

THE ROLE OF THE SADC IN A PEACEKEEPING MISSION: A CASE STUDY OF SOUTH AFRICA IN THE LESOTHO CONFLICT

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Abstract

This article investigates and assesses a peacekeeping mission of the Southern African Development Community (SADC) as it relates to a case study of South Africa's intervention in the Lesotho conflict in 1998. The article bases its argument on the international relations paradigm of realism so as to refute South Africa's claim that the SADC sanctioned the 1998 military intervention and that this armed intervention was aimed at promoting democracy and stability. Realists interpret world politics as a struggle for power and survival in an anarchic world. The aims of this article are to: determine the reasons for the said military intervention and the extent to which it was conducted on humanitarian grounds; investigate and assess the degree to which the intervention by South Africa was encouraged by national interests; determine the nature of the involvement of the SADC, African Union (AU) and the United Nations Security Council (UNSC) in the 1998 intervention; and explore the 2014/2015 mediation process and the challenges encountered. The study used qualitative techniques for data collection and analysis. The primary and secondary data were obtained from government and other publications and reports. The article argues that South Africa appears to have used the 1998 intervention and the mediation process in 2014/2015 to pursue its strategic and economic interests in the Kingdom of Lesotho, because it was not mandated or authorised by the UN, AU, and SADC to carry out these actions. The intervention was not a humanitarian peacekeeping mission to rescue Lesotho from a coup as claimed by South African officials. The intervention appears to have been inconsistent with the UN charter and the SADC treaty.

Keywords: peacekeeping mission; military intervention; intelligence sharing; authorisation; mediation; national interests; self-interests; media liaison; security crisis

INTRODUCTION

Since the end of the Cold War in 1989, the changing nature of international politics, the subsequent conflicts (being mostly intra-state), and the increasing demands for peacekeeping during the 1990s have put a huge burden on the capabilities and resources of the United Nations (UN) and participating countries. It should be noted that the UN peacekeepers failed in many instances to meet the challenges faced, especially in Africa where the scope and intensity of violence during the 1990s were great. According to a special report on peacekeeping in Africa, the continent was plagued by 16 armed conflicts in 1999 alone (Docking 2001, 1). In each of seven of these armed conflicts, more than 1 000 battle-related deaths occurred.

The large increase in the frequency of civil wars throughout the world and the resultant need for the UN to intervene, compelled this world body to call upon regional organisations to assist in preserving, promoting, and resolving local conflicts before they became a threat to international peace and security; hence the emergency of regional peacekeeping initiatives in the SADC region and many other regions around the world. Peace support operations entail a range of activities, including preventive diplomacy and peace enforcement (Likoti 2006, 14.)

It is on the basis of the above that this article seeks to investigate and assess how and why South Africa assisted the Kingdom of Lesotho (hereafter Lesotho) in the 1998 conflict. Special attention is given to South Africa's challenges and blunders while assisting Lesotho with its problems. The article also highlights South Africa's interest in the Lesotho Highlands Water project, and deals with the 2014/2015 mediation process and its challenges in the political and security environment. Based on the lessons learnt from South Africa's interventions, this article makes certain recommendations (Nathan 2004).

THE 1998 MILITARY INTERVENTION AND ITS CHALLENGES

Military Development

On September 22, 1998, the South African government, under the then acting President, Chief Mangosuthu Buthelezi, claimed to have been requested by Lesotho's Prime Minister, Pakalitha Mosisili, to intervene based on SADC agreements. It is critical to point out that the intervention was claimed to have been carried out by a combined military task force consisting of the South African National Defence Force (SANDF) and the Botswana Defence Force (BDF). The operation was requested as a result of disputed election results that were perceived by the opposition parties to have been rigged (Nathan 2004, 10).

Also important to mention is that members of the Lesotho Defence Force (LDF) seized arms and ammunition, and that commanding officers were either imprisoned or forced to resign. Terror reigned in and around the Lesotho capital of Maseru—government vehicles were hijacked, the broadcasting station was forced to close, and the Prime Minister and his Cabinet were held hostage (Nathan 2004).

