LESOTHO' S TRANSITION TO DEMOCRATIC RULE:

AN ERA

OF "FRAGILE" DEMOCRACY

BY

CHELETE MONYANE

SUBMITTED IN PARTIAL FULFILLMENT FOR THE DEGREE OF THE MASTER OF SOCIAL SCIENCE IN POLITICAL SCIENCE, IN THE SCHOOL OF POLITICS, UNIVERSITY OF KWAZULU-NATAL, HOWARD COLLEGE.

JUNE 24 2005.

LESOTHO' S TRANSITION TO DEMOCRATIC RULE:

AN ERA

OF "FRAGILE" DEMOCRACY

BY

CHELETE MONYANE

TABLE OF CONTENTS

LIST OF TABLES

DECLARATION

This dissertation represents original work by the author and has not been previously submitted in any other form to any University. Where use has been made of the work of others, this has been duly acknowledged and referenced in the text.

SIGNED...... C. Monyone ....

DATE.... 24/11/05 ....

ACKNOWLEDGEMENTS

ABSTRACT

Many in Lesotho had hoped that the 1993 elections would restore democratic rule and establish the political stability that had eluded the country since independence. The post-1993 transition to democratic rule created more problems than was anticipated. The country gradually became involved in the devastating political crises that posed serious political implications for peace and stability (Gumbi, 1995:1). The primary objectives of this study are to disentangle the focal problems that faced Lesotho's re-established democratic dispensation after the 1993 elections and how these problems contributed to political instabilities until and after the 1998 election. The problems of the re-established democratic dispensation and which undermined the process of democratic consolidation included the inability of the organs of the state to maintain law and order. There was an established culture within the army, the police and the National Security Services (NSS) which caused them to fail to offer adequate support to the fledging multiparty democracy in 1993.The principles of democracy and its institutions were poorly understood by Lesotho's political elite which was unable to accept the practical implications of the democratic system of governance. The BCP government was reluctant to reinstate the deposed King Moshoeshoe II and this hardened the relations between the government and the monarch. Ultimately, the monarchy and the Catholic Church became the political instruments that undermined the BCP-LCD governments. Society was highly polarized along political lines and there was a lack of political tolerance despite the homogeneous culture. The political crises were aggravated by the electoral model of FPTP after the 1993 and 1998 elections which denied the losing parties participation in decision-making because, the assumption of governmental power is seen as the most reliable source of economic power. There was an absence of interrelated national policies to consolidate the country's young democracy whilst the youth constituency rising unemployment levels was ignored. There has been a persistent mutual suspicion and distrust between the leaders due to the absence of political leadership with competence, integrity and commitment to the long term vision of Lesotho. These violent confrontations among the political elites were goaded by the weaknesses of Lesotho's economy which does not have the potential to attain the demands of the population. This situation was worsened by the increasing levels of retrenchments of migrant laborers from the South Africa mines. There has been a problem on lack of internal democracy which has hindered the consolidation of democracy. The study concludes with an application of Huntington's thesis that there is high level of political mobilization and participation in Lesotho whilst political institutionalization lags behind (1968:2).Though elections are regarded as the pinnacle of democracy, the 1993 and 1998 elections in Lesotho did not make any significant development in the consolidation of democracy. In fact, they deepened the political differences that had been in existence since independence. The country is now "caught" between the process of democratic transition and consolidation.

ABBREVIATIONS

BCP-Basutoland Congress Party.

BNP-Basutoland (Basotho) National Party.

CDP-Christian Democratic Party.

CPL-Communist Party of Lesotho.

IPA- Interim Political Authority.

HBP- Hare Eeng Basotho Party.

LCD- Lesotho Congress for Democracy.

LCNO-Lesotho Council of Non-Governmental Organizations.

LEP- Lesotho Education Party.

LLA- Lesotho Liberation Army.

LLP- Lesotho Labour Party.

MFP-Marematlou Freedom Party.

NIP-National Independent Party.

NPP-National Progressive Party.

NSS- National Security Services

KBP- Kopanang Basotho Party.

PFD- Popular Front for Democracy.

PMU- Police Mobile Unit.

SDC- Sefate Democratic Congress.

SDU- Sefate Democratic Union.

UDP- United Democratic Party.

HISTORICAL TIME LINE

"EMBROYNIC" DEMOCRACY 1965-70

1965 Pre-independence elections in Basutoland (which became Lesotho after independence) are won by the Basutoland National Party (BNP). The country is divided into sixty-five constituencies under the electoral model of 'First Past The Post' (FPTP). The BNP wins thirty-one seats whilst the Basutoland Congress Party (BCP) wins twenty-five seats and Marematlou Freedom Party (MFP) wins four seats.

1966 Attainment of independence: Basutoland officially becomes Lesotho. The Thaba-Bosiu tragedy occurs, in which ten people are killed by the Police Mobile Unit (PMU) at the national fortress in the prayer for peace.

AUTHORITARIAN RULE, 1970-86

1970 The first post-independence elections. The BNP wins twenty-three seats in the election. The BCP wins thirty-six, whilst the MFP gets one seat. The BNP declared the election null and void; it also declares a state of emergency and suspends the Constitution. King Moshoeshoe II is detained under house arrest and later exiled to Holland. This is followed by the arrest of the BCP leaders who are accused of rigging the election. Politicization of the civil service by the BNP and a massive recruitment of its supporters into the army, police and the National Security Services (NSS). The army is used to suppress the opposition of the BCP to the BNP government.

1974 Dr. Ntsu Mokhehle, leader of the BCP, escapes from Lesotho and goes into exile in Botswana. Formation of the Lesotho Liberation Army (LLA) by Dr. Ntsu Mokhehle. The LLA launches the uprisings intended to overthrow the BNP government. Many such uprisings are crushed by the law enforcement agencies, particularly the army.

1980 Increasing international pressure from the donor countries (Great Britain and United States of America (USA) and the internal pressure from the civil service (teachers and the Non-Governmental Organizations (NGOs) for a return to democracy. Donor countries threaten to suspend aid if democracy is not restored. The BNP Youth League (BNPYL) continues to destabilize the country, harassing those who are suspected of being anti-BNP government.

1985 Under pressure from the international and internal pressure (see above), the BNP government calls for the General Elections. Opposition parties boycott the elections as the result of gerrymandering and provisions of the electoral law. Only BNP candidates contest the election and are all returned unopposed to the National Assembly.

MILITARY RULE, 1986-93

1986 BNP government is toppled by the military. Major General Metsing Lekhanya assumes the reins of power. King Moshoeshoe II called into the picture to provide legitimacy for the military government. Faction fighting develops in the military government over the role that the king should play in the government.

1990 Power struggles in the military lead to the expulsion and prosecution of Colonel Sekhobe Letsie, after the case of Major General Metsing Lekhanya for killing a College student. King Moshoeshoe II is removed from throne and exiled to Great Britain. Prince Seeiso Bereng Seeiso becomes the King as Letsie III. Constituent Assembly is established to draw a new Constitution for Lesotho, to be comprised of persons nominated by the military government, senior chiefs, military personnel and the politicians.

1991 Major General Lekhanya, Head of Government is forced out of power by the junior officers. Colonel Phisoana Ramaema takes over the reins of power. Order No.4 of 1986 suspended (see Chapter One, pg.29, note 22).

"FRAGILE" DEMOCRACY, 1993-2000

1993 The General Election is won by the BCP with a landslide victory. The BCP won all sixty-five seats. The BNP refuses to accept the outcome on allegations of ballot rigging.

1994 Members of the army are involved in a violent confrontation in January. Deputy Prime Minister and Minister of Finance Selometsi Baholo is assassinated by members of the army in April. Strikes by the police and junior prison officers occur. King Letsie III announces a *coup d'etat* that displaces the BCP government. The BCP government is restored in September. King Moshoeshoe II is reinstated on the throne.

1996 King Moshoeshoe II dies in a car accident at Ha-Noha, Thaba-Tseka district, two years after his reinstatement to the throne.

1997 A split occurs within the BCP. The Lesotho Congress for Democracy (LCD) is formed by the Prime Minister and leader of the BCP Dr. Ntsu Mokhehle. The LCD assumes power and the BCP is relegated to opposition.

