Civil control over the security institutions in South Africa: Suggestions for the future and notes on replicating the experience in Africa[1]

Ian Liebenberg,[2] Charl Schutte[3] and Anthony Minnaar[4]

ABSTRACT

It is obvious that security institutions can play meaningful roles in preventing, managing and even resolving conflict. This can especially be the case when they operate in a democratic context, and when they are duly democratised in their own systems of organisation and ways of functioning. This article is based on the conviction that civil oversight of security issues and agencies is so important that it has to be institutionalised. A new mindset about security is therefore promoted. Transparency and accountability are strongly emphasised. Various recommendations are made and discussed, with regard to proper participation in policy making, observing, monitoring, overseeing and advising. The thrust of the argument is that institutions and organisations outside the state should be empowered to keep watch, sound warning signals, and ensure that the ever necessary security work is done in ways that are truly democratic, and therefore really effective.

1. CONTEXTUALISING THE DEBATE

The global context

For many observers there seems to be an observable tendency towards democratisation in many countries throughout the world (Agbango 1997; O Donnell & Schmitter 1986; Van Hanen 1990). Among the transitionists there are even those who foresee a democratic revolution on the globe — by implication this revolution is moving worldwide towards liberal democracy and multi-party politics (Diamond 1992:24-25).[5] Greater democratisation appears per se to require security operations with greater legitimacy.

The changing context of social relations in South Africa brought about by the transition of the country to more democratic rule through negotiation and structure-changing elections also brought about different requirements for debates regarding security policy. The main aim of this article is therefore to assist critical new thinking regarding security.[6] Then, to draw policy implications for the governance of security and intelligence gathering activities. Lastly, as far as possible, to contribute to transparency and accountability regarding the role and functions of security and intelligence staff by encouraging more open public debate on these issues. *The article may therefore contribute research-based findings to the discussion on some of the most pressing security issues in the public mind at present. In very real terms this contribution is about the governance of security*, a phrase mooted by the Ghanaian theorist, Eboe Hutchfull, and recently also used in the South African context).[7] Such good governance of security may assist in regulating intra- and inter-state conflict.

Whatever one may understand under the term democratisation and the attainment of democracy (it may or may not include multi-partyism), the *minimum requirements* are (i) a sound practice of human rights protection, inclusive of second generation human rights; (ii) the space and freedom (under protection of the state) to mobilise, debate, conduct dialogue and agitate for social reforms or even transform the state and political structures peacefully, which may or may not imply a change of government); (iii) a legal system that is endowed with the capacity (as a specified right) to veto actions of the government executive if deemed unlawful or contrary to the best democratic practice — i.e. infringing on human rights or the rights of self-associated groups; (iv) the institutionalisation of civilian oversight (and therefore implied veto) of security institutions; and (v) the implied vision of, and right to

campaign for an equitable and just (re)distribution of wealth by the citizenry, provided it takes place peacefully.[8]

At stake in this article is the issue relating to the institutionalisation of civilian oversight of the security institutions in a young democracy such as that in South Africa. The institutionalisation of civil oversight is a common problem in states changing from authoritarianism to democracy. Latin-American states after the demise of military regimes were faced by such challenges. So are states in Africa that have to move from military rule or racially/tribally dominated politics to democracy. Post-Amin Uganda and post-Apartheid South Africa are two examples.

The South African case is not unique, but the research question regarding implementing civilian oversight is somewhat problematised by the fact that the *ancien r gime* was both authoritarian and praetorian (Cock & Nathan 1989; Frankel 1984; Liebenberg 1990a) and a state marked by racial domination through modernisation (Adam 1971: esp. chapter 6).

The military did not move centre-stage through its own choice but was invited in by the politicians of the time under the rubric of Total Onslaught . Hence the extensive structures of the national security management system (NSMS) were put in place (Frankel 1984:29ff,71ff; Seegers 1996; Swilling 1990; Liebenberg 1990b, 1994a, 1998a).

The military and the security police were not only involved in fighting the revolutionary onslaught inside the country, but also outside the country (Leonard 1983:59ff; Israel 1998:343ff; Du Pisani 1988).[9]

The context of Africa

Julius Ihonvbere s cautioning note that the military remains one of the major obstacles to democratisation in Africa struck home. Regardless of the positive light some may put on people like the late Thomas Sankara of Burkina Faso, Jerry Rawlings in Ghana, and Muammar Gaddafi in Libya, the record of the African military has been one of disaster (Ihonvbere 1997:306). The situation , he continues, in Zaire under Mobuto Sese Seko, Togo under Gnassingbe Eyadema, Ethiopia under Mengistu Haile Mariam, Benin under Mathew Kerekou, Somalia under Siyad Barre, and Sudan under Jaffer Nimeiri attest to this (Ihonvbere 1997:306). As for Nigeria: The Nigerian case amply demonstrates that the military as an undemocratic commandist organisation is incapable of initiating, nurturing and consolidating

democracy in Africa (Ihonvbere 1997:306).[10] On Nigeria, Wole Soyinka is even less complimentary: But we (as Nigerians) can no longer assume the good faith or good intentions of leadership   We need to have leadership circumscribed and bound by strict provisions   (Soyinka 1999:33).

Within this context this contribution will deal with civilian oversight of security institutions in South Africa.

A changing policy environment in South Africa

Since the beginning of the 1990s the policy environment in South Africa went through dramatic changes. The unbanning of the liberation movements in February 1990 ushered in an era of negotiation and bargaining for a social contract and institutional choices that previously eluded South Africa (Liebenberg 1996a:22ff).[11] After many years of resistance against apartheid in South Africa the nature of politics swung towards a negotiated settlement (Muthien 1994:1-2).[12] Through the multi-party negotiation process (MPNP) in Kempton Park, which followed the Groote Schuur and other protocols, protracted negotiations by political stakeholders and negotiations by party political pacts led to an interim constitution (IC). The IC was followed by non-racial elections (or what is termed in transitional theory founding elections) for a constitutional body. This constitutional body or Constitutional Assembly (CA), was charged with writing a new democratic consti-tution for South Africa.[13] In 1996, the new South African Constitution, Act No. 108, came into being.

Democratisation for the ruling government, at least up to 1996 in our view, goes beyond gaining political power through parliamentary elections. It includes empowering institutions and organisations outside of the state to participate in the decision-making process. This was clearly set out in an ANC government policy document, the Reconstruction and Development Programme (RDP), before the elections (De Kock & Liebenberg 1995:106-111). The ANC stated that democracy for ordinary citizens must not end with formal rights and periodic elections but go further, without undermining the authority and responsibility of elected representative bodies. The democratic order they envisaged was to foster a wide range of institutions of participatory democracy in partnership with civil society and facilitate direct democracy. The 1994 elections marked a dramatic change in the policy- making process in South Africa. Several institutions and processes have since been introduced and the role of the state in relation to civil society had to be rethought (Liebenberg, Mpanyane & Houston 1998).

