these financial enquiries there are opportunities to bring wrongful or simply doubtful actions to the notice of Parliament.

There are also provisions in the Defence Act and in the General regulations which provide for control by the civilian authority. The **Defence Act** (S. 8) provides for the appointment of all executive commanders by the Minister. This should ensure the accountability of these officers to him and through him to Parliament. Although this practice has fallen by the wayside in the RSA, this means that Ministers should resign when their executive commanders commit misdemeanours of any kind - including being simply inefficient. At the same time this responsibility is emphasised by the provision of the **General Regulations** for the Chief of the SADF's responsibility to the Minister (Reg. 5, Ch. 2).

On the executive side of government, the **State President** is much the same person as the Governor-General was and the First Schedule of the Defence Act also provides for the delegation of disciplinary powers from him down through the normal chain of command to the officers and non-commissioned officers of the SADF.
The same relationship which in the past might have given officers direct entry to the Sovereign provides for all members of the SADF to appeal for a redress of wrongs to their superiors up to the State President if satisfaction is not received. In theory and often in fact the normal chain of command serves to deal with most complaints and problems experienced by serving soldiers.

At a level akin to that at which the ombudsman systems would work there is also a **Complaints Office** attached to the Chief of Staff Personnel. The Complaints Officer is a retired naval officer and in fact his duties resemble those of the Israeli CSS. He acts as a facilitator, receiving complaints and referring them for attention to the responsible authorities and, in turn receiving reports on what has been done to correct the matters complianed about. As a retired officer this Officer is fairly independent but he is not an independent entity such as those in Scandanavia, Israel or Germany who report to Parliament.

Doing much the same as the Complaints Officer are officers in Army Headquarters whose assignment is to receive enquiries regarding complaints sent to the Minister of Defence. They act as a channel to the various executive commanders who may be the subject of the complaints, requests and other correspondence emanating from soldiers or their families. Their task is to report back to the Minister that the correspondence has been dealt with satisfactorily. As in other countries complaints are largely to do with postings and inconvenience of service away from home.

For some years the Chief of the Army has been supported by a staff officer who is a Citizen Force officer to act as a liaison between serving CF and Commando members and the Army and between the Army and employers. In each regional Command there is a senior staff officer with much the same assignment. Inevitably, the citizen soldier turns to these officers as well in order to have problems he may experience with service solved. A former encumbent of the post at Army Headquarters referred to this post as being that of an ombudsman. This does not really reflect the nature of the work done by these officers and yet ultimately they do find themselves acting as arbitrators between the Army and the men who make up the Army.

It is clear that there are control systems built into the SADF and the Parliamentary system. As in every other country, however, there are brakes on the full employment of the system. One is the problem of deciding when "national security" should bar access to information. In the United States extreme measures have been taken to overcome this problem but it requires a parliamentary structure such as the one prevailing there to make this possible. Another is that the parliamentarians are themselves ignorant as what remedies are available to them and how best to exploit what they are able to know and do. Another is simply the ignorance of military personnel as to what they should be imparting and how they should support the system of controls. These labyrinthine matters are not usually the subject of military training anywhere.

What the SADF does have and which is on all fours with the system of objective civilian control described by Huntington, is a high degree of professionalism. In the same way as the Swiss the SADF has worked hard to produce part-time professionals as well as career professionals. What one sees as the end product is a force which obeys the political head of the SADF in spite of personal opinions as ordinary citizens. Perhaps it is a schizophrenic kind of acting for ordinary citizens. But it is what is expected of professionals if they are to stand aside from the political issues as the Swiss did in 1940-1945. It is what has taken South African soldiers through two World Wars and a long war on the Namibian border. No one could argue that the CF and the Commandos are made up of people of one political persuasion. Nor is the Permanent Force. It is necessary that the politicians see the discipline and professionalism in the SADF for what it is and for what it can contribute. This attitude of mind can be seen explicitly illustrated in the speeches made, for example, by the Chief of the Army who repeatedly tells soldiers that the Army is above politics and serves the state.

CONCLUSION

In this paper the writer has brought together a range of the
forms of control that are used in various parts of the world.
It is selective and the examples were chosen simply to show what
is available.   It is instructive to notice that in most cases
there was an historical foundation which probably has nothing to
do with the uses to which the systems are put today.
Fundamentally, no system is worth the paper it is printed on if
there is no desire among the citizens to make it work.
sometimes drastic things have to happen to test its
practicability and reality.   The fact that the Americans and the
Swiss were able to fight civil wars showed that their militia
systems were workable guarantees of the constitutions.   The
union of both was ultimately maintained.

What makes citizens want to make a system work may have a lot to
do with the history of the society, with their desire for safety
and to avoid instability.   As Huntington says, it may have to do
also with the faith the politicians have in the professionalism
of their armed forces.   In South Africa the propensity to have
this faith has been upset by the fact that in the past the armed
forces have used to resist the attempts of competing political
movements to take power.   The objective facts then must become
clouded by political resentment and suspicion.   It means also
that South Africa is still in the unstable state of subjectiuve
civilian control in which control simply refers to a desire to
control the armed forces against another civilian political
group.

When one reads papers on the defence question and listens to
discussion it sound very much as though the participants oppsing
the status quo still see a need to subvert the military forces as
a route to power.   As much as with some politicians on the more
conservative side, they find it difficult to distinguish ordinary
political life as it has to develop here from the old days of
conspiratorial subversive politics.   It is to be hoped that
discussion such as these today will help to bring the various
political parties and movements to a better understanding of the
relationship of the SADF to the public as a whole.   In that way,
when control is spoken of one may hope that it will relate to the
objective civilian control and not simply means of turning the
SADF into a party armed force as was done in NAzi Germany with
the SS or in Stalin's USSR with the MVD and KGB.

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CIVIL-MILITARY RELATIONS

IN POST-INDEPENDENT AFRICA·

By Dr Simon Baynham, Chief Researcher,
Political and Strategic Studies, Africa Institute of South Africa

1.0 INTRODUCTION

It has often been noted that armed forces occupy a unique position in society because they enjoy what is called a 'monopoly of weapons'. Yet in most polities many other people are entitled to keep firearms who are actually not members of the military. Thus the real difference between armed forces and, for instance, pistol clubs lies in their organization and training rather than in the firearms they carry. In addition - and unlike most civilian bodies - members of the military (but not so much conscripts) are not simply doing a job but are embracing a whole way of life. It is a total commitment as part of a 'total institution'. Only a few elements of the civilian community live in total institutions, most notably the inmates of boarding schools, prisons and lunatic asylums!

Again, unlike most civilian organizations armed forces have a more rigid hierarchy of ranks, stricter discipline and virtual self-sufficiency regarding, <u>inter alia</u>, power supplies, transport, welfare and secure communications. This characteristic is frequently reflected in the way soldiers view society. Put another way, soldiers are conscious that they are different from civilians (and vice versa) and the phenomenon of a `military view' of the world is well established.

