### Process of Reform of Civil-Military Relations, the Democratic Control of Armed Forces and the Security Sector in Albania

Blendi Kajsiu

#### 1 Introduction

The process of civil-military relations and security sector reform is very complex since it takes place at different levels and within the context of political, social and economic developments in Albania. The reform process cannot and should be not analyzed in isolation from the larger social context. Of particular importance in the Albanian case is the element of state weakness that reflects itself in every step of the reform process. Another important factor that has conditioned reforms both in the civil-military and the security area is the legacy of the past. This legacy will be dealt with in both cases.

It is important to emphasize that civil-military relations and democratic control of armed forces are an area that is quite separate from the security sector in the case of Albania. The Albanian Constitution of 1998 introduced a new concept to the definition of armed forces. According to this concept the armed forces no longer include the security services and police forces. This step was taken in order to enhance the civil control of the security sector. Therefore, for the purpose of clarity in this paper they will be analyzed separately, although they have many problems in common.

#### 2 Reform of the Military

At the core of the military reform is the establishment of a force with western orientation that is based on professionalism. This means that the peacetime active military units will be mostly based on a professional force, and only a few of them will be completed by the conscript service. The aim is to build a force with an increased operational capability than the actual forces to defend the country's interests, and capable to participate in international operations. A special importance will be given to the joint operations of two or three forces/services, based on 'The Joint Doctrine of the Armed Forces', which has already been prepared but awaits approval. Special units and segments of the armed forces will be able to

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Socio-Legal Foundations of Civil-Military Relations James B. Jacobs, 1986-01-01 **Socio-legal Foundations of Civil-military Relations** James B. Jacobs, 1986-01-01 Civil-military Relations ,1993 Civil-military Relations After the Nation-state Glen Segell, 2000 Shaping US Military Law Joshua E. Kastenberg, 2016-04-01 Since the United States entry into World War II the federal judiciary has taken a prominent role in the shaping of the nation s military laws Yet a majority of the academic legal community studying the relationship between the Court and the military establishment argues otherwise providing the basis for a further argument that the legal construct of the military establishment is constitutionally questionable Centering on the Cold War era from 1968 onward this book weaves judicial biography and a historic methodology based on primary source materials into its analysis and reviews several military law judicial decisions ignored by other studies This book is not designed only for legal scholars Its intended audience consists of Cold War military and political historians as well as political scientists and military and national security policy makers Although the book s conclusions are likely to be favored by the military establishment the purpose of this book is to accurately analyze the intersection of the later twentieth century s American military political social and cultural history and the operation of the nation s armed forces from a judicial vantage Military Review ,1988 Professional Journal of the United States Army **Review of Current Military Literature** ,1988 Soldiers and Civilians Peter Feaver, Richard H. Kohn, 2001 ,1988 Essays on the emerging military civilian divide in the United States **The Long War** Andrew J. Bacevich, 2009-06-22 Essays by a diverse and distinguished group of historians political scientists and sociologists examine the alarms emergencies controversies and confusions that have characterized America's Cold War the post Cold War interval of the 1990s and today s Global War on Terror The developments of this Long War have left their imprint on virtually every aspect of American life and by considering the period as a whole this volume is the first to take a truly comprehensive look at America's response to the national security crisis touched off by the events of World War II Contributors consider topics ranging from grand strategy and strategic bombing to ideology and economics and assess the changing American way of war as the twentieth century progressed They evaluate the evolution of the national security apparatus and the role of dissenters who viewed the activities of that apparatus with dismay and they take a fresh look at the Long War s civic implications and its impact on civil military relations More than a military history The Long War examines the ideas policies and institutions that have taken shape since the United States claimed the role of global superpower In breaking down the old and artificial boundaries that have traditionally divided the postwar period into neat historical units this volume offers fresh perspectives on the current state of American national security Sociology and Its Publics Terence C. Halliday, Morris Janowitz, 1992-10-15 Sociology faces troubling developments as it enters its second century in the United States A loss of theoretical coherence and a sense of disciplinary fragmentation a decline in the quality of its recruits the cooptation of its