The New Constitution

To a certain extent the MPNP and the introduction of the interim constitution had already set a background for the ground-breaking elections and the introduction of the new constitution in 1996. The interim constitution as negotiated during the MPNP at Kempton Park was signed on 18 November 1993 and the Constitution of the Republic of South Africa Bill (1993) was passed by parliament in December of that year.

The executive power was to be balanced by inter alia the Public Protector and the Human Rights Commission (Amato 1994).

The creation of one single national defence force acting within the constraints of the chapter on Fundamental Rights was built into the interim constitution. The Transitional Executive Council (TEC) was targeted with the responsibility to carry this out (Amato 1994:126-127). For the first time in South Africa the interim constitution (1993) linked and related fundamental human rights to security issues. This was indeed a giant leap ahead for a racial oligarchy under-pinned by securocrats.

The institutionalisation of the New Constitution (Act No. 108 of 1996) introduced a new democratic order. The socio-political environment was dramatically changed, giving rise to regions or provinces and a variety of new institutions (such as Provincial Assemblies, Intergovernmental forums (IGFs) and Nedlac).[14]

As power relations shifted dramatically the changes in processes of decision making (i.e. policy conceptualisation, policy making and implementation) followed suit. From a previously semi-secretive, technocratic, authoritarian mode of policy making a shift to a more public and accountable decision-making process took place.[15] This impacted also on the security institutions (Cilliers & Reichardt 1995, Williams 1998:17-18).

2. DEMOCRATISATION AND THE MILITARY:
   THE NEW SECURITY DEBATE[16]

What is generally referred to as the third wave (of democratisation) and/or the democratic revolution started in the 1970s in Southern Europe when three previously authoritarian states democratised dramatically.

In Portugal the Caetano regime fell in what was to become known as the Carnation Revolution or Revolution of the Flowers . This followed the publication of a contentious book, *Portugal and the Future* (*Portugal e o Futuro*), by an influential general in the military who was experienced in deployment in the Portuguese colonies, Ant nio de Sp nola. De Sp nola questioned the tenability of Portugal, a rather poor economic power,[17] retaining repressive control over its colonies. This led to agitation amongst an already discontented military realising the unworkable political-military situation for Portugal. In a nearly bloodless coup the Armed Forces Movement (*Movimento das for as Armadas,* AFM), consisting of younger officers, took over government control in 1974. *A National Salvation Committee* (*Junta de Salva ao Nacional*) was appointed, headed by de Sp nola. Later, during tense inter-action between left and ultra left , the Junta was restructured and headed by Gen Costa Gomes. In tense conditions constituent assembly elections took place in April 1975 with a 91,7% voter turnout. In 1976 a new constitution was passed. Opello aptly refers to this as Portugal s transition from absolutist monarchy to pluralist (Western-styled) democracy (Opello 1991:98). The Carnation Revolution had won (see Ciment 1996:104).

In Spain the authoritarian regime disintegrated after the death of Gen Francisco Franco and the institutionalisation of a constitutional monarchy in Spain after 1977.

A military reluctant to change, yet bewildered by the socio-political transition in Spain, had to see how not only multi-party politics came into being, but also degrees of regionalisation (call it federalisation, should you so wish).[18] Even an attempted coup (1981) could not reverse the trend towards democratisation that was set in Spain. The constitutional monarchy acted on the challenges to reform the police forces. Restructuring took place — one of the reasons why the 1981 coup could be averted.

Article 104 of the 1978 constitution (ratified by a referendum) defined the task of the protection of the free exercise of rights and liberties and to guarantee the secu-rity of the citizens (Story & Pollack 1991:138). By 1986 the process of organic law-making regulated the status of the police and their subordination to central or local government authorities (Story & Pollack 1991:138).[19]

During the same time far-reaching reforms in the military took place. A new Chiefs of Staff was created, and civilian oversight strengthened. The army was trimmed and modernised. Command and control structures were decentralised and regionalised.

The *de facto* situation in Spain changed. According to Maravall and Santamar a (1986), the military establishment, limited as it was by law and political mechanisms, could merely express needs within the recognised pluralism of interests. The strategy of confrontation had to be converted to one of negotiation. Needless to add, such reforms acted as a powerful mechanism to minimise intra-state conflict and substantially improved the Spanish human rights record.

In Southern Europe, Greece followed a similar path (Whitehead 1991:46-48,56-57; Verney & Couloumbis 1991:103ff). In the following decade Latin American states, previously authoritarian and/or praetorian, such as Brazil, Argentina, Chile, Uruguay, were to follow suit (Liebenberg 1996b).[20]

In a highly politicised post-colonial Africa, the extreme was often the rule. The military in various forms crept (even swept) into control to such a degree that Samuel Huntington distinguished various typologies of praetorianism, i.e. *Reformist praetorians, radical praetorians, mass praetorians* and even *the soldier as institution builder* — albeit the least numerous as a phenomenon (Huntington 1968). While Latin America, the Middle East and Central South East Asia were struck hard by this phenomenon, Africa also fell prey to this (Decalo 1989:547ff). Nordlinger identifies various reasons for military intervention, such as civilian pressures, fear of communal disintegration (due to civil or ethnic/religious strife) or national disintegration (e.g. Sudan in the 1970s, Nigeria), preservation of the status quo, and a vision of progressive change (e.g. Egypt in the 1970s). However, he observes that whatever the reason for military (or securocratic?) interference, military regimes are notoriously unstable (Nordlinger 1997:138-139, 150-151,164,171). He argues that military regimes have an average life span of approximately five years it can be said that they are inherently unstable (Nordlinger 1977:139). The extent to which this happened on the African continent probably partly started an intellectual trend known as *Afro-pessimism*. (This is not to say that praetorianism and autocratic rule were the only things responsible for Afro-pessimism at the time.)[21]

In Africa as elsewhere[22] praetorianism implied an independent local power (Du Pisani 1988:3). Praetorianism can obviously be fostered by various social conditions such as: the collapse of executive power, low levels of institutionalisation, incapability to deal with modernisation, urgency to speed up industrial growth or land reforms, absence of a unifying ideology, segmented interests being monopolised by a class or ethnic or religious groups, one-sided impositions of nation building or other ideologies (Du Pisani 1988:3-4).

Nordlinger (1977) refers to various forms of military intervention. Andr du Pisani, a Southern African theorist, points out that praetorianism manifests itself differently in Africa, the Middle East and Latin America (Du Pisani 1988:4). For him the South African military by virtue of its weird mix of intervention in regional (Southern African) affairs and internal affairs partly resembled a frontier army because of its role in the region (Du Pisani 1988:4). Philip Frankel in his work (1984) focused more on internal structures which amounted to a garrison state or generic term praetorian state . Stephen Davis (1987) stayed within this rather limited analysis by referring to South Africa as a bunker state . So did Ian Liebenberg in his earlier publications (1990a, 1990b).

A need exists to modify these descriptions to praetorianism of a special type : the South African military being invited into politics by the National Party when the modernisation of racial domination as Heribert Adam (1971) referred to it, could not sustain legitimacy for the minority state.

