss the security situation due to Indian pressure in the aftermath of the terrorist attacks in Mumbai on November 26, 2008. Had this incident not taken place, the DCC may not have met in December. Other meetings were held on March 21, 2009, January 5, 2010, December 3, 2010, May 12, 2011, May 26, 2011, August 18, 2011, November 26, 2011 and January 14, 2012.

A Proactive Parliament

The role of the Parliament and its committees and Defence Committee of the Cabinet (DCC) has increased. The military is more forthcoming in giving briefings on security issues to the Parliament and top civilian leaders.

Parliamentary Committee on National Security with representation from both houses was established in November 2008 after the joint session of the Parliament passed a resolution on national security in October 2008. It is headed by Senator Raza Rabbani and consists of 14 members as of March 2012.

According to a report entitled "Performance of the Parliamentary Committee on National Security" published

by PILDAT in March 2012 the committee held 63 meetings from November 2008 to March 2012 when it submitted its recommendation to the joint session of the Parliament on NATO/U.S supplies to Afghanistan through Pakistan and the U.S.-Pakistan relations. Some political parties raised issues on the recommendations that led the committee to review its recommendation in view of the suggestions and comments in the joint session. Its revised recommendations were presented to the joint session on April 12 and adopted on the same day. The committee covers a wide range of security and foreign policy issues in its meetings.

National Assembly has a **Standing Committee on Defence** that was elected in April 2008 and, according to a PILDAT report entitled "Performance of the National Assembly Committee on Defence" (March 2012), it held 36 meetings during April 2008-March 2012, covering a host of subjects including defence budget, attack on Mehran Naval Base, airports, PIA and Haj travelling and Balochistan. The National Assembly member Dr. Azra Fazal Pechuho is chairperson and the committee has 17 members.

The Senate has a counterpart **standing committee on Defence and Defence Production**. Established in July 2009 it has 12 members and Lt-General (Retd.) Javed Ashraf is its chairman. According to the PILDAT report "Performance of the Standing Committee on Defence and Defence Production" it held 34 meetings during July 2009-March 2012 and covered issues similar to those taken up by the National Assembly Standing Committee on Defence. It also discussed NATO/U.S attack on the Salala security post on the Pakistan-Afghanistan border.

The **Public Accounts Committee** of the National Assembly also took up the disbursement of defence expenditure and financial affairs of the military, including its business and commercial activities. At times the military was very uncomfortable with the scrutiny by this committee.

Defence and security affairs were taken up by the joint sessions of the Parliament in October 2008, May 2011 and March-April 2012. Resolutions were adopted on the first two occasions and on the third occasions the revised recommendations of the Parliamentary Committee on National Security were adopted unanimously by the joint session of the Parliament.

The military and the ISI top leadership provided briefings to the joint session in October 2008 and May 2011. The senior officers also provided briefings to the committees mentioned above. The members of these committees also visited the Army headquarters for briefings and discussions with the senior service personnel. There was one visit of parliamentarians to the ISI head office. On more than one occasion, the Army Chief and other senior officers gave briefings to the federal cabinet and other top leaders of various political parties.

The practice of the military top leaders appearing before the parliamentary committees existed during 2002-2007. Its frequency increased after 2008. In the earlier period, this practice was rarity, although the Defence Ministry would present its perspective when the Public Accounts Committee took up the audit report of its expenditure. However, the military service headquarters were not always forthcoming to parliamentary questioning.

Evaluation and the Changing Trends

The role of the NSC or a similar apex body can be analyzed in the context of the political system. Even if its role is consultative and advisory, the actual contribution such an institution depends on the political heritage and the dynamics of politics. In established democracies, the NSC like body plays a limited and advisory role; the top brass of the military have a secondary role and the primacy of the civil is firmly established.

In the political system with a long tradition of the military's direct and indirect involvement in governance and political management, the NSC like body provides the military top brass a constitutional or legal umbrella to stay engaged in policy making and monitoring of the civilian or semi-civilian government in a discreet manner when they are not directly exercising power. This is an additional leverage for the top brass of the military to keep the civilian leaders under pressure and express their dissent if the government policies disregard their sensitivities.

In the **United States**, the NSC advises the President who actually runs the government under the Presidential system as set out in the Constitution and Law. The Chairman, Joint Chiefs of Staff is the only uniformed officer who participates in the proceedings of the NSC as an advisor on military affairs. This body limits the role and input of the military top brass and asserts the primacy of the civil. Over the years, the President's National Security Adviser, who is a civilian, has acquired much salience. Occasionally, retired senior military officers have also served on this position.