1998 The General Elections are won by the LCD with a wide margin. The LCD wins seventy-nine constituencies, whilst the BNP won one constituency (Bobatsi # 80). There were violent protests by the main opposition parties (BCP, BNP and MFP) who made allegations of ballot rigging. The military fails to uphold the rule of law as the country is engulfed in political crises. Government offices are closed by opposition protesters .They later capture government vehicles and impound them in the grounds of the royal palace. There were forced stay-aways and violent clashes between the opposition and supporters of the LCD government. The clashes continue, as the situation worsens and the country's political and military leadership is helpless. Despite the Prime Minister Pakalitha Mosisili's promises that law and order will be restored, the protesters rendered the country ungovernable. The army stages a mutiny and the lower ranks dismiss all the senior officers. The South African military intervention joined by Botswana occurs. The military intervention manages to restore law and paves a way for the formation of the Interim Political Authority (IPA), which is entrusted with the responsibility of preparing for the new elections. The IPA was also tasked with the responsibility of

formulating an inclusive model for the re-run of the 1998 elections within a period of eighteen to twenty months.

2002 Elections occur under the new electoral model of FPTP and Proportional Representation known as Mixed Member Proportion (MPR). LCD wins almost all the constituencies, and gets over two thirds majority. The BNP and Lesotho's People's Congress (LPC) refuses to accept the outcome on allegations of ballot rigging.

INTRODUCTION

BACKGROUND TO THE PROBLEM

Lesotho is a small mountainous country which is entirely surrounded by and economically dependent on South Africa. It has an area of 30,355 square kilometres (Poverty Reduction Strategy, 2004/5:12). As its name implies, it is the land of the Basotho and unlike most African nations, it has no serious internal ethnic or linguistic divisions (Khaketla, 1970: viii). In the 1990s the country, having returned from military to democratic rule, confronted both domestic and international challenges. The domestic challenges included the promotion of sustainable development, the alleviation of poverty, the promotion of peace and stability, of good governance and democracy (Mohiddin, 2002:10, 'Lesotho In The 21st Century Towards Good Governance and Working Democracy', McGill viewed on the 10 March 2005, in httpwww.undp.org.ls/Publications%20reports).

On the other hand, in the international arena the challenges included the promotion of competitiveness in global markets and the need to catch up with the rapidly expanding scientific and technological advancements (*Livelihoods in Lesotho, Care 2001:42*).To effectively respond to this set of challenges, the country had to establish an enabling environment which would enable people to exploit their talents and expertise in productive activities. The promotion of sustainable human development requires the mobilization of human resources and the formation of partnerships between government, civil society and the private sector of industry (Mohiddin, 2002, 'Lesotho In The 21st Century Towards Good Governance and Working Democracy', McGill viewed on the 10 March 2005, in httpwww.undp.org.ls/Publications%20reports, *Livelihoods in Lesotho, Care 2001*). Moreover, according to the authors of *Public Sector Management, Governance and Sustainable Human Development- A Discussion Paper* (1995:4),

> The notion of sustainable human development propounded by the UNDP [United Nations Development Programme] consists of three key elements: development of the people, meaning the enhancement of human capabilities and health so that people can participate fully in life,

1

development of people, meaning that the people should have the opportunity to receive or acquire a fair share of benefits that follow from economic growth and development by people, meaning that all members of the society should have the opportunity to participate in development

....

Development by the people, through increased participation is not possible unless political, economic and social power is widely dispersed through the community. This dispersal enables people to influence the social, economic and political functioning of society, a cornerstone of human development. This view of development implies that people, by right, should have access to a variety of avenues for exercising power.....

However, the unstable and problematic nature of the economic situation in Lesotho has made sustainable development difficult (*Livelihoods in Lesotho, Care 2001:42*). The political environment has over the years become unfavourable. The first democratic elections held in 1965 were won by the BNP. In the 1970 election, the BNP suffered an electoral defeat at the hands of the BCP[1]. Instead of handing over power, the BNP[2] declared the electoral outcome

---

[1]Despite the BNP victory in the pre-independence elections of 1965, Weisfelder (1999:1) argues that "the BCP remains the logical starting point of any discussion of modern Basotho political organizations". The BCP was formed in 1952 as the BAC by Dr. Ntsu Mokhehle and name BAC was changed to BCP in the 1960s. Weisfeilder (1999:2) states that "a decade of poor[ly]-planned administrative reform and the resultant spectre of medicine contributed to latent discontent and apprehension". External pressure was exerted by the electoral victory of the National Party of Dr. Malan in 1948 and the emergence of apartheid ideology in South Africa, which led to the fear that Lesotho would be incorporated into South Africa. The BCP advocated for national assault on colonial policies, the rapid constitutional reforms and an end to the all kinds of racial discrimination (Weisfelder, 1999). The BCP indicated that the British administrative reforms were intended to introduce South African patterns of 'native administration' and that the intention was to incorporate Lesotho in the Union of South Africa(See "Fear Rules and Land", *Mohlabani* (Maseru), 1[6](July), pg.4-7 and the "The Editor Speaks on the R.C, *Mohlabani*,2[9](September1956)pg.1-5).

Through its criticisms of colonial policies and its continued support of the institution of chieftainship, the BCP became popular within the new elite of teachers and townspeople. It managed to unite the chiefs, commoners, Protestants and Catholics, workers and peasants who opposed colonial administration(Weisfelder, 1999:5).The critical point of national solidarity in the BCP came in the time which Hodgkin (1957:147) characterises as "a time when the colonial power shows little attention to permit[ing]...a fundamental and fairly rapid change in power relationships between Africans and Europeans". However, the popularity of the BCP took a dramatic fall when the party policies came into conflict with the traditional structures of chieftainship. This occurred regarding the establishment of the Legislative Assembly with the British Colonial administration which was to deal with matters of governance. The "Sons of Moshoeshoe", who were the linear descendents of the founding King of Lesotho, argued that the Legislative Assembly should be comprised of the majority of principal chiefs and the nominees of the monarch. This differed from BCP policies which advocated

null and void, suspended the constitution and declared a state of emergency (Khaketla, 1970:234). In 1986 the army staged a coup that dislodged the BNP government (Machobane, 2001: xi).

---

that the Assembly be controlled by an elected body of representatives. One of the leading figures even argued that "a dominant popular ingredient was essential in the legislature because most chiefs in the Legislative Assembly did not protect the national interest" Weisfelder (1999:11). The BCP also became unpopular because it did not support the demands that Regent Mantsebo should be replaced by the young heir to the throne Bereng Seeiso (Weisfelder, 1999:11). Consequently, Chief S. S.Matete formed the Marematlou Party (MP), which drew its support from the traditionalist element of the BCP. The members of the Catholic Church were worried about the Protestant dominance within the BCP leadership and this situation was worsened by the BCP's leadership slogans that missionary education was not necessarily "coterminous" with national interests(Weisfelder, 1999:11)

Many Catholics were amazed by the BCP policies, which were similar to those of the South African political party, African National Congress (ANC) which indicated that education should be directly controlled by the government. The other point of confrontation with the Catholics was caused by the influence of the Catholic body *"Committee'd Information Sociale"*.This was a body which advised the Catholic Bishop on social matters. This body issued a communiqué' to *Mohlabani* (a newspaper founded by Makalo Khaketla, one of the leaders of the BCP) in which it accused the BCP of making use of communistic phrases like "exploiters", "imperialists", "blood suckers" and "fascist". It was these differences which caused the rift between the BCP, the chiefs and the Catholic Church. Against this background, the BCP viewed itself as a modernizing party and it later criticized the missions and the traditional institutions such as chieftainship and the monarchy. It indicated that they would prosper if they fulfilled their roles in line with interests of the society (Weisfelder, 1999).

The BCP further criticized chiefs as the "the long-time political incumbents, who had proved their incompetence and unreliability by becoming agents of alien rule"Weisfelder, (1999:94).The other factor which became a significant political tool for the BCP was continuing usage of the slogan of the return of the "conquered territories" (this term refers to parts of the South African Free-State Province, which Moshoeshoe I lost in the wars with the Boers in the 1860s). Since then, the "conquered territories" have remained one of the most debated political issues in Lesotho, despite the United Nations (UN) resolution that countries should accept the colonial boundaries that were drawn before independence. In 1993, the BCP used the same slogan, the return of "the conquered territories" to mobilize its support from the population. The intention of this background is to trace the historical differences between the BCP and the Catholic Church of which played a significant role after the 1993 elections.

[2]The BNP was formed in 1957 by Leabua Jonathan. Khaketla (1970:18-21) argues that "it was a brainchild of the RCC which was known as the Christian Democratic Party (CDP) and later rechristened as the BNP". It was a conservative party which supported the traditional ways of life and basic Christian values. The BNP in the colonial period advocated an end to racial discrimination, requested that Britain should not allow the incorporation of Lesotho to South Africa and the gradual Africanization of public and private employment (Weisfelder, 1999:27). The BNP placed much emphasis on the institution of chieftainship. This was not a surprising, since it gained most of its support from local chiefs and headmen. The Monarch and the Catholic Church also sympathized with its policies (Weisfelder, 1999). Hence, it argued that "the unity of the nation depends on the Chieftainship" Weisfelder (1999:27).The BNP drew its support from the rural areas where the traditional structures of chieftainship were still respected.

