This civil-military relations colloquium occurs at an opportune moment. We are in the sixth parliament following the recent national general elections and the inauguration of the president.

Let me first say that the new South Africa is characterised by sound civil-military relations. This is quite unlike the system that preceded us, where the military took on a burden of politics that it should not have needed to do.

We have much to be proud of. In many developing countries the military has sought to gain power. This can be attempted at the last resort by a military coup, but it can also be achieved through political pressure from the armed forces.

Fortunately a coup or even undue military influence on politics is not at all likely in South Africa.

This is because we have a fundamentally harmonious relationship between the armed forces and the citizenry, which is based on shared values and practices. That was not easy. And I will now explain how we did it.
Governance of democratic states pivots on transparency and accountability of the elected government in exercising its authority over a citizenry and in its management of the country. Civil military relations, encompassing broadly the entire range of relationships between a democratic states armed force and its society, embraces a wide range of political and sociological issues. But in this speech I focused on the managerial control and oversight of the military by the civilian executive authority of an elected government.

After the 1994 elections, the reconstruction and reconfiguration of state institutions was critical for the consolidation of a non-racial and democratic state in South Africa. The country’s defence forces, which had been used domestically as well as beyond South Africa’s borders to bolster the security of the apartheid regime, were among those most profoundly affected. Following the transition to a democratic government, the 1996 White Paper on Defence and the subsequent Defence Review of 1998 laid out the priorities and goals of the armed forces. It was premised on integration of a new South African National Defence Force (SANDF) and the establishment of the Department of Defence (DOD), with an organisational structure that was designed to ensure sound and robust civil-military relations. I will now review South Africa’s experience in civil-military relations from an executive perspective. I will now assess the structures and processes for the effective implementation and institutionalization of civil-military relations in accordance with requirements of our country’s democratic governance.

By the way, may I refer to civil-military relations by its acronym, CMR?

May I turn to the recent history of civil-military relations in our country?

Before the birth of a democratic South Africa, it became clear that certain constitutional and legislative changes would have to be effected to bring about a CMR architecture for the post-apartheid dispensation. The first such change was the adoption of the 1993 Interim Constitution. This was an important milestone that laid the foundation for levelling the political playing field. The establishment in 1994 of the Transitional Executive Council (TEC) also laid a foundation in making the negotiation process legitimate because it would oversee the government during the transition.

Under the TEC, the Sub-Council on Defence (SCD) was established to deal with security matters. The members of the SCD were politicians vested with the responsibility to provide oversight of the process of establishing the South African National Defence For, and the Ministry of Defence (MOD). The Joint Military Coordinating Committee (JMCC) was established, and comprised military chiefs of the constituent forces that took part in the strategic planning process for the integration and creation of the new
The 1996 South African White Paper on Defence pronounced that CMR refers to the hierarchy of authority between the Executive, Parliament and the armed forces addressed the issue of civil supremacy over the military.

The White Paper, however, reflects the constitution, which states that

- The President shall be the Commander-in-Chief of the SANDF
- The President shall appoint the Chief of the SANDF
- The Chief of the SANDF has executive military command of the armed forces
- This command is exercised under the direction of the Minister of Defence in times of peace and under the direction of the President during a state of national defence; and
- The Minister is in turn accountable to Parliament and Cabinet for the SANDF.

The 1996 White Paper – which still remains policy - has led to legislation framing CMR. The Defence Amendment Act of 1995 provides for a restructured Department of Defence which comprises the new SANDF and a civilian Defence Secretariat. The Minister is responsible for the defence function of government and is accountable to the President, the Cabinet and Parliament for the management and execution of this function. The Minister constitutes the elected civil authority on military matters on behalf of Cabinet. The Minister directs the performance of the defence function through a number of structures.

The statutory powers and functions of the Chief of the SANDF and the Secretary for Defence are governed by the Defence Amendment Act of 1995. The Secretary for Defence manages the Secretariat and will be the accounting officer of the Department of Defence – may I call it the DOD. He/she is the principal advisor to the Minister regarding defence policy and matters referred by the Joint Standing Committee on Defence.

