AFRICA PEACE AND SECURITY

King's College LONDON

Enhancing Capacity for Security Sector Governance and Oversight: Training Seminar for Liberia's Parliamentarians

Cape Coast, Ghana, 19-23 July 2007

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CSDG

CONFLICT, SECURITY & DEVELOPMENT GROUP

About this report

This report presents highlights of the first training seminar on parliamentary oversight of the security sector that was conducted with members of the Liberian legislature and civil society. The objective of the seminar was to examine the foundational aspects of parliamentary oversight of the security sector, including the wider security environment in which Liberia finds itself today, the specific oversight roles of parliamentarians, the security issues that fall under their purview, and strategies for communicating with critical stakeholders. This training was led by the African Security Sector Network (ASSN) and is part of its long-term commitment to support the rebuilding of Liberia's security sector and the wider post-conflict reconstruction process.

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The **African Security Sector Network (ASSN)** is an umbrella organisation that brings together leading African institutions and specialists working on security sector reform and transformation in Africa. The network provides support to African governments, civil societies and legislatures on a range of security-related issues and has unparalleled access to expertise in this area from Anglophone, Francophone and Lusophone Africa (www.africansecuritynetwork.org).

The **Conflict, Security and Development Group** is a leading international resource for research, analysis, training and expert policy advice on issues at the intersection of security and development. CSDG was established at King's College London in 1999 with the aim of bridging the academic and policy communities. Its core mandate is to deepen understanding about the development challenges confronting societies in Africa, Asia and Latin America, and to help translate this knowledge into practical agendas for change at local, national, regional and international levels.

CSDG's **Africa Peace and Security** programme seeks to enhance understanding of the dynamics of conflict and insecurity on the continent and to support local, national and regional responses to its development and security challenges.

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Abbreviations

ASSN	African Security Sector Network
CDD	Centre for Democracy and Development
CPA	Comprehensive Peace Agreement
CSDG	Conflict, Security and Development Group
DCAF	Geneva Centre for Democratic Control of Armed Forces
DDR	disarmament, demobilization and reintegration
ECOWAS	Economic Community of West African States
GC	Governance Commission
ICC	International Criminal Court
MPRI	Military Professional Resources Inc.
SSR	security sector reform
UN	United Nations

Introduction

This report is the product of the first training seminar following the Interactive Needs Assessment conducted in March 2007. The training seminar was primarily intended for members of the Senate and House of Representatives Standing Committees of the Liberian legislature with direct security sector oversight roles, and related civil society actors. The objective of the seminar was to execute the training component of the support programme for parliamentary oversight that was drawn up as a result of the Interactive Needs Assessment.

This training is part of the programme of support of the African Security Sector Network (ASSN) to Liberia as it rebuilds its security sector in a period of post-conflict reconstruction. The ASSN continues to work with parliamentarians and the Governance Commission (GC),[1] offering support for the security transformation process in Liberia. The following are some of the outputs from the ASSN-led initiative so far:

■ *Conflict Security and Development Group, King's College London (CSDG)–Geneva Centre for Democratic Control of Armed Forces (DCAF) Liberia Assessment Mission and Consultations, 28 July–1 August 2004:* The specific objectives of the mission included: (a) to witness first hand the situation on the ground and assess efforts to implement the Comprehensive Peace Agreement (CPA); (b) to initiate discussions with local research institutions, in particular the University of Liberia, regarding options for collaboration that might lead to the establishment of a research centre on security and development at the university; and (c) to explore ways of facilitating and assisting civil and parliamentary oversight of the security sector.

■ *Liberia National Dialogue on Security Sector Reform, 3–4 August 2005:* Jointly convened by the Liberian Ministry of Justice and the United Nations Mission in Liberia, and facilitated by CSDG, DCAF, the Centre for Democracy and Development (CDD), and ASSN, this event sought to (a) place the notion of security sector reform (SSR) on the pre- and post-election agenda in Liberia; (b) explore mechanisms for and approaches to a collective broad-based vision of security in Liberia; and (c) contribute to the promotion of local ownership of the post-conflict reconstruction process in Liberia.

■ *Consultation with heads of security institutions and ranking members of parliamentary Defence and Security Committees, convened by the GC, 3–4 April 2006:* The objective of the consultation was to explore with the GC the necessary modalities and trajectories for assisting the security transformation process in Liberia.

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1   Formerly the Governance Reform Commission.

■ *Interactive Needs Assessment for Liberian Parliamentarians on Security Sector Oversight, 28–30 March 2007:* The objectives of the meeting included: (a) to assess the authority, ability and attitude of the Liberian legislature with regard to conducting security sector oversight; (b) to facilitate the legislators' own assessment of challenges and opportunities and the requisite tools for enhancing the role of parliament in security governance; and (c) to provide the basis for drawing up a needs assessment that will inform a support programme for parliamentary oversight of the security sector in Liberia.

The substantive part of this training seminar was held under the Chatham House Rule, and, as such, this report does not attribute the statements contained herein to any participant.

1. The role of the Liberian legislature in the strategic direction, management and oversight of SSR

This opening session highlighted the strong sense that the activities undertaken during the seminar series are linked to the shared experiences of African countries. This is part of a wider set of pan-African exercises aimed at building local ownership of reform programmes and processes.

There is considerable concern regarding the fragility of the current transition in Liberia, with a number of positive and negative developments on the SSR front. There is a proverbial 'struggle for the soul of SSR', and, depending on prevailing circumstances, the result will either evoke a strong sense of pride or be a travesty of the hopes of all. Parliament is both the representative of the people and their authority in the government. As a result, its performance will evidence its commitment to these roles.

The executive, as personified by the president, showed leadership in withdrawing the National Defence Act that was recently sent to parliament. However, this process exhibited great deficits, particularly in the communication and consultation among those who should have been involved in the process of drafting the Act. There is a radical need for change in the relationship between the executive and the legislature, and the atmosphere of siege and distrust needs to be addressed. There is a need for inclusiveness, receptivity, mutual respect and reconciliation.