The maintenance of internal law and order, and the necessary provision for protection against external threats, are the primary responsibility of any political grouping, be it a primitive people surrounded by hostile neighbours or a technologically-modern and militarily-powerful nation-state on the eve of the twenty-first century.

But there is, paradoxically, a danger inherent in this Hobbesian imperative. For while Napoleon Bonaparte's maxim may be true that without an army there is neither independence nor civil liberty, it is equally important to stress Edmund Burke's warning that an armed disciplined body is, in essence, dangerous to liberty. The potential threat to an incumbent administration, and to society at large, is further emphasized because armies use force to achieve their objectives. They generally have a cohesion, a discipline and a specialist training which is designed for one thing only - war. In these respects, and as Professor Finer has argued, they have three crucial advantages over civilians: *A marked superiority in organization, a highly emotional symbolic status, and a monopoly of arms ...,* which thereby give them ... *overwhelming superiority in the means of applying force.*[1]

To sum up the above: the armed services of any state are to a greater or lesser extent a body apart; and although they may not have an absolute monopoly of weaponry, they do at least have an effective monopoly in the <u>organized</u> use of violence. It is therefore important that they should utilize this power in a responsible manner for the benefit of society, rather than in an uncontrolled and self-serving

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fashion. In order to ensure that this takes place, most societies have insisted on the subordination of the armed forces to the political authority of the day.

In the West, it is commonly assumed that it is 'natural' for the military establishment to obey the civil powers. But in the world at large, this is far from being the normal pattern of events. Since 1945, for instance, more than three quarters of the countries of Latin America, Africa, Asia and the Middle East have experienced varying levels of intervention from their military forces. Some states such as Syria, Pakistan and Thailand have been repeatedly prone to such action. And in Africa - as will be examined in greater detail below - more than half of the continent's countries have been host to a coup d'état.

Even in the West - which is mistakenly viewed by many as an area synonymous with civilian super ordination - efforts to control the political ambitions of the military have often been less than successful. In France, for example, the constitution has always stated that the political authorities reign supreme over the armed forces, yet in 1799, 1815, 1851 and 1958 the army was responsible for changing the form of government. In 1960 and 1962, it tried to do so again and when it failed some of its members embarked on a campaign of terrorism and the attempted assassination of General de Gaulle. In Portugal there was a successful military coup in 1974, when the army intervened to end Lisbon's wars in Africa; and in both Greece and Turkey, the soldiers have dismissed the politicians on a number of occasions since 1945.

More widely, and more recently, the power of the military on the political stage has been forcibly brought home by last year's KGB/CPSU plot against Mikhail Gorbachev - when the world held its collective breath for four days as it witnessed the death-throes of Soviet communism - and also by the February 1992 coup attempt in Venezuela - where rebel paratroopers attempted to assassinate President Carlos Perez in a move that came perilously close to ending constitutional rule in mainland Latin America. And on the African continent, 1992 has already witnessed several military coups or attempted coups, namely in Algeria (successful), Congo-Brazzaville and Zaire (both abortive).

With the foregoing introductory perspectives in mind, we move now to a closer examination of African civil-military relations since Independence and especially to three crucial but overlapping issues.

Firstly, what is the record and what are the reasons for the widespread influence of the armed forces in the continent's domestic political arena? Secondly, what have been the most salient characteristics of military rule and disengagement? Lastly, how have civilian regimes attempted to ensure the subordination of the military to their authority? These sets of questions warrant more than casual attention on the part of South Africans in the current era of transition.

2.0 MILITARY INTERVENTION: THE RECORD[2]

In his 1962 preface to Black Mischief, Evelyn Waugh wrote:

> Thirty years ago it seemed an anachronism that any part of Africa should be independent of European administration. History has not followed what then seemed its natural course.[3]

Similarly, some quarter of a century back, when the 'white man's burden' yielded to indigenous political and bureaucratic elites, few observers predicted a prominent role for the post-colonial military forces. At an Ibadan University conference in 1964, for example, Lloyd declared that ... in few of the independent [African] states is the military elite much in evidence in the social and political life.[4]

This evaluation was not challenged (in fact it was endorsed) by several leading commentators of the day. Also, inside these territories, the initially dilatory pace of officer indigenization and the continued employment of expatriate staff in the military hierarchy ... encouraged both apathy and ignorance about the armed forces among the emerging African elite.[5]

Yet looking back on continental developments from the vantage point of the early 1990s, it seems surprising that the potential impact of the army was not more fully anticipated. Given Third World experience elsewhere - especially in the Middle East and, much more spectacularly, in Latin America - military uprisings in Africa should have come as no sudden bolt from the blue.

The apparently insignificant size, and certainly the limited experience and expertise, of the new states' embryonic armies beguiled both scholars and foreign chanceries into ignoring or minimizing the military threat. But rebellion from this quarter - whether in the golpe de estado (coup d'état) or golpe cuartelazo (palace revolt) - has seldom involved more than a few hundred troops.

In Ghana, the National Liberation Council (NLC) came to power in February 1966 when 500 soldiers, from an army of 10 000, overthrew the regime of Kwame Nkrumah; in Congo (now Zaire), Mobutu 'neutralized' the conflict between Lumumba and Kasavubu by occupying Léopoldville (today Kinshasa) with 200 or so men in September 1960; while General Soglo of Dahomey (now Benin) was ousted from office by five dozen paratroopers in December 1967. In similar fashion, two of the most recent African coups - those toppling the military heads of state in Mali (General Traoré on 26 March 1991) and in Lesotho (General Lekhanya on 30 April 1991) - involved a tiny proportion of these countries' respective total armed forces.

Thus, early predictions to the effect that the imperial legacy in Africa was likely to create armies in the image of the colonial powers - and as such unlikely to interfere in politics - have had to be hastily revised. Throughout much of the continent today, militaries, no matter how small, represent virtually the only disciplined organizations at large. As such, even if not ruling directly, they are almost unchallenged umpires - the ultima ratio regum - of who should govern and under what conditions and terms.

At the time of writing (April 1992), about a quarter of Africa's states are governed in one form or another by their armies. Most of the coups d'état from the modern-day men on horseback have been directed against civilian administrations (often for a second or third time, as the cases of Uganda and Benin so graphically illustrate); but an increasing proportion are staged from within the armed bureaucracies, by one set of khaki-clad soldiers against another: as in Nigeria (1966, 1975, 1985), Ghana (1978, 1979), Sudan (1985). And as noted above, both 1991 putches (Mali, Lesotho) were military-on-military affairs.

