

THE ROMANIAN NATIONAL GUARD - 2021

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Abstract: *The article aims at recalling a less emphasized moment in Romania's military history, namely the role played by the Romanian National Guards in Transylvania, from 1918 to 1919, as bodies meant for ensuring public order and defending the national rights resulting from the application of the principles of self-determination, freedom and national unity, Guards established during November - December 1918, in the lands inhabited by the Romanians, between the Carpathians, Tisa and the Danube, amid the break-up of the Austro-Hungarian Empire. Although the recruitment was done on a voluntary basis, these Guards had a strong military structure, being made up of Romanian officers and soldiers from the former Austro-Hungarian army and equipped with weapons from the old structures. As an element of continuity, but also as an alternative to the abolition of the compulsory military service, along with the drastic reduction of the number of military personnel - under a critical limit, and against the background of new asymmetric and non-conventional threats to the national security and defense, the author supports the initiative to establish the National Guard of Romania - a structure subordinated to the Ministry of National Defense, as a fourth category of military forces. This approach also aims at capitalizing on the experience of well-trained military personnel – retired now, part of the reserve corps, in the process of reforming the army, criticizing, as uninspired to say the least, the initiative to promote and then to apply the provisions of Law no. 270/2015, on the Status of Voluntary Reservists.*

Keywords: *Romanian National Guards in Transylvania - 1918; new asymmetric and non - conventional risks and threats; National Guard of Romania 2021.*

Introductory considerations

The coronavirus pandemic is a global phenomenon today. And global phenomena require global solutions, or at least a minimum of coordination and cooperation in identifying countermeasures. This is what was missing during the first wave of the epidemic, the only constant being the compliance with the recommendations of the World Health Organization (WHO).

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Experts in geopolitics estimate a possible change in the world order. However, we do not yet have all the elements to make a valuable judgment on events that are in unprecedented dynamics. Nevertheless, the coronavirus pandemic is likely to become the most important event of the 21st century. What is certain is that the pandemic has produced and continues to produce changes in many areas, from everyday life to our socialization processes, from state functions to fundamental rights and freedoms, democracy, nationalism and a possible recalibration of the concept of the rule of law.

Regarding the European space, the pandemic revealed, at least in its early stages, the lack of resilience and cooperation of the European Union (EU), just when there was a greater need (given the UK's exit from the Union). The reality is that each Member State has given priority to its own response to the crisis.

Thus, only on March 19, 2020, the European Commission finally decided to create a strategic reserve (RescEU) of medical equipment, such as ventilators and protective masks, to help EU countries in the context of the COVID-19 pandemic (RescEU medical reserve is currently hosted by Romania and Germany).

However, the North Atlantic Alliance (NATO) acted more effectively, right from the emergence of the first manifestations of the pandemic in Europe. Thus, NATO developed an action plan to combat the pandemic (completed, among other things, with the operationalization of over 100 field hospitals with specialized staff – 15 thousand doctors and nurses, high-performance medical equipment, etc.) and developed an operational plan to deal with a possible second wave of COVID-19 infections. The 30 member states of the military alliance will thus put together a common stock of medical equipment and a fund with financial resources to be used for the purchase of essential medical products. NATO's main mission, in the context of the coronavirus pandemic, is to ensure *"that this health crisis does not become a security crisis"*, NATO Secretary-General, Jens Stoltenberg, said at the end of two days of talks with defense ministers of NATO member countries, from 17 to 18 June 2020.

So, we can conclude, at a first assessment, that we are currently facing a *"sanitary war"* (codified in this way by the French President Emmanuel Macron, who called on the country to be prepared for *"a real*

war with the enemy called COVID-19)¹ which is undoubtedly a priority today, but also with a real "economic war", no less important and unpredictable in development.

How modern society will manage the first type of "war" is very important for the finality of the second type of war which can become much tougher. Not only are we dealing with two overlapping crises, but both require a great deal of adaptation. From here to the outbreak of a war (hybrid or even classic) is only one step. When and how it will take place, the answer must be given by the Euro-Atlantic intelligence services.

