

Transcript of an interview with Barry Gilder, Johannesburg, 24 November 2015.

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Early stages of transformation

TT Going back to the antecedents of the new intelligence services, in and before the TEC, to what extent are you aware of any involvement of Mandela. And what would be your take on a view that more attention was given in that process to the security services than public administration?

BG It's hard to answer that question because I wasn't involved in the early processes. I got drawn in towards the end of 1994 into what we called the amalgamation process. I didn't have my finger on the pulse of what was happening before. I'll come back to that in a second, but just a comment on what you said: I actually think that the processes relating to intelligence were in most ways more thorough than the other security services. I wasn't completely au fait with the military one but I think the military one was in a sense quite mechanical.

With intelligence there was extensive discussion and debate and negotiation from the highest strategic level down to the minutest technical level: about what the constitution said about intelligence services; about the White Paper on Intelligence and about the processes arising out of the TEC.

There was a Heads of Civilian Services Committee, HOCS, on which Nhlanhla sat along with the heads of: NIS; the Venda service; the Bop service and the Transkei service. Under that committee was the so-called Amalgamation Committee with people like Mo Shaik, I think Billy Masethla, Mohamed Timol, and others. So there was policy negotiation and formulation and there was structural negotiation, including the decision to create two services, and drafting of legislation. Then under the Amalgamation Committee there was what we called the Super Working Groups – I don't know where the 'super' came from but that was what we called them – which were organised more or less along what would become the chief directorates in the two new services. I was in the one for foreign offices. In those working groups we negotiated down to details: which services we would have cooperative relations with; where we would have SASS offices and all those kinds of things; until it came to

negotiating each post in each of the structures, and finally who would go into each post and structure. Of course we were in the minority, but I am just making the point.

It must have started probably during the CODESA time, but it was certainly formalised in the TEC time. I'm not sure when, for example, the section of the constitution dealing with intelligence services was negotiated, probably at CODESA. I wasn't involved in the White Paper so I don't know the background, or the legislation which means it must have been at least from 1993 if not before.

I got the call, I think, in October 94. I was brought in when the process was quite advanced and brought into the Super Working Group on foreign intelligence. So I was involved in more nitty-gritty detail and negotiation. Formally the new services came into effect in February 1995.

I feel, and I do say this in my book, that with the intelligence services we had a very thorough preparation and a very meticulously negotiated transformation headed by that stubborn man, Joe Nhlanhla. Whether it stood us in good stead in the long run is another issue. I only became aware of the early discussions when I was brought into the process towards the end of 1994, when the White Paper had been adopted and the legislation was in place. I would have assumed, and made an educated guess, that certainly Madiba and Thabo would have been consulted. I don't know to what level of detail Madiba would have been consulted, but I know that Thabo had a much closer day-to-day relationship with the services during that first term.

Mandela's watchfulness

TT A week or so after taking office Madiba called a meeting of the heads of the security services and demanded very detailed information about all the structures: what had happened to them, what happened to the documents? He was very watchful of the intelligence services,

BG I dealt mostly with Thabo. An anecdote in my book is similar to what you related. There was information floating around about a financial scheme to funnel a lot of money out of the country. He called us, all the heads of services, to a meeting, and spoke very sternly to us, looking particularly at the Afrikaners who were present, including General Verbeek from military intelligence, and he told us that he had this information and that he wanted us to do an investigation. Now, myself, Pete Richer and a few others were very enthusiastic because we had been concerned about funny things going on, but others thought this was just conspiracy theory. We prepared the National Intelligence Estimate (NIE) for that year, and presented it to cabinet - I think it was cabinet, not a committee - in Cape Town in Tuynhuys. Madiba was sitting in the meeting, not chairing, if I think. It was chaired, I think, by Thabo. Madiba said,

'Comrade Chair, I have listened to this National Intelligence Estimate. Some months ago I called all the heads of service and told them that I wanted information about this issue. I don't see anything about it in the NIE, so I am suggesting, Comrade Chair, that we send them away and tell them to go and finish the work I said they should do, and come back when they've done it.' My book tells of the struggles we had internally that prevented us from doing it.

So that's one anecdote I have in my head, but now that you mention it I am aware that he had very strong concerns and suspicions and expectations and that anecdote is one example.

I was the equivalent of a chief director at the time, Masethla was the DDG, Mike Louw was DG of SASS, and so I don't know what interactions there might have been between Mike Louw and Madiba.

TT Despite his frustration with intelligence reports, Madiba was very complimentary about the role of intelligence in fighting crime and in the situation in KwaZulu-Natal.

BG I make the point generally, and specifically with reference to Madiba's time, that the politicians we were reporting to as SASS were generally more knowledgeable than the intelligence resources, mainly the old guys, who really wouldn't understand the dynamics, especially in Africa. Nzo, Thabo and Madiba knew some of the African leaders personally. There is an anecdote in my book about Thabo and Nzo at the time of the Burundi negotiations, I think. I gave them an intelligence report we had just been handed from one of our offices in the region. It was a pen sketch of all the players in Burundi. Nzo commented, 'This is nonsense I know these people.'

These are anecdotes I remember, but as you speak I do begin to recall in general terms that he had very strong concerns about the old order intelligence and to what extent they had been straightforward.

TT Was there cause for his caution?

