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THE ROLE OF THE MILITARY IN INTERNAL SECURITY*

1. INTRODUCTION

The recent violent attacks on foreign nationals in South Africa, and the resultant sudden escalation of the violence throughout several provinces in 2008, overstretched the South African Police Service's (SAPS) capacity to contain and subdue the turbulence. As a result, the Ministry of Safety and Security requested that the President should authorise the deployment of the South African National Defence Force (SANDF) to assist the police in the maintenance of law and order. The authorisation was duly given and the Defence Force made some forces available as requested, in an operation designated "Operation Prosper".

The deployment took place after and during a much publicised debate as to whether the military should be deployed in support of the police at all. The Minister of Safety and Security stated on national television channels that soldiers were not trained to maintain law and order,

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and that employing them in such a role was dangerous since they were trained primarily to kill people, and not to keep the peace. A number of speakers said that the Defence Force, meaning primarily the army, were not trained for internal security (IS) duties at present, since the military was firstly, concentrating its training on its priority defence task, namely the defence of the country against any external threat or aggression, and secondly, it is trained and deployed to promote peace, security and stability in Southern Africa, and further afield on the African continent.

It must be added that the military are by their very nature loath to get involved in IS. Co-operation with the police is, and always has been fraught with difficulties because of the massive difference in the disciplines and ways in which the two forces operate. The division of responsibility which lays down that the SAPS is responsible for combating crime and IS, while the SANDF is employed to combat external threats, and for external peacekeeping deployments, is ideal. To support this concept the Minister of Defence has often been reported to have said that there should be only one police force in the country. This motivation was used to disband the Army's Territorial Reserve units, who were commonly known as the commandos. Whether or not the commando units' closure was wise, only the future will tell, but it was a sound IS reserve deployment particularly in the rural areas, and should have been transformed to suit a post-1994 society instead of abandonment. Irrespective of the one police force policy, there are now many authorised police forces in the country, since a large number of metropolitan police forces have been established in recent years.

2. THE ROLES OF THE MILITARY / SANDF PROMULGATED BY LAW

The military is by law obligated to operate internally in South Africa, and has in consequence laid down that one of its 'military strategic objectives' which guides the composition of the design and structure of the SANDF reads as follows:¹⁾

To support the people of South Africa. Supporting the people of South Africa in operations and activities other than war, in situations of disaster, emergency and humanitarian need, when the respons-

ible state departments do not have adequate capacity to do so.

The *South African White Paper on Defence 1996* in listing the role and functions of the SANDF, refers to the 1993 Constitution, which is still legal, and states that the Constitution lays down that the SANDF may be deployed in any of the following functions:²⁾

- for service in the defence of the Republic, ...;
- for service in compliance with the international obligations of the Republic ...;
- for service in the preservation of life, health or property; for service in the provision or maintenance of essential services;
- for service in the upholding of law and order in the Republic in co-operation with the South African Police Service under circumstances set out in the law where the police service is unable to maintain law and order on its own; and
- for service in support of any department of state for the purpose of socio-economic upliftment.

Although the first function listed is the first priority, and the second listed the government's preferred second priority, it is clear that the SANDF must be ready to perform the other functions promulgated, of which the service in upholding law and order is relevant when IS is considered.

3. THE REQUIREMENT FOR TRAINED SAPS AND SANDF INTERNAL SECURITY UNITS

South Africa has tended to develop into an ill-disciplined society. This ranges from the increased flouting of traffic laws by the general public, to serious violent crime. The criminality is evident in the crime statistics for April 2007 to March 2008, which show that there were 18 487 murders; 14 201 car hijackings; 80 226 vehicle thefts; 9 862 robberies on business premises and 14 481 residential house robberies, over the period indicated. The latter crime was perpetrated about 40 times per day.³⁾

In spite of the common occurrence of mass demonstrations in South Africa as, for instance, evidenced by numerous service delivery protest actions, the SAPS disbanded four 'crime combating units' (CCUs) out of seven in 2006. The CCUs are the units which are tasked to maintain public law and order. However, a previous National Com-

missioner of Police has stated that the three remaining units, no longer have the ability or the experience to carry out crowd control operations.⁴⁾ The recent attacks on foreigners, which were evidently foreseen by some intelligence agencies, confirm the need for numerous well-trained SAPS IS units.