The GC's initial establishment was a commendable addition to the CPA, and the president's inclusion of the development of security policy as part of its task grounded SSR in a governance approach. The ability of the GC to play a facilitating role in evolving a security policy for Liberia will have implications for the actualisation of parliament's constitutional role in terms of SSR.

How parliament performs at this crucial time will determine the extent of its oversight role over SSR. The fragility of the SSR process is a well-documented issue and demands clarity about what SSR is. The concept is a complex collection of ideas that are constantly evolving. Dyncorp dominates the concept of SSR in Liberia, and it is essential that this situation is unpacked and deconstructed. The interpretation of SSR adopted in this session is that it should have human security as its aim and must have governance at its heart; that is, it should be people and not regime focused. Therefore, it must begin with an assessment of security needs, both human and national. It must be holistic, conclusive and consultative. Parliament is the

guarantor of the inclusiveness of the process, and if it does not carry out its role, all suffer. The failure of this process can lead to the direst of consequences – relapse into conflict.

The aim of this training seminar series is to provide a knowledge base that is adaptable to the legislature's needs. Its core role is to give strategic direction in the management and oversight of SSR in Liberia. For a successful SSR process to take place, it is important that reconciliation is the bedrock of any movement forward. South Africa, for example, initially appeared to be a perfect example of successful SSR. However, this has since changed, with a scenario of heightening criminality, poverty and racial tensions emerging. SSR must be embedded in ongoing reform processes.

There must be a complex of coherent pro-human security policies, so that good SSR is not derailed, for example, by a purely market-based approach to economic recovery. This is important, as SSR has generally been executive driven, thus strengthening the need for a strong role for parliament in overseeing and monitoring SSR activities and recommending policy packages. The role of parliament is highly contextual, because, for example, Liberian parliamentarians are the products of the Liberian environment, just as Ghanaian parliamentarians are the products of the Ghanaian environment. It is parliament's essential role to exercise influence and be the guardian of the process on behalf of the people. This will depend on a united parliament, reduced party politics and a strengthened basis for a solid partnership with the executive.

General discussion: Challenges of parliamentary oversight
Putting the Liberian SSR process in its proper context

It is vital that SSR is adequately addressed in the ongoing reform process. In the CPA, provision was made for the restructuring of the Armed Forces of Liberia, with the United States playing a lead role. This was facilitated by the transitional government that emerged from the CPA. Importantly, the expectation was for the entire process to be ratified by parliament. This did not occur, but it was pursued nonetheless.

Although this process, which has been labelled SSR, has been criticized, it must be noted that this period saw enormous challenges to Liberia's sovereignty in general. The new government took over an ongoing SSR process in which the demobilization of the Armed Forces of Liberia and police was well under way. It has since sought to make the best of a difficult situation. The government has tried to address some of the challenges by attempting to have the legislature ratify the SSR process through its inclusion in the National Defence Act. In turn, the legislature has sought to overcome these challenges by engaging with the executive. The overarching aim of all parties involved should be a successful SSR process in Liberia.

Dealing with uneven power relations between the legislature and executive

During the crisis, there was a high rate of emigration, with many Liberians returning only in the reconstruction period. Within parliament, this has caused some level of friction, as unfortunately some colleagues returned to treat other colleagues with less respect and excluded

them from some processes, including on issues relating to oversight of the SSR process. Additionally, in the executive there are some officers that are seemingly separated from the broader SSR process.

Another part of the executive, the GC, has effectively involved other parties in the process, including the legislature, in an attempt at achieving a holistic and cohesive national security policy. This has led to some parties challenging the GC's relevance, particularly with regard to its role in the SSR process. This was most visibly demonstrated by the withdrawal of the Act meant to legally ensure the GC's existence and the subsequent challenge to its budgetary allocation. Thus, the friction within some segments in parliament and between parliament and the executive has become more apparent.

It is necessary to ensure that the correct course of action is taken. The legislature should be prepared to constructively engage its executive counterparts. The focus of this interaction has so far been on getting the legislature to address its oversight role. However, it is vital for a forum that will include both the executive and the legislature to engage on these issues to consolidate the process so far, in order to find a path to lasting peace.

Establishing a multidisciplinary group to address SSR issues

It is essential to have a multidisciplinary group that includes members of the executive to deal with issues of SSR; and it is important to deal with relationships, especially power relationships. As such, there should be a collaborative programme to enable sound working relationships between the legislature and members of the executive. Furthermore, it is vital that members of executive behave like partners in the SSR process, and not as bosses or experts.

A key lesson for the seminar series is that for the future, it will be necessary to work with both parliament and the executive, as it is not useful to educate groups in isolation from those that they will have to deal with continuously. The initial strategy in this training series was to give parliamentarians a head start, as they have been neglected for so long, and so the aim was to place parliament on a level playing field by supplying its members with the necessary tools to engage with the executive.

It is not unusual for the SSR process to be undertaken by different governments. This is all the more reason why there is the need for bipartisan buy-in from parliament. Furthermore, it is mostly parliament that can lead the process, as its presence enables continuity even with changes of government. Parliament can start by pressing for reviews of Liberia's security needs and its security sector.

2. Transitional justice

The concept of transitional justice is transient, evolutionary and expansive. In a post-conflict setting, peace is challenged if there is no justice, and there is often conflict in simultaneously achieving both. In the case of Liberia, the country is a signatory of the Rome Treaty, which founded the International Criminal Court, which requires that 'rebels' who committed crimes against humanity be prosecuted. Strict adherence to particular interpretations of this will likely challenge the pursuit of peace. Transitional justice is operational in both the domestic and international spheres, without limiting its application to either one or the other.

Liberia is a highly contextualized setting in terms of transitional justice, with the parliament playing a crucial role. It has the pivotal responsibility of being the moral guide of the transitional justice process. To this end, a non-partisan approach is essential in order to realize progress. Liberia has a substantial body of functional laws, and, as such, it is necessary for all concerned to work together in the legislature. Nigeria presented an exemplary case when its parliament united against former President Obasanjo in his pursuit of a third term in office.

