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Transfer of the Normative Model of the Czech Soldier Into the Military Institution

The Czech Republic Case

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1. Czech Society's Image of the Ideal Soldier in Democracy

The Czech society's ideal of the soldier serving his/her democratic country is the one of soldier-citizen-professional. To achieve that ideal, the process of the transfer of personal traits of three broadly defined types has to take place. The first type (values of the warrior) consists of classic military virtues such as honour, bravery, obedience, self-control and trust in one's own capabilities. Even today – at the time when, according to the Tofflers, the armies of the so called “third wave” are being formed (Toffler – Toffler: 1993) - these traditional values continue to be closely connected with the military profession, which fact is confirmed by the experience of the armies of developed countries operating for example in Afghanistan or Iraq. Neither is this conclusion contradicted by the Revolution in military affairs (RMA), even though RMA transforms the whole framework for the use of these traditional military values within the army institution. The second type (personal traits of the citizen) includes identification with democracy, active involvement in civic affairs, being tolerant of other people's opinions, respect for the constitution and law of the country, humanism and justice, and, last but not least, a certain amount of patriotism (taking into consideration the specific conditions of the Czech Republic). Among the ideal soldier's personal traits of the third type (traits of the professional) are the readiness and ability to acquire and constantly improve one's own mastery of the skills required by the military profession, taking pride in the fact of belonging to that profession, and compliance with the code of military professional ethics.

2. Process Through Which the Czech Soldier Is Formed

2.1 Training and Education of Soldiers in the Czech Republic

In the Czech Republic, the military professional's career is not intended to be a whole-life career. Generally speaking, soldiers are expected to find a civilian job after serving a certain number of years in the military. Whole-life military career is only planned for a small number of soldiers because this way is thought to be economically appropriate for relatively small-size Czech army. This mechanism enables constant circulation of individuals between the army and the civilian society, which should prevent the army from becoming separated from the society at large and forming a specific military ghetto.

During the 1990s, a system was formed in which military training of soldiers was separated from their education. The two components were separated both in time and institutionally.

First, let us describe the procedure for rank and file soldiers, sergeants and warrant officers. Those who want to become career soldiers and have already done national service and taken military oath (and, of course, meet other requirements for the service in the armed forces in terms of their qualifications, health, moral record and physical abilities) can either continue their training or be directly sent to military units. If they didn't do national service in the past, they are required to do substitute military service (basic military training in fact). This is expected to become a more common way of becoming a soldier in the future, since the reservoir of those who have done national service is, naturally, shrinking.

The substitute military service lasts three months. The moment soldiers start this service, they acquire duty status, but there is a three-month trial period during which both them and the army can terminate the contract without having to give any official reason for doing so. If they fail final exams, their contracts are terminated before the expiration of the three-month trial period. Those who pass the exams take military oath and are sent to units or further military training.

Having served in units for a certain period of time, soldiers who want to be promoted to higher ranks can apply for a special military training. This training takes the form of sergeant and warrant officer courses and is organized by the Military Academy in Vyškov. Depending on the field of specialisation, the length of these courses ranges from two to six months. A necessary condition all sergeants and warrant officers have to meet is obtaining the certificate of secondary school-leaving examination.¹

Those who want to become officers have to follow a path that is basically similar to the one described above. To become a commissioned officer, one is required to have a university-level education. If one did national military service before university graduation, one can join the Czech military immediately and start preparatory military service. Those who have already graduated from a civilian school of university-level and did not their national military service in the past, do substitute military service. If they complete it successfully, they can, after preparatory service in the army, start an officer course. These courses are also organized by the Military Academy in Vyškov, and they range from seven to twelve months. The courses prepare their graduates for military ranks up to that of captain. Having graduated from this course, one becomes an officer and is assigned a post in the armed forces.

A more common way of becoming an officer consists in graduating from a military academy. Until 2004, following the reforms undertaken in the 1990s, there were three military academies: Military Academy in Brno, Military Medical Academy in Hradec Králové and Military Academy of Ground Forces in Vyškov. In 2004 all the three schools merged into a single school – Defence University in Brno. The Defence University continues the tradition of its predecessors in providing accredited forms of higher military education in technical, economico-managerial and medical disciplines, both at the

1 Vojenská akademie ve Vyškově. <http://vav.webzdarma.cz/index.php?id=cs04>
Military Academy in Vyškov

bachelor, master and doctoral levels. The education provided at the Defence University is dominated by academic disciplines. In other words, its primary aim is not training of soldiers but their education. Before they can start their studies at the Defence University, the students are required to complete substitute military service (in case that they did not do national military service in the past) and become career soldiers. In the course of their studies, the students (in the 1st, 2nd and 3rd years of their studies) go through the “Basic Application Course” organized by the Military Academy in Vyškov. This course prepares them in military areas. After the completion of their bachelor studies, the future officers have to do a “special application course (e.g. mechanised army course, tank army course, artillery course, reconnaissance course etc) giving them qualification in a specific military area. After that course they are assigned to units. The above-described ways of becoming an officer in the armed forces cover the majority of cases. There are also exceptions that are not important from the point of view of this study and, therefore, we will not deal with them there.