3

Many in Lesotho had hoped that the 1993 elections would restore democratic rule and establish the political stability that had eluded the country since independence. The attainment of independence in 1966 had brought authoritarian rule, a series of constitutional crises, fragile civil-military relations and a deterioration of the Rule of Law (Gumbi, 1995:2). The suspension of the constitution and the declaration of the state of emergency in 1990, as Gumbi further argues, could threaten internal security in neighbouring South Africa (1995). At the regional level, this suspension was impeding the process of post-colonial democratization, a movement which was sweeping across southern Africa (Gumbi, 1995).

However, the post-1993 transition to democracy seemed to have created more problems than it solved. The country gradually became involved in a crisis that seemed to be created by an opposition to the overwhelming BCP majority. The new democratic dispensation in 1993 was drawn into the conflict, which had serious political implications for peace and stability (*Work for Justice (50), October 1997:1*). The BNP refused to accept the election outcome and made allegations of ballot rigging. There were violent clashes between the army in January 1994; a police mutiny in 1997 and in 1994 His Majesty King Letsie III dissolved the democratically elected government (*Work for Justice (50), October 1997*).

In addition to this, the ruling BCP was rent by intense faction fighting. This ultimately crippled the ability of the party to fulfil its electoral promises to the wider sectors of the society. These internal party struggles had a negative impact on public policy. The other problem, as stated by Mothibe (1999:48), was that "the military rule in Lesotho was ended but not the centrality of the military-type solutions in politics (militarization of politics)". In support, Hutchful (1998:602) refers to this as "regime induced transition". This situation tends to occur with the departure of the military from political power, yet it systematically entrenches itself for personal and institutional reasons (Hutchful, 1998).

The development of the country and the welfare of the people were sacrificed at the altar of the egocentrism of the leaders, the corrupt and futile power struggles between the leaders, court orders and interdicts barring their rivals from attending conferences or being in office have been frequent(*Public Eye, 01 October 2004:4*). It can be argued that these were the major disruptions in a democratic Lesotho after the official return to democratic rule in 1993. In the aftermath of the 1998 elections when the LCD emerged victorious, the other parties'

refusal to accept the election results almost plunged the country into an unprecedented state of civil war.

AIMS AND OBJECTIVES

The primary objectives of this study are to unravel the key problems that faced Lesotho's re-established democratic dispensation in the aftermath of the 1993 elections and how these problems contributed to political instabilities up till and after the 1998 elections. It seems that a number of problems were not effectively dealt with in the politics of transition from military rule to the new constitutional democratic dispensation.

The study also intends to provide a broader understanding of the nature of Lesotho's political instabilities and is based on empirical work on the leaders of all major political parties on the challenges and problems that faced the re-established democratic dispensation after the 1993 election. It investigates the immediate and root causes of the various political crises between 1993 and 1998 with a focus on the main roles played by the organs of the state such the military and the monarch.

It should further be noted that, though the process of democratization was welcomed by the majority of the population as well as by foreign investors and donors, in 1998, five years after the transition to democratic rule, it emerged that a number of problems remained unresolved as the country was involved in an electoral crisis that almost brought about civil war.

SIGNIFICANCE OF THE STUDY

There are numerous historical and political studies that have been done on Lesotho's return to democratic rule of which Southall and Petlane, "Democratisation and Demilitarisation in Lesotho: General Election of 1993 and its Aftermath (1995)" is a classic example. However, my approach provides a broader understanding of the problems that confronted the new democratic dispensation in the aftermath of the 1993 election. Most of the observers of

Lesotho's political setting have attempted to explain the 1998 electoral crisis as the result of the outcome of the election[3].

However, this explanation is inadequate because it fails to identify the critical factors behind the electoral crisis that almost plunged the country into civil war. In other words, the 1998 election deepened and hardened the already existing problems that were being overlooked. Thus, it is anticipated that the study will trace the root causes and the symptoms that manifested themselves since independence and identify those problems that were left untouched in the politics of transition from military rule to the new democratic dispensation. My study will draw on my personal experiences of the developments in the aftermath of the 1993 elections. It will also make use of information obtained from the main political actors who played significant roles in the 1990s. I shall stop short in my investigation of the debates and the economic developments which followed the 2002 election and hope that the study will stimulate further research challenging and redefining my interpretations and perspectives.

LIMITATIONS OF THE STUDY

There are many political developments that have occurred since the return to democratic rule in 1993. The BCP has split into Hare Eeng Basotho, Sefate Democratic Union (SDU) (now Sefate Democratic Congress (SDC), LCD, Basutoland African Congress (BAC) (now divided into two rival BAC factions) and the Lesotho People's Congress (LPC). The New National Party (NNP) split from the BNP. The New Marematlou Freedom Party (NMFP) split from the MFP. This shows that all the main actors who played significant roles have since formed the other parties. Getting accurate information from people who have joined the newly formed parties was difficult. Secondly, the study has been subject to time limitation. It covers the

---

[3] See Majara Molapo evidence on "*Report Of The Commission Of Inquiry Into The Events Leading To Political Disturbances Which Occurred In Lesotho During The Period Between 1 July, 1998 to 30 November*". He is the former secretary of the BNP, who was expelled from the party in 2001, he claims that the political crises of 1998 was caused by a deep seated political intolerance, which he alleges that it began with Dr.Ntsu Mokhehle's campaign on ballot rigging in the 1998 election, corruption, fighting chiefs, the Catholic Church and saying that people should call him "second Moses".Azael Makara Sekautu (leader of the United Party) also alleges that the political crises of 1998 were caused by the widespread corruption and authoritarianism in Dr. Ntsu Mokhehle's government and ballot rigging in the 1998 election, in "*Report Of The Commission Of Inquiry Into The Events Leading To Political Disturbances Which Occurred In Lesotho During The Period Between 1 July, 1998 to 30 November*".

challenges that confronted the new dispensation from 1993 to 1998. It does not give an in-depth discussion on how the identified findings have continued to play a significant role after the 2002 elections.

CHAPTER OUTLINES

This study is divided into the following: Chapter One provides an insight to Lesotho's historical development since independence and focuses on the historical context in order to understand the manner in which Lesotho's political institititutions were shaped. This historical background is divided into four broad phases which include the period of "embryonic" democracy 1965-70, the period of authoritarian rule 1970-86, the period of military rule 1986-1993 and the period of "fragile"[4] democracy 1993-2000 (Matlosa and Pule, 2000:1).

Chapter Two provides a theoretical framework for the study and is followed by the review of pertinent literature. The principal theories upon which this study is based are structuralism and institutional functionalism. Structuralism emphasises the structural arrangement of society and explores the constant contest over state power, resource distribution and social stratification based on identity and ideology (Huntington, 1968:49).Institutional functionalism explains instability and political violence, with a focus on the relationship between the level of institutionalism in the state and the level of political participation by the citizens (Matlosa, 2003: 88).

This is followed by a discussion and debate of the concept democracy and focuses on the practices of parliamentary democracy as well as the theories of representation. The discussions on these concepts are intended to provide the broader understanding the general problems that confronted Lesotho after the re-introduction of multiparty democracy in 1993. It draws into the picture the significance of electoral models in the process of democratic consolidation, considers the significance of democratic culture for democratic consolidation and concludes on the importance of tolerance for emerging democracies of which Lesotho is an example.

---

[4] I am indebted to Matlosa, K and Pule, N 'The Military in Lesotho', *African Security Review* Vol. 10.No. 2, 2001 for the use of this term.

Chapter Three covers the presentation of political developments during the period of "fragile" democracy 1993- 2000. There is a series of political developments which occurred in this period which made the most unstable in Lesotho since the attainment of independence. It does not focus in detail on what some scholars have labelled as "the controversial, unconstitutional and illegitimate 1998 foreign military intervention in Lesotho"[5]. Arguably, I have highlighted the interpretations on the issue without much detail for it does not form the core of the study. It is treated as a separate Chapter on the political developments because it gives an explicit background to what the study investigates.

Chapter Four offers the core of the study which offers the detailed discussion of the research findings. Though the 1998 political crises are directly related to the electoral outcome, its roots are traceable in the structural and institutional crisis that I have identified below. There was an established culture within the military, the police and the national security services which caused them to fail to offer adequate support to the fledging multiparty democracy in 1993 and their weakness to maintain law and order. The principles of democracy and its institutions were poorly understood, Lesotho's political elite showed itself to be unable to accept the realistic implications of the democratic system of governance and there has been a problem of deficient democracy.