Partnership with the executive presents an additional challenge, given its hitherto dominant role in this process. In addition to the executive, it is essential that the legislature engage the judiciary, as constitutional reforms will be needed to address the rule of law concerns, among other issues. In this partnership, there should be consultation with the Constitutional Committee on the provisions of the Constitution, and adherence to the Constitution's provisions for strengthening the legislature's role.

Four issues emerge as essential to the role of parliamentarians in transitional justice:

- moving towards reconciliation;
- moving beyond partisanship;
- balancing justice and peace; and
- ensuring a national process.

Discussion: Transitional justice from the perspective of Liberian parliamentarians
Acting outside party lines

The need for parliamentarians to rise above partisanship has been proved to be vital in the quest for a dynamic way forward. This was evident in the Liberian legislature, where it was

clear that there was no longer a partisan approach to choosing the speaker of the House of Representatives, who was selected from the ruling party. This approach has not been fool-proof, however, as the situation has given risen to conflict over the resolution of certain issues in the House of Representatives.

In the Liberian Constitution, the legislature is afforded extensive authority to exercise certain checks and balances with regard to the executive and the judicial arms of government. This is notable in the legislature's constitutional responsibility to approve budgets and confirm the appointment of political officers. However, the efficiency of these activities is reliant on the political will of those concerned to adhere to the Constitution. In the past, the tendency has been to pander to the ruling party. It is important to mention that, as yet, there has been no opportunity to exercise the Constitution during a full term of the legislature and to test the latter's efficacy in this regard.

Avoiding a relapse into past crisis

Transitional justice must be managed to ensure that past security problems do not return. This is especially with reference to the previous dominance of particular segments of Liberian society in the government, although it is currently becoming increasingly diversified. There is also the contentious subject of the 'pursuit of justice' and when to begin the process of seeking redress. A focus on the period from 1979 coincides with the dominance of indigenous Liberians in the leadership. A suggested way forward is one of creating a renewed focus on the present and future, rather than on the past, and specifically on the fact that a landmark democratically elected government has come to power, following a substantial period of conflict.

Dealing with pressure from international partners on transitional justice issues

There needs to be improvement in methods of working with the international community on the issue of transitional justice, with parliament needing to retain some control of the processes involved. At the international level, there is immense pressure to ratify conventions and instruments, but there must be an internal dialogue to ascertain the relevance of these documents to domestic realities. This is required to meet the danger of extra-national judicial arrangements taking precedence over national instruments. For example, the United Nations (UN) has been pressing for the seizure of the personal assets of certain members of the government, although the Constitution stipulates that such assets cannot be seized without a judgment from a court of law. All arrangements, domestic and international, must share the objective of securing a lasting peace.

General discussion
Addressing the disparity between national and international law

Some elements of the CPA are now being reneged on. This is problematic, and raises problems for transitional justice. Parliament's role is to represent the people's opinions on the issue of

transitional justice. Advising the government on the ratification of international conventions is a relevant way of exercising this role.

Caution is advised in understanding the nature of national authority vis-à-vis international authority in legal terms. Customary international law is binding, regardless of the country's signatory status regarding particular treaties. When there is conflict between national and international law, international law often takes precedence. For instance, the UN Security Council can refer parties to the International Criminal Court (ICC) regardless of the country's signatory status regarding the ICC. On occasion, national law may supersede international law in the case of emergencies, for example, in the interests of national security.

The travel ban on certain individuals in Liberia is authorized by particular UN resolutions passed in terms of Chapter 7 of the UN Charter. The UN Security Council adopts resolutions on behalf of all member states. This mandates national governments to execute the actions that are required by these resolutions. The UN makes decisions on what constitutes threat to international peace and security and can act accordingly. Greater research is necessary on the part of national governments, particularly in Africa, to understand the mechanisms of the international system.

In their interpretation of the international system, it is clear that some nations have decided to ignore UN resolutions and can do so because of the power structures in the international system. Based on this reality, the way forward for Liberia may not be to ignore such resolutions. Exercising caution in the domestic ratification of international treaties is an invaluable approach in this regard. As the national legislature, the Liberian parliament is at the helm of this process, while the approach of regional organizations should present a guide in this regard. Unfortunately, Liberia faces challenges regarding its independence as a result of its heavy reliance on external funding sources and regarding its management of the process of transitional justice in its apparently less than discriminating ratification of some treaties.

3. Sensitivity to sources and triggers of conflict

Five factors rooted in governance structures were identified as possible causes of conflict in Liberia, which parliamentarians should be sensitive to. This is not an exhaustive list, but provides a starting point for assessing the impact of governance systems on conflict processes. The factors are as follows:

- narrow nationalism;
- ethnicity;
- lack of respect for the rule of law;
- a culture of impunity; and
- ineffective institutions for conflict transformation.

Narrow nationalism is fostered by the coexistence of attitudes of superiority and/or inferiority that present a fertile environment for contention, as some groups argue their Liberian nationality at the expense of others, while other groups feel the need to defend their nationality as a result of feeling threatened. This is emphasized and exacerbated by the lack of inclusiveness in Liberia's governance systems.

Ethnicity has been abused as a tool for excluding certain groups of Liberians. There has been a push for a union between two particular tribes to the exclusion of other tribes. Differing literacy levels constitute a divisive factor, as the less literate see themselves as being short-changed by the literate, which can have increasingly dire consequences in terms of the breakdown of communication between the two groups.

The *lack of respect for the rule of law* is an all-encompassing category. The three branches of government, the legislature, the executive and the judiciary, are created by law in order to ensure the smooth running of the governance system. In this process, the current marginalization of parliament is especially pertinent, given its supposedly paramount role as enshrined in the Constitution. The politicizing of the roles of key actors, as is often the case, serves to undermine these governance structures.