The legislation requires that the Secretary will perform such duties and functions as may be necessary for democratic management of the defence function and to enhance parliamentary and Ministerial oversight of the SANDF. The Secretary for Defence will monitor compliance with directions issued to the Chief of the SANDF by the President or the Minister.

The Chief of the SANDF executes defence policy, directs the work of Defence Headquarters and manages the overall functioning and operations of the Defence Force. He/she is the principal adviser to the Minister on military, operational and administrative matters within his/her competence. In determining the respective functions of the
Secretariat and Defence Headquarters, there are two basic guidelines. First, civilians formulate defence policy and the military executes this policy. Second, civilians are responsible for the political dimensions of defence. This breakdown does not prevent military officers from contributing to policy formulation on the basis of their functional expertise.

The 1998 South African Defence Review identifies two critical areas of Civil-Military Relations. They are:

- **Constitutional and Legal Transformation**: This entails the reorientation of the defence function in light of the constitutional and legal realities. The Constitution outlines the political structures and process of accountability governing the DOD, its organizational structure and composition, and the functions of SANDF.

- **Oversight Mechanism**: A key feature of democratic Civil-Military Relations is the inviolability of the principle of civil control over the armed forces. This is reflected in the primacy afforded to Parliament in approving the finances of the armed forces, the legislation governing the activities of the armed forces and the approval of the policy framework within which the armed forces will function.

To ensure that effective civil control over the armed force is maintained, and that the activities of the armed forces are harmonised with broader government policy, a range of additional mechanisms were instituted to ensure robust and effective Civil-Military Relations. These include the following:

- Legislation passed by Parliament which determines the defence mandate of the DOD, i.e. The Defence Act.

- The establishment of Parliamentary Committees that are responsible for the oversight of the defence function. The Joint Standing Committee on Defence (JSCD), Portfolio Committee on Defence and Military Veterans and other committees in the National Assembly and the National Council of Provinces (NCOP), also fulfil this function.

- The Parliamentary committees of Finance and Public Accounts which have the authority to summon any public account holder concerning their expenditure.

- The Auditor General and his staff who report directly to Parliament on the handling of finances by the DOD.
• The creation of a Ministry of Defence responsible for ensuring political control over the DOD and ensuring that the activities of the DOD are consistent with government policy.

• The creation of a largely civilian Defence Secretariat responsible for formulating policies, programmes and budgets and controlling the execution of the mandate of the SANDF.

• The creation of additional mechanisms to ensure that the activities of the DOD are consistent with the letter and spirit of the new democracy - the role of the Public Protector and the Military Ombudsman for example.

THEORETICAL CONSIDERATIONS ON CMR

David Chuter provides the theoretical basis within which much of South African thinking on CMR is based. Chuter maintained that most writing about Civil-Military Relations are based on the perception that the armed forces in general are actually perceived as a threat to the very society it is supposed to defend and protect. He argues that the debate about CMR assumed that the armed forces are always viewed as a threat to society instead of being of value to it. The military provides violence or the threat to use it at the behest of the state. Therefore, civil control entails the obedience that the military owes to civis, the state and executes defence policy that is formulated by a civilian defence secretariat.

In the work of both Samuel E. Finer (1962) and Samuel Huntington (1957), Civil-Military Relations then entailed making the military as powerless and useless as possible. Simplistically, if Civil-Military Relations were only about reducing military power, then the sensible thing would be to abolish the military altogether. But such a possibility is hardly suggested for two reasons:

• That the military has a utilitarian value, and

• That Civil-Military Relations cannot be about reducing military power.

