The role of the Lesotho Ministry of Defence in ensuring effective civil-military relations

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Introduction

This chapter considers the civil-military relationship in Lesotho, with special reference to the role of the Ministry of Defence.

Like many other countries granted independence from Britain in the 1960s, Lesotho has not found it easy to establish stable and effective institutional arrangements that command the confidence and full participation of the people. Civil-military relations have been no exception. Significant institutional reforms were carried out in that area after the end of military rule in Lesotho, but these did not prevent unsatisfactory behaviour by some members of the armed forces during the subsequent political crises of 1993/4 and 1998.

Chronic political instability places a premium on the maintenance of a reliable army, loyal to the democratically elected authority, but the greater the political instability, the greater the risk of inappropriate civil-military relations. Reducing and managing that risk is a priority for Lesotho, as well as for other newer democracies around the world.

This chapter emphasises the need for institutional reform to take full account of the deep and complex roots of civil-military relations. The paper also suggests that by themselves, institutional reforms are not enough. They must be accompanied by extensive and sustained work at all levels—and with appropriate outside help—to build the culture that is needed for the correct relationship to become fully established in the life of the nation. That work, which includes some very significant personnel and training initiatives, is now underway in Lesotho, but is a long-term process.

The context

It is important to understand the political and historical context in which, in 1993/1994, serious attempts were made to establish proper civilian control of the Lesotho Defence Force. The profile can be seen from the following:

- 1970 General election. Basotho National Party (BNP) declares a state of emergency when unfavourable result becomes apparent; and subjects Lesotho to authoritarian rule;
- 1986 The constitution is suspended, political parties banned; and rule by military edict instituted;
• 1993 Democratic elections held for the first time for over twenty years. Basotho Congress Party (BCP) wins landslide majority. BNP claims irregularities and that electoral system (British ‘winner takes all’ system) is unfair;
• 1993/4 Factional fighting within the Lesotho Defence Force (LDF). SADC intervenes peacefully;
• 1994 Ministry of Defence formed;
• 1997 Mutiny in the police, put down with assistance from LDF;
• 1998 General election result hotly disputed by BNP and two minor parties;
• junior LDF officers and other ranks arrest their senior officers and demand that the head of the army resign, signalling a creeping military coup d’etat. Daily functions of the state become impossible; and
• on 22 September 1998, acting on a request from the Government of Lesotho; a SADC taskforce quells the mutiny. Civil unrest and public disorder ensue, with looting and burning of business premises in the capital, Maseru, and neighbouring towns.

The Ministry of Defence was established in 1994 against a background of direct military control of civilian life, the diametric opposite of the aim of the Ministry. That is a very challenging beginning.

The blurring of boundaries between key institutions of the state had been worsened by a tendency for some political leaders to confuse party-political and state interests, for example in the handling of key promotions and even basic recruitment within the state sector. This eroded the already low levels of public confidence in the impartiality of the state organs. Increasing politicisation affected general standards of loyalty and professionalism among state employees. The LDF mutinies in 1993 and 1998, and the police mutiny of 1996 are evidence of this.

Political history in Lesotho has been one of chronic instability. Upheavals in surrounding South Africa tended to destabilise the country, both indirectly, because of strong economic ties and directly, via military incursions by the apartheid regime. Lesotho experienced repeated political interference and the undermining of its institutions. Within the nation itself, the problems of grievous poverty and widespread unfulfilled social needs have produced a fertile ground for dissatisfaction with politicians, ground that has been irrigated by church representatives and chieftains encouraging affinities with particular political leaders. These are unpromising conditions for fledgling democratic institutions and for establishing proper civil-military relations.

**Formation of the Ministry of Defence**

The idea of a Ministry of Defence, along British lines, to help establish a proper relationship between the civil and military, was first publicly mooted in 1993.
Britan assisted in the training and development of the LDF since Lesotho’s independence and it was natural that the Government should turn to the United Kingdom for help with this project. A full-time technical co-operation officer was made available to the government via the British Foreign Office, on loan from the Ministry of Defence, and this person worked with Lesotho officials and the military to work out a suitable structure for a Ministry of Defence for Lesotho. The resulting formula was based on sections 145 and 148 of the Constitution of Lesotho and the policy subsequently expressed in the Lesotho Defence Force Act (No 4 of 1996). Essentially, the scheme is based on the principles of:

- Separation of civil and military powers;
- Legality;
- Transparency; and
- Accountability.

The aim is to preserve maximum operational independence for the LDF, while ensuring democratic accountability and the need for ultimate political strategic control of the army. This means that armed forces personnel should refrain from involvement in politics other than through constitutionally approved powers and civilians should refrain from attempting to inform operational matters and military discipline. The challenge is to ensure that the armed forces participate in the development of defence policy without undermining the ultimate democratic authority of the civilian decision-makers. The solution hinges crucially on civilian respect for military professionalism and military acceptance of civilian supremacy.