Romanian tradition. Romanian National Guard - 1918

Those who had a penchant for the history of the Romanian army, found that such a structure existed mainly in Transylvania between 1918 and 1919, and had, at that time, over 10,000 members (active Romanian officers from the former Austro-Hungarian Army, reserve officers, volunteers, etc.). However, the institution of the Romanian National Guards was not unique to Transylvania, it was also found in Bucovina in the Dornelor area, as well as on the Adriatic coast, at the Austro-Hungarian naval base Pola.

The Romanian National Guards were bodies of ensuring public order and defending national rights resulting from the principles of self-determination, freedom and national unity, established during November - December 1918, in the lands inhabited by Romanians between the Carpathians, the Tisza and the Danube. They were organized by the Central Romanian National Council (CNRC), based in Arad, and subordinated to it and, together with the Governing Council, they had the quality of executive bodies (from this structure *were inspired* the military doctrinaires from the Ceausescu period when they proposed the establishment of modern *Patriotic Guards* - 1968, and were not related to the model of *Patriotic Defense Guards* established in 1944, Soviet-inspired).

¹ Clément Millon, De la crise à la paix sanitaire, en passant par la guerre. L'origine d'un état nouveau", Revue Politique et Parlementaire, 02 juin 2020, 08 juin 2020, available at <https://www.revuepolitique.fr/de-la-crise-a-la-paix-sanitaire-en-passant-par-la-guerre-lorigine-dun-etat-nouveau/>, accessed on 10.08.2020

Thus, on November 7, 1918, in Arad, the command of the national guard of Arad County was reorganized, based on a regulation elaborated and approved by CNRC. On November 11, in Arad, the Supreme Command of the Romanian National Guards from Transylvania and Hungary was established.

Major Alexandru Vlad was appointed head of this body. On the occasion of his installation, Ștefan C. Pop (organizer of the Great National Assembly in Alba Iulia on December 1, 1918) delivered a speech to mobilize the energies of Romanians in Transylvania and Hungary, to fulfill national goals. The establishment of the supreme command of the national guards accelerated the process of establishing the local Romanian guards.

According to the established regulation (imposed by the new Hungarian authorities), the number of guards could not exceed 5% of the total population in a locality. After the establishment, the guards went to Arad to take the oath of allegiance, to the Romanian National Council in Hungary and Transylvania, and to the Romanian nation.

After the establishment of the supreme command of the national guards, the Romanian officers went to the localities where disturbances occurred to maintain peace and tranquility, but also to ensure the safety of bridges and roads.

The establishment of the Romanian National Guards was also carried out for the safe taking over, without incidents, together with the local Romanian national councils, of the administration from the hands of the Hungarian authorities. This process took place during November, with incidents between the Hungarian authorities and the new Romanian authorities.

At the Great National Assembly from Alba-Iulia, out of the 1228 delegates (deputies) representing the Romanian nation, 64 were from the Romanian National Guards, and the public order was ensured by 1700 members of the Guards².

² Cristian Mareș, *The Transylvanian Revolution of 1918 and the Romanian National Guards*, **The Heroes of the Nation Magazine** No. 2 (11), 2012

THE NATIONAL GUARD, A TOPICAL MILITARY STRUCTURE

US ARMY

THE US ARMY IS COMPOSED OF:³ THE REGULAR ARMY, RESPECTIVELY THE UNITED STATES ARMED FORCES, THE ARMY NATIONAL GUARD (ARNG) AND THE UNITED STATES ARMY RESERVE (USAR).

THE US MILITARY CURRENTLY HAS FOUR MAJOR COMPONENTS AND TWO AUTONOMOUS COMPONENTS, NAMELY:

- *U.S. Army - ground forces;*
- *U.S. Navy - naval forces;*
- *U.S. Air Force - the air force.*
- *US Space Force (USSF) operational since August 2020.*

THE OTHER TWO COMPONENTS ARE:

- *UNITED STATES MARINE CORPS (USMC)*
- *UNITED STATES COAST GUARD (USCG)*

► ***US National Guard***

The US National Guard (approx. 450,000 troops) consists of: The Army National Guard (ARNG)⁴ and the Air National Guard (AIG)⁵

Brief history (existence):

- *As a militia financed by the state under various names: in the period 1636 – 1903;*
- *Federal Reserve Forces under the name of the Army National Guard: since 1903 – present.*

Leadership: The US National Guard is administered by the National Guard Bureau. The National Guard Bureau is headed by the Chief of the National Guard Bureau (CNGB), who is a four-star general⁶. The head of CNGB is also a member of the Joint Chiefs of Staff.