The concept of civil control is at times confused with civilian control – the two are separate, but related, concepts. As such, it is argued that civil control entails the obedience which the military owes to civis, the state. As one of the instruments of the state, the military has a duty of accountability to the state. The military provides inputs in the formulation of defence policy and the execution thereof. The notion of civilian control of the military is so pervasive that it has become a cliché. Similarly, Huntington (1957)
argues that civilian control, or what is described as “objective civilian control”, exists when “a highly professional officer corps stands ready to carry out the wishes of any group which secures legitimate authority within the state.

CONTEMPORARY CMR ARCHITECTURE: CONSTITUTIONAL AND LEGISLATIVE PROVISIONS

Government coordinates, at the national strategic level, the application of a range of the capacity of the state to achieve policy objectives and pursue national interests. The National Strategic level is the purview of the President and the National Executive and the Defence Force is one instrument of national power available to Government in the pursuit of strategic goals.

The Executive Authority of the state is vested in the President of the Republic of South Africa (SA Constitution, 1996: Section 85(1)). Such an Executive Authority is exercised (SA Constitution, 1996: Section 85(2)), together with other members of the Cabinet, by:

- Implementing national legislation;
- Developing and implementing national policy;
- Coordinating the functions of state departments and administrations;
- Preparing and initiating national legislation; and
- Performing any other executive function provided for in the Constitution or any other national legislation.

The President is assigned specific authority as the Head of State, Head of the National Executive (SA Constitution, 1996: Section 84(a)) and Commander-in-Chief (SA Constitution, 1996: Section 202(1)). It is in terms of the President’s authority as Head of the National Executive that the former exercises Executive Authority as Commander-in-Chief of the Defence Force and that the President appoints the Military Command of the Defence Force (SA Constitution, 1996: Section 202(1)).

The SA Constitution requires that a member of the Cabinet must be responsible for Defence (SA Constitution, 1996: Section 201(1)). The SA Constitution (1996: Section 202(2)) further stipulates that the command of the Defence Force must be exercised in accordance with the directions of the Cabinet member responsible for Defence, under the authority of the President. The Minister of Defence is responsible for the powers and
functions assigned by the President (SA Constitution, 1996: Section 92(1)). The Minister must act in accordance with the Constitution (SA Constitution, 1996: Section 92(3) (a)) and exercises civil control and provides political guidelines on defence matters.

The Minister sets the defence policy framework and strategic priorities, and is responsible for the effective implementation of Government’s policy directions, the execution of approved programmes and acquires the resources required for the Defence of the Republic of South Africa. The President and the Minister formally confer on matters of Defence and the Minister advises Cabinet on defence and security related matters. The Minister is accountable to Parliament for the exercise of his/her powers and the performance of his/her functions (SA Constitution, 1996: Section 92(1)) and must provide Parliament with full and regular reports concerning matters under his/her control (SA Constitution, 1996: Section 92(3) (b)).

Accordingly, civil oversight refers to the oversight role of Parliament; which consist of the National Assembly and the National Council of Provinces (NCOP) and participate in the legislative process in the manner set out in the Constitution. The National Assembly is elected to represent the people and to ensure government by the people under the Constitution. It does this by choosing the President, by providing a national forum for public consideration of issues and by scrutinising and overseeing executive action. The NCOP represents the provinces to ensure that provincial interests are taken into account in the national sphere of government.

The legislative authority of the national sphere of government is vested in Parliament, as set out in Section 44 of the Constitution, including passing legislation with regard to any matter in a functional area. The National Assembly provides for mechanisms to hold national organs of state accountable to it and to maintain oversight over the national executive authority and the implementation of legislation. Parliamentary committees, established from the body of elected public representatives, play an important oversight role with regard to the security services. This is reflected in Parliament’s responsibility to approve:

- The finances for the security forces.
- The legislation governing activities of the security forces.
- The policy framework within which the security forces will function.

The Secretary for Defence is the primary tool and resource for the Minister to enable him/her to exercise civil control. As the formal policy advisor to the Minister, the Secretary
for Defence enhances the Minister’s ability to exercise civil control over the defence function and performs such functions as may be entrusted by the Minister, in particular those necessary or expedient to enhance civil control and civil oversight by:

- The Minister over Defence.
- Parliament over Defence.
- Parliamentary committees having oversight over Defence.