Although there had already been a number of coups d'état in Egypt (1952), Sudan (1958) and Congo (1960), the main sequence of African interventions began in Togo in 1963 when President Sylvanus Olympio was assassinated by army rebels. A new government was installed under the civilian president Nicholas Grunitzky, but he was in turn overthrown by Colonel Etienne Eyadema on the fourth anniversary of Olympio's murder. Eyadema has been in office ever since.

Following the great wave of independence that traversed Africa in the years 1960-63, military coups swept through the continent. There were four coups in 1965; the next year there were six, two within the space of six months in Nigeria. By 1972, Dahomey (now Benin) had seen no less than five coups d'état. This record is now equalled by Ghana.

In numerical terms, 31 African states have already experienced military intervention and 19 have been subjected to more than one. On average, there have been three successful coups per annum during the past quarter century - as well as a rash of attempted but abortive rebellions. For every successful coup in Africa, there have been at least two unsuccessful ones. Congo-Brazzaville hosted seven attempted coups d'état between 1966-77.

More recently, during the past 24 months, there have been confirmed accounts of failed coup plots in nine African states. By the beginning of 1987, half the continent's countries were under military rule, in many cases for the second or third time. Some of them (for instance, Ghana, Nigeria, Sudan and Libya) have been governed by the armed forces for most of their independent existence.

3.0 MECHANICS AND MOTIVATIONS

How can one account for the political virility of the African armed forces in achieving such a remarkable success rate in the seizure of office and, secondly, what motivates the military in this respect? There are a number of answers to these questions.

On the one hand, the virtual monopoly of organized state violence enjoyed by the military (and police) forces in societies where the central political symbols and institutions are weak have enabled soldiers to seize power with relative ease.

At the same time, the concentration of government buildings, party officials and symbols of state in the capital city makes an armed rebellion relatively simple. Once a few key officials and locations have been seized (government ministers, the presidential palace, radio and television stations and airports), the success of the soldiers is virtually assured - confirming Bronowski's observation that ... *in modern times communications are typically the first target in a revolution ... because if they are [severed] then authority is cut off and breaks down.*[6]

Nevertheless, the opportunity and means for the violent overthrow of incumbent administrations fails to explain why soldiers actually do so with such frequency. Given the impressive volume of literature addressing itself to the causes of coups - why and under what circumstances military forces intervene in politics - it would be superflous to replicate, even in synoptic fashion, all facets of that debate here. The list seems to be almost endless, ranging from economic crisis, (persistent poverty, regional/ethnic rivalries, government repression and corruption, maladministration, foreign interference, personal and corporate ambitions and so on.

What is clear, however, is that the interventionist inclinations of the military in post-independent Africa are, to an important extent, a legacy of the way in which the continent was divided during the last part of the nineteenth century. The political role of the military is also linked to the pace and manner in which the metropolitan powers withdrew from the artificial states they had created. Critical issues relating to the distribution of power and to the resources associated with the occupancy of political office were left unresolved. No wonder, then, that so many of the new African armies were sucked into the political centre-stage.

Frequently, too, institutional instability within the armed forces was engendered by the total indigenization of the officer corps within a few years of Independence. For example, in March 1957, when Ghana attained sovereignty, there were 209 Britons and 29 Africans in the army officer corps. Localization was fully implemented four years later. A similar pattern obtained in the Nigerian Army, which was completely Africanized by 1965. Only seven years earlier, there had been 45 African commissioned officers and six times as many British ones.

The result of political as opposed to military imperatives, rapid localization led to an erosion of professional skill and in many cases to a breakdown in discipline. The accelerated elevation of inexperienced officers to high executive posts generated unrealistic career aspirations at lower levels; and in most cases, such expectations were not borne out following the initial wave of promotions.

Had recruitment and advancement been more carefully regulated, promotional bottlenecks - a breeding ground for discontent and conspiracy - might have been largely avoided. These and related dislocations had wider repercussions, since a lack of coherence within the armed forces themselves lessens contraints upon military adventurism in the political sphere. Indeed, indiscipline inside the security services is a constant problem for all regimes, civilian and military, that rely principally on force to survive.

4.0 MILITARY RULE AND DISENGAGEMENT

The military's structural differentiation from society is especially vulnerable once the barracks have been abandoned for political office. For as First noted, once armies step beyond the barracks to engage in public policy-making, ... *they soak up social conflicts like a sponge.*[7]

It is not the intention here to examine the nature of military governance here in detail (for many excellent studies on the subject already exist), save to say that administrations run by soldiers seem strikingly similar in many respects to those dominated by civilians. The explanation for this state of affairs is rooted in the nature of politics in Africa.

Since independence, political conflict has converged upon attempts by the Western-educated elites to gain control of the resources associated with governmental or state power. Invariably, the state is the largest employer of skilled and educated labour in Africa. It is a monopoly source of import and export licences for international trade, as well as the most important origin of contracts to local and foreign business. It is also the major fount of credit, loans and assistance to domestic businessmen and farmers. In addition, the state has almost total control over the distribution of communications, clinics, schools, sanitation and other amenities.

Given this overwhelming concentration of power and patronage, it is hardly surprising that individuals, ethnic groups and localities have seemed utterly absorbed with jockeying for representation in, or control over, the central structures of government and through them for influence in a polity whose main function is apparently to provide handouts for its clientele. The result of this concentration of resources has been the tendency of African citizens - civilian and military - to associate the state with limitless power, endless wealth and high prestige.

The dependence on the government of the majority of individuals who make up the educated elite for their salaries, status and overall economic security means that politics in Africa may be viewed, largely, as a perennial struggle by individuals and groups (both primordial and horizontal) to maintain and extend their economic standing by gaining control over the allocative arms of the state.

Many theories of society have stemmed from certain assumptions about the characteristics of the individuals who compose it. The theory of economic behaviour argued here is that one of the prime motivations of man is the desire to pursue economic goals and to maximize his material satisfactions and social status. And the individuals who have constituted the hierarchy of the armed forces during the first few decades of independence have been as much a party to, and participated in, the system as their civilian counterparts.

In embracing such an approach, the argument, quite simply, is that armed intervention and military rule should not be viewed (at least primarily) ... *as an attempt by an external body to mediate between ... antagonistic elite groups or between politicians and masses.*[8] Instead, such action should be seen as something quite different, namely as an attempt by the military (or a section of it) to protect and extend its privileged position and material perquisites in competition with other societal interests.

Briefly stated, the rhetoric of altruism and patriotism is for the most part a screen to shield the soldiers' sectional interests; and the maintenance of public order carries with it the maintenance of the domination of those who control that order.

Given their obvious strength in relation to civilian groupings and institutions, what then induces the armed bureaucrats to head back to the barracks? In an early study of military rule and demilitarization, Pinkney argued that one country (Ghana) ... *provided an example ... of a military government keeping to the timetable it had set itself for restoring civilian rule.*[9] But he fails to appreciate that this had more to do with threats to the cohesion of the army-police National Liberation Council (NLC) and to the troops in the barracks (following the junior ranks' abortive counter-coup in April 1967) than with the Council's undertaking to abdicate early.