   (1) Thus, the military in South Africa moved into politics not by choice but by invitation of white supremacist-politicians.

   (2) The South African Defence Force (SADF) also became extensively regionally involved as a destabilising force. All these contributed to a praetorianism of a special type (Liebenberg 1996a, 1996b, 1997a, 1997b:41-48, 1997c:105-132).

The acceptance of its New Constitution and Bill of Rights (Act 108 of 1996) brought dramatic changes in this security context.

3. RECOMMENDATIONS FOR THE FUTURE: CIVIL CONTROL OVER THE MILITARY[23]

The following practical suggestions are brought up as future starting points/guidelines relating to civil-military debates in South Africa. Needless to say, the authors of this article recognise the need to acknowledge the insight that different forms, different traditions will influence the nature of control and oversight (policy, process and institutions) by civilians over the armed forces, without necessarily agreeing with Malan in all respects in his analysis (Malan 1997a, 1997b).

Many of the recommendations made in the first edition of *The Hidden Hand* (Minnaar, Liebenberg & Schutte 1994) included in part or as a whole the need for a

process of transformation of the security environment. The constitutional context was created by the new constitution of South Africa. This constitution contains a Bill of Rights stressing human dignity, equality, freedom and the rule of law within the ambit of accountability, transparency and openness (Chapter 1, Section 1(a) to (d)). Section 2 describes the supremacy of the constitution. Section 3, dealing with the common citizenship and the equal rights of citizens, is also relevant. This is expanded upon in the Bill of Rights, which emphasises the freedom and security of the individual, human dignity and the right to live (Chapter 2, Sections 10-12). Other relevant areas such as the right to privacy, freedom of belief and freedom of association (Sections 14, 15, 17 and 18) are considered important to the document. This impacts on civilian oversight over security matters.

Strengthening civilian monitoring

Chapter 2 of the constitution refers at length to the rights of the arrested, detained or accused (Section 35, Subsections 1-5). One has to read Chapter 2 in conjunction with the governing principles regarding national security in South Africa (Chapter 11). The latter deals with the structuring and responsibilities, as well as command functions of the South African National Defence Force (SANDF), the South African Police Service (SAPS) and the intelligence services (Chapter 11, Section 198 (a) to (d), Section 200, (1) and (2), Section 205 and further, Section 209 (1) and (2)).

The principle of civilian monitoring of the activities of these agencies, specifically relating to intelligence service, are contained in Chapter 11, Section 210, Sub-sections (a) and (b). These have been incorporated in order to ensure legitimacy, accountability and transparency. All of these constitute what can be termed the formal controls within the South African security system. Part of the informal controls, embarked upon since 1994, has been the Defence Review Process, an initiative of the Ministry of Defence (MoD) and the SA Defence Secretariat. This process includes wider consultation with civil society and has been an attempt to complement formal controls. Informal mechanisms imply mutual trust and the wide acceptance of shared values between citizens, political leadership and security bodies within a constitutional state — in a sense then implying Rebecca Shiff s Concordance theory.[24] While the Defence Review Process may still fall short of such ideal wide consultation, it remains a valuable first step in bringing civilian input into the realm of Defence Policy formulation. Critical reflection on and an analysis of weak and strong points in the process may well contribute to greater inclusiveness and participation for civil society in the process of transforming

security institutions, their role and structures in the new democratic dispensation.

Oversight mechanisms

The question of a representative national security forum mooted in the first edition of *The Hidden Hand* (Minnaar et al 1994) has since 1994 partly been dealt with through the establishment of the National Intelligence Co-ordinating Committee (NICOC). In addition, intelligence information is fed to both the cabinet and the parliamentary multi-party portfolio committees on defence, police and intelligence by the Cabinet Committee on Security and Intelligence (CCSI). Moreover, account-ability and transparency within the various services have been strengthened by the requirement that each head of service submit an annual report to both the minister concerned and the inspector-general on the activities of those services (Intelligence Services Control, Act 40 of 1994).

In terms of effective political oversight, several formal structures have been insti-tuted since 1994, inter alia: civilian secretariats for both defence (SA Def Sec) and police, an Independent Complaints Directorate (ICD) for the police, as well as the Office of the Public Protector. The SANDF is currently in the process of setting up an independent military ombudsman s office. Other more informal measures have been toll-free telephone numbers through which the general public can anony-mously report corruption and human rights abuses. The establishment of a statutory body such as the Human Rights Commission (HRC) to promote the observance of, the respect for, and defence of fundamental human rights and being able to recom-mend to government, give it useful value — and some political teeth, although some observers and human rights practitioners think its political teeth are perhaps not strong enough. While it may be limited in financial capacity, it does provide in interplay with other statutory and non-statutory bodies some indirect civilian control over security issues (Amato 1994:118).

Inspectors-general

Although the Intelligence Services Control Act (Act 40 of 1994, Section 7) provides for the appointment of an inspector-general for each service (defence, police and intelligence), no such appointments have yet been made due to political and finan-cial constraints. One of the specific functions of the inspectors-general is to monitor and act as an ombudsman in particular regarding any unlawful intelligence activity or significant intelligence failure of that service and to make recommendations for corrective action to be taken (Section 7, Subsection 11 (a) to (b)). *It is strongly*

recommended that the appointment of these inspectors-general should urgently be proceeded with.

In line with our proposal in the first edition of *The Hidden Hand* (Minnaar et al 1994), a need still exists for a precise definition of the role and missions of intelligence agencies. This will assist in preventing these institutions from exceeding their brief, duplicating functions, or intruding into one another s terrain, as was the experience under the P.W. Botha and F.W. de Klerk governments.[25] Furthermore, there is a need in terms of enhancing interdepartmental co-ordination on intelligence gathering matters, for clear and precise role clarification for each service. While the policy formulation process in defence has evolved into a Defence White Paper and a consultative process in the form of the Defence Review, which helped to set the parameters for defence policy, similar policy guidelines are still lacking in the South African Police Service and in both the National Intelligence Agency and the South African Secret Service. *It is recommended that guidelines of this nature for each of the relevant agencies are more speedily addressed and finalised.*

Khanyile observes that there are various accountability options such as (i) universal accountability and (ii) selective accountability (i.e. fiscal, programme or process). These accountability options should be with regard to various levels within and outside the intelligence community. Moreover; the same locus should not be responsible for both control and oversight (Khanyile 1997:3-4,6). Given the available post-apartheid structures, he argues: Despite innovative legislative measures the agents of oversight, particularly the ISCI will need to rise beyond (symbolic) structures and give meaning to what the constitution and national legislation require of them (Khanyile 1997:14). The South African legal practitioner, Kuzwayo, in essence concurs with the observations made by Khanyile (Kuzwayo 1998).

