



# LATVIA'S MILITARY PERSONNEL: Limits of Civil Rights as a Guaranty of Political Neutrality

ILMARS DZENEVS

National Defence Academy of Latvia  
Baltic Defence College, Tartu, Estonia



National Defence Academy,  
Latvia (*Left*)  
Baltic Defence College,  
Estonia (*Right*)

Edited by Jason Warner, FMSO

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### **Editor's Background**

Jason Warner is a Sub-Saharan Africa analyst at the Foreign Military Studies Office (FMSO), and a Ph.D. candidate in African/African-American Studies at Harvard University. Jason holds an M.A. in Government from Harvard University, a second M.A. in African Studies from Yale University and a B.A. (highest honors) in International Studies and French from the University of North Carolina-Chapel Hill. He has worked and/or served as a consultant for the United Nations Development Program (Nigeria), Nigeria's Ambassador to the United Nations, the US Army, Freedom House, and the Institute of Caribbean Studies. He has published in various academic journals on African and Caribbean international relations, security affairs, and political thought, and has written for outlets such as CNN, The Council on Foreign Relations, and UN Dispatch. He is also the former editor-in-chief of the Yale Journal of International Affairs.

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### ***Introduction by Jason Warner***

One fundamental challenge that militaries – particularly those in democratic states – must face is how to reconcile the protection of the civil and political rights of their service members while ensuring that these same citizens simultaneously remain subservient to the military apparatus, and, thus, politically neutral. While this task has generally been achieved in advanced democracies like the United States, it remains a particularly daunting prospect for the newer former Soviet states, including Latvia. Seeking to understand how the Latvian military has approached the protection of service members' rights since the restoration of that country's independence in 1991, Ilmars Dzenevs presents in the following article the findings of a series of interviews with experts on Latvian military affairs. These interviews, combined with Dzenevs' own analysis, paint a broad picture of Latvian military elites' perceptions of the current state of the protection of military members' rights and the attendant prospects for military political neutrality in the country.

However, Dzenevs' contributions do not end there. Of equal importance, this article – an abridged version of Dzenevs' Masters' thesis at the National Defence Academy of Latvia – offers a succinct comparative picture of the Latvian and US militaries' approaches to the protection of the civil and political rights of their service members. The article also reflects differences in Latvia's and the US' definition of – and distinction between – are civil rights and political rights. To be sure, this piece will be a useful read for those interested in military law, comparative military studies, or the Baltic region in general. Moreover, as per the author's wishes, it will optimistically contribute to the improvement of civil-military relations as Latvia continues down its path of democratic consolidation.

# LATVIA'S MILITARY PERSONNEL: Limits of Civil Rights as a Guaranty of Political Neutrality

ILMARS DZENEVS

National Defence Academy of Latvia  
Baltic Defence College, Tartu, Estonia

Since the end of World War I, Western democracies have effectively expanded the civil and political rights of military personnel on active duty. Practices vary from nation to nation, but, in general, the legitimacy of military service is based on the recognition of the soldier's civil and political rights as a citizen. However, being a soldier also puts unique limits on service members' individual rights. A soldier can be legally ordered to go to war by his nation, and also has special limits placed on his liberties due to the state's necessary oversight of soldiers' access to, and use of, lethal weapons and sensitive defence information. More importantly, however, the restriction of service members' civil and political liberties is also intended, in part, to engender a politically neutral cadre of military personnel.



Overview of Latvia and its neighboring countries.

Of all global states, the US military has succeeded in sustaining the political neutrality of military members. Indeed, the US military history of professionalism and political neutrality is

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reflected in its code of ethics. Apart from FM-1, *The Army*,<sup>1</sup> each service has its own Officers Guide, which sets a code of principles to which all officers should aspire, both in official duty and their personal lives. One element that is stressed in all of them – the importance of political neutrality – is stated, in one instance, as follows:

*Stay out of politics. Don't become embroiled in politics. Political activity is contrary to American military tradition. As a citizen, you have the right to your opinions and a duty to vote, but keep your opinions to yourself, within your home, or within your own circle of friends. You can do this without being an intellectual eunuch. Also one must remember that criticism of the president is particularly improper because the president is, after all, the Commander in Chief of the armed forces.*<sup>2</sup>

In short, as the most professional, modernized, and well equipped army, which exists in a state in which democracy is deeply entrenched, the US military cares deeply about ethical behaviour, particularly as regards the practice of political neutrality within the context of service members' political and legal rights.