The *culture of impunity* that pertains in certain sectors of Liberian society has to be seriously revisited. There is a Truth and Reconciliation Committee with a clear mandate based on the CPA. It is imperative that the system should treat all parties equally and serve the interest of all Liberians in an holistic approach to the pursuit of justice. There is an historical dimension to the imbalance that exists at present, according to which the system was structured to selectively benefit particular groups of people.

Linked to the rule of law is the issue of the *functionality of institutions* (or lack thereof) in an environment of conflict transformation. Unfortunately, due to the destruction of Liberia's institutional architecture, various parties are able to manipulate the law enforcement institutions. The role of international organizations and processes that fill the institutional gaps in the interim are critical in this regard. These challenges are exacerbated by the fledgling economy, particularly with regard to the lack of employment opportunities. The situation in the subregion, with particular reference to the delicate security situation in the Mano River Union, is especially important, given the porosity of the subregion's borders.

In addition to the above, the possible triggers of conflict in the current post-conflict environment were also discussed, while highlighting the role that parliament might play in addressing them.

The management of land resources

Liberia is faced with the challenge of managing its land resources for the foreseeable future against a background of deep-seated contention. The challenge precedes the civil conflicts and civil war and is not exclusive to Liberia. The importance of land is in its containment of the principal mineral and agricultural resources of the nation. Land-related issues usually intensify and prolong underlying conflict tensions, as opposed to being their cause. The struggle for land has two dimensions – a clash between space and bodies. 'Space' is the geographical enclave that 'hosts' the melee among 'bodies'.

In the example of Liberia in the 1980s, Samuel Doe's governance practices indicate how governance structures affect the management of land resources and possible tensions. During his military regime, arms were acquired in exchange for timber concessions. The institutional framework was undermined, as even before concession agreements were signed, the regime waived the taxes and fees usually payable to the government by firms carrying out logging activities.

There are myriad critical issues that arise as Liberia addresses its land management challenges. Here, we will highlight three:

- the existence of a defective resource system that has deteriorated after many years of conflict;
- the widespread exploitation of land resources, together with the problematic institutional structures that should manage them; and
- the likelihood of increasing pressures on land resources as refugees return to Liberia.

These issues have their basis in complex factors that include controversy over land ownership, as individuals often lay claim to land according to different land tenure systems. Although the statutory system usually takes legal precedence over the traditional system of tenure, this principle is sometimes not relevant in the social reality that pertains. Secondly, there is an artificial scarcity of land resources, in spite of large expanses of apparently vacant land, which can be attributed to an actual scarcity of land with identifiable title rights. This is aggravated when foreigners appropriate substantial areas by exploiting relatively low

prices. Thirdly, there is often a clash between local claims and national interests, as defined by the citizenry and the state, respectively. Finally, there is the age-old conflict between landlords and tenants, particularly when tenancy has been inter-generational, thus leading to the tenants' expectation of a transition to more permanent rights.

The Liberian parliament has an active long-term role to play in the resolution of these issues, given its vital role in dealing with human security challenges. It is suggested that this role be based on primary activities such as a basic assessment of the challenges in pursuing an audit of all legislation associated with land as a resource, including inheritance issues, and taking into account the social realities of women's rights and the allocation of land to foreign nationals under questionable circumstances.

Addressing the failures of the demobilization of young people

The disarmament, demobilization and reintegration (DDR) process in Liberia started with the blueprint provided in the CPA. However, its implementation has fallen short of expectations, exacerbated by the fact that the related data has not been accurate, as the number of those that participated in the process was inflated. Expectations of the outcome have been mismanaged in part by the international community in the post-conflict and transitional period.

Children were largely excluded from the DDR process. This has been problematic, especially as they are no longer children and may thus present a possible threat. There is the challenge of either demobilizing a 15 year old today or a 19 year old in a few years. However, children have been perceived as vulnerable in other respects, leading to Liberia's declaration on the 'Universal Rights of the Child' and the African Union's declaration on 'Rights of a Child', both calling for the protection of children. The transitional government under President Bryant signed some related treaties, although none was ratified. This approach undermines human security and presents it as a 'soft security' issue that does not pose a serious security threat. However, this is a problematic view as, if provoked, this constituency can pose a real threat to Liberia and its very young democracy.

Parliament has a substantial role to play in ensuring the ratification of these treaties. It is the duty of parliament to enforce and monitor the law, even if its members are not well versed in the letter of the law. It must also take the initiative in taking charge of issues that may not be tackled by international initiatives. In any approach to moving this agenda forward and reducing the risk of violent conflict, parliament should:

- call public hearings to enable those that have undergone the DDR process to share their experiences;
- undertake legislative reviews of the responsibilities and performance of the Child Protection Agency of the Liberia National Police;
- undertake annual reviews of the treaties that have been adopted and/or ratified and extend the normative nature of these instruments; and
- engage regional organizations to address the challenges of those aspects of the DDR process that lie beyond Liberia's borders.

4. The intended or unintended consequences of the role of the private security sector

The seminar examined two case studies dealing with contrasting situations. One concerns a situation in which a national government (South Africa) took steps to regulate the role of its private security sector, preventing its intervention in countries experiencing armed conflict. This was preceded by a period in the 1990s when South African private security forces were actively involved in several armed conflicts in Africa, including, for example, the conflict in Liberia's neighbour, Sierra Leone. The other is a situation in which a government (that of the United States) engaged a private security company (albeit with the consent of the host government) to undertake a form of SSR in a country in transition (Nigeria) and nearly triggered a conflict as a result.

Case studies

Regulating the private security sector: The South African experience

In South Africa, the Private Security Industry Regulatory Authority was established by the Private Security Industry Regulation Act of 2001. This was done in a review of the Authority's objectives; the provisions of qualification for registration as security providers in accordance with the Act; the requirements for the said registration such as disqualifiable criminal offences within the Foreign Military Assistance Act of 1998, which is to be replaced by the Prohibition of Certain Activities in Countries of Armed Conflict Act; and procedures to address the refusal of an application for security provision. A principal part of the session centred on considering the Code of Conduct for Security Service Providers of 2003. In this discussion, the necessity of monitoring compliance and its efficacy was addressed. The operation of the process of monitoring compliance, including offences and penalties for non-compliance, and extra-territorial application, was scrutinised.