This was a clear indication that the Lesotho police had lost total control amid fears that a military coup was being planned. The aim of deploying SANDF and BDF troops was to intervene militarily to restore law and order, to locate and identify destabilisers, stabilise resources, and disarm and strike where applicable with the necessary force to eliminate the threat (Matlosa 1998, 8.)

Furthermore, it is imperative to indicate that South Africa, under the stewardship of world icon Nelson Mandela, was heavily criticised for the manner in which the operation was planned and handled. One of the criticisms levelled against South Africa was the fact that the South African government used its military and diplomatic superiority as a regional hegemony to dominate and interfere in the domestic affairs of one of its smaller and weaker neighbours.

Also, South Africa was criticised for furthering and advancing its interests using its military power in the Southern African region. Other points of criticism related to the manner in which it handled the military operation, which is discussed below (Southall and Fox 1999).

CHALLENGES AND BLUNDERS COMMITTED DURING THE 1998 MILITARY INTERVENTION IN LESOTHO

Authorisation

Article 53 of the Charter of the United Nations clearly states that “no enforcement action shall be taken under regional arrangement or by regional agencies without the authorization of the security council” (Neethling 1999, 8). Analysts argue that the internal affairs of many countries have become an important component of the new world order, making intervention a legitimate right. It can even be regarded as an obligation upon the international community whenever a risk or threat to international peace arises. This implies that the broad community of nations has the right and responsibility to intervene when conditions require people to preserve peace (Hadebe 1999, 25).

In this context, it can be argued that it was evident that the situation that arose in Lesotho did not warrant intervention by the regional body of the SADC. The situation only warranted police officers to be deployed. This means that the deployment of SANDF and later BDF troops was not legitimate. The undertaking was called an “SADC” intervention following the unrest related to the elections (Hadebe 1999).

In the same breath, one can also argue that both South Africa and Botswana violated the sovereign rights of Lesotho under the guise of saving democracy. The democratic

government of South Africa should have been sensitive to the horrors and brutal force of the SANDF under the apartheid regime. A country such as South Africa, whose army had been involved in UN and/or AU peacekeeping missions in different parts of Africa, should not have become involved in a military offensive and used brute force as it did in Lesotho (Kent and Malan 2003, 8).

Moreover one could rightly argue that South Africa took advantage of its military and economic status when it invaded Lesotho, which is a small country with a population of less than two million. Lesotho entirely depends upon South Africa for all its economic activities, including mining. According to the Lesotho Clothing and Allied Workers Union (LCAW), for example, remittances of workers employed mostly in South African mines accounted for 45 per cent of Lesotho's gross national product from 1983 to 1991 (Likoti 2007, 263).

Furthermore, it is argued that South Africa would not have used the same tactics on the neighbouring bigger states such as Mozambique or Zimbabwe. This is because of the fact that South Africa's strength cannot be matched by any state in the SADC region. South Africa's involvement in Lesotho was short-sighted. This could be confirmed by the fact that since 1994, South Africa's foreign policy of solving African problems has been to negotiate, engage and persuade. Even the SADC itself has never solved problems affecting member states militarily: its approach has been to solve problems politically (Hadebe 1999, 25).

South Africa's involvement in Lesotho was motivated by its interest in the scarce resource of water, in other words, its strategic interest in the Lesotho Highlands Water Project (LWHP). The fact that South Africa opted to get involved in Lesotho without even consulting King Letsie III bears testimony to the issue of its wanting to advance its strategic interest (i.e. water). Furthermore, the SANDF immediately went to the Katse Dam to ensure its safety and security. This confirms that in international politics, countries with scarce resources are immune to invasions or attacks (Likoti 2006, 257).

Consultation of Key Government Stakeholders

The post-mortem on the military operation by the SANDF and BDF armies clearly indicated that some government representatives had not been informed about the plans or intentions to deploy troops in the tiny Kingdom of Lesotho. Normally, parliamentarians and the chairpersons of key parliamentary committees should have been consulted so that they formed part of the decision-making process. It is our view that they should have been consulted: maybe they should have advised against military intervention in favour of a negotiated settlement. The issue of seeking a mandate from relevant regional, continental, and global bodies could have been raised. South Africa could have saved itself from criticism and self-embarrassment. It appears that army commanders were the ones who took a decision to send troops to another country without the consent of the government or political elite (Nathan 2004, 23).