Given the United States' generally laudable code of ethics for military rights, Latvia has modelled its military's stances on such questions in the same vein. Several rationales underlie this decision. First, because of its existence as a mature democracy, the United States offers a venerable and historically proven template for Latvia to learn about and potentially replicate policies intended to preserve the political neutrality of military personnel as it optimistically develops into an increasingly democratic society. A second reason for following the United States is that it is the keystone country for the culture and doctrine of the North Atlantic Treaty Organization (NATO), of which Latvia became a member in March 2004. Third, the United States has a long history of applying such laws and regulations, and therefore has extensive case law to support the correct application of its policies.

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1 U.S., Department of Army, *FM 1* (June 2005); available at: <http://www.army.mil/fm1/index.html> [accessed: 22/02/2012].

2 Jeffrey C. Benton, *Air Force Officers Guide, 31st Edition* (Mechanicsburg: Stackpole Books, 1996), pp.11-12.

Discrepancies remain, however, between the US military's ethical model and its applicability in Latvia, given the latter country's social, political, and military realities. First, whereas the US Armed Forces have achieved political neutrality of military personnel through a combination of legal enforcements, education, and informational campaigns, the Latvian military mostly relies on restrictive legislation measures to keep soldiers out of political activities. Second, in the United States, orders at the local institutional level are much more detailed and are very clear, whereas in Latvia regulations tend to use broader language that is often misinterpreted, thus creating ambiguities as to what constitutes acceptable activities of service members. Third, whereas the Bill of Rights of the Constitution of the United States does not impose any restrictions regarding military personnel, the Basic Rights in the Constitution of Latvia does impose some such legal limitations. These differences thus recognized, fundamental questions remain: How does a state like Latvia reconcile political neutrality of the Armed Forces with exercise of political rights of military personnel? Is the protection of military civil and political rights even relevant in a developing democratic society such as Latvia's?

In an effort to resolve some of these lingering issues, this study examines the current situation in Latvia as it pertains to the civil rights of members of its Armed Forces. By conducting and analyzing interviews with senior level experts in Latvian civil-military affairs, the author of this qualitative research study aims to obtain and examine perceptions and understanding about the contemporary state of civil-military interactions, particularly related to the question of political neutrality. The study seeks to determine whether current Latvian legislative regulations and military culture are adequate for protecting both civic and political rights while also ensuring military members' political neutrality, and, further, whether contemporary Latvian policies are truly fulfilling the standards set forth by the US military, upon which it models itself.

This study proceeds as follows: the next section offers a brief overview of the history of the Latvian military and its stances on political rights of service members, while the following section presents interview data from several high-ranking experts on Latvian civil-military affairs and offers some analyses thereof. The final section serves as a recapitulation of the study.

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## The Latvian Military: An Overview of History and Political Rights

In mature democracies, democratic, civilian control of the armed forces is taken as a given. Indeed, questions are rarely raised as to why political neutrality of the military is important. However, the idea of the military's political neutrality and place under direct civilian control is new to most of Central and Eastern Europe, including Latvia.

For historical reasons, countries like Latvia have virtually no indigenous military traditions upon which to build an opinion on such matters. (Latvia's blank slate on such issues stands in contrast to countries like Hungary and Poland, both of which boast great military traditions dating back centuries.) Nevertheless, this lack of a deep military tradition actually serves to create a distinct advantage for Latvia: the ability to create a schematic of civil-military relations from ground zero. More specifically, it leaves open the possibility for Latvia's adoption of policies from more mature and successful countries, such as the United States. This section reviews the history of the Latvian military profession, giving specific attention to the state of legislation regarding the reconciliation of political activities of military personnel with the country's burgeoning attempts at democratization.



Latvia's geographic location within Europe.