Liberal democracy as Francis Fukuyama argues is "the end point of mankind's ideological evolution and the final form of human development" (1992: xiii). In Lesotho, this has not been the case; promises made by politicians in the pre-elections campaigns and their formulation and implementation to eradicate the vast country's problems following the return to democratic rule, have been futile. Fukuyama's argument that democracy is the final form of human development is not applicable in Lesotho as the country is trapped in the vicious circle of interpreting the repercussions of democracy which have contributed to political instabilities and retarded economic development. There has been a persistent mutual suspicion and distrust between the leaders due to the absence of political leadership with competence, integrity and commitment to the long term vision of Lesotho[6].

---

[5] See Makoa, K "The Challenges of the South African Military Intervention in Lesotho After the 1998 Election", Molomo, M "External Military Intervention In Lesotho, Lesotho *Social Science Review 5* (1)1999.

[6]This comment was made by Selomi Monyane, who is a Member of Parliament (MP) elected under the banner of the ruling LCD for Peka # 17, Member of the Parliamentary Reform Committee(M.P.R.C)

The Catholic Church was identified as a political instrument that undermined the BCP-LCD governments. On the contrary, X argues that since "the return to democracy, the BCP-LCD governments were fighting against the Catholic Church and their intentions were to give it a bad image amongst the population". X further claims that the senior LDF officers after the 1993 democratic dispensation became part of the political campaign against the Catholic Church. However, the findings shows that the Catholic Church did play a significant role which the BCP-LCD governments failed to contain. For instance, the Education Act of 1995 became a political instrument used by the BNP and the Catholic Church to undermine the effectiveness and credibility of the BCP government. Society was highly polarized along political lines and there was a lack of political tolerance despite the homogeneous Basotho culture. Political crises have been aggravated by the electoral model of FPTP[7] that denied the losing parties participation in the legislature, and denied them access to state resources.

However, Sekatle (1999:7) argues against the contention that FPTP is exclusive and results in the marginalization of minor parties. Sekatle states that "...the political party is judged at the polls by its performance..." (1997). However, I argue that an electoral system which denied 40% of the electorate representation in the National Assembly as in 1998 election cannot be regarded as inclusive and that this laid the foundation for the 1998 electoral crises. It appears that political power in Lesotho is concentrated in the hands of a few leaders. The absence of internal democracy has been one of the problems that have confronted Lesotho's new democratic dispensation. The country was confronted by increasing levels of unemployment, which were caused by the increasing retrenchments in migrant labour by the South African mines. There has been absence of clear and coherent national policies to address the problems of the youth constituency such increasing unemployment. These factors seem to have been

---

and the Public Accounts Committee(P.A.C) (both parliamentary portfolio committees). He has worked in the teaching service for more than thirty years. He is a former Principal of Ntloana-Tsoana High School (1987-91) and Hleoheng High School (1992-2002). He has vast administrative experience on the civil service since 1966.

[7]Lesotho used the electoral model of FPTP in the 1965, the 1970, 1993 and the 1998 elections. This electoral model also known as the constituency based or winner takes all, denied the losing parties a fair representation in parliament unlike PR in which parties are allocated seats in proportion with the number of votes.

aggravated by the weakness of Lesotho's economy which does not have the potential to sustain the ever-increasing population[8].

Lastly, Chapter Five draws the conclusion that the weaknesses of state institutions in upholding the rule of law and the tendency of the key organs such as the military and the police to fail to support democracy contributed significantly to political instabilities. The violent political crises which occurred after the 1998 election had more to do with the electoral model of FPTP which denied the losing parties a fair representation in the legislature. There is a problem of lack of internal democracy in parties which, if it were present, might have enhanced transparency and consolidated accountability, hence creating a sense of responsible participation in the party members. It is evident that the country as Huntington argues, political systems are fragmented and the "political institutions have little power, less majesty, and no resiliency... [and] governments simply do not govern" (1968:2).

In conclusion, in the period of "embryonic" democratic rule 1965-70, notwithstanding the refusal of the BCP to accept the outcome of the 1965 election, the Thaba-Bosiu tragedy in 1966, and the grievances of the monarchy, the country experienced relative stability (Matlosa and Pule, 2001:2). In the period of authoritarian rule 1970-86, significant measures were instituted by the BNP to politicize all branches of the civil service and to recruit only BNP members. There was reliance on the military to repress internal opposition. Matlosa and Pule highlight that this "...compromised the professionalism and ethical integrity of the defence force" (2001:2).

---

[8]Since the 1980s, there has been a remarkable change in the structure of the economy. The important contributing factors have been the construction of the Lesotho Highlands Water Project (LHWP), the growth of textile industry influenced by the Foreign Direct Investment (FDI) and the significant decline in the number of the migrant workers. Three phases have been identified with respect to the LHWP due to its impact on the economy.
1. *Pre-LHWP period (1980-81-1986/87)*, the Gross Domestic Product (GDP) grew at 2.8% per annum. The country depended on South Africa as a main source of livelihoods in the form of remittances from Basotho migrant workers.
2. *The high-LHWP period (1987/88-1997/98)*, the GDP growth was 6% per annum.There has been a decline in the employment opportunities for the Basotho mine workers. About two-thirds of the Gross National Income (GNI) was produced locally and the remittances consisted of 36% of GNI.Public revenue increased dramatically as a result to an increase in Southern African Custom Union (SACU) receipts from 5% of GNI prior to 1988/89 to 14% in the 1990s and because of the water royalties after the completion of the first phase of the LHWP in 1996.
3. *The post-LHWP period (1998/99 onwards)*, the GDP has declined to 3% per annum.Overall, Lesotho has achieved the real annual average growth rate of 4.2% between 1980 to 2002; see Gay and Hall (2000), Poverty in Lesotho: More than a Mapping Exercise, Maseru, Sechaba Consultants.

More so, the period of military rule 1986-93 saw an increased involvement of the army in politics. This period was also characterised by regular revolts in the military especially by the lower ranking members. The military government, which took over in 1986, was a coalition. Officers from the Lesotho Paramilitary Unit (LPU) dominated the coalition. King Moshoeshoe II and some principal chiefs also played a role and there was a group of civilian ministers whose appointment was based on their loyalty to the King (Machobane, 2000: xi). The main problem that became prominent during the military government was lack of popular support, which rendered it unable to govern. Nevertheless, this coalition did manage to pave the way for the transition to democratic rule (Machobane, 2000).

The military government under the leadership of Major General Lekhanya failed to maintain the rule of law, abused basic human rights and delayed the process of democratization (Matlosa, 1999:173). Even after the 1993 elections, the military tended to retain a degree of autonomy to resist civilian government control. The period of "fragile" democracy 1993-2000 was characterized by political instabilities. Conflicts occurred between the government, the police, the monarchy and the army. There were internal struggles in the ruling BCP government. In 1994, the democratically elected government was displaced by the King with the support of the army. In 1998, after the election, the opposition parties staged a march to the royal palace to demand that the King dismiss the elected government (Matlosa and Pule, 2001:2).

The protest march reached a climax with violent clashes between the supporters of the LCD and the opposition parties. These acts rendered the country ungovernable as the army failed to maintain law and order (Mothibe, 1999:57). Members of the military exchanged gunfire in the vicinity of the palace gates and the junior officers staged a mutiny. Government vehicles were taken and impounded on palace grounds; the state owned media (Radio Lesotho) and the parliament were forcefully closed by the opposition supporters (Matlosa, 1999:183). The situation resulted in lawlessness and the government became unable to govern. This led to the external military intervention led by South Africa and Botswana under the mandate of Southern African Development Community (SADC). The result of the intervention saw the establishment of the IPA. The IPA was vested with the powers of preparing for the re-run of 1998 election in 2000 but which were held in 2002 (Government of Lesotho, Interim Political Authority Act, 1998).

CHAPTER ONE

Introduction

The purpose of this chapter is to present Lesotho's post-independence political history. There are four broad phases into which the historical/ political developments may be classified. These are, (1) a period of "embryonic" democracy (1965-1970), (2) a period of authoritarian rule (1970-1986), (3) a period of military rule (1986-1993) and (4) a period of "fragile" democracy 1993-2000 (Matlosa and Pule, 2000:1). This chapter will therefore be divided into subsections that focus on each of these phases of political developments in Lesotho. It will also give a brief outline of the consequences of the elections associated with each phase. It does not, however provide significant details of the period of "fragile democracy", which extends from 1993-2000, as this period will be covered in much more detail in the third chapter.