³ Our Forces, available at <https://www.defense.gov/Our-Story/Our-Forces/>, accessed on 09.08.2020

⁴ About the Guard, available at <https://www.nationalguard.mil/>, accessed on 09.08.2020

⁵ Our difference, available at <https://www.goang.com/>, accessed on 09.08.2020

⁶ Leadership, available at <https://www.nationalguard.mil/leadership/cnbg/>, accessed on 09.08.2020

The Army National Guard and the Air National Guard are each led by a director.

The Army National Guard (like the Air National Guard) is part of two different organizations, the Army National Guard of several states, territories, and the of the District of Columbia (also known as the United States Militia) on the one hand and the United States Army National Guard, part of United States National Guard, on the other hand. The Army National Guard is divided into subordinate units stationed in each U.S. state and territory, as well as in the District of Columbia, which operate under the respective governors or their equivalents.

The units of the National Guard may be mobilized at any time by presidential order to supplement the regular armed forces and after the declaration of a state of emergency by the governor of the state in which they serve.

Most soldiers of the army and aviation of the National Guard work a full - time civil service, while performing part - time the service as member of the National Guard. Besides them, the members of the National Guard are also composed of full-time military personnel.

Public Law no. 109-364 - John Warner National Defense Authorization Act for Fiscal Year 2007⁷ has changed defense policy radically since 2007, by extending the power of the President - to declaring the martial law, in accordance with the Insurrection Act, revised, allowing him to take command of the United States National Guard troops without the permission of the state governor(s), when public order is severely affected or “got out of the control of state law enforcement agencies and the state and its authorities can no longer enforce the law”. In conjunction with the provisions of Title 10 of the updated US Code, the President of the United States could thus "federalize" troops in the US National Guard, passing them into active force, virtually indefinitely. However, as required by U.S. National Guard regulations (according to the official website⁸), U.S.

⁷ Public Law 109 - 364 - John Warner National Defense Authorization Act for Fiscal Year 2007, available at <https://www.govinfo.gov/content/pkg/PLAW-109publ364/pdf/PLAW-109publ364.pdf>, accessed on 09.08.2020

⁸ Available at <https://www.nationalguard.mil/>, accessed on 09.08.2020

National Guard troops may be called to arms for the following framework periods:

- *“During part-time mobilization. In times of national emergency declared by the President for any unit or any member, not more than 24 consecutive months.*
- *When the President determines that this is necessary to increase the number of active forces, for any operational mission, for any unit or any member, not more than 270 days.”*

However, the States of the federation also have their own policies in this area⁹.

► **Polish Territorial Defense Forces (*are organized on a national guard system*).**

The structure of the Polish army¹⁰:

- General Staff of the Polish Armed Forces;
- General Command of the Armed Forces;
- Army Operational Command;
- Special Operations Forces;
- Territorial Defense Forces;
- Military Police;
- Warsaw Garrison Command

Polish Territorial Defense Forces (TDF)¹¹

The Territorial Defense Forces - TDF (Polish: Wojska Obrony Terytorialnej - WOT) is the fifth service in the Polish Armed Forces in addition to the Land Forces, Air Force, Army and Special Operations Forces. The TDF is an integral part of Poland's defense and deterrence potential (*Poland, like the other States in the former socialist bloc, has had*

⁹Website: *Virginia_Army_National_Guard#Virginia_National_Guard*, accessed on 10.08.2020

¹⁰ Structure of Polish Armed Forces, available at <https://www.gov.pl/web/national-defence/structure-of-polish-armed-forces>, accessed on 10.08.2020

¹¹ Website:<https://www.gov.pl/web/national-defence/territorial-defence-forces>., accessed on 10.08.2020

a similar reservist paramilitary structure since 1965 - which was disbanded in 2008).