### The Latvian Military and Political Neutrality

While the genesis of the Latvian military occurred on the eve of World War I, its approximately fifty-year existence as a Soviet state (1940-1991), a period of time which also included Nazi occupation (1940-1945), means that for the current discussion the most relevant point of departure for understanding a national Latvian military is 1991. Upon independence that year, the Latvian state began recruitment of citizens to serve as soldiers, an effort that was aimed at filling the military vacuum in the newly declared republic. To that end, the National Guard (*Zemessardze*) was established in August 1991 as a voluntary public military self-defence organization. All members of this organization were politically involved in creating a new democratic society in Latvia, and

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actively participated in political life, not only as voters, but also as members of political organizations and movements. Since then, the National Guard has always played an essential role in the national defence system by allowing the public to be involved in national defence. In 1992 the National Defence Forces (NDF) were established, and the primary military foundation was placed upon National Guard, which continues to be dominant in Latvia. It was at this point that the period of professionalization and attempts to reconcile individual political activities with military personnel obedience began. Despite the fact that the “citizen soldier” concept is behind Latvian military service, conscripts were obligated to stop any activities in political parties or organizations while they served in the Army. All volunteers were prohibited from participating in any political activities.<sup>3</sup>



Coat of arms of Latvia



Latvian National Armed Forces emblem (Nacionālie Bruņotie Spēki)

As a result of the early prohibition of political activity by military members, the Latvian military became slightly isolated from the newly independent Latvian society that sought to fully embrace and enjoy the benefits of new democracy and commercialism. Interestingly, while much of Latvian society during the 1990s was motivated by the desire for economic accumulation, conscripts to the military tended to be driven by commitment to the mission. Poor equipment and living conditions for the military, as well as the low salary, stood in sharp contrast to the developing prosperity of Latvian society in the 1990s. The military was at times even considered an economic parasite when compared with memories of the Soviet

<sup>3</sup> LR Saeima, *Likums 'Par Aizsardzības spēkiem'* (LVA Parliament, *Law 'of Defence Forces'*) (adapted: 4 Nov 1992, in effect: 1 Jan 1993); available at: <http://www.likumi.lv/doc.php?id=66546> [accessed 14/03/11].



Army, especially after cases of inhumane treatment and abuse of Latvian conscripts -- a portion of which had lethal outcomes.<sup>4</sup>

By the late 1990s the Latvian military began to establish itself as an entity that stood apart from Latvian society; however, it failed to develop its own institutionalized code of ethics. Various phenomena unique to Latvian society impeded the development of such a code. First, a lack of funding meant that service members could not live in isolation in military barracks, and thus, tended to think of themselves simply as part of larger Latvian society, and not primarily as service members. Second, given that large swathes of Latvian society participated in the National Guard, the distinction between “military” and “non-military” personnel was sometimes blurred.



Latvian National Guard emblem

Third, as time progressed, service members stopped thinking about the military as a “calling,” but instead began to view military service as “just another profession,” that did not require any sort of new code of ethics. In the few instances where professional military ethics did emerge, they tended to be a result of small groups of soldiers themselves, not a result of a larger Latvian military mentality. Indeed, even though the Latvian military engaged with many other militaries around the world in an attempt to obtain as much expertise as possible from various sources, in general, this project did not lead to one institution-wide view on the military profession. Therefore, according to Latvian military scholar Andzela Rozcenkova, Latvian forces still lack, “a professional ethical code that includes a common understanding about professional values and behaviour.”<sup>5</sup>

With the shift to all-volunteer forces in Latvia on 1 January 2007, the military profession that had neither the time nor the capability to evaluate itself now moved to adopt the “occupational model” of the military profession.<sup>6</sup> Instead of the former view of the military system as anchored

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4 BNS, *Septiņu gadu laikā Latvijas armijā 20 līķu (20 corpses in the Latvian army during last 7 years)* (28 May 2001.); available at: <http://www.delfi.lv/news/national/politics/septinu-gadu-laika-latvijas-armija-20-liku.d?id=1353863> [accessed: 07/01/2011].

5 Andžela Rožčenkova, ‘Militāra kultūra’ (Military Culture), *Militārais apskats (Military Review)*, Nr.2 (2007), pp.56-62.

