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Round Table

POLICING AND PUBLIC SECURITY
FOR A DEMOCRATIC SOUTH AFRICA

Background Paper

10 a.m. to 3.30 p.m.
Monday, October 19th, 1992

Canadian Room
Chateau Laurier Hotel
1 Rideau, Ottawa

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Round Table on Policing and Public Security
for a Democratic South Africa

Background Paper¹

Security Functions in a Modern Democratic Society

From Police Force to Police Service

As every newspaper reader now knows, one of the most critical issues for South Africa now and in the future is the need to move to trustworthy, professional policing from a situation where the police have too often epitomized the arbitrary brutality and injustice of apartheid. The present situation is extremely tense, with new revelations constantly emerging about police misdeeds, and with mistrust on this score one of the main obstacles to negotiations. The problems have now been recognized for some time, with many efforts being directed to "cleaning up" the South African Police (SAP), and propagating an understanding among them of the norms and standards of policing in democratic society. The approach being adopted reflects a general understanding (shared by the ANC) that South Africa will need *more* police for some years to come, and will have to rely on a great many of the officers now serving, after the necessary retraining and re-orientation of the force.

These efforts have not yet progressed very far, and certainly not to the point where the police enjoy any more trust among the majority of South Africans, but at least the seriousness of the problem has now been recognized, even by police commanders (and in late August by the administration) and serious efforts at dialogue have begun.

As mentioned earlier, Canada, through the SAETF, has contributed the valuable talents of Dr. Clifford Shearing, and has also sent Police Chief Jim Harding and then his colleague Dan Reid of the Halton Regional Police Service on speaking and discussion tours (particularly on multi-cultural and community policing) which a wide range of participants testified to have been of extensive interest and value. Two senior South African officers have also recently visited Canadian police colleges and other establishments, with reported enthusiasm for further cooperation. More than this, Canadian officers have been involved, together with Britons, in some of the work which has already resulted in substantial

¹ Extract from a Report by Bernard Wood, *Transition to a New Public Administration: Options for Training Assistance to a Democratising South Africa*, SAETF, August 1992

transformation of the South African-modelled Namibian police and members of that force have now followed training courses in Canada.

The latest initiatives in this field are being organized by the Institute for Democratic Alternatives in South Africa (IDASA), with the first joint mission (to Denmark) of serving police officers (selected by IDASA) and community and other representatives. IDASA is also organizing a major conference on the state of policing questions in October, and raised the question of participation by an appropriate Canadian officer as well as Dr. Shearing.³

While there are distinct differences between some of the policing challenges faced by the SAP and any force in Canada, there is also important Canadian experience that would be useful in the critical tasks of helping South Africa move from a tradition of quite literal **police force** to one of **police service**. Examples of such relevant experience are found in multicultural and community policing as well as in mechanisms of accountability, central regional links, and general standards of good police practice.

It was made clear to our mission that a wide cross-section of South Africans concerned would find Canada a good partner (more relevant for example than Scandinavian countries, and for certain purposes more appropriate than Britain) if Canada were willing and able to mount a serious and sustained programme of activity which would call on top talent, the experience of Policing 2000, etc., to constitute one of the major outside elements in the vital re-orientation of the SAP.

Such a commitment would obviously require the engagement of the relevant forces and their political authorities, and would have to be prepared to withstand the political controversy which will arise when, inevitably, further episodes erupt of ugly SAP relations with communities, and even clear wrongdoing. Because of its status, and its established contacts and credentials in both South Africa and Canada, SAETF would be well placed to help coordinate such a major programme if the requisite conditions can be assured.

New Defence Forces and Roles

South Africa has traditionally had large and expensively-equipped armed forces, locked as it was into a succession of wars and military confrontations and, in more recent years, calling on the South African Defence Force/s (SADF) increasingly to work with the police in imposing internal order.