Those officers who want to hold positions requiring the rank of major (or higher ranks) have to go through the system of further education organized by the Institute of Operational-Tactical Studies of the Defence University in Brno. The Institute of Defence Studies was established in 2004 in parallel with the Defence University. It educates military professionals in non-accredited courses. It is further responsible for the programs of the whole-life education of higher officers in (higher) career courses (general staff course, higher officers course) and other specific-purpose courses. It is also entrusted with research in the area of military science, especially at the levels of military strategy and operational art and tactics of higher military units. The highest course organized by the Institute is the General Staff Course intended for officers who want to hold posts requiring the rank of colonel (or higher). The aim of the course is to prepare for top managerial roles requiring good general knowledge, creative approach to problems and analytical thought. The curriculum of the course combines military, technical and social science subjects.

In view of the above-described system of recruitment, education and training of soldiers in the Czech Republic, the analysis of the transfer of the societal model of the ideal soldier into the institution of the armed forces requires that we discriminate between commissioned officers, on the one hand, and non-commissioned officers, warrant officers and rank and file soldiers on the other hand. The principal element on which the distinction between the two groups is based is the fact that officers are required to have university-level of education. Officers who graduate from the military academy may be educated in a wider variety of areas and subjects (technical, medical, social science) than the other soldiers of the Czech armed forces.

2.2 Spectrum of Training

2.2.1 Military Training

The process of the acquisition of knowledge, skills and habits required by the military profession, as well as the formation of such traditional military virtues as bravery,

obedience, physical and mental stamina and readiness for self-sacrifice, goes on throughout the whole period of each soldier's military service. The key role in the process is played by the first three months of substitute military service. In the course of that period, the trainees of military profession are inculcated these values through the process of very demanding (both physically and mentally) daily training whose methods draw on the experience of both the Czech army and other armies of the North Atlantic Alliance. The training of Czech soldiers has been significantly improved especially through the long-standing assistance of British instructors staying at the Military Academy in Vyškov. This training is a - both mentally and physically - very demanding period in the professional career of career soldiers, a period during which they are required to overcome difficult obstacles, obey orders of their superiors and exercise self-control. Military values are not lectured about but absorbed through day-to-day training.

Similar processes of value transmission are repeated at the level of warrant officer courses, as well as non-commissioned officer, commissioned officer and academic courses. These courses are an integral part of the professional career of Czech career soldiers.

2.2.2 Non-Military Content of Training and Education

The non-military dimension of training is given much less emphasis in rank and file soldiers, warrant officers and non-commissioned officers during the 3-month period of substitute military training (basic military training). They are generally assumed to already have some civilian qualification, stipulated in the recruitment conditions, when they enter the armed forces. They are only taught the rudiments of sociology, psychology and military law.

The non-military component is present in the officer and application courses. The Military Academy in Vyškov teaches and trains its students in the following subjects: pedagogy, aesthetics, military history, rhetoric, military law, protection of classified information, administration, processing and transmission of information, English language, mass media and communication with the public.² However, because the Military Academy in Vyškov focuses much more, in comparison with the University of Defence, on military training and the formation of specifically military skills required by practical military service, these subject are given much less space in its curricula.

The situation is quite different in the case of those who already are, or are to become, officers. The University of Defence, as already stated above, provides accredited academic education in technical, economic-managerial and medical disciplines, whose completion culminates in obtaining an academic degree. At this stage of the process of the preparation of military professionals, the non-military dimension of their education dominates over the military dimension. The exact proportion of the two dimensions further depends on the nature of the specific field studied by the student. In general, the non-military component is given more prominence in medical and economical-

2 Vojenská akademie ve Vyškově. <http://vav.webzdarma.cz/index.php?id=cs030806>

managerial specialisations than in technical specialisations. Technical specialisations tend to focus on the study of the construction, maintenance and operational use of military equipment.