In point of fact, abdication to civilian rulers is invariably forced on military juntas - assuming, of course, that they survive the praetorian proclivities of their own primary constituents, the garrisoned troops. For as noted earlier, coups within coups have become a secondary growth industry on their own account. It is now commonplace to remark that military disengagement from overt rule occurs through the cumulation of three conditions: first, the disintegration of the original conspiratorial cabal; second, a growing divergence of interests as between the ruling uniformed bureaucrats and those that have remained behind in the barracks; and, in the third place, the political and economic difficulties faced by the regime.

Abdication, however, is not the only way out. Recivilianization - an incremental transfer of office from a semi-civilianized military government to a civilianized one (as envisaged, for instance, by the senior command responsible for ousting General Nimeiri in 1985) - or 'decompression' - to use a term with a similar meaning borrowed from Latin American studies - offers an alternative mode of withdrawal.

But whatever the route, the road back to barracks is strewn with uncertainties. By surrendering office, soldiers lose not only direct control over the ideological orientation of the state and the allocation of public resources from which they benefit so lavishly under their own rule, but also they risk retribution from vengeful civilians. This is why military disengagement from politics might best be described as 'formal' or 'conditional', rather than as 'definitive' or 'absolute'.

Indeed, to continue with the Ghanaian case-study, one classic example of conditional withdrawal was Flight-Lieutenant Jerry Rawlings' handover to President Hilla Limann in September 1979. Addressing Limann at the ceremony inaugurating the Third Republic, Rawlings articulated his ... *fervent hope that you will develop sensitivity to the tenets of [my] revolution.* Earlier in the speech, he cautioned: *You must be prepared to do justice to all our people. The whole nation is watching you.*[10] Rawlings re-seized office two years later, thereby earning the distinction of being the only African to have overthrown both a military and a civilian administration - all in the space of 30 months.

While there are signs that the era of interminable intervention by the military may be coming to an end - especially given the impact on Africa of political and economic reforms in Eastern Europe, together with pressures emanating from the West for the implementation of multi-party politics and open government - civil-military relations in the majority of African states during the past quarter century have been characterized by a cyclical or <u>perpetuum mobile</u> pattern of successive coups, counter-coups and disengagements. It is an assessment reached elsewhere by J'Bayo Adekanye in his study of politics in the 'post-military states':

> *It is rare for the process of demilitarisation to lead to any stable pattern of civilian rule. Much more often, the military's return to barracks is the prelude to a period of weak civilian government which sooner or later ends in reintervention ... Re-entry takes place because there is no longer anything to prevent it.*[11]

5.0 CONTROL STRATEGIES: THEORY

On the other hand, the armed services have not been politically dominant throughout Africa. Far from it in fact. A significant number of regimes have maintained civilian authority over their military establishments for periods exceeding 25 years: Ivory Coast, Cameroon, Senegal, Gabon, Swaziland, the Gambia, Botswana, Tanzania, Mauritius, Kenya, Malawi and Zambia all fit into this category.

Indeed, added together, well over a third of the continents' states have remained free of military domination since Independence. And in a number of cases, civilian supremacy has remained intact despite top-level leadership successions - for instance, when Jomo Kenyatta died in 1978 and after Julius Nyerere handed office to Ali Mwinyi in 1985.

We come therefore to a crucial issue in the study of African civil-military relations: that is, to the question of political control of armed force - in other words, of how civilian governments mobilize resources and mechanisms to protect themselves from their own security forces. Clearly, this is a subject of key importance but one that has received inadequate attention in the study of African political affairs.

At some risk of simplification, conceptualizations of civilian control over military institutions tend to be of three types, the first of which - the traditional model - may be discarded for our purposes since it is premised upon the absence of differences between civilians and soldiers, as exemplified by seventeenth century European monarchies where the ... *aristocracy simultaneously constituted the civilian and military elite ... [In short] The same men wore both hat and helmet.*[12] In this model, civilian supremacy is maintained because the differentiation between military and non-military elites is absent or insignificant, the corollary of which is no armed intervention. From the 1800s, the system gradually disappeared with the introduction of standing armies and the displacement of ascriptive by achievement criteria as the basis for selection and promotion.

However, since the traditional system is a mainly historical phenomenon, and therefore of marginal contemporary applicability (some conservative Gulf emirates excepting), the theoretical and practical interest here is on the alternative liberal and penetration models which roughly replicate Samuel Huntington's `objective/subjective' pattern variable.

In his classic text on the theory and politics of civil-military relations.[13] Huntington gives considerable attention to the question of how civilian supremacy over the armed forces might be assured. He begins by making a conceptual distinction between what he calls `objective' and `subjective' control.

In the former, the officer corps is disciplined by its own professionalism, the most important constituent involving service to the community. He concludes that the more professional an army (that is, the more it saw itself serving society), the less of a threat it would pose. This objective or liberal model is closely associated with Western parliamentary democracies (United Kingdom, Scandinavia, USA etc.), where control is affected through the maximization of military professionalism, thus ... *rendering them politically sterile and neutral ... A highly professional officer crops stands ready to carry out the wishes of any civilian group which secures legitimate authority within the state.*[14] Or put another way, the formula operates on the premise that the soldiers internalize, or become attitudinally disposed to, their own subordination. At the same time, the politicians are expected to exercise due regard for the internal professional autonomy of the fighting forces.

According to the subjective model, civilian supremacy is enforced by the denial of an independent military sphere. Here the military becomes an integral, though subordinate, part of the political authority and is inculcated with civilian political values and interests.

The subjective format is most clearly identified with absolutist or totalitarian regimes, such as Nazi Germany, Cuba and the former USSR, where policy is or was ultimately determined by force and coercion. In such states, internal military power is checked, inter alia, by:

- breaking up the officer corps into competing groups,

- establishing political armies and special military units (Waffen-SS, Soviet MVD security troops etc.),

- infiltrating the armed services with parallel political chains of command (commissars)

- and by indoctrination, covert surveillance and close party supervision in the appointment of reliable officers to sensitive commands.

This system approximates to Eric Nordlinger's penetration (as well as Robin Luckham's apparat) model, where civilian dominance is ensured through the widespread deployment of ideological controls and surveillance, founded upon a dual structure of authority in which military personnel are subordinate to political functionaries.[15]

To sum up the above in Huntington's own words:

> *Subjective civilian control achieves its end by civilianizing the military, making it the mirror of the state. Objective civilian control achieves its end by militarizing the military, making them the tools of the state.*[16]

6.0 MILITARY SUBORDINATION IN AFRICA: PRAXIS

In the Third World - and certainly in Africa - civilian authority over the military owes most of what success it has had to the subjective (or penetration) model rather than to the objective (or liberal) formula outlined above. This brings us to a more focused examination of the actual techniques and institutional mechanisms utilized by African civilian regimes in their efforts to subordinate the armed services to their authority.