6 Charles C. Moskos, ‘The All –Volunteer Military: Calling, Profession, or Occupation?’, *Parameters, Journal of the U.S. Army War College*. Vol. 7, No 1 (1977), pp.2-9.

in the normative values of a “calling,” the main emphasis in recruiting the armed forces was now based on monetary inducements guided by marketplace standards. As it had been before in practice (though not in official nature), the Latvian military was now regarded as just another job, offering a good salary and social benefits that were worth the cost of giving up some rights of the common citizen, at least in the short term. Indeed, some retired soldiers, when talking to the media, said that one of the most important drivers for joining an all-volunteer force was the monetary benefits, not the vocation.<sup>7</sup>

Throughout the military’s brief history, Latvian soldiers have demonstrated a reluctance to accept even a basic professional code of ethics. The first notable case occurred in 1999, when a military graduate who was presented the “Sword of Honour” (a prize for the country’s top graduating cadet) refused to continue his duty away from capital, thus publicly insulting higher military officials. In exercising his freedom of expression, the soldier demonstrated the ethos that for the new generation of Latvians, military service is viewed as simply another career possibility, undertaken for its potential for economic accumulation. Indeed, as the case of this outstanding Latvian soldier showed, monetary benefits – not loyal and honourable service “in the middle of nowhere” in the Latvian countryside – were his real motivation for joining the military.<sup>8</sup>

For their part, senior leaders in the Latvian Army have also not adhered to a strict abstention from politics; indeed, they frequently participated in politics, often suffering the consequences. For instance, in 1998 Colonel Juris Dalbins, Commander of the NAF (National Armed Forces), disregarded direction from Minister of Defence Talavs Jundzis and took part in a march of former members of the German SS Latvian Legion. In the words of Talavs Jundzis, Colonel Dalbins “violated the law on national defence and proved that civilian control over the armed forces is insufficient.”<sup>9</sup> This action forced the resignation of Dalbins, who, importantly, immediately then joined the Peoples Party as a demonstration of his political affiliation. To be sure, Dalbins is not the only senior officer who embraced political life after retirement. Retired officers such as Dainis Turlais, Janis Adamsons, Karlis Kreslins and others found their post-military vocation in

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7 TVNET, Sandra Kvaste, Latvietim Irakā izrauj aci (Latvian lost eye in Iraq) (13 September 2010); available at: [http://www.tvnet.lv/zinas/latvija/345574-latvietim\\_iraka\\_izrauj\\_aci](http://www.tvnet.lv/zinas/latvija/345574-latvietim_iraka_izrauj_aci) [accessed: 10/12/2011].

8 Kas notiek Latvijā?.lv, Domburs, Janis, Kas notiek armijā: ko darīja un teica tēvs un dēls Zatleri (What new in the army: what said and did son and father Zatlere) (28 November 2008.); available at: <http://www.knl.lv/raksti/627/> [accessed: 14/02/2011].

9 Gunita Nagle, NBS komandieris nepakļaujas civilai kontrolei (Commander of the NAF Disregards Civilian Control) (7 April 1998); available at: <http://www.diena.lv/arhivs/nbs-komandieris-nepaklajas-civilai-kontrolei-10030509> [accessed: 03/03/2012].

“...the Latvian military curtails political activities and the freedom of expression by means of certain organizational policies.”

politics, but their affiliation to a specific political course was less notable during their service.

### The State of Civil Liberties in the Latvian Military

The Constitution of The Republic of Latvia, *Satversme*, provides the basis for the legal framework for the NAF. At the highest level, the Constitution names the president as the commander-in-chief, grants the Parliament, *Saeima*, power, and also states that, “the people have the right to legislate” and “determine the size of the armed forces of the State

during peacetime.”<sup>10</sup> The next step in the legal hierarchy is the National Security Law, which determines the structure of the national security system and tasks of each constituent part, the expected competence of the persons or institutions within the national security system, and the principles and procedures of coordination, implementation and control of their activities. Various individual statutes within the *Satversme* are germane to the discussion at hand. Section 11 states that the minister of defence has the authority to “ensure the administration and military education of the personnel involved in State defence.” National Security Law’s Section 12 states that Supreme Commander of the NAF has authority to “issue orders restricting the rights and freedom of individuals.”<sup>11</sup>

Moreover, the Military Service Law governs all active duty military members, reservists, and, in certain circumstances, retired members. Several Military Service Law articles either directly limit the political activities and free speech of military personnel or serve as a means to reinforce organizational policies that limit the aforementioned activities. In section 15 of the Military Service Law, soldiers are prohibited from “engaging in political activities, joining trade unions, organizing strikes and participating in them.”<sup>12</sup> Interestingly, this broad statement of what consti-



The national flag of Latvia

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<sup>10</sup> Ibid.