3. Leadership Concept

3.1 Military of Managerial Leadership?

Out of all the ways a society can use to mould its armed forces and move them ever closer to its preferred ideal image, the most important one consists in setting up the rules governing the day-to-day life in the institution of the military. The formal rules of behaviour in the armed forces are stated in the document called the Basic order of the Armed Forces of the Czech Republic. From the point of view of our research, it is important to answer the question of whether this day-to-day life is more similar to Goffman's concept of "army as a total institution" (more Goffman 1961) or to the concept of "army in democracy", which, in the Czech environment, is closely associated with the names of Masaryk and Beneš (more Beneš 1937), while in Germany it is connected with the name of Baudisin and others. (more Zoll - Lippert - Rössler 1977)

Armies have many features of bureaucratic institutions and their internal life is governed by bureaucratic rules. (see Weber 1964: 160 – 165) Nevertheless, however valuable this insight may be in itself, it does not tell us what distinguishes armed forces from other bureaucratic institutions. A valuable contribution to the thought dealing with this problem is E. Goffman's concept of the army as a total organization. According to Goffman, armies belong to the category of so called total organizations. Such organizations are only found in the non-productive sphere, and their main features are listed by Goffman as follows: activities that in organizations of other types occur separately (sleep, leisure, relaxation...) are connected here; all these activities are supervised by one, single authority; subjects participating in activities within one organization are endowed with similar status; there is a detailed, binding and enforceable set of impersonal rules controlling activities that, in organizations of other types, are either regulated only very loosely, or are not regulated at all. (Goffman 1961: 1 - 124). In other words, total organizations are characterized by the existence of activities controlled by detailed formal rules and performed by relatively large numbers of individuals with similar status, acting together in an environment insulated from the external world.

Thus, it can be easily shown that the rules governing the life in total institutions are in sharp contradiction with democratic society. That sort of internal order is characteristic of the life in prisons, hospitals for the mentally impaired and some armies. Last but not least, it should be mentioned here that the way life is run in total institutions is similar to the ways in which life is organized in societies following strictly precepts inspired by the leftist-Marxist ideas about the ideal world. Of course, not even European totalitarian regimes of the communist type, except Albania, managed to transform their whole societies into total institutions. Not that they did not want to, but they simply lacked

enough power – and, at later stages, also enough will – to realise this ideal. Only in Pol-Pot's Cambodia, North Korea, and to some extent also in Cuba and Albania, were the Marxists able to use their power for an almost absolute application of their ideas in practice and to build real “hell on earth”.

The concept of “army in democracy” assumes the introduction into the army of the maximum possible amount of democratic rules and processes compatible with its effective functioning as an army. It does not require the introduction of full democracy into the army – the concept preserves the hierarchical and autocratic character of armed forces. Here, the aim is not a democratic army, but an army that does not pose a threat to the democratic regime, an army in which the rights of the citizens serving in it are only curtailed to the extent that is dictated by the requirement of its effective functioning as a military organization. (see Beneš 1937)

The internal life of Czech armed forces is regulated by the document called the “Basic Order of the Armed Forces of the Czech Republic”, building on and further elaborating rules set up by the law of the country.³ It differs in many respects from the ideal total institution of Goffman's type. It does not connect activities separated in other institutions (sleep, work, leisure time, relaxation...) its soldiers are basically employees who, after they have fulfilled their duties, usually leave the institution and spend the rest of their time outside of it. The Basic Order controls their lives in the army in a relatively detailed and binding way during their working hours. The army symbolism includes the rules of military politeness (saluting). But, in practice, many units do not comply so strictly with these formal requirements and flexibly adapt the rules to circumstances. The code of military ethics extends even to the behaviour of soldiers outside of the military institution, but it does not do so in a way that would be in contradiction with the norms generally accepted by the Czech society at large. Inside the army, naturally, the commanders are given both the indivisible power to issue commands and, which is the other side of it, responsibility.

In peacetime, there is a tendency for the style of control in the army to make a wide use of managerial methods, especially at the middle and top levels of control. This conclusion seems to be supported by, among other things, the efforts to introduce, at the top level, the System of Planning and Budgeting, drawing on the experience of NATO countries. The classic military-authoritarian style of control tends to prevail only at the lowest and medium level – the level of the squad, platoon, company and battalion. The introduction of managerial methods is supported by the command of the army. This policy is reflected in the character of the teaching programmes of the University of Defence, showing a distinct managerial orientation. After all, the name of one of its three faculties is “Faculty of Economics and Management”.

Only time and further development will show to what extent this tendency helps armies to fulfil their main task – to fight and participate in military crisis management

3 Základní řád ozbrojených sil České republiky. Praha 2001.

operations. It is also very difficult to predict how the style of control of the Czech armed forces would change if they had to be deployed in a major war conflict.

Does the life in the Czech Army resemble more the Goffman model expressed in the concept of “total institution”, or the model corresponding to the concept of “army in democracy”? The facts seem to support the conclusion that the Czech army differs in many respects from the total institution and that it inclines towards the concept of the “army in democracy” – the army where the “soldier-citizen in uniform” serves. Admittedly, the life in the Czech army is not governed by democratic procedures, nevertheless, all the limitations imposed on the freedom of soldiers are justified by the purpose of the institution in which they serve – by the necessity to prepare for/perform acts of state organized violence. When not on duty, soldiers have almost all rights and duties as the other citizens. At present there is no evidence to suggest that the differences between the authoritative character of military institutions and the democratic character of the society in the Czech Republic is a source of tensions threatening the democratic regime of this country.

