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LESOTHO IN 2019: LOOKING BACK TO FIND A WAY FORWARD

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EXECUTIVE SUMMARY

Lesotho's internal strife has long been a headache for SADC. The regional organisation's most recent engagement, the SADC Preventative Mission in the Kingdom of Lesotho (SAPMIL), is credited with bringing security and relative calm to the mountain kingdom, but Basotho leaders failed to use this period of peace to steer the country toward long-term stability. The departure of the bulk of the SADC force late in 2018 was therefore a concerning but not catastrophic development. Creative SADC policies that address the economic, political and security causes of conflict in Lesotho can still help place that country more firmly on the path to a durable peace.

INTRODUCTION: THE LAY OF THE LAND IN LESOTHO

Ensuring stability in Lesotho has been a priority for SADC ever since the mountain kingdom returned to democracy in 1993 after 23 years of authoritarian and military rule. Despite regional peacemaking efforts over the last quarter-century, debilitating divisions within Lesotho persist. Military uprisings, electoral controversies and political disagreements (both across and among parties) have damaged Lesotho's democracy and impeded effective governance.

President Cyril Ramaphosa has spearheaded the most recent SADC effort to stabilise Lesotho. Ramaphosa was appointed as SADC facilitator for Lesotho in

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2014 while deputy president of South Africa. As part of his facilitation, Ramaphosa produced a report in 2015 that listed the critical constitutional, security sector and judicial reforms that Lesotho should implement. The report highlighted the importance of regulating parliamentary floor-crossing to stabilise Lesotho's perpetually precarious politics, and the need to clearly define the purview of Lesotho's police and army to avoid overlapping roles that currently cause wasteful government expenditure and competition within the country's security sector. Lesotho's government endorsed this report and then developed a Roadmap for Reforms and National Dialogue to forge a countrywide consensus to facilitate the implementation of these changes.[1] Yet instability persisted. The commander of the Lesotho Defence Force (LDF), Lt. Gen. Maaparankoe Mahao, was killed by his own soldiers in 2015. Two years later, another LDF commander, Lt. Gen. Khoantle Motsomotso, was assassinated, again by renegade LDF members. These killings 'shook the nation', according to King Letsie III, and indicated the deep divisions and discord within Lesotho's security sector.[2]

In the wake of Motsomotso's death, SADC deployed SAPMIL late in 2017. This 269-strong 'multi-dimensional contingent' made up of military, police, intelligence and civilian elements was designed to create an environment conducive to reform and national dialogue. [3] In June 2018 Ramaphosa, now president of South Africa, attempted to breathe new life into the stalled reform process by selecting Judge Dikgang Moseneke (a former South African deputy chief justice) to serve as his special envoy. Despite Moseneke's dogged efforts, steps toward reform were initially slowed by political infighting in Lesotho. A surge of progress in the reform effort late in 2018 was prompted by SADC pressure after the regional organisation 'resolved not to entertain any further delays in the implementation of Reforms and National Dialogue' at its August 2018 Heads of State and Government Summit in Windhoek, Namibia.[4] This progress was capped by a Multi-Stakeholder National Dialogue (MSND) in November that year. Optimism generated by the MSND was tempered by the departure of most of the SAPMIL force, also in November 2018, a development the *Lesotho Times* described as 'a cause of worry to all and sundry eager for permanent peace and stability in our perennially troubled Kingdom'.[5]

This policy insight reviews three of the most serious obstacles to peace in Lesotho: an enduringly insubordinate and politicised military, an over-reliance on elections to create political stability, and lack of economic opportunity. It then offers suggestions to help overcome these obstacles and build a durable peace in the country.

LESOTHO'S MILITARY: A LEGACY OF MAYHEM

Over the course of Lesotho's 25 years of democracy the military has regularly intervened in political matters. SADC, in cooperation with other international actors, has a long history of attempting to help reform Lesotho's military. Thus far, these efforts have not met with sustained success. After bouts of rebellious military activity in 1993 and 1994 the LDF was encouraged by opposition politicians to support King Letsie III's 'monarchical coup' in August 1994, which dismissed Lesotho's democratically elected government. When the king's coup was reversed a month later under pressure from regional powers, a programme was implemented to reform the military. Officers from Botswana, South Africa and Zimbabwe were

Source: Map No. 3768 Rev.6, February 2007, United Nations, http://www.un.org/Depts/Cartographic/map/profile/southafr.pdf

joined by British and US experts to instil an appreciation of appropriate civil–military relations in Lesotho's army.