Eight strategies or devices are discussed here, but it should be stressed that (i) there is some overlap between them and (ii) most regimes employ a combination of strategies to pre-empt the praetorian ambitions of the military.

6.1 ETHNIC/KINSHIP SELECTIVITY

Experience in India had led the British to believe that some tribes were inherently fit for soldiering: the concept of the 'warrior type' and 'martial races' - of whom ready loyalty and absolute obedience to command could be expected - was deeply entrenched. The same attitude prevailed in Africa, where the colonial authorities deliberately manipulated the ethnic profile of locally recruited forces in order to build reliable armies for the subjugation and pacification of the native population.

This technique has been borrowed by the post-Independence political elites, as exemplified in Daniel Arap Moi's Kenya, where the Kalenjin (Moi's group) dominate the top positions in the security establishment. Today, only one of the seven most senior security posts in the military, para-military and police is occupied by a Kikuyu, whilst the Commandant of the General Service Unit (GSU) and President Moi's Sandhurst-trained Chief of Military Intelligence are just two examples of a virtual Kalenjin monopoly in Kenya's top military brass.

Another case in point is Chad, where President Idriss Deby relies on his own tribal group for his personal security. In other countries, the ascriptive manipulation of posts has been taken one step further by the appointment of presidential family members to strategically important commands in the security services. Ian Khama's meteoric rise through the ranks of the Botswana Defence Force (BDF) is just one instance in many.

6.2 INSTRUMENTAL PAY-OFFS

A second stabilizing control mechanism has been to 'buy' the loyalty of soldiers through the maximization of material satisfactions relating to pay, privileges and related rewards.

> *This might entail, for example, the allocation of a very high proportion of the defence budget to pay and benefits rather than to hardware.*[17]

In Zambia, but also in Kenya and other African states, the senior officer ranks have been drawn into the inner circles of privilege by the allocation of land grants for commercial farming. Other methods of patronage for keeping the military 'sweet' include selection for overseas diplomatic posts and training courses. Such postings inevitably carry special allowances and other financial perks, particularly the rare opportunity of returning home with a duty-free motorcar.

In countries where civilian governments have included the armed forces in economic austerity measures, the result has often been military intervention - as in January 1972, when the expelled premier, Dr Kofi Busia, described Colonel Acheampong's takeover as 'an officers' amenities coup'.

6.3 POLITICAL/BUREAUCRATIC CO-OPTATION

Closely linked to the instrumental purchase of fidelity through the provision of creature comforts is the widely-used method of co-optation. In a number of African states, senior and even middle-ranking members of the officer corps, have been drawn temporarily into government circles by appointments to the boards of parastatals or as regional governors and party/political functionaries.

In a deliberate strategy to neutralize the interventionist inclinations of the Tanzanian People's Defence Force (TPDF), the CCM (Chama Cha Mapinduzi) has incorporated the TPDF into the party/ governmental system along the lines seen in Mexico during the 1920s. The Tanzanian armed forces are, in fact, part of the governing elite, with frequent transfers of officers from the TPDF to ministerial, diplomatic and party positions and back again.

When this writer visited Tanzania in late 1990, General Kimario, for example, had just been appointed Regional Commissioner for Dar es Salaam, having been Minister for Home Affairs (and thus of Cabinet ranking) before that. Until late 1989, General Luhanga was Chief of Operations and Training; but for the past three years, he has been Regional Commissioner for Ruvama - a civilian appointment. Similar examples of co-optation are provided in Gabon, Zambia and Ivory Coast, to name but a few.

6.4 MANIPULATION OF MILITARY MISSION

Another control device is what might be called manipulation of the military mission. By this is meant the deliberate deployment of the armed forces in order to keep them fully occupied and - hopefully - professionally happy. This may take the form of countering external threats, or it might mean using the military for civic action programmes or for domestic law and order operations in aid of the civil power. There is, however, a danger to civilian control here since internal security commitments have a potentially politicizing impact on the minds of the military.

6.5 IDEOLOGICAL INDOCTRINATION

A fifth technique - and one which mostly reflects the subjective mechanisms of control still seen in the People's Republic of China and in Castro's Cuba - is to deliberately indoctrinate the armed forces with the ideological values of the party-state.

After the mutiny by the First and Second Battalions of the Tanganyika Rifles in 1964 (a mutiny put down by British marines at Nyerere's request), the army was virtually dissolved and a new one the TPDF - was created whose members were obliged to join TANU, the Tanzania African National Union (now the CCM). Since then, and in order to identify the military with the ideology, policies and orientation of the governing party, the officers and ranks have been systematically subjected to political education which accounts for 20 percent of the time devoted to training.

Another example comes from Ghana, where in 1962 the Minister of Defence issued a directive that party education would be introduced into the army through an Armed Forces Bureau; and officers were to be sent on extended courses to the Kwame Nkrumah Institute of Ideological Studies. For Nkrumah, the inherited (British) model of civil-military relations clashed, diametrically, with his vision of a one-party state encompassing the national institutions of Ghana. What was required, he argued, were politically committed armed forces who owed loyalty, not only to Ghana, but to the Convention People's Party (CPP) and to President Nkrumah personally.

In this context - and there are plenty of other African examples - Western traditions of political detachment and neutralism are rendered meaningless and are replaced by an ethos in which enthusiasm for the existing regime becomes an essential quality in a military officer.

This view has been expressed succinctly by the former Tanzanian leader, Julius Nyerere:

> Our conception of the President's office is obviously incompatible with the theory that the public services are and ought to be politically impartial.[18]

6.6 EXPATRIATE RECRUITMENT

Another method of control has been the recruitment of foreign officers (or mercenaries) to the crucial command posts and to other sensitive appointments inside the security establishment - a strategy with a time-honoured lineage as seen in the Vatican's Swiss Guard.

One African example is Gabon, ... *where a major mainstay of Bongo's control of the Gabonese armed forces is the number of [expatriate] appointments of this kind.*[19] This method of control maintenance is also characteristic of a number of Gulf states, where British officers and NCOs (including former Special Air Services personnel) have acted as loyal guardians for the likes of the Sultan of Oman.

6.7 DIVIDE ET IMPERA: SECURITY COUNTER-WEIGHTS

The appointment of expatriates to serve as sentinels for the security of the regime is closely associated with one of the most prominent mechanisms for control visible in independent Africa: the creation of rival security formations to act as a check on the regular armed forces.

