Why Security Sector Reform has to be Negotiated

Author(s):
Mason, Simon J.A.

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Why Security Sector Reform has to be Negotiated

The implementation of Security Sector Reform (SSR) faces many challenges, such as lack of technical capacity, limited political will, tensions within society, or donors ignoring the given context and imposing their own agendas. Dialog, negotiation and mediation provide avenues to deal with these challenges in a consensus-oriented manner, leading to more legitimate and sustainable outcomes.

By Simon J. A. Mason

There is no globally accepted definition of SSR, but the UN defines the goal of SSR as being the “enhancement of effective and accountable security for the state and its peoples”. It is this dual commitment to provide effective and accountable security that distinguishes most interpretations of SSR from other types of security cooperation, assistance and reform. Nevertheless, the exact use of the term “SSR” and the emphasis on a specific aspect within it is highly contextual. SSR is undertaken by a diverse range of societies, for many different reasons, and it is a process rather than a finite goal. A country may engage in SSR to make more efficient use of its resources, which often goes hand in hand with a new threat assessment, such as Switzerland after the end of the Cold War. A post-conflict state may seek a new mission for its army in reorienting it to take up an international peacekeeping role, such as Burundi after the peace agreement in 2000.

To clarify the broad and often confusing use of the term, it is helpful to trace two main roots to the development of SSR, one in the “North” and one in the “South”: The “Northern” root of SSR can be traced to democratization processes in Eastern Europe in the 1990s, where post-authoritarian states sought to change their civil-military relations and deal with their new national threat assessment.

At the same time, there was a reorientation of the development community at the end of the Cold War. During the Cold War, technical, financial or policy assistance from Northern countries to the military of their Southern partners occurred along the East-West divide. With the end of the Cold War came the opportunity for Southern states to resolve long-suppressed conflicts within their territory. Meanwhile, Northern countries could now shed the polarized Cold War ideology within their development programs and replace them with a modernization and development agenda.

The peace and development community had traditionally shied away from engaging with security issues, but in the late 1990s a number of Northern development donors began to realize that conflict was an obstacle to development that could only be overcome by working with the security sector.

It was in this context that SSR developed as a holistic concept, highlighting the numerous linkages between different formal institutions of state security provision (e.g. military, police, intelligence) and civilian authorities responsible for their democratic
SSR Priority Actions

Twelve steps of an ideal type SSR process as outlined by the African Security Sector Network (ASSN):

1. **Understanding and political will:** SSR requires a national dialog to create understanding and consensus on what the security sector is and what SSR may entail. National consensus and commitment to the need for changes in the security sector are needed before taking any further steps, and this needs to include all segments of society, e.g. youth, women’s groups, religious leaders, business actors, and traditional authorities.

2. **Initial needs-assessment:** Closely linked to the first step, a nation-wide initial needs assessment of how people want their security sector to develop is essential for national ownership of any SSR process.

3. **Contain short-term threats:** There may be a need for rapid action to contain short-term threats that have arisen due to the new context. For example, after the end of armed conflict, criminal activity or domestic violence often flourishes. Fast action may be needed to minimize the risk of these threats derailing the longer-term transition process.

4. **Establish structures:** The government needs to establish structures to manage and coordinate SSR planning and implementation.

5. **Strategic Analysis:** A strategic analysis needs to clarify a nation’s vision of society for the future. The second part of the strategic analysis is a national threat assessment to the vision and future security of the country.

6. **National Security Policy Framework:** The National Security Policy (NSP) Framework summarizes the national consensus on the security sector status quo, where it should be headed and how to get there, introducing priorities of actions in order to focus on how to implement the vision.

7. **Individual Institutional / Agency Policy Frameworks:** Based on the NSP, similar policy framework documents should be developed for the various institutions and agencies, such as the defense policy. These policy frameworks have to be supervised by the respective oversight structures (e.g. parliament and justice).

8. **Gap analysis:** Gap analysis assesses the present institutional capacity and compares it to the stated tasks, detailing the changes needed.

9. **Transformation strategy:** The transformation strategy outlines how to implement the changes needed that are outlined in the gap analysis, so as to move towards the national vision, deal with the nation’s present and future threats and comply with the priorities of actions outlined in the national and institutional policy frameworks.

10. **Financial feasibility plan:** The financial feasibility plan clarifies which resources are needed and available for the various actions outlined in the transformation strategy; it has to be supervised by the respective oversight structures.

11. **Governance and oversight structures:** The political and legal structures to provide oversight of SSR have to be developed and linked from the very beginning, in order to ensure that a civilian, democratic oversight is maintained.

12. **Risk management:** Problems will arise, but careful risk management can minimize the chances of these derailing the entire SSR process.