With the collapse of any serious perceived external threat, fierce budgetary pressures, and a recognition of the need to remove the military further from regular internal policing duties, the SADF are already undergoing a major contraction and the beginnings of a

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Canada was represented at the conference by Chief J. Harding, Hamilton-Peel Regional Police Service.

fundamental re-orientation. The total rethinking of foreign policy for a new South Africa will obviously re-shape defence policy, possibly much more in a classic "middle power" direction. The re-orientation of the military will be further spurred by the needs to assure effective political accountability (especially to prevent "renegade" behaviour), and to achieve much greater representativeness of SADF at all levels, incorporating appropriate elements of other armed forces into a truly national force.

Both the existing SADF and other armed formations have had some contacts with foreign armed forces, including some in NATO. Particularly on the side of the democratic movement (specifically the ANC) and foreign policy thinkers in the country, there is a lively interest in drawing on the Canadian military experience in grappling with these challenges. These South Africans are aware of the unparalleled Canadian experience in U.N. peacekeeping as a benign use of a modern, professional military force for purposes which are highly respected, at home and internationally. They are conscious of Canadian experience in forging armed forces in a bilingual and multicultural context, and to the surprise of some Canadians, the highly restrained role of the Canadian military in containing and helping resolve the Oka crisis attracted a great deal of attention in South Africa.

At least the three aspects of Canadian military experience mentioned above — **peacekeeping, bilingual and multicultural forces**, and **aid to the civil authority** — as well as the general experience of armed forces in a non-militarized, democratic society would support a substantial Canadian contribution to helping South Africa shape its new national defence institutions. This is providing that the Federal Government were willing, and the Department of National Defence able, to devote top-flight resources to such a function. Timing will be an issue, and a number of specific activities and approaches can be identified which could make targeted contributions at various stages and levels.

One explicit request for immediate assistance in this area, expressed to the SAETF mission by key officials of the ANC, was for orientation for one or two of their key personnel in headquarters organization, and for orientation in relations between the leadership (civilian and military) at headquarters and commanders at the level of individual services and regions. The author of this report and SAETF officials have available more detailed contacts and suggestions should there be a willingness to follow up in this sensitive, urgent and appropriate area.

Domestic Intelligence Services: the Accountability Challenge

The third leg of the all-important security policy triad in any state, perhaps even more sensitive than the other two, is that of its domestic intelligence services.⁴ Here again, the

4 No reference is being made here to international intelligence operations, although some of the international "overlaps" with domestic operations must be borne in

services of some NATO countries have probably had considerable contact with the relevant services of the former adversaries in the South African government and the ANC. Canada's Security Intelligence Service (CSIS) has probably had very little, if any explicit contact. However, or perhaps partly because of Canada's removal from the arena, the Canadian experience could be of substantial interest as South Africans try to re-define the functions and limits of an intelligence agency in a democratic society.

More than this, the painful, negative lessons of Canadian experience, as documented through the McDonald Commission Inquiry, and the now-tested Canadian remedial mechanisms for maintaining legality and democratic accountability may prove to be some of the most relevant models anywhere for how South Africa's future security and intelligence functions might best be harnessed. The desire, and need, to learn about approaches to the maintenance of legal and democratic accountability was raised, deliberately and explicitly, with the SAETF mission by responsible ANC officials. They indicated that some level of dialogue is already underway between them and the government, with a shared recognition that the future South Africa will almost certainly confront extremist and terrorist threats from various quarters.

Once again, any Canadian response in this area would be most effective if the federal authorities embraced the project, and the SAETF has some more detailed initial suggestions. Moreover, even if the Canadian government were unwilling or unable to take an active part, an agency like the SAETF, working with independent specialists would be able to offer South Africans substantial information and even "training," based on information and expertise in the public domain, on accountability practices, and on institutions such as the Security Intelligence Review Committee (SIRC).⁵

5 CSIS itself began in 1991 publishing its own annual public report to Parliament and the public, which complements the SIRC reports and hearings. See Canada, CSIS, *Public Report 1991* (Ottawa: Supply and Services Canada, 1992).