The Ghanaian case, with which this writer is most familiar, provides one of the best examples of an attempt by politicians in a one-party state to subordinate the military to civilian authority.[20] In the early 1960s, President Nkrumah set up a National Security Service (NSS) - composed of five units (Military Intelligence, Counter-Intelligence, a Cuban-trained bodyguard, Special Intelligence and the President's Own Guard Regiment) - which duplicated and usurped the functions of the regular military and police.

In this deliberate system of institutionalized dualism, Nkrumah encouraged rivalries and dissensions among officers, thereby hoping to discourage them from taking united action against him. In fact, he was unsuccessful in this objective because in February 1966, shortly before the counter-weight security apparatus threatened to become effective, Nkrumah was overthrown by his army and police.

In many cases, the counter-weight military and para-military forces are trained by a foreign government or even by a number of foreign armies. For instance, in Zaire - where Mobutu Sese Seko's political longevity lies in the creation of numerous security agencies - the Civil Guard (Garde civile) is Egyptian-trained, the army's 31st Brigade is French-trained and the elite Special Presidential Division (Division spéciale présidentielle) is Israeli-trained.

It is interesting to note that the DSP is composed mainly of Ngwandi, Mobutu's own ethnic group, and that several of its officers are foreign nationals. In short, the Division (which was responsible for flushing out army rebels from the Voice of Zaire in the January 1992 coup attempt) reflects a cocktail of control techniques within one organization. On top of this, divisional and brigade commanders in Zaire are constantly moved and re-posted in order to undercut any base of support they might otherwise develop.

A final two examples worthy of special note are Kenya's para-military General Service Unit (GSU), built up by President Moi to break the monopoly of the regular armed services, and the heavily-armed Police Field Force in Tanzania, one of six bodies comprising that country's security establishment in a comprehensive system of checks and balances.

6.8 EXTERNAL GUARANTEES

The penultimate, and more than usually effective, method of civilian control in this inventory boils down to external guarantees from friendly foreign powers. With the possible exception of Cuba, French military policy has attracted the greatest international attention in this regard. Almost every Francophone African state has - or continues to have - defence agreements with Paris; and standing French garrisons in the Central African Republic (CAR), Djibouti, Gabon, Ivory Coast, Cameroon and Senegal have been an abiding hallmark of the continued French presence on the continent for the past 30 years.

In all these countries, Paris has underwritten - and at various stages acted - in order to ensure the stability of her African friends. Indeed, on one occasion, French Legionnaires intervened to restore the civilian administration of President M'ba after he was overthrown in the coup of 1964.

The United Kingdom has been much less active in this manner. Nevertheless, British troops were responsible for putting down the East African army mutinies in 1964 (in Kenya, Tanzania and Uganda) and elite troops from the SAS moved into the Gambia to restore Sir Dawda Jawara to power in 1981.

It is often assumed that outside foreign powers have played the only deterrent role in this regard. But that is not so. A large number of African states have provided military assistance to protect endangered civilian neighbours from the political ambitions of their own armies.

Surprisingly perhaps, Guinea emerges as the leading exponent of the external use of military power, having intervened to support friendly civilian regimes on no less than five separate occasions. But Tanzania comes a close second with regime-supportive military assistance to governments in the Comoros, the Seychelles and Uganda. (Of course, Tanzania's forces were also responsible for the best-known instance of regime-opposing intervention, when 20 000 Tanzanian troops invaded Uganda and overthrew Idi Amin in 1979). A final example of African outside military guarantees is in Equatorial Guinea, where President Obiang retains office assisted by a large detachment of Moroccan troops provided by King Hassan.

Although the issue is not included in the list of mechanisms offered above, there is another critical determinant of control that has little to do with the military at all. *It is the existence of civil institutions which are both legitimate and effective* [21] especially over an extended period of time.

As regards the relationship between effective legitimacy and the format of civilian control, one might extrapolate as follows:

> *The higher the levels of legitimacy and effectiveness, the more likely it is that control will take 'objective' forms (self-restraining military professionalism ...); and the lower the levels of legitimacy and effectiveness, the more likely control is to assume 'subjective' forms.*[22]

To sum up the above: from the evidence available, it seems clear that once the subordination of the military has been engineered, subjective control may be singularly effective. But its limitation lies in the fact that it can only be implemented at great risk.

Before concluding this section, two other observations must be noted, both of which have relevance to the current and future pattern of civil-military relations in South Africa.

In the first place, it is important to stress that, to a greater or lesser extent, <u>all</u> armies intervene in politics. In Finer's continuum, the possibilities range from 'influence' (legitimate inputs into defence budget decision-making), to 'blackmail' (intimidation of the civilian authorities), to 'displacement' (removing, or permitting the removal, of one set of civilian politicians for another) and, finally, to 'supplantment' (where the military seize power and install themselves in office).[23]

In the second place, a sense of military professionalism may make the armed forces <u>less</u> rather than more responsive to civilian control. This is because the soldiers may see themselves, first and foremost, as the servants of the state rather than of the particular government of the day. In such circumstances, the military might intervene to protect the national interest (as it sees it) from a parochial or ineffective administration.

7.0 CONCLUSIONS

With the major general exception of Southern Africa, military coups have been widespread on the African continent, escalating in number over time as the process of decolonization created ever more sovereign states. By the 1970s and eighties, armed interventions had become the principal manner by which governments were changed.

The erosion of constitutional channels of opposition in one-party states, against a backdrop of escalating economic decline, helps to explain why so few African governments have changed hands in an orderly fashion. Peaceful transfer from one civilian administration to another following free and fair elections has occurred only half a dozen times since Independence - mostly since 1991, when the ruling single-party incumbents were swept from office in Cape Verde, Sao Tomé, Benin and Zambia. Power, as Mao Tse-tung wrote, flows from the barrel of a gun, or so it has seemed in Africa.

But rather than resolving domestic conflict, military rule in Africa - which has been characterized both by excesses and inadequacies - has contributed to a pattern of lasting political instability in the majority of African countries. The question today is whether or not this state of affairs will continue to hold true for the remainder of the 1990s and into the twenty-first century?

Western conditionality regarding democratic and economic reforms - together with similar demands for an improvement in human rights and for major reductions in defence spending - suggest that the answer is no.

On the other hand, there are plenty of reasons why we should expect continued, indeed heightened, levels of political turmoil in Africa during the next decade and beyond. There are at least four reasons for this assessment:

- economic sacrifices and social suffering: which are inherent in the implementation of structural adjustment programmes

- heightened expectations raised by the surge towards political pluralism and democracy: inevitably, the process is going to be an extended and painful one and popular aspirations will not be matched by material results in the short to medium-term (if ever)

- the global renaissance of ethnic/nationalist sentiment and secessionist demands: the outside world is already providing a role-model for separatist tendencies; indeed, the creation of new and internationally - recognized states such as Armenia and Croatia (and the virtual recognition of Eritrea) suggest that the status of Africa's colonial borders will not remain wholly sacrosanct

- finally, there is the danger of marginalization: the West is totally pre-occupied with the Middle East and with the monumental tasks confronting the CIS republics and Eastern Europe; for these reasons, the dangers of aid fatigue are very real and Africa faces a fate worse in some respects than being fought over - being ignored.