Experiences of the private security sector in SSR in Nigeria

With the return of democratic rule in Nigeria in 1999, President Obasanjo, the newly elected president, expressed concern about the state of the military after almost two decades of military rule. This followed the findings of the Oputa Panel (1999–2002), which, among other things, stated that the Nigerian Armed Forces had disgraced themselves.

In light of this, Obasanjo committed the government to re-education and the re-establishment of democratic control of the armed forces. It was within this arrangement that the

company Military Professional Resources Inc. (MPRI) was hired to undertake reform in the mutual interests of the United States and Nigeria.

MPRI operates in over 40 countries globally, with arrangements that are not unique to Nigeria, including Rwanda, and Senegal, Ghana, Mali, Benin and Ethiopia. MPRI was contracted to provide training under an African contingency operation and technical assistance. The African Centre for Strategic Studies in Washington, DC organized leadership seminars.

However, there was no consultation with civil society or the Defence and Security Committees in the Senate or House of Representatives about this process. A critical element of the training programme was a drive to downsize the army to 27,000 troops. This downsizing was not backed with any references to feasibility and needs assessments or analysis of objective security threats. A public hearing was proposed to ensure that there was accountability in the process, but this hearing never took place. Senior personnel of the Nigerian Army invariably resisted the process, a situation that led to the resignation of the chief of army staff.

The Nigerian parliament, with the constitutional responsibility for security sector oversight, was not privy to the processes surrounding the proposed training. There was a de facto ceding of its responsibility to the executive on the basis of Obasanjo's status as an expert on security, given his military background. This approach by parliament can also be seen as the result of its lack of expertise and research and policy capacity, partly resulting from the challenges of a long period of military rule.

The lessons that emerge as useful for the Liberian process are as follows:

- Substantial financial resources were expended, with no corresponding results.
- The media and the rest of civil society were very important in this process, as they informed the public on the issues in the absence of the executive's sharing of information.
- The relevant civil society members and institution should be sought out and engaged with in such a process.
- Parliamentary staffers should be included in these debates in order to provide the necessary support to parliament.
- Parliamentarians must necessarily seek out and engage with relevant members of the executive.
- The Nigerian situation is a constant reminder of the dangers of non-transparency and accountability in security sector governance.

5. Making peace last

Human security as the basis for wider security

The term 'human security' emerged out of the hard component of security in the late 1940s. It was conceptually revived in the 1980s and included liberty and freedom as features of development. This questioned the traditional concept of security and raised questions about who was to be protected, how they were to be protected and whose responsibility it was to do the protecting. The international discourse broadened the concept of security from the state to non-state actors. This was reinforced in the developing world by the challenges some states faced in their pursuit of development.

In 2003 two main definitions of freedom emerged: one, a 'development'-based approach defined freedom in terms of freedom from need, want and deprivation; while the other, a 'security'-based approach, defined freedom in terms of freedom from fear. These have been combined to provide the most widely used definition of human security. This discourse has become the basis upon which progress is addressed in the developing world.

In this vein, SSR has become entwined with human security, and in different circumstances can be both a means and an end in this regard. As such, it is a sound basis for security sector governance processes and serves as a valuable guide for legislation in this regard.

Pursuing positive peace

It is necessary to take an overarching view when examining peace, as external values are sometimes imported in attempts to understand this term. The collective view is of peace as a good or desirable state and war as a bad or undesirable state. Looking at issues from a bird's eye point of view, one must see it in a coherent way. On this basis, the aim is to ensure that a lack of peace does not recur. Within the discourse on the subject, there are different forms of peace, two of which are useful here: negative and positive peace. Negative peace occurs where there is structural or cultural violence, but no all-out war. When there is a higher level of positive peace, there are fewer threats than otherwise might have been.

When specifically addressing Liberia, it is necessary to look at the prevailing culture and approach to peace. In most cultural practices and beliefs, the aim is to achieve positive peace. A key principle is that peace and justice cannot be separated. In Liberia, the following are critical steps should be taken in the pursuit of positive peace:

- Violence must be renounced as a means to any peaceful end, since means and ends cannot be separated.

- There should be a clear engagement with the process of national reconciliation.

- Political action is also essential to this drive for positive peace, principally within democratic political structures.

- The state of the wider region is of primary importance, as this has a direct impact on the domestic situation; hence the need to address regional structures and the country's immediate neighbours.

- It is important not to underestimate the possibility of a relapse into violent conflict.

6. Critical issues in communication

There has been a distinctive pattern in the approach of African governments to the treatment of information, which has tended to involve high degrees of secrecy and unnecessary confidentiality. Arguably, this is not an efficient means of defusing existing tensions. Under dictatorial and authoritarian regimes, the human right of access to information is often one of the first to be abused, thus supporting systems that are riddled with abuses of all kinds.

The media as a key channel in SSR processes

The media serve as a link between the people and the government in the dissemination of information. Therefore, they can either reinforce positive messages or perpetuate negative ones. Nonetheless, they have an invaluable role to play, as in Africa, where politics is often ethnically based, and the media can help eradicate this by helping to establish a national identity instead of a fragmented set of ethnic identities. The media's role is legally recognized in their being a constitutional entity, as an outcome of the constitutional provision guaranteeing the freedom of the media.

In this vein, it is imperative that parliamentarians devise a media strategy to publicize their work on SSR. The connection between state institutions and the people arises here, in the ability of the media to communicate messages. It is a vital part of the citizenry's acceptance of the SSR process. It is thus necessary that there is a healthy relationship between media practitioners and parliamentarians.

