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THE UNIVERSITY OF WITWATERSRAND GRADUATE SCHOOL OF GOVERNANCE

Transformation of the Security Sector in Malawi – 1994 to 2014

By

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ABSTRACT

The study was carried out to determine the transformation of the security institutions and related management bodies in Malawi from 1994 to 2014 as the country shifted from authoritarian rule to democratic governance.

Transformation of the security sector (TSS) is the process by which a country in transitional democracy formulates or re-orients the policies, structures and capacities of security institutions, and private security groups in the security sector. Such tasks in a newly democratic Malawi required new sets of values among political leaders, the legislature, security practitioners as well as the civil society. TSS is sometimes expressed as Security Sector Reform (SSR), Security Sector Governance (SSG) and as well as Security and Justice Sector Reform (SJSR) (African Union 2010).

The study employed qualitative method as the mainstay and partly some statistical data interpretation was employed using a Statistical Package for Social Sciences (SPSS) software for the purpose of data visualisation and to identify information in graphical presentation. Forty participants were involved from security institutions and management bodies (army, police intelligence, prisons services), residing in Lilongwe, the Capital City of Malawi.

The findings reveal that the security sector and management bodies in Malawi failed to transform/perform sufficiently. The opportunity for reform was significant however it was limited because the transition to democracy stalled due to continued abuse of power by the elected authorities. This may have been a deliberate attempt by those in power in order to maintain a weak security sector and management bodies for own interests. The current structure of the security sector in Malawi may be weak for the following reasons: Lack of expertise by the elected authorities, lack of overall security reviews every year, non-existent of various security policies, lack of modern equipment and technology and last but not least, mean budgetary consideration and very low salaries to the security members. Furthermore, the basic security legislation should be reformed because Malawi inherited a legal structure from the colonial rule that requires modification.

The results from this study suggest that the transition process calls for a comprehensive TSS/SSR or SSG of the entire security sector and management bodies. The government should reinforce policy action across security institutions whereby the elected authorities, legislature, security practitioners and civil societies are involved in locally owned TSS. An important fact is positive change in the level of responsiveness by the State to the rights, views and demands of its citizens.

DEDICATION

I dedicate this work to my late son Michael, my wife Anne and children Ivy, Florence, Wezi and Paul who encouraged me in one way or the other. I will always appreciate your love.

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I also recognise fruitful contribution and tireless support I got from Mike Chiundu and Alice Lipenga to accomplish this research project.

I thank and praise the Lord Almighty; with Him all this has been possible.

DECLARATION

I declare that this thesis is my own, unaided work. It is submitted in partial fulfilment of the requirements of the degree of Doctor of Philosophy in the University of the Witwatersrand, Johannesburg. It has not been submitted before for any degree or examination in any other University.

Name : Misheck Colyns Chirwa

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March 2015

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LIST OF ABBREVIATIONS

ANC	African National Congress
AUC	African Union Commission
CCSI	Cabinet Committee on Security and Intelligence
CMR	Civil Military Relations
CSO	Civil Society Organisation
CSS	Centre for Security Studies
DAC	Development Assistance Committee
DFID	Department for International Development
IMSC	Inter Ministerial Security Committee
IWGN	International Workshop Group on National Security
IRPS	International Relations Peace and Security
JSC	Joint Standing Committee
MCP	Malawi Congress Party
MDF	Malawi Defence Force
MPS	Malawi Police Service
MRG	Military Research Group
MSCE	Malawi School Certificate of Education
MYP	Malawi Young Pioneers
NICOC	National Intelligence Coordinating Committee
NSC	National Security Committee
NSS	National Security Strategy
NSA	National Security Advisor
OECD	Organisation for Economic Co-operation and Development
OPC	Office of the President and Cabinet
PAC	Public Affairs Committee
SANDF	South African National Defence Force
SB	Special Branch
SJSR	Security and Justice Sector Reform

SPF	Security Policy Framework
SSG	Security Sector Governance
SSR	Security Sector Reform
TEC	Transitional Executive Committee
TSS	Transformation of the Security Sector
YD	Young Democrats
YL	Youth League
UDF	United Democratic Front
SSD	Security Sector Development

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CHAPTER ONE

1.0 Introduction and Background to the Study

1.1 Introduction

Chapter one discusses the transformation of the security sector, the process by which most nations adapt their defence and security policies in light of modern trends following the end of the cold war era. In recent times it is common practice to see states moving away from military or authoritarian rule as a result of growing globalisation of governance and security. To this end, there is need for security actors and managers to reposition themselves well and rethink over their actions, management style and strategies in the face of an array of emerging changes such as legal system, human rights and access and right to information that continue to pose serious problems of Transformation of Security Sector (TSS) to many African nations in transition to democracy.

Especially, the study examines the transformation process of security institutions and related management bodies in Malawi from 1994 to 2014 as the country shifted from authoritarian to democratic governance. Traditionally, the security sector, according to African Union (2010:5), "consists of armed forces (army, navy, and air force); Intelligence, Police and Immigration services and security management bodies (Ministries of Defence,

Internal Affairs, Foreign Affairs, Justice Sector and Parliamentary Security Committees)."

Supporting this view, the African Union (2010) claim that "components of the security sector vary from country to country, depending on each country's understanding. In general terms, a security sector comprises individuals, groups and institutions that are responsible for the provision, management and oversight of security for the citizenry and the state" (African Union, 2010:5).

Malawi's current composition and structures of the security institutions and related management bodies under multiparty democracy still reflects the nature of authoritarian rule design despite the amendment of the constitution of the Republic of Malawi in 1994, particularly the bill of rights (Chapter iv, section 15 to 46) which guarantee the right to protection of human rights, equality, life, privacy, freedom of association and expression among others. Notwithstanding these important gains, the Malawi Police Service and the National Intelligence Bureau have continued to violate these rights in Malawi. Similarly, the failure of the state to stem the tide has adequately created a widespread perception that the security sector and other security agencies are unprofessional and ineffective (The Constitution of the Republic of Malawi, 2004).

1.2 Definition of Transformation of the Security Sector/Security Sector Reform.

Transformation of the Security Sector (TSS) or Security Sector Reform (SSR), according to the (OECD 2005), entails the reform of all security institutions and security management bodies. This refers to the ability of restructuring the security institutions that have emerged from an authoritarian past and post conflict regimes. Supporting this view, OECD (2005:16) contends that "it is also the ability of the state through its policies and programmes to generate conditions that mitigate the vulnerabilities to which its people are exposed and to see to it that it uses a range of policy instruments to prevent or address security threats that affect society's well-being". The African Union Commission claims that:

> "TSS/SSR refers to the process by which countries formulate or re-orient the policies, structures and capacities of institutions and groups, engaged in the security sector, in order to make them more effective, efficient and responsive to democratic control and to the security and justice needs of the people.
>
> TSS is sometimes expressed as Security Sector Reform (SSR), Security Sector Governance (SSG), Security Sector Development (SSD) as well as Security and Justice Sector Reform (SJSR)" (African Union, 2010:6).

Transformation of the Security Sector (TSS), or Security Sector Reform (SSR) definitions vary. The United Kingdom's Department for International Development (DFID) defines TSS/SSR "as helping developing countries improve accountability and transparency of the security sector. On the other hand, a recent contribution to security and defence issues defines TSS/SSR as right-sizing, re-orientation, reform and capacity building of national security organisations". The overall objective is to create a secure environment that is conducive to democracy and development (Chuter, 2006).

It must be noted, however, that the terms Security Sector Reform and Transformation of the Security Sector are interchangeably used in this study. Nevertheless, the main theme and focus is weighted on the term TSS. Such a task in newly democratic states may require new sets of values among political leaders as well as throughout the ranks of security institutions (Chuter, 2006 and OECD, 2005).

1.3 Evolution of the Transformation of the Security Sector (TSS)/Security Sector Reform (SSR) Paradigm

The TSS or SSR concept has been in existence for the past decade. It refers to a relatively new but key process for developing a healthy political environment for countries emerging from post conflict and authoritarian rule. Although the concept has and continues to occupy a central place on the agenda of most African countries in sub-Saharan Africa (Godspeed, 2007). It must be noted,

arguably, that the concept has been influenced by the Western donor countries whose motives have been different. In other words, the concept is still new to many African government officials and political leaders (OECD, 2005).

In agreement with this view, Bendix and Stanley (2008) observe that the TSS process has been undertaken in order to improve earlier political constraints on security related issues derived from post-authoritarian rule as is the case with Malawi. Supporting this view, Bendix and Stanley (2008:10) assert that "TSS is intended not simply to enhance the efficiency of the security institutions and security management bodies, but also to ensure that they conform to standards of legality, transparency and accountability in a democracy". At the same time, it ensures that there is a balance between security concerns, and the need for secrecy and the much needed access and right to information in a democracy.

Hutchful and Fayemi (2005) observe that transformation of the security sector may well extend beyond the narrower traditional security focus on defence, intelligence and policing. According to them "the security system should include judicial and penal institutions, as well as the elected and duly appointed civil authorities responsible for control and oversight. Even where new concepts such as 'transformation of security sector' and 'security sector reform' are entering the security discourse, understanding by governments on how they can use these concepts remains a challenge. It is therefore the responsibility of the state to transform the police, military, intelligence

services, the legal and judicial sector and the legislature. Hence, the complex questions of a political and security nature must be dealt with in a comprehensive manner" (OECD, 2005:71). Arguably, when the security sector is not transformed and is not well coordinated as a security entity, the executive is bound to make ad-hoc and disjointed security related decisions especially in times of crisis (OECD, 2005).

Born and Fluri (2010:124) furthermore, point out that, "an unreformed security sector lacks transparency especially in arms procurement, professionalism is non-existent and most often there is political abuse of security services. For instance, they can be used for domestic spying purposes, such as manipulating and targeting political enemies".

Contemporary studies of Sierra Leone and Uganda reveal that these frailties continue to take centre stage in Africa where ruling elites are still wedded to traditional security-oriented paradigms (Ngari 1995 & Danfulani 1998). Other scholars argue that 'security roles' cannot be viewed solely through the lens of state requirements and state interests. In many instances, while the security sector of a country is charged with a responsibility of delivering services to the public, very little attention is directed by the state to understanding how the security institutions are affected when political changes take place (Matshabaphala, 2008). As a result, those levels of inefficiency and ineffectiveness in the delivery of services to the society and the state have been negatively affected (Shemella, 2006).

Most security actors in African governments are still rhetorically committed to defence against outside threats and internal threats from dissidents. They are therefore still tempted to hunt for such threats. Chuter (2007) argues that changing this mental habit from the usual routine search for threats to the identification of tasks is hard. This does not just happen in a vacuum but may often be attributed to the organisational culture that pre-dominates the organisation and is also traced to the philosophy of leadership in the organisation. Hence, security sector delivery-related concerns may also be as a result of leadership behaviour (Matshabaphala 2008). Shemella (2006) states that if a nation resolves to have effective security sector actors, the very next step should be to determine what roles such security actors should take as protectors of the society and the state. Likewise the Malawian state has not managed to fulfil its security obligations since multiparty democracy in 1994 as articulated in section 1.4.

1.4 The Dynamics of Security Institutions in Malawi

This section explores the historical background of security institutions in Malawi through different stages such as the colonial, post independence, one-party state and multi-party era. This is deliberately provided to enhance understanding of the historical context of TSS, and in appreciation of the roles of the security institutions in Malawi. Malawi, previously called a British Protectorate and later Nyasaland, situated on the Eastern and Southern part of

the African continent, is surrounded by three large countries: Tanzania, Zambia, and Mozambique (See Appendix 6). The country has witnessed considerable conflicts and threats throughout its history, at the hands of Arab slave traders, colonial rulers, and indigenous authoritarian rulers after attaining independence in 1964 (Mandiza 2002).

1.4.1 The Colonial Era

The origins of security institutions in Malawi (The Army, Police and Intelligence) date back to between 1891 and 1898 for the Nyasaland Army and 1921 for the Nyasaland Police and Intelligence services. During this period, security agencies in Malawi were mainly used to serve the interests of colonial rulers rather than the legitimate security needs of society. Studies both in Malawi and other African countries have pointed to the fact that security institutions in Africa have been abused by colonial rulers. For example, according to Ngari (1995) and Dafulani (1998) the security agencies were mainly conceived for tasks in the wars of pacification against dissenting traditional rulers, a function that would today be considered undemocratic, non core security business and abuse of office. The Police and the Army then helped discipline workers on European-owned estates. They also enforced racial discrimination to perpetuate the inferiority complex of Africans. During this period of colonial governance, there were no legislative and executive bodies to pass laws and discharge executive functions in the security sector. Due to the absence of the two bodies above, the security institutions in Malawi

then undermined the levels of organisational behaviour, efficiency and effectiveness in the delivery of services to the society (Mandiza, 2002).

1.4.2 The Post-Independence Period and One Party Rule

From 1964 to 1994, security institutions in Malawi were influenced by a patrimonial political system. Apart from the Malawi Police Service and the Malawi Defence Force, other paramilitary security institutions were conceived, such as the Malawi Young Pioneers. During this period, the post independence constitution provided for the establishment of parliament and an executive authority headed by the Prime Minister. Thus the creation of security forces at the time was to defend and be used in the enforcement of law and order respectively. However, the roles and missions of the security agencies continued to serve the interests of those in power. Security institutions have been the most effective tool of the state in carrying out acts of repression. For example, during the one-party rule in Malawi soon after the cabinet crisis in 1964, Dr. H.K. Banda became a dictator and was made president for life in 1971. During this period he summarily detained government officials and politicians who were suspected to be aspiring to succeed him. Accordingly, his control mechanism was the creation of other parallel security agencies such as the Malawi Young Pioneers (MYP), the Youth League (YL) and the Special Branch (SB) of Malawi Police. These security actors were tools of the state that carried out untold atrocities such as acts of brutality, violence and detention without trial. The loyalty of the security actors remained very much with the Head of State or the ruling party (Lwanda 1993).

1.4.3 The Multiparty Era

Malawi, like many other African countries, has during the last twenty years undergone a transition to democracy which has extensively changed the political landscape extensively. This has affected the security sector. However, during the past twenty years of Malawi's inclusive democratic government (1994-2014), not much effort seems to have been made in order to reform the security sector. This laxity has not produced a smooth progress. The study therefore explores the roles played by various actors in the security sector in fields of defence, public safety and security, intelligence, foreign and justice fields in a democratic state. As noted by the OECD (2005:23), "in developing a nationally-owned concept of security and an appropriate institutional framework, states require to undergo total transformation so as not to handle development and security issues as distinct but as integrated areas of public action".

This has not been the case since 1994 in Malawi where the state itself became a source of threat to the citizenry instead of protecting them. For instance, in 1999 some military officers and soldiers from the Malawi Defence Force were manipulated by political authorities and attacked and destroyed a media printing office belonging to the Malawi Congress Party (MCP) an opposition political party. In the same year the Young Democrats (YD), a political youth wing of the then ruling United Democratic Front (UDF) political party

harassed and beat members of Parliament of the opposition on several occasions, especially during political rallies of the ruling party.

The advent of multiparty democracy in Malawi in 1994 could have brought the need for political authorities to reform the security institutions to conform with democratic principles. However this did not occur as suggested by Ball and Fayemi (2003). The concept of TSS combines security governance, "elements of national security, economic development and basic human rights with the objective of protecting Malawians from violence and abuse. While protecting the state and its citizens from external aggression remains a major consideration, the most serious threats facing Malawi and many other African countries at the beginning of the 21st century tend to be those that either derive from internal causes or are transnational and collective in nature" (Ball and Fayemi 2003). The current constitution contains an extensive inclusion of the human rights clauses to be enjoyed by the citizens of Malawi, and include functions of the different security agencies and departments, yet irregularities continue to persist (Constitution of the Republic of Malawi 1999).

Administratively from 1994 to 2014, the country has experienced the removal of civil servants from top positions, particularly from the judiciary and executive, especially those who did not get along well with government ideas or directives. The rule of law is once again being challenged by the very leadership who took an oath to uphold it. A recent review of these and other issues such as those of an independent judiciary, a free press or free television

and radio suffer from absolute control and monopoly by government (Kanyongolo 2006). As long as individual political leaders are key to absolute control over the security sector and as long as it is seen as a means of building and sustaining power, real protection of the people of Malawi remains elusive. The security of the state and the people will remain a closed system and compromised in a transitional democracy like Malawi (Ball *et al* 2003).

In agreement with this observation Bala (2008) asserts that transformation of the security sector (TSS) and civil military relations (CMR) both maintain one of the important issues facing the security services in countries transitioning to democracy. These are legacies from the former culture, and behaviour of the security actors who routinely abused human rights, and evoked fear throughout a population. TSS is deeply interested in establishing new institutions, structures and legislation that foster democratic values.

On the other hand CMR would be more concerned with the achievements of democratic procedures of oversight and transparency.

1.5 Problem Statement

Whilst the practices associated with multiparty democracy have grown considerably over the past twenty years, total transformation of the security sector in Malawi is far from what really constitutes good security governance. Security institutions are not governed, funded and made in order to translate the new concepts of security into strategies, policies and programmes. The indication is that democratic transition (1994-2014) in Malawi did not take into

account carrying through a TSS process due to lack of political will and the lack of knowledge or expertise of the executive or the legislature.

Following this failure to embrace transformation a number of security challenges have emerged during this period; frequent changes of leadership and command in the security sector from the time the country became a multiparty democracy. For instance the post of a Chief of the Malawi Defence Force has changed nine times while that of the police service has changed seven times. The chiefs of the various security institutions have a tendency of presenting security issues to the highest order individually rather than collectively.

The general expectation of the public in Malawi at that time was that in view of changes in government from one party rule to multiparty democracy in 1994, there was going to be a corresponding transformation in security governance and perhaps by now the country should have achieved good progress in transforming. On the contrary this has not been the case. There has been lack of transparency and abuse of the security services by the politicians for example, using intelligence services, Malawi Police Services and paramilitary units to intimidate and harass civil society or neutralise political opposition parties.

Due to lack of transformation of the security sector, many challenges have emerged. For example, security has been single-handedly controlled by the

elite, and have to some extent has been compromised because of lack of policy and legal frameworks, lack of political will and/or lack of knowledge by those who are in charge.

An investigation is therefore needed to determine the extent to which transition to democracy was accompanied by a transformation process of the security institutions and management bodies in Malawi. This should provide knowledge and insight to those in the executive, the legislature, the judiciary and the society who are the major players and are rightfully placed to initiate and encourage government to implement change. There appears to have been no such desire by government and the society in Malawi to carry out that kind of debate that would help the security sector transform. Arguably, it is important that the following security issues should be taken into account by all Malawians to improve national security strategy; the political leadership should be able to fulfil specific functions such as review of overarching national security policy framework; similarly develop institutions and procedures to give civil oversight of the Security Sector; in addition improve hierarchy structures and processes that promote the efficient and effective management of the defence and security issues (Ball et al 2003).

The discourse on security problems may have started as early as the colonial era but has become more prominent in the last twenty years due to the advent of political pluralism in Malawi. In this regard, clearly defining roles and missions is fundamental to the structuring of Malawi's security establishment

and to decision-making regarding the governance and management of the security sector in a democracy.

The theme to be examined in this research is how Malawi's senior security officers, senior security management officials, and political leadership in the various security institutions understand the importance of transformation of the security sector in a democracy. Whether their leadership style, management, and administrative ethos of the institutions conform to political determinants such as acknowledgements of the principles of civil supremacy, oversight and control, and adherence to the principles and practices of accountability, transparency and coordinated work activities among security agencies and security management bodies in a democracy (Chutter 2000).

All of the above should be qualified by realities of political changes that have taken place. From the researcher's experience, having served as an army officer in the Malawi Defence Force, from 1976 to 2003, most senior government officials, members of parliament and even the executive interacted with displayed burden of not understanding the potential impact of political changes upon which the security sector should undergo transformation process.

1.6 Purpose Statement

The primary purpose of this study is to explore the understanding of various security actors of their roles in an emerging democracy like Malawi and to establish the extent to which security institutions are transforming to the demands of multiparty democracy.

1.6.1 Research Questions

(a) What is the political relationship between the elected authorities, security practitioners and the civil society for enabling TSS in Malawi?

(b) How effective are human practices and cultural norms of the elected authorities, security practitioners and the civil society to enable TSS in Malawi?

(c) What are the constraints to transformation of the security sector in Malawi?

(d) What are the strategies for the enabling transformation of the security sector in Malawi?

The foregoing background raises a number of national security policy related issues regarding protection of the country and its citizenry. One important question is; in the twenty years of a multiparty democracy, has Malawi made considerable progress in the reinforcement of TSS, when it is well known that before 1994 the authoritarian rule system relied for many years on repressive security system. The starting point in answering the questions raised is to understand the characteristics of the security actors, their mission and roles.

1.6.2 Specific Objectives

The specific objectives of the study are:

(a) To examine political relationships (and organisation character) between the security actors and the elected authorities and civil power in Malawi for enabling transformation processes between 1994 and 2014.

(b) To assess human resource practices and cultural norms of security actors enabling transformation processes in Malawi between 1994 and 2014.

(c) To determine the main constraints to transformation of the security sector in Malawi.

(d) To establish the strategies that have been developed for the implementation of transformation of the security sector in Malawi.

1.7 Significance of the Study

The study will contribute to a body of knowledge in TSS process that will, if adopted improve the understanding and commitment of the elected authorities to enable the process take place. The information generated from the study will be used to inform stakeholders on management and governance of security organisations and shall assist government, policy makers and civil society to dialogue, working out "procedures for greater democratic accountability, transparency and control over the security sector and to integrate the security system into wider government planning and good practice" (Ball *et al* 2003).

1.8 Arrangement of Chapters

The study is organised in seven chapters. Chapter one is an introduction to background information, problem statement, the purpose and aim of the study.

In order to explore this phenomenon further chapter one also presents a picture of the security institutions during the colonial era, post independence and in a democratic transition in particular. Some highlights of security institutions activities focussing on the mission and roles are presented.

Chapter two presents scholarly insights of TSS in general and Malawi in particular. It is argued in this chapter that the dualistic nature of the terms SSR and TSS has contributed to misconceptions of security governance that are observed today in a democratic transition. Furthermore, where democratic transitions are not consolidated the chances of having TSS conducted is a daunting task. It is this pattern of TSS that motivates the study.

Chapter three analyses some of the key comparative and theoretical issues in the literature. The theoretical frameworks, lend considerable empirical evidence to explaining transformation of the Security Sector in democratic transitions for countries like Malawi (Tompkins 2005).

In chapter four a social constructivism approach is adopted in addressing processes of interaction among participants. The social constructivism approach provides an opportunity to "claim knowledge through alternative

processes and sets of assumptions formed through interacting with participants and through historical and cultural norms that operate in participant's lives". (Creswell 2003:8). In this chapter emphasis on the importance of within-case analysis is presented by employing process tracing in social science methodology as complementary rather than competitive (George & Bennett 2005). Due to limited availability of secondary data, a survey was conducted to collect primary data. The data collected is presented in chapter five.

Chapter five contains results from qualitative analysis as well as statistical analysis using the Statistical Package for Social Sciences (SPSS) software. The statistical analysis was adopted to ascertain numerical values and tables which expanded the scope of data interpretation.

Chapter six presents a discussion on theorising how the findings have answered the research questions and objectives of the study. The results support the hypothesis that TSS is important in explaining change in security organisations and management bodies in a democratic government. Nevertheless, the results further reveal that change can only occur when the government in power accepts and practices democratic norms and values in the transitional phase of democracy.

Chapter seven contains an outline of conclusions on controversies, implications and suggestions for further research in the future.

1.9. Conclusion

Chapter one has introduced the evolution of the TSS/SSR phenomenon in the 21st century. Insights into the trends and implications of TSS for countries in transition from conflict and authoritarian to democracy, particularly in Malawi have been highlighted. Likewise Malawi in a democratic transition is facing similar challenges with respect to transformation of the security sector between 1994 and 2014. This suggests that there is lack of transformation and yet the country claims to be in a transition to democracy. The study provides an opportunity to explore further and to understand the link between TSS and transition to democratic in Malawi. The following chapter places the issue of security institutions in a multiparty democracy into context.

CHAPTER TWO

2.0 Review of Literature

2.1 Introduction

The purpose of the literature review is to explore scholarly insight into TSS or SSR and governance of security organisations in a democratic state. The study intends to explore TSS in relation to political, cultural, human and organisational effectiveness. Ball and Fayemi (2004:4) assert that "the process of changing the security sector can be described as security sector reform (SSR). Arguably, reform process tends to be incremental in dealing with significant institutional weaknesses. Reforms may change the appearance of the organisation without fundamentally altering its character."

> Ball *et al* (2004:4) emphasises that the term "reform has many negative political connotations in democratically – inclined communities in Africa. Politically, it is often associated with the implementation of policy decisions by the executive from above without an attempt to secure the broader participation of the masses and consultation with the legislation or non state actors. While the term transformation entails a more profound intent on behalf of elected governments to ensure that the practices of the security institutions are consistent with democracies they serve."

Likewise Bendix and Stanley (2008) point out that reform projects have been carried out in over 20 countries in sub-Saharan Africa since 2000. Amongst

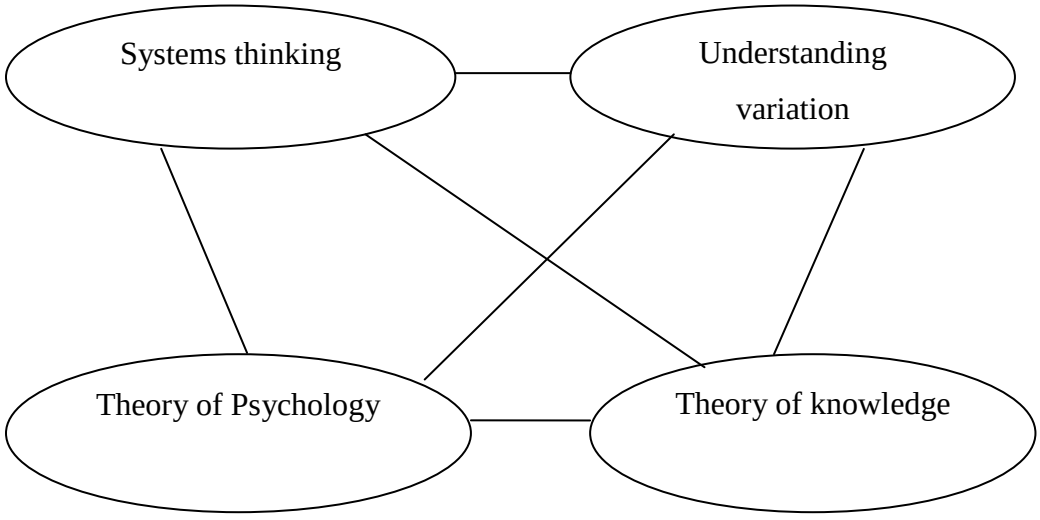
these the majority were conducted in West Africa (Liberia and Sierra Leone) East Africa, (Kenya and Tanzania) and Southern African (Malawi, Zambia, Botswana and South Africa). Ironically this has been a hot subject of debate although donor involvement has been of limited scope. Bendix and Stanley (2008) assert that "most programmes seem not to reflect the holistic approach and the differences in donor involvement attest to this fact." Thus the trickling donor support has not helped the recipient African nations improve in security governance as could be desired. However, some of the programmes have been successful notably Sierra Leone in West Africa, and South Africa in Southern Africa as articulated in Appendix 10. In this respect, transformation of the security sector according to Bendix and Stanley (2008) "remains a concept with innovative and emancipatory potential. Its emphasis on participation, transparency, accountability and the provision of security for all within the rule of law is very important for the development of a country. The transformation process should be supportive of the role and tasks that the different security institutions are mandated to execute."

2.2 Relevance of Transformation of the Security Sector in a Democracy

This section begins with a discussion of the relevance of transformation of the security sector in a democracy and some suggestions on how to conceptualise it. Transformation runs deeper than reform or change. A government may change security officers or officials in key positions, or change the names of security institutions, but that does not achieve meaningful transformation. Reform has limits but transformation is limitless since it stems from an

evolving discovery and expression of the authentic leadership of the executive. It requires that leadership attention should match intentions. The leadership should focus on the protection of the nation and the safety of its citizenry. Transformation seeks to liberate the citizenry to aspire to their values and worth as nationals of a particular country. Daszko and Sheinberg (2005:1) assert that "transformation has become a popular, overused and misunderstood word in [new democracies] in the twenty first century. Likewise not many [leaders] understand transformation or why there is an imperative for transformation, not merely incremental or transitional change. Transformation is change in mindset, and based on learning a system of profound knowledge" as illustrated in Figure 1 below.

Figure 1: A System of Profound Knowledge



Source: Deming (1986)

Daszko *et al* (2005:4) claim that "transformation begins with the awakening by individuals within the organisation and it occurs with intention. This intention

provides constancy by choosing a course of action. Without intention, there can be no transformation. Likewise knowledge is obtained through learning and learning must be continual".

In support of this view, Born and Fluri (2010:124) assert that, a security sector which is not transformed "coincides with the concept of 'poor governance.' This culminates in arbitrary policy making, unaccountable bureaucracies, unenforced or unjust legal systems, the abuse of executive power, a civil society unengaged in public life and widespread corruption."

Table 1. A reformed and not reformed security sector

	Reformed Security Sector (Good Governance)	**Un-Reformed Security Sector (Poor Governance)**
Accountability	Accountable to democratically elected leaders	Un accountable to bureaucracies Arbitrary policy making
Work ethos	Professionalism, predictable execution of task	Amateurism, political leaders cannot trust loyal execution of orders
Norms	Transparency and dedication	Nepotism, corruption, risk avoiding

Source: Born and Fluri (2010) modified

The researcher, while concurring with Velcu (2007), aims at examining issues surrounding transformation, security governance, integration of security work into development, professionalism, defence and security review of the security sector during political changes that have taken place in Malawi. Examples will

be drawn from other countries and particularly South Africa that have attempted to develop effective and efficient governance systems for the security sector. The inability to make this distinction clear, and to define the conditions under which the security sector should work together, has led governments to political instability. The researcher argues that Malawi and many other African countries seeking to improve management of the security sector should adhere to core African principles for SSR and key elements of SSR programming (African Union 2010).

According to Mlambo (2010:172)

> "the general objective of the AU SSR policy is to assist national governments so they will be best able to fulfil the following specific functions:
>
> "Protect all citizens from all forms of violence and insecurity defend the state, borders and national sovereignty and deal with criminal elements in society. Likewise punish and rehabilitate offenders within the limits of International Law. Furthermore, promote regional and continental peace and security, including peacekeeping. Equally importantly, deal with threats of internal and international terrorism and react to natural disasters, serious accidents and other national emergencies."

In support of this view Bryden & Olonisakin (2010:3) assert that "many African scholars and practitioners should emphasise the need for

transformation rather than reform as a point of departure for positive change in relation to the security sector and its governance in Africa". In a useful contribution to TSS or SSR debates, Van Nieuwkerk (2012) comments that there is potential for TSS or SSR in Africa (see Table 2 below).

Table 2: TSS in Transitional Democracies in Africa

Authoritarian states		Democratising states		
Conflict-torn societies	Failed states	Societies undergoing conflict mediation	Societies in transition to peace	Post-conflict societies
		conflict cessation: negotiations and cessation of hostilities	Peacebuilding: Transition phase	Peacebuilding: Consolidation phase
Unmanageable potential ←		———	→	Major
DRC Sudan, South Sudan, Nigeria? Chad,	Somalia	Madagascar, Egypt, Zimbabwe, Libya, Cote d' Ivoire, Tunisa Lesotho, Swaziland	Rwanda, Burundi, Guinea-Bissau	Sierra Leone, Liberia, South Africa, Mozambique, Angola'

Source: Van Nieuwkerk (2010)

Table 2 stipulates that transformation of the security sector would be necessary for most African countries in transitional democracy; in particular, those coming from authoritarian rule like Zimbabwe, Cote d'Ivoire and Malawi.