Based on Decision no. 140/MON* of the Minister of National Defense, from June 28, 2017, the TDF armed structure was declared the successor of the traditions of the *National Command of the Home Army (1942 - 1945)* from the Second World War.

According to *Decision no. 140 / MON of 28.06.2017*:

- The Territorial Defense Forces (TDF) will be a full-time voluntary organization, with soldiers performing 30 days of military training per year. Unlike the existing reserve forces, which upon mobilization are integrated into regular components of the Polish army, the TDF will be designed to operate autonomously in their areas of residence and with personnel drawn from the local population. This configuration would be most effective in combating hybrid warfare;
- As part of the recruitment plans of the Ministry of Defense for 2017 - 2021, the total number of volunteers was set at approx. 53,000 people, on a budget of 3.2 billion zlotys to arm and equip them;
- In addition to responding to external military threats, the TDF will help strengthen Poland's "*patriotic and Christian foundations*".

According to the official website of the Polish Ministry of National Defense, regarding TDF, we quote:

“By creating Territorial Defense Forces Poland increased the national ability to defend the country from any attack by any potential aggressor which is in line with the NATO standards for building own defense capabilities of the Alliance member nations (NATO Treaty Art. 3).

TDF complement national deterrence capabilities, not substituting any of the Polish Armed Forces capabilities.

Main tasks of the Territorial Defense Forces are in line with Polish Armed Forces missions described in the National Defense Strategy, and therefore include:

- presenting deterrence posture,

- conducting military operations within the Strategic Defense Operation, in order to repel enemy aggression,
- coordinating and executing crisis management activities with other parts of national security system i.e. Ministry of Interior (MOI) and Ministry of Defense (MOD) agencies, in order to protect and support local communities,
- providing and coordinating Host Nation Support (HNS), in order to enable efficient reception and staging of Alliance elements in Poland,
- conducting counter hybrid and asymmetric warfare,
- promoting among the Polish society patriotic values and education”¹²

According to the planning of the Defense General Staff, the Polish Territorial Defense Forces were to reach in 2121: 17 territorial brigades, corresponding to the 16 voivodate of Poland, the garrison for two of them acting as a single garrison, for the Masovian voivodate (where the country's capital, Warsaw, is located).

Of the approximately 53,000 TDF reserve soldiers, 17,200 were listed by the Polish Ministry of National Defense by January 1, 2019. Training and command is provided by a two-star general.

It is also worth mentioning that the US military provided assistance and broad support to Poland for the creation of the TDF.

Concerns and solutions adopted by NATO member states on the eastern flank of the Alliance regarding military service

In general, NATO member states on the eastern flank of the Alliance have had major concerns about the army's resilience to threats and challenges, especially unconventional ones, opting for a professional army, thus eliminating compulsory military service, and recruiting soldiers and professional enlisted ranks (employees on a contract basis) or taking mixed forms such as Norway.

In Romania, compulsory military service was suspended by *Law 395/2005, on the suspension of conscription during peacetime and the*

¹²Website: <https://www.gov.pl/web/national-defence>, accessed on 10.08.2020

transition to military service on a voluntary basis. The last incorporation of the recruits, for the compulsory military service, was done in October 2006, and for the short term compulsory military service in June 2006. Until these dates, the Romanian Army had around 300,000 soldiers. After this date, the military service started being performed on a *voluntary basis*, the army becoming professional.

However, some of the NATO member states on the Eastern flank have maintained or reintroduced compulsory military service, namely Turkey; Norway - where compulsory military service was introduced also for women in 2016; Lithuania has reintroduced compulsory military service since 2015, etc. (Some NATO countries, such as Greece, had stipulated military service in the Constitution as mandatory since 1909!).

Other countries have opted (also) for the creation of National Guard type territorial defense forces, namely: Norway; Poland; Lithuania and Estonia (both since 1991, invoking their tradition), as well as Romania, since 1918, but without any follow-up.

Hungary, Bulgaria and Romania also opted for the military service of volunteer reservists.