Exercise

A joint exercise involving a well-known puzzle that required 'thinking outside the box'* revealed the group's tendency to, instead, think within the box. Additional puzzles regarding the challenges of information filters at the giving and receiving point revealed the common impact of such filters on accuracy in the transmission of information. Conceptualizing the transmission of information highlighted factors that deter communication, namely:

- language;
- attitude;
- noise; and
- perception.

These factors are always present in varying degrees and have a significant impact on the outcome of any information that is transmitted.

* The puzzle involved having to connect nine dots arranged in a square grid with four straight lines drawn continuously without pen leaving paper. The only solution to this puzzle is one where some of the lines drawn extend beyond the border of the grid (or box); see <http://www.wordorigins.org/index.php/search/results/8664274768c7a15833f1ad8c27e699ba/>, accessed on 7 November 2007.

The reality of media engagement differs from expectations in this regard, and it is necessary to find an innovative approach to solving this problem.

The role of news

Taking the example of the news provided by the media, the information available may be vast, but must be transmitted in a limited time. The media have to relay events and have to condense what has happened by editing the information to relay the 'most salient' points. However, what is 'most salient' is dependent on the perceptions of a particular editor or reporter. Objectivity in the media is therefore not a realistic expectation, as it is natural for those concerned to start from a subjective point of view. Hence, it is justifiable, if one feels misrepresented, to re-examine the views of the media agent, as they originate from a particular subjective standpoint.

Despite this, collectively the media remain one of the most critical conduits for information. This does not preclude the existence of various members of the media as corporate entities, and it is notable that the income-generation component remains a factor that may motivate certain approaches to information dissemination.

Cash-strapped media in post-conflict societies

The material motivation of media entities is most evident in troubled economies such as that of Liberia, and amid social services that have been devastated by conflict. Consequently, the media sector is challenged by a lack of human and financial capacity. As a result, there is a dominant culture of payment for broadcasting stories, regardless of the relevance of the information. The proliferation of newspaper houses has only served to weaken the sector, as the weak capital base is overextended. Liberia has approximately 40 newspapers, but, in reality, can only support about 5. There is a need to redress this approach in order to engage the media for the greater good of information dissemination.

Communicating security issues to the community

Security issues are delicate, and parliamentarians must therefore be able to accurately communicate exactly what they want to relay. To this end, it is necessary to understand how society listens. This is done at four levels:

- At the level of the 'head', one listens for facts, processes and intelligent discourse.
- At the level of the 'heart', one listens for emotions, such as love, devotion and patriotism.
- At the level of the 'stomach', one listens for need, such as the relevance of SSR to the provision of employment.
- At the level of the 'feet', one listens for evidence of action.

Hence, it is possible to adapt the information being provided to the specific purposes related to these levels of hearing. Efficacy comes in the successful combination of these levels in accordance with what is being relayed. This need not be a sequential combination, but rather arranged according to the subject matter and the intention.

Press releases

An efficient means of providing precise information on security issues to the wider public is through press releases. The assignment given to the parliamentarians to prepare press releases regarding a past meeting on the Interactive Needs Assessment showed their skill in relaying the significance of the event. The results showed that the guidelines that were provided were a useful format for relaying the necessary information. As a result, giving guidelines to the press as to what information is to be relayed may be a surer way of controlling what information is disseminated. It is important to note that if a press release is too long, it is unlikely to be read or will be shortened without supervision, thus possibly omitting vital facts. Additionally, if it is not well written, it is unlikely to be read. Parliamentarians should be aware that editors focus on using the least challenging material available.

A statement can also be used to relay delicate information in the form dictated by the information provider, in this case, the parliamentarian. When an official presents a statement, there is no need to supply a press release as well. Rather, the journalists present can extract salient points and use these for their publication. It is therefore important that points are made clearly and categorized coherently, leaving no room for speculation, to ensure that they are relayed accurately. A statement presented to the press becomes the material on which subsequent question-and-answer sessions are based.

Press interviews

In giving interviews, it is essential that the information that is provided is not 'half-baked', thus allowing room for speculation. It is often a good idea to insist that a recording be made when giving an interview to allow the interviewee to challenge any misquotes, given that there is some journalistic licence in the process of interpreting statements.

If asked a question you do not like, you need to gently but firmly return the conversation to what you want to focus on in order to divert attention away from the current track of discussion.

An exercise followed in which all the parliamentarians and civil society representatives were interviewed on issues pertinent to the SSR processes and the welfare of their constituents. This showed their dexterity in relaying information, and both groups realized the need to be fully conversant with the issues. This is critical, particularly in live situations such as television.

Media strategy

Parliamentarians should develop a sound media strategy regarding their use of the media. This strategy should firstly require that any act of communication to a wider audience should have a clear and precise core message. Furthermore, it is important to use small sound bites,

as people's attention spans are generally low. Before presenting any information, it is vital to identify the core message and find ways of repeating the information several times. A press secretary in parliament is valuable to the efficiency of a media strategy in promoting the activities of parliament and organizing press conferences, releases and interviews.

Success in dealing with the media lies in providing information that can also serve parliamentarians' publicity needs. The relationship with the media is necessarily a symbiotic one. The exchange is not necessarily financial, except in the particular context of a post-conflict society, where economic systems have been destroyed and are in the process of being rebuilt.

Parliamentarians will benefit more from the developments in media engagement when opportunities for such engagement are made available to their partners in the executive and civil society.

7. Strategies for civil society engagement

The importance of a political system that is fundamentally concerned with civil society goes without saying. It is essential for the government to directly communicate its plans to the wider society, and there is increased scope for the government to collaborate with civil society.

Civil society groups represent a valuable knowledge base. The research conducted by many civil society groups can support parliamentarians as they carry out their duties. Additionally, national civil society groups have networks extending to the regional and global levels that can be tapped into. Beyond the media, civil society groups efficiently articulate the aspirations of the broader society for the government's benefit, including the legislature and the executive. Additionally, they act as an effective check on the government, particularly in the absence of a strong opposition.