Intelligence Collection Capabilities

It is important to note that for every military engagement to be successful there is a need that the relevant commanders collect sufficient information regarding the location of armed forces so that plans and tactics can be duly applied. Lack of adequate intelligence led to the failure of the operation. This was confirmed by media reports that described the intelligence used by the SANDF as insufficient to deal with the challenges on the ground. For example, the army virtually failed to deal with the casualties (Neethling 2000, 5). Furthermore, the departments of foreign affairs and intelligence failed dismally in collecting accurate information on the situation and they handled the situation in a manner that was described as “too weak.” The media reported that the army used outdated aerial photographs that were irrelevant. One could only hope that the situation improves drastically in future operations (Chingono and Nakana 2009, 398).

Logistical Preparedness

Comparatively speaking, the economies of most African states do not allow them to deal with huge financial demands required by military deployment for the purposes of peacekeeping. On the other hand, SADC countries had failed in the past to deploy troops where there was a need to do so. This means that the SADC as a regional body should be financed to conduct regional operations. Organisational and logistical challenges cannot be solved without finances. Most of the countries do not have the necessary equipment for peacekeeping missions. For example, sub-Saharan countries experience huge difficulties in air, sea, and ground transportation. The South African government has financial strength which enables it to send troops on most of the peacekeeping missions in Africa (De Beer 2015, 1).

Furthermore, at the time of the Lesotho peacekeeping mission, the Botswana currency was doing quite well and the country was able to deploy troops. Hence the failure of the combined forces (SANDF and BDF) cannot be ascribed to financial factors. The failure seemed to have been a result of ineffective communication and inexperience. The BDF arrived 12 hours late simply because of poor coordination and planning (Hartslief 1998, 5). It is essential to indicate that even though South Africa had adequate military technology to intervene in Lesotho in the 1998 political conflict, the South African National Defence force’s intelligence failed to obtain and accurately analyse the required information on the prospects and problems of intervention. In fact, in a sense the South African government enjoyed military superiority since it did not anticipate any resistance from the Lesotho Defence Force.

Policy Guidelines

An assessment by a South African parliamentary committee on defence confirmed that lack of policy was one of the weaknesses that had led to the deployment of SANDF

in Lesotho, and that other routes could have been taken. For instance, the issue of disregarding the UN and the SADC was pointed out as a weakness. The intervention was regarded as an intrusion into the domestic affairs of another country (Likoti 2006, 16). In fact, it was strongly argued that success in any multinational operation depended upon a broad political process and not just a military exercise. This suggests that military operations play a supporting role.

By implication, an operation requires a very clear and unambiguous mandate from various stakeholders. The issue of clear mandates and rules cannot be overemphasised. This means that before engaging in any military action, humanitarian and political objectives should be effectively understood and should be reinforced by forces on the ground (Matlosa 1999, 181).

Very significant is the fact that the decision to send troops to Lesotho was a clear indication that the South African government had failed to persuade the quarrelling parties to sit down and talk to each other. The deployment of the troops left the SANDF without a proper contingency plan, more especially in light of vagueness and uncertainty concerning the ambit of South Africa's foreign policy on peace enforcement. The Lesotho situation was the responsibility of the safety and security ministry and not of the defence ministry. Hence this article debates the issue of lack of foreign policy.

Coordination of Unity of Effort

States engaging in joint peacekeeping operations usually prepare everything as a team if they entertain any hope of being successful. This is necessary as different states have different training standards and operation procedures. The issue of intelligence-sharing is also important so as to ensure those involved apply common approach tactics, command control, rules of engagement, and disciplinary and personnel procedures. It is necessary to indicate that differences of opinion in a war situation eventually lead to political differences and disagreements between participating states (Makoa 1999, 68–69).

The issue is that the Lesotho operation was dominated by the SANDF instead of it being a joint operation of the SANDF and BDF troops. It is disturbing that the two armies did not have combined drills or intelligence-sharing prior to the intervention. Therefore it is not surprising that the military intervention was a huge failure. The media simply called it a “disaster.” A situation such as this confirms that the issue of simultaneous planning and execution is a priority in military deployment (Southall and Fox 1999, 669).