In each of these four phases, it should be noted, the result of each election has been disputed by the losing parties and even once by the ruling party. In the 1960s, the main parties for state power viewed the military as a tool that could be used to suppress internal and external opposition. This was exemplified by the debates around the future control of the military that have raged along with other constitutional developments (Matlosa and Pule, 2001:2). In the 1970 election, the BNP refused to accept electoral defeat, cancelled the electoral results and established a single party system that lasted until 1986 (Matlosa and Pule, 2001). Lesotho in the image of its former colonial "metropole" Britain inherited the Westminster model of government which embodied parliamentary democracy (Khaketla, 1970:5). It is against this background that the monarchy has competed with political elites to secure executive powers.

A period of "embryonic" democracy, 1965-70

For the 1965 elections, the country was divided into sixty constituencies (see appendix 3).The main contestant for state power was the radical BCP. It was the most popular and best organized party and was expected to win. The pro-royalist the MFP[9] had suffered a split just

---

[9] The Marematlou Party (MP) was established in October 1957 by Chief S.S. Matete following the failure of the BCP to prioritize the placing of the youthful heir to the throne Bereng Seeiso, and the

prior to the election and was not regarded as a force to be reckoned with in the contest for political power (Matlosa, 1999:171). However, the election outcome was a surprise victory for the conservative BNP under the leadership of Leabua Jonathan as illustrated in **Table 1** below.

Table 1: 1965 General Election for the National Assembly

Contestants	No. of votes	% of votes	No. of seats
BNP	108162	41.6	31
BCP	103050	39.7	25
MFP	42837	16.5	4
MTP	5697	2.2	0
Indepts	79	0.03	0
Total	**259825**	**100**	**60**

Source: Matlosa, 1976b: 142.

Although the BNP has gained a majority of seats in the National Assembly, it had only 41.6% of the popular vote. The opposition parties (BCP and MFP) gained a combined 58 % of votes (Khaketla, 1970:12).The BCP refused to accept the election outcome and instituted legal

---

harsh direction towards chieftainship in the constitutional discussions. The MFP came into existence as the result of the merger between the Marematlou Party and the Basutoland Freedom Party (BFP) in 1962 (BFP was formed in 1961 by Makalo Khaketla, one of the leading figures of the BCP who left after leadership squabbles with Dr.Ntsu Mokhehle).The MFP advocated for executive powers for the Paramouncy (*Morena e Moholo* became a Paramount Chief under the British colonial administration, but after independence the Paramount Chief was re-named the King). The MFP was a "royalist" party and it argued that "a Paramount Chief... [should] have a central role to play...as a focus of national identity and purpose"Weisfelder (1999:46). The MFP drew its support from the royal house and the principal chiefs who were interested in protecting the interests of the monarchy. Significantly, this party enjoyed popular support from King Moshoeshoe II, who saw it as a protector of the institution. It is not surprising as to why the MFP did not have much influence amongst the population as a result of its narrow policies. MFP did not have credible and clear policies as an alternative to the BCP and the BNP apart from focusing on the monarchy. It remained conservative within the indigenous structures of government (Weisfelder, 1999).

proceedings against the BNP government, alleging that the election was not free and fair. Moreover, it challenged the electoral outcome in four constituencies (Mphanya[10], 2004:57). The BCP challenge was successful in the constituencies of Masemousu # 33 and Qaqatu # 43[11]. Though the High Court ruled in favour of the BCP in these cases, nothing significant happened, as the BNP remained in power. In response, Prime Minister Leabua Jonathan, fearing that the constitutional challenge would force his party out of power forced the National Assembly sittings to adjourn *sine die* (Khaketla, 1970:12, Gill, 1993: 176).

Most political observers argued that the King ought to have dissolved the government[12]. After the successful electoral challenge, the BNP government retained twenty-nine seats in the National Assembly while the combined opposition had twenty-nine seats (Khaketla, 1970:13, Machobane, 2001:11). However, the King did not dissolve the BNP government because he was obliged to act on the advice of the Prime Minister (Machobane, 2001).

Moreover, King Moshoeshoe II did not act because, the Prime Minister Leabua Jonathan argued that there was no evidence that he did not command the confidence of the National Assembly as it was not in session, and that no motion for a vote of no confidence had been tabled or debated in the National Assembly (Khaketla, 1970). It was only when an MFP Member of Parliament (MP), Setenane Habofanoe from Mateela constituency 'crossed the floor' that the BNP regained a majority. The outcome in the by-election in the Mpharane constituency was favourable to the BNP and it helped it to secure a majority of seats in the legislature (Khaketla, 1970).

---

[10]Ntsukunyane Mphanya is the Leader of the BCP. He has been in the BCP ranks since the 1965 elections and has served in various leadership positions in the BCP ranging from Secretary to National Chairman. He has been a Minister of Agriculture, Cooperatives and Marketing and a Minister of Works in the BCP government after the 1993 election. He was expelled from cabinet, as a result of the power struggles dominated by the Pressure Group and the *"Majelathoko"* factions in the BCP. Their expulsion from the BCP cabinet in 1996 reached a climax with the formation of the LCD (power struggles in the BCP have been covered in detail in Chapter Three of the study).

[11]Constituencies are numbered in an alphabetical order in Lesotho.Thus, the numbers next the constituencies as discussed above represent their constituency numbers in the 1965 election.

[12] This comment was made by Hon. Mokose Ralechate who is an MP for Kolonyama # 17 and a Minister of Forestry and Land Reclamation under the banner of the ruling LCD. He has previously been Lesotho's Ambassador in South Africa and Denmark and was the Deputy Speaker of the National Assembly after the 2002 elections.

However, Mphanya (2004: 58) argues that "the BCP went to the 1965 elections as a severely weakened organization". This was because the Catholic Church had managed to influence a significant number of people to leave the BCP. Its favoured party, the BNP, became the major beneficiary. The Catholic Church claimed that the BCP was a communist organization that wanted to close down the church. It was for this reason that many people turned against the BCP and not only because of the attraction of the BNP's manifesto (Mphanya, 2004).

Moreover, many Catholics who were active within the BCP structures were confronted with the difficult task of having to choose between their church and their party. Mphanya (2004:59) states that "very few could withstand the pressure that the priests applied on them". In addition, the BCP was weakened by internal power struggles caused by the authoritarian policies of the party leader Dr. Ntsu Mokhehle (Mphanya, 2004). The party lost many capable leaders of high calibre who joined the other parties. These members were Ellen 'Mamposholi Molapo, Charles Taolana Chakela, Nchocho Nts'ekhe and Nathaniel J. Qhobela (Mphanya, 2004).Thus, the country attained independence in 1966 under the BNP government (Mphanya, 2004).

Following independence, King Moshoeshoe II continued to criticize the Constitution and attempted in the process to weaken the BNP government (Machobane, 2001:12). The BCP, in an effort to undermine the BNP government, formed an uneasy alliance with the monarchy (Machobane, 2001).This alliance was based on their common hostility towards the BNP government. The BCP and the monarch concentrated on undermining the legitimacy of the BNP government by mobilizing popular opposition against it. This culminated in the Thaba-Bosiu tragedy [13] in 1966.

Though it was argued by King Moshoeshoe II that the gathering at the national fortress (Thaba-Bosiu) was to pray for peace, the BNP claimed that the gathering was a consolidated effort between the monarchy and the BCP to destabilize the government. Hence, there were rumours that the gathering was going to be used to launch an uprising that would lead to

---

[13]Thaba-Bosiu tragedy of 1966: King Moshoeshoe II had called a public gathering at which he claimed that it there was going to be a prayer of peace. But, the real intentions of the gathering were to belittle the BNP government and the recently adopted Westminster model, which made him a constitutional monarch whereas he wanted to be an executive monarch. This so-called prayer meeting was violently suppressed by members of the Police Mobile Unit (PMU) which left ten people dead. The BCP had also taken advantage of the hostilities and differences between the BNP and the monarch.

taking over of the government by force. The BNP official statement later announced that the King, the BCP and the MFP had secretly planned to overthrow the government, hence why their supporters were "heavily armed" (Machobane, 2000:13). The BNP statement further stated that "from Thaba-Bosiu the mob was to march to Maseru and seize power from the present [BNP] Government" (*Nketu oa Mara, Vol 3, No.3 January 20, 1967*). Machobane points after the march, it was stated that the leaders of the BCP and MFP would later decide between Dr. Ntsu Mokhehle (leader of the BCP) and Seth Makotoko (leader of the MFP) on who will become the Prime Minister after their take over of governmental power. The senior BNP members in government were to be arrested and "thrown into political waste" (*Nketu oa Mara, Vol 3, No.3 January 20, 1967*). Prime Minister Leabua Jonathan's biographer, Desmond Sixishe argues that "there was no doubt that Thaba-Bosiu was intended as the ultimate confrontation [to overthrow the BNP government] (1978:47).