3.2 Modes of Inculcation

3.2.1 Education of Military Commanders

One of the most important tools for introducing the desirable style of control and management into the army is the system of education of its commanders. As we have already said above, the key institution for the education of Czech officers is the University of Defence in Brno. This university has as its part the Faculty of Economics and Management and it offers education in several managerial programmes at all levels.⁴ Even more important is the fact, that, in principle, all students of the University of Defence are required to succeed in obtaining grades in subjects generally falling into the areas of economic-managerial subjects. In addition to this, the curricula of the courses for officers and general staff include subjects aimed at improving managerial skills.

Similar principles are applied in the case of the subjects of social sciences taught at the University of Defence. They include philosophy, political science, history, sociology and psychology. With respect to their contents, they cover, among others, such topics as the history of the Czech armed forces and society; battlefield traditions of the army with special emphasis on the traditions of the Legions and the fight against the Nazi occupation; democratic society and the place of army in it; military sociology; general and military psychology; and the elements of military ethics.⁵ The primary aim followed in teaching these subjects is to educate academically those who want to become officers; it is not intended to be a political education in the sense in which it is practised in Bundeswehr. The process of the transfer of values – active involvement in the civic

4 Seznam akreditovaných studijních programů. <https://vportalx.unob.cz/sasp/index.aspx> (stav k 22. 12. 2007)

(List of Accredited Study Programmes).

5 Více na <https://vportalx.unob.cz> (stav k 22. 12. 2007).

society, tolerance of the views of other people, respect for the constitution and law, humanism, justice and, last but not least, patriotism – takes place only as a secondary effect, if it takes place at all. In addition to the above-mentioned social sciences, there is also a very strong component of economic and managerial subjects.

3.2.2 Military Tradition

The Czech society is still affected with the syndrome of 1938, when the well armed, trained and motivated Czechoslovak army, ready to fight the Nazis, finally obeyed the orders of democratic elected politicians to capitulate and surrendered to national-socialistic Germany. These historical events, and especially their erroneous interpretation by a part of Czech society, are partly responsible for a certain measure of defeatism and lethargy in the attitudes of the Czech society to the issues of defence. It is therefore important to keep alive the military traditions of the society, reminding it constantly of the fact that many members of the pre-war Czechoslovak armed forces actually took part in fighting for the freedom of the country. The army command is generally well aware of this need and is trying to promote the preservation, development and popularisation of Czech and Czechoslovak military traditions.

In general, the Czech Army keeps well alive the traditions connected with the activities of its legions in France, Italy and Russia during the First World War – one of the factors that made it possible that Czechoslovakia came into being as an independent state. It also preserves traditions of the Czechoslovak units fighting the Nazis in the West, North Africa and the Soviet Union. It further devotes considerable attention to the traditions of the domestic anti-nazi resistance during the Second World War. In comparison with the situation before 1989, much less attention is given to the Second World War traditions of the Czechoslovak units operating in the Soviet Union. This doesn't mean that the Czech society and its armed forces renounce or want to forget these traditions. The relative neglect of these traditions today can be explained as a reaction to their past disproportional exaggeration by the communists coupled with their attempts to suppress all traditions connected with the units operating in the West and North Africa.

Generally speaking, the political and military elites tend to interpret the developments following 1989 as a return to and further development of the historical traditions of the legionary and antifascist resistance, our membership in NATO and EU being a guarantee for the continuation of this development.⁶

3.2.3 Military Oath

Military oath is a traditional military institution and taking military oath is an initiation ritual that is practiced in all - or almost all - armies. A wide spectrum of values involved in forming the character of the soldier is reflected in that oath. On the one hand, the oath reflects the image the society has formed of its ideal soldier, since its wording usually contains a comparatively precise description of what the society expects of the soldier and

6 Viz Rozkaz ministra obrany z 13. 4. 2005 60. výročí ukončení druhé světové války. Věstník Ministerstva obrany, částka 7, s. 170 – 171.

what the soldier commits him/herself to by taking the oath. At the same time, the oath can be considered a tool the society uses to achieve that ideal. In the Czech Republic, military oath is anchored in the Constitution of the country, its laws and military regulations, and, therefore, taking the oath constitutes a legal obligation. If one breaches it, legal sanctions may follow (and they usually do follow). Of course, the legal dimension is not the only one there is to military oath. Besides the legal obligation, there is also a moral obligation to which the soldiers taking the oath commit themselves publicly, of their own will.