The Secretary for Defence exercises powers vested through the Constitution and other statute, subject to and in accordance with any direction of the Minister without fear, favour or prejudice. Assists and supports the Minister in contributing to the formulation of the government’s security policy and further assists and supports the Minister in developing and adapting the defence policy that best pursues national policy objectives and national interests. As one of the key mechanisms of civil control, he/she is responsible to the Minister in coordinating and compiling all relevant instruments through which, either the President or the Minister, may authorise the employment of the Defence Force and further direct such service as required by the Constitution (1996) or any other statute. This extends to:

- The coordination and compilation of the Presidential Minute and Explanatory Memorandum, any necessary Cabinet Memorandum and any Ministerial Directive directing the Defence Force to conduct such service, and any consequent instruction or direction thereto.
- Identifying the legal implications, both domestic and international, of any employment.
- Identifying the financial implications of any employment.
- Maintaining a system to monitor and evaluate any employment.
- Maintaining a system to administer, document and maintain the currency of any employment.

The Secretary for Defence is responsible to the Minister in determining ministerial priorities and strategic guidelines on defence matters. This extends to setting the following strategic direction for the Minister’s subsequent authorisation:
• Ministerial strategic priorities, ministerial strategic guidelines, ministerial directives and ministerial planning instructions.

• Ministerial policy options for the Medium-Term Strategic Framework (MTSF) / Medium-Term Expenditure Framework (MTEF) processes.

• Ministerial policy research and direction.

• Ministerial defence diplomacy framework, direction and engagement.

• Setting defence resource priorities.

• Requirements in terms of the defence governance, accountability, control and risk frameworks required for the accountable management of defence resources.

The Secretary for Defence is responsible to the Minister in determining strategic direction, accountability mechanisms and oversight over all defence public entities, including the defence acquisition agent and the acquisition or procurement of defence matériel. He or she advises the Minister on any matter referred by the Minister, as stipulated in the Defence Act, 2002, (Act 42 of 2001): Section 8(b) & (c) and provides the Minister with parliamentary and cabinet administrative and coordination services, including the coordination of:

• The defence cabinet and parliamentary programme.

• Parliamentary questions.

• The defence legislative programme.

The Secretary for Defence provides the Minister with legal services (excluding the Military Justice System) which will entail, *inter alia*, legislation, litigation and legal advice. He or she engages with defence stakeholders and managing intra-governmental liaison at the national-strategic and military-strategic levels.

**LEGISLATIVE AND REGULATORY FRAMEWORK**

At the National Strategic level, Government coordinates the application of a range of the capacity of the state to achieve policy objectives and pursue national interests. This is the purview of the President and the National Executive. The Defence Force is but one instrument of national power.
Section 84 (a) of the Constitution of the Republic of South Africa of 1996, states that the President is the Head of the State, Head of the National Executive; whilst Section 202 (1) appoints the President is the Commander-in-Chief of the South African National Defence Force. Section 202 (1) also states that the President appoints the Military Command of the Defence Force.

Section 201 (1) requires that a member of Cabinet must be responsible for defence. Section 202 (2) stipulates that the command of the Defence Force must be exercised in accordance with the directions of the Cabinet member responsible for Defence, under the authority of the President.

Section 92 (1) states that the Minister of Defence is responsible for the powers and functions assigned by the President. According to Section 92 (3) (a), the Minister acts in accordance with the Constitution and exercise civil control and provides political guidelines on Defence matters. The Minister sets the defence policy framework and strategic priorities and is responsible for effective implementation of Government policy directions, the execution of approved programmes and acquires the resources required for the defence of the Republic of South Africa. Both the President and the Minister formally confer on defence matters and the Minister advices Cabinet on defence and security related matters.