Protecting whistle blowers

Whistle blowing , the early warning capability of bureaucrats or citizens to notify the public or those in charge if derogation from laid-down rules occur, should be protected. The Open Democracy Bill can assist in this. However, by implication, the rule of exception applies. Provision is made for secrecy when dealing with security issues aimed at changing the constitutional order of the Republic by the use of force or violence (Open Democracy Bill, Section 71).[26]

The question of public access to information and covert activities remains pertinent. *It is suggested here that these rights should be entrenched within the pending*

amendments to the Criminal Procedure Act regarding the access of those accused of crime to their own charge sheets. Also that dockets and indictments should be made more freely available prior to cases going to trial. Moreover, this refers in equal measure to the protection afforded to citizens in the Open Democracy Bill (ODB) and access to public information guaranteed by the Public Information Bill. The ODB is a step ahead, but is to some, vague, still open to misinterpretation by the judiciary, and suffering from over-inclusiveness and indeterminacy (Pimstone 1998). *In short, the rights are potentially outlined, but are still to be won.*

Two areas of concern are therefore: open access to information, and provision of legal access to information on covert activities by citizens in instances where the citizens are of the opinion that their rights have been violated. It is imperative that such access be ensured through formal means rather than that informal access by citizens to information takes place such as was the case in the incident in which a member of People Against Gangs and Drugs (PAGAD) was found in possession of a sensitive and confidential intelligence report on the organisation (1997/98). *While such openness might well be embodied in the Open Democracy Bill, we propose that active recognition be given to the protection of whistle blowers in both the public and private sectors. This pertains particularly to the areas of defence, arms procurement, intelligence, policing and covert activities inside or outside South Africa.*[27]

Not only emerging democracies have to deal with the need to protect whistle blowers , be they private individuals, bureaucrats, journalists or employees. Established democracies are also confronted with this problematic issue. Significantly, while Sweden happens to be quite far advanced in protecting whistle blowers , in Britain and America where there is less protection, whistle blowers in a variety of cases came off worse (Griffith, Butler & Dehn 1995:21,29,31,41ff).

The active creation of an atmosphere conducive to transparency and accountability as well as the protection of whistle blowers belongs not only in the area of formal or objective controls. While objective controls should be pursued, subjective or informal controls by means of active intervention by civil society elements should remain an area of vital importance in terms of monitoring of security covert activities i.e. by state agencies. The Defence Review Process and the Open Democracy Bill are cases in point, but civil action (petitions and lobbying) is another useful avenue.[28]

Participatory formulation of policy

The formulation of security policy should not be confined to executive and

administrative officials. It requires greater accountability, open debate and the active participation of elected representatives, the public and sectors of civil society — especially in a young democracy such as that in South Africa.

Effective and ethical policies in the area of defence/security, policing and intelligence gathering cannot be evolved or applied in isolation from the more general questions of the relationship between the ordinary people, the legislature and various sectors of the government apparatus. *In this regard the adherence to existing codes of conduct (for example those for the police and the whole public service) should be deepened and where they do not exist, the immediate institution of codes is advised.*

Good human relations, linked up with a watchdog role, between all involved in this endeavour, are imperative. In the area of policing and the SAPS role, the work done by the ICD in this regard should not go unnoticed. However, more is still to be done.[29]

A morally sound political culture

Activities of a covert nature are much better directed and far easier to oversee, if the political culture within which they are carried out, is healthy and functions well. Once again, this implies the complementary, committed interaction between objective and subjective forms of control within a democracy, more so in a fledgling democracy such as ours.

And again issues of morality surface which should not be glibly passed over (Seegers 1994:77ff).

Covert activities cannot be above the law or have a privileged status. They should only be put into practice if they meet a genuine need, if they are coherent with the overall strategy of the political leadership, as well as reflecting public interest. They should also genuinely represent the best use of time, effort and resources to solve a particular problem. And most importantly, covert activities should as a rule of thumb in a democracy never override human rights within a nation of self-chosen citizens (Pienaar & Liebenberg 1998). Simply put, a democratic state stands under the imperative that it is our communists, fascists, anarchists, liberals, conservatists and as citizenry they are to be respected in their associations, however outspoken they may be (Pienaar & Liebenberg 1998:415). The counter-obligation on the citizenry to associate and organise peacefully, however, does apply as much.

A National Security Advisor?

The (re-)institution of civilian control over the military remains a challenge in newly democratised societies. In Africa the challenges are as daunting. Luckham in his analysis rightly asks whether an epitaph can be written for the scourge of military intervention in the context of democratisation in Africa (Luckham 1995, 1996). Luckham remains tentatively optimistic (Luckham 1995, 1996).

In our research on these issues the idea has been mooted that the institutionalisation of the post of a *national security advisor* may benefit civilian oversight.

Recommendations made previously concerning the appointment of a national security advisor may be worth revisiting (Minnaar et al 1994; Schutte, Liebenberg & Minnaar 1998). Part of the debate revolves around such a position being a specialist post for *formulating policy advice* on security decisions. The incumbent should be in no way attached to one particular arm of the security services or intelligence agencies nor be a political appointee by one party. Rather she/he should be appointed as the result of multi-party consensus on such an appointment. *He/she should have no executive functions, but should act in a strictly advisory capacity.*

Democratisation of budgets?

The political sociologist and practitioner, Dr F van Zyl Slabbert, has consistently stressed that democratisation goes hand-in-hand with the democratisation of the budget process (Slabbert 1992). But democratisation of budgets is extremely complex, if at all possible. For the purposes of this contribution we assume that *this implies that in the budgets for intelligence operations greater financial accountability by the services of their budgets should be stringently enforced.* Although the envisaged budgetary oversight by the parliamentary multi-party portfolio committees should ensure this, there still remains a concern considering current practices within the intelligence and security establishment with regard to so-called secret funds and covert budgets . This also applies to financing of arms procurement. *The current practice of transparency through public attendance and participation in debate in portfolio committees should be strongly encouraged — also with regard to secret funds and covert budgets .*

The formulation of security policy should not be confined to executive and administrative officials: it requires greater accountability, open debate and the open participation of elected representatives and public/civil society/community.

Open debate and full participation, where possible, should be augmented by public participation.[30]

Modernisation/reprofessionalisation of security agencies?

In transitions to democracy, one of the problem areas to be addressed is how to reorientate the roles, missions and functions of security agencies stemming from a previous authoritarian regime in order to fit the requirements of an emerging democracy. While admittedly the term reprofessionalisation of security agencies is controversial, the debate regarding reorientation of these agencies cannot be ignored. *During such a transformation process the change of mindset among security personnel and intelligence operatives is crucial. This would include not only the institutionalisation of objective and formal controls but also reorientating the training culture of those structures. Of relevance here are the appreciation of and respect for the constitution, Bill of Rights, domestic law, codes of conduct, the rule of law and criminal justice processes.* Some Latin-American countries such as Argentina have embarked on this process with some success.[31]

At the basis of this lies the factual recognition and acceptance by the military that they are bound by the constitution and the law and as professionals serving the citizenry under civil supremacy (Ba n & Carrillo 1995a, 1995b, 1995c). According to Ba n & Carrillo (1995a), civil supremacy over the military is a political principle of democracy, and at the same time, an expression of military professionalism. *There may be different forms of democracy — and such forms are to evolve from civil conduct in relation to specific contexts and different traditions — but civil control remains the inescapable obligation of any society geared towards the deepening of the process of democracy.*