<sup>11</sup> LR Saeima, ‘Nacionālās drošības likums’ (LVA Parliament, ‘National Security Law’) (adapted: 14 Dec 2000, in effect: 29 Dec 2000); available at: <http://www.likumi.lv/doc.php?id=14011> [accessed 20/01/2011].

<sup>12</sup> LR Saeima, ‘Militārā dienesta likums’ (LVA Parliament, ‘Military Service Law’) (adapted: 30 May 2002, in effect: 1 Jul 2002); available at: <http://www.likumi.lv/doc.php?id=63405> [accessed 14/03/2012].

tutes a “political activity” clashes with a soldier’s right to exercise passive electoral rights.

In addition to the national legal framework, the Latvian military curtails political activities and the freedom of expression by means of certain organizational policies. For instance, MOD Regulation No. 55 forbids members of the NAF from engaging in dialogue with the media without permission of superior commanders.<sup>13</sup> The military organizational structure also allows commanders to issue orders at the local level. These orders can restrict freedom of speech as a convenient means to address local discipline, even in a pre-emptive manner.

As a closing remark, it should be noted that all of the above limitations are written in an expansive and ambiguous manner. As such, the expression of a personal opinion on a military issue by an officer to his spouse, for example, could theoretically lead to a violation of order and disciplinary repercussions. In short, although the spirit of the Latvian soldier’s code is mentioned in a number of documents, it remains insufficiently clear, and needs further codification if it is to be truly effective in its intended purpose.

## **Data and Analysis**

This section offers an overview of the data collected in interviews with Latvian military experts, that is, persons who are responsible for the development, implementation or control of strategies and policies, or others deeply knowledgeable about such subjects. The interview respondents included members of Parliament, officials of the Ministry of Defence, representatives of Latvia in international organizations, and academics. In all, 30 persons were approached, nine responded directly or indirectly.

The aim of the qualitative research is twofold. First, it is intended to help clarify, by way of interview, what behavior is expected of Latvian military personnel with respect to political neutrality. Second, and as a by-product, it seeks to offer insights as to how best to conduct Latvian civil-military relations in the future.

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<sup>13</sup> LR AM, AM Noteikumi Nr. 55-NOT ‘Sabiedrības informēšanas kartība’ (LVA MOD Regulations No.55 ‘Regulations for release information to public’) (30 June 2008).

## Political Activities and Passive Election Rights

On this topic, all respondents agreed that there are some contradictions in the Latvian military's policies. However, no one recognized the distinction between the status of the military and citizens. Respondents' visions were tied to the status of the soldier and they were not able to embrace the view of the soldier as a citizen who engages in an electoral race as military. The following quotations show a variety of opinions regarding the separation of military roles from political activism:

- *I believe such a right [to run for office] has to be enabled, but with a condition: that the soldier leaves active military service.*
- *As soon as the soldier wants to become a member of a political party, then in fact, he is no longer in the moment defending the national interests, and maybe, instead, his primary interest is in politics.*
- *A military service member has the choice of either one career or the other, but the two together do not work.*

*Some noted that the role of military is inherently connected to political influence:*

- *In military service, like public service, there is a critical importance to maintain loyalty to the state, regardless of whether or not a politician is in power at a given moment. Even in the event of a radical political change, the military must be prepared to obey the legitimate orders of political power, regardless of their personal agreement or disagreement with them.*

Some moderate opinions were also provided:

- *Soldiers can participate in the political process with their advice; they can give their expert opinion one way or another. This comes not so much as a purely political action, but in their role as experts in one field or another.*

Interviewees also identified some problem areas to which special attention should be paid. Additional recommendations included:

- *The definition of what does and does not constitute “political activity” is not clear, and so we need to make this distinction a priority.*
- *If we continue to think of the military involvement in political activities as being political parties in action, then there should be a loud and clear definition - the military cannot be members of political parties.*

The discussion revealed the general role of the soldier in society and politics from the civil perspective. However, respondents were not motivated to analyze the given issue and propose any particular action. Instead, conversations turned into discussions of what status of political rights military personnel should be granted in general. Discussion did not expand on the ambiguous current situation, where legislation does not allow the military to enforce their passive election rights without engaging in political activities prior to their nomination for elected office. Respondents did not recognize inequalities in conditions that soldiers have versus the rest of citizens prior to elections. Most assessed the current legislation as in line with the desired political neutrality of military personnel, and did not foresee the need for any change towards liberalization or more to add stringent provisions.