First, there should be progression towards conflict prevention and stability. A security sector which is not transforming, often fails to prevent and more often causes violent conflict, for example Zimbabwe, D R Congo and in Malawi

recently on 20th July 2011, whereby twenty Malawians were killed by police in a nation wide anti-government mass demonstrations, following a deepening economic crisis and bad governance. The uprising happened during the second term of power of Dr. Bingu wa Mutharika as President of the Republic of Malawi and the country was marred by many controversies, amongst them was resistance by government to devalue the Malawi Kwacha currency against local consumers interests. There was also biased public appointments and nepotism where the president handpicked people of his ethnic group to high positions in government such as Treasurer General, Reserve Bank Governor, Director of Malawi Revenue Authority, Director of National Intelligence and Inspector General of Police Service. Furthermore the President was accused of abuse of political and economic governance while the country experienced shortage of foreign currency, and fuel for motor vehicles.

The aggrieved citizens of Malawi led by Civil Society Organisations staged a peaceful demonstration in the five major cities of the country i.e. Zomba and Blantyre in the Southern Region, Lilongwe in the Central Region, Mzuzu and Karonga in the Northern Region. The demonstrations were initially peacefully monitored by the police. However, suddenly, there was tension between the demonstrators and the police. The police fired teargas at first to stop the demonstration and the demonstrators started throwing stones. The police failed to contain the masses and then fired live bullets, killing 20 people in the process. This has resulted in poor governance by government itself. A

transforming security sector has the responsibility to promote stability which is a basic condition for democratisation and economic development.

The second reason for the transformation of the security sector is that it will contribute to sustainable economic development. If it is not, International foreign and domestic investors will not be able to commit themselves to financial investments.

Third reason is that it creates professionalism among different security officers thereby becoming a reliable and dedicated corps of service members. Furthermore more it becomes a security sector that manages the affairs of security on behalf of democratically elected political leaders.

Lastly, the relationship between the political leadership and the security sector should be based on accountability and transparency.

Malawi and other African countries are on democratic transitions. The SSR has not necessarily culminated into transforming the security agencies, and security management bodies. Transformation or reform of the security sector is relevant in a democracy because it supports states and societies to develop effective, accountable and efficient security institutions and practices. Transformation of the security sector in Africa can arise in different contexts: post-conflict societies, fragile states, and transitions to democracy from authoritarian rule as was the situation in Malawi. Transformation of the

security sector therefore is one of the pillars for peace and stability, rule of law and good governance.

Good security governance requires a country to undertake a fundamental transformation of relations between the civil authorities and the security organisations. Such transformation should occur within the framework of a democratic transition. Much has been said by scholars that in most African countries undergoing transitional democracy, executive authority is weak, institutions are unstable and leadership lacking probity.

In a useful contribution to debates on democracy, Ulfeder and Lustic (2005:2) citing Collier and Adock (1999) argue that "how the [political authority] understand and operationalise democracy can and should depend in part on what they are going to do with it. A state will move in the direction or the other representing the presence or absence of democracy". Likewise, Ulfeder and Lustic (2005:8) further assert that "prospects for a transition from autocracy to democracy, is contingent upon a country's political life course. Some democracies are far more likely to break down when participation in national politics is not forthcoming".

Therefore it can hardly be expected that the security sector can understand and undertake transformation process. Much as the concept of transformation of the security sector (TSS) or security sector reform (SSR) and other terminologies are common in other countries, Malawi is not familiar with

them. There is limited understanding of the concept in developing countries, though the principles which underpin it are not alien to many (OECD 2005).

A coordinated, multi-agency reform approach is yet to establish itself in the official African security discourse. At the moment, TSS is seen in specific institutional terms, for example Malawi Police Service (MPS) reform in 2002, characterised by few linkages across other security institutions, let alone linkages to oversight institutions or civilian agencies. The public perception of any improvement in the MPS is a challenge because the programme was influenced by donors and did not finish as planned (OECD 2005 and Van de Spuy 2009).

What this may suggest is that while various forms of transformation of the security sector may have been attempted or are in progress, these may not really mean realisation of total transformation of the security sector. The most important issue to point out is that transformation of the security sector (TSS) calls "for dialogue between political parties, civil society organisations and security institutions themselves" as was the case in South Africa and Sierra Leone. TSS should be made part of democratic processes and practices and not as a separate entity. Only then, will it become an acceptable practice and a legitimate product. However very little information is available on TSS in print, electronic format and other media in Malawi and Africa. These shortcomings spring from the lack of human resource capacity as much as the result of inherent limitations of the TSS concept itself (OECD 2005).

The security sector exists to serve the public interest and it is essential that it performs its duty in an appropriate manner. For example, it is unprofessional and unethical for the police to watch citizens being beaten by ruling political party supporters or officials. Similarly, it is unprofessional for security agencies to be serving state functions and interests most of the time. Desirably security personnel should be conveniently allocated and assigned roles according to their expertise and for the common good. The interests of all citizens are served when the security sector uses resources prudently, operates efficiently and addresses society's problems effectively (Tompkins, 2005). According to Cawthra (2008:3), "traditions of one party governance and authoritarianism have run deep in most African countries. This is an old pattern of behaviour, where the party is supreme and profoundly entrenched. In many countries there is lack of military and security professionalism, with soldiers and other security personnel violating human rights; carrying out abuses in support of particular political causes or self-interest."

In agreement with the above observation Chuter (2006:2) notes that

> "security in a democracy should have two major characteristics: It should provide the security that people want as effectively and efficiently as possible and be managed with the procedures normally used in a parliamentary democracy". Furthermore, Chuter elaborates that transformation requires astitute management for it to be successful. It is essential that

> three crucial mission success factors are acknowledged during the transformation process: Providing decisive and strategic leadership over the process itself, ensuring that high level of legitimacy accrue to the process and determining the scope of the transformation process itself.

For good practice on TSS, in agreement with Chuter, Goodspeed (2007), notes that there are general features that will be associated with TSS/SSR; culture, the political environment, external influences and history. These may in each country produce own unique set of circumstances. Consequently, what follows is an identification of TSS/SSR key principles for the process as articulated in Appendix 9.

2.3 The South African and Malawi experience of TSS in a Democratic Transition

This section presents empirical literature for a comparative analysis of regime transition in Malawi and South Africa, and identifies factors to explain outcomes of TSS that have occurred under different circumstances.

Malawi and South Africa have emanated from authoritarian rule to democratic transition in 1994 and seem to have approached TSS processes differently. The purpose is to share the experience as it might relate to the challenges that face countries in dissolution from authoritarian rule to a universal democratic state.

According to Africa (2011) the changed political conditions of South Africa in 1994 made it possible for government to place the transformation of the security sector on the political agenda. This was due to the formation of the Transitional Executive Council (TEC) in 1993. The TEC Act of 1993 created a multiparty system of collective governance to facilitate the transition. Similarly, it was in this act where detailed guidelines were provided for the management of the security organs. On the contrary, in Malawi during the political change process, the multiparty groups such as United Democratic Front (UDF) and Alliance for Democracy (AFORD) never considered a time frame and modes of transforming the security sector. The government which

came into power in 1994 did not create a climate for the reconstruction of the security forces and services as was the case in South Africa.

Kanyongolo (2012) asserts that in Malawi the government retained many old security regulations, for instance the Official Secrets Act (1913), the Preservation of Public Security Act (1960) and the Protected Places and Areas Act (1960), which are still not amended to suit the multiparty system of collective governance for free political participation of the citizenry. Furthermore Kanyongolo (2006:27) notes "that after breaking with the one party system established in 1966, the 1994 constitution of Malawi included a comprehensive bill of rights and created an environment conducive to transforming the security sector regulations." Arguably, statutes and customary laws that violate the constitution and international law have been left untouched.

The people must be guaranteed their fundamental rights, including freedom of expression, freedom of access to courts and the right of access to information. While the main and important issue was a political process, however, it was not inclusive of security actors. In South Africa, TEC had specific time frames and a number of responsibilities to tackle within the period stipulated for the transformation process of the security sector.

Soon after 1994, as Africa (2011:11) asserts, "the post-apartheid transformation process of security institutions presented a good practice of

participatory and locally owned TSS. Other actors, such as policy researchers, academics, and non-governmental organisations also played an important role and had a positive impact." Furthermore, Africa (2011:11) contends that "South Africa went beyond mere reform to transform the security sector by taking steps to consult the public about the role of the security sector and placing the human security and development at the centre of its national security framework. For instance Participants included security scholars, military and civilian defence officials, parliamentarians and civil society actors".

Africa further elaborated that all of the aspects above were challenged during the negotiations for a new dispensation and the process leading to the reform of the security sector TEC.

Similarly, Africa (2008:186) adds that the "overall picture that emerges in the case of South Africa is one of on-going engagement by a number of local actors in transitional TSS efforts. The South African government crafted an inclusive and resilient constitutional and legislative framework for its post-apartheid security dispensation."

Nevertheless the immediate post – authoritarian/apartheid rule of the security sectors in the two countries, still represented the legacy of old oppressive security institutions of government. However, in South Africa security services have been influenced to the sphere of security, subject to political control. Furthermore, the government has defined clear and limited mandates

for the different security institutions in order to avoid overlap and duplication. In Malawi, the security services have not undergone TSS. The framework for the transformation of the security forces is not defined in the constitution. The multiparty working groups mentioned above did not debate and address the future of the security sector in a democratic state. Likewise political organisations did not make transitional arrangements to lay the basis for negotiations to embark on a TSS process for all security organisations and management bodies.

Most political organisations never thought that the security actors needed to be directed towards a consensual transformation process in order to conform with democratic norms of a new multiparty type of government. As a result there was no legal framework or a measure of cooperation between the former ruling political party, the new government and the states security institutions. Instead the new government replaced heads of security institutions. Similarly the new government on the other hand never made use of its access to the levels of power to initiate an entry point to embark on TSS process in Malawi. Likewise there was no healthy space that allowed the Malawian citizenry to voice out the demand for their security institutions to reform. The failure to reform and restructure security institutions has served as an indication of regression for the transition of the state infrastructure as a whole. For instance, until now, the intelligence services structure is unclear and unconsolidated in terms of its missions and duties. It operates under the decree of the president and it has changed names three times and removed the heads of the service five times.

Nevertheless the period under review should have been a period of great reconciliation in all aspects of life after 30 years of dictatorship.

The first task in South Africa was the transformation of the defence force during which eight different armies were integrated into a national defence force; the integration of the Police and Intelligence services whereby White Papers on Intelligence (1994) and Defence (1995) were adopted by Parliament respectively. Defence and security policies have now become processes that are managed in open and consultative manner incorporating parliament, the civil sector of government, military, police, intelligence services and civil society.

In agreement with the views of OECD (2005:77) "the South African approach amply demonstrates the power and possibilities of the concept. It does not only redefine the traditional concept of security but also transforms the very basis and ethics of public policy".

Many scholars contend for the importance of institutional development. The focus in South Africa was placed on personnel as well as on formal structures. Successful TSS or SSR therefore requires acceptance of change across rank and units. Van Nieuwkerk (2009:100) citing Lowndes (1996) adds that "institutions display some important key characteristics such as: a set of formal rules which structures social action; change and stability which are stages in an

institutional life cycle; and a strategic action which plays an important role in driving change."

The challenge in South Africa was the transformation of all defence and security institutions and agencies and the formation of various parliamentary security committees for oversight. The 1994 white paper defines the roles of the new security sector actors and agencies with the "overall focus being to ensure the security and stability of the state and the safety and well-being of its citizens". An example in the case of South Africa is the intelligence sector. According to Africa (2008)

> "the new agencies of the intelligence sector are overseen by two key committees: the Cabinet Committee on Security and Intelligence (CCSI), which directs security policy and the National Intelligence Committee (NICOC) which oversees the coordination of the services and any investigations. In the case of the South Africa National Defence Force (SANDF), intelligence responsibility flows through the SANDF Chief of Staff and the defence secretary in consultation with the Minister of Defence to the President. They also have within parliament, the Joint Standing Committee on Intelligence (JSCI). Despite creating a commendable system in terms of legislation; the implementation has not been that perfect. It also became evident that transforming the police without addressing the weaknesses of the justice system in South Africa was unlikely to be sustainable".

After a few years of TSS implementation, the programme had contributed by ensuring that there was an accessible and effective justice system. It is now evident that the entire security sector in South Africa is being managed in a different manner from those patterns that applied in the apartheid era. The partisan nature of apartheid policy on security required abolition. For example, security strategies were formulated by a select group of cabinet ministers and security officials, excluding parliament and the public, from effective participation (Chuter 2007 and OECD 2007). In any democracy, the role of the parliament and the public is vital; supporting the views of N'Diaye (2010:211) "a genuine democracy is inconceivable without parliament or its functional equivalent playing its legislative and oversight roles. Similarly, it is difficult to imagine a security sector functioning according to democratic principles and norms without parliamentary involvement and oversight."

In a democracy, the constitution of the country must stipulate that the parliament has the power to determine by law the general organisation of the defence and security of the country. N'Diaye (2010:211) further elaborates "conditions for effective parliamentary oversight of the security sector". There must be; Clearly defined constitution and legal powers such as sound customary practices, sufficient resources and established expertise, and demonstrated political will. During the apartheid era this was not the case as articulated above.

In this section there is empirical evidence to show that Malawi and South Africa took a different stand about transforming the Security Sector from 1994. This underscores decisive differences in how much the dissolution of authoritarian regimes influence the transition process of the new democratic states. Likewise comparative inferences can be made regarding differences across the two cases, of Malawi and South Africa (Ulfeder and Lustik 2005). Chuter (2000:7) asserts that "every country's experience and every country's starting point are different. But in almost all cases, transformation has its origins in the decline and fall of the Cold War system and the consequences which followed from that."

2.4 TSS Process Clusters for Good Practice

This part of chapter two presents empirical evidence of transformation of the security sector process found in the current body of literature. According to Chuter (2000:1) there are "four major transformation clusters which can be determined within the management of any security transformation process: Cultural, human, political and organisational".

2.4.1 Cultural Transformation Perspective

In terms of the cultural transformation process, the study analyses the culture of the institution, management, people's attitudes and administrative ethos of the institution.

(a) Culture of the institution

The concept of culture is drawn from the anthropological approach and is used to describe a set of norms and values that underlie a social system. This refers to the unique configuration of norms, values, beliefs and ways of behaviour that characterise the manner in which security institutions and oversight management bodies may combine to get things done (Hull 1995, Burnes 2000). The importance of viewing the security sector from a cultural perspective is that it introduces the idea of shared values and beliefs which provide the glue that binds the security members together in a common cause and determines the levels of commitments and performance. It must be noted that the culture of the security sector is typically based on values such as courage, obedience, integrity, stamina and selfless service, as Maslowski (1990) describes in his study cited in Malan (1994).

Malan argues that these values hold no intrinsic threat of the survival of a democracy. It is only when these values are promoted through the deliberate or implicit denigration of alternative values that the security sector becomes intolerant of the political process. Handy (1999) describes the change in culture of security institutions from the culture in Victorian times, where subordinates received orders without questioning. In many African countries, top management of the security sector still advocate Victorian leadership. Therefore, there is a good reason to advocate transformation of the organisational culture in a democracy. Managers of the security sector should

develop consensus among the lower ranks regarding the development of a new culture, in recognition of political changes. However, within the weave of culture there are sub-cultures. The cultures in question are organisational culture, social service culture and corporate culture (Matshabaphala 2008).

In this study, cultural transformation refers to something that develops and evolves organically over time to an organisation, which provides structural stability and integrates values and norms into observable patterns in the social and political dimensions of work. As Hull (1995) notes, cultural transformation is described in impressionistic and imprecise ways. It is not rigorously defined for it is something that is perceived or felt. Cultural transformation reflects the personality and beliefs of the organisations' leadership. In the security sector, cultural transformation may be widely viewed as conservative, stabilizing forces that function to resist rather than facilitate change. Most of the security sector elements in African governments may be weak and artificial, suffering a hangover from colonial structures. They have the same old regulations, obsolete equipment and lack financial resources and internal coherence. They are simply the continuation of the colonial legacy, marching to their own drums, with expectations that they will continue in much the same way despite political transformation taking place. This study will probe the security sector and the executive in Malawi about political education, the level of elite coherence and adequate quality of individual top leadership (Tompkins 2005 and Clapham 2001).

(i) The Social Service Culture

According to Kotler and Andreasen (1996) cited in Matshabaphala (2008) the social service culture is often associated with lack of delivery and maintenance and deterioration of services. In the security organisation's life, there is a tendency to overlook issues and build a close sense of camaraderie in the organisation. The problem with this type of culture in the security sector services is that some soldiers or police officers behave in a manner as if they are untouchables. The top management sometimes just transfers the wrongdoers to another station when it comes to taking disciplinary action. This type of culture tends to erode the organisation. The existence of such culture obviously cannot be taken for granted when the process of democratisation demands a fundamental social service as well as cultural transformation within the security sector (Malan, 1994).

(ii) Corporate culture

This sub-culture is developed through leadership and the improvement in the delivery of services. Burnes (2000) describes this type of culture as project oriented; the onus is on getting the job in hand done rather than prescribing how it should be done. Such type of culture is appropriate to organically structured organisations such as in the security sector, where flexibility and team work are encouraged. Concurring with Matshabaphala (2008), a corporate culture can emerge from anybody, any team, or the security sector as

a whole and can be a powerful tool for improvement of performance. Finally, in the interest of external integration in agreement with Malan 1994, the security sector should understand and accept the values inherent to the democratic political culture towards which civil society is striving" (Malan 1994).

(b)Management and Administrative Ethos

The security transformation issue places the spotlight squarely on those aspects of governance and management of security agencies that are unique and those features of the organisational context that constrain security managers and the political leadership in carrying out their mandated purposes. Management may entail the same basic functions in public or private organisations. How these functions are carried out may vary greatly. For example, a regular armed force and a group of mercenaries may perform the same functions and face similar problems, but the regular army exists to execute the law. By virtue of their special trust, the state security managers are responsible for promoting values that go beyond efficiency, effectiveness and include responsiveness and public service (Tompkins, 2005). According to Cawthra (2005) it is the primary role of senior security officials to initiate and establish a policy framework for an overarching transformation process for the security institutions which will seek to place the national security and defence firmly under constitutional and democratic control.

Williams (2001) defines top managers as responsible for creating change, developing attitudes of commitment and ownership. However Clarke (1994) argues that to be effective in this role, top "managers will require knowledge and expertise in strategy formulation and human resource management. If top managers are to gain the commitment of the security sector to transform, they must be prepared to challenge their own assumptions, attitudes and mindsets". Shemella (2006) commends that only wisdom of a democratic government and the society can ensure that the leadership of the security sector remains focused and properly developed in line with good governance principles.

Hence the challenges for consolidating transformation for the good of improving security governance, and organisational effectiveness by the executive and legislature may have remained weak in practice in most developing countries. The researcher's view concurring with Fits-Gerald and Tracy (2008:3) that most of the "security practitioners are well-educated and experienced but not necessarily and specifically trained in transformation management. A good security practitioner is the one that increases the chances of good outcome when faced with such challenges as; risk calculation, resource allocation, strategy formulation, change and programme planning. Arguably, the recognition of effective decision making in uncertain environments must be supported by strong political leadership which is knowledgeable in security sector transformation management. To some political leaders in Malawi the security sector may be seen as a threat that must be removed gradually by making it smaller with poorer structures.

(c) Attitudes of the security personnel

Attitude of the security personnel may not necessarily be the same as that of the citizenry in any country. This is due to the vigorous training security personnel go through and hence as such they are more socially conservative than the society as a whole. Nevertheless, this should not be the licence for them to behave abnormally and run into conflict with the norms and values of society in general. Likewise, complaints of atrocities committed by the police, intelligence services and the military, in most African countries and world over cannot be tolerated in any democracy. The security personnel must act within the law and not like independent judges. However, it must be noted also that when the security personnel have acted in unacceptable fashion, this may reflect that there is either something wrong with the state or the security management itself. This will arise because the political system may be unhealthy or civil security relations are not good (Chuter 2000).

2.4.2 Organisational Transformation Perspective

This section highlights organisational effectiveness of an institution in the process of transformation. According to de Vries (2006:4), "organisational transformation constitutes a more mechanical process within which the organisation being transformed is designed, structured and right-sized. It includes the improvement of its internal management and leadership practices and of the organisational processes to achieve greater levels of efficiency and

effectiveness". Inappropriate security structures and mechanisms can contribute to weak governance and to instability and violent conflict (OECD 2005). Nevertheless, defining organisational transformation, this means a change in the way the security practitioners, political leadership and the civil society within a democratic state behave, - the way they interact with each other and the outside world on security related issues and their country. The key is to transform the security actor's attitudes and behaviour so that they articulate clearly changes underway underlining the reasons why they are necessary, and the designed outcomes that will make the democratic state fit for purpose. Effective transformation will only be possible if all security actors understand that their state is no longer fit for the purpose of authoritarian rule and must buy in to the need for change to democratic norms so that they are fully committed to it (Tompkins 2005).

Burnes (2000:463) asserts that "a number of models have been used to provide an explanation why institutions such as the security sector change or resist change, organisational changes." Tompkins (2005) argues that models are used because they have been found to be useful in predicting a continuous process of structural change in institutions only they may be interrupted briefly by periods of relative stability (Tompkins 2005). Likewise, organisations should know their own strength and weaknesses by establishing benchmarks and performance against a range of internal and external factors. In agreement with the views of Burnes (2000) the security institutions and security management bodies in Malawi may lack organisational characteristics such as

appropriate structure, transformational leadership style, policies, system procedures, teamwork, cooperation and openness among the actors. Burnes (2000) citing Akao (1991) further notes that successful organisations will focus their attentions on identifying key aspects of the organisations strategy.

(a) Institutional Structures

The process of structural change and institutional transformation should begin when leadership perceives an internal or external threat to the functioning of the organisation. Any kind of government, whether autocratic or democratic generally has structures to ensure that the security sector plays the roles assigned to it and does so in a way that is compatible with the ethical norms of the state and society.

Supporting the views of Cawthra (1997:1) conflicts in Malawi and any other African country may "arise from intra-state rather than inter-state causes and will usually be manifested in civil wars, military coups and other internal conflicts". Arguably, the structural designs of the security apparatus need to be tailored according to the norms and principles of a democratic state rather than whereby the entire security machinery is involved in one function, the protection of a few elites. Cawthra notes that "transformation of the security institutions should rest on concepts of good governance, sound security relations and commitments to democracy. There should be a holistic approach to security structural design which must entail a re-examination of the role and functions of the security institutions in Malawi". The challenge confronting

African leaders is that they often try to combine the components into institutional structures that implement government agenda and personal benefit. This is done to make sure that the security sector is responsive to the leadership of that time. As an organisational context, much depends on leadership, character, and quality of officials in the security sector.

(b) Leadership Style Practices

According to Matshabaphala (2008) citing in Bell (2006) and Annunzio (2001), leaders are said to be the greatest influence in the way the organisation is shaped, transformed and renewed. It must be leadership that facilitates the internal transformation and sensitivity to an environment that is rapidly changing. Supported by Tompkins (2005: 379), "it is only visionary leadership theory which holds that those in positions of responsibility must develop a clear vision of organisational success, articulate the values by which success will be achieved."

Pretorius (1995) suggests that leaders must be sincere and provide meaningful collective leadership. He points out that it must boil down to real democratisation of the work place, with "flattening of the hierarchy, the devolution of power and authority, the opening up of existing communication channels and the creation of new ones. He emphasizes that leadership aimed at the future must be synonymous with a strong value system containing elements such as integrity and fairness". According to Kaplan and Norton (2001) cited

in Matshabaphala (2008), leadership is considered from three different perspectives, that is personal, organisational and public. Since leadership has to do with the behaviour that others notice, the challenge is to work on this behaviour. Much as this is an ingredient, the executive, legislature and the chiefs of security organisations in Malawi and in Africa may miss on strategic leadership.

Matshabaphala (2008) points out that governments are faced with the strategic leadership challenge of providing leadership predicated on strategic thinking impulses. In his opinion, it is every official's and politician's responsibility to provide leadership at every level of organisation, instead of always expecting to be led by someone. In many African countries, security decision making is centralised in the office of the President, which can be detrimental on issues of security which require collective decision-making (Cawthra 2008). This mainly has to do with policies put in place. There is no appropriate prioritisation and integration of policy initiatives taking place because of lack of systems and procedures at political level in some African governments.

(c) Policies and System Procedures

(i) Policy

Ball *et al* (2003:55) define policy "as a statement of purpose or broad guidelines as to how the purpose is to be achieved within which strategies can be framed and activities can take place." A key task for a country involved in transformation of the security sector would be the construction of various

policies for a vibrant security sector. A policy in any sector is important for the following reasons: According to Ball *et al* (2003:55):

> "It provides a clear series of guidelines within which strategies can be framed and activities take place. It also helps discipline government behaviour my minimizing ad hoc and costly decision-making processes and by promoting the optimal use of resources in pursuit of specific objectives".

As contended by many scholars, for instance Cleary and Mclonville (2008) the key purpose of any policy is to give guidance. For example, for multiple actors in the security sector to behave in a coherent way a good policy should be put in place. Likewise, domestic and international community are informed about government's intentions and plans if a clear policy is in place. Internally a government may wish to support the defence and security policies through serving personnel, taxpayers and the widest public. On the other side, externally, a government may wish to transmit reassurance and determination. Similarly, policies are an attempt to form political party promises into reality. They provide the strategic vision for states and their governing institutions. Nevertheless, a country that has no policies for its security institutions, may reflect: 'Symptoms of a system that is weak on accountability and lacks transparency. Although direction may be given, it is likely to be the vision of an individual rather than a group. There is also no power of enforcement and limited means to measure progress. Thus makes it more difficult to determine

the resources required Cleary & McConville 2008). A policy should therefore indicate the strategic context, national interests and the plan of action.

(ii) Systems Procedures

Pendlebury (1999) describes systems as the flow of everything within the structure; information, materials, finances and human resources. An organisation will spend a great deal of energy on making systems work as it is mostly concerned with the circulation of information and decision-making which are particularly influential. The ability of security agencies to seize opportunities and react to aggression of any sort depends largely on these systems. It is obviously not only the formal and explicit aspects of systems that matter but also the informal and implicit aspects. The security agencies may undoubtedly play an important and influential role in task alignment if they are well coordinated. In tandem with this assertion Cawthra (2007:7) says "while transformation of national security management systems may be in place in most African countries, it is doubtful whether coherent and integrated guidelines to the transformation process on security policies exist."

Similarly, there is no reason for government to fail to put in place such a security framework that improves national security in a democratic state. Security agencies are departments within the executive branch which are, in turn, just one part of the larger system of government. In the case of Malawi, they are under the control of the Secretary to the President and Cabinet (SPC). The checks that the legislative and judicial branches of government can

lawfully impose cannot be achieved. Supporting the views of Cawthra (2005:1) this is because "security decision making has been increasingly centralised in the Office of the President and Cabinet in most African countries. This arrangement has not called for a much more coordinated system for security transformation management in a democracy; as openness, accessibility and responsiveness in a democracy are integral parts of what makes a country's system really democratic." However, much depends on collective decision making rather than on centralised decision in the Office of the President and Cabinet. This boils down to the old cultures adopted from the colonial governments.

(d)The Technical Perspective

This section examines the use of technology to create a framework that makes it easier for the reader to ameliorate the principal issues in the process of TSS. Tompkins (2005: 20) notes that "the way security agencies are organised and managed, and whether they perform in regular and predictable ways will depend on part of their technical means of production. Technology, in this instance, refers broadly to the system of tools and techniques used by an organisation to carry out its tasks." For instance, to balance today's needs against future demands, the security institutions should recognise the challenges posed by the rate of accelerating technological change (Geis, Hailes and Hammond 2011).

In order to develop a comprehensive cross-government strategy on TSS most African countries will require a high-level of thematic and cross-cutting expertise. According to OECD (2005), 'there is a need to ensure that this is backed up by sufficient training and all of government mechanisms to enable a coherent approach to, governance and oversight, threat assessments, national security strategies, human rights, integrated border management organised crime etc'. Besides the issues described above, there is also need for the technical side to acquire knowledge of institutional security systems on transformation management (OECD 2005). In addition, based on new the concept of democratising the security organisations and indeed for the purpose of understanding transformation in a democracy it is prudent to provide some technical definitions of key concepts used in this study beginning with democracy.

(i) Democracy

According to Bratton and Van de Walle, democracy refers "to a distinct set of political institutions and practices, a particular body of rights, a social and economic order, a system that ensures desirable results or a unique process of making collective and binding decisions. The emphasis is placed on the rule by the people. Nevertheless democracy is a form of regime whose legitimacy derives from the principle of popular sovereignty".(Bratton and Van de Walle 1997:10)

In agreement with this view Ulfelder (2005:2) emphasizes "the procedure by which a government is chosen and requires the regime to obtain some minimal degree of contestation and inclusiveness in order to be considered democratic".

In this study empirical literature shows evidence that Malawi and South Africa are democratic regimes that are in a transition toward a consolidated democracy (Espstein, Bates, Goldstone, Kristensen and O'Halloran 2004), Further, Espstein and others describe Malawi as one of the 15 countries which are 'up to partial democracies' in the world. Partial democracies are less stable and can easily change into an autocracy. South Africa is one of the three countries who are "Up to democracy" among 56 countries in the world shifting between autocracy and democracy. Maclaren (2009) asserts that understanding the transition to democracy is imperative not only due to the prevalence of promotion effects but also due to the high stakes involved such as transforming the security institutions.

(ii) Governance

Governance refers "to the process of governmental decision-making and the manner in which decisions are put into practice. It consists of the traditions and institutions by which activity is exercised. This would include the process by which governments are selected, monitored and replaced; the capacity of governments to effectively formulate and implement sound policies; and the respect for citizenry and the state of the institutions that manage the security sector for the prevalence of peace and stability among the citizenry"(Cleary

2010:7). In addition democratic government is a prerequisite for transforming the security sector efforts. For transformation of the security sector to succeed in Malawi the political leadership should create necessary conditions for the security institutions of the past authoritarian rules to change.

(iii) Security Governance

A focus on security governance as a means of conceptualising and linking management, political leadership style, and oversight and accountability practices in the transformation of the security sector may be a more coherent approach for policymakers to address the broad security challenges posed by the current democratic transition in Malawi. According to Ball *et al* (2001) security governance "refers to the organisation and management of the security sector", whose main responsibilities are the protection of the state and its people. Arguably, Cawthra (2008) notes that security governance may remain opaque, personalised and will lack professionalism if not put in practice in the transitional phase of democracy.'

The concept of security governance recognises both the multidimensional nature of the security system and the reality in a democratic transition situation moving from authoritarian rule (insecurity) to a democratic system which requires a transformation process of reconfiguring the security roles and responsibilities. Setting up sound security governance therefore requires a process of transformation that engages key principles to guide the management

of the security organisations. The guiding principles should outline the following as noted by Ball *et al* (2001):

> "The role and responsibilities of the political actors, including the role of parliament and the oversight responsibilities of the government; Likewise the chain of command with the different security organisations; the roles and tasks envisaged for each security organisation. There must be broad democratic principles to which the security organisations should adhere in their conduct as professionals.
>
> It is also necessary to set out the government's responsibilities toward the security organisations. In particular, the government should: Provide clear political leadership to the security organisations and prevent political interference in the chain of command by the political leadership of the country concerned. Furthermore seek to provide the security organisations with adequate resources to accomplish their constitutionally designated missions" (Ball *et al* 2001).

(iv) Security

'Security' should be understood by many policymakers and the civil society in Malawi and elsewhere as described by the DAC guidelines:"An all encompassing condition in which citizens live in freedom, peace and safety; participate fully in the process of governance; enjoy the protection of fundamental rights; have access to resources and the basic necessities of life; and inhabit an environment which is not detrimental to their health". The security of people and the security of states are mutually reinforced. A wide

range of state institutions and other entities must be responsible for ensuring the aspects of security, DAC Guidelines (2001:20)

Similarly, as noted by Wolfers (1962:20) "security in objective sense, measures the absence of threats to acquired values, and in subjective sense, it is the absence of fear that such values will be attacked".

Arguably such a definition leaves out questions such as whose and which values might be threatened by whom or what and by which means according to Moller (2009) the meaning of security must be subdivided into different forms of security as illustrated in table 4 below:

Table 3: Concepts of Security

Label	**Referent object**	**Value at risk**	**Sources of threat**	**Form of Threat**
National security	The state (regime)	Sovereignty, territorial integrity	Other states (sub-state actors)	Military attack
Societal security	Nations societal groups	National unity, identity	States migrants cultures	Genocide, ethnic cleansing, discrimination
Human security	Individuals, humankind	Survival, quality of life	The state globalisation	Crime, under-development, terrorism
Environmental security	Ecosystem, species, planet	Sustainability	Humankind	Pollution, warming, destruction of habitants

Source Moller, (2009).