The evolution of Czechoslovak and Czech military oath reflects the changing preferences of the society with respect to the values of the military. All variants of military oath after 1990 show a distinct tendency of return to the tradition of the First Republic, even though, from the point of view of the language and wording used in the 1990 oath, it is a variant of the oath from 1961 that, naturally, was purged of all its Marxist-Leninist ideological elements.⁷ In addition to the classic military values that are emphasised in all Czechoslovak or Czech military oaths, it mentions civic and patriotic values. The 2002 oath brings yet another new element – the promise to defend freedom and democracy, which, paradoxically, is a variant of the promise to defend socialism that can be found in the 1961 oath. Only the specific values preferred by the society were exchanged, the frame remained. The growing tendency of the Czech Republic to participate in crisis management operation has also found its way to the text of the oath, which now contains the promise to defend allied countries.

Military oath is usually taken on October 28, coinciding with the public holiday commemorating the coming into being of independent Czechoslovakia on the 28th of October 1918. The symbolism of this long-standing practice expresses traditions with which the Czech Army identifies.

3.3 Categories and Sources of Prestige and Pride

Dostupné sociologické výzkumy naznačují, že hlavní motivací pro vstup do armády je touha dělat zajímavou a užitečnou práci (51,7% respondentů odpovědělo rozhodně ano) a mít sociální jistoty, které armáda poskytuje (24,1%). Mezi další faktory zkoumané v tomto výzkumu patří: zájem přispět bezpečnosti země (20,9%), uskutečnění snu z dětství (21,5%), kázeň a pořádek ve vojenské organizaci (19,2), výdělek (17,3), líbivost uniform (13,9%), vyhnout se nezaměstnanosti (8,1%) a práce partnera/partnerky v armádě (6,4%). Výzkum proběhl v květnu a červnu 2003 na vzorku 935 vojenských profesionálů.

Available sociological research suggests that the main motivations for the decision to serve in the army are the desire to do interesting and useful work (51.7% answered “definitely yes”) and social security provided by the army (24.1%). Among other motivating factors investigated in the research were the desire to contribute to the security of the country (20.9%), realisation of an old childhood dream (21.5%), discipline and

7 Historie a druhy vojenských přísah. (History and Types of Military Oath)
www.army.cz/scripts/detail.php?id=6766 (stav k 4. 1. 2008).

order in the military (19.2%), money (17.3%), attractiveness of uniforms (113.9%), avoiding unemployment (8.1%), and the fact that the respondent's partner had already been working in the army (6.4%). This research was done in May and June 2003 on a sample of 935 professional soldiers. (Šmídová 2003)

What are the main sources of the prestige the army has in the eyes of the society at large? According to the sociological research conducted in November and December 2003 by MARKENT on a sample of 1027 citizens of the Czech Republic aged over 15, the dominant factor responsible for the prestige of the army in the eyes of the society at large is the assistance the army provides in situations of natural disasters. 88% respondents considered this factor as very influential or at least influential. The other factors were as follows: participation of Czech soldiers in international missions (very strong or strong influence according to 88% respondents), army participation in the fight against terrorism (76%), membership of the Czech Republic in NATO (69%), salaries of career soldiers (62%), possible threat to the country (63%), the way career soldiers behave in the public (59%), advanced level of military technology (59%), public image of the MoD minister (54%), and the level of interest Czech politicians take in the armed forces (51%). Less than 50% respondents considered as very strong or strong the influence of these factors: the way military profession is viewed by national service soldiers (37%), attractiveness of military uniforms (34%), and war films and computer games (32%).⁸

4. Norms and Conflict Settlement

4.1 Institution of Conflict Solution

In the early 1990s, as a result of the process of the transformation of civil-military relations, the institution of military courts was abolished. That situation was preserved after the Czech Republic began to exist as a separate state. Both criminal and civil lawsuits in which a soldier is involved as one of the two sides are subject to standard procedures of criminal and civil law. The Czech army has retained the institute of Military Police whose investigation must obey the same rules as the Police of the Czech Republic. The highest inspection organ within the Ministry of Defence is the Inspection of the Minister of Defence.

In the 1990s, several discussions took place of the question whether to set up the institution of military ombudsman, who would stand outside the military and to whom soldiers could turn with their complaints. All these discussions, conducted by political elites, petered out, and, in the end, no office of Ombudsman (such as the German Bundestag Plenipotentiary) has been established. Its critics argued there was no need to have such a costly office on top of the already existing standard controlling mechanisms.

8 Prestiž a kvalita. Výzkum Personální sekce Ministerstva obrany. Praha 2003. (Prestige and Quality. The Research of Personal Section of MoD)

Within the military institution, soldiers can turn, through the chain of command, to their commanders with suggestions and complaints. The complaints are dealt with in accordance with the general principles of subsidiarity (the complaint is dealt with by the lowest competent authority), timeliness of dealing with the complaint, and non-discrimination against the complaining person. If there is a complaint about a serious breach of human rights and liberties, it can be addressed directly to the Main MoD Inspector for the Protection of Human Rights, without having to go through the chain command.⁹ Unlike in Germany, In the Czech Republic the office of the Main Inspector is part of the armed forces, and, thus, it is not independent of them.