Other countries have chosen to include in their military service the military volunteer, namely Slovakia and Latvia.

It is noteworthy that although most NATO member states have gradually given up compulsory military service (Federal Republic of Germany only in 2011, but maintained military service on a voluntary basis and did not amend the FRG Constitution) there is a strong current of opinion for the reintroduction of compulsory military service.

The institution of the voluntary reservist in Romania - an unsuccessful initiative so far

The institution of the voluntary reservist was stipulated generically by law since 2006 (*Law no. 446/2006 on preparing the population for defense*, with subsequent amendments and completions), but it was regulated only in 2015, by *Law no. 270/2015, on the Statute of Voluntary Reservists*, which provided for its entry into force on 01.01.2017.

According to the law, the *volunteer reservists* are Romanian citizens, men and women (aged between 18 and 51, who reside in Romania), selected

on a voluntary basis, who consent on the basis of an individual contract, with a fixed duration, to employ positions in the organizational charts of the structures in the institutions with attributions in the field of national defense and security. They may or may not have military or specialized training prior to signing the contract (those without military training will subsequently take an intensive course, after passing the tests established in the implementing rules of the law). The first contract is concluded, under the conditions provided by law, for a period of four years, and the following ones, for a maximum period of three years, taking into account the classification in the groups of reservists established by law. Volunteering as a reservist is not a full-time job, it can be interpreted as a *part-time job*. *They are employed full time only one month a year*. Soldiers and professional enlisted ranks receive a bonus of 10% of the minimum wage, i.e. 223 lei (at the level of 2020) during the remaining 11 months of the year, and non-commissioned officers, military foremen and officers 10% of the rank salary.

According to the press release of the Ministry of National Defense, in 2017, 2200 positions were allocated for volunteer reservists, distributed as follows: Alba - 5, Bacău - 22, Bihor - 9, Bistrița - Năsăud - 392, Brașov - 96, Brăila - 88, Bucharest - 164, Buzău - 104, Călărași - 24, Cluj - 168, Constanța - 247, Covasna - 10, Dâmbovița - 82, Galați - 23, Giurgiu - 18, Gorj - 22, Hunedoara - 5, Ialomița - 6, Prahova - 102, Sibiu - 2, Tulcea - 7, Vâlcea - 8, Vaslui - 265, Vrancea - 402.

Following the campaign for the recruitment and selection of soldiers and volunteer reservist enlisted ranks, carried out in 2017, 739 candidates were recruited, of which 239 signed contracts with the beneficiary military units (about 10%!)¹³, a percentage that was maintained for 2018 and 2019 and for 2020 the recruitment period was extended (due to lack of candidates) to 20.10.2020!

Instead of conclusions - National Guard of Romania 2021

We believe that it is necessary to cover the security deficit, indirectly recognized in the new *Country Defense Strategy for 2020-*

¹³ Website: <https://ro-ro.facebook.com/CMJSuceava/posts/1646944252088058/>, accessed at 10.08.2020

2024, but also to recover the experience of well-trained military personnel, transferred to the reserve ahead of time in the process of reforming the army as well as the military reservists transferred to the reserve after completing the full stage of active-duty years and we support the initiative to establish the National Guard of Romania, a structure subordinated to the Ministry of National Defense, proposing the following measures:

- Modification of Art. 28 Paragraph (1) letter. a) of *Law no. 346/2006*, on the organization and functioning of the Ministry of National Defense, republished, with subsequent amendments and completions, introducing the letter d¹) *territorial defense forces*, and competing the law accordingly with other articles:

“Art. 28. para. (1). The force structure of the army consists of staffs, commands, large units and units, formations and other structures established by law, including, as appropriate, in:

a) land forces, air forces, naval forces, hereinafter referred to as categories of forces;

b) combat support forces;

c) logistical support forces;

d) special operations forces;

d¹) *territorial defense forces (National Guard of Romania)*

e) cyber defense forces;

f) other forces. ”

- Re-establishment of three territorial commands (based in: Bucharest, Cluj, Buzau) and a staff of the territorial troops, staffed mainly with active officers, and having under its subordination in total: 10 territorial defense brigades (composed of 4 - 5 infantry battalions, the battalions having subordinated combat support subunits), composed of about 25,000 soldiers (of which 10% soldiers employed on a contract basis), as a basic structure of the future National Guard of Romania, with a term 5 years for becoming operational.