### **The Right of Freedom of Speech and Expression**

This topic elicited a variety of responses supporting military personnel’s rights to express their ideas and opinions freely through speech, writing and other forms of communication (this discussion did not refer to classified information):

- *Any officer or soldier can write humorous comments and participate in discussions, if necessary.*
- *The military is perfectly alright to speak on issues.*
- *Democracy did not work on the principle that something should be limited, so the military should be allowed to express their opinions, and also free to discuss...political issues.*

All respondents strongly supported the freedom of expression for all citizens in a democratic society, including military personnel, and emphasised Article 100 of the Constitution of Latvian

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Republic. At some point they also implicitly recognized the need for provisions. This mainly unconscious idea of limitations does not refer only to subjects of restricted information, but also to generally accessible information:

- *Of course, here again it is a matter of understanding what “freedom of speech” actually means, when it comes to the scope of a military issue that directly affects a service member’s military duties.*
- *As for information that is not classified ... I personally believe this should be embedded in legislation that allows the widest possible comment.*

Respondents were not able to provide plausible reasons for limitations on freedom of speech for military personnel. Instead, they expressed the notion that, somehow, it needs to be regulated:

- *Well you see, there’s the thing that the line is extremely fragile, and no codes of ethics, and with no rules, in principle, you could not regulate what is called common sense.*
- *I think that in this situation, that there is only the sense of knowing how sensitive the regulations are, and the superior officer must say whether he has an interest in his soldiers expressing their views on this issue.*

All of the respondents expressed the view that military personnel do not have the rights of expression to the same extent as common citizens. Two respondents find that soldiers are not willing to express their opinion in public or have kind of inhibition to do:

- *Yes, as much as they greatly fear to talk, you saw their fear and it surprises me.*

The three respondents identified the possible disincentives that could make soldiers limit their activities in public:

- *There may well be one commander who interprets the rules in the same way, and he turns to the other one, who interprets the same rules another way.*
- *But there is one thing that is sometimes not very fair to us - sometimes the administra-*

*“This study is the first of its kind to examine the question of civic and political rights as they relate to political neutrality in the Latvian military.”*

*tion or officials and official knowledge do not know how to respond and lock up the issue with secrecy.*

To sum up, most respondents, likely due to their experiences within an authoritarian regime, still view it to be important to limit the right to free speech. While there were not many who were able to give good reasons for limiting military speech, it seems clear that vestiges of the authoritarian history do not allow Latvian society to accept basic freedoms as undisputable core values. Due to this fact, even respondents who declare support for liberalization leave the possibility for the limits or restrictions.

### **Ethical Code of Conduct for Military Personnel**

This discussion was intended to investigate the opinions of civil society about the self-defined ethics of military professionals as a facilitator of apolitical behaviour. Most respondents assessed the option of self-defined professional ethics as an irrelevant option in enhancing the desired apolitical stand of military personnel:

- *I do not think that a document called an ethical code solves the problem. I think it's a formal annex.*
- *With any codes of conduct, and with any rules in principle, you cannot regulate what is called common sense.*

Two respondents directly, and others indirectly, downplayed the relevance of a self-defined code of conduct. All respondents instead emphasized the rule of law:

- *Therefore, the law is all and the law does not release from liability.*
- *Soldiers are not allowed to directly ask issues of interest to senior officers while bypassing the chain of command, so the question can be initiated in hierarchical way.*
- *So, if someone has said something, the officer notes; listen, see, there is the law, the law*



*on this point says: do not deal with political campaigns.*

In the discussion about self-declared ethical norms as a facilitator of politically neutral behaviour for military personnel, the outcome mirrors the perceptions about the ethics of society at large. The social elite demonstrated that they do not believe in group-centred values. All respondents were skeptical about the idea for a code of conduct in contrast to the rule of law. Legal provisions were regarded as the main tool for discipline in the armed forces.