It is pertinent for there to be adherence to international and national mechanisms to double check on the human rights conduct by civilians/civilian rulers.[32]

Security issues should be conceived as a holistic phenomenon, not restricted to purely military and policing matters, but broadened to incorporate political, social, economic and environmental issues. In short, it requires a rethink of security in the broadest sense. *The overriding objective of security policy should go beyond merely achieving an absence of violent conflict or war by encompassing the pursuit of sustainable democracy, economic development, social justice, racial and gender equality and a safe and healthy environment. It should also include an underlying search for sound human relations in the security field and also in the more general*

field of interaction between state and civil society (or the civil community) as well as between states themselves. In short: it is part and parcel of deepening the process and culture of democracy.[33]

4. CONCLUSION

The need for civilian oversight (and civil-military/security relations) is indeed being debated on the African continent: There is little doubt that the South African experiment on securing civilian control as embarked upon since 1992, is worthwhile. In many respects it proved that South Africans themselves succeeded so far in contributing an epitaph for Frankenstein s Monster (Securocratic Rule). In this sense the (re-)introduction of various elements of civilian oversight over security issues can serve as a conflict-regulating measure in African societies.

South Africans themselves still have a long way to go in ensuring more effective demarcation of security responsibilities, as well as horizontal and vertical check-ups in terms of objective and subjective controls (within the laid down rules, the governmental and institutional structures and from/within civil society). This implies an inclusive civil security debate — inclusive of the opposition in democracies such as ours.

Replicating our experience may well assist other societies in Africa in their attempts to assist democratisation and deepen democracy. However, in replicating it, South Africa has to ensure that our own system is working with excellence before exporting it uncritically. And more, that our model could be a rule of thumb but not a blueprint.

SOURCES

Adam, H. 1971. *Modernising racial domination: The dynamics of South African politics.* Berkeley: University of California Press.

Agbango, G.A. (ed) 1997. *Issues and trends in contemporary African politics: Stability, development and democratisation*. New York: Peter Lang Publishers.

Amato, R. 1994. *Understanding the new constitution*. Cape Town: Struik.

Ba n, R. & Carrillo, E. 1995a. The military profession and redemocratization. Occasional paper 0795. Madrid: Instituto Universitario Ortega y Gasset.

Ba n, R. & Carrillo, E. 1995b. Military policies of reform and modernisation for democratic consolidation. Occasional paper 0995. Madrid: Instituto Universitario Ortega y Gasset.

Ba n, R. & Carrillo, E. 1995c. The decline of direct military participation in politics. Occasional paper 0895. Madrid: Instituto Universitario Ortega y Gasset.

Bruce, D. 1998. Initial research on recommendations to be made to SAPS regarding the prevention of deaths in police custody or as a result of police action. Pretoria: Draft Report for the Independent Complaints Directorate (ICD).

Buitenhuijs, R. & Thiriot, C. 1995. *Democratisation in Sub-Saharan Africa: An overview of the literature*. 2nd edition (1st edition 1992). Leiden: African Studies Centre/Centre d tude d Afrique Noire.

Cilliers, J. & Reichardt, M. (eds) 1995. About turn: *The transformation of the South African military and intelligence*. Midrand: Institute for Defence Policy.

Cilliers, J. 1994. The South African Defence Force of the future, in Rhoodie & Liebenberg 1994.

Cilliers, J., Schutte, C., Liebenberg, I. & Sass, B. 1998. Attitudes concernant l image et l avenir de l industrie militaire et de la d fense dans l opinion publique sud-africaine. *Alternatives Sud*, Vol. v(2): 177-185.

Ciment, J. 1996. *Angola and Mozambique: Postcolonial wars in Southern Africa.* New York: Facts on File Inc.

Cock, J. & Nathan, L. (eds) 1989. *War and society: The militarization of South Africa.* Cape Town: David Philip.

Coetzee, S.F., Turok, B. & Beukes, E.P. (eds) 1994. *Transition to democracy: Breaking out of apartheid*. Johannesburg: IFAA.

Davis, S.M. 1987. *Apartheid s rebels: Inside South Africa s hidden war*. New Haven: Yale University Press.

De Kock, P. & Liebenberg, I. 1995. Conjectures and perspectives on the RDP White Paper. *Politeia,* 14(1): 106-111.

Decalo, S. 1989. Modalities of civil-military stability in Africa. *Journal of Modern African Studies*, 27(4): 547-578.

De Villiers, B. 1995. *Foreign relations and the Provinces: An international perspective.* Pretoria: HSRC Publishers.

Diamond, L. (ed) 1992. *The democratic revolution: Struggles for freedom and pluralism in the developing world.* New York: Freedom House.

Dix, R.H. 1994. Military coups and military rule in Latin America. *Armed Forces & Society,* 20(3), pp 439-456.

Du Pisani, A. 1988. Beyond the barracks: Reflections on the role of the SADF in the region, Occasional paper, South African Institute of International Affairs (SAIIA), 1988, p 3, following a definition (circa 1980) by Perlmutter and Bennet.

Duvenage, P. & Liebenberg, I. 1996. Can the deep political divisions of the South African society be healed? A philosophical and political perspective. *Politeia*, 15(1): 48-64.

Frankel, P. 1984. *Pretoria s Praetorians: Civil-military relations in South Africa.* Cambridge: Cambridge University Press.

Fukuyama, F. 1990. The End of History Debate. *Dialogue*, 89(3): 8-13.

Griffith, H., Butler, H. & Dehn, G. 1995. *Blowing the whistle on defence procurement.* London: Citadel Press.

Grundy, K. 1988. *The militarization of South African politics.* Oxford: Oxford University Press.

Hanlon, J. 1986. *Beggar your neighbours: Apartheid power in Southern Africa.* London: James Currey Publishers.

Hoogvelt, A.M.M. 1981. *The Third World in global development.* London: Macmillan Press.

Huntington, S.P. 1968. *Political order in changing societies.* New Haven: Yale University Press.

Ihonvbere, J. O. 1997. Democratisation in Africa: Challenges and prospects, in Agbango 1997.

Israel, M. 1998. Counter exile activities: Covert action in the United Kingdom, in Schutte & Liebenberg 1998.

Karl, T. 1998. Panel discussion on an accountable state, published in: Democratic consolidation in South Africa: Progress and pitfalls. Washington: International Forum for Democratic Studies, Johannesburg: Centre for Policy Studies.

Keulder, C.J. 1996. *Trends in the modern world economy and democratisation in peripheral states*. Pretoria: HSRC Publishers.

Khanyile, M. 1997. Accountability and oversight in the new South African intelligence community: A preliminary assessment. Paper presented at the Congress of the South African Political Studies Association, Mmabatho, 8-10 October. Published by CEMIS, Saldanha.

Kuzwayo, A. 1998. Developing mechanisms of civilian oversight over the armed forces. *African Security Review*, 7(5): 54-61.