4. 2 Conflicts in the Czech Military Institution

4.2.1 Norms and Standards

A significant role in the process of forming a new style of control in the army and in setting its standards and norms is played by the “Code of Ethics for Career soldiers and Active Reserves”. This document is a relatively new phenomenon in the Czech Republic, because it has only been accepted in December 2002. With this code, the army command is trying to re-establish a link to, and to build on, the First Republic Tradition. To a large extent, the code serves as the standard for the optimum behaviour of the Czech soldier.

The Code of Ethics combines such classic military traits - the warrior traits - as honour, bravery, readiness to follow orders obediently, self-control, ability to overcome obstacles, and readiness for self-sacrifice, with what can be called military-professional traits. The latter category includes sense of duty and responsibility, loyalty to the Czech Republic and its army, and honour defined as the sense of pride in belonging in the Army of the Czech Republic and honest, principled behaviour. In addition to that, there is the duty to constantly strive at the improvement one’s mastery of military profession, to which the soldiers are obliged by both the text of their military oath and Basic Order. Military ethics, as correctly observes Lassak, pushes the main categories of general ethics – good and evil – into the background, and, instead of them, concentrates its attention on the above-mentioned traditional military values. (Lassak 2003) And this observation also fully applies to the ethical code of the Czech soldier. The code of ethics is taught as part of social science education at military teaching institutions of the Czech Republic. Breaches of the code are sanctioned.

The practical impact of the code of military ethics on the behaviour of career soldiers is a matter for discussion. The principal weakness of the code consists probably in the fact that it is, so to speak, decreed from above. The natural way of its coming into being would be to arise out of the ground level of generally respected and shared army traditions, customs and culture, and, then, only subsequently, to be officially codified. Instead, it’s an artificially created construct of a team of people around the MoD minister who were assigned the task of carrying out the army reform. The process through which the Code of Military Ethics has arisen is, in a sense, in contradiction with the nature of

9 Základní řád ozbrojených sil České republiky. Praha 2001, čl. 18.

ethics - a critical reflection of existing morality, which, in its turn, is a non-administrative regulator of human thought (Lassak 2003). Of course, the authors of the Code are aware of this weakness of their product.¹⁰

In 2003, the MoD Personnel Section carried out a sociological research on a representative sample of 961 respondents with the aim of finding out how well the members of the Czech armed forces are acquainted with the ethical code and how much they understand it. The research has shown that the best understood value by Czech military professionals is bravery (79.6% correct answers) and honour (77.2%). The least comprehensible value out of the whole code of ethics, according to the research, was the sense of duty and responsibility (56% correct answers). In general, the research has shown, that the code is best understood by career soldiers with university-level education, that means officers, and air force personnel, while the soldiers without university-level education and the members of ground forces were among respondents with the highest frequency of wrong answers. (Gajda 2003)

No doubt, the code supplies a certain vision of the ideal behaviour of the Czech soldier and serves as a corrective mechanism for the behaviour of the military professional, and, as such, it certainly is useful. It is expected of the code that it will help soldiers resist and overcome natural human weakness stemming from human imperfection. The question is whether this can be achieved by a reform "from above" whose operation rests solely on the threat of sanctions. How much of the code will actually be interiorised by soldiers and how much it will influence their behaviour are questions that only future can answer. The impact of the Ethical Code will depend, among other things, on the character of the environment in which it operates – the value environment of the Czech Republic. That environment has been under the influence of a general trend characterised, as A. Křivánek observes, by "*radical changes in the attitudes of contemporary democratic societies towards the values that function as the foundation stones of army value-systems. The emphasis these societies put on the freedom of the individual has been eroding the conviction that to defend ones country and serve in the military is everybody's moral duty. The traditional military values have been confined to the specific value-world of professional army composed of people who have voluntarily entered it as employees, fully aware of all the limitations on their freedom and risks involved in that decision.*" (Křivánek 2000: 165) Our reflections on the true significance of the Code should also take into account the fact that the emphasis the MoD elites put on the document has rather decreased over the course of the last two or three years, and so has the intensity of its propagation in the army.

The Code of Ethics is not the only document defining the norms of conduct for Czech soldiers. Besides the legal norms analysed more closely in the first study, an important role is played especially by the "Basic Order" in which the general principles of conduct contained in the Code are specified in more detail.

¹⁰ Čest jako nejvyšší hodnota. <http://www.army.cz/scripts/detail.php?id=951> (23. 10. 2007).