While these efforts succeeded in ingraining the importance of a non-partisan defence force among LDF senior commanders, such an appreciation was not inculcated in the lower ranks of the military.[6] In 1998 the division between junior and senior LDF leaders erupted into the open after a disputed election led to widespread political protests. During this period of instability the junior officers, allegedly with the encouragement of opposition politicians, staged a mutiny against their commanders and threatened to overthrow the government. This crisis culminated in a SADC military intervention in September 1998 during which dozens of lives were lost and the towns of Maseru, Mohale's Hoek and Mafeteng badly damaged.

In the aftermath of this paroxysm of violence SADC undertook another training mission called Operation Maluti. Between May 1999 and May 2000 a 300-member SADC training team again sought to rebuild and retrain the LDF. In July 2001 the Indian military began a follow-on training mission in Maseru. The Indian Army Training Team (IATT) was composed primarily of specialist officers whose mission was to train Basotho instructors, who in turn could pass on this training to their colleagues. IATT assistance as well as periodic visits by LDF officials to military training centres in India promised a more professional LDF.

This hope was disappointed in 2014 when political infighting and an insubordinate military combined to destabilise Lesotho once again. In June of that year prime minister Thomas Thabane seemed on the verge of being deposed after his deputy prime minister and coalition partner Mothetjoa Metsing indicated he would shift his loyalty to the Democratic Congress, which was then in opposition. When Thabane endeavoured to block this move by suspending Lesotho's Parliament, the head of the LDF, Lt. Gen. Tlali Kamoli, an ally of Metsing, attempted to stage a coup against Thabane. Kamoli had an additional reason to mount a coup – he had been dismissed as commander of the LDF at the same time that the disagreement between Thabane and Metsing was unfolding. With SADC assistance Thabane was quickly restored to power, but this did not end the crisis in the military.[7] In June 2015 Mahao, who had briefly replaced Kamoli as LDF commander, was gunned down by soldiers apparently loyal to Kamoli. The slaying of Mahao prompted SADC to create a commission of inquiry to investigate the killing. The Phumaphi Commission documented a politicised and divided security sector badly in need of reform.[8] The killing of another commander of the LDF, Motsomotso, in 2017 indicated that these problems persisted.

Over the course of 2018 SAPMIL focused on helping to retrain and reform the security sector. SADC officials stress that SAPMIL was more about putting 'brains rather than boots on the ground', in order to convince the military to stay out of politics.[9] Although Basotho non-governmental organisation (NGO) representatives believe that SADC's efforts have helped to create a military that is more non-partisan and professional, there is still cause for concern.[10] One worry is that a small group of renegade LDF soldiers side-lined by the reform process will take matters into their own hands. In October 2018 Basotho officials warned of a plot to destabilise the government once SAPMIL leaves. In the context of these warnings, the theft of communication equipment from the LDF in November 2018 is a worrying development.[11]

A second concern is that various court cases against LDF personnel, including Kamoli, could reopen divisions in the military. One indication of how politically sensitive these trials are is that it was decided to have foreign judges brought in to adjudicate them.[12] These high-profile cases will take place as the reform process unfolds in 2019 and could act as a hook that once again draws the military into Lesotho's political maelstrom.

A third source of disquiet in the military is indicated by the recently published 'Report on Victimisation of Members of the Lesotho Defence Force in the Period 2014 to 2017', authored by a group of senior soldiers persecuted during Kamoli's tenure as head of the LDF. This report details how soldiers deemed resistant to Kamoli were marginalised, accused of plotting a coup, and, allegedly, in some cases tortured. The officers who were ostracised by Kamoli are now demanding compensation for the distress and difficulties caused by the erstwhile commander, and believe the current LDF leadership has not been responsive to their demands.[13] Kamoli's tenure as commander of the LDF was divisive. If steps are not taken to redress grievances inside the military, new fissures in the LDF might open.