BG Many of us comrades shared the concerns. I think it was justified, the reality is that the TRC showed that NIS and others destroyed tons and tons of documents. I've never seen my file.

Path of transformation

TT There was supposed to be an intelligence coordinating structure. To what extent did police intelligence and military intelligence continue to do their own thing?

BG To quite a large extent, I think. Military intelligence in those days – I don't remember the precise dates when there was a handover – but in those days it

was headed by an Afrikaner, General Verbeek if I remember correctly, and for at least part of the time, crime intelligence was also headed by an Afrikaner.

That was the difference that I was talking about, the difference between transformation in intelligence, the military and the police. We got a better deal in terms of getting comrades into leadership, so although Mike Louw headed SASS until he retired in about 1996 - when Billy took over and I became deputy - NIA was headed by Sizakele, SASS was deputised at first by Billy, and we had more comrades in leading positions. Military and police reps sitting on NICOC, on the other hand, were largely Afrikaners. The comrades in the two intelligence services, although we were few, were proportionally stronger than those in the military and police, who were really a minority. So to a large extent, although I can't say if they carried on old stuff, the old leadership was still in place.

There was a lot of confusion. NICOC was the coordinating structure, it was early days and there was this confusion and a big debate about whether it was chaired by the Minister (Deputy Minister at the time) or not - the legislation just says the coordinating structure reports to the minister. Joe attended, and even chaired the meetings. I can't remember what sort of infrastructure NICOC had at the time. But I remember that Jenny Schreiner was there; Mo, as I said, and I think Dennis Dhlomo. I attended some NICOC meetings on behalf of Billy.

TT Having a deputy minister, was that an innovation?

BG My understanding was that Joe was made deputy minister because there was no space left in the Cabinet for a full post. There were not enough ministerial posts in terms of what the interim constitution said about the Government of National Unity.

Later there were debates about reorganising the structure and whether a minister was necessary as opposed to a system like those we were looking at as we were drafting a national security policy. I think it was British or Canadian or others, where you would have either a minister or a sort of coordinator in the president's office and that the civilian services, as in the British system, would go to their respective departments – so you would have a home affairs minister who was responsible for national intelligence, police and prisons; and SASS would fall under the minister of foreign affairs and you would have a coordinator in the president's office.

TT Regarding our early military strategy post-1994, which put defence of national sovereignty as the top priority, and regional involvement second, to what extent would SASS have been involved in debates about our stance in the region?

BG A lot. I'm not sure about the military and probably in NICOC those debates took place. There was a lot of debate about regional cooperation, and not only the region. I don't remember what liaison cooperation there was between SASS and military intelligence. What tended to happen in the early years was that comrades in the different structures would informally cooperate. But there was a lot of debate about the region and also about bilateral relations.

Certainly from SASS, there was a lot of discussion about the region, a very strong urge to create those regional ties through the ISDSC [Inter-State Defence and Security Committee] which became the SADC Organ [Organ for Politics, Defence and Security].

TT To what extent did the tensions higher up about the Organ impact on relations with your counterparts?

BG There was a lot of discussion and debate about the Organ, a lot of to-and-froing about how it should function, and a lot of debate about Mugabe permanently chairing it.

Intelligence as back-channel

But intelligence was always able to play a back-channel role.

Take Angola. For various reasons that people have theorized about, we did not do what we thought we should do in our bilateral relations with Angola – there was a sort of stand-offishness, and we had to use intelligence channels to maintain the relationship on sort of even keel.

SASS from very early on, especially under Thabo's tutelage, was very much involved in conflict resolution, particularly in the Great Lakes. Most of our interactions, Billy and I, were with Thabo. I was busy with my interactions with Thabo on the Zaire process, for example, when Madiba made a blunder. Thabo was overseeing the negotiations – and SASS was involved – as Kabila was advancing, to persuade Mobutu to step down, and they were very delicate. Mobutu's condition for even participating in these talks was that they should not be made public. One of the leaders from the region (Museveni may be) met with Madiba and at a photo opportunity on the steps of Tuynhuys he made a little speech saying that we were facilitating negotiations and completely messed up the very delicate arrangement with Mobutu.

There was Nigeria. When Madiba got angry at the Commonwealth summit in New Zealand when Sarowiwa was hanged, and relations between Nigeria and South Africa went down the drain, Billy Masethla and I think Super Molozi and myself were sent as an intelligence back channel to try and fix things with the Nigerian government.

And there was the fall out that Madiba had with Mubarak. We had to try to use the intelligence services.

There was a lot of that kind of work, I suppose very much influenced by Thabo's approach to conflict resolution and peace-making.

I don't know to what extent Madiba was in the know. That would depend on what Thabo was telling him, I suppose. At the time the president and deputy president's office were more separate, they had their own DG's.

The intelligence services and in particular SASS played a strong role and had strong views about regional integration and co-operation and so on.

But also, we were trying to shift the balance we had inherited away from the old regime's foreign relations intelligence profession which was tilted towards Europe and the Americas.

TT Did you encounter suspicion from Africa towards SASS as a result of the apartheid regime's stance?

BG I think that a number of African services had difficulties in dealing with non-Africans from our side. But generally I think our relations were good. I remember having lots of interactions with the Zimbabwe service in those early years. They knew I was from a struggle background, we got on very well. I think there probably was some caution about us because they knew we were not totally transformed yet.