- *Modification of the provisions of Law no. 270/2015, on the Status of Voluntary Reservists regarding the age of incorporation, respectively 18-60 years (currently according to the law 18-51 years) in order to benefit*

from the experience of officers, military foremen and non-commissioned officers transferred early or on time to the reserve and, the monthly amount of remuneration granted during the period in which the volunteer reservists do not participate in training or missions, to be increased to 35% (currently 10%) of the function salary, to which should be added the rank salary. Also, the loyalty bonus should be equal to the monthly pay allocated for active military personnel, cumulated with the rank and command bonuses, where applicable.

- Considering that the nucleus of the future *National Guard of Romania* will be initially composed of volunteer reservists (by taking them over from the military units they are currently assigned to), we propose the corresponding increase of the *full-time* and *part-time* employment periods.

- Amendment of *Law no. 395/2005, on the suspension of conscription during peacetime and the transition to military service on a voluntary basis*, in order to be able to return to compulsory military service (with a duration of 4 to 6 months depending on the weapon for which recruitment is done) in parallel with maintaining military service on a voluntary basis. (Proposal on the new title of *Law no. 395/2005*, as amended: *Law no. 395/2005, on the temporary suspension of conscription during peacetime and the transition to military service on a voluntary basis*).

- Some of the Romanian citizens who will perform the compulsory military service will be assigned to the brigades within the *Romanian National Guard* (also in view of the possible subsequent recruitment as reservist volunteers).



BIBLIOGRAPHY

MAREȘ C., *The Transylvanian Revolution of 1918 and the Romanian National Guards*, *The Heroes of the Nation Magazine*, No. 2 (11), 2012.

OANCEA F., *Arad, the forgotten capital of the Great Union*, Historia Magazine, No. 202, 2018

RUSTOIU I., CUTEAN S., CRISTEA M. *Excellence under two flags, Dănilă Papp (1868-1950)*, ALTIP Ed., Alba Iulia, 2015.

Legislation in the field:

Law no. 346 of July 21, 2006 on the organization and functioning of the Ministry of National Defense, republished, with subsequent amendments and completions;

National Defense Law no. 45/1994, with subsequent amendments and completions;

Law no. 355/2009 on the regime of the state of partial or total mobilization of the armed forces and of the state of war; with subsequent amendments;

Law no. 121/2011 on the participation of the armed forces in missions and operations outside the territory of the Romanian state, with subsequent amendments and completions;

Law no. 446/2006 regarding population's preparation for defense, with subsequent amendments and completions;

Law no. 51/1991 on the national security of Romania, republished;

Law no. 395/2005 on the suspension of conscription during peacetime and the transition to military service on a voluntary basis;

Law no. 270/2015 on the Statute of Voluntary Reservists.

Order of the Minister of National Defense no. M.25/2017 regarding the approval of the Methodological Norms for the application, in the Ministry of National Defense, of the provisions of Law no. 270/2015 regarding the Statute of voluntary reservists.

Electronic sources:

https://www.presidency.ro/files/userfiles/Documente/Strategia_Nationala_d_e_Aparare_a_Tarii_2020_2024.pdf

<https://www.nationalguard.mil/>

<https://www.goang.com/>

<https://www.nationalguard.mil/>

<https://www.usar.army.mil/>

<https://uscode.house.gov/>

<https://www.gov.pl/web/national-defence>

<https://www.gov.pl/web/national-defence/structure-of-polish-armed-forces>

<https://www.gov.pl/web/national-defence/territorial-defence-forces>

[https://www.globalfirepower.com/country-military-strength-detail.asp?-
country_id=lithuania](https://www.globalfirepower.com/country-military-strength-detail.asp?country_id=lithuania)

<https://forsvaret.no/en>

<https://www.mod.bg/en/ba.html>

<https://www.tsk.tr/HomeEng>