The way in which the Ministry of Defence was intended to express this notion of the correct relationship between military and civil power is illustrated in the first statement functions of the Minister of Defence (at Appendix I to this paper). A diagram showing the Ministry of Defence staffing and management structure is at Appendix II. The allocated budget was as follows:

The Lesotho Ministry of Defence was never intended to be a large department or to replace the LDF’s own administrative arrangements. However, it was vital that it should control the budget and provide an effective channel for communication and strategic policy making. The main features of the Ministry as established are:
• it comprises a mixed civil and military staff under a civil servant known as the Principal Secretary;
• it is the administrative headquarters of the LDF and responsible (and accountable) for all provisioning and finance matters. The Principal Secretary is the Accounting Officer for the LDF; and
• it supports the Government in its armed forces management role, acting as a two-way channel of communication and facilitating effective and appropriate political dialogue.

Limitations

A well trained and professionally competent defence force is an asset to a nation and can readily assist the Government in executing its policies. Besides military training, academic improvements and general learning also help in making the soldiers better citizens, who respect the law. Therefore, emphasis has been laid on training the LDF, NSS and members of the MOD, in order to develop a fine-tuned mechanism that will be an asset to the State. A professional and well-trained military will further the institution of democracy and contribute to cementing positive civil-military relations. There is, however, still a need for a change in culture in the military—there are personnel unwilling to reform, who have failed the SADC screening test. These officers have reintegrated into civil society.

Since the MOD was established, there has been a steep learning curve for all members on the staff of the Ministry. The training was essential because there was little understanding of the concept and role of such a MOD. Internal training, lecturing and familiarisation visits have provided staff with an understanding of their roles.

Training of the LDF by the SADC training team, SADCTIL, has introduced personnel to the notion of military and academic professionalism. There was also great emphasis on human resource development and training of soldiers to assist in disaster management within the country.

The MOD, in close consultation with the LDF, is developing new personnel and training strategies and policies that focus more closely on what is already in place and what is needed to meet the various roles the LDF is expected to undertake now and in the future.

The defence of and overall security situation in the country has major bearing on civil-military relations. Defence is a constantly changing concept and it will be important for the MOD to evolve its structure and processes to handle the changes. One of the priorities for the MOD will be to develop a functional strategy to ensure that ongoing improvements take place in civil-military relations. This is important because sensitive issues easily affect the relationship between a defence force and the citizens of the country it serves. The relation-
The LDF will continue to maximize its operational effectiveness by recruiting and training the best young men and women. It will also strive to achieve the highest levels of discipline, professionalism and accountability, promote a good public image and contribute to the well being of the community.

Importantly, the MOD will work towards developing more formal links with neighbouring countries. The development of such links will be a positive step towards closer integration and confidence building in the region.

The way forward
The dynamics of change in the Southern Africa region will ensure that future co-operation and co-ordination become key concepts for defence and other areas of government business. Defence policy will need to be informed by these criteria and the implementation of that policy will need to reflect practical developments of various kinds, affecting the country both directly and indirectly. In particular, it will need to take account of up to date assessments of potential threats to Lesotho’s security interests.

It is abundantly clear that in a democracy the armed forces must abide by the constitution and function according to the policies laid down by the elected government. The armed forces must be accountable to civilian authority. Checks and balances are necessary to ensure that healthy civil-military relations are maintained. A country wanting to progress must ensure stability for its people. For stability, it is necessary to have professional, disciplined and well-trained armed forces that respect civilian authority and the rule of law and function according to the constitution of the country.

Defence must look beyond the present to ensure that the country has an independent minimal and unified defence system that is capable of countering any threat, which may emerge. The defence organisation should be developed in such a way that resources and expertise can be harnessed to assist the civil community to direct the betterment of Lesotho. Thus, the Ministry of Defence has an important role to fulfil by ensuring that there is internal peace and stability in the country so that there is prosperity and progress. To a great extent, the desired peace, progress and prosperity can be achieved by maintaining effective and healthy civil-military relations.
Appendix 1

Ministry of Defence

Functions of the ministry of defence

The Ministry of Defence has been established to serve two functions in govern-
ment. It serves the administrative and executive functions as relate to armed services.

Administrative functions

It is the administrative headquarters of the Lesotho Defence Force and the National Security Service. It provides the government with the support to manage the defence force. The Ministry ensures that the defence force has the necessary resources at its disposal to meet the commitment places on them by government. The Ministry of Defence has been heavily involved in the restructuring of both and regional co-operation has been at the forefront. Our defence force has benefited a great deal from this regional cooperation through training, exchange visits, support during disasters and even through information sharing on various defence issues.

Executive functions

The Executive function is carried out through policy-making activity within government. The Ministry of Defence provides advice to government on all aspects of defence. The crux of the executive function is policy execution, therefore, the Ministry of Defence oversees the execution. The Ministry provides the support function in making the defence force accountable to parliament and transparent. The Principal Secretary is the Chief Accounting Officer, she administers the defence budget and as such is responsible to the Minister and Parliament for finances of the Ministry.

Organisation of the ministry

The Ministry of Defence has been established with Joint Civilian, Military and Security Service Staff. It is headed by a civil servant, the Principal Secretary, supported by a joint subordinate staff. The civilian, military and security service personnel within the ministry provide the principal secretary with balanced advice. Defence policies that are developed have administrative, operational as well as political content. The civil service has the administrative and political capacity whilst the Lesotho Defence Force and National Security Service provide operational input. This combination is aimed at providing government with well-balanced advice.