However, security in Malawi and elsewhere in the world today should undeniably centre on people by finding non-violent solutions to disputes at the national, regional and international levels. Concurring with this assumption Ball *et al* (2001) adds that, "the inability of many African security organisations, to provide a safe and secure environment for economic and political development arises to a large degree out of poor governance both of the state and the security sector".

(v) National Security and Strategy Assessment

According to Sarkesian et al (2002:13) citing Smoke (1987) national security can be defined as: "the study of security problems faced by nations, of the strategies, policies and programmes by which these problems are addressed, and also of the governmental processes through which the strategies, policies and programmes are decided upon and carried out." No formal definition of national security as a field has been generally accepted. There are two dimensions to that definition; physical and psychological. The physical is an objective measure based on the strength of the security forces as a capacity for the nation to challenge adversaries. The psychological is subjective, reflecting the opinion and attitudes of the civil society, willingness to support government efforts to achieve a clear understanding of national security. The meaning can be misleading in some African countries, for example, Zimbabwe, Rwanda and Ivory Coast. It is often not the protection of the nation, referring to community or society, but rather that of the incumbent regimes (Moller 2009).

National security is crucial for any in a democracy for it provides some guidelines that relate to human rights, political conduct, preservation and protection of the community and the country. It is the national security strategy that Malawi must assess and address threats either by military or non-military tools. The threats to Malawi like to any other country within the southern African Development Community have become complex and interrelated whilst the number of the vulnerable is growing fast.

Recent trends in Malawi, particularly since 1994 when the country attained multiparty democracy, have unveiled increased insecurity to the state and the citizenry ranging from political instability, border disputes, economic decline and environmental security to organized crime, and health among others. For instance, according to Northern Life Magazine (2012) the partition of the lakes surface area between Malawi and Tanzania that is under dispute is one of these social-political threats. Mijoni (2009:2) citing CIA (2006) asserts that "Malawi is considered one of the least developed countries of the world. Overpopulation in Malawi is putting pressures on public services like health services and the stress on natural resources".

According to Mijoni (2009:2) citing Phiri (2005) "about 6.3 million Malawians live below the poverty line". The consideration for situation analysis of national security strategy should therefore address various security issues and necessitate coordination and cooperation among security actors and security

management bodies. Ball *et al* (2003) contends that "While protecting the state and its citizens from external aggression remains a major consideration, the most serious threats facing [Malawi] tend to be those that either derive from internal causes or are transnational and collective in nature".

According to Fitzgerald (2007:3) national security/strategy "making a way through challenges of issues, events and trends identifying constraints using means both necessary and available and taking carefully calculated risks in making choices to ends of minimising their effects on, and maximising the benefits for national interests" In this context, in agreement with Sarkesian *et al* (2003) there are two dimensions to the definition of national security, physical and psychological.

The physical definition of national security is an objective measure based on the strength and capacity of nation's security forces to challenge adversaries. While the psychological or social definition of national security is subjective, reflecting the opinions and attitudes of the civil society willingness to support government's efforts to achieve human security. However, the contextual nature of national security introduces more complications in an increasingly multi-centric world of nation- states. For instance the overview of United States of America's national security strategy in 2006 by former president George Bush reads:

> "To seek and support democratic movements and institutions in every nation and culture, with the ultimate goal of ending tyranny in our world. In the world today, the fundamental character of regimes matters as much as the distribution of power among them. The goal of our statecraft is to help a world of democratic, well governed states that can meet the needs of their citizens and conduct themselves responsibly in the international system. This is the best way to provide enduring security for America."

From this standpoint the USA can use various techniques of influencing national security, ranging from persuasion or offering of rewards to threats or the actual use of force in its strategy. Buzan (1991) argues national security under conditions of ideology rivalry requires economic and political security as well as military in that sense the concept links military and foreign policy into a combined response to a set of threats across a broad spectrum of political, economic and military contingencies.

Cawthra (2013:3) citing International Workshop Group on national security (IWGN), asserts that "national security must reflect what a country wants to be as individuals and as a nation to live as equals, live in peace and harmony. National security must guard values and interests against both internal and external threats that have the potential to undermine the security of the state and citizens"

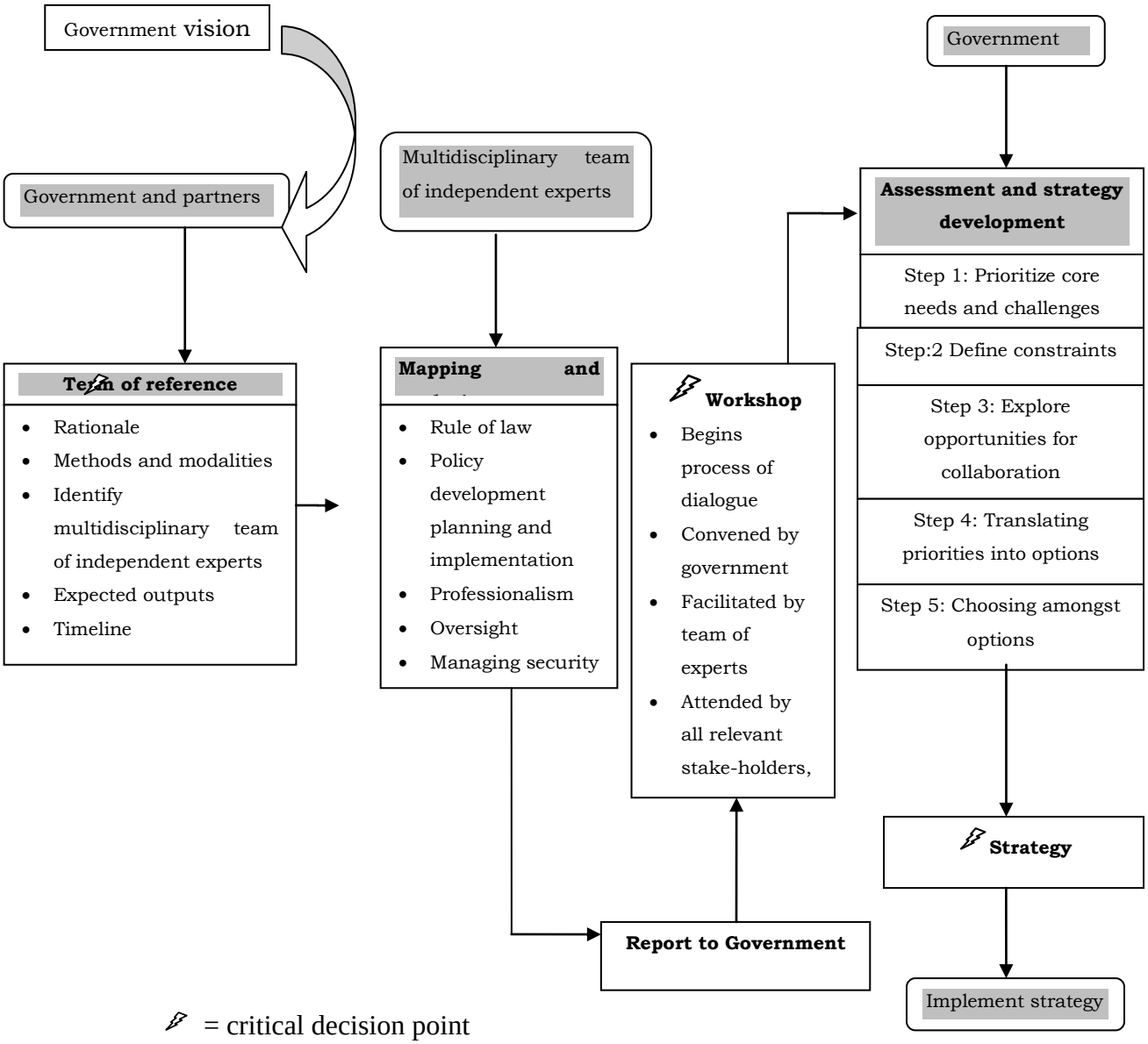
Likewise a broad framework for improving national security is crucial for any country in a democracy. It is this broad framework in which principles relating to human rights, political conduct and for security governance in a democracy are agreed upon. For example, any country should be able to assess and address threats of a nation either by military or non-military tools. Determining the balance between the use of military and non-military tools must ultimately be a political judgement and not that of security experts.

According to Pantev (2005:17) contends that "a clear definition of what security is according to the government, must be provided in the strategic security document. The NSP must reflect the conceptual approach to dealing with the threats and risks as well as the legal and institutional instruments, national, foreign and international that should be applied to cope with the task of neutralising the threats." Supporting this view Sarkesian et al (2002) notes that "success of national security policy depends on the president's leadership and his relationship with legislature". The president has the constitutional authority. Furthermore, Sarkesian et al (2002) citing Hargraves and Hoopes (1975), point out that "in assessing the presidential power and the ability of a given president to wield effectively or perhaps even abuse it is that the style and character of the president himself is in every bit as important as the inherent power of the institution. And when one talks about power of presidency, must consider three factors: Presidents sense of purpose, political skills and character."

Ironically, since multiparty democracy cameto Malawi, the government has never come up with national security assessment or a consensus national security strategy. Nevertheless on several occasions attempts have been made to actually develop a coherent national security policy set out in a single document. For instance in 2010 the then National Security Advisor (NSA) proposed and developed a draft NSP which was put on shelf. Until at the time of this research it was not accepted. From February, 2013 another team is working to produce another draft to be presented to the government. Perhaps the problem is that the task of drafting the strategy has been delegated to the members of the security sector without a coordinated effort with academics and the civil society.

Political leadership should have a clear picture of the nations interests, and also understand the purpose and function of the security agencies in achieving those interests, and hence the need for transformation of the security sector in a democracy (Cleary *et al* 2008, Cawthra 2005). The framework in figure 2 below aims at describing how a country can provide security for the state and its citizens. It is presented as guideline on how to start formulating security policy in a coordinated effort.

Figure 2. Security Policy Framework



Source: The Netherlands Ministry of Foreign Affairs and the Clingendael Institute (2003).

In agreement with the Netherlands Ministry of Foreign Affairs (2003) as depicted in figure one above. "A policy framework is designed to assist a country's government in determining how best to strengthen democratic

governance of the security and promote dialogue." Likewise in determining to enhance democratic governance of the security institutions the assessment process consists of three main parts: Developing the terms of reference to guide the overall process, mapping and analysing the status of security system governance and assessing options and developing strategy."

According to Albrecht and Barnes (2008:1) A security policy framework (SPF) "is a tool designed to be a resource for staff responsible for initiating security policy making processes within the executive branch of governance, including those responsible for drafting, implementing and evaluating security policies".

Paradoxically, Van Eekelen criticises that "the challenge is to devise a method by which the constitutional role for the executive and the legislature can be exercised in a purposeful and professional manner. If a rigorous method is not formalised, control is in danger of becoming political rhetoric, leaving many opportunities for the bureaucracy and the security agencies to go their own way."(Van Eekelen 2010:51).

(vi) Security Sector

According to Ball *et al* (2003) security sector can be defined as: "Institutions that are responsible for securing the state and population from fear of violence". the security sector may consist of military, police and intelligence services, the related ministries, department and government oversight bodies

etc as noted by Moller (2009) on concepts of security and security providers in table 5 below.

Table 4: Concepts of Security and Security Providers(examples)

Form of Security		**Threats**	**Providers of security**	
			National	**International**
National Security	Narrow	Military attack	Armed forces Intelligence Agencies	UN Alliances
	Expanded	Economic threats	State Treasury Customs services	WB, IMF, WTO Development agencies
		Terrorism	Police Judiciary	Interpol UN
Societal security		Genocide Ethnic cleansing	Armed forces Self-defence groups	Intervention forces Peacekeepers
		Discrimination	Lawyers Human rights NGOs	UN, NGOs
Human security		Crime	Police Militias Courts	ICC
		Disease	Doctors Hospitals	WHO UNAIDS
		Poverty	Private companies Charities	Donors Diasporas
Environmental security	S. from the environment	Natural disasters, Global warming	Rescue agencies Planning agencies Relief agencies	UN State NGOs
	S. of the environment	Global warming Poaching	Planning agencies Game wardens	UN NGOs

Legend: UN – United Nations; WB – World Bank, IMF – International Monetary Fund; WTO – World Trade Organisation; NGO – Non-Governmental Organisations; ICC – International Criminal Court; WHO – World Health Organisation.

Source: Moller, B. (2009)

Table 4 above illustrates the security sector as comprising all actors and agencies that provide some form of security to either the state, human collectives or individuals or the environment.

In summary security should be evaluated in terms of all threats a country, region or the world face and the situation in which measures are exercised to counter such threats. Gausi (2012) citing Garnett (1996) contends that the definition of security is being overemphasized. Similarly concepts of national security are hard to define. In this context national security deals with wide variety of risks about whose probabilities nations have less knowledge and contingencies whose nature can only be perceived. It is important that national security must not only emphasize in military prism through armaments but also through human development, territorial, food and environment security (Buzan 1998).

2.4.3 Political Transformation Perspective

This section highlights the political transformation process which can influence transformation of the security sector. There are a number of categories of external factors which may affect the security sector. TSS can influence the balance of power and has the potential to challenge and be challenged by established principles, norms, systems and relationships.

(a) Civil Supremacy and Control of Security Institutions

The political dimension of the transformation process refers to "attempts to ensure that the conduct and character of the security sector in question conforms to the principles of democracy. In a useful contribution Burnes (1997) draws an important distinction between 'politics' and 'power.' He defines politics as "the deployment of influence or leverage, while 'power' is the possession of position or resources". In this scenario he defines transformational politics as 'efforts' of some security members to mobilize support for or against policies, rules, goals or other decisions in which the outcome will have some effect on them. Politics therefore, is essentially the experience of power. Politics, therefore, involves disagreements and the resolutions to those disagreements. The security sector in Malawi is not immune to conflict and the need to resolve such conflicts, for this is the essence of politics. Malan (1994) asserts that because of an inadequate understanding of the fundamental nature of transformational politics in a democracy, senior members of the security sector have persisted in perpetuating the myth of an "apolitical" security sector. This implies that members of the security sector have neither an understanding of nor interest in differentiating the four types of political power. According to Birch (2005) the four types of policy power are political coercion, authority, influence and manipulation.

(b) Political Power

It is crucial to know how the political leadership in any country especially in Africa, uses power and organisational politics. Political parties today use power and politics in order to win the hearts and minds of the electorate to vote for them during elections. Power is the ability of one person or a group of persons to influence others. Furthermore it is important to recognise the four types of political power as logically distinct from each other just as it is important to recognise that there are four different types of representation. Birch (2005) defines political coercion "as the control of citizens by agents of governments using force for instance the police carrying out arrests without warrants of arrest or an army enforcing a curfew at will. This is what goes on in some African countries that are transitional democracies. Birch further elaborates the second type of power which is political authority. Political authority is defined as "making and implementing decisions that are binding within a prescribed area of jurisdiction, for example the power of parliament to pass laws. The third type is political influence whereby the emphasis is on the nature of influence of public opinion, through elections, political parties etc for various good causes. The fourth type of political power is political manipulation. Political manipulation is defined as the activity of shaping the political transformation opinions, values and behaviour of others without the latter realising that this is happening for instance the media presenting and exaggerating a particular political situation of the party as very likely going to happen when it is actually open to change.

Bratton and Van de Walle (1997:62) citing Claphan (1968) observe that 'neopatrimonialism is the most salient type of [political] authority in the Third World because it corresponds to the normal forms of social organisations in pre-colonial societies'. Similarly the core feature of politics in most African countries is a patrimonial political system. This is whereby the ruler ensures personal political survival and of the regime by providing security in an uncertain environment. For instance, the concentration of political power is vested in the hands of one individual who resists delegating decision-making tasks. The individual ruler asserts total personal control over already frail structures within the security sector.

The majority of security officials in African countries harbour very distinctive preferences in terms of political parties and types of regime. Malan (1994),"notes that the loyalty of the security sector establishment under a democratic political system depends fundamentally upon their acceptance of the political system". Supporting this view, Sarkesian *et al* (2002) assert that "In the United States, for example, the security sector accepts its role as a non-partisan instrument of government of the day because of the shared belief in the fairness and virtues of the democratic political system."

Nevertheless, it is very unlikely that the security sector in most African democracies can quickly turn and do the same as can the security sector in the United States of America due to extreme poverty in Africa. Likewise Cawthra

(2003), and MacGinty (2010) note that "African democratic institutions of the past decade have come to be regarded as the only legitimate forms of governance. However, elections have seemingly and relatively replaced coups and dictatorships. The long standing legacies of authoritarian rule continue to cast a shadow over most of these newly institutional African democracies." They are hybrid regimes governing security. As long as factions exist within the security sector, the transformation process of the security sector in a democratic transition will be threatened. This study probed proper roles of security sector members in a democratic Malawi and how they now understand the values and operations of the democratic political system. At the same time the researcher looked at the role of civilian authorities, how they exercise and safeguard the power of control over the security sector.

(c) Oversight, Transparency and Accountability

The security system should be managed according to the same principles of accountability and transparency as the one that apply across the public sector, in particular through greater civil oversight of security processes. Supporting this view Scheye (2006:4) states that "transformation of the security sector goes well beyond its original concentration on military spending to encompass a diverse array of security institutions, their character, management and control. The issue of civilian control reveals an endeavour, namely democratic governance. The underlying argument is for the optimal performance of the

security sector", it needs to adhere to democratic oversight, transparency and accountability:

(i) Oversight

Bruneau and Tollefson (2006:37) define oversight as "the legislature's ability to monitor the implementation of budgets, laws and policy decisions passed during the formulation stage. Oversight has two functions; First to hold the government and the security forces accountable for their actions and second, to see if laws are working the way they were intended". Similarly in agreement with Born, Fluri and Lunn (2010) state that "oversight of the security sector is an essential element of power-sharing at state level and if effective, sets limits of the power of the executive or president. A state without parliamentary control of its security sector, should, at best be deemed an unfinished democracy or democracy in the making. The crucial issue is the degree to which oversight translates into real influence over the decisions of the Executive".

Born (2002:5-6) asserts that assuming "parliaments are willing to hold the government to account, four types of parliament classification can be distinguished on their powers and resources, rubber stamp where parliament only applauds the policies of government, emerging parliaments mostly found in transitional states, arena parliaments those that are capable of organising debates and raising questions and thus influencing the legitimacy of

government's decision to act and transformative parliaments that are capable of scrutinising and altering governments proposals and laws".

(ii) Transparency

Transparency is defined as "the ease or difficulty with which a country's own legislature, the media, interest groups, civil society, and the public at large can see what is going on. Ideally the aim is to achieve transparency in decision making, allocation of budgetary resources and the administration of the rule of law" (Cleary 2010).Similarly Born *et al* (2010) assert that "parliamentary debates and reports help make the security sector especially defence more transparent and increase public awareness of defence and security matters in a country".

(iii) Accountability

Accountability advances the concept of responsibility and infers that an individual should be able to explain and answer for his or her actions and may be legally obliged to do so. According to Ball (2003:31)

> "Should be accountable to elected authorities and civil society and operate in accordance with democratic principles and the rule of law. Likewise budgeting and planning should be transparent and openly available, organizations of the state involved with the security sector should be capable of functioning effectively to oversee the security sector and civic

society capacities should be strengthened to monitor and participate in the activities and policy information."

In agreement with this observation Born (2002:3) notes that "democratic accountability has to be distinguished from other forms of accountability, such as public accountability (e.g. via the media), administrative accountability (via government institutions such as audit offices) and judicial accountability. Democratic accountability is deeply rooted in democracy. It deals with the issue of how people can be involved in government".

Haynes (2006:29) contends that "accountability can be both an end in itself-representing democratic values and a means towards the development of more efficient and effective security institutions in the context of the development of good security governance" Similarly, it is a key to ensure that politicians, public servants and security practitioners in authority use their power appropriately and in accordance with the public interests. In many African countries, defence and security issues are shrouded in secrecy and there is usually a residual suspicion about exposing such deliberations, by those in power (Cleary 2006).

In support of the aforementioned assertion, OECD (2005:32) observe that democratic accountability of the security sector should be "based on the principles of transparency, responsibility, participation and responsiveness to citizens. Representatives of security institutions must be liable for their actions

and should be called to account for malpractice". This is currently difficult for civilian authorities in Malawi, because they are unfamiliar with what goes on in security institutions. Thus the sector's, lack of expertise is often visible to parliamentarians, the media and civil society at large.

(iv) Control

In a useful contribution to the expression 'democratic control of the security sector' Lunn (2010) contends that it "is generally understood as the subordination of the armed forces to those democratically elected to take charge of a country's affairs. This means that all decisions regarding defence and security of the country, the security institutions, deployment and use of armed forces, the setting of military priorities and requirements and the allocation of resources are taken by democratic leadership and scrutinised by the legislature in order to ensure popular support and legitimacy"

Control of the security sector can turn into a threat to the democratic process if not properly managed. This might be the case, for example, if the power of control is concentrated in an individual political leadership or a single institution of government. Security and justice actors could conceivably be manipulated by this institution or an individual to the detriment of society (Kohn, 1997). Some of the Western established models for effective democratic civil control of the security sector may not apply in Africa.

The history of civil control of the security agencies in Africa has been spotty. For example, in Zimbabwe, control of the military and police is in the hands of

the President. “Control” is not an understood concept if interpreted in the narrow fashion of direction and authority. This has more to do with the wider concept of control; that of inspection and oversight.

Civil control is often confused with civilian control. According to Chuter (2000), “Civil” in this context refers to the state of which the security sector is a part of government, provided it acts in a legal and constitutional fashion. Civil control exists when government controls budgets, administration of the agencies of the security sector and the use of the security apparatus collective the decisions of executive officials”. While ‘civilian’ control is achieved through the appointment of civilian politicians to positions of responsibility over the armed forces granting; tenets for civil control, overarching strategic framework guiding national security policy making, and resource allocations for security organisations that need to be examined. All this must be qualified by the realities of political changes that take place (Sarkesian, Williams and Cimbala, 2002). Security sector agencies exist to serve the public interests. Arguably, many factors constrain their performance. Among them, are ill-conceived policies, inadequate resources, and other social and economic conditions over which many African governments have little control (Sarkesian et al 2002).

In some African countries, there are no institutional arrangements for optimising regulation and control of the security agencies. In countries that are civilian ruled usually the executive exercises control, holding a tight rein over

the security agencies who also make all decisions involving recruitment, promotion, deployment, policy and budgets. Other organs of government are not involved in these matters. Especially the military and intelligence service matters are often shrouded in secrecy, and the executive sometimes abuses its monopoly on information to manipulate the security forces to ensure loyalty.

It is therefore important to look carefully at the issue of control; what is it for, who should have it and how much control there should be. In democratic settings the legitimate government requires control of the organs of the state in order to do its job. The state can not allow have the police, the military and other security agencies to decide for themselves what their priorities should be (Chuter 2000, Kohn 1997).

Sandler *et al*. (1995) further note that security expenditure has generated a great deal of debate as international donors and domestic stakeholders increase pressure on governments to scale down and rationalise security costs in Africa so that they concentrate on development through the TSS agenda. Likewise economic issues feature significantly in security institutions and security management bodies in Africa. Shemella (2006) notes that security establishments are of necessity and dynamic, and for them to remain relevant, they must continuously transform in response to domestic and international stimuli. TSS in Malawi can be a resource hungry enterprise. This is because of dependency on the West for funding the TSS efforts which creates its own problems. For example, depending on external resources does not sit

comfortably with notions of ownership of the transformation agenda. Secondly it is bound to compete with other equally pressing domestic priorities.

In Malawi, the most pressing crisis issues are emergencies on relief and rehabilitation programmes aimed at stabilising situations of hunger, drought and other disasters. Similarly, experience has shown that transformation of the security sector programmes by donors often tends to exclude certain institutions such as those dealing with justice, security management bodies of oversight and accountability, and even the political leadership itself. This undermines the adoption of a comprehensive approach of TSS itself. In this case, security roles are changed through deliberate political decisions by those who do not understand TSS. Sandler et al (1995) note that without a detailed analysis it is difficult to make the argument that security sector spending has either a positive or negative impact on economic growth in a country. In Europe, moreover the Legislative can decide to allocate funds to security. For example, Targarev (2004) asserts that, the National Assembly of the Republic of Bulgaria as a representative of the interests of a country's allocates a considerable portion of the national budget for the security sector in that country.

(d) Civil Society and the Media

Haynes (2006:21-22) defines Civil Society as "the political space between the individual and the government expressed by membership of non-governmental organisations (NGOs), social groups, associations and other organisations and networks." Civil Society organisations may include professional and interest groups such as trade unions, the media, human rights groups, universities, faith groups and independent policy think tanks". According to Agokla, Mussa and Odewale (2010:313) ''the term civil society refers to autonomous organisations that are between the state institutions on the one hand and the private life of individuals and communities on the other". The role of civil society organisations in the transitional democracies would be; advocacy through dialogue and campaigning, networking and joint activities: collaborating with security agents by providing critical information useful for effective law enforcement; and as whistle-blowers and gatekeepers, ensuring, accountability and transparency in the management of resources of the security sector.

Notably, during the transition and in the immediate post-election period between 1994 and 2000 in Malawi, civil society organisations emerged; a few non-governmental organisations (NGOs) and the media have grown substantially in terms of specialising and reporting security issues. Such organisations could be useful tools in the transformation of the security sector. However, it is unclear to what extent they have really influenced government's

policies. It is also notable, however that, the level of consultation between government and civil society is minimal if at all it is there in many countries in Africa.

Ironically in some countries in Africa, civil society and non government organisations have been viewed by government as proponents of trouble and allies of the opposition political parties aimed at frustrating the ruling governments' agenda. Nevertheless, civil society organisations, the media and academics can play an important role in the transformation of the security sector if they are consulted and work together with government (Cawthra 2005 and Cleary 2006).

2.4.4 Human Transformation Perspective

The human transformation process strives to ensure that there is an orderly composition of the security institutions with regard to race, ethnicity, region and gender. According to Hendrix and Hutton (2008:5) Country's security institutions "should reflect the constituent identities within that society. This fosters representativeness and national ownership which in turn increases the legitimacy of the security institutions". Likewise OECD (2007:65) observes that, "it is equally important that the design of TSS programmes must take into account basic issues such as the number of qualified government officials and security personnel and their skills."Surprisingly, political leaders in many African countries try to oversee the security institutions by appointing high ranking security officers either by those who are political friends to the ruling

elite or indeed select them from their tribal or ethnic grouping. Such, this selection is not based so much on professionalism but political loyalty. According to Chuter (2006) the other challenge faced by many African countries is the failure to create Ministries of Defence, Internal Affairs, and Intelligence and integrate workers consisting of both civilians and security personal who can effectively manage the different security departments.

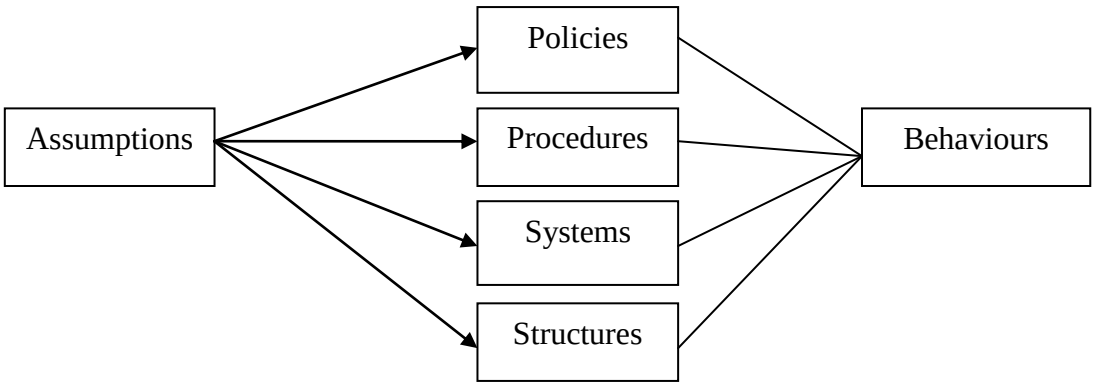
Similarly the historical composition of the security sector management bodies and institutions in Malawi has not been restructured to conform to democratic principles. For instance the intelligence services operate under the decree of the President because they do not have an Intelligence Act. Nathan (1994), citing Bayham (1990), observes that 'in societies deeply divided by race, ethnicity, gender or other primordial affiliations, the composition is of vital importance to the state and its inhabitants. Nathan (1994) adds that the establishment of a democracy requires the re-orientation of all state security needs and equally respect of the rights of the people.

In the past security institutions existed to fight and spy for the king. The security agencies might have consisted of slaves, criminals or foreign mercenaries. In a democracy and in any society which is based on the principle of popular sovereignty this is not acceptable (Chuter 2006). Security agencies have to be representative of the society which pays and deploys them. In many African governments, for unknown reasons, the security personnel are not the reflection of the society from which they come but are from a particular ethnic

or elite group. There are security traditions, security families and regions which have historically produced soldiers, policemen or sailors (Chuter 2006).

In a useful contribution, to section 2.4, on the issue of the four major transformation clusters; human, political, organisational, and cultural perspective. Daszko *et al* (2005:1) argue that "challenging assumptions, beliefs, patterns, habits and paradigms it is at the heart of transformation; it is critical because assumptions and paradigms drive policies, procedures, and most importantly systems and structures" as figure 3 illustrates.

Figure 3: Assumptions drive policies that drive behaviour



Source Daszko (2005)

Daszko elaborates further that this does not "lead to transformation or more permanent change unless there is continual challenge. It takes new knowledge and a system of challenging assumptions and thinking differently".

2.5 Constraints to Transformation of the Security Sector

The reform process in Malawi appears to have not been considered by all actors concerned. The main reason (author's view) could be the resistance by security practitioners themselves. The need to overcome the traditional notion of security presents a real challenge. Nevertheless this is not limited to overcoming traditional notions of security, but there is also opposition to a consultation process, (see appendix 13), lack of funding, expertise gaps and others (Jaye 2010:43).