All these developments suggest growing and parallel problems relating to domestic and regional security. Under such conditions, the armed forces of Africa may become more, rather than less, interventionist. And in a number of countries, the future may quickly resemble Hobbes' savage state of nature, there life is ... *solitary, poor, nasty, brutish and short.*

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A CONTROVERSY:
MORAL AND LEGAL LIMITATIONS ON
MILITARY OBEDIENCE versus THE DEMAND OF COMBAT[*]

By Paul - Bolko Mertz, Director, Institute of Defence Politics

1.0 INTRODUCTION

The announcement hit the press like a "Bombshell" : **a draft code of conduct for the SADF** presented to and discussed at the National Peace Secretariate. This news was received by the public and the military with mixed feelings. From the harsh warning that the proposed code would *'weaken the defence force'* and would make the transition to a new South Africa more dangerous and unpredictable[1] to a visionary scenario where the SADF is seen as *'defenders of democracy in the subcontinent'*[2] The main cause of this rumpus was the paragraph in the draft code, which provides that a soldier has the right to refuse to obey orders in conflict with the constitution and/or international law and that all members of the defence force will be legally responsible in this respect for their actions. Whilst some interpreted this as a right to disobey *'political orders'* (a professional soldier might wonder what that is !) and even as a *'doubt over the authority of officers and undermining discipline thus diminishing the army's preparedness'*,[3] others lauded the proposals as *'a Military Beachhead'*.[4]

Those most concerned in this debate, however, namely the soldiers in active service or retirement, remained ominously quiet[5] As has happened only too often in the past, there was no authoritative voice, who was prepared to give guidance to military members and the public on a subject which affected the essence of military professionalism: the ethical principles of military service and the question of **honour**.

2.0 SCOPE

Modern military history has many heroic and humiliating examples where soldiers put personal honour above their duty to obey orders, or, refused to acknowledge their responsibility by just obeying illegal orders.

The controversy must be solved. This is particularly true in democracies where politics demand parliamentary control over the military (primacy of politics) and where the rule of law protects the individual including those who serve in the defence force.

How does this situation affect the combat effectiveness of the soldier ? In other words, is the need for unconditional obedience the best guarantee for an efficient fighting machine ?

The subject is discussed in terms of

1. The ethical factors of the soldier's duty: Such as loyalty, obedience and discipline

2. The *'Oath of Allegiance'* made by the soldier.

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[*] Paper presented at a conference on **Civil-military relations in a post-settlement South Africa**, hosted by the Institute for Defence Politics in conjunction with the Hanns Seidel Foundation, CSIR conference centre, Pretoria, 23 April 1992

3.   The legal foundation of military service in a democracy.

Reference will be made to foreign concepts such as those of British, German and the former Soviet Union to justify the need for a fresh approach to our South African situation.

3.0 THE ETHICAL FACTORS OF THE SOLDIER'S DUTY

The image of the soldier in a democratic society is exemplified by his service for the common good. This commitment binds the soldier to the **sovereign**, represented by Parliament in a democratic state, in which the defence force is constitutionally established as the most powerful instrument. Their most prominent mission is to protect the state and to defend constitutional values.

> *'Military service is not meant to satisfy economic interests or to achieve materialistic profits. Its aim is of a political nature: The **preservation or restoration of peace in freedom**'.*[6]

It is for this reason that military service demands the acceptance of moral values and professional ethics, and these factors apply to all members of the defence force.

3.1 LOYALTY

Closely linked to military service is loyalty. It expresses itself in certain patterns of conduct: faithful service, sense of duty, reliability, preparedness, and respect for the law. It emphasises the loyalty to the nation and the constitution rather than to any group or political interest.

From a soldiers view point, however, a few additional aspects should be considered.

The **loyalty to institutions**, pledged with an oath of allegiance to the constitution, will of course have priority. But this form of loyalty is supplemented in the military by the **loyalty to a person**. In the long term no <u>objective oriented loyalty</u> can exist without <u>personal oriented loyalty</u>. This form of loyalty may not be referred to as an excuse for the possible abuse of military duty, however it is indispensable for the human aspects of an authoritarian organisation such as the military one. Loyalty to a person includes the respect for the weaknesses of the other person, between those who lead, and those who are led together with those who serve alongside the soldier. *Esprit de Corps*, respect for the human dignity, comradeship in the military sense of the word are the characteristics of the personal loyalty of the soldier. This is more than the often claimed solidarity of political or group interests, because it is independent of individual interests.[7] Comradeship is unthinkable without ethical and emotional elements.

Loyalty in authoritarian systems is often misrepresented as unquestionable acceptance of any actions or decisions of authority.[8] Critical thinking is not encouraged in highly authoritarian structures because it is feared that it may threaten the very structure which it is supposed to serve.

Moral courage, however, that is the courage in one's own conviction, is equally important in the value aspect of loyalty. '*Soldiers must stand up for what is morally right, particularly when others may want to act out of expediency or self interest.*'[9]

3.2 OBEDIENCE

All armed forces in the world function according to the principle of discipline and obedience to orders. Obedience is a fundamental requirement of the soldier as well as a legal duty. That orders must be executed "*to the best of one's abilities, completely, conscientiously and immediately*"[10] is the commonly accepted standard laid down in military law books throughout the world .

Why are soldiers even in this days and age subjected to such strict rules?

There are political and military-professional reasons for it.

3.3 THE POLITICAL REASON

The structure of centralised control and an array of lethal weapon systems provides military leaders with a considerable amount of power, which they may abuse. The history of military coups against young democracies in particular shows the threat which originates often from the frustration or isolation of the military. Integration of the military in the democratic society is one way of avoiding this temptation. Another way is effective **political control**, particularly parliamentary control.[11]

The hierarchical order of the armed forces allow the political leadership to enforce its will down to the lowest level. Although co-operative leadership principles are promoted and practiced in modern command structures, decision s are made by the leader alone. The commander is therefore ultimately responsible for the accomplishment of the mission assigned to him. The responsibility stays with him and cannot be delegated. This responsibility is indivisible.

This moral principle of leadership supports the factors of **primacy of politics** over the military. Command structure and leadership principles must allow for the impact of political control mechanism such as parliamentary control, and acknowledge them as important elements of the democratic value system.

It is emphasised that these political control measures are not aimed at usurping of or interfering with the military chain of command. They are aimed at the integration of the military in a democratic society, thereby strengthening mutual trust between the public and the military and promoting a sense of honour and duty within the military in serving a democratic constitutional state.