Yet if South African SSR is generally seen as a success, it also demonstrates the typical challenges of reform insofar as progress was not uniform across all aspects of the security sector. Thus there have been greater advancements and successes in defense reform, while major challenges remain regarding the question of how the police handle the high levels of crime. The South African experience also shows that SSR takes time – decades rather than years. Therefore, continued attention of all relevant stakeholders is necessary to maintain the advancements made during the early post-conflict years.

Carrying the experience from South Africa forward, a network of African analysts, in collaboration with committed Africanists, embarked on a process of experience-sharing in the late 1990s – including in South Africa, Nigeria and Ghana. The lessons learned from this exchange fed into the SSR policy development process at the international level and in particular among Northern development donors.

The African Security Sector Network outlines twelve “priority actions” for SSR processes in a post-conflict context (Box 1). These actions do not necessarily need to be followed in sequence, as some steps may differ or even become irrelevant, depending on the nature of the context. Nevertheless, the twelve priority actions highlight that some steps need to precede others (e.g. step one and two have to happen before the following steps) if one seeks to implement SSR in a context-sensitive manner.

**Challenges of SSR Implementation**

There seem to be two paradoxes at the heart of SSR in post-conflict contexts; one relates to capacity, the other to political will. Eboe Hutchful argues that one of the key paradoxes of SSR is that the greatest need for SSR often arises precisely in those states that have the weakest capacity to implement reforms. The second paradox relates to political will, with a potential tension between the goal of local and national ownership and the explicitly normative content of SSR. The UN SSR definition says SSR must be “led by national authori-
ties”, yet it must also improve the accountability of the security sector and entail “full respect for human rights and the rule of law”. These two paradoxes lead to a series of challenges in implementing SSR processes in post-conflict contexts.

On the Northern side, there is a tendency for donors to take on a prescriptive and sometimes arrogant approach, where the “reformed” tell others what to do – echoing the modernization and developmental ideology that some forms of SSR stem from. Another challenge is that donors are often limited by short timeframes, wanting to display tangible results quickly to their domestic constituencies who are funding SSR programs with their taxes. Furthermore, donors have also often ignored the specificities of the local context. One of the greatest challenges of many SSR programs is that donors demand that countries develop towards a form of state that is similar to the one they know in the North: a Weberian type, multi-party, liberal democracy, with rule of law, separation of powers and some form of representation of people in government. Experience in many Southern countries where SSR takes place has shown that exporting models of government and institutions from one context into a very different context is a recipe for failure.

A final challenge to many SSR programs in the North is that international actors may misuse SSR for their own self-interested and contradicting agendas, for example, related to peace promotion on the one hand, but focusing on counter-terrorism or economic interests in exporting weapons on the other hand. It is expected that Northern SSR donors have their own agendas when promoting SSR – but the question is how far these are made transparent and negotiated with the Southern partners, or imposed upon them. This type of manipulation of the SSR agenda should be clearly distinguished from reform policies that instead seek to provide both state and human security by improving both the effectiveness and the accountability of the security sector.

On the Southern side, challenges to SSR involve the lack of technical expertise in security affairs and SSR, as well as a lack of consensus-based political will for SSR. If an SSR is conducted in such an environment, actors such as the military and police have an unfair advantage in expressing their voices because of their status as security experts, while populations may see security affairs as a taboo subject on which they have no right to an opinion. If international experts are flown in for a few weeks to consult other constituencies as part of an early SSR assessment phase, the result is a superficial consultation rather than a broad-based national dialog. A wider range of security sector actors, e.g. traditional leaders, religious authorities, youth, women, and business actors may not have the knowledge to understand the terms of the discussion, let alone have the time to shape their own vision and strategy for how to achieve that vision. International experts, furthermore, often do not have the necessary contextualized knowledge to shape their questions in a manner to bring forth relevant information, thus biasing their needs assessment.

Countries engaging in an SSR process either after conflict or in another type of transitional phase will typically still be preoccupied with deep-rooted tensions and thus may lack the political will for SSR. A government’s power (especially in authoritarian regimes) often lies with the security sector, and such governments are likely to be very sensitive to any changes in this sector. If not carried out with the greatest care, SSR processes in such an environment are more likely to mirror, or even escalate these tensions, rather than transform them in a consensus-based manner.

Lack of capacity, unclear political will and tensions within society are not reasons to avoid preparing for, or starting an SSR process, but they do call for greater efforts and much more time in developing nation-wide understanding of the security sector, as well as a nation-wide political will built across lines of tensions in society, so that any SSR process is guided by a shared vision, rather than standard approaches imposed by the Northern donor community.

**Dialog, Negotiation, Mediation**

Since many SSR processes take place in the South with the support of Northern donors, there are questions about who makes decisions about what is done, how it is done and by whom it is done, both by different actors in a country undergoing SSR, as well as between that country and its donors. The importance of capacity, political will and decision making in SSR is the reason why dialog, negotiation and mediation are key tools in dealing with the challenges of implementing SSR, as they are all consensus-oriented tools that seek mutually acceptable outcomes in contrast to prescriptive approaches imposed by one actor against the will of others.