### **Situation of Civil Rights of Military Personnel in General**

This part of interview let the respondents evaluate the overall landscape of Latvian military civil rights more broadly. The respondents were asked for comparisons with other countries by focusing attention on partners in the EU and in NATO. The answers in favor of liberalization were balanced with views that the current situation is in line with the desired political neutrality of military personnel. Two respondents supported more freedoms for military personnel:

- *Some kinds of restrictions against military are just very rare exceptions. It may not even be a system; they are just completely necessary exceptions, which we have already mentioned here.*
- *I think that Latvia definitely should liberalize, but first this should definitely be adopted through the existing legal framework.*

Three respondents assessed the current situation as satisfactory:

- *In this situation I see that the framework is sufficiently liberal, but I see problems in our Constitution.*
- *The framework that currently exists already does not restrict democratic freedoms to express their views.*
- *As shown by the current restrictions...they are they sufficiently effective, and currently there is no need to amend the current arrangements.*

The respondent who admitted that future progress of Latvia towards liberal democracy could

initiate changes in attitude to the military personnel rights and freedoms also provided an opinion of how the changes could be initiated:

- *Of course, if the military has some kind of agreement that initiates that something should be done, then through the NAF and MOD the government can certainly recommend amendments to the law.*

The one supporter of liberalization believed in further globalization, and was dismissive of domestic and national initiatives:

- *Such a joint army (EU) of soldiers also should be created equal, not only in the military field, but also the soldiers' rights. There could be differences in the details, but conceptually all the principles should be the same. Being a single organization will have the same opinion about soldiers' rights.*

In conclusion, the general perception in society about political rights of military personnel can be marked as more permissive than restrictive. One respondent advised military personnel to use instruments of a democratic society in cases where they feel their rights were being overly limited.

## **Summary**

This study is the first of its kind to examine the question of civic and political rights as they relate to political neutrality in the Latvian military. Primarily, its innovation lies in its presentation of both the similarities and differences that exist between the Latvian and US militaries, as well as offering a portrait of the perceptions of the Latvian military elite about the role of members of the Armed Forces in contemporary Latvian society. Some bullet points of the main lessons of this study follow:

### **Latvian Military Compared to the US Military**

- During 220 years of development the US military has come up with a clear and common understanding of military ethics in context of political neutrality that is published in the *Officer Guides* and other codes of ethics for all branches of service. The Latvian NAF has concentrated on the practical issues of professionalism and lags behind as concerns the

moral and ethical issues.

- The US Armed Forces have achieved political neutrality of the military personnel not only with legal enforcements, but also through continuous education and information. In contrast, the Latvian military mostly relies on restrictive legislation measures to keep soldiers out of political activities.
- The Bill of Rights of The Constitution of the United States does not impose any restrictions regarding military personnel. The Basic Rights in the Constitution of Latvia (*Satversme*) imposes some legal limitations in order to protect the rights of other people, the democratic structure of the state, and public safety, welfare, and morals.
- Military orders in the United States are much more detailed and are clear on the local institutional level, compared to Latvia's use of very broad terms.
- In general, the United States has a moderately restrictive policy of political neutrality compared to Latvia, which prefers highly restrictive policies of political neutrality of the military personnel.
- Because of the liberalization of society, the military profession in Latvia is regarded as simply another job, whereas in the United States, it tends to be viewed as a separate calling unlike other professions.

### **Perspectives from the Latvian Military Elite**

- A soldier is a politically active member of society.
- Some limits within current legislation are inadequate and need to be reformed, a process that should be undertaken by the soldiers themselves through the country's new democratic channels.
- Soldiers should be able to express their opinions publicly, using common sense discretion not to make statements that are contradictory to military interests.
- As it stands, the common professional code of conduct is not effective compared to the legal provisions for discipline and behaviour of the soldiers.

- The Latvian military should take on a more liberal approach to its soldiers' rights, and should minimize the limits on soldiers' rights and freedoms in order to encourage soldiers to take a bigger part in political and social processes.

These insights thus delineated, it is the hope of the author that this study will ultimately contribute in meaningful ways to the improvement of civil-military relations in the country, as Latvia optimistically progresses even further into a democratic future.