

NATIONAL DEFENCE FORCE: SUBMISSION FROM PAC TO THEME COMMITTEE 6.4

1. The supreme law, the constitution, should only contain fundamental principles that structure and constrain the Defence Force. A Defence force force by its nature cannot be entirely regulated by Constitutional provisions. The legislature should make the necessary laws and regulations in the spirit of the constitution and through the power it exercises over the Minister of Defence.
2. The Defence Force should not fall under the Public Service Commission because of its peculiar nature and functions.
3. PAC holds it to be crucial that the Defence Force should be under civilian control through a constitutional provision.
4. Members of the Defence Force should be bound by the constitution, equally. No regard to anything except citizenship should be taken into account in the Defence Force eligibility and the exercise of rights and privileges.
5. All the agencies of the Defence Force shall be viewed by the constitution as constituting a single unit with the SANDF and shall therefore exercise no autonomy of whatever semblance.
6. The Defence Force should be made to be thoroughly conversant with the internal and foreign policies of the government.
7. The Defence Force members shall unconditionally execute the constitutional and legal commands of the Defence Force but shall reserve the right of refusing to execute immoral, amoral and unlawful commands from an officer of the Defence Force.
8. Arms production should fall out of the duties and functions of the Defence Force.
9. Parliamentary Select Committee on Defence should be allowed an important role in defence matters. Nothing should take place without its consent.