3.4 THE MILITARY-PROFESSIONAL REASON

As a fighting machine, which has to deal with rapidly changing and dangerous situations, the armed forces must be a reliable instrument in the hands of their commanders. That was in the past and still is a valid argument. Advanced high technology, electronic C3I systems, enhanced lethality and precision of weapon systems dramatically changed the image of modern warfare as was demonstrated in the Gulf war. Modern mobile operations are critically dependent on dedicated and reliable leaders and men. Combat efficiency presently requires leadership qualities of the highest order.

In modern combined arms warfare the instant availability of real-time intelligence in vast quantities places additional demands on commanders at all levels, who have to analyse and act in situations which have hitherto not been experienced. High mobility forces, wide dispersion of weapon systems and the capability to quickly establish and re deploy concentration points makes it necessary to delegate command decisions.

This means that **mutual trust** between all levels is essential for battlefield efficiency.

The emphasis on individual responsibility and initiative is also in accordance with the trends in modern military doctrines. The foremost command philosophy is that of **mission orientated command and control**, which stresses initiative and decentralized but integrated command structures in an attempt to maximise the benefits of modern day communications and combat technology.[12] In this manner leadership development and tactical doctrine support the establishment of a professional general staff culture and enhances military professionalism. **Initiative and responsibility** must always be encouraged.

General N. Schwarzkopf, former Commander in Chief of the Allied Forces in the Gulf and now retired and traveling the world lecturing on leadership principles, recently delivered a paper in

Winterthur, Switzerland, to a high caliber audience of businessmen and industrialists. I quote his first principle:

> Leading of men has nothing to do with management. While you manage your enterprise, you have to lead your personnel. And it means you have to motivate them, set an aim and give a mission, and than you leave them alone.[13]

This is in fact **mission orientated command**, which has been adopted as a command and leadership principle in Germany, France, Britain and in the US Army, the latter since 1985.

3.5 DISCIPLINE

As is the case of military leadership, military discipline should not be exercised in a vacuum . Discipline is the key to combat power and a prerequisite for good military performance. Maintaining discipline is essentially a benefit for all ranks. It is expressed by obedience and it ensures, that the soldier reliably accomplishes his mission even under strain and in danger for his life.

Disregard of the rules of international military law and tolerance of injustice will quickly and effectively undermine the discipline and morale of the forces. Regular forces involved in guerrilla warfare are particularly tested in this respect and the tendency is to justify abandoning the rules of the Geneva Convention with the need to succeed in an unruly if not criminal operational environment. The surrender of ethical values which the army should defend, is too high a price paid for doubtful operational success.

Armed Forces who disregard the precepts of humanity are not worthy or capable of defending humanity.

Respect for the rule of law both national and international must be maintained under all conditions, in peace and in war, in all operational situations.

4.0 THE OATH OF ALLEGIANCE OF THE SOLDIER

4.1 THE MORAL LIMITS TO OBEDIENCE

Considering the grave impact, which the strict military principle of obedience has on the individual soldier as well as on the State it is justified to look at the ethical basis of military service with the aim of balancing certain perceptions and fears. In many societies, democratic as well as autocratic, the military professional value system is harnessed to an **oath of allegiance**.

In comparing the many oaths of allegiance which soldiers have had to take since the establishment of standing / permanent armies in the 16th and 17th century, it is most interesting to learn that nowhere was 'unconditional obedience' (sometimes referred to as 'blind obedience') demanded. The oath of allegiance was always a confirmation of mutual commitment between the soldier and the sovereign. Every form of oath contained a reference to legal norms. In the past this was usually martial law, which typically also contained references to Christian values. It defined in principle the framework within which obedience was required. The person to whom the oath was dedicated, usually the sovereign, was obliged to fulfill his commitments to the soldier and these were also laid down in the articles of the martial law. The oath of allegiance has always been seen as a **mutual promise of loyalty.**[14]

In modern history only absolute, autocratic dictatorships bind the armed forces to the political system or the political leader in person (Hitler, Mussolini) with an oath of allegiance demanding 'unconditional obedience'. In some cases, such as the former Soviet Union, the oath even called for

'the condemnation and contempt of his people and for the severe punishment of the law should he [the soldier] *ever break his solemn oath'*. Following the Soviet example, the oath and solemn pledges of the other former Warsaw Pact Armies were almost identical.

The ethical basis of mutual commitment and moral values was, as we all know only too well, deliberately abandoned by these regimes, which forced the military to impose draconic measures in order to protect themselves and their leaders and to enforce discipline. Thousands of soldiers in service under these regimes were executed because they tried to follow their conscious and their moral values rather than the criminal, inhumane orders of the State or their superiors.

One example may stands out, where honour and moral principles could no longer be reconciled with the oath of allegiance towards the political leader. The attempted assassination and the **coup of the 20th of July 1944** against Hitler was a tragic climax and an expression of disloyalty towards a criminal system, which had Germany embroiled in a World War. The gruesome revenge of the National-Socialists terror system ended in the execution of more than 5 000 persons including 250 officers, who were directly involved in the coup.

These references serve to highlight the conflict of the **duty** to obey orders with the **commitment** to adhere to a moral value system.

The character of the oath of allegiance has always been a promise of faith. It also defined the limits of military obedience.

Faith as a moral value must not be abused to obey immoral and criminal orders. The officer corps of European armies, whose tradition were largely derived from medieval knighthood, was committed to a strict code of honour which included prominent elements of Christianity. It was an accepted article of war that the officer had to carry out the orders of the King, provided they did not violate his honour. The consequence of these rules and directives was that officers maintained a certain degree of independence. The spineless, automatically functioning officer was never the ideal example of a military leader.

4.2 MISSION ORIENTED COMMAND AND CONTROL CONCEPT

Derived from this tradition and ethical concept was the leadership principle of **mission oriented command**, which is based on the philosophy of officers who are loyal, but both critical and creative in the pursuance of their duties.

The superior who granted his subordinates a certain latitude in the way in which they could accomplish their mission, of necessity had to accept a certain risk of failure. On the other hand the freedom of choice gave such a command and control concept exceptional flexibility, provided the officers were well trained and loyal.

Allow me to present you with an anecdote, which describes the concept, but opens also the door of criticism in certain quarters. Prince Friedrich- Karl of Prussia, a brilliant military leader in the wars for German unification between 1864 and 1871, was proud of the independence of his officers corps and considered this as the main reason for his operational successes. He once reprimanded a major, who carried out his tactical orders too rigidly:

> *H M the King has not appointed you, Sir, as a staff officer to merely execute orders, but to know when not to carry them out.*[15]

This spirit of honour and independence is certainly the best insurance against any abuse of power. I have to concede, however, that moral values alone do not prevent criminal acts - particularly in dangerous or politically controversial situations. Here the adherence to the letter and spirit of the law and of certain codified rules, which foster a generally accepted value system, are necessary.