Constraints to TSS can be any internal or external environmental factors that interfere with satisfaction of security organisation's needs. Some transitional democracies in Africa are experiencing some strained relations between the security sector and civil authorities. The question which needs to be asked is, why should the security sector organisations feel that they need to review and transform in a transitional democracy? The most common reason is that there has been political change that calls for new ways of doing business. Failure to acknowledge this will lead to underperformance. Security sector organisations may result in being restructured or would probably see the removal of a number of old senior officers who are resistant to such changes or by even unforeseen factors. Arguably, in most African countries, the security institutions are not the only ones that may be deficient in democratic norms and values. Lack of human and institutional capacity in the civil sector can also be a major setback. This means that the capacity of the civil authorities to

manage and oversee the security institutions is limited. Parliamentarians and the civil society sector do not contribute much to issues of transparency and accountability. This could be due to inherent limitations of the multiparty system. It is either that the parliamentarians misunderstand the nature of their functions or are too weak to carry out these functions. It may also be due to the fact that the ruling party-leaders control parliament. This effect it also reduces the capacity of the legislature for effective oversight. Consequently the transformation of the security sector may not take place effectively. For this to be realised it "will require the collaboration of democratically-minded politicians, bureaucrats, parliamentarians, members of the security institutions and the civil society (Ball *et al* 2003). In spite of external differences and some significant exceptions, transformation programmes in Africa where they do exist, tend to be characterised by short comings as articulated below:

2.5.1 Internal Constraints to Transformation

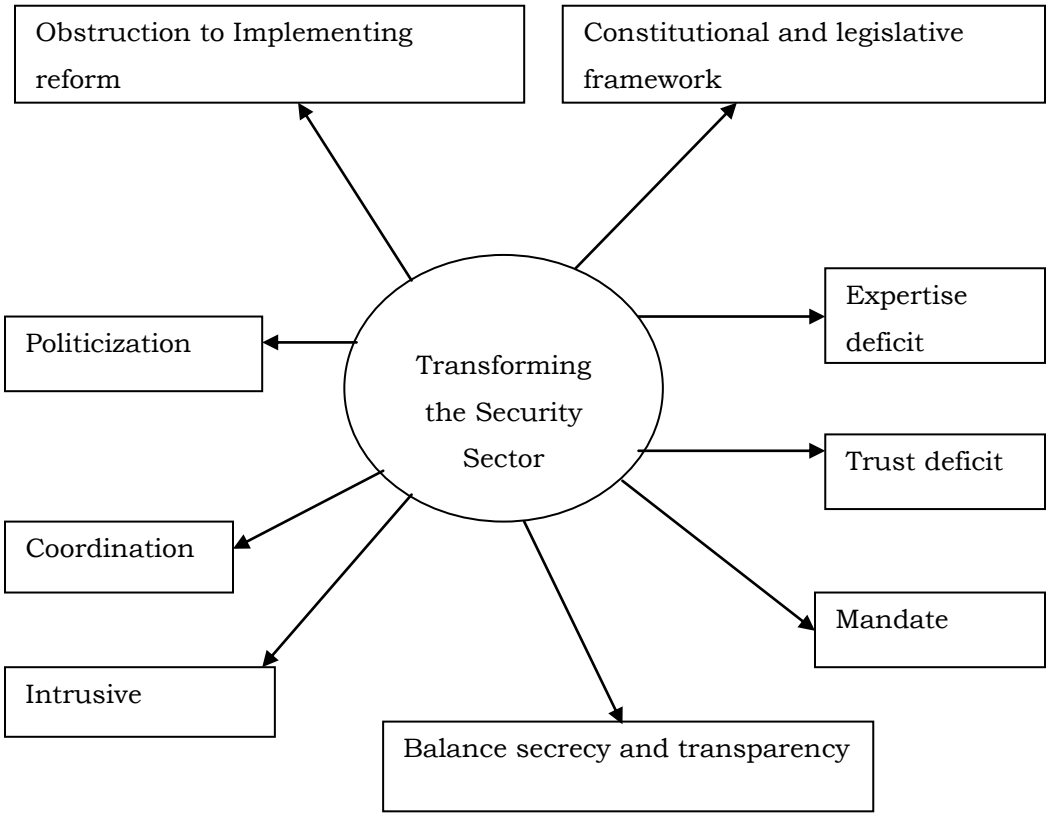
Although the benefits of transformation appear to be indisputable, in line with democratic principles and good governance, some members within the security institutions, for example the military, police, and intelligence regard change as a direct challenge to their power, livelihoods and practices. This is clear even when their political leadership and senior civilian members within the ministries of defence and internal security are in favour of TSS. Security institutions throughout the world tend to be conservative. They are tradition-bound organisations who may be distrustful of transformation initiatives

(Scheye and Peak 2005). Other shortcomings arise from under-funding, ill-adjustment to domestic institutional and resource capabilities, and lack of coordination among the security institution themselves (Hutchful and Fayemi 2005). Major problems within the security institutions in Africa have centred on issues such as overspending on major operational pieces of equipment (Cleary, and MacConville 2006).

2.5.2 External Constraints to Transformation

External environmental constraints include political sensitivities at local, national and international levels, economic considerations, impact of technology on modes of operation etc. It must be noted that within the security sector organisations, the breadth of stakeholders is significant and their particular interests can be highly varied. For example, negative public attitudes are reinforced when the security sector consistently fails to provide security to the society and state because of inadequate funds. According to Sandler and Keith (1995), in developing nations, security matters such as expenditure, size and structure of the security personnel are not debated in parliament or else the parliament just rubber-stamps, and this can be a concern for the society. Other constraints as noted by Fitz-Gerald & Tracy (2008:6) include: "spoilers can range from senior members of a current or former security regime, parliamentary or opposition leaders, and within groups of non-state actors (rebel groups) which normally operate outside the bounds of the legitimate political process."

Figure4: Constraints to Transformation or Reform



Source: Cleary L. (2010), modified

Figure 4 indicates likely security constraints of reform: suspicion and mistrust, lack of trust between administration and politicisation of defence and security institutions.

In other studies, Frazer (1995) and Biddle (1990) observe that the security sector is isolated to do its own things and the rift between the security sector and the society is especially wide in Africa.

According to OECD (2005:80) the constraints to organisational transformation in the external environment could be "characterised by lack of political will, weak government leadership and inadequate linkage with the regional context and emerging collective security mechanisms. It could be the fact that very little has been put in place to enhance the capacity of civilians to make an impact on transformation management mechanisms".

In certain circumstances, it may have been the executive, legislative and judicial officials resisting transformation pursuing their own political agendas and protecting their own institutional prerogatives. They could be resisting transformation and try to present any possible change for them to remain in power. This has been a common practice in Africa. For example Uganda, Egypt, Libya and Tunisia, leaders of these countries and others have remained in power for as long as 20-40 years. They are hybrid regimes in the disguise of democracy just to make sure that sure that they remained in authority (Chuter 2008 & McGinty 2010).

Turning to Malawi, the researcher examined whether and to what extent issues of TSS and security governance were debated in the national assembly and ifat all there was open, public dialogue in Malawi. In addition the researcher tried to establish whether there were stable lines of formal and informal relations between the security sector and civil authority.

2.6 Strategies for Implementing Effective Transformation

According to de Vries (2006:3) "transformation involves radical change such as the change of organisational culture, policy, structures, and how the organisation does its work, leads, commands and manages its resources and people". In order for the security institutions to play a positive role in the transformation processes, they have to be supportive of democratic processes and accountable to the civilian political authorities. As de Vries (2006:3) notes, "in transforming the security sector one requires to strike a balance between the conflicting pressures of stability and change and the need to manage the transformation process sensitively". Wide consultation on transformation of the security sector should take place with the public civil authorities and non governmental organisations. However, the transformation process should ultimately be decided by the political decision makers. The advantage of this is that the transformation can be launched and conducted in a legitimate and transparent manner and that the process will proactively be linked to wider public service renewal initiatives.

Transformation processes however are immensely difficult to accomplish in their entirety, they require the hearts and minds of all Malawians. First and foremost there is need for a powerful and imperative national unity. The restructuring of the security sector in Malawi and other countries particularly those that have emerged from an authoritarian rule demand visionary and integrated transformational strategy as described by de Vries (2006:3), namely

"to develop a clear case for change, make a firm decision to transform, and develop an integrated master plan and a team to do so". When conducting the transformation process, strategies must be put in place and to achieve this, a number of perspectives need to be included: The nature of the macro environment, the internal strengths and weaknesses of the organisations and an understanding of the impact of the organisational culture (Cleary et al 2006:133).

2.7 Theoretical and Conceptual Frameworks

The previous sections presented empirical evidence that has emerged on TSS and a number of differences of opinion on TSS and SSR have risen. In response, chapter three analyses some of the key theoretical issues that have emerged linking the study of the transformation of the security sector.

Transformation as a theory holds several important implications that encourage the researcher to think about the world in more dynamic holistic and intuitive ways and to view the security sector as a living organism (Tompkins 2005). In a useful contribution to this view, Daszko and Sheinberg (2005:4) assert that "a theory of [transformation] means there should be a profound change in structure that creates something new. Transformation should occur through a system of continual questioning, challenging, exploration and evaluation. It should begin with the realisation that the organisation's thinking (the security sector) was limited and flawed from the past (authoritarian rule)". The security sector as a system is a network of interdependent components that work

together to try to accomplish the purpose of the system which is the defence and protection of the state and its people.

The security sector should begin with an awakening (dissolution of authoritarian rule). The idea is to impress the importance of the need to change. The awakening should create a new mindset to see the security sector anew in a democratic state. Likewise from awakening the organisation should have the intention which is the conscious choosing of a course of action. This should happen to an organisation's leaders with knowledge and consent. Action is the application of new learning, and new learning occurs when the leader plans, study and act repeatedly bringing new learning. Good leaders are those who ask for help or coaching and go through a rigorous process to find coaches with profound knowledge. The stakeholders of this process, for instance in the case of the security sector are the executive, legislature and security practitioners, then the civil society with whom the security sector does business with. This illustrates that transformation is never ending process of continually choosing and learning and tacking action. Arguably some leaders seek to lead organisations by tradition handed down from another leader with unguided efforts. Daszko and Sheinberg (2005:4) point out that, "knowledge through learning must come from education and coaching and accompanied by action. Not everyone will accept transformation which means the leaders need to prepare and at the same time acknowledge that the fears that transforming [the security sector] will create for instance losing jobs, making mistakes and resisting to change."

Another view is that the basic concept examined in this study is that transformation in the security sector should be seen through four distinct clusters: political, human, cultural and organisational effectiveness (Chuter 2000). The key aim of this chapter is to provide generic knowledge that could tell about transformation process and the management of public organisations such as the security institutions. As noted by Tompkins (2005:27), defining "transformation process for an effective security sector and what values and methods that would bring into being for the betterment of the state and society in a democracy is one of the many challenges facing security managers and political leaders in Africa."Similarly how the security agencies and the state's many security activities can be coordinated and controlled so that organisational objectives are accomplished is another issue.

In addition such challenges question as to what the political leadership and the managers of the security sector agencies can do if anything, to encourage high level of motivation and performance on the part of employees still remain an answered.

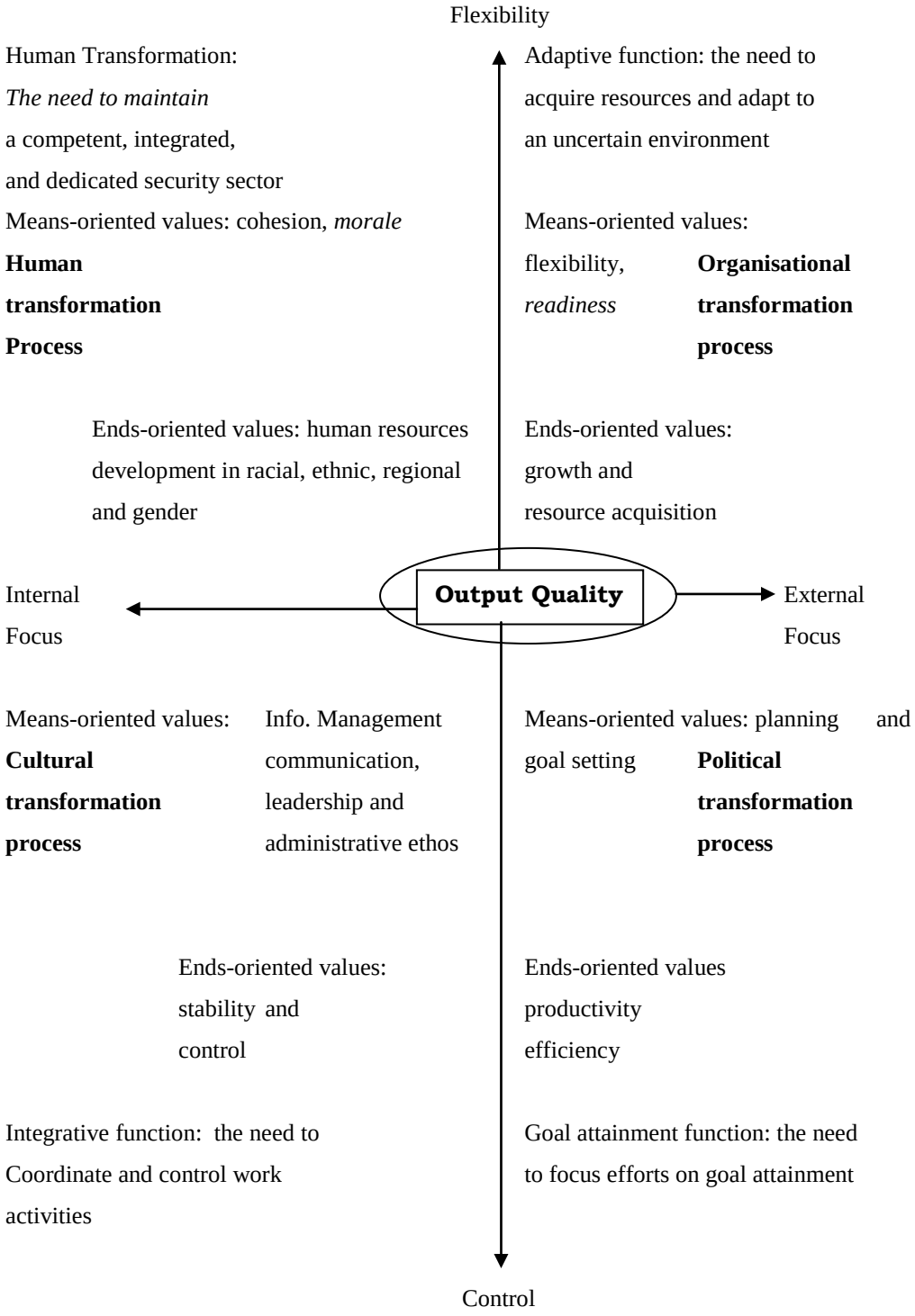
Like Chuter observes (2000:1), an effective security sector in a transformation process is the one that satisfies functional imperatives in a balanced fashion:

> "Cultural transformation, this entails the transformation of the culture of the security institutions in question: the leadership management and administrative ethos of the institutions and the traditions upon which

the institutions are predicated. Furthermore should look at the transformation of the composition of the institution with regard to human resource practices. As for political transformation, should ensure that the conduct and character of the institution in question conform to the political features of democracy. An acknowledgement of the principle of civil supremacy, the institutions of appropriate mechanism of oversight and control, adherence to principles and practices of accountability and transparency are very crucial. Last organisational transformation is the process within which the security institutions are right-sized, their management practices are made more cost-effective, and their ability to provide services rendered more efficient ''

Figure 5 below illustrates the conceptual framework for an effective TSS.

Figure 5: Transformation of Security Sector Conceptual Framework



Source:*Tompkins (2005,) Modified*

The researcher has paid attention to the method of process-tracing which attempted to trace the links between possible causes and outcomes of transformation process of the security sector in Malawi (George and Bennet 2005).

2.8 The Application of Theory to the Study

Figure 5 above represents the conceptual framework guiding the research. It emphasizes the relationship between the security organisations, their human resources development, stability and control, political cultural practices and finally the need to focus on efforts for planning and goal attainment. These roles are accomplished by planning strategically to ensure continued support. Such security strategies and plans can be developed by policy and decision makers within transformation process, Tompkins (2005).

2.8.1 Human Culture and Transformation

(a) Human transformation

Human transformation process assumes that the organisation's problems may be caused by mistrust and hostility among different bodies of the security sector as regards human relations.

(b) Cultural Transformation

On the other hand, the cultural transformation process assumes that the problem may be caused by incompatibilities between structures, system

procedures, different cultural communications styles, and hostility between employee needs and abilities within and among the security agencies.

The goals of work a base for human and cultural transformation would be; facilitations of workshops for different bodies of security institutions in order to identify threats, and fears each body feels and build empathy between them; Jointly make these security bodies reach agreements that recognise the core needs of all agencies of the security sector.

2.8.2. Political and Organisation Transformation Process

(a) Political Transformation

The political transformation process in an organisation assumes that the problems of the security sector may be caused by inequality and injustice expressed by competing environment on civil supremacy, and the institution of appropriate mechanisms of oversight and control accountability, and transparency, legal and ethical frameworks.

(b) Organisational Transformation

On the other hand the organisational transformation process assumes that the problem may be caused by inadequate planning and goal setting into the future by the senior managers and the political executives.

The goals of a work base for transformation should be as follows: Organisational transformation – the need to acquire adequate resources, change

structures that cause inequality, including budget funding while the political transformation process needs to improve and sustain longer term relationships and attitudes among the executive and security agencies in order to promote flexibility and readiness at all times.

Human and cultural effectiveness of security institutions plus the organisational and political system of governance need work activities of all groups to become an open transparent system as a new analysis framework for the security sector, the state and society emerges in a democracy. The lesson must be learnt that policy makers must have good knowledge of security system governance and communication style (Tompkins 2005).

Arguably, the most unique problematic issue identified in the analysis by the researcher was the question of the ability and leadership factors. The ability factor included lack of knowledge and skills, control and attitudes by policymakers. Without the requisite knowledge and skills to perform a particular activity, an individual may not create or provide a good service. On the leadership factor, attitudes are also an important aspect of capacity or competence because an individual as a leader may not perform effectively as a manager without proper attitudes (Dzimbiri 2009). At the level of the state, the researcher looked at the ability of an individual who is vested with absolute powers of state affairs and in some instances acts alone without consultation on an issue of national security of the entire country. This is due to flawed laws of the colonial regimes which gave absolute power to single persons. It is important to pay attention to transformation process on issues regarding the

security sector and regulatory mechanisms of the justice sector in a democratic state because laws and regulations change with time.

2.9 Conclusion

This chapter has discussed TSS and the emphasis was to determine the establishment of effective security governance, oversight, transparency, accountability and the improvement in the delivery of security and justice services in a democracy. The literature review has dealt with the importance of transformation of the security sector in a democratic transitional process, and how the agencies, policy makers and society can tackle the process. It has also explained the core issue at the end of transforming the security sector from disorder, crime, violence and more broadly achieving sustainable economic, social and political development of a country. Nevertheless African countries, if they are to create the conditions in which they have to escape from insecurity, it is important to undergo the transformation process. TSS provides guidance for policy makers, security practitioners and the civil society, identifying, designing and managing good governance in a democratic state (de Vries 2006).

In this chapter, it has also discussed about transformation concept which is both a theoretical commitment and a political (transition to democracy) orientation concerned with the construction of TSS. As a theoretical commitment it is a framework of ideas deriving from the dissolution of authoritarian rule to a democratic state in Malawi. As a political orientation it

is informed by the aim of enhancing transformation through emancipatory politics. There are two general claims about the approach:

First, theoretical commitment and political orientation of TSS concept offers a much richer understanding of change than provided by SSR. In particular (TSS), it looks towards an ontology embracing a more extensive set of referents for transformation: Human resource practices, organisational character, political and cultural make-up; and an epistemology which is 'post naturalist' that is always being willing to engage with the real world in politics and in this case democratic transition.

Second, the approach broadens the TSS agenda in order to develop a theoretical commitment and political orientation towards a conception of good security governance in the collective interest of local ownership by the people away from a past that was imperfect (authoritarian rule) and a future that is free and fair on security issues.

CHAPTER THREE

3. 0 Methodology

3.1 Research Paradigm

In this chapter qualitative method of analysis of the phenomenon of TSS in Malawi is undertaken. A social constructivism approach is adopted in addressing process of interaction among participants. Social constructivism "provides an opportunity to claim knowledge through alternative process and set of assumptions formed through interactions with participants and through historical and cultural norms that operate in participants' lives. The goal of research is to rely as much as possible on the participant's views of the situation being studied" (Creswell 2003:8).

The goal of science is to develop an understanding of social life so as to discover how people construct meaning in natural settings. Qualitative research has a long history in anthropology and sociology although it is no longer limited to these disciplines. It is an accepted methodology in the social sciences (Merriam, 2002 and Creswell 2003).

This approach was chosen since its conceptual assumptions did not only provide the ideal framework for the researcher to understand the reluctance in the transformation of the security institutions in Malawi, but also sought an explanation within the realm of the individual consciousness, and subjectivity, as opposed to those of the researcher's action. The interest was to know what

was meaningful and relevant to what was being studied, and how participants interpret their experiences. Qualitative research is an effort to understand situations in their uniqueness as part of a particular context and the interactions there. (Merriam, 2002:5)

3.2 Research design

This study employed interpretive qualitative research method. As interpretive it is assumed that knowledge of reality is gained through social construction, such as language, consciousness, shared meanings, documents, tools and other artifacts. It attempts to understand phenomena through the meanings that people assign to them. Focussing on the complexity of human sense making and aimed at producing an understanding of the context of transformation process. Content analysis is a technique for systematically describing written communication and open ended answers to interviews from respondents who said what, why, to what extent and with what effect (Krippendorff 1989). The researcher also used process tracing to investigate the social phenomena, in a case study between the South African experience and that of Malawi to complement the mainstay research method (George and Bennett 2005).The qualitative methodology attempted to understand participants' perceptions and views, while statistical interpretation was for data visualization, using a statistical package for social sciences. The goal of statistical analysis was to identify trends, find patterns in unstructured and semi-structured respondents' information in a graphical presentation. The study design chosen was suitable for learning more about poorly understood situations of the transformation

process, and governance of the security sector in Malawi. The research process was bound by the time frame, and collection of information using a variety of collection procedures over six months.

3.3 Research participants

The study involved forty participants mostly from Military, Police, Intelligence Services, government officials and management bodies of the security sector in Malawi who were specialised elite-individual interviewees. The participants were chosen on the basis of their uniqueness, because of particular experiences, and the positions that they occupied during the period of study. These individual participants (see appendix 2) had appropriate qualifications for this investigation because qualitative studies are intended to study some phenomena intensively, hence the forty were enough to get a full range of information in relation to the phenomena.

3.4 Sampling Method

The study also involved purposive sampling to obtain data and this entailed that individual participants were picked from different security actors as illustrated in appendix 3 attached. This yielded information about the topic (Leedy *et al* 2005).

3.5 Pilot Testing

A pre-test was conducted at Mzuzu University using students and staff to ensure that the questions to be provided to the interviewees during the actual interviews were meaningful. A total of ten respondents were interviewed. The pilot study targeted six students from different security institutions for one to one interviews and four staff members of Mzuzu University as key informants. The purpose of the pre-test was to assess the format comprehensively and cultural appropriateness of the survey instruments to be used for the study. Following the pilot survey further improvements were made to the questionnaires.

3.6 Data Collection

The research administered in-depth interviews through questionnaires that were given to participants as the main method of data collection supplemented by documents as additional methods for primary data triangulation. Secondary data included materials from books, journals, articles and magazines, on organisational effectiveness, transformation management and security governance (Leedy, et al., 2005:145).

3.6.1 Primary data

The mainstay of qualitative research was the written accounts of what the researcher (fieldworker) heard, saw, experienced and thought in the course of

collecting and reflecting the data during interviews. The researcher looked out for the following; First, what activities occurred? Second, where did the activities occur? Third, what were the views and theories of the research participants? During the interview process it was essential that data collection methods were consistent with ethical principles. The researcher made sure that the participants were willing to be interviewed and knowledgeable of the intentions of the research and that any data collected thereof should not be traceable back to individuals thereby maintaining the participants' privacy.

(a) Individual in-depth interviews

Open-ended semi-structured questions were given to twenty interviewees for them to answer on a one on one basis (see Appendix 1). The individual interview method was chosen considering the high profile of the participants, and in addition the method assisted the researcher to obtain supplementary information by asking questions and observing the participants as they answered some extra questions. The participants were allowed to comment on transformation and security governance issues that affect security organisations in Malawi. The interviews illuminated the individual participant's knowledge, opinions, attitudes, but most importantly, their understanding about experiences and the outcome of those decisions by government which might have affected the security sector. In line with the requirements of the method, the researcher made it certain that the participants were representative of the

group and those chosen were whom the researcher expected to give the typical perceptions and perspective (Leedy et al 2005:147).

The individual in depth interview method was chosen so as to provide an opportunity for the researcher to understand the participants' feelings and their experiences better, on how governments' policies and decisions affected transformation and the organisational performance of the security sector elements in Malawi. The success of the interviews, however, depended on the cooperation of the participants themselves. Sometimes they were not willing to say anything that one wanted to know. It was important therefore for the researcher to seek informed consent for the participants and protect the privacy at all cost (Leedy, et al., 2005:150-154) (See appendix 3).

The other method for primary data collection included appropriate completion of individual questionnaire and written documents as indicated below:

(b) Completion of individual questionnaire

Twenty high profile participants were given questionnaires by the researcher at specific venues at least one from each site where participants completed the questionnaire in the presence of the researcher, who had to explain certain questions and concepts of the participants whenever they did not understand the concept (see appendix 1). In this category of data collection the researcher

used a statistical package for social sciences (SPSS) to analyse data and produce frequencies, charts, tables and figures.

(c) Documents

Written documents such as memoranda, minutes, agendas from Ministries of Defence, Home Affairs and Foreign Affairs, headquarters of Army, Police and the Office of President and Cabinet were used (Merriam 2005: 13). The documents were carefully reviewed and filtered to avoid incorrect data being included. The researcher had to judge whether a document was authentic by reviewing the data to determine its external and internal evidence. He was more concerned with the process through which a text or a document depict 'reality' rather than whether a such text contained true or false statements. Other documents included archival sources such as records of parliamentary debates on motions of defence and security during the period under review. Materials to be studied were the following; cabinet memos, minutes of defence council meetings and police reports etc. Some of this data, in particular documents such as defence minutes and police minutes were only available in those organisations (army, police and office of the president and cabinet) that produce them (Leedy *et al* 2005 and Silverman 2006).

3.6.2 Secondary data

Secondary data sources included all the text books cited in the introduction, and the literature review chapter. Such data provides a useful source for answering research questions. Most research questions were answered using a combination of secondary and primary data. To this end the availability of both primary and secondary data enabled the researcher to capture most of the responses (Saunders, Lewis, and Thornhill 2000 and Churchill 1999).

3.6.3 Data storage

The first concern in terms of the data being collected was the form in which it was to be kept. It was important for the researcher to keep the research setting; field notes, and reports, so that information gathered would not be lost or forgotten. This granted a sure and safe way of data storage system.

When conducting the interviews a form was used. The form included the following components: "(a) heading (b) Instruction (c) the key research questions to be asked (d) probes to follow key questions (e) transition messages for the interview (f) space for recording the interview's comments and (g) space in which the researcher recorded reflective notes." However, a protocol for recording information was established that identified (a) Information about the document (b) key categories that the researcher looked for and established (Creswell 1994).

3.7 Data analysis

Analysis involved working with the data, organizing them, breaking them into manageable units, synthesizing them, and searching for patterns, discovering what was important and what was to be learned. In this study therefore, I manually sorted out and analysed the data as described by Creswell (2003: 191-195):

Step 1 "Organising and preparing data for analysing and this involves transcribing interviews by optically scanning material and typing up field notes

Step 2 Reading through all the data in order to obtain a general sense of information and reflecting its overall meaning

Step 3 Detailing analyses with a coding process

Step 4 Using the coding process to generate a description of the setting or people as well as categories or themes for analysis

Step 5 Advancing how the description and themes will be represented in the qualitative narrative. The most

popular approach is to use a narrative passage to convey the findings of analysis

Step 6 Making an interpretation or meaning of the data about the lessons learned. These lessons could be the researcher's personal interpretation, crunched in the individual understanding that the inquirer brings to the study from his own culture, history and experiences."

In addition, apart from analysing data manually, the researchers made use of Microsoft excel and Statistical Package for Social Sciences (SPSS) software to produce charts, tables and figures. The employment of an array of methods in the study enabled triangulation to take place so as to have confidence in the data interpretation. Furthermore, the interpretation of the data involved exploring the main purpose and secondary objectives of the study while linking it to the literature review chapter throughout the investigation of the research.

3.8 Verification

This study achieved its trustworthiness in the following ways: by making use of multiple methods of data production and analysis. Additionally, this study made use of a thick description of not only data but also of the study setting with consequent detailed and precise report which built strong justification for its results. The researcher took six months for adequate data generation and

this was a long period for regular and repeated observations of similar phenomena (Leedy *et al* 2005).

Furthermore, the researcher kept an up to date and detailed diary of field events during data collection process. These notes were fed into the main descriptive document and added to the credibility of the results obtained. The researcher took transcripts of interviews back to the participants to check with them whether what was summarised from the data was what they actually said, a process known as 'respondent validation' (Leedy *et al.,* 2005:155). This input of 'check list' added to the credibility of results. Validity was achieved through use of multiple sources of evidence reflected by the data collection tools employed. The researcher also went to verify data by ascertaining the question of using the guidelines known as "assessing the quality of qualitative research and strategies for promoting validity and reliability" (Leedy *et al* 2005 and Merriam 2002:23).

3.9 Ethical Considerations

The greatest ethical issue in research of this nature was the relations between the participants and researcher. The participants in this study were beings who have the right to privacy and protection. In order to ensure protection of the forty participants, clearance was sought from Mzuzu University director of research. To accomplish this, the researcher explained to the participants the purpose, benefits and the time to be spent, privacy and anonymity that were to be safeguarded. The participants were assured of the confidentiality of the

information that they were going to divulge. Anonymity was to be ensured by way of using participant's interview numbers and codes instead of names. In any research, confidentiality is an obligation but also reflect on high integrity of the researcher. Likewise participants were explained in detail on the purpose of the study and they were given freedom to opt out at any point during the interviews (Merriam 2002 and Leedy *et al* 2005).

3.10 Research Strategy

For the greater part, this qualitative research took place in Mzuzu City in the Northern Region of Malawi where the researcher resides. Most of the research plan and the writing of the proposal was done in Mzuzu. However, the other greater part of the research was conducted in Lilongwe, the Capital City of Malawi in the Central Region where most participants reside. See appendix 5 for the work plan, showing the viability of my research proposal, indicating target dates necessary to meet the study programme.

3.11 Reporting the Findings

Copies of this study will be made available to all security organisations in Malawi, the Office of the President and Cabinet and other security management bodies, with a view of helping them develop appropriate security strategies and policies to address security governance and transformation problems for the entire security sector in Malawi.

3.12 Limitation of the Research

The study involved senior security officers, senior officials in security management bodies and senior officials in civil society organisations. There was need for informed written consent from all security institutions. The forty small study samples might have limited generalisability of findings but transferability was possible. Participants may not have felt free to disclose their security experiences for reasons of confidentiality. I treaded carefully and tried to build a rapport with the participants and convinced them that the information will be treated in a way that will not indicate or expose any authorship for privacy and personnel security reasons (Creswell 2003). Since the study was confined to security officers, security management bodies, senior officials and a few participants from the civil society, most of the views from the citizenry, were missing out and indeed that is one of the major limitations.

3.13 Conclusion

This chapter has discussed the methodology that guided the investigation of the study's specific four objectives. The output was presented through graphs, pie charts and labels for statistical data interpretation, while qualitative data was analysed through content analysis whereby data went through coding and interpretations. In the following chapter, key findings from the study are presented.

CHAPTER FOUR

4.0 Presentation of Findings

4.1 Introduction

This chapter presents findings of the study whose purpose was to undertake an audit of the transformation process of the security sector and its security management bodies in Malawi from 1994 to 2014 in the context of transition to multiparty democracy. The findings focused on qualitative method of interpreting data. In order to expand the scope of data collection, some statistical data interpretation was also employed to ascertain numerical values to validate the finding of the study. Charts graphs and tables were produced by a technique called statistical package for social sciences (SPSS).

The researcher has also paid attention to the method of process tracing on a case study which has attempted to trace links between possible causes and outcomes of TSS in Malawi and the Republic of South Africa from 1994. The process tracing method was used to test whether the residual differences between the two countries would have any different effects on TSS since both have come from authoritarian rule type of government. This was based on the sequence of events in the transformation process observed inductively (George and Bennett 2005).

This was an exploratory study design which followed a logical framework of qualitative data gathering approaches. Qualitative methodology produces the most needed data in accordance to the objectives of the study. Results came by choosing ideas, drawn together from themes in literature review, documents, and interview transcripts given to forty participants in dispersed geographical locations throughout the main towns of Malawi (see appendix 2).

4.1.1The Dynamics of Political Space towards the Advancement of TSS in Malawi

The findings used literature review data contained in chapter one to identify gaps on how the past governments looked at security issues. For example, during the colonial era there were no legislative and executive bodies to pass laws and discharge functions in the security sector. The security sector, were mainly conceived for tasks against dissenting citizenry views and opposition parties. Since then the loyalty of the security actors remained very much with the Head of State or the ruling party. Likewise, from the historical perspective, the term colonialism refers to a long tradition of military conquest and the scramble for Africa. Indeed during the colonial period, states made use of the armed forces, intelligence services and the police to fight wars, suppress insurgences and silence those who had opposing views. As a consequence, citizens in post colonial states have remained accustomed to their governments deciding on security matters of a country. Moreover, this is truce, as the period of post-colonial dictatorship is frequently associated with a country's "belle époque" the period of comfortable and peaceful life before multiparty democracy. This is due to the fact that the military and other security agencies

in former colonial and dictatorial era often enjoyed high prestige which has hampered oversight. For the purpose of this study, the mere existence of African democracies seems less important, however, than the use of the security agencies in protecting the regime and suppressing the citizenry. (Wagner 2006:16). During the multiparty era, whilst practices associated with democracy have grown considerably, management and functions of the security sector are still colonial in nature. It is like having the same script played by different actors (Mandiza 2002, Lwanda 1993 and Kanyongolo 2006).