Langenhoven, H. 1994. Enabling Economics: A policy perspective, in Rhoodie & Liebenberg 1994.

Leonard, R. 1983. *South Africa at war: White power and crises in Southern Africa*. Craighall: AD Donker Publisher.

Licht, R.A. & De Villiers, B. (eds) 1994. *South Africa s crises of constitutional democracy*. Wetton: Juta.

Liebenberg, I. & Zegeye, A. 1998. Pathway to democracy? The case of the South African Truth and Reconciliation Process. *Social Identities: Journal for the Study of Race, Nation and Culture,* 4(3): 541-558.

Liebenberg, I. 1990a. Apartheid s military in politics. *Journal for Contemporary History,* 15(1): 130-141.

Liebenberg, I. 1990b. *Ideologie in konflik.* Bramley: Taurus.

Liebenberg, I. 1994a. Transition, democratization and the rules of the game, in Minnaar, Liebenberg & Schutte 1994.

Liebenberg, I. 1994b. Final victory for capitalism? Some imponderables on Fukuyama s thesis The End of History ? *Politeia,* 13(2): 73-80.

Liebenberg, I. 1996a. The long haul to democracy: The story of constitutional development and transition to democracy in South Africa. *Journal for Contemporary History*, 21(2), 1996, p 22ff.

Liebenberg, I. 1996b. The TRC in South Africa: Problems, prospects and future developments. *SA Public Law,* 11 May 1996.

Liebenberg, I. 1997a. The Sociology of decision-making behaviour: Attitudes, strengths and limitations as a result of suboptimal analysis in decision-making around arms procurement. Paper delivered at the Stockholm International Peace Research Institute s (SIPRI s) Global report on Civilian Control over arms-procurement (South African Round), Erasmusrand, Pretoria, April 1997.

Liebenberg, I. 1997b. Consolidation of democracy in Africa: Inhibitors on civil society. *African Security Review*, 6(4), pp 41-48.

Liebenberg, I. 1997c. The integration of the military in post-liberation South Africa: The contribution of the revolutionary armies. *Armed Forces and Society*, 24(1), pp 105-132.

Liebenberg, I. 1998a. Unconventional intervention during transition, in Schutte, Liebenberg & Minnaar 1998.

Liebenberg, I. 1998b. Debating our past: The road to a human rights culture. *Focus Forum*, 5(5), May 1998a, pp 24-30.

Liebenberg, I. 1998c. The African Renaissance: Myth, vital lie or mobilizing tool? *African Security Review*, 7(3), pp 42-50.

Liebenberg, I., Mpanyane, J. & Houston, G. 1998. Policy-making in the new South Africa: A case study of the National Economic Development and Labour Council (NEDLAC). Paper presented at the Democracy and Governance Group Work in Progress Seminar, HSRC, Pretoria, 12 May 1998.

Luckham, R. 1995. Dilemmas of military disengagement and democratisation in Africa. IDS Bulletin, 26(2): 49-61.

Luckham, R. 1996. Democracy and the military: An epitaph for Frankenstein s monster? *Democratization*, 3(2): 1-16.

Malan, M. 1997a. The military in Africa: Different forms, different norms. Lecture to the Defence Management Programme (Module on Civil-military relations), Graduate School of Public and Development Management (P & DM), University of Witwatersrand, April.

Malan, M. 1997b. Controlling armed forces in (Southern) Africa: Different forms, different traditions. Lecture given at the Wits Defence Management Programme, Module on Civil-Military Relations, 8 April 1997.

Mandaza, Ibbo (ed). 1996. *Peace and security in Southern Africa*. Harare: Sapes Books.

Maravall, J.M. & Santamar a, J. 1986. Transitions from authoritarian rule: Southern Europe, in O Donnell & Schmitter 1986.

Mason, P. & Cilliers, J. (eds) 1999. *Peace, profit or plunder: The privatisation of security in war-torn African societies*. Halfway House: ISS & the Canadian Council for International Peace and Security.

Minnaar, A., Liebenberg, I. & Schutte, C. (eds) 1994. *The Hidden Hand: Covert Operations in South Africa*. Pretoria: HSRC Publishers, IDASA and Friedrich-Naumann-Stiftung.

Muthien, Y. 1994. *State and resistance in South Africa, 1939-1965*. Avebury: Aldershot.

Nordlinger, E. 1997. *Soldiers in politics: Military coups and governments*. Englewood Cliffs: Prentice-Hall Inc.

Odada, M. 1977. The role of the military in pan-Africanism — The future? *African Quarterly*.

O Donnell, G. & Schmitter, P.C. (eds) 1986. *Transitions from authoritarian rule: Tentative conclusions about uncertain democracies.* Baltimore: The Johns Hopkins University Press.

O Donnell, G., Schmitter, P.C. & Whitehead, L. (eds) 1986. *Transitions from Authoritarian Rule: Prospects for Democracy*. Baltimore: The Johns Hopkins University Press.

O Donnell, G., Schmitter, P.C. & Whitehead, L. (eds) 1991 (2nd ed.). *Transitions from Authoritarian Rule: Southern Europe*. Baltimore: The Johns Hopkins University Press.

Opello, W. 1991. Portugal: A case study of international determinants of r gime transition, in Pridham 1991:84-102.

Pathfinder Press, 1988. *Thomas Sankara speaks: The Burkina Faso Revolution — 1983-1987*. New York/Sydney: Pathfinder Series.

Pienaar, M. & Liebenberg, I. 1998. Human rights and covert state activity, in Schutte, Liebenberg & Minnaar 1998.

Pimstone, G. 1998a. Right of access to information in the context of state commercial confidentiality and national security issues. FXI Briefing paper on National Security and Commercial Confidentiality. Braamfontein: Freedom of Expression Institute (FXI).

Pimstone, G. 1998b. The right of access to information and national security and commercial confidentiality concerns: A brief survey of foreign legislation and jurisprudence. FX1 Briefing paper on National Security and Commercial Confidentiality. Braamfontein: Freedom of Expression Institute (FXI).

Pridham, G. (ed) 1991. *Encouraging democracy: The international context of regime transition in Southern Europe*. London: Leicester University Press.

Rhoodie, N. & Liebenberg, I. (eds) 1994. *Democratic nationbuilding in South Africa*. Pretoria: HSRC Publishers.

Schlemmer, L. & Hirschfeld, I. (eds) 1994, *Founding democracy and the New South African voter: Special update*. Pretoria: HSRC Publishers.

Schutte, C., Liebenberg, I. & Minnaar, A. (eds) 1998. *The Hidden Hand: Covert operations in South Africa.* Revised Edition. Pretoria: HSRC Publishers.

Seegers, A. 1994. Covert operations: Three-and-a-half moral arguments, in Minnaar, Liebenberg & Schutte 1994.

Seegers, A. 1996. *The making of the military in modern South Africa*. London: IB Tauris.

Shaw, M. & Shearing, C. 1998. Reshaping security: An examination of the governance of security in South Africa. *African Security Review*, 7(3), 1998, pp 3-12.