Section 204 states that a civilian Defence Secretariat must be established by national legislation to function under the direction of the Cabinet member responsible for Defence. Section 92 (1) states that the Minister is accountable to Parliament for the exercise of his/her powers and performance of his/her functions; whilst Section 92 (3) (b) states that the Minister must provide Parliament with full and regular reports concerning matters under his/her control.

PARLIAMENTARY OVERSIGHT

The principles of transparency and accountability are encapsulated in Section 199(8) of the 1996 Constitution, which provides for Multi-Party Parliamentary Committees that have oversight of the security services in a manner determined by national legislation or the rules and orders of Parliament. To this end, the Joint Standing Committee on Defence (JSCD) has been established with broad powers of oversight that can be used to investigate and make recommendations regarding the budget, functioning of Defence, acquisition and procurement policy, and the state of readiness of Defence. The JSCD derives its powers and functions for oversight of the Defence Force in terms of the Interim
Constitution of 1993 (1993 Interim Constitution: Section 228) and the Joint Rules of Parliament (Rule 120A) also makes provision for the establishment of the JSCD.

The Portfolio Committee on Defence (PCD) is responsible for monitoring, scrutinising and investigating defence business. Subsequently, it makes recommendations on the functions, budgetary allocations, rationalisation and restructuring of the defence organisational structure, policy formulation and any other relevant matters. The PCD derives part of its mandate from that of the National Assembly, as contained in Section 55 of the 1996 Constitution.

The Joint Standing Committee on Intelligence (JSCI) is established by the Intelligence Services Oversight Act, 1994 (as amended) and exercises oversight functions in relation to the intelligence and counter-intelligence functions of the Security Services, and report thereon to Parliament (Intelligence Services Oversight Act, 1994 (Act 40 of 1994) (as amended): Section 2). The function of the JSCI is, inter alia, to review and make recommendations regarding interdepartmental co-operation and the rationalisation and demarcation of functions relating to intelligence and counter-intelligence between the State Security Agency, the National Defence Force and the South African Police Service (Intelligence Services Oversight Act, 1994 (Act 40 of 1994) (as amended): Section 3(e)).

The Standing Committee on Public Accounts (SCOPA) exercises oversight over all executive structures and constitutional institutions of the State on behalf of the Legislature to ensure accountability for resources and financial management in accordance with the requirements of the Public Finance Management Act, 1999, as amended. The Select Committee on Constitutional and Security Affairs (SCOCSA) in the National Council of Provinces has an oversight role on all defence-related legislation and policy. This oversight function mainly focuses on the implications for the nine provinces of South Africa.

ASSESSING SA’s CIVIL-MILITARY RELATIONS

The ostensible tension between the requirements of military life and the more liberal view of civil society is well-documented and though it has grown and diminished, it has also remained central to debates on CMR. The fact that the military holds an unqualified monopoly of the use of force in society and needs to be kept strong enough to defend the state, as well as subservient enough not to threaten it, is the central question in Civil-Military Relations; but not the only cause for concern. It is often assumed that this dissimilarity in outlook presents a significant challenge that at best, represents a condition to be managed, and at worst a positive danger to the state.
The familiar claim that a gap that divides the military and society exists is a central theme in South African Civil-Military Relations debates. Undeniably, the military institution holds and enforces values that limits individual behavior and promote collective action. It would seem that the South African public grasp the need for restricted individual rights in the military and embraces the basis for an organisationally conservative outlook that underscores the group over the individual, as well as organisational success over personal validation. Some commentators have argued that the main source of the widening gap stems from civilian ignorance of the military arising from the absence of prevalent military experience in the post-conscription era. But compelling evidence demonstrates that one can have an all-volunteer military that is neither praetorian nor mercenary.