The SANDF does have Army units on standby for IS related tasks. On 15 April 2008 it was reported that the commander of 21 South African Infantry Battalion (21 SAI) had made a written statement, as part of court procedures which had to do with the transfer of his battalion to other, possibly less suitable quarters. The statement read that the unit was on 25 hour standby to handle violence, which could result from dismissals in the mining industry as a result of electric power cuts. The battalion was ready to deploy at any time to trouble spots throughout the country, particularly to sectors in the Gauteng industrial area. The unit had to be self-sufficient for 72 hours and the troops were to be issued with rations, camping equipment and 20 rounds of ammunition.⁵⁾

This statement confirms that the SANDF is to be employed in internal security missions, and rightly so. Hopefully the troops involved have been drilled to follow a doctrine which will help them operate strictly within the law. Internal security operations such as crowd control, are some of the most difficult missions for the military to carry out successfully.

4. THE NEED FOR SOUTH AFRICAN INTERNAL SECURITY AND COUNTER-INSURGENCY DOCTRINES

Should South Africa continue to apply its policy of silent diplomacy or friendly persuasion, as it has done with Zimbabwe, the likelihood of it becoming involved in an external counter-insurgency operation is virtually non-existent. Consequently there seems to be no pressing need for the SANDF to have a counter-insurgency doctrine for foreign service, as the US Army and Marine Corps have. The relatively small SANDF peacekeeping contingents must, however, have a clear entry and extraction doctrine, specifying that South African forces will be withdrawn, before circumstances exist, such as all out civil war, which could involve the SANDF beyond its means. Assuming that such a

doctrine exists, it still requires insight and wisdom on the part of both political and military leaders, to apply it correctly and on time.

The pressing need is to be ready to operate internally. There are many indicators that the SANDF should compile an updated, government approved, internal security doctrine. Firstly, the Minister of Defence has from time-to-time confirmed that although the SANDF policy is to align itself mainly to the task of external deployments, it will always be available to support the SAPS when called upon to do so. Secondly, as mentioned, conditions in South Africa show that many elements of a restless, volatile and lawless society exist in the country.

The SANDF is also required to support the SAPS for the foreseeable future, on the South African land borders. Borderline control of the land borders, previously a responsibility of the SANDF has been allocated to the police. The latter is to have taken the task over completely by 2009. It is evident that the police are simply not able to perform the task on their own, in spite of the fact that it has been handed over piecemeal, and not all at once. The reason for police inefficiency evidently lies in their lack of suitable personnel and equipment for the task. Borderline control, an important IS task in view of the large scale illegal immigration into South Africa at present, cannot be allowed to lapse into total ineffectiveness.

4.1 Indicators that correlated SAPS and SANDF internal security doctrines are also required

From the point of view of internal security it must be noted that the rate of urbanisation in South Africa is extremely high. There has been a massive influx of foreigners and a slump in the rural agricultural economy, which has stimulated the movement of people to the towns. Most of the migrants take up residence in informal settlements and some move to newly established housing schemes. They first live in shacks and then in very small overcrowded dwellings which are not suitable for families with children.⁶⁾ The whole situation coupled with joblessness and its resultant poverty could lead to endless lawlessness and unrest.

The Crime Information Analysis Centre (CIAC) of the SAPS reports that 72,7 per cent of all aggravated robberies occur in public places. They occur largely in the central business districts, and black mega-townships such as Tembisa and Mamelodi East, where the in-

habitants are robbed of their possessions at gun or knifepoint. Naturally such conditions, where the police have great difficulty to maintain law and order due to overcrowded conditions, the lack of proper streets, and poor street lighting, lead to even more dissatisfaction.

Policing in many big South African urban areas is a dangerous undertaking when performed by small police groups, as it usually must be done. The SAPS were attacked 5 124 times between 2001/2002 and 2006/2007. The attacks resulted in 694 police members being murdered over the same period.⁷⁾ There is really no greater indicator than the high number of police fatalities, of the level of lawlessness in South Africa. In order to bring this figure into perspective it should be pointed out that the period covers only five years. If compared to the South African Defence Force (SADF) operations in Namibia and Angola, it is noteworthy that the 'Border War' had resulted in the deaths of 715 security force soldiers by 1 November 1988 when it had lasted 22 years. If the post-ceasefire outburst of violence is included the war was finally concluded after 23 years.⁸⁾ The above figure includes all fatalities to the end of 1988, but reliable sources indicate that at the final termination of hostilities in 1989, 611 soldiers were actually killed in combat.⁹⁾

4.2 Comparing the level of vulnerability of police in rural and urban areas

It is also noteworthy that the counter-insurgency operations in Namibia used as a comparison to the SAPS fatalities, were conducted in an area where no urban areas worth that description existed. It underlines the dangers of urban policing carried out by the police. Should the Border War figures be compared to counter-insurgency fatalities in Iraq, where 4 000 US security force members were killed in five years operating largely in urban areas, it once again stresses the dangers of urban peacekeeping, urban counter-insurgency and of internal security operations in built-up areas.