In 1968, three vacancies occurred in the Assembly, following the deaths of BCP MP for Qeme, the MFP MP for 'Maletsunyane and the BNP MP for Kolobere (Khaketla, 1970:17). The opposition parties (BCP and MFP) clamoured for by-elections to fill these vacancies. However, the vacancies were not filled until the 1970 General Election. The voters in these constituencies remained disenfranchised for two years (Khaketla, 1970).

Whether Huntington's classification of Lesotho General Election of 1965 as a "ruralizing election" is correct remains a focal point for further exploration (1968:443-458). This situation occurs where "a rural–based political party outs from power an urban-based one" (1968:443-458). Huntington argues that the extension of electoral participation and the increase of political consciousness in the traditional sector forced politicians to "choose between the values of modernity and the values of politics" if they were to mobilize rural support and win elections (Huntington, 1968). Huntington indicates that,

> one major test of the institutionalization of a party and the adaptability of its leadership is the willingness of the latter to make the concessions necessary to win the support of the countryside. The strong parties and stable party systems are those which meet this test. In a modernizing society, the successful party is born in the city but matures in the countryside (1968:434).

However, though outside my "methodological focus" a critical assessment has to be made of the application of the "ruralizing" concept in Lesotho which Weisfelder acknowledges (1999). The complexity of Lesotho's politics leaves much suspicion regarding Huntington's thesis. Huntington's emphasis is on a single electoral variable which Weisfelder (1999:51) indicates is "the flexibility of the urban-based party leaders in playing down modernizing objectives to appeal to the traditional sector".[14] This is an interesting aspect, especially when one considers the increasing levels of literacy in Lesotho and the outside exposures of the migrant workers from South Africa. This subject matter remains a focal point worthy of further exploration, especially in light of the political developments that occurred after the 1965 elections, for instance, the Thaba-Bosiu tragedy called by the traditionalists (monarchy) with strong rural influences.

Matlosa (1999:171) argues that at this time "the political and constitutional foundations of Lesotho's embryonic democracies were not firmly rooted". Overall, what could be inferred from this period is that the BNP government was determined to use all possible measures against any form of resistance to its power.

A period of authoritarian rule, 1970-86

In the 1970 election, the main contestants as in the previous election were the BNP, the BCP and the MFP (Khaketla, 1970:206). The BNP had expected to win the election with a landslide majority: since they had directed all their efforts and resources were exhausted in the campaign to retain state power (Mphanya, 2004:65, Khaketla, 1970). The BNP was so confident that one executive member was quoted in Khaketla as saying,

> How can we lose the match? The ball is ours, the jerseys are ours, the
> field is ours, the linesmen are ours, and more important, the referee too is
> ours (1970:206).

In the five years of BNP rule, the BCP had undoubtedly prepared itself for the 1970 contest in which Matlosa (1999:172) argues it "was aiming to upset its arch-rival BNP and reverse the

---

[14]See Weisfelder, 1999, for a detailed interpretation of this issue. He offers a more balanced argument and acknowledges some specific characteristics of ruralizing elections as propounded by Huntington, Political Contention in Lesotho 1952-1965, Roma, ISAS.

1965 political outcome". It had capitalized on the major policy blunders of the BNP government which it's urban-based development strategy and failures and the neglect of certain areas. Thus, despite the BNP access to state resources and massive support from apartheid South Africa, Britain and West Germany (Matlosa, 1999), the BCP emerged as the victorious party as indicated in **Table 2** below,

Table 2: 1970 General election for the National Assembly

Contestants	No. of Votes	% of Votes	No. of Seats
BCP	152 907	53.603	36
BNP	108 162	37.917	23
MFP	22 279	7.8	1
Other	1 909	0.66	0
Total	**285 257**	**99.97**	**60**

Source: Southall and Petlane, 1995:42

However, instead of handing over power to the victorious BCP, the BNP government refused to abide by the laws of the land. The BNP responded by declaring the election outcome null and void, suspending the constitution and declaring a state of emergency (Khaketla, 1970:206).The King was detained under house arrest. The BNP government argued that it was remaining in power to save the country from the onslaught of communism that was propagated by the BCP. It also accused the BCP of having won the election through intimidation and manipulation of the election result (*Report Of The Commission of Inquiry Into The Events Leading To Political Disturbances Which Occurred In Lesotho During The Period Between 1 July, 1998 to 30 November,* 2001:11).The Prime Minister Leabua Jonathan's biographer, Desmond Sixishe, argues that the Prime Minister was not aware that,

> Thousands of his party supporters in the rural areas had not gone to the
> polls, due to the violence that they were threatened with if they voted....in
> Quthing election officials had been kidnapped by some BCP supporters
> and all the election material seized (1984:12).

Desmond Sexishe further indicates that in some areas the ballot boxes were grabbed from the polling officers by the BCP supporters (1984).Leabua Jonathan could thus not hand over governmental power. The executive organ of the government suppressed the independence of the judiciary for testing the validity of the elections, as the allegations of ballot rigging were never tested in the courts (Khaketla, 1970:206).

Since the BNP in its efforts to retain power had suspended the Constitution there was a need for a legal framework to regulate relations between the institutions of the state. The Prime Minister Leabua Jonathan on the 10 February issued the Lesotho Order No.1 of 1970(Mphanya, 2004:71). The intentions of the Order were to provide for peace, order and good governance. This was to be effective as a new Constitution until a better Constitution, suited to the needs of the Basotho nation, was drafted (Mphanya, 2004). King Moshoeshoe II was forced into exile by the BNP government with the presumption that he "would give the government a breathing space within which it will be able to restore calm and stability in the country" (Machobane, 2001:29). The King was exiled to Holland in April 1970 where he spent eight months. On his return, the he was forced to take an oath to the BNP government to Order No.1 of 1970 (Machobane, 2001).

The order vested the executive and legislative powers in *Tona Kholo (*see below*)* and the Council of Ministers. According to the order, *Tona Kholo* was "the person holding the office of Prime Minister under the Lesotho Independence Order immediately before coming into operation of this order" (Mphanya, 2004:71).The king was under oath as Machobane succinctly puts it that "in the presence of the omnipotent God" (2001: 30), he would cooperate in accordance with the policies of the Order and with the existing BNP government.

Machobane further indicates that,

> He agreed, in keeping with the oath that he would never again allow the Office of the King, *"bo lubakangoe le lipolotiki"*......to wallow in politics or allow any political party to use him[Thaba-Bosiu Tragedy is an example of which the King sought to intervene in politics] (2001:30).

Furthermore, though the Catholic Church was a strong supporter of the BNP as a party and its government, Machobane states that it was "surprised and disconcerted by the

announcement of the *coup d'etat*" (2001:28). The Catholic Church tried to distance itself from the looming political crises. In the circulars distributed to its branches from Archbishop Alphonse Morapeli of Maseru and Bishop Joseph Delphis de Rosiers of Qacha's Nek, the Church appealed to the BNP government authorities to protect peace and stability (Machobane, 2001:28). The Catholic Church further appealed to the government to "align themselves with the law of God, who binds all men in peace and reconciliation" *Nketu oa Mara, Vol 6, No.7, February 13, 1970.*

In an effort to provide legitimacy and to calm the political tempers, the Prime Minister Leabua Jonathan proposed for the formation of an Interim National government in 1973. The BNP government was to exercise total control over the Interim National government (Machobane, 2001:34). The BCP leader, Dr. Ntsu Mokhehle opposed the participation of the BCP in the Interim National government. However, his Deputy Leader in the BCP, G.P Ramoreboli and twenty-two members of the BCP agreed to join the assembly against the wishes of their leader. Ramoreboli became the Minister of Justice and by his agreement to join the Interim National government, he was seen as having expelled himself from the party by Dr.Ntsu Mokhehle. His temporary expulsion from the BCP was later reinstated by the High Court (Machobane, 2001). It should be noted that this marked an official beginning of the intense political differences in the BCP that became more pronounced in the subsequent years.

During this period, the BNP government exercised strict control over recruitment into the armed forces to consolidate its own power, not only against external threats but, most critically, against the internal opposition (Mphanya, 2004:71). In fact, Mothibe (1999:47) argues that "the action set in motion an authoritarian agenda characterized by brute force, naked oppression and de facto one party rule". Mothibe further argues that the military became highly politicized and acted as essential supporters of civilian dictatorship in power (1999). In order to silence opposition complaints against his unconstitutional acts the Prime Minister Leabua Jonathan closed all the BCP's printing presses as well as its newspapers, *Makatolle, Commentator* and *Range* (Mphanya, 2004:72).