4.2.2 *Orders and Refusal to Follow Them*

Every soldier in any army, whether in peacetime or (which is more likely) wartime, may get into a situation of conflict between orders and conscience. Naturally, to obey commands is the duty of all Czech soldiers. Nevertheless, that doesn't mean that they have to automatically follow any order they are given. Article 68 of "Basic Order" states that *"If a soldier is given an order that he/she believes is in contradiction with legal norms, and if the superior who has issued the order is not aware of the fact that there are obstacles preventing the soldier from following the order or that by following it the soldiers would cause a harm, the soldier has the duty to bring these facts to the superior's notice. If, in spite of this, the superior insists that the order must be obeyed, the soldier must obey it. If that situation occurs, the soldier has the right to require a written confirmation of the order. The soldier has the duty to refuse to follow the order if by following it he/she would commit a crime. If that happens, he must inform about the fact the next superior in the chain of command immediately."* In other words, not only that the rules of the Czech army do not require soldiers to obey orders by following of which they would commit a crime, the regulations forbid them to obey such orders. These rules apply irrespective of the differences between peacetime and wartime.

The above quoted passage applies not only to situations arising in the day-to-day life of the army, but also to combat situations. Any evaluation of the state of civil-military relations in the Czech Republic has to take into account the fact that the law and military regulations provide Czech soldiers with enough elbow room for refusing to obey any order that would be in contradiction with the principles the international humanitarian and war law. Czech soldiers are obliged to comply with the principles of the international humanitarian and war law both by the law of the Czech Republic and the Basic Order (Article 35 and Article 37)

4.2.3 *Misbehaviour of Military Persons*

Naturally, army members sometimes breach the rules of behaviour prescribed by the law of the country, military regulations or the code of ethics. Two areas of special importance can be mentioned there: breaches of soldiers' human rights and scandals connected with acquisition programmes.

A very serious problem in the area of human rights violations is bullying. This undesirable phenomenon became widespread in the army during the era of socialist Czechoslovakia. Relying for our sources of data on memories of those who served in the army at that time, and using the method of orally transmitted history, we can conclude that this process took place over the course of the 1970s and 1980s. At that time, bullying usually took the form of humiliating acts violating the human dignity of the victim (ordering soldiers to obey meaningless commands and perform humiliating tasks etc), forcing soldiers to give (to the bully) money, food, or – a particularly common form of bullying - articles of their accoutrements. It should be noted that the actors involved in these acts of bullying were almost exclusively soldiers in national service: senior (i.e. in their second year of national service) soldiers bullied; junior (in their first year of national service) soldiers were bullied. Bullying was part of a whole system that included special

“rites of passage” during which junior soldiers (referred to in the military slang of that time as “mice” “pheasants”, “ears” etc.), whose natural position within the system was at the receiving end of bullying, were promoted to senior soldiers (referred to as “mazáci” – untranslatable Czech slang expression), endowed with the right to bully. To be fair to the military elites of those times, they knew about the problem and were trying to fight it. But for a variety of reasons, the phenomenon of bullying was very firmly rooted in the Czechoslovak Peoples Army. Its specific manifestations varied from unit to unit, depending on the ability and resolve of the commanders to fight it; while some commanders tried to suppress it, others, on the contrary, made use of it in their attempts to divide and control the rank and file.

After the fall of communism, a series of measures were taken to suppress bullying, but, even though some of its worst excesses were eliminated, the phenomenon continued to exist until the abolition of compulsory national service (june 1st 2005). (for more on this see Blažek 2000; Bertrátová – Vavrek 2001; Majer 2002) Even now, after the abolition of obligatory national service, the public is from time to time confronted with scandalous cases of bullying resembling those that were characteristic of the previous period, but, this time, the actors involved in them are different – both the perpetrators and victims of these acts are now professional soldiers. Nevertheless, the frequency of these cases seems to suggest that, unlike in the past, the phenomenon is not a feature systematically permeating military service.

The category of human rights violations also includes problems connected with the penetration of right wing extremism into the army. Since the introduction of voluntary military service, there have been several scandals provoked by media reports of the alleged permeation of Czech Armed forces with members of extreme right wing groups. Some - even though not all - of the reported cases have been confirmed. The army command is now mapping the whole situation and is searching for tools with which it could close the army effectively to people of that kind.

Now that compulsory national service has been abolished, the scandals connected with acquisition programmes have, because of their wide publicity, the most serious impact on the civil-military relations, both in terms of their influence on the image of the army in the eyes of the public, and the way they impact the way soldiers perceive political elites. This study doesn't have enough space for a detailed analysis of all such cases, since, in the Czech Republic, there has not been a single large acquisition programme (e.g. T-72 modernization, Mig-21 modernization, supersonic Grippen lease, armoured personnel carrier purchase) whose justification and legal correctness was not questioned.