4.3 Corrections and modifications needed to prepare for internal security tasks

Irrespective of any comparisons made above, the SAPS fatality figures

are simply unacceptably high, and the police should be given the means to operate in a safer setting. The authorities should continually repeat that all murder is a dastardly crime, and that killing policemen is totally unacceptable. The problem will not go away by ignoring it, and it spells danger for those instances when politically motivated unrest occurs.

The recently reported occasions where the SAPS and Metro Police forces have tended to use high levels of violence when making contact with the public is a problem in itself. The tendency to take the law into their own hands by making violent arrests when not necessary, followed by incarceration in police cells for minor infringements, is indicative of a lack of judgement. The police obviously come into contact with lawless elements on a daily basis, but if they are incapable of seeing the difference between law-abiding citizens and real criminals in normal times, then it may well prove to be far worse in times when widespread unrest is common. There are many historical examples of unrest escalation when police, and other elements of the security forces act in an unsympathetic manner towards the public, particularly when the populace is already agitated.

If not handled correctly, civil disobedience and upsurges in public dissatisfaction leading to unruly behaviour of large crowds, could result in escalation of such occurrences to the point that it will endanger the smooth running of the state itself. Correct calming procedures require overwhelming available force structures, good doctrinal internal security procedures, and excellent security force (SAPS and SANDF) and government co-operation.

5. INTERNAL SECURITY PROCEDURES, ORGANISATION AND EQUIPMENT

Other than combating the crime wave in South Africa, their priority law and order maintenance task, the SAPS is often seen on television and in newspaper photos to be busy escorting and controlling crowds. They escort crowds with rather small force levels and find it very difficult to stop the criminal elements, and the unruly exited members of the mass demonstrations, from robbing or damaging property along the routes. That escorting marches requires large numbers of police in South Africa is evident, since marches which begin by demonstrating against

quite mundane matters, or even those consisting of members of private security companies, have the potential to become destructive. Although massive police presence will not totally obviate damage to private property, it will certainly diminish it. That fact that shop owners and businesses are forced to close when some or other faction decides to hold a march, is unacceptable and bad publicity for South Africa.

The procedure used by the SAPS to block and finally disperse crowds requires considerable self control and bravery on the part of the police taking part. On television they are seen confronting the crowds line abreast with considerable spacing between them. They, or other representatives of diverse authorities, are sometimes seen to be persuading the people to demonstrate lawfully and to then disperse.

When the crowds become violent and become a danger to the public and to themselves, the police disperse them by firing rubber bullets at the people who are actively breaking the law. They are sometimes seen advancing slowly in their line abreast formation as they fire their rifles, and then follow up to ensure that the crowd keeps moving away from where the confrontation took place.

Unfortunately the crowds when dispersed, do so on the run to avoid being hit by the rubber bullets, and in their excitement and frustration often cause damage to property along the way. Sometimes they simply regroup again somewhere else to restart the procedure all over again.

A very dangerous development has recently been reported, namely that people taking part in mass demonstrations, actually fire live ball rounds at the police. This also occurred on 25 June 2008 when the Johannesburg Metropolitan Police staged a demonstration blocking major roads and highways during afternoon traffic rush hours. The municipal police officers refused to disperse when requested to do so by the SAPS, and the latter then proceeded to disperse the metropolitan police officers using rubber bullets. At that stage some of the metropolitan police evidently fired live ball ammunition in the general direction of the SAPS.¹⁰⁾

Crowd control is clearly an important common security force task in South Africa, and the tendency for crowds to become ever more violent is evident. The recent attacks on foreign nationals which were very violent and occurred at different places at once, confirm the need for greater security force levels to combat violence. The police need

more not less CCUs, and the SANDF must be ready to assist the SAPS with well-trained IS units when required. Other than the availability of units the two forces should employ more sophisticated IS intelligence and crowd control procedures as the threat of lawlessness escalates.

5.1 Crowd control procedures and equipment needed to operate humanely and legally

There are many techniques, tactics and procedures to be mastered by police and military forces to be employed in IS operations. To mention but a few, the following come to mind:

- The collection of intelligence and its timely dissemination.
- Cordons and searches.
- Operations to obviate and neutralise terrorism.
- Mass crowd control.

Other than intelligence which is always important, the last two seem to be the priority tasks internationally, and for South Africa it is crowd/mass demonstration control. Each of the activities required to control crowds must be described in detail in police and military handbooks laying down what the units, sub-units, specialised sections and individuals are to do. Co-operation between the police and the military must also be detailed, so that procedures do not need to be learnt in the face of crises as they occur.