Civil-Military Intervention

An important issue regarding a civil-military intervention is that stakeholders should be informed and consulted. The local population of Lesotho was surprised to see the arrival of troops, of which they had not been informed beforehand. Consulting with and

informing stakeholders are critical if the deployment of forces aims to be humanitarian in nature. This means that stakeholders, such as the health department, business community, non-governmental organisations, and other role players should have been consulted. The Lesotho deployment should have followed this route if indeed it was employing a non-violent approach (Monyae 2014, 187).

In addition, the issue of employing diplomatic and negotiation skills, which required the disputing parties in Lesotho to reach a compromise, was critical. The gist of the matter is that local people including the media fraternity should have been informed about any issue of the deployment of troops in their vicinity. This is a clear indication that the decision of deploying troops was done without considering any related issues. The issue of media liaison will be dealt with hereunder (Southall and Fox 1999, 680).

Media Liaison

The media sector plays a role in informing people about events and activities that concern them. What is paramount is that if the media does not correctly inform people, which happened during the 1998 military intervention in Lesotho by South Africa and Botswana, it creates a negative perception about an operation. The key issue here is that the South African government and defence department failed dismally to feed the media and the public with information so that they could have a clear understanding of the operation (Scholtz 1998, 3).

At the time of the Lesotho operation, the newspapers referred to it as the “incursion that went wrong” and the “SANDF blunder.” In this way the media manipulated the truth and created wrong perceptions. Predictably, the South African government quickly responded to the negative reports. The fact is that the government should have been proactive instead of reactive. It should have had a spokesperson who could have informed the public beforehand. The media has an obligation not only to report accurately, but also to offer informed comment (Likoti 2006, 166).

THE POLITICS OF WATER

According to the South Africa Yearbook 2013/14 (Tibane and Vermeulen 2015, 256), the bilateral cooperation between South Africa and Lesotho includes sectors such as housing, food and beverage, construction, retail, hotels and leisure, banking, and medical services. However, it is critical to indicate that South Africa is mainly interested in the Lesotho Highlands Water Project through which it obtains more than 780 million cubic metres of water a year (Marais 1994, 88).

The South African government claims that Lesotho benefits immensely from the project of transferring high-quality water as it creates job opportunities and improves infrastructure, particularly in the Clarence, Fouriesburg, Ficksburg, and Ladybrand

areas in the form of new border crossings and improved amenities, community halls, clinics, housing, and other physical facilities (Likoti 2007, 253).

It has been indicated in the media that some Lesotho cabinet ministers are uncomfortable with the agreement signed on the Lesotho Highlands Water Project and would like some elements of the agreement to be reviewed. Important to mention is that the agreement specifies that South Africa does not pay tax, meaning that South Africa receives Lesotho's water tax-free (Mirumachi 2011, 558).

It is imperative to point out that the above agreement was signed in 1986 by Major General Metsing, who had taken over the government of Lesotho in a military coup d'état. The coup was alleged to have been sponsored by apartheid South Africa. The key issue is that the treaty had been signed hurriedly and also under pressure. This strongly suggests that at that time, Lesotho did not have a strong voice at the negotiating table. This then translated to the fact that leaders were said to have sold the people of Lesotho out, and the leaders were accused of having been indecisive, fragmented, and vulnerable to external pressure (Mwangi 2007, 5).

The matter of concern is that South Africa disregarded all protocols and procedures that needed to be followed before unleashing its troops on a foreign country, and, above all, doing it mainly to pursue and advance its national interests. In this case, it was and still is water.

SADC'S 2014/2015 INTERVENTION IN THE LESOTHO CRISIS

Political and Security Crisis

Important to note is that Lesotho has faced repeated political and security-related crises, and that the history of this mountain kingdom has been characterised by coups and assassinations. It is clear that the Lesotho army and police have been polarised due to their involvement in politics. As a result, the Basotho nation is not assured of its security in a society that is polarised. The key issue is that this lack of security has affected the country: however, security is perceived or defined differently by individual citizens, groups, and the government (Vikihlale 2017).

