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National Security Strategy Development Resourcing, and Implementation: Role of the Legislature

**Malawi Topical Outreach Symposium
Lilongwe, Malawi**

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FORGING PARTNERSHIPS FOR AFRICA'S FUTURE

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Why Involve Legislatures?

- Constitutionally required (rule of law and democratic governance)
- Key vehicle for broadening discussion of and support for the strategy
 - Role of the “Loyal Opposition”
 - Link to legislative constituencies
 - Civil society participation and media coverage
- Critical link to resourcing
- Requirements for enabling legislation
- Ongoing oversight and accountability



Constitutional Framework

- **Role and structure of government**
 - Separation of powers
 - Avoiding “winner take all” politics
- **Specific legislative responsibilities**
 - Resource allocation
- **Shared responsibilities**
 - “Advise and consent”
 - Oversight and accountability
 - Treaties, international agreements
- **Resourcing (national budget) and budget implementation and oversight**



Supporting and Enabling Legislation

- **National Budget**
- **Roles and missions of security services (e.g., National Defense Act)**
- **Structure and size of security forces**
- **National security decision-making structures, institutions and processes (e.g., National Security Councils, interagency working groups)**
- **Civil and Criminal Codes, Uniform Codes of Military Justice**
- **Intelligence sector roles, missions, structures and institutions, and rule of law framework**



Consultative Functions

- **Constituent outreach**
 - Public input on key issues
 - Public education
- **Information gathering and investigative hearings**
 - Testimony by key security sector officials, civilian and uniformed (legislative oversight)
 - Media coverage of proceedings – transparency and public disclosure
- **Legislative Committees**
 - Enable substantive focus and information gathering on behalf of the legislature as a whole
 - Vehicles for crafting specific legislation
 - Can facilitate balance between transparency and secrecy/confidentiality



Challenges to Legislative Consultation

- **Lack of technical expertise**
- **The “information gap”**
- **Lack of adequate staff and operating budgets for MPs**
 - **Individual staff**
 - **Committee staff**
- **The Executive Branch-Legislative Branch political divide**
 - **Partisan divides**
 - **Functional divides**
- **Security Sector strategic leaders: divided loyalties, shared responsibilities**



Elements of the Security Sector





Strategy Formulation Model

Global Environment (Forces & Trends)

- Alliances & Coalitions
- Competing Values
- Economic Conditions
- Globalization
- Information Revolution
- International Law
- International Organizations
- Non-State Actors
- Threats: Conventional & Transnational
- WMD

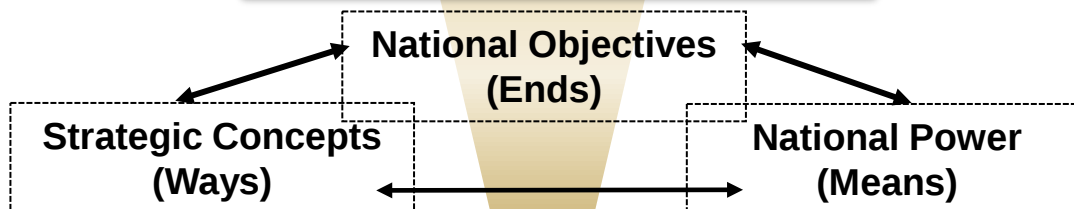
National Purpose
(Enduring Beliefs, Culture, Ethics and Values)

National Interests

Grand Strategy/Strategic Vision

National Policy

Strategy Formulation Process



Feasibility, Suitability, Acceptability

Risk Assessment

STRATEGY

Monitor for Success, Failure, or Modification

Domestic Environment (Forces & Trends)

- Federal system of government
- Congress
- Bureaucracy
- Judiciary
- Interest Groups
- Economic conditions
- Social needs
- Electoral politics
- The media
- Public opinion
- National style, self-image
- Presidential style



The Big Questions

(Crafting the Strategy)

- **Who leads the process?**
 - Typically executive branch, but who? President? Chief of Cabinet? Minister of Defense?
- **Who are [participating] stakeholders and the intended audiences?**
 - The public?
 - The executive and/or legislative branch?
 - External partners?
 - Potential adversaries?
- **What is the drafting process?**
- **Who approves, and how?**
- ***Who funds? Is resourcing part of the strategy or part of implementation?***



The Big Questions

(Implementing the Strategy)

- **Who leads implementation?**
 - Typically executive branch, but who? President? Chief of Cabinet? Minister of Defense?
 - How are critical (ie, crisis response) decisions generated and implemented?
- **How are implementing stakeholders incorporated in the implementation process?**
 - Police, military, other services?
 - Governance bodies – local, intermediate, national?
 - External partners?
 - Non-state actors?
- **Who provides oversight, accountability and, if necessary, adjustment to the strategy?**
- **How are resources allocated and controlled?**



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