In the case of **India**, the military has no direct representation in the apex body of the NSC which comprises the senior most members of the government under the chairmanship of the Prime Minister. However, any Service Chief can be invited to the meeting of the apex body of the NSC. The Services Chiefs regularly sit in the second tier committee (Strategic Planning Group) whose most members are the secretaries of the union (federal) ministries. This committee is chaired by the Cabinet Secretary. A third tier of eminent persons that meets regularly supports the work of the NSC as its think tank.

These arrangements show the primacy of the civil and political institutions and leaders over the military. It is inconceivable in a military dominated political system that

the Services Chiefs would be relegated to a junior committee and placed at par with senior civil servants.

The Supreme Council for National Security in **Iran** manifests the over-all features of the political system dominated by the clergy led by the Supreme Leader. Out of 14 members of the SCNS, two belong to the regular military and one is from the Islamic Revolutionary Guards. Its decisions cannot be implemented without the confirmation of the Supreme Leader, who along with the President (a civilian, clergy as well as non-clergy) plays a commanding role. The back-up is provided by the Parliament. There is no evidence available to suggest that the senior commanders of the military and the Islamic Revolutionary Guards have nibbled the power and role of the Supreme Leader, the President, the Parliament and other constitutional institutions. This also applies to the period of Iran's war with Iraq (1980-88).

In the case of the state of **Israel**, security issues have traditionally been assigned the highest priority and many retired generals entered politics and held key political positions. Their political ascendancy was through the constitutional and electoral processes. The NSC, a civilian institution, is the creation of the government and functions as a unit in the Prime Minister's Secretariat within the limits determined by the Prime Minister. The Prime Minister also consults the cabinet, the cabinet committee on national security and, of course, the military top brass. However, the Prime Minister commands the political system.

Turkey is good illustration of a political system with a long tradition of military's role in governance and political management. It is therefore not surprising that the NSC has traditionally served as an important forum for the top brass of the military to mediate its influence in policy making and execution. The military top brass have used the NSC and informal methods to influence governance and politics. The role of the NSC and the armed forces is also strengthened by the National Security Law, 1983, and the Turkish Armed Forces Internal Service Law, 1961.

The tradition of the Turkish military's political role could be traced back to the Young Turks (1908), and the military's significant contribution to the establishment of modern Turkish State which adopted republican system in November 1923 with Mustafa Kamal Atatürk as the first President. It adopted the first democratic and republican constitution in April 1924 with abolition of Caliphate.

The military remained on the sidelines until May 1960 when it assumed power under General Cemal Gursel. In July 1961 the country was returned to civilian rule under a new constitution. The military staged another coup in September 1980 under General Kenan Evren who introduced a new constitution in November 1982 and returned to civilian and constitutional rule.

Since 1960, the military has played an active role in the political domain, at time dominating decision making and causing governmental changes. It established the NSC in 1961 which was carried over to the 1982 Constitution. It offers a constitutional framework to the senior commanders to influence policy making and execution as well as monitor the performance of the government.

All Turkish Presidents during 1960-1989 had military background (Cemal Gursel: 1960-1966, Cevdet Sunay: 1966-1973, Fahri Koruturk: 1973-1980, Kenan Evren: 1980-1989). In November 1989, Turgut Ozal, a civilian political leader, assumed the Presidency but he enjoyed the blessings of the military; he was close to the military regime of Kenan Evren and served as Prime Minister in the first civilian government after the end of military rule in 1983. Ozal's successors (Suleyman Demirel: 1993-2000; and Ahmet Necdet Sezer: 2000 to 2007) were civilians who were civilians acceptable to the military.

In 2007 Presidential elections was delayed mainly because of the military's reservations about Islamic orientations of Abdullah Gul, presidential candidate of Justice and Development Party. It was after some political maneuvering and the second electoral triumph of the Justice and Development Party (AK Party) that Abdullah Gul was elected President. The military took time to accept him formally in the Presidency. The top commanders communicated their preferences for the Presidency in 1993 and 2000 to the political leaders, especially the Prime Minister.

The Turkish experience suggests that the establishment of the NSC does not exclude the chances of the military's direct assumption of power. The top brass of the military are contented with their role through the NSC as long as they get the things done their way. In case they come to the conclusion that the NSC does not serve their agenda or they are no longer in a position to effect changes in the political process, they can pursue other options to influence governance and political management. These

options include direct pressure on the government by distancing themselves from the government policies, making their views on political developments known to the government through formal communication or through informal channels, public statements and comments on political and economic affairs, partial or complete change of the government, and direct assumption of power.

The NSC has been functioning in one way or another in Turkey since 1961. However, the Turkish Military has used other means to influence the political domain from time to time.

1971: The military top brass applied pressure on the government to control the right and left wing violence and political assassination in parts of Turkey. Later the Prime Minister was forced out of office and a new Prime Minister acceptable to the military was appointed. Martial law was declared in the troubled regions.