The historical context of security in Malawi is that of an authoritarian type of political system which dominated the country for over thirty years until 1994 when the country became a multiparty system for the second time. The most challenging area during Malawi's transition has been the transformation of the security sector. The new 1994 constitution of the Republic of Malawi is silent in many areas. Some acts and regulations for instance, the Official Secrets Act (1960) and the Protected Places and Areas Act (1960) have not been amended or repealed. The system still relies on repressive laws and practices (Kanyongolo 2012).

4.1.2 Basic Conceptual Approaches and Links of TSS/SSR

As a framework for interpreting data, the researcher found it necessary to distinguish between the concept of Transformation of the Security Sector (TSS) and that of Security Sector Reform (SSR) as a link to good Security Sector Governance. The concept of SSR may mean to change the old habits while TSS seeks to free and liberate the mindset of the security actors to aspire to the values and worthiness of a nation in a democratic transition. SSR in almost all literature reviewed is increasingly recognised as a key contribution to promoting peace and development. Explanations from literature review indicate that the terms Security Sector Reform (SSR) and Transformation of the Security Sector (TSS) are interchangeable. However, SSR has some elements of post-conflict peace building efforts. As a framework for organising and interpreting data, the researcher sought to distinguish between TSS and SSR. The former describes situations in the four transformation clusters of political, cultural, human and organisational process. whilst the latter highlights inherent tensions between intervention and ownership. SSR encompasses a narrow range of goals to address deep rooted cleavages amongst politicians, government officials, security actors and civil society from past authoritarian rule.

4.1.3 Comparability of TSS in South Africa and Malawi

The findings revealed that South African's change of government from apartheid to multiparty democracy in 1994 was a major turning point towards advancement of transformation of the security sector. The transformation process was inclusive of political actors, security actors and civil society, who also had an opportunity to engage in the debate about the role of the security sector. In Malawi the participants said one could argue that there has not been an attempt to transform the security sector. The Malawi government never called for such a programme as indicated in table 18 on who should initiate a joint assistance programme for TSS. Consequently, the case for TSS in Malawi has not been understood by the political actors.

4.1.4 Relevance of Transformation of the Security Sector

The research data confirms the relevance of transforming the security sector for various reasons: The need for progress towards conflict prevention, and stability in order to contribute to sustainable economic development. The idea is the absolute necessity to address the security situation of the country that passed through regime change. Transformation springs from desire for survival and the need to respond to challenges is therefore a need that the security sector responds to the demands of a democratic country, and that this is a continuous, endless process. For transformation to occur it requires that the executive, security practitioners and civil society be committed to new

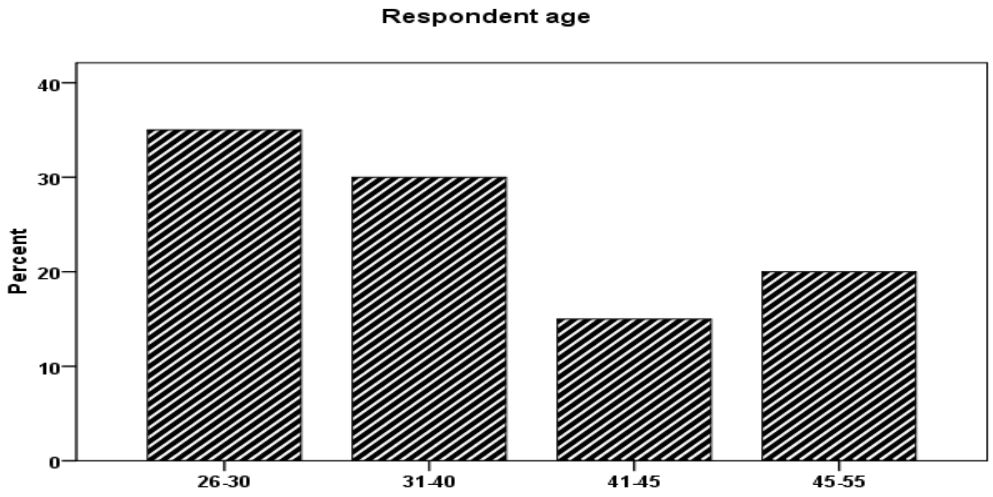
thinking condition learning and action. Findings furthermore revealed that transformation of the security sector in Malawi was seen in specific institutional terms, not necessarily in all institutions and that it was driven by external actors such as foreign donor agencies as was the case with Malawi Police Service in 2002 (OECD 2005).

4.2 Demographic Data

The following tables and figures provide the general profile of participants indicating area of residence, official status, age, formal education and gender. The tables and figures show the percentages for the proportion of the sample of the 20 participants who completed the questionnaire.

4.2.1 Age Group of Participants

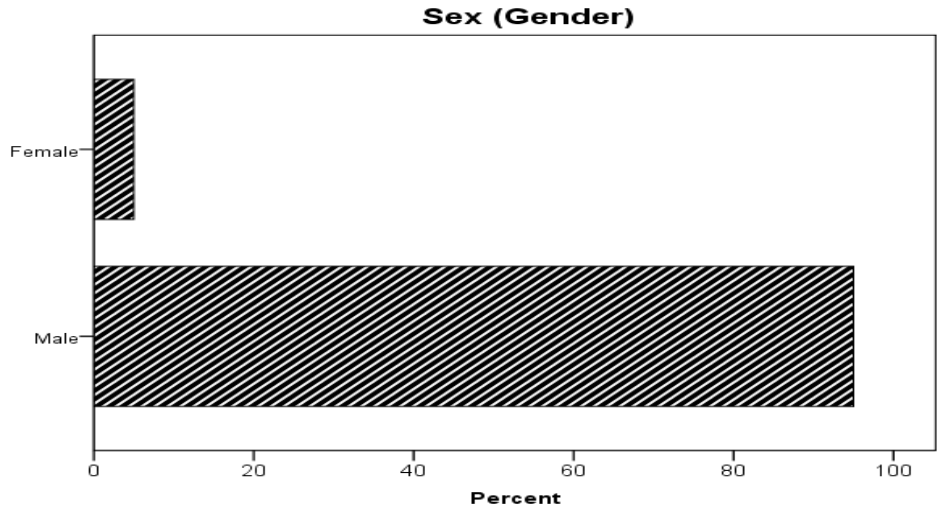
Figure 6: Respondent Age



The age group sample distribution contained in figure 6 above shows the age of 26 to 30 years, and 31 to 40 years. This was the bracket that most participants belonged to and they were the majority who have witnessed of what has been happening. (See figure 6 above)

4.2.2 Gender of Participants

Figure 7: Sex of participants



In figure 7above 98 percent were male participants and 2 percent were female participants. It can be observed that there are more male participants than females due to the fact that security institutions and management bodies in Malawi and across Africa are male dominated.

4.2.3 Official status

Figure 8: Official Status

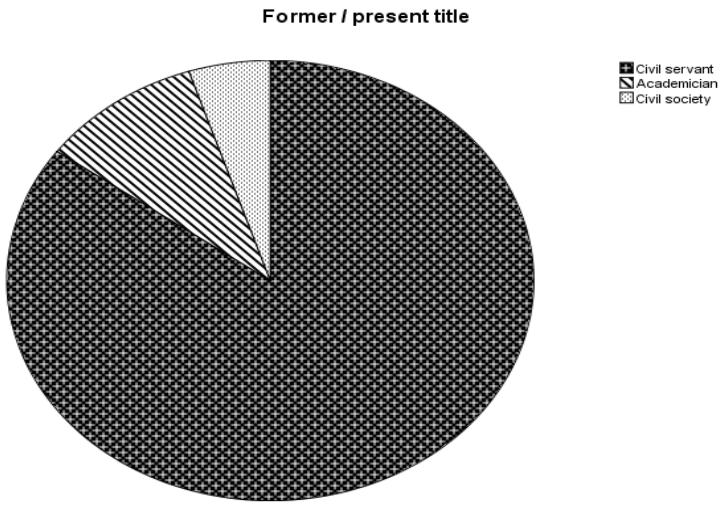


Figure 8 above indicates that data was collected from several sources and areas within the security sector institutions and security management bodies and civil society. The majority were civil servants and security officials, more than those from academia and civil society.

4.2.4 Level of Education

Table 5. Level of Education

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Malawi School Certificate	6	30.0	30.0	30.0
	Diploma	5	25.0	25.0	55.0
	University Degree	7	35.0	35.0	90.0
	Other	2	10.0	10.0	100.0
	Total	20	100.0	100.0	

The majority of participants as indicated in table 5 above were university graduates, 35 percent of them belonged to this group, 30 percent were holders of the Malawi School Certificate of Education, 25 percent were diploma holders, and 10 percentages were other.

4.3 Political and Organisational Transformation

The following tables and figures were used to determine political relationships and the organisational character of the security sector with elected authorities and the civil power for enabling the transformation process on objective one of the study.

4.3.1 Political System

Table 6. Political System

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Agree strongly	5	25.0	25.0	25.0
	Agree	3	15.0	15.0	40.0
	Agree slightly	7	35.0	35.0	75.0
	Disagree slightly	2	10.0	10.0	85.0
	Disagree	3	15.0	15.0	100.0
	Total	20	100.0	100.0	

The participants when asked whether the country's political system was multiparty or dictatorship type of government. Majority of participants said it was more or less dictatorship as indicated in the table 6 that 35 percent agree

slightly, 25 percent agree strongly 15 percent agree which makes a total of 75 percent majority saying there was domination of dictatorship system in the past and only 25 percent disagreed. When this question was further interrogated in qualitative interviews, it emerged that indeed dictatorship dominated the country for over thirty years until 1994. A Senior MDF Officer said that "Kamuzu was like a God and there is no difference to what the presidents in the multiparty do: Women dance for them, they have absolute power". Expressing a similar view a former member of Parliament summarised that "the Cash Gate scandal has indeed plundered the economy". Discussions from the interviews confirm that it has been difficult for some political leaders to change their mindset to align themselves with multiparty democracy and its requirements.

4.3.2 The State of the Economy in Malawi

Table 7: State of Economy

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Agree strongly	6	30.0	30.0	30.0
	Agree	10	50.0	50.0	80.0
	Agree slightly	3	15.0	15.0	95.0
	Disagree	1	5.0	5.0	100.0
	Total	20	100.0	100.0	

The participants were asked the state of the economy in Malawi.

As table 7 above shows, 95 percent of the interviewees observed that the economy has sharp changes in the macroeconomic climate which has led to the growth of hidden corruption and illicit transactions while only 5 percent of the respondents disagreed. During the in-depth interviews, respondents said that there was rampant corruption and illicit transactions by the leadership. Furthermore, the participants said that the 17 years of multiparty democracy have seen Malawi's economy plundered by civil authorities. Those in the cabinet or particular Member of Parliament found themselves rich within a short period of time as corruption has become rampant. The participants revealed that in 1994, the economy of the country started to grow due to donor support, but started falling in 2001 after most of the donors pulled out their support from the country because of high profile corruption cases.

4.3.3 Power Structures and Relations on Security Policy

Table 8: Power Structure and Security Policy

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Agree strongly	3	15.0	15.0	15.0
	Agree	4	20.0	20.0	35.0
	Agree slightly	5	25.0	25.0	60.0
	Disagree slightly	1	5.0	5.0	65.0
	Disagree	4	20.0	20.0	85.0
	Disagree strongly	3	15.0	15.0	100.0
	Total	20	100.0	100.0	

As regards the role of power structures and security policy in table 8 above shows that 60 percent of the interviewees said there were no power structures and 40 percent of the interviewees agree that there were some power structures. When this question was put across to participants in qualitative interviews, it emerged that there was arbitrary policy making due to lack of transparency among the political leadership.

4.3.4 Key Security Policies and Objectives

Table 9: Key Security Policies and Objectives

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Agree strongly	7	35.0	35.0	35.0
	Agree	9	45.0	45.0	80.0
	Agree slightly	2	10.0	10.0	90.0
	Disagree slightly	1	5.0	5.0	95.0
	Disagree strongly	1	5.0	5.0	100.0
	Total	20	100.0	100.0	

The participants were asked whether there were security policies for the security institutions. Table 9 above shows that the majority of participants which is35 percent of them agree strongly, 45 percent agreed and 10 percent agree slightly that there are different values and perception across players regarding key security policies and objectives for the country and only 5 percent of them disagreed strongly and 5 percent disagreed slightly. Furthermore, from the interviews the participants said that there were significant differences among security actors. Each set of actors were mostly concerned with the protection of the presidency. Expressing a similar view, a junior officer of the MDF said, "security to the average Malawian is about feeling sage when you are at home. Otherwise, it is all about the protection fo the President wherever he is or is going" The different security actors operate in isolation due to the lack of an overarching security policy.

4.3.5 Political Rights on Security

Table 10: Civil Society Political Rights

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Agree strongly	3	15.0	15.0	15.0
	Agree	4	20.0	20.0	35.0
	Agree slightly	2	10.0	10.0	45.0
	Disagree slightly	4	20.0	20.0	65.0
	Disagree	5	25.0	25.0	90.0
	Disagree strongly	2	10.0	10.0	100.0
	Total	20	100.0	100.0	

The participants were asked how free the civil society was to exercise political rights on matters of security. From table 10 above, it can be seen that 45 percent of the respondents said that there was influential space for civil society to freely exercise political rights on issues of security and that 55 percent of the interviewees disagreed. Participants on qualitative interviews revealed that whenever the civil society voiced out their concerns the government did not take up their opinions or criticism. For instance when Civil Society members of the Livingstonia Church of Central African Presbyterian organised a peaceful demonstration, they were stopped and blocked by the Malawi Police Service on instructions by government as indicated below in the picture.

Figure 9: Police Block Synod of Livingstonia Demonstration



Source: the Nation Jan 2010

4.3.6 Media Operates Freely

Table 11: Media operates freely

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Agree strongly	3	15.0	15.0	15.0
	Agree	2	10.0	10.0	25.0
	Agree slightly	1	5.0	5.0	30.0
	Disagree slightly	4	20.0	20.0	50.0
	Disagree	3	15.0	15.0	65.0
	Disagree strongly	7	35.0	35.0	100.0
	Total	20	100.0	100.0	

The question was meant to investigate whether the media in Malawi operates freely or not. Table 11 above indicates that, the media in Malawi does not

operate freely without interference from the state. Seventy percent of the participants disagree and 30percent of them agree. During in depth interviews some of the participants said that whenever the civil society voiced their concerns on a particular issue the government did not condone any dissenting views or criticism and sometimes it used threats to shutdown the media house or simply punish it by ordering government departments to stop advertising through such particular media. Most of the participants interviewed gave the example of the peaceful conference organised by Public Affairs Committee (PAC) which was held in Blantyre and was declared illegal by government as shown in the picture below. However, responding to the same question, a civil society activist cautioned that despite confrontations with the Malawi Police Service, the country has enjoyed freedom of expression since the advent of multiparty democracy.

Figure 10 Alleged Illegal Conference by Public Affairs Committee (PAC)



Source: Nation March 2012-09-11

4.3.7 Civil Society Structures Supporting the State

Table 12: Civil Society Structures Support

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Agree strongly	7	35.0	35.0	35.0
	Agree	8	40.0	40.0	75.0
	Agree slightly	3	15.0	15.0	90.0
	Disagree	1	5.0	5.0	95.0
	Disagree strongly	1	5.0	5.0	100.0
	Total	20	100.0	100.0	

The participants were asked whether the civil society structures do support the state in a democracy. Table 12 above shows that 90 percent of the participants agreed that Civil Society structures support the state for democratisation in Malawi. However, during further interrogations participants said that while the civil society structures support the state, most of them have no monitoring and oversight groups at national as well as local level.

4.3.8 Influences over the Ruling Elite by the Opposition Political Parties

Table 13: Influences over Ruling Elite

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Agree strongly	10	50.0	50.0	50.0
	Agree	6	30.0	30.0	80.0
	Disagree slightly	2	10.0	10.0	90.0
	Disagree	1	5.0	5.0	95.0
	Disagree strongly	1	5.0	5.0	100.0
	Total	20	100.0	100.0	

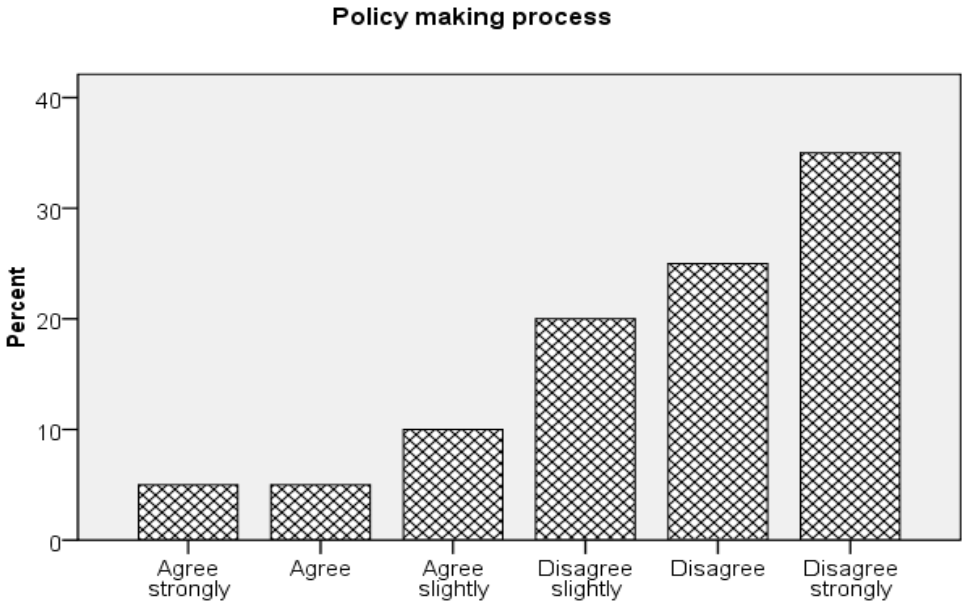
As regarding opposition political parties influence over the ruling elite, table 13 above indicates that 80 percent of the interviewees agree that there is no influence by the opposition political parties on matters of the state. On further interrogation the interviews revealed that the opposition political parties are very weak due to their small numbers in parliament. Furthermore, the findings revealed that given the variations of perceptions within each group of the opposition parties generalisations are difficult to make. However some participants said that the opposition parties have no direct influence in security matters of the nation. This was due to the fact that it is difficult for the political parties to obtain information on security issues. Political opposition parties are mostly concerned with wining the next election. However, due to being in the minority in parliament, their views on security matters are not always taken on board.

4.4 Human Practice and Cultural Norms Perspective

These finding are based on the study's objective number 2 which was to assess human practice and cultural norms of the security actors for enabling the transformation process in Malawi.

4.4.1 A Body on National Security Policy Process

Figure 11: Policy Making process

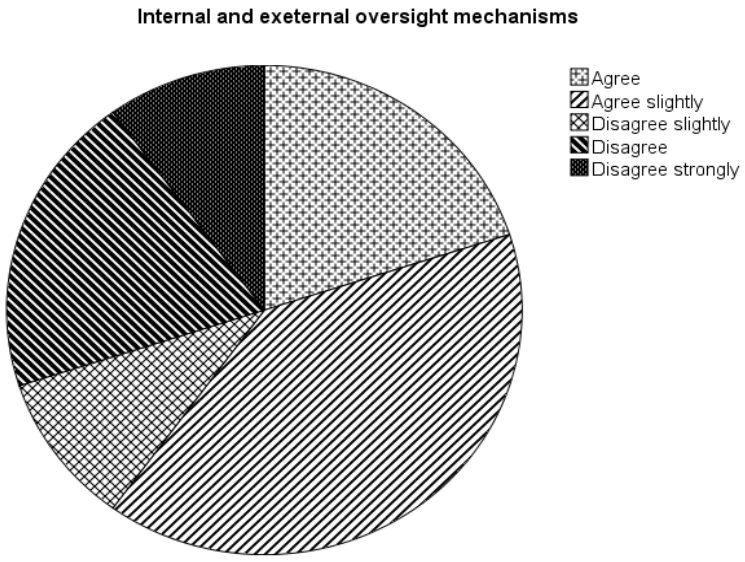


The participants were asked whether there was a body working on national security policy for the state. Figure 11 above reveals that 80 percent of the participants disagreed to whether there was a national security policy making body in Malawi. Some participants said that there have been no primary roles of policymakers on national security policy from time immemorial. Participants such as academics and the majority of the private sector said that

the issue of national policy has never been discussed. This could be due to the fact that those in power did not understand the importance of such documents for the country's security. Most of them had never come across or heard of the think tank on national security policy. A Senior Army Officer of the Malawi Defence Force dismissed any thinking that there is a body or a think tank that looks at national security issues and come up with a national security strategy.

4.4.2 Adequate Oversight Mechanisms

Figure12. Internal and external oversight mechanisms

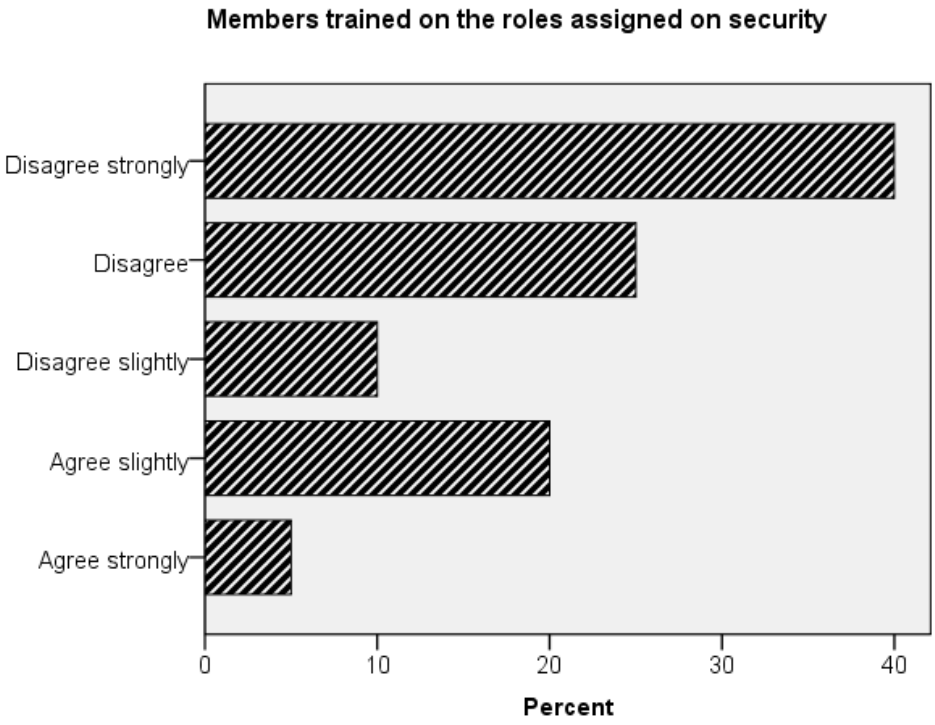


In figure 12 above the majority of the participants disagreed that there were adequate internal and external oversight mechanism in the security sector. However, some said the Defence and Security Parliamentary Committee was the only oversight body for the security institutions in Malawi. A veteran security officer argued that the parliamentary committee on Defence and

Security is overstretched by the nature of its composition looking into the affairs of all the security institutions. In his view, there should be subcommittees for each security institution.

4.4.3 Executive and Parliamentarians adequately equipped and trained on TSS

Figure13. Members trained on the roles assigned on security

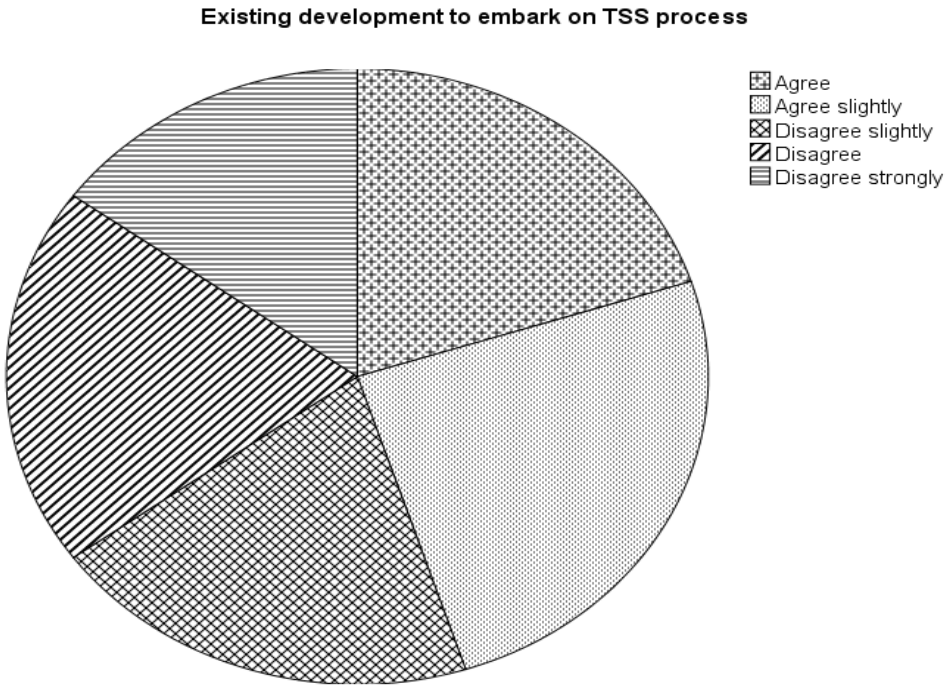


The respondents were asked whether the Executive and Members of Parliament are thoroughly equipped and adequately trained on TSS. Figure 13 above indicates that 75 percent of participants disagreed that the Executive and Parliamentarians are adequately equipped and trained on transformation process. Of the participants, particularly Security Officials, the Executive and Members of Parliament were asked how much training they received on TSS

during their tour of duty. They revealed that the only important training programmes on TSS were organised by Mzuzu University at the Centre for Security Studies. Some said they attended such training at Malawi Armed Forces College organised by British team on Managing Defence and Security in a democracy.

4.4.4 Frameworks on TSS Process

Figure 14 Existing development to embark on TSS process



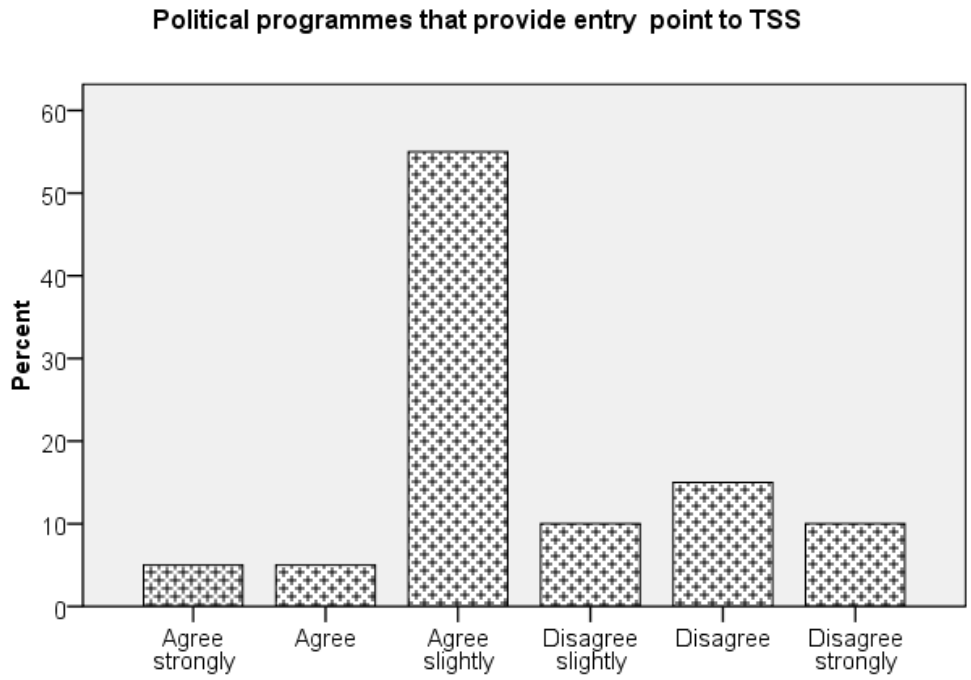
The findings in figure 14 above indicate that the majority of the participants did not agree that there was an existing development framework in Malawi to embark on the TSS process. However, some held a different view of this issue

significantly. They indicated that the development framework depended on particular security actors, and hence cannot be over-generalised.

4.4.5 Government to Support Security Institutions to Reform

It was revealed that the Malawi Police Service and the Malawi Defence Force have attempted to reform but have not proceeded because of lack of support from government. Other security institutions for instance, Intelligence, Immigration and Prison Services have not even attempted to do so.

Figure 15. Political programmes do not provide entry point to TSS



From the findings in figure 15 above the majority of the participants 65 percent of them indicated that the government has no desire to support the security institutions to transform. Likewise 35 percent of the interviewees said that the

government was in support at same time it had no knowledge of the need for the security sector to transform.

4.4.6 The Role of the State in the Regional Peace and Security

Table 14: Role of the State in Region

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Agree strongly	2	10.0	10.0	10.0
	Agree	6	30.0	30.0	40.0
	Agree slightly	5	25.0	25.0	65.0
	Disagree slightly	1	5.0	5.0	70.0
	Disagree	4	20.0	20.0	90.0
	Disagree strongly	2	10.0	10.0	100.0
	Total	20	100.0	100.0	

The findings in table 14 above show that the majority of the participants 65 percent confirmed that Malawi does play a significant role in the region by offering its security men and women to assist in peace missions in the region and beyond.

4.4.7 Security Threat to Malawi – Internally and Externally

Table 15: Security Threats to Malawi

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Agree strongly	6	30.0	30.0	30.0
	Agree	6	30.0	30.0	60.0
	Agree slightly	1	5.0	5.0	65.0
	Disagree slightly	2	10.0	10.0	75.0
	Disagree	2	10.0	10.0	85.0
	Disagree strongly	3	15.0	15.0	100.0
	Total	20	100.0	100.0	

In the findings table 15 above,65 percent of the participants agree that the evolving situation on the ground is that of internal instability. Partially, but not very grave, is the instability between the people who are fighting for human rights and the government. These have taken forms of strikes, demonstrations looting and violence. The findings indicated that the major threats are the way the police handle the unarmed civilians during such demonstrations. For example the July 20, 2011 killings by the police in the five main cities of Karonga, Mzuzu, Lilongwe, Blantyre and Zomba during the peaceful demonstrations is clear testimony to the fact that police erred in the way to handle the innocent civilians . However, in the view of a senior army officer of the Malawi Defence Force that the country has in the past two years witnessed border dispute with Tanzania over the boundary of the lake between two countries. In his view, this may end up escalating into significant conflict leading to war. He further pointed out that Malawian's security vulnerabilities stem from the fact that the country has a small army which is not well

equipped compared to most of the armies in SADC region. Further, another senior immigrant officer cited illegal immigrants who are involved in establishing small business without permits to stay and do business in the country. The officer attributes this to Malawi's open stance of accepting refugees.

4.4.8 The Culture within Security Institutions

The findings sought the views of the private security sector and national government security management officials to find out about the culture that existed in these institutions. The interviewees revealed that the police and the intelligence service left a lot to be desired. These are widely viewed as conservative and unprofessional organs that function for the state and not for the people. They have old regulations, lack financial resources and internal coherence. There is lack of information sharing and coordination, pay is poor and there is a lack of professional ethos and work ethics.

4.5 Challenges to Transformation of the Security Sector in Malawi

This tool was used to respond to objective 3 to determine constraints that my impede transformation process in the security institutions and management bodies in a transitional democracy in Malawi.

4.5.1 Framework to Embark on TSS process

Table 16: Current Development Framework for TSS Process

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Agree strongly	2	10.0	10.0	10.0
	Agree	2	10.0	10.0	20.0
	Agree slightly	9	45.0	45.0	65.0
	Disagree slightly	3	15.0	15.0	80.0
	Disagree	3	15.0	15.0	95.0
	Disagree strongly	1	5.0	5.0	100.0
	Total	20	100.0	100.0	

From table 16 above, it can be seen that 65 percent of the participants indicated that there are development frameworks currently available in Malawi to embark on a transformation process for the security sector and management bodies. On the other hand, 35 percent of the interviewees disagree. During the interviews the minority of the participants said that they did not know if there were such initiatives relating to transformation for the security institutions and security management bodies.

4.5.2 Civil Service Reform Programme

Table 17: Civil Service Reform Programme

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Agree strongly	1	5.0	5.0	5.0
	Agree	5	25.0	25.0	30.0
	Agree slightly	5	25.0	25.0	55.0
	Disagree slightly	3	15.0	15.0	70.0
	Disagree	2	10.0	10.0	80.0
	Disagree strongly	4	20.0	20.0	100.0
	Total	20	100.0	100.0	

During interviews, participants were asked whether there was a programme on civil service reform.