All political movements were banned and this was followed by a declaration by Prime Minister Leabua Jonathan that the country had suspended multiparty democracy (Gill, 1993:237). The BNP government continued to blame an imagined communist conspiracy for

the problems it fermented. The BNP government believed that all the activities of the opposition parties were encouraged by external communist powers which wanted to take over small Christian states like Lesotho (Mphanya, 2004). The Communist Party of Lesotho, *Majammoho*, was banned. The Prime Minister argued that the government had avoided "a bloody revolution [that] would have plunged the people of this country into a state of misery and tragedy" (*Prime Minister's Statement on the Banning of the Communist Literature from Lesotho, 6 February 1970*). However, conflicts erupted between the executive organ of the government and the military over the issues of internal law and order, this was on the lack of clear demarcation on the civil-military relations and the relations with apartheid South Africa became increasingly sour (Matlosa, 1998:43). Moreover, BCP members were continually harassed by the police and the BNP Youth League (Gill, 1993:230).

The BNP started the process of politicization of the civil service. The card-carrying members of the BNP were recruited in large numbers (Gill, 1993). On the other hand, Southall and Petlane argue that the BNP's consolidation of power in the army was done through the "*Sephephechana*" system, which required the recruits to be card-holding members of the party (1993:146). Machobane (2001: 26) indicates that the BCP leader Dr. Ntsu Mokhehle was arrested whilst some prominent leaders such as Koenyama Chakela and Shakhane Mokhehle went into exile. Machobane further states that,

> BCP candidates for parliament were caught and severely beaten by the police. In the end some of the victims died or lost sound health as result as of the severe beatings. Among those who went to prison were 37 students of the University of Lesotho Botswana, and Swaziland.... (2001:26).

In response, the BCP organized violent uprisings and protests. In January 1974, the BCP attempted to take over Mapoteng, Peka, Monotsa and Kolonyama police armouries. But, due to the BNP's executive power over all organs of the state and the politicization of the key organs of the state, BCP uprisings were often crushed with ease (Machobane, 2001:33). In fact, Gumbi (1995:4) argues that what started as political resistance developed into a violent struggle following the departure of the BCP leader Dr. Ntsu Mokhehle from Lesotho in 1974 after he was released from detention. Significantly, Dr. Ntsu Mokhehle's departure saw the establishment of the LLA, an armed wing of the BCP. The political activities and intentions

of the LLA were not only to destabilize the government but also to depose it (Machobane, 2001:32).

Another critical feature that of this period is that, the all heads of churches (main churches, the Catholic Church, the Lesotho Evangelical Church (LEC) and the Anglican Church united) and made an official standpoint of intervention in politics. According to Machobane (2001:99) "the stance was biblical". It indicated that,

> To Christians the commandment of love is the first, and should regulate
> everyday life as well as their relationship to men .If they let themselves to
> be guided by such love, they.....shall overcome hatred and live in peace
> with every man (*Statement of Reconciliation, July 1975*).

Machobane indicates that the churches showed their strive for non-violence and that they needed to engage in "civil disobedience" towards the unjust laws and support the population (2001). Lastly, from the Catholic perspective, they "disposed themselves to mobilize their adherents to take a political stand reconcilable to church policy" (2001:99). This shows that the churches as independent social institutions became active and feasible actors in the political affairs of the country. This argument is supported by Gill as he states that the churches managed to reduce the political tempers and contributed to better, stable and improved political situation in the 1980s(1993:233).

Due to internal and external pressure to return the country to democracy, the BNP government made token moves to settle the legitimacy crisis that dogged it. It called for general elections in 1985, but these unfortunately turned out to be corrupt (Mahao[15], 1997:2). Overall, the type of government that Leabua Jonathan established in Lesotho was under chieftainship, which was under his control as the Prime Minister and not under King Moshoeshoe II's authority (Machobane, 2001:36). Leeman supports this as he observes that,

---

[15]Dr. Nqosa Mahao is a senior lecturer at the National University of Lesotho (N.U.L) in the faculty of Law. He has previously served as a Pro-Chancellor at N.U.L, a Secretary General for Popular Front for Democracy (PFD), one of the contestants in the 1993 and 1998 election. He has written numerous articles on Lesotho since the re-introduction to multiparty democracy in 1993.

Leabua was accused of moving towards the establishment of a One party State with a constitution similar to that of Kenya, Malawi or Taiwan. It was more accurate to say he wished to create a No Party State, in which nominated members would fill the government and local administration, all of whom would owe their appointment to him. In particular he wished to use the chiefs, partly through his own adulation of that institution, partly because he had the power to nominate, regulate and expel them, but also because by using chiefs he could justify his methods by recourse to spurious [ly] shallow ideology claimed to be in keeping with national Basotho tradition....(1985:43).

The 1985 General Elections

In the 1985 election, gerrymandering of the electoral constituencies became a critical instrument that was used to disadvantage other opposition parties in the electoral race (Mahao, 1997:4). The opposition parties boycotted the election because of two provisions of the electoral law. These were that each candidate had to pay a deposit of M1000.00 for his candidature and should mobilize at least 500 signatures of supporters endorsing his candidature (Mahao, 1997, Matlosa, 1997:96). The effect was that only the BNP candidates contested the election and were all returned to the National Assembly unopposed. Despite the electoral victory, the election result exacerbated growing tensions within the BNP which was also struck by disagreements, and leadership squabbles, two competing factions had emerged over the control of party machinery (Mahao, 1997).

The BNP Youth League (an armed styled-military wing of the BNP) was terrorizing the country and had established itself as an independent force (Machobane, 2001:48).The BNP Youth League has positioned itself as a central actor in government. It attempted various strategies to replace the military as the official government instrument of power. The apartheid government in South Africa took advantage of this wedge between the executive (there were sour relations between the government and the army which was worsened by the role of the BNP Youth League) and the army to precipitate a military coup (Machobane,

2001). The BNP victory in the "miracle elections"[16] did not, in fact reward it with the legitimacy that it yearned for and it was short- lived. The military staged a coup on the 20 January 1986 that dislodged it from power after sixteen years of oppression, mismanagement of the national resources and unaccountable rule (Mahao, 1997:2).

There are various interpretations as to what led to the military coup in 1986. One theory is that the power struggles between the BNP factions, which included the military, were responsible because they caused insecurity among some party members. Opponents of the administration began to hope for change. Another theory is that the coup was a result the successful destabilization by the South African government (Gill, 1993:243).However, (Matlosa and Pule, 2001:3) indicate that the Lesotho military was compromised not only because of its association with the BNP government but also because of its close association which involved military assistance in financial, technical and logistic support with the South African security establishment to stage a coup. This association continued, throughout the 1980s despite government anti-apartheid-rhetoric (Matlosa and Pule, 2001).

A period of military rule, 1986-93

At the beginning of this period a further entrenchment of the military in Lesotho's political landscape took place (Matlosa, 1999:173). The military coup described above was made of a coalition government dominated by officers of the Lesotho Para-military Unit (PMU). King Moshoeshoe II and some traditional chiefs were supporters of this government. Lastly, there were a number of civilian ministers who made a Council of Ministers and whose appointments were based on loyalty to the King (Machobane, 2001: xi).

The most critical development in this period was the break down of law and discipline within the army. Hutchful (1998:41) argues that such a breakdown is common to all military governments throughout the African continent. This is because the military assumes all the executive and administrative powers and corruption becomes widespread, thus instilling command and control almost becomes impossible. Secondly, the interests of the military in active politics and state power became further entrenched. In this period, relations between

---

[16] I am indebted to Nqosa, M 'The 1993 Election and the Challenges for the Development of Constitutionalism in Lesotho', *Lesotho Social Science Review* 3(2)1997 for the use of this term.

citizens, even those in power and in the military government continued to deteriorate. Appointments to senior positions in the civil service were made on the basis of political loyalty rather than efficiency and internal paralysis in the armed forces became noticeable. A crisis of legitimacy occurred within the military government because it lacked any popular mandate to rule (Matlosa, 1997:96).

Nevertheless, the military argued that it had launched a coup in order to return the country to democratic rule through a process of national reconciliation (Gill, 1993:289). In its early stages, the military government attempted to procure a kind of legitimacy by involving the King Moshoeshoe II (Gill, 1993).The monarchy, which had been sidelined by the Independence Constitution of 1966 and by the BNP government, was drawn into the arena of politics (Gill, 1993). In fact, the military had realised that while it was vying for greater acceptance in the society, it needed a credible partner such as the king who was viewed as a symbol of unity (Gill, 1993).