**Dialog in this context can be understood as a process of exchange between different actors of society that aims to enhance mutual understanding and trust.** Dialog is often needed to prepare for, or to deepen negotiations, or to build trust and understanding once an agreement has been reached. Negotiation goes beyond dialog as it also aims at concrete results and involves interdependent decision making. Negotiation, therefore, lies at the heart of a consensus-based approach to SSR. Mediation or facilitation (i.e. a softer and less formalized form of mediation), finally, can be understood as assisted negotiations, where an impartial, acceptable third party supports negotiation actors in shaping a process to reach a mutually acceptable agreement. The idea is that the mediator or facilitator supports the process, but the content of the negotiations is decided on by the involved parties, thereby respecting their decision-making autonomy. A third party who dictates the content of an agreement is not a mediator. Dialog, negotiation and mediation have thus become increasingly important means in implementing SSR.

**Cases of Consensus-oriented SSR**
The Burundi Peace Process between 1998 and 2000 provides an interesting example...
for mediation of SSR in the very early stages of the transition from war to peace. Mediated by Julius Nyerere, former Tanzanian Head of State, and later on by Nelson Mandela, former South African Head of State, the mediation process was supported by different international experts and helped to balance the Hutu – Tutsi ethnic representation of the previously Tutsi dominated army across the rank and file. Clearly, the peace agreement did not solve all of Burundi’s problems – as demonstrated by the recent troubles since 2015 – but it did put an end to the waves of violence which had occurred before the agreement, where hundreds of thousands of people were killed.

The Philippines provides an illuminating example of a civil society-led SSR initiative that developed in parallel to other efforts in the long transition from war (in certain parts of the country) to peace. Bantay Bayanhan was created in 2011 and brings together civil society and state security actors. The idea is to improve relations and discuss security challenges, as well as to serve as a joint, independent oversight mechanism to monitor security sector performance in the country. Bantay Bayanhan functions as a nation-wide network, but there are also local platforms where communities can meet and discuss with their local security forces and local government. There are indications that the network has helped to increase understanding and trust between civil society and the military and that this has contributed to a decrease in human rights violations.

In Zimbabwe, another locally-owned approach to SSR can be found that illustrates the use of dialog much further down the process in the transition from war to peace. Initiated in 2009 (thus 30 years after the war of independence), local actors from different political backgrounds established the Zimbabwe Peace and Security Programme (ZPSP), which aims to “contribute, through the provision of impartial and professional technical assistance, to effective and sustainable modernization and transformation of the security sector in order to enhance the democratic governance, security and the national sovereignty of the people of Zimbabwe.” Workshops are organized that combine dialog platforms between actors from different sectors (e.g. women, traditional leaders, NGOs, governmental actors), with technical capacity building, so that knowledge and consensus about security sector issues are developed. In the Zimbabwean context, the term “Security Sector Transformation” is used instead of SSR, which is associated in Zimbabwe with external efforts at “regime change”. Moreover, the term “transformation” is preferred because it emphasizes both process and institutional transformation. Whilst ZPSP has yet to achieve the fully fledged security sector transformation process it seeks, it has managed to place the issues on the agenda of public discourse, established a genuine dialog and created buy-in from increasing numbers of both state and non-state actors.

These types of processes deal with many of the challenges of SSR processes outlined above, placing special emphasis on the early phases and preparation of SSR. Ideally, they are also nationally funded. In post-conflict cases where this is not feasible, experience shows that the Southern actors need to be in the lead when designing the SSR process, but that they also need to clarify the logic and process design to their Northern donors.

Reorientation of Donors

The failure of externally imposed, standardized SSR programs has led to a gradual awakening on the side of the international donor community. Instead of calling for quick results, donors are starting to focus on negotiated SSR processes. If an international mediator is required due to the high escalation and polarization in the country, the mediator needs to be acceptable to the negotiators and they must maintain full control over the content of their agreement. In post-conflict contexts, national and local stakeholders need to initiate their own SSR programs with donors rethinking their role as one of support only. Key stakeholders in a society need to give their consent for SSR. This is often clarified and developed in a process guided by local teams of facilitators that cross conflict lines in order to maintain impartiality. By combining dialog and negotiation with technical capacity building, the technical-political nature of SSR can be bridged.

Increasingly, international donors, for example the EU and Switzerland, are ready to support such negotiated approaches to SSR, for the simple reason that there are no viable alternatives. Negotiated SSR processes bear the hope that the enhancement of effective and accountable security for a state and its people can actually be put into practice – even if not quickly, at least in a locally legitimized and sustainable manner.

Dr. Simon J. A. Mason is a senior researcher and head of the Mediation Support Team at the Center for Security Studies (CSS) at ETH Zurich.

SSR Further Reading