Table 17 above reveals that 60 percent of the participants agreed that there was some resistance to transform the security sector. Likewise 40 percent of the participants interviewed did not agree. The participants revealed that there was no government effort to create civil service reform so as to secure the support of the civil society organisations and the community. On a closer examination during the interviews some participants said that there was lack of planning to be conceived by the government.

4.5.3 Joint Assistance Programme for TSS

Table 18: Security Sector, Civil Society, Executive Joint Assistance

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Agree	1	5.0	5.0	5.0
	Agree slightly	4	20.0	20.0	25.0
	Disagree slightly	5	25.0	25.0	50.0
	Disagree	7	35.0	35.0	85.0
	Disagree strongly	3	15.0	15.0	100.0
	Total	20	100.0	100.0	

The findings indicated that 75 percent disagree that there was any joint assistance programme at all on TSS at any time in Malawi as indicated in table 18 above.

4.5.4 Financial Support by Government on TSS

Table 19: Financial Support to Security Institutions Reform

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Agree strongly	1	5.0	5.0	5.0
	Agree	1	5.0	5.0	10.0
	Agree slightly	4	20.0	20.0	30.0
	Disagree slightly	4	20.0	20.0	50.0
	Disagree	6	30.0	30.0	80.0
	Disagree strongly	4	20.0	20.0	100.0
	Total	20	100.0	100.0	

A question was put across to establish if the Malawi government made any efforts to support the TSS financially. Table 19 above summarises the findings. As seen from the table above, 70 percent of the participants did not agree that the government has made any efforts to provide financial support to security institutions to reform. On the other hand 30 percent of the interviewees agree that government had made some strides to support the TSS programme.

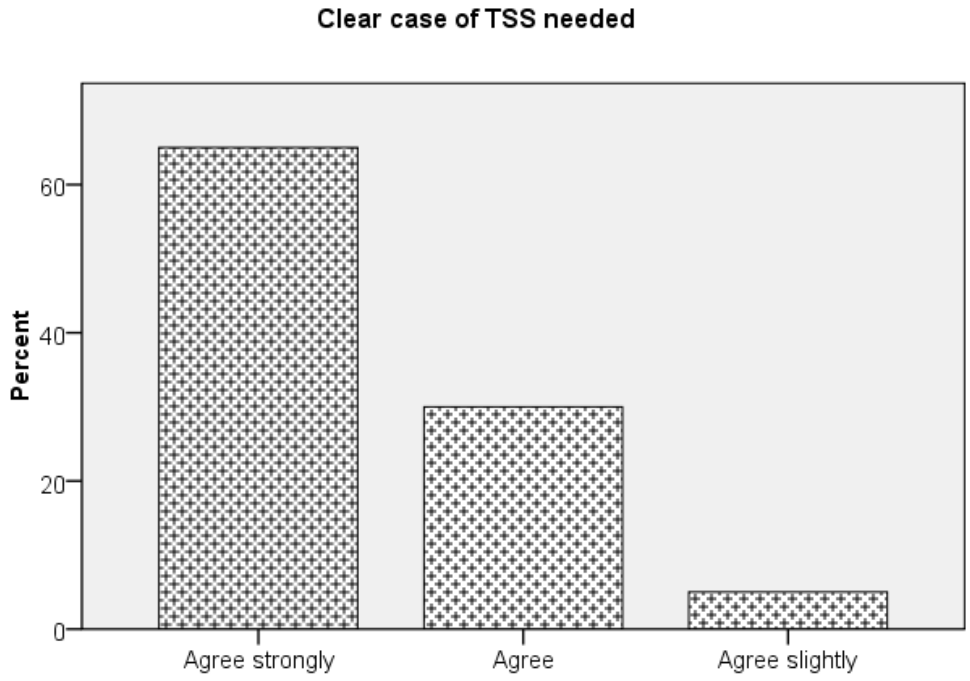
4.6 Strategies for Effective Transformation

In this section, the discussion was based on the study's objective 4. To identify strategies that can be developed for the implementation of effective transformation process of the security institutions and security management

bodies in Malawi. The question meant to solicit the public's views on the matter of effective transformation.

4.6.1 A Requirement of a clear case for TSS

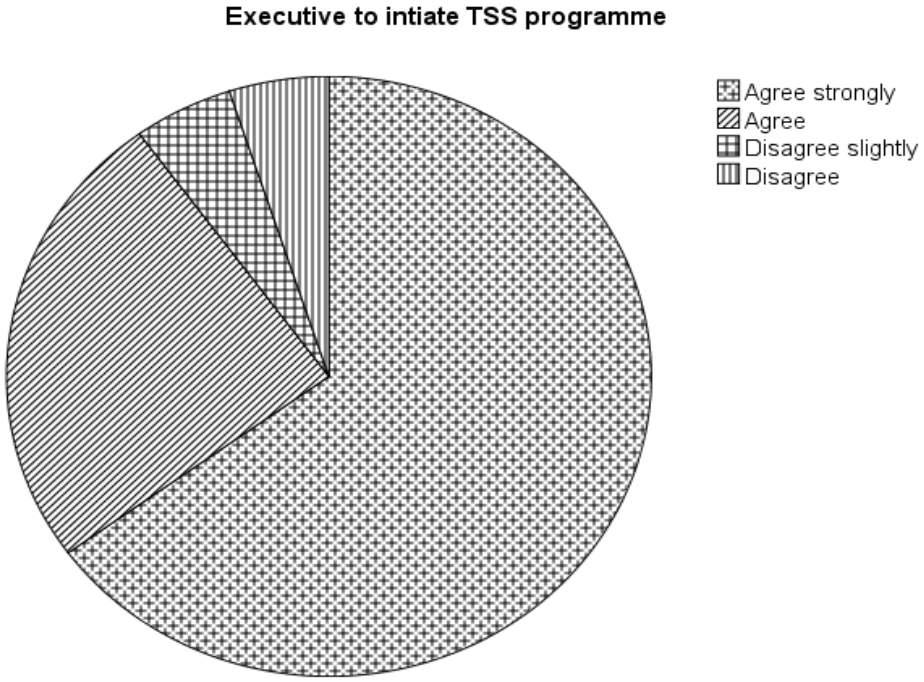
Figure16 TSS needed



In figure 16 above 80 percent of the participants were of the opinion that there was no will on the part of the executive to support and advocate TSS. This was due to lack of capacity. Likewise, lack of strength of the state designing a TSS programme for Malawi is the major problem.

4.6.2 Who should initiate the Programme of TSS?

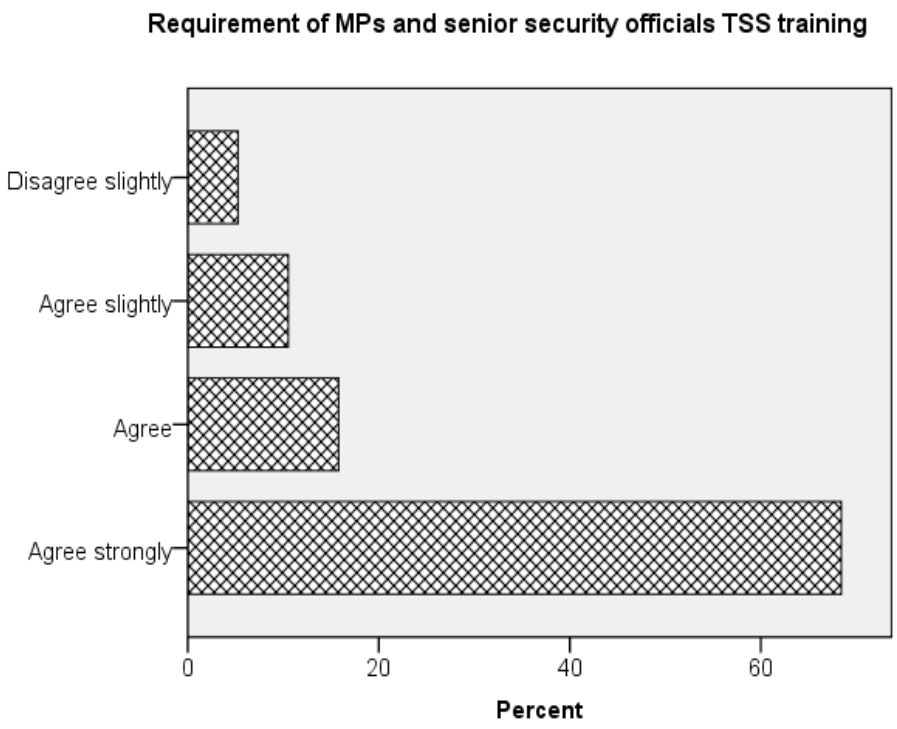
Figure17 Executive to Initiate TSS programme



The findings revealed that the majority of the participants strongly agree that the executive of the government should initiate the programme as indicated in figure 17 above. In-depth interviews pointed out that TSS initiation required the support of other institutions such as vibrant civil societies, government ministries particularly the Ministries of Defence, Internal Affairs and Foreign Affairs. In many cases the requisite infrastructure was extremely weak. The security institutions themselves were under-funded and therefore there were no strategies made for TSS from 1994 to the present time.

4.6.3 Requirements for training to understand TSS

Figure 18 Requirement of MPs and senior security officials TSS training



As regarding training to understand the transformation process 80 percent of the participants were of the view that training for the Executive, Members of Parliament and Senior Security officials was paramount as indicated in figure 18 above.

4.7. Conclusion

This chapter has presented findings of the study by examining the transformation process allowing participants to give their views on the four specific questions represented to them. The research also applied the process tracing method which has attempted to give the true picture of TSS between the countries of Malawi and the republic of South Africa on possible causes and outcomes of TSS as revealed in the literature review.

CHAPTER FIVE

5.0 Discussion of the Results

5.1. Introduction

This chapter discusses and analyses findings from chapter four to allow the researcher to interpret the participants' views from both qualitative and quantitative perspectives on the transformation of the security sector and security management bodies in Malawi.

5.2 Demographic Data

The sample of 40 participants included participants in the security sector and security management bodies, civilian senior officials in government, members of parliament, civil society and academics. The sample was reasonably fair and the majority of participants were security officers and senior security officials. The results obtained from the sample provide strong evidence to sustain the conclusion that forty (40) participants interviewed were from the target population required. The sample was therefore sufficient to explore and construct a profile of security institutions and security management bodies' personnel. As regards geographical location, the study covered all security institutions in major cities of Malawi, namely Mzuzu in the Northern part of Malawi, Lilongwe and Salima in the Central and Zomba and Blantyre in the Southern Region. This represented all participants living and staying within security institutions localities as indicated in appendix 6. Most of the

participants had basic education at the level of Malawi School Certificate of Education (MSCE) up to a university degree level. Sixty percent of those given the questionnaire were high profile participants who had at least a diploma, and were employed or have worked in the security institutions.

5.2.1. Age Group of Participants

The sample distribution as revealed in the findings (figure 6) indicates that the majority of the participants were of the age bracket between 26 to 30 years and 31 to 40 years. There is evidence to suggest that the age group between 26 to 40 years would understand the need for transformation of the security sector more likely. However, this age group is in the middle class management and therefore cannot influence change in the institutions.

5.2.2 Gender

In figure 7 results indicate that only 2 percent were female participants. Most empirical studies have found that security institutions in Africa predominantly employ men. In agreement with this view, Hendrick & Valasek (2010:74) note that "African armed forces and police services are often suffused with discriminatory policies and practices." This probably explains why the number of females in most of the security institutions in Malawi. Nevertheless in terms of culture and tradition it has been observed that in Africa females exhibit less security tendencies than men.

Decisions concerning security or protection of the household are made by men and females are often not allowed to participate let alone to make a choice to join the security services. In agreement with this view, Hendricks *et al* (2010:73) "assert that security institutions are themselves steeped in a sexist institutional culture. They deeply influence the institutions' doctrine and procedures, structures as well as operations". Under these circumstances culture and tradition dictate that female security officers stay into the offices and administrate while male security officers go in the field for combat training and fighting the enemy.

In most cultures, including Malawi, females are expected to take care of the elderly and the children, a factor which limits their ability to join the security institutions. Nevertheless gender issues can be an objective, an entry point and an indicator of security transformation. A transformed security sector needs to be able to meet the different security needs of man, women, boys and girls as well as being an equitable employer to male and female staff (Hendricks & Valasek 2010).

According to Mlambo (2010:177) citing Solemn Declaration on Gender Equality in Africa (2004), notes that "in the area of peace and security, the Solemn Declaration on Common African Defence and Security Policy calls on member states to provide a framework for the effective participation of women in conflict prevention, management and resolution activities. Specifically the national governments SSR process should aim at achieving the following:

Improving the mechanism for the prevention of gender-based violence with the aim of ending all violence against women. Likewise involve women at all levels of SSR, with the aim of creating more representative Security Sector Institutions. Also address specific needs of female ex-combatants as well as wives and widows of former combatants".

5.2.3 Education

Findings show that education is inversely related to social class. In many cases it appears as a deterrent to security reform. The author attributes this to the huge number of the lower ranks in the security institutions, most of whom compose the institutions and less educated. These findings seem to suggest that those interviewed were the leadership group who may understand transformation processes of the security sector in a democratic transition. Along with educated security officers, there are some who are unschooled and have risen to high ranks in the security sector. Some of these may have attained such ranks on the basis of belonging to the ethnic group of the political leadership of the time.

5.3 Political Space towards the Advancement of Transformation of the Security Sector

Reasonable basic education aside as indicated in the demographic data, the importance of the nation's security and the protection of its citizenry cannot be overemphasized. The general picture in the literature review and from the interview findings reveals that the security sector institutions in Malawi from

the colonial era to the present time have hitherto been guided by broad mandates stipulated in the old Constitution and much more by directives provided by political leaders from time to time.

For instance during the Banda era (1963 to 1993), the people of Malawi had to abide by the "Four Corner Stones" of the Malawi Congress Party manifesto: Loyalty, Obedience, Unity and Discipline. Security forces and services were used coercively to serve the interests of the few in power rather than the legitimate security needs of the citizenry. The citizenry in Malawi suffered from the dominance of their leaders who strove for absolute power. Similarly the citizenry lacked democratic decision making mechanisms characterised by a concentrated power structure that depended on dictatorship.

The multiparty democracy in 1994 was expected to be different. On the contrary, multiparty Presidents: Dr. Bakili Muluzi and Dr. Bingu wa Mutharika from1994 to 2004 and 2004 to 2012 respectively in their own ways ruled with an iron hand in different forms. To contain such behaviour there was need for the civil society to reasonably undertake dialogue and have mutual accommodation of each other. However, Police and Intelligence Services pursued and arrested innocent Malawians and others went into exile. Clearly the security institutions did not take into account the needs of civilians.

The findings confirmed that although the country has been in a democratic transition from 1994 to 2012, the security institutions have not satisfactory

changed. During the period under review the country has continued to witness problems of insecurity perpetrated by the political leadership and security institutions themselves. For instance, on 20th July 2011 twenty people died during peaceful demonstrations organised by the civil society and other untold atrocities have been the order of the day.(Commission of Inquiry Report 2013).

Nevertheless, what has been clear is that actual forms of government in the past and the period under review, each with its own strengths and weaknesses in playing a role in the application of security for the citizenry and state. For example the authoritarian system under Dr. H.K. Banda restricted the citizenry from enjoying their freedom and rights. The regime also permitted formulation of highly organised state security strategies that were not only barbaric but also brutal. On the other hand the current democratic system of governance by comparison, requires security strategies that call for both consensus-building and persuasion in an open pluralistic society.

In order to be effective, the political leadership and policy makers must understand the different sources of security for the nation and its citizenry, as well as the respective strengths and limitations. A government may take the shape and operate the way it does on security issues for complex reasons and many of which reflect on the experiences of the citizenry and their attitudes towards, and expectations of, what the government is supposed to do and how it should be. For instance, a fear of too much state power caused the people of Malawi to call for multiparty democracy in 1994. A country may have a

democratic-sounding system that has little in common with the actual operations of the security institutions and security management bodies. The opening of political space in 1994 was an opportunity for a major strategic moment in the advancement towards the transformation of the security sector and management bodies in Malawi. Political conditions created a window of opportunity for a transformation process as an entry point for citizens to take part in issues of national security. Despite the reservations expressed by some participants in the findings, majority of the participants said Malawi was able to assert democratic governance of security and can build on the latter to engage on a more transformative process.

Paradoxically, the country has undergone transition to democracy without yet implementing effective reforms in the Military, Security and Justice Institutions. This is due to the fact that democracy has not been consolidated and the failure that this was not considered at the beginning of multiparty politics in 1994. Likewise, in agreement with the views of Ball *et al* (2007), "the lack of high-level political acceptance of the need for and shape of reform often creates blockages to programme implementation that can be difficult to address. It is essential to give adequate attention from the outset to developing a strategy to overcome political resistance to TSS and prioritise activities. A strategic approach should be a rigorous political analysis" (see also figure 19 page 181 and recommendations pages 186-205).Similarly supporting Lukham and Hutchful's views (2010:38), in the final analysis, government, legislature and "civil societies need their own democratic strategies to transform security.

The country has to identify the historical paradigm of security governance and open a political space for transformation. Malawi has made transition to democracy without yet implementing effective reforms in the military, police, intelligence and other security institutions. Significantly empirical results reveal that a number of African states are willing and able both to ensure democratic governance of security and to build on the latter to engage on a more transformative agenda (Luckham *et al* 2010).

The history of the security institutions in Malawi from the colonial, independence and multiparty era draws out principles that can be learnt to whether there were earlier efforts at transforming the security sector, the researcher's view is that the security institutions are inherently conservative. They are organised hierarchically and are shaped by those whose promotion has come through supporting the system. For instance, Dr. H. K. Banda's era as the first president, Malawi on attaining independence inherited the colonial system of security. Likewise the incoming governments have never thought of radical reform of the security institutions.

The challenge that has faced the security sector in Malawi has been that it cannot change without a strong and knowledgeable political leadership. There should be a way of finding a balance. Arguably, the security sector cannot transform "out of contact" with the civilian authority relations. The debate for change has never been tabled. The result has been lack of security and defence reviews. For this reason, a vacuum was created and has proved overwhelming.

Without a strategic context, the security sector struggles to reform itself. In summary, until now the main challenge is the result of lack of civil military relations between the political leadership and the security sector. In such circumstances without objective drivers, the citizenry cannot be certain that when the unexpected occurs the security institutions will be able to adapt accordingly.

In agreement with the views of Luckham *et al* (2010:38) another crucial point is that the long history of authoritarian rule, tended to "focus on the abuse meted to citizens by the security agencies. The African states, Malawi inclusive, that emerged from colonial rule are shaped by the same ideas and assumptions that were left behind by the colonial masters. The new African states are no more than a caricature of the classical state and mirror the colonial system from which they were born. The security establishment is not created for the protection of the people, but rather for the protection of the elite, and their interests and it is intended to control the population".

5.4 Basic Concept of TSS and SSR in Malawi

Drawing from chapter 1 and 2 and interviews, the researcher found it helpful to distinguish between Security Sector Reform (SSR) and Transformation of Security Sector Transformation (TSS). Security Sector Reform may serve as a shorthand to describe nations that have had wars and conflicts and poor governance and therefore must reform under the influence of external actors.

It is not about objective reform vigorously measured, but rather about subjective reform as perceived by those involved. In a useful contribution Bryden *et al* (2010:6) asserts that transformation of the security sector is used in a sense to describe situations of a nation, in which organisational character, cultural make up, human resource practices and political relationships with elected authorities and the civil power processes have to be measured and move in the right direction". In so doing, provision of an enabling environment for development, good governance, the rule of law and a vibrant civil society is called for. Furthermore, in tandem with this, Bryden and Olonisakin (2010:6) say that "a central plank of the transformation discourse is the need to alter the culture and character of security actors".

Transformation should encompass a much wider range of rights and aspirations. Bryden et al (2010) further elaborate on political will as a key requirement so that elected authorities show more profound intent to bring security sector practices in line with democratic principles. Conceptualising SSR or TSS is not to change aspects of the functioning of the security actors, such as moving commanders of the military, or of units from one place to another or acquiring armaments by the government. Such measures are neither transformation nor reform of the security sector as they entail mere restructuring of an organisation. The findings reveal that SSR and TSS are related and have in common the recognition of the need for change.

N'Diaye (2010:58) proposes that "the transformation of the security sector entails a clear consciousness of the absolute necessity, even the urgency of carrying out a systematic overhaul of the orientation, values, principles and practices of the security sector to conform to a democratising political system. Transformation must undergo sustained revolutions, approaches, relationships and attributes on the part of all the components of the security sector". It is a sense of revolutions to be carried out in the entire security system. This should be a concern for the executive, legislature and the security bodies themselves. While SSR also entails similar attitudes and a will to reform the security sector radically, however, it requires an aggressive stance by the legislature willing to confront resistance and use all the constitutional and legal avenues open. The legislature, ordinarily the opposition political parties are very weak to influence such stance in Malawi.

In tandem with this view Bryden and Olomsakin (2010:7) note that "SSR is conceptually flawed and thus of limited relevance to Africa. SSR is portrayed as a piecemeal and a narrow approach to changing the security establishment, thus making a wholesale and incomplete transformation of the security sector." In the case of Malawi, government officials, the legislature and civil society need to own democratic strategies to transform security. Supporting the views of Bryden and Olomisakin (2010:7), Malawi amongst several countries in Africa is one of "a weak or contested democracy with little real capacity to ensure democratic governance of security institutions." The findings reveal that the country has made transition to democracy without yet implementing

effective reform in the military, intelligence service, justice sector and the police service. The study further reveals (figure 15) that the government has no desire to support reform of the security sector and that it has not done so because of gaps in reform policy and due to the reality of unequal security, violence and injustice experienced during the transition.

Clearly, the finding reveal that civil authorities have not taken into account the need for transformation of the security sector in Malawi. From 1994, many political statements have been made at campaign podiums about security of the country and its citizenry by political leadership. There has been a great deal of lip service paid to the society to make them "think outside the box." The "box" in this case remains to contain traditional approaches to security that affects the country's national security.

The concept of transformation of the security sector should therefore help provide the alteration of culture and organisational character, human resource practices and political relationships of security actors and civilian authorities to work out an efficient and effective security governance system. This is a key step in transformation process that will play an increasingly larger role in the future for the security actors and civilian professionals concerned with good governance in Malawi.

Furthermore in agreement with the views of Bryden *et al* (2010:7), assert that "conceptual clarity is essential in order to make the case for and identify

concrete opportunities to a support transformative approach to SSR" in Malawi. This Section builds on responses to the experiences of TSS between South Africa and Malawi from 1994 when the two countries attained multiparty democracy from post authoritarian rule, drawing from their experiences to learn on the significance, dynamics and challenges of transformation during the period under review.

5.5 Experiences of TSS between South Africa and Malawi

The experiences between South Africa and Malawi on approaches to TSS as from 1994 when the two countries attained multiparty democracy shows clearly the differences. It is apparent that in South Africa there has been an attempted comprehensive reform encompassing not only the military and police institutions but also intelligence agencies and other security actors. In contrast, Malawi TSS was only attempted to Malawi Police Service in 2002 and was thereafter abandoned because of non availability of donor funding (OECD 2007 and Bendix and Stanely 2008).

With regard to ownership and democratic participation in the TSS process, there has been very little support on understanding the meaning and scope of the concept. In agreement with this Ebo (2007) asserts that security actors do not constitute a homogeneous group of actors. The legislature, the academia and the Civil Society are among the groups excluded in the TSS, in the case of Malawi. According to Chuter (2004) for TSS to take place in South Africa it

was initiated by a small group of individuals located mainly in African National Congress (ANC), think tanks such as the Military Research Group (MRG) and academia at the University of the Witwatersrand and the Institute for Security Studies in Pretoria. It seems TSS in Malawi has not realised its potential and very few among the actors, for example the executive hierarchy, may understand the concept. Holding a similar view, Bendix et al (2008) observe that there must be dissemination of information, dialogue and training of the policymakers and individuals affected by the security arrangements. It is important in order to discern their perceptions of own security needs and give them a genuine input into control over the TSS process. TSS therefore remains a challenging concept for Malawi.

According to Africa (2011:8) "the multiparty working groups in South Africa met over several months and they were responsible for the recommendations on laws to create a climate for free political activity also thereby indirectly addressed the future of the security forces".

The process in South Africa revealed some positive as well as negative effects that transformation elements can have on the security sector. Problems of coordination among actors still remains in one way or the other. However, South Africa's democratic transition has provided for the transformation of the security sector. This did not happen in a vacuum but it was part of a complex web of political, economic, and social measures that had an impact on security institutions and security management bodies. There was the need to alter the

culture and organisational character, human resources practices and political relationships with elected authorities and the civil power (Bryden *et al* 2010). Nevertheless the main issue was that the political leadership in Malawi was not inclusive of the security sector to change in its relationship with the elected authorities and the civil society.

The multiparty groups in Malawi never considered a timeframe and models of transforming the security sector in accordance with the required norms of a democratic state. The new government, which came into power in 1994, did not create a conducive climate for the reconstruction of the security forces and services. The new regime retained many old security regulations of the colonial era. For instance, statutes such as the Official Secret Act (1960), and Protected Places and Areas Act (1960) are in use up to date without any amendments. Such statutes are volatile to democracy whereby there is no collective governance and free political participation of the citizenry. The people must be guaranteed of their fundamental rights, on the other hand in Malawi, the revelation is that the political actors did not take into account and attempt to endorse an agenda for the transformation of the security institutions as was the case with South Africa. (Constitution of the Republic of Malawi 2004).

5.6 The Relevance of Transformation Process

The research data confirms the relevance of transforming the security sector. There is need for progress towards conflict prevention, and the stability of a country in order to contribute to sustainable economic development. Transformation of the security sector is necessary to address dismal security situations after the change of the regime from authoritarian rule to multiparty democracy. However, Ball *et al*(2004) elaborates on this need for overhaul of the security sectors so as:

> "To ensure that the practices of the security organisations, are consistent with the democracies that they serve. Countries with serious governance deficits may require a fundamental transformation of relations between the civil authorities and civil society on one hand and the security organisations on the other hand."

The researcher citing Africa (2011:14) also identified certain legacies of the past regime from 1994 that need to be addressed in the post-transitional democracy transformation process, such as: "A low capacity on human resource as regards knowledge on national security strategy by the elected civil authorities. Likewise initiatives among security actors tend to happen in a piecemeal and uncoordinated manner. Policy makers' researchers, academics and non-governmental organisations should be engaged to influence the proceedings."

In agreement with this view Ball *et al* (2004) assert that for these reasons, the very prospect of a thorough on going transformation may prove daunting to a country's political leadership in Malawi. The researcher, on analysing the different types of transformation/reform, observes that although there has been a growing body of literature on TSS, little attention has been paid to the question of why reforms differ so vastly by donors supporting the process in Africa (Bendix and Stanley 2008).

5.7 Political Relationships and Organisational Character of the Security Sector with the Elected Authorities and Civil Power

5.7.1 Political Relationships

The analysis of the findings reveals that political relationships between the elected authorities and civil power have improved tremendously since multiparty democracy. However, the eighteen years since the establishment of first the inclusive democratic government in 1994, a systematic process of TSS has not been introduced by the political actors. Participants revealed that there was no political will, so that the elected authorities should have had a more profound intent to bring security practices in line with democratic principles in the period under review.

It is apparent that there has been absence of qualities of decisive leadership and clearly determined scope of action as necessary to enable transformation

emanating from the executive authorities. For instance, the attempted TSS of the Malawi Police Service in 2002 failed because it was largely externally supported. The concept of TSS in Malawi is not shaped and driven by local actors; as such it cannot be fully implemented and sustained. Transformation process must be driven by close attention to both the national and regional context and history (Bryden *et al* 2010 and Nathan 2008).

There are several visible indicators of security transformation in Malawi as revealed by interviewees. Security institutions such as the Police and the Special Branch, previously were serving as agents of repression of opposition political parties and the population. They are currently called Malawi Police Service and National Intelligence Bureau, and this is due to an opening up of political spaces whereby new voices and actors such as civil society organisations (CSOs) have raised concern on human rights.

There is also recognition of civil bodies such as parliament in the oversight of security institutions. However, the oversight management bodies are weak and lack human capacity in terms of expertise to perform their duties. For instance, the Parliamentary Committee on Defence and Security is willing to do its work, but is unable to oversee the executive and security institutions due to lack of human and budgetary resources. Resources such as parliamentary staff and fairly learned members of parliament in the committee would provide essential capability to perform oversight.

The findings further reveal that security management bodies are not specialised, for instance in military/security doctrines and strategies and have no long term planning of the security sector, such as high level planning documents of regional and national security or defence planning. Both the executive and the elected security committees do not sufficiently understand security rationales. The security sector is a highly complex field, in which the executive and the security standing committees have to oversee issues such as weapons procurement, arms control etc. They do not have sufficient knowledge and expertise to deal with such issues in an effective manner. In the case of the Parliamentary Committee on Defence and Security it does not have the time and opportunity since its term is only one year in accordance with the regulatory rules (Malawi Constitution 2004)

On the part of the security practitioners' relationship with the elected authorities and civil power, the mindset still continues to uphold the notion of the population rather than its protection (See figure 9). The powerful executives would want to manipulate the security system for regime protection. For instance, the president in Malawi is heavily guarded by the police and military in combat camouflage with automatic weapons. Every minister or executive member has a camouflaged uniformed police officer as a body guard. The question which comes to the mind of the citizen is who is the enemy of these elites? The core traditional security actors are embedded in the protection of the elite at the expense of the citizenry for their normal daily life of freedom from fear, participation and want. It would be worthwhile for the

security sector to coordinate and perform its duties according to what is stipulated in their various Acts. There is no coordinated system for national security management and the executive itself has not been effective in the role of relating to crafting an overarching national security policy and other security policies for various security institutions.

The powerful executives would want to manipulate the security system for regime protection. Similarly the security system has been intended for the control of the population and resource extraction by the elite as was in the past by the colonial security structures which have not changed. In agreement with this observation Bryden *et al* (2010:12) the three governments from 1994 to "have missed the opportunity to seize the transitional moment to transform the basis for security delivery and governance through a participatory conversation about a national vision of security, including citizen's security needs and protection. The practice of the security actors encourages civilian authoritarian rule. Formal state security systems in Malawi have remained largely state and not people focused".

However by and large, the research findings have shown that Malawians, as shown in figure 14, expect state actors to play a leading role in security provision of TSS despite the visible evidence of shortcomings with regard to capacity, skills and resources.

In agreement with this view, Luckham and Hutchful (2010:35) elaborate that the "politics of force have continued in [Malawi] in various different guises." The experiences under the government of Dr. Bingu Wa Mutharika are the same security which still depended heavily upon state coercion, surveillance and suppressed dissent. For instance, the arrest of three opposition political members, Kamlepo Kalua, Humphrey Mvula and Makande in 2008.The arrest of Harry Mkandawire in 2009 was clear testimonies of how the security actors were used to service the interests of political authorities. Electoral manipulation, violations of human rights and patronage politics etc remained widespread, hence undermining security governance. Nevertheless, the findings reveal that there is still political space open to transform of the security sector in Malawi, notably under the current ruling political authorities.

Bryden *et al* (2010:16) assert that

> "there are several visible indicators of radical change in a state transitioning from dictatorship a regime where power was previously concentrated in one branch of government and resided in the hands of a few individuals: There must be a change in the roles of security institutions previously serving as agents of repression of legitimate opposition and the population, an opening up of political spaces to include new voices and actors, such as those with civil society particularly women and youth, recognition and pre-eminence of civil institutions such as parliament in the oversight of security institutions, reform in the laws that govern the creation of security institutions,

innovative policies that define a new role for the security establishment and a visible expansion in the pool of security decision-makers at various levels."

5.7.2 Organisational Character of the Security Sector and Civil Power

What also came out clear from the findings is that in Malawi there is no coordinated security system. The security establishment has long-standing relationships of dependence between itself and the executive. Security has been used for the protection of the elite but not for the protection of the people. Day to day management of security issues is centralised in the Office of the President and Cabinet (OPC). All the security functions such as Intelligence, Peace Missions, International Relations and threat analysis are subject to scrutiny from OPC which is headed by the chief secretary, the highest level senior government official. Executive control of the security sector depends much on the character and leadership style of the president in power at that particular period of time.