clients a muted public voice and sinking prestige in governmental circles these are only a few of the trends signalling a need for renewed debate about how sociology is organized In this volume some of the most authoritative voices in the field confront these conditions offering a variety of perspectives as they challenge sociologists to self examination for Uncle Sam David R. Segal, 1989 Which citizens have fought America's wars Which ones should fight in the future and how should they be recruited Should military or other national service be an obligation for every citizen David Segal s probing look at the complex issues behind these questions tells us much about the changing manpower needs of our armed forces and about the evolution of civil military relations in the United States Segal analyzes the mobilization contributions and limitations of drafted reservist and volunteer forces from the early days of the republic to the present In the process he shows how Americans have come to separate the benefits of citizenship from service to their country Symptomatic of this separation is the current reliance on an all volunteer military a system that treats military service more as an occupation and opportunity for self advancement than as a civic duty and obligation Drawing on a vast interdisciplinary literature in American history sociology political science and economics Segal illuminates the ways demographics weapons technology international relations scientific management and social policies have all affected the composition of America's armed forces He also shows how the military anticipated and expanded the American welfare system and played a pivotal role in creating better opportunities for minorities and women The capabilities and performance of U S armed forces in future conflicts will depend on a thorough understanding of and informed response to the crucial manpower issues Segal discusses His thoughtful study should be required reading for military professionals and policymakers and will be of interest to anyone concerned about the future of this country's armed forces Ius Doni in International Law and EU Law Christian H. Kälin, 2019-03-27 In Ius Doni in International Law and EU Law Dr Christian H K lin establishes the concept of ius doni in the contemporary legal and political theorising of citizenship Providing a comprehensive analysis of the subject the book discusses the legal and political concepts of citizenship It also introduces a new term for what is already an increasingly common and accepted practice of granting citizenship on the basis of substantial contributions to the State Consisting of two main parts law and practice the monograph analyses the ius doni concept in both international law and EU law further tests its application in practice and establishes best practices among states Finally the book discusses the conceptual and practical implications for citizenship Air University Library Index to Military Periodicals ,1988 National Service. Citizenship, and Political Education Eric B. Gorham, 1992-09-01 This book analyzes the issues surrounding civilian national service policy from a fresh and original perspective The author connects national service programs to the political theories of civic republicanism and communitarianism assesses the practical consequences of these theories and examines past youth service programs such as the CCC and Peace Corps to see if they are appropriate models or ideals for a national program Gorham engages the issue of compulsory versus voluntary service and questions whether service tasks can instill a sense of

citizenship in young people as defenders of the program claim Using the work of Michel Foucault Charles Taylor Carole Pateman and others he suggests that national service as presently planned will not create the citizen so much as a post industrial and gendered subject In the concluding chapters he presents an argument for a democratic national service and offers an alternative program for policymakers to consider Military Justice Lawrence J. Morris, 2010-02-26 Public press and academic interest in the military justice system has increased over the past generation This is a result of several high profile trials the Sergeant Major of the Army and Kelly Flinn among many others a popular TV show even if it was Navy JAGs and broader public attention to and interest in the military stemming from the post Cold War prominence of the military Gulf War I Balkans and post 9 11 operations In addition some of the more prominent cases from the war in Iraq including Abu Ghraib and detained cases as well as the GTMO military commissions have kept military justice in the news There are many misconceptions about the rudiments of the military justice system Many perceive severity where there is none though there are features that differ from the civilian system sometimes unfavorably for the accused and few are aware of its unique protections and features Senators Lott and McConnell were not unique in the inaccurate perceptions they publicly stated about military justice during hearings on military tribunals This volume would accomplish two main purposes 1 provide comprehensive accurate and current information about the military justice system and related disciplinary features written in laymen's language and 2 explain the system through some illustrative or engaging anecdotes e g the trials of Billy Mitchell William Calley and the World War II Nazi saboteurs whose capture and trial provide the basis for today s Guantanamo based **Obeying Orders** Mark J. Osiel, 2017-07-05 A soldier obeys illegal orders thinking them trials of suspected terrorists lawful When should we excuse his misconduct as based in reasonable error How can courts convincingly convict the soldier's superior officer when after Nuremberg criminal orders are expressed through winks and nods hints and insinuations Can our notions of the soldier's due obedience designed for the Roman legionnaire be brought into closer harmony with current understandings of military conflict in the contemporary world Mark J Osiel answers these questions in light of new learning about atrocity and combat cohesion as well as changes in warfare and the nature of military conflict Sources of atrocity are far more varied than current law assumes and such variations display consistent patterns. The law now generally requires that soldiers resolve all doubts about the legality of a superior s order in favor of obedience It excuses compliance with an illegal order unless the illegality as with flagrant atrocities would be immediately obvious to anyone But these criteria are often in conflict and at odds with the law s underlying principles and policies Combat and peace operations now depend more on tactical imagination self discipline and loyalty to immediate comrades than on immediate unreflective adherence to the letter of superiors orders backed by threat of formal punishment The objective of military law is to encourage deliberative judgment This can be done Osiel suggests in ways that enhance the accountability of our military forces in both peace operations and more traditional conflicts while maintaining their effectiveness Osiel seeks to civilianize military law while