Sisk, T.D. 1995. *Democratization in South Africa: The elusive social contract.* Princeton: Princeton University Press.

Slabbert, F van Zyl 1992. *The quest for democracy: South Africa in transition*. London: Penguin Books.

Solomon, H. & Van Aardt-Schoeman, M. (eds) 1998. *Caring security in Africa: Theoretical and practical considerations of new security thinking*. Midrand, ISS Monograph Series, No. 20, February 1998.

Soyinka, W. 1999. A year of rapid reverses — New year s message. *Africa Today*, 5(2): 28-33.

Story, J. & Pollack, B. 1991. Spain s transition: Democratic and external linkages, in Pridham 1991.

Swart, F. 1999. Generaal vat FW hof toe. *Rapport*, 25 April:1.

Swilling, M. 1990. *Views on the South African state*. Pretoria: HSRC Publishers.

Van der Berg, S. 1994. Economic reconciliation as a precondition for sustained democracy, in Rhoodie & Liebenberg 1994:240-249.

Van Hanen, T. 1990. *The process of democratisation: A comparative study of 147 states*. New York: Crane Russach Publishers.

Van Vuuren, W. & Liebenberg, I. 1998. Government by Illusion : The legacy and its implications, in Schutte, Liebenberg & Minnaar 1998:95-106.

Verney, S. & Couloumbis, T. 1991. State-international systems interaction and the Greek transition to democracy in the mid-1970s, in Pridham 1991:103-124.

Welch, C. E. (jr) 1992. *Military rule and the imperatives of democracy*. N.p.: Centre for Democratic Studies.

Whitehead, L. 1991. Democracy by convergence and Southern Europe: A comparative politics perspective, in Pridham 1991.

Williams, R. 1998. Modernism and South African defence thinking. *Strategic Review for Southern Africa*, Vol. XX(1): 1-40.

Williams, R. & Liebenberg, I. 1999. The impact of the Truth and Reconciliation Commission on the South African National Defence Force. *International Studies* (RIIS, Chubu, Japan), 15(2): 89-122.

Zagorski, P.W. 1994. Civil-military relations and Argentine democracy: The armed forces under the Menem government. *Armed Forces & Society*, 20(3): 423-437.

NOTES

1   This article is derived from a chapter entitled Policy proposals and recommendations
    concerning covert operations in *The Hidden Hand: Covert Operations in South Africa,*
    (Minnaar, Liebenberg & Schutte 1994), a follow-up chapter on the same topic in the revised
    edition of *The Hidden Hand: Covert Operations in South Africa* (Schutte, Liebenberg &
    Minnaar 1998), as well as a paper entitled *Civil control over security institutions in South
    Africa: Practical suggestions for the future* by the same authors delivered at the South African
    Sociological Association (SASA) Conference, Rand Afrikaans University, July 1998.

    Insights gained through research on truth and reconciliation processes, especially examples of
    Truth and Reconciliation Commissions (TRC s) in South Africa and elsewhere are incorpo-
    rated. Relevant are Liebenberg & Zegeye 1998, and Williams & Liebenberg 1999. This
    contribution aims to use and strengthen these insights gained by the South African experience to
    maximise opportunities for civilian oversight as a conflict regulating mechanism to the benefit
    of sustainable democracy in South Africa, in the first place. We argue that as a conflict regu-
    lating mechanism it may be replicable elsewhere, but not uncritically.

2   Ian Liebenberg is Senior Researcher, Group: Democracy and Governance, Human Sciences
    Research Council (HSRC) and Research Associate, Institute for Security Studies (ISS).

3   Dr Charl Schutte is Chief Researcher, Group: Democracy and Governance, HSRC.

4   Dr Anthony Minnaar is Research Specialist at the Institute for Human Rights and Criminal
    Justice Studies, Technikon Southern Africa.

5   The logical march towards the liberal state as the final statehood to be achieved, which Larry
    Diamond (1992) is advocating, is foreseen by Francis Fukuyama in his writings on the End of
    History (Fukuyama 1990:8-13). For a critique of Fukuyama s ideas, see Liebenberg 1994b.
    The interactive relationship between the state and the civil community (or civil society) need
    not to be seen as the prerogative of the liberal society (see Liebenberg 1997b).

6   Important work in this field has been done. See amongst others Ibbo Mandaza s work (Mandaza
    1996) on security in a regional context. Excellent work done by H. Solomon & M. van Aardt-
    Schoeman (Solomon & Van Aardt-Schoeman 1998) on new perspectives on security should be
    noted by researchers and practitioners. Work done by Peter Vale at the University of the Western
    Cape is also relevant in this regard.

7   See for example Shaw & Shearing 1998.

8   The notion of an equitable and just society is a longstanding debate. On South Africa, see
    Langenhoven 1994:234-239; Van der Berg 1994:240-247; Duvenage & Liebenberg 1996:48-
    64. As elsewhere the normative and the practical are in interaction. This interaction can be
    played out, as in the South African case within modes of regulated fora which can be described
    as corporatism , corporatism of a special type , social democracy , even social dialogue .
    Broader notions than these are seldom considered or debated. This mainly because of the acad-
    emic/political debate in South Africa (post 1993) being dominated by liberal theorists (De Kock
    & Liebenberg 1995:106-111).

9   Some observers even saw the SADF role — especially its involvement in the sub-region — as a

frontier-army (Du Pisani 1988). Others put this in the context of destabilisation (Grundy 1988:88ff; Liebenberg 1990a, 1998b; Hanlon 1986; Leonard 1983:59ff).

10 The remarks stood in marked contrast to earlier more optimistic analyses by (Pan-)African theorists. See for example Odada (1977:254-260), who was still prepared to give military institutions a chance to assist in nation or state building as movers of society (1977:254-255). He cautions though that military regimes in Africa have tended to dampen rather than promote Pan-Africanism (1977:260). Another example: Using Huntingtonian jargon, Claude Welch (jr) (1992:1-18) found himself quite optimistic about Nigerian transition to democracy by the military. Since then a marked pessimism has returned, however (see Soyinka, 1999). Agbango (1997) noted that in the minority of cases popular military regimes in Africa reflected some positive elements. He refers to the case of Burkina Faso under Thomas Sankara (See also Pathfinder Press 1988). In general his assessment of military regimes in Africa, as that of other theorists, is negative (Agbango 1997:267).

11 See also Schlemmer & Hirschfeld 1994:1-5 and Sisk 1995:13, 201ff, 250ff.

12 See also Buitenhuijs & Thiriot 1995:121ff.

13 For negotiations preceding founding elections in the transition from authoritarian rule to democracy in a general context, see O Donnell & Schmitter 1986:37ff,65. For pact making, see O Donnell & Schmitter 1986:37ff. For application of pact making, negotiation and founding elections as cornerstones of a new South African democracy, see Coetzee, Turok & Beukes 1994. See also Liebenberg 1996a:22-55 and Sisk 1995:120ff, 249-256.