1979: In view of the political and economic crisis, the military commanders asked the political government through the President in September to control the situation. In January 1980, the letter of the Army Chief was handed over to the Prime Minister on the troubled internal situation. There was a stalemate like situation on the selection of President Koruturk's successor in 1980.

1980: General Kenan Evren assumed power in September by displacing the civilian government and the 1961 Constitution.

1997: In February, the top commanders asked the Rafeh Party's Islamist Prime Minister Necmettin Erbakan through the NSC to restrain his government from encouraging religious tendencies and advised him to protect the secular nature of the state. This caused a stand-off between the military and Erbakan, who resigned in June. In January 1998, Turkey's Constitutional Court banned the Rafeh Party and 7 leaders of the party, including Erbakan, were banned from political activity for five years.

Though the Turkish military views itself as the guardian of the republican and secular nature of the Turkish State, its role beyond the NSC appears to be on the decline by the end of the 1990s. The top commanders are now backing-off slowly in view of their shared effort with the civilian leaders to join the European Union (EU). Two of the major conditions for Turkey's admission to the EU emphasize the

improvement of human rights situation and enhancement of the quality of democracy.

In an effort to improve Turkey's democratic credentials, the government decided in August 2003 to introduce some changes in the organization and role of the NSC. These changes include:

- i. The President would appoint Secretary General of the NSC who could be a civilian. In the past, only a four star general could hold this position. In August 2004, a career diplomat was appointed first civilian Secretary General of the NSC.
- ii. The NSC would meet once every two months rather than once a month.
- iii. Its recommendations will be considered by the cabinet in routine rather than on a priority basis, as was the case in the past.
- iv. The civilian membership of the NSC was increased and the representation of the military was reduced.
- v. Legislation was brought-in to control the military's extra-budgetary funds.

The generals appear to have accepted, albeit reluctantly, a gradual erosion of their role. However, they mount pressure on the civilian government from time to time, primarily in the name of protecting the Kemalist tradition of secularism. They have realized that the false hope of entry into the EU had diminished their role. They would like to retrieve the initiative in Turkish governmental affairs but the political forces countering their return continue to be strong.

During 2008-2012 around 300 civilian and serving and retired military officers have been arrested for their role in an alleged plot to overthrow the government in 2003. Some are accused of being involved in the removal of the Erbakan government in 1997. The arrests of military officers including four and three star retired and serving generals took place in July 2008, February 2010, May 2011 and January 2012.

In July 2011, four top commanders of Turkish armed forces (Chief of the armed forces, three commanders of the Army, Air Force and Navy resigned in protest against the arrest of senior retired and serving officers. The government overcame this crisis as there was no noticeable reaction to these resignations. New appointments were made by the President who took over

the command of the armed forces without any problem.

In January 2012, retired General Ilker Basbug (Chief of General Staff, 2008-2010) was arrested for involvement of a group of officers engaged in destabilizing the government. General Ilker Basbug rejected the charges. In April 2012, a trial opened against former President General Kenan Evren and the Air Force Chief Tahsin Sahinkaya for leading the 1980 coup against a civilian government.

The AK Party government has an uncomfortable relationship with the military. The trial of military officers on different counts has caused the main strain. The military top brass are of the strong view that the AK Party and the Gul-Erdogan combine have a secret Islamic agenda that would compromise Turkey's secular identity. An attempt to ban the AK Party by the Constitutional Court for its Islamic leanings failed in 2008.

However, the AK Party government has successfully deflected the military's pressure and reduced the political role of the top commanders because it had won three consecutive elections in 2002, 2007 and 2011. Its performance in managing the economy and internal political affairs has given them strong performance legitimacy.

In foreign policy domain, Turkey has gain greater respectability because of its role in the Middle East and the Muslim world coupled with stable relationship with the West. These developments have enabled the AK Party government so far to override its political adversaries and keep the military's role under check.

Pakistan's NSC has some resemblance with the Turkish NSC but the former has to be viewed in the context of Pakistan's legacy of the military's expanded role in the non-professional fields. From the days of General Zia-ul-Haq's military rule, the top commanders have sought some constitutional and legal framework for legitimizing their role in governance and political management. General Pervez Musharraf succeeded in April 2004 to turn the NSC concept into a reality.

The NSC was part of the military commanders' efforts to legitimize their role not only in Pakistan's security and defence affairs but also in the major sectors of governance, the economy and the society. Zia-ul-Haq invoked the notion of the defence of ideological frontiers in

order to rationalize the expanded role of the military in the domestic context. Pervez Musharraf did not talk of the ideological frontiers of Pakistan but he projected the military as the guardian of external security and internal stability, economic development and political continuity.

