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Security sector reform in Lesotho: Observations from a three-day dialogue series

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AIM

The aim of this paper is to highlight the main challenges facing security sector reform in Lesotho, drawing on the key themes that emerged from a three-day dialogue series held in Lesotho in April 2000. The primary aim of the dialogue series is to encourage healthy civil-military relations in a country where these relations have been subjected to considerable stress.

With this aim in mind, the Lesotho Ministry of Defence, the Lesotho Institute for Public Administration and the African Civil-Military Relations project based at the Institute for Security Studies initiated a dialogue series. The initial meeting, which took place on 12 to 14 April in Maseru, was a broad consultative meeting that involved members of the Lesotho Defence Force, the National Security Service, academics, non-governmental organisations (NGOs), churches, the Lesotho Mounted Police Service, Ministry of Defence officials, political party representatives, members of parliament, senators, district secretaries from local government authorities and other government officials.

This paper recounts some of the areas of agreement and disagreement that emerged, as well as key challenges and proposed plans that were raised at the meeting.

ASSUMPTIONS UNDERPINNING THE RESTRUCTURING OF THE LESOTHO SECURITY SECTOR

A brief input was provided around the approaches to civil-military relations and the assumptions that underpin restructuring. This led to a discussion of the challenges that face the restructuring process in Lesotho. There was general agreement that there is no blueprint for civil-military relations and that the type of relationship adopted is dependent upon conditions in the country at a specific time. Each country should adapt its restructuring model to suit its political, social and economic conditions.

One of the arguments was that there should ideally be no military, but that armed forces are realistically required to protect the sovereignty of states. Moreover, the real issue is *how* these armed forces are managed and maintained. In establishing stable civil-military relations, the roleplayers that are usually involved, include the executive, the legislature, the armed forces and civil society.

Three assumptions were identified that underpin the restructuring of the security sector.

It is a process that takes time and requires astute management. Security sector reform involves a number of roleplayers and therefore a great deal of time and effort is invested in the co-ordination of the process. Due to the varied interests of the different roleplayers, there may often be conflict of interest, which needs to be facilitated in order to take the process forward.

It requires a high level of involvement by civil society. In established democracies, the involvement of civil society in policy processes is part of democratic practice. It ensures

transparency and accountability, and provides civil society with a sense of ownership of policy that is implemented. Civil society provides checks and balances in a process that can easily be threatened by one group that promotes its narrow interests.

Perhaps most importantly, the legitimacy of the security sector underpins restructuring. Transparent and accessible security sectors promote healthy civil-military relations. There should be a level of trust between the military and other sectors of society. The military is an agency of the executive: it executes policy formulated by others. However, because of its close proximity to the political decision-making processes, it is often able to influence policy-making processes. Confidence-building measures are therefore essential when establishing healthy civil-military relations

When reviewing the Lesotho security sector it is also important to assess the environment where civil-military relations will operate, since both internal and external factors influence the manner in which a country develops both politically and in terms of its constitution. The following were identified as external and internal factors.

External factors

The end of the Cold War saw a marked change in both the foreign and defence policies of most countries. There was no longer a perceived external threat, but countries started instead to look inward when assessing the real threats to their security. There was a decrease in interstate conflict and a rise in intrastate conflict — usually resource-driven. For most countries involved in this process, a key challenge in security sector reform is how to strike a balance between human and national security.

The process of globalisation also presents a challenge for defence policy since it has a direct bearing on foreign policy. Globalisation reduces the powers of already weak states and devalues the significance of borders. If the primary mandate of the armed forces, as in the case of the Lesotho Defence Force (LDF), is to protect the sovereignty of its country, then it needs to contend with the forces of globalisation. Regional integration through the Southern African Development Community (SADC) and the Inter-State Defence and Security Committee (ISDSC) also affects the reform of the security sector in Lesotho. As a result of this kind of integration, the LDF may become involved in peacekeeping missions and regional military co-operation.

The demise of apartheid has been the most significant factor affecting the security sector in Lesotho. The major external threat to its security was removed as a result of political processes that took place in South Africa: the end of apartheid and the election of South Africa's first democratic government. Lesotho's population of about two million people rely economically on South Africa, where more than half of the male labour force are engaged in mining activities. Good relations between these neighbours are also critical, since Lesotho is landlocked by South Africa.

Internal factors

The internal factors that influence Lesotho's security sector include poverty, unemployment and crime. These are the real threats to the country's security. Economic growth and stability are required for successful security sector reform. In terms of combating crime, more resources are needed by the Lesotho Mounted Police Service.

Political and constitutional factors

Other factors that influence the security sector in Lesotho include the legal and institutional frameworks, and the economic and political contexts of the country. The *Constitution* of 1993 is the principal law that provides for the armed forces as currently constituted. The *Lesotho Defence Force Act of 1996* elaborates on the administrative, structural and operational aspects of the LDF.