Although made secondary during peace times, the South African military remains focused on a functional requirement that emphasises success in war and this imperative has, and will remain constant over time. Contemporary military missions are multinational in nature and this implies the problem of legitimising certain actions. Intervention in internal conflict is not always easy to explain in terms of an obligation to restore peace and order or to contain local and regional conflicts to address the spill-over effect. Intervention is easily understood as serving only national security and geopolitical considerations. Often than not, intervening in internal conflict has led to citizens of the intervening forces asking burning questions such as “do we really care? Why do our young men and women have to go there and perhaps even die?” Whereas civilian leaders, whether driven by humanitarian concerns or foreign policy goals, have sought to employ the military in situations “other than war”, such an outlook has the propensity to strain Civil-Military Relations at the home front.

The implication thereof is a set of values and behavior that differ from those prevalent in the civil society, especially in an all-volunteer force less influenced by conscription – the prototype of a citizen-soldier. As such, the imaginary separation of the military from civilian communities and the gulf between civilian and military values has been hyperbolic. It can be argued that the military “presence” in civil society is not limited to serving members of the active-duty military. Somewhat, it includes all who serve or have served, active and reserve. Much as the military’s isolation from society is often inflated, differences in social attitude, while present, do not place the military outside the realm of mainstream civilian life.

Equally important is the charge that the military seems to have abandoned the tradition of non-partisan service to the state in favour of partisan politics. A common criticism is that a growing tendency by retired military elites to publicly participate in partisan politics signals a disturbing shift from that tradition. The fundamental flaw of this argument is that
it attributes to military voters a level of partisanship that is uncharacteristic of the voting public. The majority of people who cast their votes are not partisans in the sense of actively advancing party interests. Instead, they comprise a constituency, which is a much loser affiliation than party organisation. It is often argued that such an outlook further suggests that party affiliation lends itself to military resistance to civilian control in policy matters. The absence of the military from the politics of policy modelled by Huntington has always been a myth. This separatist critique warns of the tendency toward the militarisation of foreign and defence policy should the military leaders be allowed to fully participate in the formulation process. Proponents of this view hold that the military officer is not equipped by background or training to fully participate in defence policy-making. In this view, mastering the profession of arms and military education limits the understanding of the policy process and is beyond the competencies of the military professional. This cannot be far from the truth as the military also have a responsibility to make inputs into the defence policy making process.

Critics maintain that in view of the proclivity toward authoritarianism alluded to by Huntington and others, participation by the military might influence the policy process in favour of the use of force. However, the “soldier-statesman” view holds that direct participation by military leaders in defence policy is both essential and unavoidable. If the supposition of distinctive proficiency is accurate, only the military professional can provide technical expertise informed by insight and experience, needed to support national security policy. The role of the military in defence policy-making has increased as the resources, intricacy and magnitude which attend to the field of national security have grown significantly. Far from wanting politically passive soldiers, political leaders in both the legislative and executive branches consistently seek military affirmation and support in their programmes and policies. The evidence that apolitical soldiers are not really sought after is found in the expectation placed upon military leaders to publically endorse the policy choices of their civilian principals. There is no “apolitical” soldier but a “non-partisan” one, they must be, for it will be a sad day when the military does not understand politics – of their country, region and the world!

The challenge of the military affecting the government remains a cause for concern in any democratic society and the recent failed coup attempt in Turkey on 17 July 2016 do not inspire much confidence. If the citizen-soldier wanes along with conscription as armies become gradually professionalised, the danger of praetorianism rises as well. What needs not be forgotten is De Tocqueville’s (1842) shrewd thought that the panacea for the evils of the military is not to be found in the military itself but in its host society. As a rule, what is needed to circumvent a military coup is not a “democratic military,” which is a contradiction in terms, but a military within and for a democracy, hence the 1996 White
Paper was sub titled “Defence in a Democracy”. Equally, Civil-Military Relations cannot be misconstrued as a mechanism designed to avoid military coups only.