Finally, there is continuing unease among Basotho NGOs and the international community that unscrupulous politicians will seek to use the military for their

personal purposes rather than to serve the national interest.[14] This was also a concern of the Phumaphi Commission, which stated:[15]

> [In] an environment where political leaders are exploiting the unprofessionalism of the security sector there shall remain strains in the proper governance of the Kingdom of Lesotho. The politicians meddle in the security sectors for their own ends and not for the benefit of the nation.

An evaluation of the history of efforts to help train the LDF suggests that reforming the military is a necessary but insufficient step to resolve the long-term problem of civil–military relations in Lesotho. It is equally important that politicians be prevented from enticing Basotho soldiers to enter the political fray.

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THE FALSE PROMISE OF ELECTIONS

Both the Basotho and SADC have historically put their faith in elections to bring legitimacy to Lesotho's government. The past 25 years indicate that free and fair elections are necessary – but not sufficient to produce governments that are widely considered legitimate. Experimentation with different electoral systems to achieve broader representation has met with limited success, and contributed to a series of awkward and unstable governments.

Lesotho's first two elections in the 1990s were lopsided affairs. In 1993 the Basutoland Congress Party (BCP) won all the seats in Parliament, and in 1998 the Lesotho Congress for Democracy (LCD), which had broken away from the BCP, won all but one seat. Although other parties garnered more than a quarter of the vote in 1993 and more than a third in 1998, they had no representation in Parliament because of the First Past the Post (FPTP) electoral system.

After the SADC intervention in 1998 regional negotiators pushed for the adoption of a more inclusive electoral model.[16] The FPTP system was understood to be at the heart of Lesotho's political problems because it twice excluded minority parties that had received a significant number of votes from any meaningful representation in the country's Parliament.[17] In an already combative and militarised political environment, and in the context of an economy where a seat in Parliament guarantees a sizeable income, the marginalisation of opposition parties was seen as a recipe for further instability. A Mixed Member Proportional (MMP) model, it was hoped, would ensure the presence of a significant number of opposition members in Parliament and thus create a more inclusive government.[18] After much wrangling, it was decided that the MMP system would allot 80 seats to parliamentarians elected directly through single-member constituencies, and 40 would be included on a proportional party basis.

The elections in 2002, held a year earlier than Lesotho's typical five-year cycle, seemed to vindicate the MMP approach. Although the LCD won the vast majority of the constituent seats, other parties received compensatory seats to create a more balanced representation in Parliament. The 2007 election, however, exposed flaws in the MMP model. In the run-up to that election, Thabane split from the LCD and created a new party, the All Basotho Convention (ABC). The election was also complicated by informal pre-election pacts in which different parties joined

forces to benefit from the combined allotment of the constituent and proportional seats allocated to them. Disagreement over how to allot these proportional seats prompted sporadic violence in Maseru after the election.[19]

Thabane's breakaway before the 2007 election highlighted a deleterious trend in Lesotho's democracy – political factionalism.[20] This factionalism, which dates back to 1997 when a group of BCP leaders broke away from their party to form the LCD, is demonstrated by the frequency with which floor-crossing occurs. In this scenario, elected MPs either create their own party or move to another party.[21] The trend toward factionalism is exacerbated by two other traits of Lesotho's political system: registering new parties is relatively easy, and the MMP system rewards politicians who garner only a few thousand votes with a parliamentary seat and the potential power to make or break a governing alliance.[22] The result has been a proliferation of political parties, and the creation of unwieldy and unproductive coalition governments. While the transition from an FPTP to an MMP system in the early 2000s allowed for more parties to be represented in government, it also created new problems.

Despite these problems with the MMP system, the election in 2012 was initially hailed as a success. That vote saw a Democratic Congress (DC)-led coalition government and long-time prime minister Pakalitha Mosisili defeated by an alliance headed by Thabane and the ABC. The peaceful handover of power to the Thabane-led coalition sparked hopes that Lesotho's democracy was maturing.[23] These hopes were short lived. Serious rifts developed in Thabane's government that inflamed political tensions and impeded effective governance.[24] These tensions ultimately led to the aforementioned coup attempt in 2014.