As regards to structures and political relations as indicated in table 8 there is no coordinated power structure. The design of security to focus on the organisational structures and management processes within the security system is not clear. Transformation of the security sector will be ineffective and unsustainable if the government merely trains only the security practitioners without properly managed security administration bodies, for instance like was

in Republic of South Africa Cabinet Committees on International Relations, Peace and Security (IRPS) or an Inter-Ministerial Security Committee (IMSC) involving relevant ministries in the security sector as key clusters of security governance for the country. In addition, there has been no effective National Security Council (NSC) consisting of senior ministers and government senior officials that has been put in place to make key decisions on high-impact security issues, be they internal or external.

Managerial systems and planning capacities by the elected authorities need to be developed and supported at the various levels of the security sector. Likewise, capacity to develop, in this case refers to the ability of the political leadership to define security strategies, set security priorities, solve security problems and achieve results. This requires an approach that does not only address obvious security capacity gaps, but also pays attention to the enabling security environment. There should be efforts to improve security institutions, laws, accountability and transparency. It is therefore important for the political leadership to define the parameters within which each security institution operates and do the checks and balances within the system and the relationship between and among the various security actors. Nevertheless at times it may be necessary to change key parts of the constitution before substantial TSS can occur.

The OECD (2010) citing Motes and Vial (2006) affirm that was a research was conducted in Chile on defence reform and this depended on revisions of the

constitution in 1989 and 2005 respectively. In the case of Malawi the legal framework for the security system does not allow the security sectors to adapt to changing contexts. The constitution of the Republic of Malawi was revised in 1994 following the transition from a single party system of government to a multi-party system but made no amendments to revise defence and security reforms. Regulations tell the political leadership, the security actors and the civil society how to comply with the laws and define how state security institution will be implemented. From the findings the results reveal that there are insufficient policy guidelines for the security sector.

5.8 Human Practices and Cultural Make Up

It is apparent in this study as indicated in figure 15 that there is little capacity to ensure democratic governance of the security institutions, due to lack of reform. Malawi well migrated to democracy, however, it did not yet implement effective reforms in the Intelligence, Military, Police and Justice Institutions. The reforms are not entirely ruled out, but they are less likely to be initiated. If at all they will be implemented, they are more likely to be donor-driven and less likely to make any real impact on the security sector and the citizenry. (Hutchful 2010). Despite the reasonable basic understanding of the transformation process, the general perception from participants is that of lack of partnership among the executive, the security forces and the citizenry for locally owned transformation process entry points. Capacity on human resource as regards to knowledge of TSS is limited among various security

actors. The requirement of a constituted homogeneous group of security actors is crucial to an effective TSS process (Hutchful 2010).

5.8.1 A Body of National Security Policy Making.

For TSS to be sustainable, security institutions and their management bodies must be culturally appropriate. In response to objective 2 on human and cultural practices of the security sector, participants came up with various practices. One question was whether a body of national security policy making was in place. Eighty percent (80%) of the participants said there was no such body. This is an evidence that many capacity building approaches are lacking, hence the inability of the executive, security actors and civil society to manage their security issues successfully.

The study as indicated in figure 11, reveals that there is little capacity to ensure democratic governance of the security institutions, due to lack of TSS training. The operation of security institutions and their management bodies should be influenced by an enabling environment. In addition this must include the institutional frameworks and the structures of power, in which the organisations should be embedded. The general picture reveals that there is no civilian office and capacity to lead national strategic policy making. As a result, policy making on security issues has led to one or two core security institutions whose capacity are also limited to make discussions on critical security issues. The researcher's view is that government requires a central-

coordinating body and it is important to have policy and planning units in each of the security institutions where TSS has to be implemented. This is evidenced by participants who said until now there was no security institution which has a policy for security issues. For instance, there is no defence policy for the Malawi Defence Force, neither is there a safety and security policy for the police and the justice sector on law enforcement, social crime prevention, institutional reform and the enhancement of policing. Likewise all what is currently in place is hard-line driven response regulations aimed at combating rather than preventing crime and oppressing the people.

5.8.2 Adequate Oversight Mechanism for TSS

The majority of the participants in figure 10,said there was no adequate oversight mechanism for the security sector in Malawi. The inadequacy of the executive, judiciary and particularly parliamentary oversight is mainly caused by lack of expertise and confidence within the National Assembly. In part it is because of the historical legacy of some of the security actors as stipulated in chapter one. Another reason revealed by the participants for the inability to oversight, is because of the weakness of the civil society organisations. On many occasions in the period under review the civil society organisations have been accused by the ruling party as collaborators for foreign actors. This has resulted in a situation where violations of human rights and failures of governance have exacerbated. Certainly TSS has been limited despite commitments to good governance and shared democratic values by the

political leadership. In agreement with this view N'Diaye (2010) asserts that parliament, the executive, the judiciary and also non-constitutional institutions such as civil society organisations and the media share all in the responsibility for maintaining a well-functioning security sector.

5.8.3 The State of the Economy – Supporting the Security Sector

Malawi is a landlocked country and small in size comparing with the neighbouring states. It is the most densely populated country in the SADC region. The country has long been dependent on agriculture since it got independence in 1964 from colonial rule. It has no natural resources compared to other SADC countries. Malawi's economic performance has been less impressive; rising unemployment, and successive currency devaluation has led to unsustainable exports in commodity industries such as tobacco, cotton and tea.

Supporting the views of Van Eekelen (2010:540), the main aim of Malawi should be the creation of a climate of stability in which economic development and cooperation can prosper. Nevertheless stability is not a state quality but rather an ongoing process a country like Malawi should adhere to.

The rule of law and its application; a functioning pluralistic democracy at all levels of government, state province and competition, good neighbourly relations, including a constructive effort to resolve minority issues, democratic

control of the security forces and transparency of the budget and accountability for its implementation."

The security sector in Malawi is not there to make profit but as a service provider. Therefore the primary focus is service delivery. The entire security sector, in particular the Malawi Defence Force, Malawi Police Service and National Intelligence Bureau depend on inputs of their armaments, small arms, service equipment, uniform, button sticks from other countries and this is costly to the government. According to Schiller (1997) the consequence of importing is the exhaustion of scarce foreign currency. A country cannot always depend on foreign supplies to provide essential defence and security related goods. The researcher's interviews of the participants indicated that decisions of funding priorities tend to be made by a small elite group of government officials. Likewise the security sector establishments are austerely funded. The country operates on a 'cash budget' in which the Ministries of Defence and Internal Affairs are allocated funding on a month by month basis, but the use of cash budgeting funding to the security sector makes it very difficult to plan strategically. However, most of the budget goes to salaries and very little is allocated to operations, maintenance and training for the entire security sector.

The citizens of the Republic of Malawi as clients expect the security sector to perform and assist on such activities as flood relief and disaster missions and

the security sector has not been able to do so or accomplish such missions due to shortage of equipment and financial resources.

During the in depth interviews some of the participants revealed that many of the security sector's equipment systems, be it the military, police and the intelligence service are of far below acceptable standards and scales due to obsolete inventory, unavailability of equipment and lack of adequate maintenance. The current reduced level of preparedness has been due to budget cuts by the treasury. The obsolescence of some equipment, make the security institutions ineffective for any operations which they may be called upon.

The other major obstacle for the security institutions include weak infrastructure, particularly the inadequacy of transport systems in roads, and waterways and limited air transport services. On several occasions some of the security institutions have not been able to render services in support of the rural people and other state functions for various reasons.

The factors which have emerged indicate that the security institutions in Malawi operate in very difficult circumstances. The dwindling of the Malawi economy has come up due to misappropriation of government funds by some civil servants and politicians and has compelled donor countries to withhold monies allocated to Malawi. There is an underdeveloped political culture and some political authorities have little knowledge about security issues of a

country. There is also lack of higher education which must be devoted to helping security officials and security practitioners learn how to think critically. This should establish security practitioners minds standard of aesthetic and intellectual excellence against which they will implicitly weigh the value of what type of decisions are taken on issues of that nature. What may be lacking for the executive, legislature and security practitioners is a transparent process based upon a broad National Security Policy Framework and National Security Strategy in defining security for Malawi and its citizens.

5.8.4 Civil Society and the Media

The study reveals that the security sector particularly the Malawi Police Service has not been sufficiently transparent and accountable to the public in Malawi as indicated in table 10 in the findings. Likewise this has negatively contributed to the image of the security service by making them target of criticism by the civil society. In support of this view Ratchev (2005:21) contends that there is "need to increase democratization of both the civil society and security practitioners to deal with the rising complexity of security issues such as the TSS process". The civil society seems to lack sufficient expertise to deal with security issues. In agreement with Agokla *et al* (2010:313) "society is both important to, and an expression of the process of democratisation"

In Malawi the media have assisted government to explain its decisions and actions to the citizens in relation to the security sector, the media has performed these roles under constraints caused by the need to protect information and inform the people of the truth of the matter not knowing that they endanger national security.

5.8.5 Adequately Equipped and Trained on TSS

In the study findings in figure 16, eighty percent of the participants revealed that the executive, parliament and its support staff are not adequately trained on TSS programmes. The main challenge facing the government is indeed the lack of capacity available to support TSS. The serving security officers and government civilian staff do have technical expertise in their sectors, however, more guidance is needed to enable these officers to achieve a better understanding of the political and contextual nature of TSS and the need to ensure TSS linkage across the system. For instance, in the Malawi Police Service TSS programme was funded by donor in 2002 without looking at how that training fitted into the justice sector and other security sectors.

Many security practitioners and civilian officials have never been involved in TSS process and therefore require specific guidance on entry point, programme design and TSS programme management. The researcher's interpretation is that training the security sector and management bodies should focus on skills such as an understanding of institutional reform, change management, financial management, strategic planning and human resource. The Centre for Security Studies (CSS) at Mzuzu University has developed training modules which would support the dissemination of TSS programmes and has always encouraged the security institutions and parliament to review their capacity. For instance the CSS recently conducted two executive courses in 2012

(Parliamentary Oversight and Security Sector Governance) whereby the majority of the participants valued the importance of such programmes. The Centre for Security Studies would be keen to continue providing such support to TSS implementation in Malawi. (Security Sector Governance Report Proceedings 2012).

5.9 Constraints to Transformation of the Security Sector in Malawi

There are a number of cross-cutting challenges identified by the participants that have made it impossible for the TSS process to take place during the period under review. First, the political leadership did not initiate a TSS programme and never tried to put in place a framework to embark on a TSS process. From the early stage of democratic transition in 1994, it has been difficult for the political leadership to recognise and set up a comprehensive TSS process due to factors such as capacity weaknesses. So the focus has been on small, short term reforms. An example is the police reform project of 2002 for the Malawi Police Service, which got under way and did not finish due to lack of financial resources.

The second other main challenge, supporting the views of Ball *et al* (2007) due to lack of high level political acceptance of the need for TSS, most often this has created blockages to programme initiation. It is important therefore that the political leadership should have adequate knowledge and understanding from the outset about national security matters of a country, in

order to overcome political resistance to reform the security institutions. The third challenge is that TSS in most African countries has been considerably aid dependent from external actors. Without the assistance of external actors funding the projects, very little effort comes from government. Likewise if the project (TSS) is funded, becomes more susceptible to external pressure from the donors. In general, it appears that the government does not invest adequate financial and human resources on national security strategy and this is particularly true of major security programmes such as the defence and security review programmes. From year to year the military and other security services in Malawi bid for financial resources which are never enough to conduct such programmes.

The challenges identified underscore some crucial gaps in the transitional democratic period in the attempt to produce full, prompt and effective TSS to take place. The experience of TSS presented by South Africa shows that in Malawi there are major main gaps in a number of areas among others TSS initiation. The political leadership, members of security organisations as well as civil society had no idea of a TSS initiative and did not plan for this kind of process.

Second security institutional issues; the security organisations have not yet proven able to manage TSS process on a large scale that would have been necessary to provide adequate reform for the entire institutions and management bodies.

Third, generally there has been no inclusive transformation process. The major political actors, security actors and citizens had no opportunity to engage in the debate about the role of the security sector (Africa, 2011). To avoid such critical situations in the future requires a change of attitude.

5.10 Strategies for Effective TSS

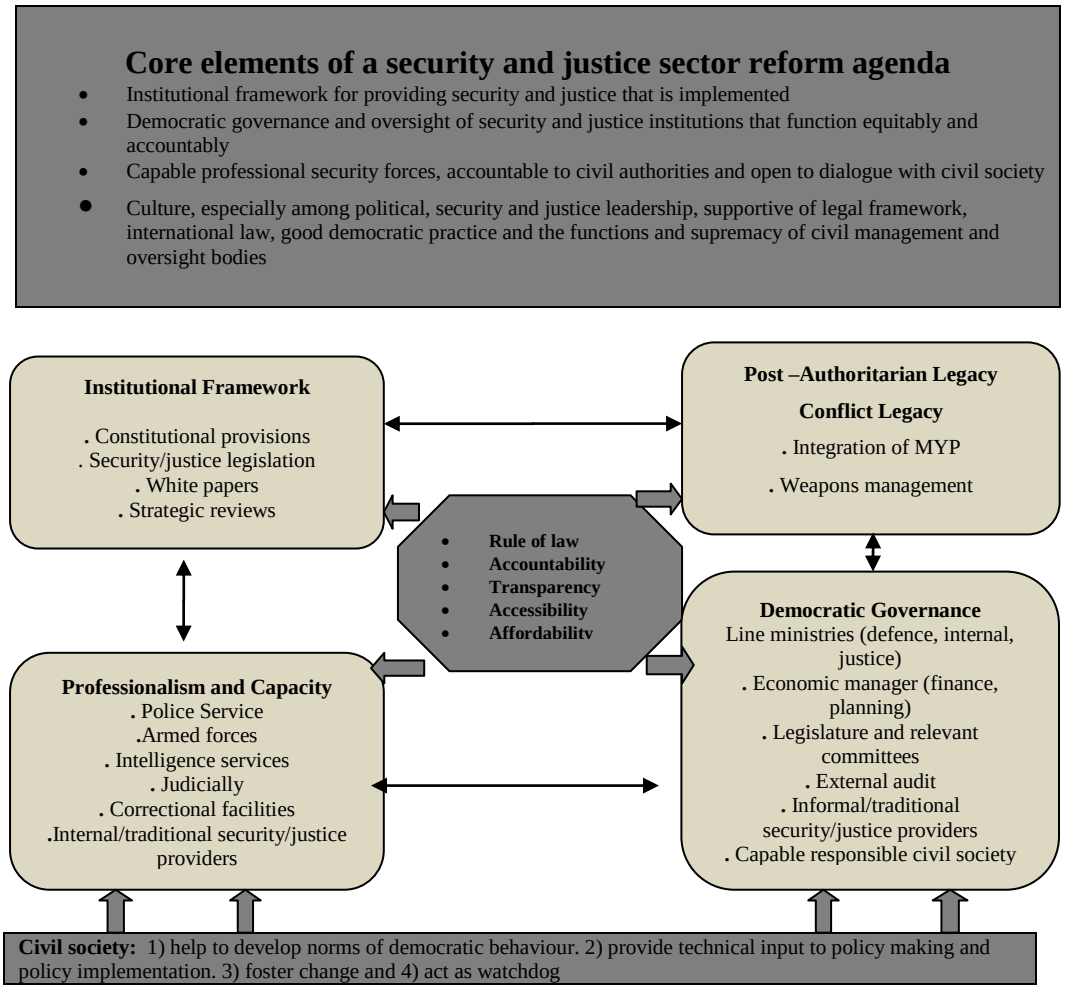
In identifying strategies that could be developed for the implementation of effective transformation of the security institutions and security management bodies, the statement on page 229 (2.1 and 2.2) meant to solicit public views as revealed in figures 14 and 15 in the previous chapter. However, it indicates that there was no strategic planning the time the country adopted multiparty democracy to take care of the security institutions. An important component of a strategic approach for an effective TSS process should have been a political analysis, so as to inform of the feasibility and challenges of implementing TSS (Africa 2010). It is clear, however, from interviews conducted during the study that the political authorities, did not consider that the entire security sector required to reform except the MPS and MYP. During the authoritarian rule the Special Branch of the Malawi Police Service, and the National Intelligence Services were tools of the state which carried out repressions and indeed such institutions required immediate reform.

This suggests that due to variations in the political environment, for instance, new government by that president, ministries and new heads of security after

every 4 year term of office. This perhaps could have convinced political authorities that all was well as regarding the security of the country and the people. The difficulty of identifying TSS interventions by the political authority and getting the support from civil society has been the major stumbling block. The underlying motivation of the new governments work on TSS should have been guided by political agreements that would redefine the role of the security sector during political negotiations in 1994. This did not happen and challenges remain in the country's TSS (Africa 2010).

In order for TSS to work, in agreement with the view of Ball *et al* (2007) there should have been an agenda for TSS, an example illustrated in figure 19 below.

Figure 19: Security and Justice Sector Reform Components



Source: Derived from Organisation for Economics Co-operation and Development, *Security SystemReform and Governance: Policy and Good Practice*, Paris, 2004, http://www.oecd.org/dataoecd/20/47/31642508.pdf, and Nicole ball, Peter Bartu and Adriaan Verheul, *Squaring the Circle: Security-Sector Reform and transformation and Fiscal Stabilisation in Palestine*, Report prepared for the UK Department for International development, 16 January 2006

To reinforce TSS policy process in Malawi, some factors stand out as particularly important in maximising effectiveness through programme design. On designing of a TSS programme, it is required to accurately assess the commitment to reform on the part of the political leadership. Likewise this is very crucial for any TSS programme to start without the trust and commitment

of those in political authority. Obtaining the political commitment of the executive branch of government would require consistent high level coordinated effort of the academics, security practitioners, and the civil society. For instance, as it happened in South Africa and Uganda. It was possible to put in place an inclusive process involving wide representation of stakeholders in government, civil society, and academia in which there was reasonable openness at every stage. Paradoxically, security issues have been undeniably underplayed during the political transition in Malawi. This situation is likely to continue into foreseable future in Malawi. In contrast, according to (Ball *et al* 2007) citing Cawthra (2013) assert that the experience of South Africa during its transition indicates that the TSS interventions have been more effective to the extent that they have involved civil society. "South African experience has demonstrated that the success of TSS programmes and sustainability outcomes have depended very much on the capacity within the civil society who have supported the process and provided much needed expertise".

The researcher's view is that there should be an approach that brings together all elements on security planning and capabilities, along with other concerned government departments to enable an effective TSS process to be undertaken. This could be seen as logical and common sense. The transformation of the security sector requires the collaboration of the democratically minded politicians, bureaucrats, parliamentarians, members of the security organisations and civil society. Likewise as a matter of priority, the actors

need to embark on a TSS framework and then base their strategy for the TSS process on a realistic appraisal of institutional capabilities.

Figure 19 above identifies components, and particularly the core elements of the TSS agenda. The components of the TSS are rule of law, accountability, transparency, accessibility and affordability. Ball *et al* (2007) add that they are central to TSS. Likewise there are four key elements of TSS agenda namely;

> "development and implementation of an institutional framework, establishment and implementation of the principle of democratic control of the security sector through practice of good governance, especially oversight, accountability and transparency, development of capable, professional and accountable security services and justice systems and fostering a culture that is supportive of the above among the political actors, security practitioners and civil society."

The results of the study on strategies for effective TSS suggest a considerable measure of weakness among the executive, legislature and security practitioners themselves. Effectiveness lies on the top management as articulated above: the lack of control or understanding on issues of TSS poses a great challenge to the entire country. The availability of appropriate knowledge, skills and intellectual capacity to ensure timely decisions is of paramount importance.

5.11 Conclusion

This chapter has shown that TSS is still a contested concept in Malawi and in most African countries. The process of changing the security sector cannot be described as SSR only. SSR to a large extent is a very basic and simple method for the security sector to become better. This entails that the type of change is incremental so that the system improves to manage and control existing processes. The limitation here is that this tends to focus on performance of the security personnel and not the whole system to make a significance difference. Indeed in SSR there is a realisation of fixing a problem, however, the degree of change is that the system moves from old (authoritarian rule) to new (democratic transition). The destination of SSR is merely completion of projects in the strategy plans as maybe influenced by some Western Donors.

The study showed that this does not however absolve the country from TSS. Transformation springs from the desire for survival and the need to respond to challenges being posed by security governance in a democracy. The action required to successfully achieve transformation is the need for a complete change of mindset, strategy, systems and communication since the country attained multiparty democracy.

At the core of the instruments that should be at disposal of the government to meet the security challenges are not only the security institutions but also the

whole government system; the executive and legislature and the civil service machinery requires a complete change of mindset and strategy to make transformation of the security sector happen.

CHAPTER SIX

6.0 Conclusion and Recommendations

6.1 Conclusion

This thesis set out to explore in detail the issue of transformation of the security sector in a democratic Malawi. In chapter one, the purpose of this study was outlined to establish the extent to which security institutions and security management bodies have been transformed in line with the demands of multiparty democracy from 1994 to 2014. The conclusion drawn from the findings is that the security sector failed to transform sufficiently. The opportunity for change was significant, however, it has been limited due to the fact that transition to democracy stalled and remained captured by narrow group of elites since the country attained multiparty democracy in 1994. This has made TSS fail altogether, leading to its continued abuse by those in power. Furthermore, this might be a deliberate attempt by ruling politicians to maintain a weak security sector in their own interests.

The merits of TSS require inclusive political and society ownership. In a useful contribution by Nathan (2010:6) asserts that "the principle of local ownership of TSS/SSR means that the reform of security policies, institutions and activities in a given country must be designed, managed and implemented by domestic actors. Donais (2010:6) Supporting Nathan, contends that "The South African experience where SSR was both primary a domestic affair and a

significant success story continues to serve as the example of how TSS/SSR processes should unfold."

TSS is undoubtedly a very important process and Malawi has to choose the most suitable and practical way to carry it out. However there are some common values that need to be shared and subscribed to. Supporting Bryden et al (2010) the comprehensive approach should focus on four areas of transformation of the security sector which this research has done as articulated in chapter two of this study.

Therefore it requires a fundamental transformation process, but this must be a continuous process driven by the evolving interests of the country. Historical precedents about the security sector are immensely valuable. The author's view is that one needs to supplement past experience with a considerable amount of other research, technical and non-technical. Without research one cannot be able to distinguish between proposals or reforms based on opinion. All aspects of the old system of the security sector should be challenged for a new political dispensation and the process leading to the reform of the security sector in Malawi.

Transformation as a process strategy is a new way to develop thinking about how to manage and lead an organisation such as the security sector. The case for Malawi is that it should clearly be understood that TSS cannot be isolated from the process of democratic transition. If the democratic transition moves

forward, it is possible to advance TSS, but if the democratic transition slows down, it is impossible for TSS to progress.

6.1.1 A Need for TSS in Malawi

Taking a historical perspective, the findings in this study, have identified several factors which make TSS of particular relevance to Malawi. The dynamics of security institutions during the colonial, post-independence, one party state and to the present reveal a need for a radical shift. It requires an aggressive stance by the political leadership particularly the legislature as articulated in the literature review.

6.1.2 Concept of TSS for Malawi

The study alerts the political leadership and policymakers to the fact that the country's concept of Transformation of the Security Sector (TSS) or Security Sector Reform (SSR) has not been discussed by the executive, parliament and civil society, and this could be problematic. The bottom line is that this has not been in the mindset of political authorities, opposition political parties and the civil society for debate. The concept of TSS should begin to find its way into the discourse of all sectors of government, non-governmental organisations and civil society in Malawi for good security governance. The SSR policy framework by the African Union (2010) clearly indicates that the security sector does not only refer to the military or police.

A country like Malawi having had a typical authoritarian regime for thirty years where the security institutions were identified with the regime itself, poses a threat to good governance of the security sector. However, in order to protect new democratic achievements, transformation of the security sector must be a coordinated effort. This should include the executive, legislature, civil society and academics. Similarly this reform cannot be achieved in isolation from the experiences of other African states for instance the Republic of South Africa and Sierra Leone that have already undergone these transformations and are still doing so. They offer Malawi the opportunity to learn and benefit from their best practices and achievements in the process of TSS.

The South African experience is a successful example that shows how the political elite and different political working groups, civil society and academics have resolved many problems during the post-apartheid era.

The current structure of the entire security sector in Malawi may not cope with present and future threats. Threats include; terrorism, human trafficking, risk assessment, budget considerations just to mention a few. The findings have shown that due to lack of coordination and expertise at senior levels in the security organisations and security management bodies, mandates have overlapped, consequently wasting manpower and finances. Such threats pose challenges. For instance an incident occurred at the borders between Tanzania

and Malawi whereby there was an influx of immigrants into Malawi. Every security institution sent officers to investigate and report back, instead of sending one particular security institution whose mandate is to collect information and send it to the appropriate authorities.

6.1.3 Assessment of the Conceptual Framework

The value of the conceptual framework in figure 5 offers the researcher two general claims: Firstly, it describes the theoretical commitment of transformation theory that gives a much wider understanding of TSS process than provided by SSR approach as articulated in Chapter 3 Section 3.2.

Secondly, it broadens the TSS agenda tying the concept with political dimension with the hope to develop a political orientation (transition to democracy). The assessment indicates that TSS has failed during the period under review. This is because each government which came to power from 1994, during their tenure in office met with internal threats: economic crisis, social divisions, political instability and corruption practices among others. Supporting this view Collins (2010:191) asserts that "the whole socio-economic political entity has been inapplicable."

The conceptual framework helped to determine key aspects of the transformation process: the conflicting roles of politics, culture, human and organisations effectiveness must play if they are to help the security sector

transform and to attain the goals and maintain viable security systems. The analytical frameworks provided conceptual categories that may be used by the practicing security managers to apply their knowledge of transformation management. This may also help security managers assess the problems they encounter and how to respond to them (Tompkins 2005).

The framework was based on the premise that it recognises the competing nature of the four clusters of transformation; human, cultural, political and organisational processes, the inter–relationship to each other is about effectiveness. Studying the functional and dysfunctional effects of structure on human behaviour, the emphasis was on strategic importance of employee relations to organisational performance and the role of trust, commitment and social cohesion in building and maintaining positive relations. Furthermore the conceptual framework sought to reveal the transformation that has taken place in the security sector if any at all. The security organisations may therefore build on the functions of formal aspects of structures, oversight, policies, goals, financial resources, accountability, leadership and management style in the institutions on the one hand and the organisation's external variables such as the influence of political changes, cultural, human and economic factors on the other. In the section below, the researcher recommends further research on SSR policy and conducting a Security Sector Reform Needs Assessment in Malawi. The rationale is that the policy framework should mandate those in authority to develop instruments for the purpose of operationalizing the framework. The policy framework will encourage the political authorities,

security practitioners and the civil society to engage in TSS to carry out a needs assessment to enable appropriate action in respect of each element of the security sector.

The conceptual framework (figure 5) makes an important contribution to a body of knowledge: TSS will not take place in partial democracies. Partial democracy is a government system in which elections take place, however citizens are cut off from knowledge about the activities of those in power. In such kind of hybrid regime civil liberties are ignored and the elites abuse use of power. (Epstein *et al* 2004). To put it simply, Malawi is one of the partial regimes and as such it will be impossible to have effective Transformation of the Security Sector accepted by the elites as a legitimate tool to managing civil-military relations due to the fact that there is limited political participatory process and the absence of collective ownership.

6.2. Recommendations

Results from this study suggest that the current democratic process calls for the immediate reform of the entire security sector in Malawi that will positively contribute to the effectiveness and implementation of security priorities of the State in order to benefit the Malawian society. This will reduce misconception and ignorance amongst the executive and parliament on the issue of democratic control of the security services. It is a matter of fact that the security services in Malawi, particularly the police and intelligence services in the new democratic dispensation, have become targets of criticism for applying

procedures that have been considered to constitute violations of human rights and liberties.

Results from the study suggest that the TSS process should reinforce the adjustment of the role and missions of the different security actors and to ensure proper oversight, improvement and amendments of the existing legal frameworks. The study further suggests that the government should reinforce policy action across security institutions and security management bodies. As a result a number of specific recommendations have emerged from the study.

6.2.1 Restructure the Hierarchy of the Security Architecture

Create and appoint a national security body with appropriate terms of reference that is capable of advising the executive and the president in addressing the full spectrum of security needs with an appropriate mix of technical and policy/strategic skills of personnel.

6.2.2 Improvement of the Legal Framework on Security

Given the essential changes that have influenced the security environment, it is an immediate necessity that the body of legislation concerning security institutions and security management requires either profound amendments or the creation of new Acts. The new legal frameworks must be sufficiently robust to overcome the mistakes and errors committed during the authoritarian

rule and must anticipate future developments and changes in the security architecture.

The legal and constitutional framework should be clear regarding the different roles and responsibilities of the security actors. For instance, the escort and protection of the Head of State should be the function of only one security actor rather than of more than one actor as is the situation at the moment (Police, Military and Intelligence Services). This may pose challenges in terms of duplication of work, mandates and lack of public clarity on the roles and responsibilities. The requirement to support and strengthen the legal and constitutional framework is therefore of key importance in enhancing democratic control of the security sector. For this to take place there must be secure political commitment by the executive and the legislature in Malawi (Holden 2012).

6.2.3 Executive Democratic Control and Oversight of the Security Sector

Transformation of the security sector was not planned during the political transition that led to democracy in 1994. This suggests that there was limited visionary and mature political leadership regarding the security needs of the Malawian society. Given the direct dependency of the security sector upon the government, the latter has an indispensable role regarding control and oversight. However, presently on record there is no National Security Strategy

(NSS) in place that elucidates the overall role of the security services in Malawi.

Against this background of democratic control and of the specific division of political power, related to the security organisations, the following content of the "security sector" should be addressed: The Military should be subordinated to the Minister of Defence, including Military Police and Counter Intelligence and Military Information Service subordinated to the Minister of Interior and Home Affairs, Malawi Police Service, Malawi Police Mobile Force, Malawi Police Service for combating organised crime and National Service of Fire and Emergency Safety. The national Intelligence Bureau, and Presidential Guard Service should be subordinated to the President of the Republic.(Tagarev 2010).

It is therefore recommended that a Cabinet Committee for Security Affairs be established under the auspices of the Office of the President and Cabinet (OPC). Further, this committee should be provided with the authority to coordinate the activities and efforts of security institutions, and the responsibility for oversight. This new structure will contribute to the executive democratic control and supervision of the security sector. Likewise this committee would serve as a body between the policy makers and the security organisations and would be the centre for the coordination of all security matters in the country. The role and the mission of this body should be defined by law.

6.2.4 Reinvigorating Parliamentary Oversight

Parliament's role should be enhanced in the current constitution so as to make it have several committees for oversight of various security institutions rather than having one only for the entire security sector. Parliament should form at least the following committees; Intelligence Committee, Defence Committee and Security and Public Safety Committee. Likewise, Parliament should approve strategic policy on national security and the budgets of each security institutions and should exert parliamentary control over activities connected to each security institution. In agreement with Born (2002:5) the powers of parliamentary oversight can be grouped into the following issues:-

> "**General Powers:** these include powers which are, in principle, applicable to all fields of government. In most countries these powers include: the right to initiate or amend laws, to raise questions, to summon members of the executive and their staff to testify, to summon members of civil society, to obtain desired information from the executive, to carry out parliamentary inquiries and right to hold public hearings
>
> **Budget Control**: the right to allocate and amend defence and security budget funds – at the level of programmes, projects and separate line-items and the right to approve or disapprove any supplementary

defence and security budget proposals and having access to all relevant defence and security budget documents.

Peace Support Operations: the right to approve or disapprove the sending of troops abroad, the mandate, the budget risks to military/security personnel involved , rules of engagement, command/control, duration of the mission and the right to visit troops on missions abroad.

Defence and Security Procurement: involvement of the parliament in the government's decisions concerning contracts, specifying needs for new equipment, selection of manufacturer and assessing offers for compensation and off-set;

Security Policies (National, Defence, Public Safety) and planning documents: the right to amend or approve/disapprove the security policy concept, defence concept, crisis management concept, force structure/planning and the national or military strategies.