Any vision of national security is incomplete without a collective approach that includes civil society, civil authority and security agencies. In South Africa, there has been an extensive consultative process, based on constitutional reforms, that covered a myriad of issues, including women's and children's concerns. This has been a necessary tool for paving the way for a peaceful South Africa, both in the present and in the future.

Both the definition and purpose of public hearings need to be clarified. There is a problem in that bills that are to be passed into law are often treated as secret documents. This hampers public debate on the issues dealt with by these bills. Often, civil society groups are not informed about these documents; this is in spite of the provisions that are supposedly made for relevant stakeholders to be invited for discussions, as well as public service announcements inviting civil society and the larger public to participate in the process. The leadership in parliament has argued that funding is not available to allow these provisions to be put in place. Civil society can play a role in finding ways around these challenges; for example, parliamentary activities are increasingly being televised and broadcasted on radio, and the media can be an effective mediator in this process.

Lessons for Liberia

Lessons for engaging civil society in Liberia can be taken from the success of the Governance Commission in this regard. The GC has being very useful in engaging civil society by inviting its representatives to sit in as task force members, particularly on security policy issues. Unfortunately, following this engagement, the draft policy has not been provided to civil society; this has been the experience of the Press Union with the Access to Information Act.

There is a risk of politicizing the process, and this must be avoided, as it could jeopardize a hitherto successful engagement process.

Civil society is currently engaged with the SSR process in the national coalition as well as the SSR Working Group. In this capacity, a petition was presented to the government requesting an overhaul of the SSR process. The SSR Working Group will host a conference to present the current challenges to SSR, to which the legislators will be invited.

In order to improve the teamwork of parliamentarians and civil society, the following can serve as a guide:

- Civil society can send press releases to parliament on the former's activities that could be of mutual benefit.
- The engagement must be open and honest; for example, parliamentarians should be informed that civil society is conducting an informal audit of its activities.
- Civil society can formally lobby parliamentarians with clear information on its positions and requirements.
- For greater efficacy in taking a debate forward, the approach should be specific, with relevant civil society groups engaging with the relevant parliamentarians, and vice versa.
- Civil society–parliament collaboration should be widespread and should go beyond activities in Monrovia alone.

8. Securing critical stakeholders

Women as critical constituents

Women are a critical constituency that has been extensively undermined and overlooked. In order to reorient this dominant pattern, it is essential to understand women's needs and how they see things differently, including, in this case, their perspective on security. This requires a gendered approach to the decisions made by parliamentarians on all matters, and especially as they relate to security. To this end, parliamentarians need to push for an increased number of women at the decision-making table, so as to influence security managers to take a gendered approach to security provision.

Popular perceptions of men and women in traditional societies play a role in our understanding of gender, such as 'women cannot keep secrets' and 'behind every successful man is a woman', and have undermined the role of women since time immemorial. Nonetheless, there are some that put forward a positive role for women, such as 'educate a man and you educate an individual, but educate a woman and you educate a community'. Generally, the perceptions emphasize the role of the drivers of the society, chiefly men, and the dominance of their opinions in real life.

The Liberian civil war was devastating in its impact on all areas of the country's systems and structures. However, this included the deterioration of the dominant patriarchal and authoritarian governance systems. Thus, the post-crisis environment has given rise to certain spaces for women that were hitherto less accessible. This is evident in the election of a competent female president, as well as the appointment of women to other senior decision-making positions. Women are increasingly playing the role of breadwinners and managers, and providing leadership within the family structure. This has also been apparent in the increase in women's innovation and creativity resulting from the need to survive in difficult circumstances. The breakdown of the authoritarian system has been supported by the role played by the Economic Community of West African States (ECOWAS) and other partners in assisting in the peace consolidation process. This has laid the foundations for a secure democratic process with a greater role for civil society, including for women. These post-conflict gains must be consolidated, and the SSR process is a valuable arena within which to pursue this goal.

Women have an essential role to play in SSR, as they can play a part in dealing with the larger women's constituency. However, there is the need for these mechanisms to be gender sensitive in themselves and to reduce the need for women to deal with the issue of gender sensitivity, as women themselves are not always automatically gender sensitive. In addition, the approach to security policy decision making must be gender sensitive, especially

regarding oversight functions. In this regard, men have also taken up women's issues successfully, emphasizing the requirement of a gendered approach vis-à-vis a women-based focus.

It is necessary that the appointment of women to play these critical roles is guided by the principles of quality and competence. For example, there is a current crisis in the capability of women in law enforcement agencies and it is vital to build the capacity of women in this sector. It is not sufficient to simply situate women in these roles; they must have the right capacity to effectively carry out their duties, and this requires proper training.

Inter-generational relationships

In any discussion of security in Liberia, it is necessary to address the reality of inter-generational relationships, particularly in the polarization of the various groups. This polarization has led to a negative perception of the (largely male) youth constituency. The issue is necessarily informed by the following factors, among others:

- The demographic structure dictates that the youth constituency is a vital part of the economically active sector of society.
- The youth constituency has a sizeable impact on the society, whether negatively or positively, due to its critical mass.
- A substantial proportion of this constituency is trained in armed combat and the use of weapons.
- There is an ongoing increase in crime, both in the cities and rural areas, which is in some part due to the fact that many in this group have continued to carry out activities that they took up initially in order to survive during the civil war.
- In examining the youth constituency's relationship with other groups, it is necessary to understand how the broader society works, as this provides the context in which the youth act.

Key strategies

The Constitution does not address the rights of citizens on the basis of age, with the exception of the provisions for children. Culturally, the young–old dynamic comes into play and affects the constitutionally guaranteed rights, as the young cannot question the old or make demands of them, even if they are constitutionally expected to do so. This is compounded by the fact that the 'old' who have dominated the political governance sphere have been shown to have failed in successfully representing the needs of the youth constituency.

The critical first step is a clear and value-free engagement with the youth, based on their constitutional rights and responsibilities as citizens of Liberia. The following suggestions are useful starting points for this engagement:

- Visit the meeting places of the youth and communicate with them in order to tap into their discourse and access their views on what matters to them with regard to the government and the larger society.