building on soldiers own internal ideals of professional virtuousness He returns to the ancient ideal of martial honor reinterpreting it in light of new conditions arguing that it should be implemented through realistic training in which legal counsel plays an enlarged role rather than by threat of legal prosecution Obeying Orders thus offers a compelling answer to the question that has most haunted the moral imagination of the late twentieth century the roots and restraint of mass atrocity in war Military Law Review ,1998 Military Law Review', Give Peace a Chance Melvin Small, William D. Hoover, 1992-07-01 Written by veterans of the Vietnam War and participants in the organized opposition to it this book examines how the activities of America's most important a mi war movement affected the lives of its citizens and its government Relying on oral histories and recently available archival material the authors consider the movement's strategies and tactics its leaders and its rank and file and describe the difficulties encountered by peace activists in their efforts to build politically effective organizations What emerges from this collection is that the millions of Americans who fought against the government's policies in Southeast Asia participated in one of the most potent and complex oppositional movements in modern history

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#### **Table of Contents Sociolegal Foundations Of Civilmilitary Relations**

- 1. Understanding the eBook Sociolegal Foundations Of Civilmilitary Relations
  - The Rise of Digital Reading Sociolegal Foundations Of Civilmilitary Relations
  - Advantages of eBooks Over Traditional Books
- 2. Identifying Sociolegal Foundations Of Civilmilitary Relations
  - Exploring Different Genres
  - Considering Fiction vs. Non-Fiction
  - Determining Your Reading Goals
- 3. Choosing the Right eBook Platform
  - Popular eBook Platforms
  - $\circ$  Features to Look for in an Sociolegal Foundations Of Civilmilitary Relations
  - User-Friendly Interface
- 4. Exploring eBook Recommendations from Sociolegal Foundations Of Civilmilitary Relations
  - Personalized Recommendations
  - Sociolegal Foundations Of Civilmilitary Relations User Reviews and Ratings
  - Sociolegal Foundations Of Civilmilitary Relations and Bestseller Lists
- 5. Accessing Sociolegal Foundations Of Civilmilitary Relations Free and Paid eBooks

- Sociolegal Foundations Of Civilmilitary Relations Public Domain eBooks
- Sociolegal Foundations Of Civilmilitary Relations eBook Subscription Services
- Sociolegal Foundations Of Civilmilitary Relations Budget-Friendly Options
- 6. Navigating Sociolegal Foundations Of Civilmilitary Relations eBook Formats
  - o ePub, PDF, MOBI, and More
  - Sociolegal Foundations Of Civilmilitary Relations Compatibility with Devices
  - Sociolegal Foundations Of Civilmilitary Relations Enhanced eBook Features
- 7. Enhancing Your Reading Experience
  - o Adjustable Fonts and Text Sizes of Sociolegal Foundations Of Civilmilitary Relations
  - Highlighting and Note-Taking Sociolegal Foundations Of Civilmilitary Relations
  - Interactive Elements Sociolegal Foundations Of Civilmilitary Relations
- 8. Staying Engaged with Sociolegal Foundations Of Civilmilitary Relations
  - Joining Online Reading Communities
  - Participating in Virtual Book Clubs
  - Following Authors and Publishers Sociolegal Foundations Of Civilmilitary Relations
- 9. Balancing eBooks and Physical Books Sociolegal Foundations Of Civilmilitary Relations
  - Benefits of a Digital Library
  - Creating a Diverse Reading Collection Sociolegal Foundations Of Civilmilitary Relations
- 10. Overcoming Reading Challenges
  - Dealing with Digital Eye Strain
  - Minimizing Distractions
  - Managing Screen Time
- 11. Cultivating a Reading Routine Sociolegal Foundations Of Civilmilitary Relations
  - Setting Reading Goals Sociolegal Foundations Of Civilmilitary Relations
  - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Sociolegal Foundations Of Civilmilitary Relations
  - Fact-Checking eBook Content of Sociolegal Foundations Of Civilmilitary Relations
  - Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
  - Utilizing eBooks for Skill Development

- Exploring Educational eBooks
- 14. Embracing eBook Trends
  - Integration of Multimedia Elements
  - Interactive and Gamified eBooks

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