14 Adebayo Adedeji in Coetzee, Turok & Beukes 1994:1,3; De Villiers 1995:134. For more detail see Elazar in Licht & De Villiers 1994:62ff.

15 For an expos of the technocratic and semi-secretive policy-making process under tricameralist South Africa, see Liebenberg 1990a:130-141. The outcomes of such approaches are dealt with by Van Vuuren & Liebenberg 1998:95-106. A further unintended outcome that negatively impacted on conflict in Africa, was that a variety of the (semi-)secret front organisations and military personnel/security experts transformed themselves into more or less mercenary outfits. This took place after the unbanning of the liberation movements in February 1990. These outfits, with or/and without any due oversight from the transitional state, privatised themselves and got involved in intra-state conflict in Angola and Sierra Leone. See Mason and Cilliers 1999, which deals with the privatisation of security in war-torn African societies.

16 The relatively recent, but recognisable trend towards democratisation, more specifically from authoritarian rule to various forms of democracy, habitually focus[es] on the contextual condi-tions or on the strategic behaviour of political actors, which supposedly led to that change (Ba n & Carrillo 1995a:2, quoting Adam Przeworski in O Donnell, Schmitter & Whitehead 1986:47-63. Ba n and Carrillo are interested in their research in the contextual/reciprocal effect of transitions on the military profession, assuming that a new ethos is needed for the professional soldier in a democracy. So are we in this article.

17 Portugal, a rather poor European power in becoming a colonial power was a bit of an anomaly. Moreover, having been one of the first European countries to colonise, it was virtually the last to leave Africa. See Ciment 1996. It brought about a greater settler population in its colonies

partly due to poverty and over-population in Portugal itself. See Ciment 1996:33-35. Moreover, it dug its heels in to preserve its colonial powers when other European powers were already out of Africa and related to their African subsidiaries/previous colonies as neo-colonial powers. For a useful description of economic dependency and neo-colonialism in the 1960s and 1970s as a result of relationships between the rich North including Europe and the dependent, poorer African states, see the sociologist, A.M.M. Hoogvelt (1981: especially chapters 5 and 6). A later study by a Namibian political economist, C J Keulder (1996), is also relevant in this regard.

18 Ba n & Carrillo 1995a, 1995b, 1995c.

19 See also Maravall and Santamaria in O Donnell et al 1991.

20 See also Liebenberg & Zegeye 1998.

21 See Liebenberg 1998b:24-30, 1998c:42-50.

22 Extensive research work has been done internationally by Huntington, Perlmutter and others. In South Africa early work by Frankel (1980-1984) has to be noted. Important modifications to praetorianism to incorporate the notion of frontier armies in South Africa was made by Andr du Pisani (1988), then at the South African Institute for International Affairs. The work done at the time by Du Pisani reflected innovative thinking and is deserving of much higher merit. Annette Seegers s (University of Cape Town) work stood out however as consistently the most extensive and challenging when the role of the military in politics during the 1980s was at stake.

23 This part builds upon the work done within a South African context on civil-military relations by Williams (1998), Cilliers (1994), Malan (1997), and others.

24 At the basis of *concordance* lies the positive dialogue/interaction (the negotiation of a contract zone) on the role, budgetary allocation, and composition of the military. The partners (stakeholders — if you like) to this negotiated contract zone being the ruling government through their elected representatives, the military and other civil society actors (i.e. opposition parties, academics, religious organisations, practitioners, the independent media and NGOs, etc.).

25 One example being the confusion between responsibilities of military intelligence (MI), security police functions and national intelligence functions. This was already a problem under the Vorster regime, due to weak demarcation of responsibilities. It was compounded when the Civil Co-operation Bureau (CCB) was established under the Botha regime and persisted well into De Klerk s rule. This impacted negatively on accountability and invoked power struggles and politicisation (Khanyile 1997:3-4). One of the recent pointers to the problems left by this is the court case instigated against F.W. de Klerk by Gen Chris Thirion, previous head of MI under the De Klerk government, for an act of unjust dismissal on 19 December 1992 following the Steyn Report (Swart 1999).

26 See also Khanyile (1997:9). Khanyile is apt in his observation that this clause may well become one of the most controversial issues in future legal debates.

27 Open debates, whistle blowing and civil society: For more details on arms procurement, see Liebenberg 1997a. On civil society, see Liebenberg 1997b, 1997c, and Griffith, Butler & Dehn

1995. A comparison between established democracies and their openness towards state transactions (and actions) and the value as well as limitations thereof is to be found in Pimstone 1998a and 1998b.

28 Recent criticisms that the Defence Review Process (DRP) was too costly do not hold. The process cost the taxpayer R1,6 million (not billions as some has had it!). Whether the DRP is effective enough, given its consultative approach, is perhaps debatable. It could still become much more input-orientated and allow greater civil participation. However, citizens are not always very responsive in democracies. Apathy is well known in democracies, be they well-established or so-called emerging ones.

29 See the Independent Complaints Directorate draft report on deaths in police custody (Bruce 1998).

30 Terry Karl (1998) argues: (One should) look at accountability in a broader way — as a thick network of institutions and relationships that involve vertical and horizontal accountability . Important is Karl s observation that accountability includes *both* institutions *and* relationships.

31 For more detail on professionalisation of the military in emerging democracies, see Ba n & Carrillo 1995a, Dix 1994 and Zagorski 1994.

32 See for example suggestions made to the TRC by The Human Rights Watch and various other bodies.

33 The recent excursion of the SANDF into Lesotho provides valuable lessons. The National Peacekeeping Force (NPKF) that was deployed in Thokoza in the East Rand during the 1994 elections was a failure and left South Africans with a dented national pride.

The deployment of mainly SANDF troops and some Botswana military units in an ill defined peacekeeping role after brief SADC Consultation in the mountain kingdom of Lesotho raised tensions, rather than defusing them.

The result was more violence and deaths rather than less in Maseru, the Lesotho capital. Lessons abound: Insufficient SADC consultation, insufficient exploitation of high profile diplomacy (both the SA President and Vice-President were outside the country and no other SADC leader became involved on a personal level), hasty deployment of SANDF troops on a peace-keeping operation without sufficient preparation or training and without a clear mandate contributed to a less than optimum chance for successful intervention. As a result relations between Lesotho and South Africa remain tense — and may well be so for a long time to come (*Pretoria News*, 3 October 1998). Apart from valuable political lessons (such as discovering an absence/lack of well developed protocols on diplomacy in Southern Africa, and the lack of an established policy on peace-keeping), the SANDF s deployment pointed towards a lack of experience in peace-keeping and some levels of unpreparedness when rapid deployment is at stake. This complicates any perceived intervention by South Africa as a needed partner in peace-keeping in Sub-Saharan Africa — or elsewhere. Ironically, while many observers are of the opinion that South Africa is capable of being a valued peace-keeping partner, recent experiences such as 1994 and 1998 seem to decry that such capacity is in place. Notwithstanding, recent surveys have shown that the South African citizenry retains a high regard for their Defence Force (Cilliers et al 1998:177ff).