The strong military presence at the highest level in the political system also projects the military's expanded role in different sectors of the state, the economy and the civil society in the form of business, commercial, and industrial activities undertaken by the military's charitable trusts, some special organizations or directly by the military. This is coupled with the induction of retired and serving military personnel to civilian jobs in the government, semi-government and the private sectors.

The experience of Pakistan and Turkey shows that the existence of the NSC is no guarantee that the military will not use other means to pursue its agendas in political and other domains and that it would not defy the constitution and democracy.

General Pervez Musharraf (President and Army Chief) never felt constrained by the presence of the NSC for pursuing his political agenda. He hardly consulted the NSC on important political and security issues.

The major instances of irrelevance of the NSC to policy making are given below:

- i. The decision to join the U.S. -led global effort to eliminate terrorism after the terrorist attacks in the U.S. on September 11, 2001, was made by General Pervez Musharraf after, perhaps informal consultation with his Army advisers. The NSC was not consulted at all.
- ii. The role of the NSC is not known during the period of military confrontation between India and Pakistan during December 2001-October 2002 in the backdrop of the terrorist attack on Indian Parliament on December 13, 2001.
- iii. Prime Minister Zafarullah Khan Jamali attended the first meeting of the NSC on June 24, 2004, but the President Musharraf did not give any hint that Jamali's replacement was on the cards. Two days later, Musharraf asked Jamali to resign. This incident appears to contradict Musharraf's assertion that the

NSC was a check on the powers of the President.

- iv. There were several important developments in 2007 which were handled by the President alone. The NSC was not effectively invoked to deal with these problems. The major developments were Musharraf's decision to summon the Chief Justice to the Presidency and ask him to resign, the lawyers' movement for the restoration of the Chief Justice and other Judges, the Red Mosque incident in Islamabad, and the declaration of emergency on November 3, 2007 as the Army Chief in violation of the Constitution which did not give any power to the Army Chief to declare emergency. The imposition of emergency on November 3 amounted to staging a coup by Musharraf against his own government. This negated his 2004 argument that the NSC would rule out direct assumption of power by the military or any action in violation of the constitution.

Concluding Observations

The NSC does not necessarily offer a better mechanism for decision making on security, stability and foreign policy issues. The states without NSC type body have managed their security affairs in an effective manner. In countries with a long tradition of the military exercising supreme power, the NSC type institution turns out to be a constitutional and legal umbrella for the military to pursue its guardian role and protect the expanded interests in nonprofessional fields. They can monitor and reprimand the civilian leadership that may find it difficult to put its political house in order.

The performance of civilian government in respect to governance, socio-economic development and improvement of quality of life for ordinary folks holds key to enhancing its legitimacy in the post-election period. Good performance enables the civilian government to assert its primacy over the military provided other domestic and external factors are also supportive.

There is a need to strengthen the Defence Committee of the Cabinet (DCC) by holding its meeting regularly rather than summoning it only in a situation of crisis. It needs to be strengthened in terms of office support and must have professional research staff for providing intellectual input to security policy making in the form of policy briefs and identifications of possible options to deal with different issues and problems.

The role of the parliamentary committees needs to be strengthened. This can be done if the members take their assignments more seriously as a shared responsibility for providing advice on the relevant issues. The members will have to rise above their partisan considerations. Invariably the opposition members view the committee proceedings as another opportunity to reprimand the government and condemn its policies. Some members also use the committee for embarrassing the civil servants or the representatives of the military that appear for responding to queries.

The parliamentary committees contribute to reinforcing the role of the Parliament in legislation and for providing guidelines for policy making. Therefore, the members need to work together to seek information, engage in constructive criticism of the concerned government department and offer practical suggestions to the

parliament.

The parliamentary committees must also seek professional research support for informed analysis of the issues under discussion. There is a need to learn how the parliamentary committees function in advanced democratic countries.

Policy making in democratic and especially in parliamentary system involves a host of institutions, individuals and processes. No single institution can dominate the whole process, although all institutions do not carry equal clout. The military is an important player in policy making on security issues. However, a good policy requires a good blending of civilian and military input within a democratic framework that emphasizes the primacy of the civil. The problem arises when one institution or leader develops a saviour complex and assumes a self-ascribed mission of rectifying all ills and deficiencies in the governance system.

All institutions must play their rightful role and there is no substitute to informed consultative process.

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Pakistan Institute of Legislative Development And Transparency - PILDAT

Head Office: No. 7, 9th Avenue, F-8/1, Islamabad, Pakistan

Tel: (+92-51) 111 123 345 | Fax: (+92-51) 226 3078

Lahore Office: 45-A, 2nd Floor, Sector XX, Phase III, Khayaban-e-Iqbal, DHA, Lahore, Pakistan

Tel: (+92-42) 111 123 345 | Fax: (+92-42) 3569 3896

Web: <http://www.pildat.org>