The key institutions that influence civil-military relations in Lesotho include the monarchy, the prime minister as the minister of Defence, and the Ministry of Defence. The king, advised by the prime minister, appoints the commander of the LDF and orders the deployment of troops

within and outside of the borders of Lesotho. The prime minister is the chairperson of the Defence Council and liaises regularly with the commander. Currently, the Defence Council comprises the minister of Defence, the principal secretary of Defence, the commander of the LDF, a secretary, and two other members who are appointed by the minister. The Defence Council makes recommendations to the cabinet on defence policy formulation and implementation, the conditions of service of LDF members, and inquires into and deals with complaints relating to LDF members. The prime minister, as head of the government and head of the Ministry of Defence, and as chairperson of the Defence Council, is therefore the most important individual in managing civil-military relations.

Since 1994, there have been attempts at reforming security sector management. The establishment of the Defence Council is one of these attempts. The nature and function of the Defence Council are viewed as improvements on Chapter II of the 1993 *Lesotho Defence Order* and attempts to create stable civil-military relations. Due to efforts by the Defence Council, the Ministry of Defence has also been able to develop a defence policy that is aimed at transforming the LDF into an apolitical, accountable, affordable and capable defence force.

However, for security sector reform to be successful in Lesotho, attention should be paid to the type of institutional reforms required, both constitutionally and politically.

KEY CONCERNS AROUND SECURITY SECTOR REFORM

Trust

During the April dialogue, one of the key concerns of civil society was the lack of openness between the political élite, civil society and the armed forces around security issues in Lesotho. It was generally felt that security is still the private preserve of parliament and the executive. The key strategic issue is therefore to build trust between politicians, the military and civil society.

Confidence-building measures

The main concern in Lesotho is confidence-building between the armed forces, government and civil society. How are perceptions changed when the Lesotho Defence Force was synonymous with autocracy in the past?

There are a number of confidence-building measures that can be implemented, for example:

- a review of current defence policy;
- the creation of a defence parliamentary committee; and
- greater access to information for civil society.

A review process is important because it involves a number of roleplayers in key issues such as the identification and designation of the roles and tasks of each of the actors, responsibilities of government to the armed forces, control mechanisms, responsibilities of the armed forces to government, civic education and the rightsizing of force levels.

Trust can be built through regular press conferences, and transparent administrative and operational processes in the security sector. Trust will develop when roleplayers are involved and can therefore claim ownership of these transformation processes.

An inclusive process

A key challenge is to make the process of security sector reform as inclusive as possible. The LDF will bring technical skills to the discussion, while the Ministry of Defence will bring a more strategic dimension to the discussion, civil society may provide the intellectual dimension, and parliament will give the process a political element.

Due to the varied nature and different interests of the components of civil society, conflict of interest may often become evident. There was concern that an extensive consultation process may result in bureaucratic delays. Although there was agreement that the process of restructuring will be time-consuming and costly, there was a strong call, however, for an inclusive security sector reform process.

Apolitical armed forces

During the April dialogue, one of the key challenges was for the LDF to be apolitical. This has not been the case in the past, with Lesotho having experienced two military coups. There was general agreement during the discussions that the LDF should be politically educated and aware, but not politically active. This was viewed, in particular, as a major challenge for the restructuring process.

Civilian oversight

An important issue raised during the discussions was that of civil oversight. It was agreed that the armed forces should submit to civil supremacy. Effective civil-military relations require that the armed forces are controlled politically by civil institutions. At the meeting, there was agreement that this could possibly be achieved through the creation of a skilled parliamentary oversight committee, or by enhancing the capacity of personnel within the Ministry of Defence, which is currently composed of both civilians and military personnel. How the Ministry of Defence acts as a link between the LDF, civil society and parliament needs to be further defined. Another issue, which needs further exploration, is the possible separation of the portfolio of the minister of Defence from that of the prime minister.

ROLEPLAYERS IN TRANSFORMATION

The Lesotho Defence Force

Security is the concern of all citizens, but usually the domain of security forces. The military in Lesotho at times disregarded the rule of law and saw itself as the "guardian of social values of Basotho people."¹ After much internal and external pressure, the military retreated from governing the country. However, it continued its attempts to influence policy by other means — affording itself a privileged position in the political process, for instance. There were, therefore, clear areas of conflict between the government and the military, which aggravated existing civil-military tensions. As mentioned earlier, attempts have been made to rebuild stable civil-military relations and the dialogue series is seen as a step in this direction. The LDF needs to be reprofessionalised through education and training.

Civil society

A question that needs to be clarified is who civil society is and what its responsibilities are in this process. How organised is civil society in Lesotho? Does it have the capacity to engage in military issues? Effective civil-military relations require that civil society is organised so that it can be meaningfully engaged, and that the state provides the platform for such engagement.

Parliament

There was scepticism at the dialogue about the role of parliament in overseeing the military. The general feeling was that parliament did not have the capacity to drive the transformation process. In the past, politicians often used the LDF for their own gain and purpose.

Parliamentarians will have to consider their role in building stable civil-military relations, their history in the political processes of the country, their current attitudes to transformation, their vision and mission for the country, and their engagement with other stakeholders.

Parliamentarians are the voices of their constituencies: civil society groups should also communicate with parliament. Parliamentarians have to be informed in order to engage meaningfully on security issues.