In August 2014, factions loyal to Lesotho's previous army commander, General Tlali Kamoli, allegedly led a coup against Prime Minister Tom Thabane, attempting to replace him with his deputy, Mothetjoa Metsing. Immediately after Thabane had fled to South Africa for protection, Metsing assumed responsibility for running the government. This means that Metsing was backed by the Lesotho army and, on the other hand, that Thabane was supported by the Lesotho police. As alluded to earlier, security in Lesotho faces serious challenges, and if these are not addressed immediately, the effects on ordinary citizens, opposition politicians, and the government will be serious (Motsamai 2014).

There were some issues that affected security in Lesotho. For example, the country's police commissioner, Khothatso Tsoana, was compelled by Metsing's government to take early retirement. He was accused of lacking competency. Another issue was the retention of the death penalty under statutory law as a form of punishment to Members of the Lesotho Congress for Democracy under the leadership of Deputy Prime Minister Mothetjoa Metsing. Nevertheless, there has not been an execution for almost 20 years. Also critical has been the lack of freedom of expression: the army has been interfering with the running of the media (e.g. with newspaper journalists and radio broadcasters). Members of the media have been facing continued harassment and constant intimidation, and army officials perceived to be loyal to Lieutenant Maapankoe Mahao, a commander of the Lesotho Defence Force, have either been threatened, detained or charged with sedition and mutiny. The charges carry the death penalty (Ebrahim 2017).

The above scenario is a clear indication that the country's security is threatened, especially because the country is divided based on the support of political leaders. The security cluster should play a profound role in the maintenance of peace and security, and its ineffectiveness leads to lack of development and economic growth since investors are deterred from doing business under unstable conditions. Lesotho nationals fear for their safety, and several human rights defenders, soldiers, and opposition party members have escaped to the neighbouring country of South Africa. The replacement of Mahao with Kamilo as commander of the LDF worsened the situation in Lesotho (Baker and Maeresera 2009, 107).

SADC's Mediation Initiatives

In September 2014, the South African government called a meeting with the SADC to discuss the "coup" in Lesotho. Foreign ministers of three SADC member states met to discuss and map the way forward regarding the political and security crisis. The South African government called the meeting in its capacity as the chairing nation of the SADC's organ on politics and defence. It was confirmed that South Africa's President had met with Lesotho's Prime Minister and Members of the kingdom's coalition government. South Africa refuted media claims that it had depleted the SANDF army so as to thwart an alleged mutiny. The critical issue was that relations between Thabane's All Basotho Convention Party (ABC) and Metsing's Lesotho Congress for Democracy (LCD), which formed the 2012 coalition government, had dismally collapsed; hence Metsing's interest in running the government and forcing Thabane to escape to South Africa for security reasons. As a result, Thabane dissolved the government in June 2014 to avoid a vote of no confidence in him. Also interesting was the appointment of General Kennedy Tlali Komoli to replace Maaparankue Mahao. This confirms that the two groups controlled by the Prime Minister and his deputy worsened the security situation in Lesotho. Unlike in 1998, the South African government protected the contingent of the South African police service instead of the army to reinforce public security. The

SADC meeting resolved that the coalition partners had to re-commit to the Windhoek declaration, which encouraged coalition parties in Lesotho to work together to restore political normality, stability, law, and order, and to remove the Parliament's prorogation. The SADC agreed to send South Africa's Deputy President as its facilitator so as to engage with the parties concerned, including the King (Makatile 2015).

The mediation team led by Cyril Ramaphosa managed to bring forward the election date by two years. The issue of reopening Parliament was also agreed upon at a meeting that included the King and coalition leaders. The issue of resolving political challenges in accordance with Lesotho's constitution and the laws of the land in line with democratic principles was also dealt with.

Coalition Government

The Lesotho elections that were held as a result of the SADC mediation process failed to produce an outright winner. The ABC party, led by outgoing Prime Minister Thomas Thabane, came second with 46 seats whereas Pakalitha Mosisili's LCD party was narrowly ahead with 47 seats. As a result, they formed a coalition government of 61 with other smaller parties. This meant that Metsing, who had been part of the previous government, remained as Deputy Prime Minister, and Mosisili, who had served as Prime Minister from 1998 until 2012, became Prime Minister.