SADC quickly stepped in to help stabilise the situation in Lesotho. Part of the agreement that the regional organisation brokered moved elections forward from 2017 to 2015. These elections, held only six months after the attempted coup, produced another shaky coalition government between the DC, LCD and five smaller parties, with Mosisili again becoming prime minister. This new government was not able to solve Lesotho's problems. Instability within the military endured, as demonstrated by Mahao's slaying less than four months after the elections. In March 2017 a motion of no confidence in Mosisili's ungainly coalition government was passed in Parliament. Under these circumstances, Mosisili decided to hold another early election.[25] The June 2017 elections were the third in five years for Lesotho – an indication of just how brittle its democratic system had become.

For 25 years regional and local actors have advocated elections on a number of occasions to bolster the legitimacy of Lesotho's government. This approach, although well intentioned, has not brought success

For 25 years regional and local actors have advocated elections on a number of occasions to bolster the legitimacy of Lesotho's government. This approach, although well intentioned, has not brought success. While contestation for political office is healthy, Lesotho's politics is constantly combative. The country's contentious political culture means that officials are so preoccupied with protecting their role in government that they have little time to plan and execute policy. Frequent elections (together with poor government performance) have sapped popular support for democracy. In 2014 Afrobarometer found 73% of Basotho believed 'we should choose our leaders in this country through regular, open, and honest elections'. By 2017 the number who agreed with this statement had dropped to 48%.[26]

Continuing to hold elections in the absence of reforms to the country's electoral system and institutions will not bring stability to Lesotho. The MMP system made the country's Parliament more inclusive, but it also led to a series of fragile coalition governments that have crumbled in the face of Lesotho's antagonistic political culture. Changes to the electoral system could help mitigate this problem, but to get at the root of Lesotho's troubles SADC will need to address the economic motivations that underpin the country's quarrelsome politics.

LIMITED ECONOMIC OPPORTUNITIES AND THE POLITICS OF LESOTHO

Economic imperatives drive much of the political chicanery in Lesotho. The country is one of the world's poorest, with a gross domestic product (GDP) per capita of $3,600. Furthermore, government consumption accounts for more than a quarter of Lesotho's total GDP by end-use.[27] In sum, its economy is small and heavily reliant on the government. This causes a damaging dynamic – political power and economic prosperity are invidiously intertwined.[28] As Matlosa and Shale explain:[29]

> The small, landlocked and impoverished Lesotho has always been mired by conflict-ridden politics, in part because the political elite perceives politics (through parties and the legislature) as a license to access state resources. Given the bleak prospects for accumulation in the private sector, the state has become a major avenue for accumulation, which is why contestation for state power among the elite is so fierce and has generated protracted violent conflicts in the past.

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In sum, for many government officials the choice is stark: a political career or penury. This contributes to the country's belligerent political culture and causes widespread corruption.

Parliamentarians seem blissfully unaware of this problem. Currently, legislators in Lesotho receive an LSL[30] 500,000 ($35,435) interest-free loan at the beginning of their term. Because this perquisite has generated anger among the electorate, parliamentarians have proposed the loan be scrapped and that their salaries instead be doubled to LSL 74,000 ($5,245) a month. As the *Lesotho Times* pointed out, 'An average factory worker in Lesotho barely earns LSL 2,000 ($142) a month.'[31] The search for spoils generates many of the ills in Lesotho's politics and it would be unwise to inject additional money into the system.

This problem runs deeper than just the elite. Many government employees view loyalty to a particular party (and the consequent jobs and other rewards that party bestows) as essential to their economic livelihoods. This unhealthy dynamic contributes to the partisan nature of Lesotho's civil service and security sector.[32]

In the long term, the way out of this trap is to develop alternative avenues for economic advancement aside from involvement in the government. To do this, SADC should help incubate Lesotho's textile and agricultural industries (two areas of the economy deemed to have promise) through trading policies that will expand the regional market for such goods.[33] It should also work with other development partners in Lesotho to complement existing efforts to grow the private sector. For example, Lesotho takes advantage of only a narrow part of the US government's African Growth and Opportunity Act (AGOA). Although the textiles Lesotho

exports to the US under AGOA are crucial to the Basotho economy, more product lines under AGOA could be developed to foster the nascent commercial agriculture, tourism and renewable energy industries.[34] Lesotho's continued progress toward a second compact with the US Millennium Challenge Corporation (MCC) is a positive sign. The new MCC project is designed to aid Lesotho's government in the policy planning, coordination and execution of infrastructure and service projects designed to strengthen the private sector.[35]

