Rule of Law and Security Sector Governance: What Emerging Security Sector Leaders Should Consider

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What is the rule of law?

As a principle:

The law applies to all, including those who govern

AND

The substance of the law affirms principles related to constitutionalism, civil liberties, human rights, fundamental freedoms.

As a process:

Everyday interactions between residents and state security/justice actors

Mutual respect, accountability, transparency

Popular trust in state security and justice institutions, institutional legitimacy

More sustainable and effective prevention and response to conflict, violence, crises
Examples from Core Sources

- Institutional checks & balances
- Consistent and clear laws
- Equal protection of freedoms/liberties
- Access to fair, affordable justice

Laws apply to “all persons, institutions and entities, public and private, including the State itself:
Laws are:
- Publicly promulgated
- equally enforced and independently adjudicated
- constituent with international human rights norms and standards.

- Executive compliance with law
- Impartiality of Justice System
- Transparent judicial processes
- Equality before the law
- Law enforcement
- Property rights
Rule of Law within Security Sector Governance: The Basics

What is it? “The practice of applying the principles of good governance to a state’s security sector. Sound and accountable SSG is based on the idea that the security sector should be held to the same high standards of public service delivery as other public sector service providers.”


Seven Core Principles
- Accountability
- Transparency
- Rule of Law
- Participation
- Responsiveness
- Effectiveness
- Efficiency

Key Institutions
- Defense and security services
- Parliament
- National security council
- Judiciary
- Independent commissions
- Civil society, defined broadly
Linkages to Civil-Military Relations

Source: Jessica Blankshain, “A Primer on US Civil-Military Relations for National Security Practitioners,” Air War University, July 2020
Linkages to Civil-Military Relations

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COUP ATTEMPTS AND
MILITARY DOMINATED REGIMES IN AFRICA

Data source: Powell and Thyne

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