Ministry of Defence

Numerous changes have taken place in Lesotho since 1994 to ensure civilian control over the military. The establishment of the Ministry of Defence has been one of these measures. The Ministry has been pivotal in trying to restore sound civil-military relations in Lesotho. It has an executive and an administrative function.

The Ministry of Defence is the administrative headquarters of the LDF and the National Security Service (NSS), and ensures that the LDF and the NSS have the necessary resources at their disposal. It has been actively involved in restructuring both organisations in terms of their roles in regional and international co-operation.

The executive function of the Ministry of Defence entails policy-making in government. The Ministry advises the government on security and defence issues. It also provides support in making both the LDF and the NSS transparent and accountable to parliament. The principal secretary is the chief accounting officer that administers the defence budget. The principal secretary is accountable to the minister of Defence and parliament.

The Ministry of Defence comprises both civilian and military staff. The civil service provides administrative and political capabilities, while the LDF and the NSS provide operational expertise. Restructuring has meant that the commander of the LDF and his support staff are located in the Ministry of Defence. This is to ensure better command and control of the armed forces. The legal framework for the Ministry of Defence is provided by the *Constitution*, the *Lesotho Defence Force Act* and the *National Security Service Act*.

RECOMMENDATIONS

During group discussions at the dialogue, the following recommendations were made:

- Economic growth in the country should be encouraged. Unemployment is high and, where necessary, the LDF should assist in development initiatives. Civil society has to be given preference in development initiatives and the armed forces should only engage in civil enterprises when absolutely necessary. There was general agreement, however, of the great potential of the military to play a constructive role in the development of the country.
- There should be a free flow of information between the military and civil society — here the role of the media should be addressed, in particular. By making information accessible, civil society will be empowered to monitor the transformation process. Effective communication between the different roleplayers is a prerequisite for sound civil-military relations.
- Clear roles and responsibilities need to be allocated to parliament, the armed forces and civil society.
- There was a strong call for the demilitarisation of society, especially with the return of the country to civilian control.
- The security forces need to be streamlined. The duplication of roles should be avoided. There was a strong desire for an affordable, appropriate, adequate and capable armed force.
- The issue of secrecy needs to be addressed. The aim is to strike a balance between transparency and the need for some information to remain classified.
- The issue of professionalism was raised both in the context of the armed forces, as well as in relation to politicians. There was agreement that professionalism referred to the ethical conduct in executing core functions.
- There was a suggestion that checks and balances need to be in place to monitor the institutions involved in security and defence issues.
- There was a need for clarification of the role of the monarchy in the restructuring process, since Lesotho is now a constitutional monarchy.
- There was overwhelming agreement that the country's national vision should guide the entire process.

There were areas of contention, however, such as the role of the defence force in non-defence work. A middle ground needs to be found with regard to the involvement of the military in development initiatives. At the very least, some consideration should be given to the conversion of military skills for non-defence purposes. Although there was much discussion on the role of the armed forces, there was very little discussion on the roles of civil society and that of parliament.

Some of the practical proposals for the transformation process that transpired from group discussions at the dialogue included the following:

- The prime minister should oversee all ministries and not hold portfolios such as that of Defence.

- The principal secretary should be the political link between the military and civil society.
- A portfolio committee on defence has to be established in parliament.
 - Training and capacity-building for all roleplayers are essential. Civil society and parliamentarians often lack the knowledge and expertise to engage in security and defence issues. Capacity-building exercises will assist in addressing the stereotypes and misconceptions around security and defence issues.
 - The relevant roleplayers include the minister of Defence, parliament (to ensure that appropriate checks and balances are in place), civil society (to engage with and monitor the process) and the armed forces (of which the primary role should be the defence of the country against external aggression, but which can also play a role in disaster management, rescue and relief operations and assist in development initiatives when required).
 - Policy should reflect the existing threats to security on a national, regional and international level.
 - When developing policy, a range of external players such as academics and NGOs should be consulted and utilised as resources. Civil society should be involved in policy formulation and a periodic review of defence policy.
 - Government needs to create a platform for civil society to engage on issues such as LDF operations outside of the country's borders.
 - Regional and international operations should be subject to parliament's approval.
 - The Defence Council should be restructured.
 - Most people saw the transformation process occurring over a period of three years.

THE WAY FORWARD

Consistent themes during the dialogue were the need for an inclusive process, institutional reforms and the continuation of an open-ended discourse between roleplayers.

Some of the suggestions on taking the transformation process forward included the establishment of a steering committee that would drive the process. There was agreement that the principal secretary should spearhead the process and propose the idea of a steering committee to the Ministry of Defence. The principal secretary will also consult with the prime minister on issues such as a defence review process.

It was also suggested that smaller, more focused, capacity-building workshops should be held in the future.

Overall, the initial dialogue was successful and paved the way for the future reform process. The openness and constructive manner in which the dialogue took place were encouraging and a sign that security sector reform in Lesotho can become a successful reality.

Note

1. Major Mahao, unpublished paper presented at the Lesotho dialogue series, Maseru, 12-14 April 2000.