A second way to generate new economic opportunities in Lesotho is to reassess the country's relationship with South Africa. As Coplan argues, the 'Caledon River [which divides Lesotho from the Free State] is a political rather than an organic social boundary', across which a wide range of economic activities takes place and economic migrants flow.[36] Acknowledging this reality by altering the political relationship between the two countries could unleash economic growth.

In 2014 Tito Mboweni (a former governor of the South African Reserve Bank and current Minister of Finance) suggested a 'federal state' arrangement that would entail 'abolishing border controls and posts' to allow the 'free movement of capital and labour' between Lesotho and South Africa.[37] During a speech in Maseru in October 2018, Mboweni stated, 'I don't like this border [the South Africa–Lesotho border], because it just doesn't make sense to me.'[38] There are indications that Mboweni's views are gaining traction. In 2018 lawmakers in Maseru passed legislation enabling citizens of Lesotho to hold dual citizenship with other countries. This will enable the thousands of Basotho who work in South Africa but retain close ties to Lesotho to move more easily between the two countries.[39] There is also growing support in Lesotho for closer cooperation or even incorporation with South Africa. In 2014 40% of Basotho agreed with the statement: 'Given her unique geographical position, Lesotho can only realize meaningful development if it becomes part of the Republic of South Africa.' By 2017 that number had risen to 52%.[40] If the views of politicians like Mboweni and the feelings of the majority of Basotho are translated into sound policies, some of the bureaucratic obstacles that impede the movement of goods and people across the Lesotho–South Africa border would be reduced, leading to greater prosperity on both sides of the Caledon River.

CONCLUSION

If SADC is to ameliorate the core causes of Lesotho's endemic instability it will need to expand its efforts to address the economic drivers that debilitate Lesotho's democracy

If SADC is to ameliorate the core causes of Lesotho's endemic instability it will need to expand its efforts to address the economic drivers that debilitate Lesotho's democracy. The mountain kingdom's unique geographic situation as an enclave state in the belly of South Africa creates structural economic problems, which, in turn, have precipitated political instability. Geography cannot be altered, but Lesotho's economy could be enlarged and diversified. When economic opportunities expand, the political fortunes of a party will not make or break the fortunes of those attached to that party. A more vibrant private sector will contribute to a healthier political culture in Lesotho – one in which parties differ over policy positions rather than fight over the emoluments that accompany political office. Economic growth, in combination with a professional military and an electoral system that ensures a range of Basotho parties are represented but does not incentivise the constant fracturing of these parties, will give Lesotho a serious chance at a stable political future.

RECOMMENDATIONS

- Despite the departure of most of the SAPMIL force, SADC officials should continue their efforts to professionalise Lesotho's security sector. In this process the rank and file cannot be ignored. As the events of 1998 demonstrated, disaffected junior officials are capable of upending their senior commanders. Encouragingly, SADC officials appreciate that professionalising the security sector in Lesotho must include inculcating a deep respect for civilian authority, while at the same time emphasising to security officials that they should not participate in the machinations of civilian leaders.[41]
- Changes to Lesotho's' electoral and parliamentary system recommended by the Ramaphosa-led SADC team in 2015 should be carried out to reduce floor-crossing and curb the fissiparous nature of Lesotho's political system.[42] Timothy Rich and Vasabjit Banerjee, two election experts, recommend instituting a 'minimum electoral threshold necessary to receive PR seats (often 5% in mixed systems [like Lesotho's]) as this discourages party fractionalisation by encouraging very small parties to either bow out or combine with larger parties'.[43]
- SADC should move past addressing the political symptoms of Lesotho's problems and deal with the deep-seated economic issues that contribute to on-going instability. Specifically, SADC states should devise regional trade policies that build alternative avenues for economic advancement (aside from involvement in the government) in Lesotho. In addition, Pretoria should dramatically relax border controls to boost cross-border commerce.

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