- Ensure that any communication is relevant to this constituency and consider using media such as music, sports, drama and news.
- Engage with education establishments, as important messages are being communicated to youth in such places; for example, there are campus-level publications that relay the views of the youth attending educational institutions.[2]
- Review the constitutional foundations of any structural barriers to the youth's role in broader society, including the challenge of age restrictions on holding elective office.
- Review the space for youth in the political processes; for example, in political party youth wings.

As law makers, parliamentarians can make contributions to the youth constituency by coordinating activities that provide services to youth, for greater efficacy. This can be in supporting programmes that mentor youth on how to engage positively with the political process, such as through training in petition writing. Additionally, they can encourage enhanced structures for youth representing other youth, for example, mentoring programmes. These can be incorporated into the process of operationalising the existing National Youth Policy.

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2   There is the added dimension that the youth within these circles are the 'educated', and perhaps some issues of class therefore become relevant to this exchange.

9. A comparative SSR experience

The case of Sierra Leone

SSR is a political process. The SSR process in Sierra Leone was necessary, as the security sector was uncoordinated and fragmented. It had become intelligence led, with little attempt at a scientific approach based on a sound research component. With the emergence of private security companies with no clear code of conduct, now standing at a total of 43, from the 3 that existed prior to the conflict, there was a critical need for properly managing the sector. This was especially challenging in the context of a lack of trust in state security providers. The presence of potential social, economic and security threats highlighted the need for legislation to improve governance and accountability. There was also a need for economic management, given the damage done to the economy by the conflict. Steps were taken to this end, with Sierra Leone signing the ECOWAS Conflict Prevention Protocol and other relevant international treaties.

The Sierra Leonean Constitution gives control of the security sector to parliament. At present, the Defence Committee is responsible for oversight of national security. However, successful SSR in Sierra Leone has not hinged on the effective oversight of parliament, but on a successful relationship between the executive and development partners. Parliament is challenged in efficiently carrying out its duties, because of the perception that the executive is the superior body. This is essentially caused by the quality of access to resources in either arm of government.

In Sierra Leone, parliamentarians have carried out their duties by:

- holding public hearings on the budgets where they raise questions of the executive prior to the budget being formally put to them for approval;
- conducting annual audits that are tabled to them for queries;
- organizing parliamentary subcommittees to visit security sector institutions to see how the staff are faring and to ensure that resources are properly expended; and
- querying senior executive officers, including ministers, on their activities, in the broader public interest.

As a result, parliament successfully passed a Human Trafficking Act and an Anti-Money Laundering Act. The 'jewel' in its crown was a holistic National Security Act that took into account definitional issues, the composition of the security sector, procedures and functions of all parties involved, the sector's role in the broader institutional framework, and monitoring responsibilities, among other aspects. In spite of these achievements, the Sierra Leonean

parliament faces a number of challenges in its security oversight functions as a result of a lack of research facilities, limited experience, an overbearing executive, partisan pressures in its deliberations and financial dependence.

The success of SSR in Sierra Leone has drawn from wider sources than just parliament. The leadership has displayed sustained political will and commitment from the start; for example, the process was initially funded from Sierra Leone's own budget, to the amount of GBP 18,000. In other words, the process was therefore not donor driven, and, from the inception, international partners had only provided technical and advisory support before the scene was set for greater donor support, which has been largely provided by the UK.

The definition of participants' roles and responsibilities has been very clear, and has been an important aspect of the process's success. The threat analysis that was carried out before developing this policy showed that internal threats were more significant than external ones. Economic and social security are also a strong part of possible threats and have been linked to the country's economic policy. The process was locally owned from the start, and this remains its focus. Substantial research and policy capacity was developed, while substantial social capital was built up. Improvements still need to be made, chiefly in terms of the democratic oversight of the process, and it can be said that effectively consolidating the peace will be a consequence of strengthening parliament in its oversight duties. This will provide access for the broader society to SSR and governance processes in the long term.

Appendix: List of participants

Liberian Senate

1. Senator Laihai Lansanah, chairman on National Defence and head of delegation
2. Senator Mobutu V. Nyenpan, member, Defence Committee
3. Senator Prince Y. Johnson, chairman on Security and Intelligence

Liberian House of Representatives

4. Hon. Saah R. Gbollie, chair, National Security Committee
5. Hon. Elijah Flahn Seah, co-chair, National Security Committee
6. Hon. Rufus Gbeior, chair, Defence Committee
7. Hon. Regina S. Teah, member
8. Hon. Bhofal Chambers, member
9. Hon. Edwin Juah, member
10. Mr Peter Kieh Doe, resource officer

Liberian civil society representatives

11. Joe Wylie, ASDR
12. Debey Sayndee, KAIPTC, University of Liberia
13. Caroline Bowah, SSR Working Group, Liberia
14. Cecil Griffiths, SSR Working Group, Liberia

Facilitators and resource persons

15. Prof. Ademola Abass, Brunel University
16. Dr Abiodun Alao, CSDG, KCL
17. Gen. Carl Coleman, ASDR
18. Desmond Davies, editor, *Africa Week*
19. Dauda Garuba, CDD
20. Dylan Hendrickson, CSDG, KCL
21. Prof. Eboe Hutchful, chair, ASSN
22. Eka Ikpe, CSDG, KCL
23. Olawale Ismail, CSDG, KCL
24. Dr Thomas Jaye, KAIPTC
25. Dawda Jobarteh, CSDG, KCL
26. Alhassan Kondeh, Ministry of Defence, Sierra Leone
27. Anicia Lala, ASSN
28. Zeedah Meierhofer-Mangeli, Resource Centre for Black Women, Zurich
29. Prof. Boubacar Ndiaye, Wooster College, USA
30. Dr Funmi Olonisakin, CSDG, KCL
31. Dr Abiodun Onadipe, UNDP Nigeria