Military/Security/Civilian Personnel: the power of the parliament to approve or disapprove Defence and Security human resources management and plan, maximum number of personnel employed by the MoD and military, and Mo1, approval of high ranking security commanding directors and the right to be consulted by the ministers responsible about high ranking positions." (Born 2002:5)

In many cases members of parliament involved in the oversight committees are no experts in the security sector field, therefore, members appointed to take posts in the committees should undergo induction courses. The oversight of the security sector requires that mechanisms be in place to enable security institutions to engage in a dialogue with advocacy bodies, and the media, which have an important role to play in overseeing the security sector.

6.2.5 Urgent Need to Constitute the New Intelligence Services

The Intelligence services should have been the first of the security services to be reconstituted after the elections in 1994. The existing intelligence structures are operating in an unconstitutional and illegal vacuum and their accountability to civilian authorities is not clearly defined. There is an urgent need that intelligence services bill be enacted and approved by parliament. Among other responsibilities for new intelligence services in the upholding of individual rights enunciated in the constitution's Bill of Rights Chapter of the Constitution of the Republic of Malawi.

This section of chapter seven concludes with recommendation responding to the specific objectives set out in the study. The recommendations are based on the sequence of events observed during the period under review.

6.2.6 Political Relationships with Elected Authorities and Organisational Structure

Taking steps towards removing the legacy of the totalitarian regime, and aiming at building contemporary professional security sector, cordial relationship should exist among different security actors. An important factor of transformation is positive change in the level of responsiveness by the state to the rights, views and demands of its citizens. The executive and legislature should demonstrate political will to support transformation despite political sensitivity on issues pertaining to security and resource limitations. The political leadership needs to accommodate all actors in the security sector.

Likewise, the national ownership of TSS primarily resides at the highest state government level. Similarly the Malawian society needs to take note of all changes that have occurred during the transitional period, and also learn from the experience of other countries, for instance learn from the Republic of South Africa on how they have successfully conducted TSS process.

Regarding the role of power structures and relations on security policies, it is recommended that the entire cabinet should strongly support policies to progress the reform process, in order to reflect both the eagerness and desire to attain the ultimate goal of the Malawian people, to reform all institutions in accordance with democratic principles, for example to get rid of the legacy of the abuse and atrocities committed by the security institutions in the past. The

politicisation of the security services in the past negatively impacted the transformation process. It is also recommended that intellectual capacity is the utmost requirement.

(i) Reorientation and Reorganisation of the Security Sector

Regarding the composition and structure of the Malawian Security Sector, the transformation or reformation must consider the best fit circumstances in the present security environment. The study results suggest that due to lack of coordination at senior levels the mandates of some security institutions have overlapped. Experience has shown three or four different security institutions performing the same function.

6.2.7 Human Practices and Cultural Make up

(i) Government Support to Security Institutions to Reform

Maintaining momentum for continuing to reform the security sector with the objective of consolidating democratic values requires total government support. The reform has the objective of balancing the need for the entire security sector to meet new threats and challenges to national and international security as well as aligning the security institutions to democratic values. It is crucial for government to ensure

democratic governance of the security by implementing effective reforms in all security institutions.

(ii) **A Body on National Security Process**

The state needs an appropriate national security orientation that should be guided by the following recommendations for improvement;

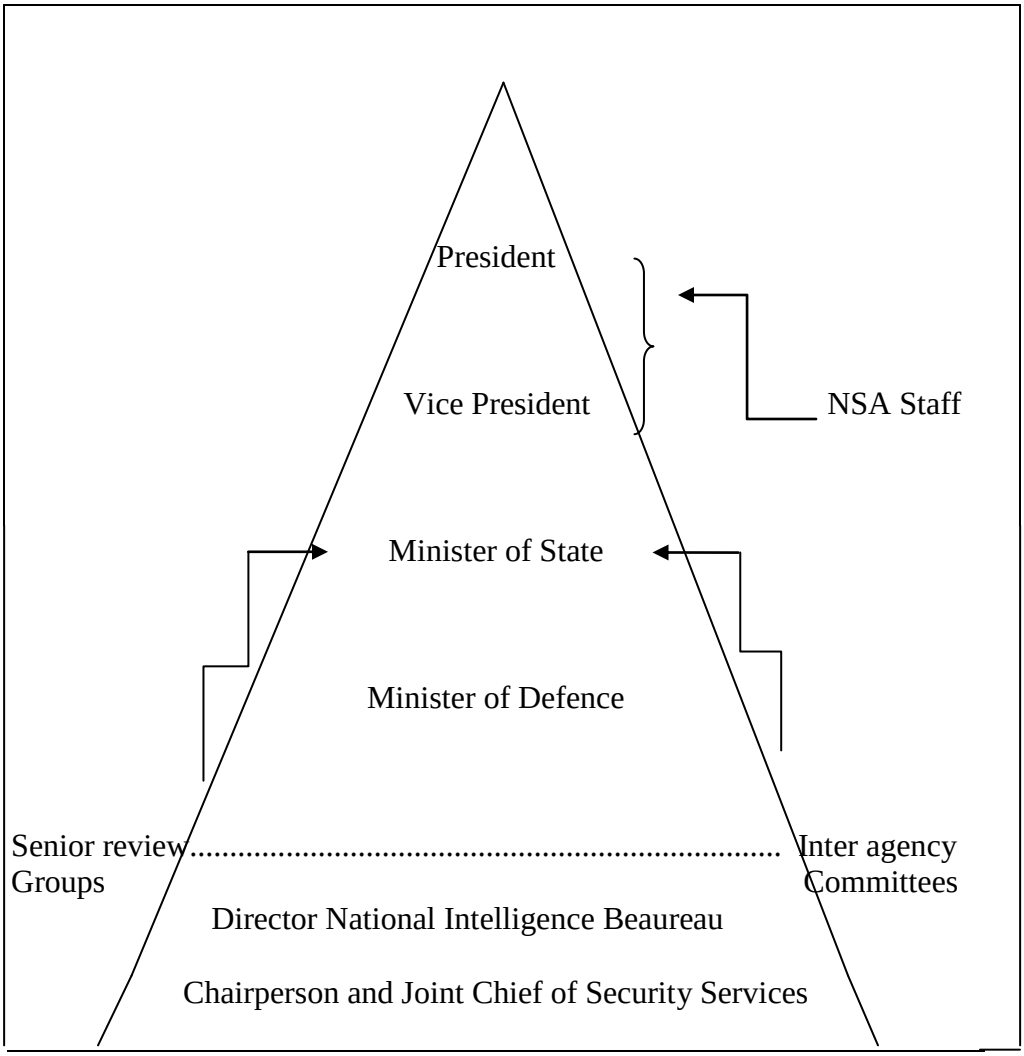
An integrated, codified NSPF for the contextualisation of Malawi's national values, interests and security, so that the government addresses all threats; by coordinating the security systems so that it optimises contributions from all security agencies and foster national consensus through public debate and research on national security, public safety and defence.

In the case of security policies, most importantly, the government must provide an Integrated Policy Framework through which the transformation of the security sector would be managed. In this document the following must be included: policy statements, security environment assessments, strategic defence and internal security reviews, concept documents and transformation strategies.

It is also important to note that such an integrated policy framework document will provide the Malawi nation through which the government will be able to continue to appraise, implement, monitor and evaluate the

country's national interest and security agenda. A National Security Committee to be constituted as an overall overseeing and monitoring body with the President as chairperson. For instance, of the composition of the NSC see figure 20 below.

Figure 20: Composition of NSC



Source : Sarkesian (2002) modified

First the NSC should be established by an Act of Parliament, which must define its mandate and composition as well as its possible relations with the security institutions to be provided for in the constitution. Second, the NSC should be assisted by a secretariat that will serve as the primary agency to advise. It must be noted that the "President by law and of necessity has the central role in national security policy. Third, the inter action among the Ministers of State and Defence and the National Security Advisor should strongly influence the way policy is formulated and the kind of advice given to the president (Sarkesian et al 2002).

(iii) Strengthen the Role and Capacity of Civil Society

As observed in the study funding the civil society lacks sufficient knowledge about the security institutions and their functions. In such cases research institutes and colleges such as the Centre for Security Studies Mzuzu University could be of assistance by assisting security expert – formation through training and advances seminars and providing alternative expert opinion on security and defence policies. Likewise the media may also assist government and legislature to explain their decisions and actions to the citizens.

Supporting this view Holden (2012), asserts that it is important therefore to "engage civil society on security issues because this enables the perspectives of general population to be factored into SSR policy, security policy-making and governance processes. Likewise consultations should

include diverse stakeholders such as academics, religious organisations, civil society organisations and the public at national and sub-natural levels".

(v) **Government Support to Security Sector to Reform – Education and Training**

The key to democratic control of the security sector is education and training in order to promote democratic attitudes and proper integration of the security institutions and management bodies in society. Education and training in democratic norms will make security practitioners not to pose a threat to democracy.

(vi) Education

Most Security personnel have low levels of formal education that impede many individuals to understand and respect for instance international humanitarian law and human rights. The most common and formidable barrier to understanding democratic norms is the ability to communicate and exchange information, social awareness and readiness to accept responsibility. The education of security personnel should be a continuous process that should be in their whole career. The courses on democracy should include constitutional, international and humanitarian law.

6.2.8 Suggestions for Future Research

Transformation of the Security Sector is crucial for any democratic country and must reflect what a country wants to do in terms of protecting

the people and the state. The study has focussed on an important component of need for Malawi to have a realistic TSS assessment. The implication is that not enough has been done in this area and future research is essential to establish why it has never happened.

The researchers' concluding thought is that government should learn from past practice and better harmonize security and the TSS agenda. It is important to investigate the major difficulties that led to failure to recognise the drawbacks and start from there as an entry point. The major problem observed however is that there has been too little dialogue on the issue of the entire security system to be reviewed after authoritarian rule. The situation can turn around if the political leadership, security practitioners and civil society commit themselves to a proper alignment of SSR policy goals, research and stronger communication among different actors involved.

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8. Appendices

8.1 Appendix 1: Questionnaire

Title of research project: Transformation of the Security Sector; in Malawi from 1994-2011

My name is Brigadier General Misheck Colyns Chirwa (rtd) and I am a lecturer at Mzuzu University at the Centre for Security Studies. Currently I am a part-time student planning to read for a research degree (PhD) through the University of Witwatersrand Johannesburg RSA.

I would like to take few minutes of your time to ask you some questions on my research. The terminology "Security Sector" in the title means all the institutions of state responsible for security of the state and its population from fear of violence. In my research, the security sector consists of the Military, Police, Intelligence, Immigration, Prison Services, related ministries and departments (Defence, Home Affairs, Foreign Affairs and Justice) paramilitary forces (Militia) and governmental oversight organisations (Parliamentary Committee on Defence and Security, Defence Council, Police Commission etc).

Transformation of the Security Sector (TSS) is another terminology used to mean Security Sector Reform (SSR) of the security apparatus in a democratic

state. This is rather to change in the behaviour, attitudes, roles, responsibilities and actions, working together in a coordinated security system in a manner that is consistent with democratic norms and principles of security governance in a modern world.

Please feel free to answer all or some of the questions as you can. I appreciate your willingness to answer the questions below. Write your responses in the spaces provided by crossing [X] the number, in the box that closely satisfies your answer.

Interview No:.....

Place of Interview:.....

Date of Interview:.....

Time of Interview:.....

Demographic data

Research Question	Interview Question	Response
	(a) Your age	18 – 25
		26 - 30
		31 - 40
		41 – 45
		46 – 55
		55 and over
	(b) Gender	
	Male	1
	Female	2
	(c) Former/present title	
	Politician	1

Civil servant	2
Academician	3
Civil society	4
Non-governmental organisation	5

(d) Level of Education

Malawi Junior Certificate	1
Malawi School Certificate	2
Diploma	3
University degree	4

Questionnaire

Objective 1

To determine political relationships between the elected authorities and organisational character of the security actors for enabling transformation process in Malawi from 1994 to 20112.

The questions are designed to using the six point scale by agreeing or disagreeing in crossing [X] the number, in the box that closely satisfies your answer in the following statements:

1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly

Political andOrganisational Transformation Perspective

1.1	Authoritarian rule political system dominated and still dominating the country.	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly
1.2	The separation of powers among the legislature, executive and judiciary is working well in Malawi.	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly

1.3	The state of the economy has sharp changes in the macroeconomic climate which is leading to the growth of hiddencorruption and illicit transactions.	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly
2.1	There is role of power structures and relations on security policy of the country.	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly
2.2	There are different values and perceptions across players regarding key security policies and objectives.	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly
3.1	There is influential space for civil society to freely exercise political rights on security.	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly
3.2	The media operates freely without interference from state.	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly

3.3	Civil society structures support the state for democratisation in Malawi.	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly
4.1	The state plays a stabilising role in the region.	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly
4.2	There are powerful influences over the ruling elite.	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly
5.1	The state does not face any security threats e.g. civil war.	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly
5.2	There are no internal conflicts in the country	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly
5.3	There is no major threats to human security in Malawi.	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly

Objective 2

To assess human resource practices and cultural norms of the security sector in Malawi for enabling transformation process.

Human Resource and Cultural Perspective

1.1	There is a body of national security policy making process in Malawi.	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly
1.2	Adequate internal and external oversight mechanisms are in place.	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly
1.3	Officials, members of the executive, members of parliament are adequately equipped and trained for the roles and tasks assigned to them on security	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly
1.4	There are existing development frameworks in Malawi to embark on TSS process	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly

1.5	There are a number of political programmes the government is involved that could provide an entry point to TSS	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly
2.1	The government has strong desire to support the security institutions to reform	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly
2.3	The government has a strong need for a clear case for TSS	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly
3.1	The government should initiate the programme for TSS at all costs	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly
3.2	Training is a pre-requite for members of parliament, senior officials and civil society to understand TSS	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly

Objective 3

To determine the main constraints to transformation of the security sector in Malawi.

Constraints to transformation

1.1	There are development frameworks currently to embark on TSS process	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly
1.2	There is a programme of civil service reform in Malawi.	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly
1.3	The Security sector, civil society service and executive officials have a joint assistance programme in Malawi	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly

1.4	Government is providing financial support to security institutions to reform	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly

Objective 4

To establish strategies that can be developed for the implementation of effective transformation process.

1.1	Malawi needs a clear case for TSS	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly
1.2	The executive should initiate the programme for TSS	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly
1.3	The executive, members of Parliament and senior security officials require training to understand TSS	1 Agree strongly	2 Agree	3 Agree slightly	4 Disagree slightly	5 Disagree	6 Disagree strongly

8.2 Appendix 2: Individual in depth interviews

Title of research project: Transformation of Security Sector in Malawi

My name is Brigadier General Misheck Colyns Chirwa (Rtd) and I am a lecturer at Mzuzu University at the Centre for Security Studies. Currently I am a part-time student planning to read for a research degree (PhD) with the University of Witwatersrand Johannesburg R.S.A.

I would like to take few minutes of your time to ask you some questions on my research titled "Transformation of the Security Sector in Malawi since the Advent of Multiparty Democracy in 1994." The "security sector" encompasses all institutions of the state that protects it and its population from fear or violence. In my research therefore the security sector is consisting of the Military, Police, Intelligence, Immigration, Prison Services, related ministries and departments (Defence, Home Affairs, Foreign Affairs and Justice) para-military forces (Militia) and governmental oversight organisations (Parliamentary committee on Defence and Security, Defence Council, Police Commission etc.)

Please feel free to answer all or some of the questions as you may see appropriate. I appreciate your willingness to respond to the questions I am going to ask you.

Interview No:.....

Place of Interview:.....

Date of Interview:.....

Time of Interview.....

INDIVIDUAL IN-DEPTH INTERVIEW SCHEDULE

Objective 1.

To determine political relationship between elected civil authorities and organisational character for enabling transformation process of the security institutions in Malawi from 1994 to 2011.

Question 1

a) What is the historical context of security in Malawi?
b) What type of political system dominated the country; multiparty or dictatorship?
c) Is separation of powers between the legislature, executive and judiciary working?
d) How does corruption affect the government?
e) What is the state of the economy?
f) Do sharp changes in the macroeconomic climate lead to the growth of the hidden economy or corruption and illicit transaction?

Question 2

a) What is the role of power structures and relations on security policy?
b) Is this due to historical causes?
c) What are the different values, ideologies and perceptions (across players regarding key security policies and objectives?

Question 3

a) How influential is the role positions of opposition political parties in security?
b) Do the media operate freely in this country?

c) Is there arbitrary application of legal social or human rights?
d) Do the civil society structures challenge or support the state?

Question 4

a) Does the state play a stabilising or destabilising role in the region?
b) Are there any powerful influences over the ruling elite?

Question 5

a) What security threats does the state face (international wars, civil war or arms trafficking?)
b) Are there internal conflicts?
c) What is the nature?
d) What are the underlying causes?

Question 6

a) What are the major threats to human security?
b) Are there tensions between social groups?
c) What are the triggers that could inflame tensions?

Question 7

a) How would you evaluate the culture within security institutions?
b) Do you think they provide true service to the public?
c) Do they have equal opportunity policies?
d) What is the participation of minority groups (African, Indians, Coloured and Whites)?
e) What is the participation of women in the security sector?

Objective 2

To assess human resource practices and cultural norms of the security sector in Malawi from 1994 to 2012 for enabling transformation process.

Question 1

a) Is the current legal and constitutional framework for the security sector adequate?
b) Is there a national security policy making process?
c) Are there adequate internal and external oversight mechanisms
d) Are officials, members of the executive, members of parliament, adequately equipped and trained for the roles and tasks assigned to them to oversee security institutions?

Question 2

a) What is the level of support in the government and security institutions to reform?
b) What security development activities are already underway on TSS?

Question 3

Is there sufficient space for civil society to freely exercise political rights?

Objective 3

To determine the main constraints to transformation process of the security sector in Malawi.

Question 1

What development frameworks exist currently to embark on TSS process?

What political programmes are the government involved in that it could provide an entry point to TSS?

Is there a programme of civil service reform?

Is there scope for the executive officials, the security sector and civil society to develop joint assistance programmes n transformation process?

Are the security providers ready to welcome the programme and embark on TSS process?

Is government providing adequate financial resources to the security sector for them to play their roles effectively?

Are there mechanisms for institutional reform?

Objective 4

To establish strategies that can be developed for the implementation of effective transformation process.

Question 1

Does Malawi need a clear case for TSS?

How and who should initiate the programme for TSS?

Do the Executive, members of Parliament and senior officials require training to understand TSS?

8.3 Appendix 3: Consent Form

Dear Sir/Madam

Request to participate in a research project

I am a student presently planning to read for a research degree through the University of Witwatersrand South Africa. I am required to carry out research to write a thesis. The title of the research is 'Transformation of the Security Sector in Democratic Malawi.' The aim of the study is to investigate why there has been less progress in the transformation of the security sector. With your experience, the information that you will provide, will address and perhaps improve the roles and missions of the security sector. It is the intention of the study to collect primary and secondary data through individual interviews with a few high profile people who might have played a role in the implementation of policies for the security sector. The interview will be transcribed verbatim, and I promise to handle all information collected with utmost privacy. Your participation in the study is voluntary and will be appreciated. Each session will last between 45 to 60 minutes and conducted in a place and time most sustainable to you. For further information, I have enclosed herein the contacts of my supervisor.

I trust that this request is acceptable.

Yours Sincerely,

Brig. Chirwa Misheck C. (rtd)
Centre for Security Studies

Mzuzu University
Private Bag 201
Luwinga, Mzuzu 2 E-mail: micchirwa@mzuni.ac.mw/micchirwa@yahoo.com

Supervisor

Prof. Anthoni Van Nieuwkerk

Centre for Defence and Security Management (CDSM)

University of Witwatersrand

P.O. Box 601,

Wits 2050, South Africa

Thank you,

I accept participation

Participant's Signature:…… Date:…….

8.4 Appendix 4: Selected list of participants

INTERVIEWEE	SECTOR	DESIGNATION
	Government	
A-1	Ministry of Defence – Lilongwe	Principal Secretary
A-2	Ministry of Home Affairs – Lilongwe	Deputy Principal Secretary
A-3	Ministry of Foreign Affairs – Lilongwe	Desk Officer International Relations
A-4	Ministry of Justice – Lilongwe	The Attorney General Office
A-5	Ministry of Finance – Lilongwe	Budget Officer
A-6	Ministry of Finance - Lilongwe	Auditor General Office
	Legislature	
B-1	Office of Defence and Security Parliamentary Committee – Lilongwe	Chairperson – Member of Parliament (MP)
B-2	Office of Defence and Security Parliamentary Committee – Lilongwe	Committee Member – Member of Parliament (MP)
B-3	Parliament - Lilongwe	Chairperson opposition – Member of Parliament (MP)
	Academia	
C-1	Chancellor College – Zomba	Department of Political Science
C-2	Mzuzu University – Mzuzu	Director of Distance Learning
C-3	Mzuzu University – Mzuzu	The Deputy Vice Chancellor
C-4	Chancellor College - Zomba	Principal's Office
	Military	
D-1	Malawi Defence Force - Lilongwe	Deputy Commander
D-2	Malawi Defence Force - Lilongwe	Chief of Staff
D-3	Malawi Armed Forces College – Salima	Commandant
D-4	Parachute Battalion – Salima	Commanding Officer

D-5	Malawi Defence Force – Mzuzu	Commanding Officer
D-6	Malawi Defence Force – Lilongwe	Senior Officer
D-7	Malawi Defence Force – Zomba	Junior Officer
	Intelligence	
E-1	Regional Intelligence – Lilongwe	Intelligence Officer
E-2	Regional Intelligence – Mzuzu	Intelligence Officer
E-3	Intelligence – Blantyre	Intelligence Officer
E-4	Intelligence - Lilongwe	National Security Advisor
	Law Enforcement	
F-1	Law Enforcement – Lilongwe	Commissioner of Police Administration
F-2	Law enforcement - Lilongwe	Commissioner – Central
	Judiciary	
G-1	Judiciary - Mzuzu	Judge High Court
G-2	Law Society - Lilongwe	Chairman
	Immigration	
H-1	Immigration – Mzuzu	Immigration Officer – North
H-2	Immigration - Lilongwe	Immigration Officer – Central
I-1	Prisons	The Chief Training Officer
I-2	Zomba Prison	Prison Officer
I-3	Mzimba Prison	Prison Officer
	Non-Governmental Organisations	
J-1	Zodiac Radio Station - Lilongwe	Managing Director
J-2	Centre for Human Rights Malawi - Lilongwe	Commissioner
J-3	Catholic Diocese – CCJP – Lilongwe	Chairman
J-4	Centre for Human Rights - Lilongwe	Commissioner
J-5	Livingstonia Synod Church and Society - Mzuzu	Deputy Director

8.5 Appendix 5: Research Time Scale

No	Task to be achieved	Target Time	No of months
PHASE 1			
1	Registration of the program	January 2009	-
2	Work on research problem	March to April, 2009	2
3	Background to research problem	May to June 2009	2
4	Literature review of short Research Proposal	June to July 2009	2
5	Theoretical and conceptual framework	August 2009	1
6	Research design and methodology	September to October 2009	2
7	Refining short research proposal	November 2009	1
8	Submission of research proposal	November 2009	_
9	Final refining of research proposal	January 2010	1
PHASE 2			
10	Writing long proposal	February to April 2010	3
11	Drafting of chapter 1 and 2	May to September 2010	5
12	Submission of long proposal	October 2010	-
13	Submitting chapter 1 and 2	September 2010 to January 2011	2

14	Refining chapter 1 and 2	February to July 2011	4
15	Data collection	December 2011	6
16	Draft chapters .3 and 4	January 2013 to June 2013	4
17	Refining chapter 3 and 4	July 2012 to August 2013	2
18	Drafting Chapter 5 and 6	September to November 2013	3
19	Refining Chapter 5 and 6	January to March 2014	3
PHASE 3			
20	Drafting Chapter 7	April to May 2014	2
21	Refining Chapter 7	June to July 2014	2
22	Submission of copy of thesis	August 2014	1
23	Corrections of thesis copies	February 2015	1
24	Final Submission of thesis	March 2015	-

8.6 Appendix 6: Geographical location of participants



8.7 Appendix 7: Letter of Permission for data collection

Director of Research
Mzuzu University
Private Bag 201
Luwinga, Mzuzu

September, 2010.

TO WHOM IT MAY CONCERN

Dear Sir/Madam,

Permission to visit Security Sector Institutions Thesis writing Programme - January to June 2011– Brig. M.C. Chirwa Rtd

I write on behalf of Mzuzu University research department to provide a statement on retired Brig. M.C. Chirwa's thesis writing programme. Brig. M.C. Chirwa is currently working with Mzuzu University, Centre for Security Studies as Senior Lecturer. He has been with the Centre since its establishment in 2005, teaching various courses and supervising students' research.

Brig. M.C. Chirwa is currently planning to read for a research degree (PhD) through the University of Witwatersrand, Johannesburg R.S.A. As such he is required to write a thesis. The title of the research is Transformation of the Security Sector in Malawi. In this research, the security sector consist of the Military, Police, Intelligence and Immigration services together with bodies responsible for administration; Ministries of Defence, Home and Foreign Affairs, Parliamentary and Justice systems.

The main aim of the research is to determine the progression of transformation of the security organizations and oversight bodies in the adoption of new concepts of security system governance in a democratic state of Malawi. The study is expected to be the first initiative to explore and awareness of the gap that may exist to determine security governance, transformation and capacity for effective planning and security policy development in Malawi. The research project started in 2009 and expected to finish in 2012. Currently the research is into second phase of data collection hence the request to visit security institutions between January and June 2011.

The information generated from the study should serve as a reservoir of knowledge on management and governance of security organizations and should assist government policy makers, senior security officers and the civil society for greater democratic accountability, transparency and control.

Findings of the study can be used to develop new strategies for common security in response to needs in Malawi and the SADC region.

Enclosed herein find selected list of participants to be visited by sector and designation.

Yours sincerely

O.V. Msiska, Associate Professor
Deputy Vice Chancellor

cc: University Registrar
National Research Council of Malawi
Brig. M.C. Chirwa

8.8 Appendix 8: Regulations and laws that impede good practice of TSS in Malawi

Statute	Provision that acts as Barriers to access
Banking Act (1989)	• Except when in the performance of his duties or the exercise of his functions, or when required to do so by an court or under any law, neither any inspector appointed under section 12 or 22 nor any person appointed as advisor under section 31 (1) (d) nor any director, manager, officer or employee of the Reserve Bank, shall disclose any information relating to the business of any bank or financial institution which he has acquired in the performance of his duties or the exercise of his functions. • The Reserve Bank may publish in whole or in part in such form and at such time as it may deem fit, any information or data furnished or collected under this Act: Provided that no information or data which might disclose the particulars of a bank or financial institution or a customer of such bank or financial institution, shall be published unless the consent of such bank, financial institution or customer, as the case, has been obtained.
Capital Market Development (1990)	• Officials and personnel of a self-regulatory organization shall maintain secrecy regarding any information which they have obtained as a result of performance of their functions or otherwise, and shall not use the knowledge of such information for themselves personally or for others, whether in anyway related or totally unrelated to the capital market.
Criminal Procedure and Evidence Code (1967)	• If any person affected by any judgement or order passed in any proceedings under this Code desires to have a copy of the judgement or order or any deposition or other part of the record, he shall on applying for such copy be furnished therewith upon payment of such fee as may be prescribed by the Chief Justice from time to time.
Defence Force Act (2004)	• No person subject to military law under this Act who lacks authority, shall disclose any information which is or appears to be "information useful to the enemy either directly or indirectly"

National Assembly (Powers and Privileges) Act (1957)	• No stranger shall be entitled, as of right, to enter or remain within the precincts of the Assembly and the Speaker may at any time order him or her to withdraw from the precincts of the Assembly
Official Secrets Act (1913)	• It is a criminal offence to disclose (i) any secret official code word, or pass word, or any sketch, plan, model , article, note, document, or information which relates to or is used in a "prohibited place" or (ii) anything in such a place, or which has been made or obtained in contravention of this Act, or which has been entrusted in confidence to him by any person holding office under the Government or (v) which he has obtained or to which he has access owing to his position as a person who holds or has held office under the Government.
Preservation of Public Security Act (1960)	• The Minister is empowered to prohibit the publication and dissemination of any matter which appears to him to be prejudicial to public security, and to authorise the regulation and control of the production, publishing, sale, supply, distribution and possession of publications;
Protected Places and Areas Act (1960)	• The Minister, in his discretion, may, require an occupier of any place declared by the Minister to be a "protected place or area" to take such steps as the Minister, in his discretion , may deem necessary in the public interest for the safeguarding of information relating to such place or area, or for the security of any classified information or document which may be furnished to such occupier in his capacity as such, by any public officer.
Reserve Bank of Malawi Act (1989)	• Except when in performance of his duties, no director, officer or employee of the Bank shall disclose any information relating to the affairs of the Bank or of any bank, financial institution, company or individual which he acquired in the performance of his duties or the exercise of his functions under this Act
Treaties and Conventions Publication Act (1984)	• Treaties and other international agreements shall be officially published in English and only the English version shall be regarded to be the authoritative version of the treaty or agreement in question.

Corrupt Practices Act (1995)	• Any person in the service of the Bureau as an employee, an agent or a consultant or in any other capacity take an oath of secrecy and are prohibited from directly or indirectly providing or disclosing to any unauthorised person the nature or contents of any document, communication or information whatsoever are which has come to his knowledge in the course of his duties in relation to the Bureau.
Employment Act (2000)	• No labour officer shall, while in office or subsequently, reveal any manufacturing or commercial secret or working process which comes to his knowledge in the course of his duties. • A labour officer shall treat as absolutely confidential the source of any complaint bringing to his notice a contravention of this Act and shall not reveal to the employer or the employer's representative that inspection was made in consequence of the receipt of a complaint that a breach of this Act appeared to have been committed
Malawi Revenue Authority Act (2000)	• Every member of the Board, revenue commissioner or any other person employed by the Authority in the carrying out of the provisions of this Act, shall regard and deal with as secret to any unauthorized person all documents and information relating to the income, expenditure or other financial dealings or status of any tax payer or other person involved in any operations in furtherance of the purposes of this Act, and all confidential instructions in respect of the administration of this Act which may come into his possession or to his knowledge in the course of his duties.
Malawi Bureau of Standards Act (1972)	• A member of the Board or of any committee thereof, the General Manager, a member of the staff of the Bureau, an inspector or other person who is, or was engaged in the administration of this Act, shall not disclose to any other person, except to the Minister or for the purposes of the performance of his duties or the exercise of his powers or except when required to do so before a court or under an law, any information acquired by his in the performance of his duties or in exercising his powers

Mental Treatment Act (1948)	• Any person who when publishing in any newspaper any matter referring to any proceedings under this Act mentions by name any of the parties thereto shall be guilty of an offence against this Act.
Money Laundering, Proceeds of Serious Crime and Terrorist Financing Act (2006)	• No person or institution shall disclose to any person information that shows that a report to the Financial Intelligence Unit has been or may be made, or that a financial institution has formed a suspicion of an offence under the Act. • It is a criminal offence to disclose to another person information which is likely to prejudice any investigation of an offence or possible offence of money laundering or terrorist financing
Political Parties (Registration and Regulation) Act (1993)	• The Registrar of Political Parties shall not disclose any information (other than the name of a registered political party; the address of the registered office of a registered political party; or the particulars of the office bearers of a registered political party) obtained in the course of the exercise of his functions. The exception is where such disclosure is required by any other law
Presidential and Parliamentary Elections Act (1993)	• At the end of its functions, the Electoral Commission shall deposit all documents forming the official record of an election (including voters registers, ballot papers, records from districts and polling stations and summaries thereof and the record and summary of the national result) with the Clerk of Parliament who shall retain and preserve such documents in safe and secure custody without destruction for a period of twelve months
Public Audit Act (2003)	• Except that in the performance of the duties, functions and powers conferred by this Act or by any other written law on the Auditor General or employee of the National Audit Office, the Auditor General or any employee shall not disclose to any person any information that shall come to the attention of the Auditor General or employee of the National Audit Office pursuant to this Act, and all such information shall remain confidential

Science and Technology Act (2003)	• No person may publish or disclose to any person, otherwise than in the course of his duties, contents of any document, communication or information which relates to, and which has come to his knowledge in the course of, duties under this Act.
Veterinary and Para-Veterinary Practitioners Act (2001)	• No person shall, without the consent in writing given by or on behalf of the Board, publish or disclose to any person, otherwise than in the course of his duties, contents of any document, communication or information which relates to, and which has come to his knowledge in the course of his duties under this Act