The status of Civil-Military Relations in any country is inextricably linked to the democratic or non-democratic character of the state as well as the incentives and objectives of the officer corps. The military's attitude toward a regime may be central to the state's trajectory of progress. Though to some extent characterised by relative separateness, the military establishment is not entirely detached from politics, as demonstrated by its proclivity to intervene in domestic politics. A direct link exists between the political system of a country and its propensity to use violence in international relations and at home. Thus, military intervention, military rule and the withdrawal by the military from politics are processes common to several historical periods, cultures and regions. As such, the very prominence of military interventions into politics and military coups calls for comparisons and raises the question, to what degree Civil-Military Relations are dependent on different patterns of economic and cultural development, traditions and other elements of political cultures; type of political regimes; and forms of social organisations of society.

Contemporary CMR in South Africa remains a bureaucratic process based on committee work – with standing committees and multi-level working groups that coordinate the work of the military and the government agencies. Contemporary CMR in South Africa is also about personalities and personal relationships. It was further argued that CMR is about command and communication from the tactical, operational through to the strategic level as well as a mutual beneficial-unequal process of active control. Active control entails an unequal dialogue between civilian politicians and senior military officers. The essence of CMR is that a blunt disagreement among the military and civilians in the privacy of a council chamber are welcomed but solidarity and obedience are required outside. A blunt pleasantness in CMR may mean that civilians are evading their responsibility or that soldiers have succumbed to the courtier mentality rather than that true harmony exists.

The history of a people, relative to that of a country, determines the relationship between the armed force, its leadership, political leaders and the general public. The establishment of the Defence Secretariat in South Africa was never a smooth process. Different administrations or personalities, have over the years, played themselves out in determining the role, function and positioning of the Defence Secretariat in the Department of Defence. This conceptual muddling may continue to dog the Defence Secretariat in its contemporary configuration especially the dual relationship that exists between the Secretary for Defence and the Chief of the South African National Defence Force. Numerous initiatives were undertaken to address this challenge.
THE 2015 DEFENCE REVIEW: ENHANCING CIVIL OVERSIGHT

The South African Defence Review (2015) pronounces on required high-impact interventions and includes civil control of Defence. The South African Defence Review (2015) was approved by Cabinet on the 19 March 2014 and adopted by the National Assembly and the National Council of Provinces (NCOP) on the 4 and 24 June 2015 respectively. Consequently, Cabinet directed that the implementation of the Defence Review should be programmatic and aligned with the broader Government planning cycle so as to be synchronised with the funding allocation from the fiscus.

The 2015 South African Defence Review pronounces that the Minister of Defence is responsible for civil control over defence and provides political direction. Therefore, the Minister must be capacitated to perform these duties through the positioning of the Defence Secretariat to perform the Constitutional imperatives to function under the direction of the Cabinet member responsible for defence.

For the Minister to exercise civil control, the primary object of the Defence Secretariat must extend to the following in support of the Minister:

- Enhancing civil oversight;
- Establishing controlling instruments through which the employment of the Defence Force for service is authorized and mandated;
- Setting high-level policy and strategy;
- Setting governance, accountability and risk parameters;
- Setting the defence international engagement agenda; Engaging with defence stakeholders; and
- Managing intra-governmental liaison and services related to Cabinet and Parliamentary processes.

The Secretary for Defence is responsible to the Minister in determining strategic direction, accountability mechanism and oversight over all defence entities, including the defence acquisition agent and acquisition or procurement of defence matériel. The Secretary for Defence provides the Minister with legal services (excluding the Military Justice System) which entail, inter alia, legislation, litigation and legal advice. He/she engages with defence stakeholders and manage intra-governmental liaison at the national strategic and military strategic levels.
The South African Defence Review (2015) further stipulates that the Defence Accounting Officer and Head of Department, remains accountable for all defence resources. Linked to the organizational renewal imperative, the current defence accountability concept must be re-assessed, and if necessary, adjusted in order that the Defence Accounting Officer and Head of Department is able to fully meet his or her statutory accountability, responsibilities and obligations.\(^6\)

As one of the key mechanisms of civil control, the Secretary for Defence is responsible to the Minister in coordinating and compiling all relevant instruments through which either the President or the Minister, may authorize the employment of the Defence Force and further direct such service as required by the Constitution or any other statute. This includes:

- The coordination and compilation of Presidential Minute and Explanatory Memorandum, any Cabinet Memorandum and any Ministerial Directive directing the Defence Force;
- Identifying the legal implications, both domestic and international, of any employment;
- Maintaining a system to administer, document and maintain the currency of any employment

As principal policy advisor to the Minister, the Secretary for Defence enhances the Minister’s ability to exercise civil control over the defence function. The Secretary for Defence assists the Minister in the formulation of Government’s security policy and supports the Minister in developing and adapting defence policy that best pursues the national policy objectives and national interests of the Republic.

The Secretary for Defence is responsible for the Minister in determining Ministerial Priorities and strategic guidelines on defence matters. This extends to setting the following strategic direction for the Minister’s subsequent authorization:

- Ministerial Strategic Priorities, Ministerial Strategic Guidelines, Ministerial Directives and Ministerial Planning Instructions;
- Ministerial Policy Options for the MTSF and MTEF processes;
- Ministerial Policy Research and Direction;
- Ministerial Defence Diplomacy Framework, Direction and Engagement;
- Setting Defence Resource Priorities; and
- Requirements in terms of the defence governance, accountability, control and risk frameworks required for the accountable management of defence resources.
The Ministerial Priorities that have been authorised for FY 2016/17 and beyond relate to Milestone 1 of the 2015 SA Defence Review and further give impetus to the implementation of the 2015 SA Defence Review. Strategic Direction as one of the priorities, relates to ensuring the provision of Ministerial strategic direction to the DOD over the short-, medium- and long-term. The following end-states will, among others, be pursued in support of this Ministerial Priority:

- Defence Command and Governance Accountability clarified in policy.
- Strategic direction provided for the implementation of the 2015 SA Defence Review (Milestone 1).
- Strategic Communication direction provided to inform the conceptualisation and roll-out across all levels of command.

QUO VADIS

The 2015 SA Defence Review provides a more contemporary reflection of the role and function of the Defence Secretariat and posits the need to reposition the Defence Secretariat in a bid to empower the Secretary for Defence to undertake his or her mandate. The case of Australia was chosen to illustrate a different approach in managing the roles, functions and the relations between the Chief of the armed forces and the Secretary for Defence. The academic debate suggests the need for a new model as a result of possible shortcomings in the current CMR model in South Africa.

The 2015 SA Defence Review pronounces on the need to reposition the Defence Secretariat so as to enable the Secretary for Defence to undertake his mandate as contained in legislation. The historical overview of the Defence Secretariat illustrates how the roles, functions and structure were often misunderstood, by design or default. Historical lessons to be drawn from the findings will add value in the development of a Defence Secretariat Strategy and the concomitant drive to appropriately position the Defence Secretariat so that the Secretary for Defence is empowered to undertake his function as envisaged in the Constitution and other legislation. The concordance theory posited by Schiff is indicative of the fact that borrowing foreign models of understanding and conceptualizing the relationship between the military, political elites and the citizenry, have the propensity to be disastrous, if adopted blindly. The model is not as prescriptive when compared to other models that were based mainly within the Western conceptualization of the subject. In order to disentangle ourselves from the conceptual
and analytical trappings we have adopted, compelling arguments may be made for the need to re-fine our model. The military also needs to be provided the space to command and run operations, without being encumbered in the process. As an integral part for the enhancement of CMR, parliament approved the establishment of the office of the Military Ombud as was envisaged in the 1996 White Paper on Defence. In addition the establishment of the Defence Force Service Commission and its mandate for the examination of the conditions of service for members of the SANDF. As I conclude, I wish to state that we must be proud that our institutions that we created to enhance civil-military relations remain intact and need continued support to fulfil their mandate.

I thank you
2 SA Constitution, 1996: Section 84(a).
3 SA Constitution, 1996: Section 199(8).
6 Ibid, p. xi.