The critical issue is that the security problems that continue to plague the country will remain unless all political parties resolve them jointly.

In order to resolve the security challenges, one could strongly argue that there is an urgent need for institutional reforms that clearly define the role of the police and the army, which are currently polarised. The role of the opposition in Parliament also needs to be redefined.

Furthermore, Lesotho still faces a constitutional dilemma regarding steps that should be taken in a situation where a Member of Parliament decides to cross the floor and join another party. The issue here is the future of a coalition government if such a scenario occurs. It is also possible that a Prime Minister beholden to a coalition is vulnerable to political blackmail. The small parties are kingpins as they are at liberty to leave if they feel they are not happy with what they get from the coalition government. This means that there is a need for a legal instrument that protects a coalition government. Furthermore, floor-crossing needs to be guarded against.

THE ASSASSINATION OF ARMY COMMISSIONER MAHAO

On 25 June 2015, a Lesotho army commissioner, General Maaparankoe Mahao, was killed at his home in front of his family. According to his family and the opposition parties, he had been shot dead by soldiers who had come to arrest him, allegedly for

complicity in a mutiny plot against the government of Prime Minister Pakalitha Mosisili (Makatile 2015). The SADC organ on politics, defence and security established a commission of inquiry into the circumstances that led to the murder of Mahao. The commission, headed by Botswana Judge Mphaphi Phumathi, was referred to as the Phumathi Commission of Inquiry. The commission also investigated the political crisis plaguing Lesotho.

However, it should be noted that the Lesotho government was not helpful since its aim was to frustrate the commission. For instance, the Lesotho government approached the Lesotho High Court, expecting it to hear an urgent application to have the proceedings of the SADC commission suspended. The Lesotho government indicated that they wanted all evidence heard in South Africa to be set aside as it posed dangers. In addition, Colonel Tefo Hashatsi, who was alleged to have taken part in the killing of Mahao, refused to give evidence. The commission indicated that the Lesotho High Court's decision had no legal effect on the commission and would not bind the SADC (Mathabiso 2015).

The commission completed its investigation, but frustratingly the Lesotho government was not willing to receive and publish its report or to implement its findings. This implies that the findings do not favour the government and that the government is aware of its involvement in the killing of Mahao (Raw 2018).

It is interesting to note that the SADC requested the government of Lesotho to acknowledge the report, and threatened to isolate Lesotho both economically and politically if they did not abide. The consequences of the refusal are huge, bearing in mind that the isolation will come from the region and the international community (Chifamba 2017).

CONCLUSION AND RECOMMENDATIONS

From the discussion thus far, one can deduce that South Africa, Lesotho, and the SADC have learnt valuable lessons from the 1998 intervention. Also important is that South Africa and the SADC followed a much improved approach to the 2014/2015 crisis in that they adopted a political approach instead of deciding on a military intervention.

Based on the above analysis of the 1998 and 2014/2015 interventions, the following recommendations are made to assist South Africa, Lesotho, and the SADC region in going forward.

- All future interventions by the SADC should be mandated by the SADC, the AU, and the UN.
- In formulating the white paper on South Africa's participation in interventional peace missions, stakeholders such as the Parliamentary Portfolio Committee on Defence, the Department of Health, and NGOs, should be involved.

- A Lesotho security liaison committee should be established to ensure that security and stability are assured throughout the process of elections (i.e. before, during, and after the elections).
- The SADC should ensure that a proper planning cycle is established before any military deployments and that deployment drills are prioritised.
- The SADC must establish a joint committee to ensure equitable access of all parties to media, especially state-controlled media.
- The South African departments of foreign affairs and intelligence should collect reliable and credible intelligence before deployment.
- The SADC should always have reliable force equipment, financial backing, and experienced personnel as these are important in future peacekeeping missions.
- Lesotho's political leaders should be more accountable, responsible, committed, and patriotic for the sake of the Basotho people.
- Lesotho urgently needs institutional reforms that clearly articulate the role of the police and the army.
- The SADC should ensure that perpetrators of violence are arrested and prosecuted in an unprejudiced manner.

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