4.3 Ways of Punishment

The Czech Army soldiers can't be punished or reworded otherwise than in accordance with standard legal procedures. The whole process is subject to detailed rules and regulations.¹¹ Soldiers who commit disciplinary offences are given disciplinary

¹¹ Základní řád ozbrojených sil České republiky, Praha 2001, čl. 99 – 233.

punishments. A disciplinary offence is defined as „*intentional act that breaches legal or military regulations or orders, unless it is an offence that is subject to criminal law; or b) an act defined as an offence in a special legal regulation.*”¹² The strictest disciplinary punishment is 14 days in prison, which is within the power of the battalion commander (and higher commanders) to allot. This possibility was stipulated by the Czech Republic as an exception from articles 5 and 6 of the Convention for the Protection of Human Rights and Fundamental Freedoms. (See Bernatová – Vavrek 2001)

Unlike ordinary citizens, soldiers are subject to strict military discipline. The existence of special disciplinary codes has long been a traditional feature of all military institutions. After 1989, some changes were introduced into this area that made the whole system of disciplinary punishments less strict and more humane. Nevertheless, the system as a whole was not abolished. So far there is no evidence to suggest that the army or the society at large perceive its existence as undesirable.

5. Conclusion

As the research conducted so far suggests, there is not much fighting between political and military elites in the background of the process through which the Czech society's vision of the ideal soldier is being formed and realised. There are several causes for the lack of that sort of conflict. To begin with, as the previous study from the first research stage has shown, there is no tradition in this country of the military interfering in politics. Second, as a consequence of the process of building socialism and because of the multinational character of Czechoslovakia and its army, the military, being built on the principles of proletarian internationalism, never tended to perceive itself as the guardian of the independent existence of the Czech nation. Indeed, at the beginning of the 1990s, when the prestige of the army in the eyes of the society was very low, the very idea that the army should be considered as the only guarantor of freedom, independence or, as the circumstances might require it, the existence of the Czech nation, would strike the civic society and the army itself as absurd. Last but not least, the Czech army is not built as a special caste, separated from the society at large. On the contrary, the whole system of training and education makes for a constant circulation of individuals between the civic society and the military.

Members of military elites, most of whom started to build their careers in the period of socialist Czechoslovakia, have undergone the process of socialisation and adaptation to the new conditions, and now, generally speaking, accept both democracy and the model of the ideal soldier preferred by the society at large. In other words, the values and ideals with which the Czech army identifies at present, are not, as far as available data indicate, in an a priori conflict with the values and ideals of civic society. But for a more detailed answer than this, we will have to wait until the third phase of research is completed.

¹² Základní řád ozbrojených sil České republiky, Praha 2001, čl. 115 a čl. 183.

As the societal vision of the ideal soldier doesn't have its origin in the conflict between political and military elites, soldiers, it seems, accept the vision and don't resist its transfer into the army. Not only that the army command does not try to thwart the efforts of the society to transfer its vision of the ideal soldier into the army, it actively cooperates and assists in finding ways to facilitate the transfer. The most telling symbolic expression of this cooperation can probably be seen in the changes introduced into the text of military oath. It should be noted here that, even though the text of the oath is officially endorsed by the Minister of Defence, its text is actually created by people in the military. Available sources do not suggest any clash between military and political elites in connection with the process of the approval of the text of military oath, or any resistance on the part of the military to having the wording of the oath linked to civic and democratic values.

Available sources justify the conclusion that there are no attempts on the part of the military to reject the society-wide vision of the ideal soldier. It is possible to identify individual methods through which this ideal is transferred into the army. The principal method of the transfer is obviously the recruitment of army personnel out of the citizens of the Czech Republic who have their roots in this country, identify with its values and are neither immigrants nor second-generation immigrants. Another method consists in cultivating and further developing army traditions in connection with legionary, antifascist, and, to some degree, also anticommunist resistance. The army command has introduced the Code of Ethics aiming at the development of military professional ethics. The character of the army's day-to-day life, in which traditional military-autocratic style of control is combined with managerial style, is significantly different from Goffman's concept of total institution. One can say that military service in the Czech Republic has both military-professional and occupational character. Unlike post-war Germany, the Czech Republic has not introduced any system of political education of soldiers and, thus, it hasn't made any special investment in the development of their civic virtues. This situation is to be accounted for partly by the aversion on the part of Czech military elites against any form of political indoctrination, which is a response they developed in the period of "socialism building", partly by limited possibilities of the MoD budget.

Even though the way the ideal Czech soldier is defined by society is a rather vague image, whose shape is mostly only sketched in rough outlines, the Czech Army, as far as can be established on the basis of available data, is not trying to take advantage of the fact and through reinterpretation surreptitiously change the ideal. In other words, the societal image of the "soldier-citizen" is basically accepted by military elites, who, using the above-described methods, are now trying to introduce the ideal into the army.

The final answer to the question of the extent to which the actual Czech soldier resembles its ideal model set as a norm by society, that is, the extent to which the society has succeeded in transferring its ideal into the army, has to wait for further research. In the context of the transfer, there is one distinction in particular that we should keep in mind – the difference between the training and education of rank and file, non-commissioned officers and warrant officers on the one hand, and commissioned officers on the other hand.

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