A first principle for crowd control is that the security force, normally the police force, should be large enough to control the crowd with relative ease, so that there is no threat to their personal safety. The police forces in certain European and Asian countries, where national disciplines and adherence to the law is good, are seen to arrive in mass with batons and shields. They virtually scrum against the crowd and although injuries certainly occur, the police persist with the procedure. In South Africa physical contact with the crowd is not to be recommended. Some space between demonstrators and security force personnel is probably a necessity in South Africa due to the high level of police fatalities, the possible presence of criminal elements, and the disregard for human life evident in the national crime statistics.

Having accepted that a large security force is necessary to con-

trol a crowd around its whole circumference, it is also necessary to have observation over it, specially around the areas where violence is apt to occur, for example the place or places where the security force blocks and confronts the crowd. This will require a means to lift observers with armour protection cubicles above the crowd, when no high-rise buildings or structures are nearby. The observers must have guaranteed communication with the forces on the ground. They must also have good communication with arresting teams who can enter the crowd, themselves well-armed, to arrest persons seen to have criminal intent.

An absolute essential is to have vehicle mounted loud-speaker equipment which is capable of allowing communication by voice with the crowd, no matter how much noise they attempt to make. A major priority is to calm the crowd by persuasion, and to do so the security forces must be able to simply talk to them. In this respect it is also essential to have women officers in the security forces who can best communicate with the women in the crowd, and persuade them that although their reasons for demonstrating may be sound, violence and disruption will not advance their cause. The loud-speakers are also required to be able to tell the demonstrators what they may, or may not do. It must be clear to them that peaceful demonstration within the law is acceptable, but that violence, arson and criminality will be dealt with promptly by the security forces. Medical teams to see to any injured or sick people, whether they be members of the crowd or of the security personnel, must be seen to be present. This in itself has a calming influence on procedures.

It is also essential that the police and the military, should the latter also be employed, have the capacity to allow weapon and security force counter violence escalation, when confronting a crowd. This means that they should begin, for example, talking on loud-speakers, then using water cannons and paint guns, then rubber bullets, and finally ball ammunition fired at very specific targets by well qualified marksmen. The ball rounds may be needed to stop extreme crowd violence, or arson perpetrated by particular individuals.

While the crowd control operation is being performed, the security forces must record the whole sequence of events using cameras and sound recording equipment. This is necessary for future training of security personnel, and for any legal procedures instituted against the

security forces, which may result from the operations. Since the military are not as conversant with the law as the police, it is important that they record in detail. In fact the military when employed in crowd control, and other IS tasks must do so formally with all the required equipment readily available. They cannot afford to operate nonchalantly because they do not do it as often as the police, and above all the public must see that their discipline is good, and that they will not deviate from correct legal procedures.

All of the above drills, and many more where detailed IS procedures are considered, require well-trained personnel and suitable equipment. For the police to have sufficient of each on standby at all times, to handle crisis situations, is probably not economical, and consequently the SANDF must maintain a trained reserve to help where necessary.

5.2 Police and military co-operation

Police and military co-operation in the performance of IS tasks is a difficult field of activity. The procedures must be detailed before operations begin. The police should stay in overall control as long as possible, but no force should be placed under command of an officer of another force. Joint command is normally the initial best answer, or else an experienced official, a member of neither the police nor the military should be in overall command. The command system must be clear to all the members of the police and military beforehand, so that it is absolutely clear who has the authority and the accountability to decide what is to be done, and to give the orders to give effect to those decisions. At all times even when a SANDF unit is virtually on its own busy with an operation, police officers should be present to handle, manage and execute procedures which have strict legal implications such as arrests, or at the very least to advise the military commander as and when required.

6. CONCLUSION

ON 3 July 2008 the SABC television channel 2, showed the SAPS firing rubber bullets at a small crowd of security company personnel who were demonstrating for higher salaries. The reason given for the

police action was that the demonstration was illegal. The demonstrators were shown crawling away as fast as possible to avoid being hit. Some members of the group were hurt, and some of the injured were shot in the back. They were later shown to be in hospital.

The SAPS have reasons why they operate as they do, and their ability to react quickly must not be degraded, but at times, they make a very undisciplined unruly impression. The people injured as result of such police action, when rubber bullets are used, may or may not be members of the demonstrations, or merely innocent bystanders. This could lead to escalation of crowd violence which the country can well do without. Police procedures require more formalisation if only to give their drills better control and professionalism, and to avoid law suits aimed at the police themselves.

The military is by law required to support the police in the maintenance of law and order when ordered to do so. Military/police co-operation must be sorted out while there is time to establish and practice procedures calmly. The SANDF must obtain the required equipment to carry out IS tasks effectively, and the units earmarked to do so should spend time training their members, so that they are well drilled in procedures which are difficult to perform correctly in practise.

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