Following the coup, King Moshoeshoe II honoured the entire Military Council with the highest praise (Machobane, 2001:65). His passionate which is worth noting as he indicated that,

> A second miracle happened on the 20th January this year. This nation was redeemed the second time and given a new lease of life. The armed forces ushered a new era into Lesotho in an extraordinary fashion, one so different from what usually happens in similar circumstances, that many people are asking themselves whether the change is real and lasting (*Moshoeshoe II Address, March 12, 1986*).

The king appealed to members of the deposed Leabua Jonathan government to accept and value "the magnamity and consideration" in which they were removed from office (Machobane, 2001). The King stated that families of the deposed Leabua Jonathan "were allowed to live unmolested in their homes, as against what might have happened to them if the atrocities of the 1966-67 [Thaba-Bosiu Tragedy] and 1970 [State of Emergency] ...or even later were taken into account" (*Moshoeshoe II Address, March 12, 1986*). Later in 1987, the King knighted the Military Council with the Knight Commander of the Most Dignified Order of Moshoeshoe. It was the highest award ever to be given in the country (Machobane,

25

2001:66). Importantly, it signalled the emergence of the monarchy as powerful actor in Lesotho's politics.

The military viewed the monarchy as the institution to lead the country in the process of national reconciliation (Gill, 1993). The arrangement indicated that the King would exercise legislative and executive power on the advice of the Military Council. However, the high political profile of the King in the decision making process together with the politically motivated interpretation of this arrangement resulted in an ambiguity as to whether the real power rested with the King or the Military Council[17](Gumbi, 1995:2). The King however wished to rid himself of the limitations imposed by the military. He continually criticized the military government regarding corruption, violation of human rights and undemocratic practices, and this led to a confrontation with the Chairman of the Military Council and Council of Ministers, Major General Metsing Lekhanya (Gumbi, 1995).

Ultimately, faction fighting developed within the military as a result of these power struggles between the King and Chairman of the Council (Machobane, 2001:57). The outcome of this power struggle was another coup in February 1990. This coup saw the dismissal and prosecution of the King's confidant Colonel Sekhobe Letsie (Machobane, 2001, Mahao, 1997:2). In February 1990, divisions in the regime culminated in the passing of Order No.2 of 1990[18]. The monarchy lost executive and legislative powers and most importantly, the military removed King Moshoeshoe II from the throne, forcing him into exile in Britain. The negotiations between the military government and the King to arrange for his return to Lesotho were futile, since the King insisted on having executive powers (Machobane, 2001).

According to the reports of the Chairman of the Military Council and Head of Government, Major General Metsing Lekhanya[19], King Moshoeshoe II demanded the resignation of the

---

[17]The Military council comprised of the senior members of the military, chaired by Major General Metsing Lekhanya.This was the highest decision making body in comparison with the Council of Ministers which comprised of the civilian ministers appointees.

[18]Order No.2 of 1990 was an act passed by the military government under the Chairmanship of Major General Metsing Lekhanya, which banned all political activities in Lesotho, as well as all political movements.

[19]Major General Metsing Lekhanya is a retired army chief, who is now the leader of the BNP, the main opposition party in Lesotho.

military government and the formation of a government of national unity (Gill, 1993:243). The King also wanted the suspension of the 1966 Constitution and the lifting of Lesotho Order No.2 of 1990. The administration responded by replacing the deposed King with his son, Prince Mohato Bereng Seeiso, who became King Letsie III in November 1990[20].

Despite repeated promises to return the country to democratic rule, the military violated the rule of law, abused basic human rights and retarded the process of democratization (Gumbi, 1995:3). However, in an effort to appease the potential opposition in the country, the chairman of the military council and Head of Government established a Constituent Assembly (Gumbi, 1995).The Assembly was vested with the responsibility of drafting a new Constitution that would be considered by the military council (Gumbi, 1995). The Assembly was to use the 1966 Constitution as a working document; it was composed of council nominees of the military government and included the senior chiefs, soldiers, policemen and leaders of the banned political parties (Gumbi, 1995). The leaders of the main political parties, the BNP, BCP, United Democratic Party (UDP), and Communist Party of Lesotho (CPL) were reluctant to join the Constituent Assembly because it was merely an advisory body. They believed that the presence of military and police personnel in the assembly would deny them freedom of expression. They were also unwilling to serve as appointees and not as elected members in the assembly (*Joint statement by leaders of Political Parties, 30 May 1990*).

Furthermore, it became apparent that Major General Metsing Lekhanya was delaying the process of handing over power to a civilian administration. The terms under which the military government would be retained were thrown into sharp relief in a clause that was intended for inclusion in the proposed constitution, stipulating that "the commander of the Defence Force....shall be Minister "*ex officio*" (Palmer and Fifoot, 1992 cited in Mahao, 1997:3).This clause was approved by the Constituent Assembly nominees who were eager to safeguard their membership in the Assembly through loyalty to the Chairman of the Military Council and Council of Ministers. The real intention of the military government was that this "*ex officio*" minister should have veto powers over the policies of the democratically elected government (Mahao, 1997).

---

[20]Prince Mohato Seeiso and the College of Chiefs resisted the attempts of the military government for his installation in the throne as the replacement of his father King Moshoeshoe II, but after the lengthy persuasion from the British High Commissioner and the increasing fears that the Military government might displace the institution. The Prince ultimately agreed to take over from his deposed father.

Increasing discontent emerged within civil society groups such as teachers and civil servants. This was brought about by popular anger at the proposed sale of state assets and increasing corruption in the military administration (*Mirror, 27 May 1991*). Importantly, the main opposition parties had earlier issued a statement in August 1988, cited in Machobane indicating that,

> Persistent refusal by the Military Council to form an all-party government
> of national reconciliation has undermined the only justification for the
> military coup of 1986.And the continued suppression of democracy under
> the draconian Order No.4 which suspended politics has imposed a
> national moral slavery that equates the Basotho with the sub-human
> beings and dumb animals. Another refusal to hold a plebiscite on the
> political future of this Country will seal off that fate…The branding of the
> "Big Five" [BCP, MFP, UDP, National Independent Party (NIP)] as
> "traitors and the Judas Iscariots" by the Military Council is a smokescreen
> designed to cover their gross incompetence to resolve differences on
> national issues by negotiations…The Big five have lived with
> intimidations, threats and abuses. The heads of churches also have had a
> good dose of abuses (2001:87).

The military administration, which always felt threatened by popular protests and demonstrations, often resorted to brutal suppression of acts that it termed "civil unrest and the refusal to be governed". These oppressive policies ultimately resulted in tensions and differences between the junior officers and senior officers in the army. The junior officers staged a coup that dislodged Major General Lekhanya on the 30 April 1991(*Mirror, 27 May 1991*).

The chairmanship of the Council was taken over by Colonel Phisoana Ramaema[21] (later promoted to become the Major General, after Major General Lekhanya was ousted)(*Mirror ,27 May 1991*). Major General Ramaema's assumption of power saw the lifting of the hated

---

[21]Major General Phisoana Ramaema is a retired army chief, who is now a member of the Senate. He was nominated to the Senate for his contribution in the transition period from the 1990-93. His nomination came after the 2002 elections.

Suspension of Political Activities Order No.4 of 1986[22]. The controversial clause in the proposed constitution that entrenched military personnel in a democratically elected government was dropped.

Though members of all the major political parties were included in the Constituent Assembly, they failed to advocate for the major political reforms which would have established democracy. Their participation in the Constituent Assembly was driven by their intentions of contributing for the speedy return of democracy. The Constituent Assembly however, came up with some notable differences from the 1966 Constitution. There was an establishment of State Council (Machobane, 2001:132). Machobane further states that,

> The spirit of the Constitution was supposedly to guard against what
> happened in 1970, when Prime Minister [Leabua] Jonathan, of his own
> volition, declared the elections of that year null and void, without due
> process of law, and refused to step down (2001:132).

The State Council was vested with the powers of handling political crisis especially those related to elections (Machobane, 2001). The military Council retained most of its power for itself as the executive. Though the arrival of Major General Phisoana Ramaema suggested determination to speed up the democratization process, the junior army officers often resisted plans to move towards democracy in the process because of the fear of the unknown (Anonymous, 1991).There were visible signs of growing factionalism within the army[23]. Thus, the process of achieving the actual transition to democratic rule was not a simple one. The elections were postponed twice, from November 1992 and January 1993 to March 27 1993 (Herskovits, *Lesotho and the Return of Democracy: What Future for the Military,?* unpublished paper, no date, pg.34). Although the military withdrew from state power in the 1990s, their interest in politics and management of the state remained strong. Critically, after Major General Lekhanya was ousted, his successor, Major General Phisoana Ramaema did

---

[22]Political Activities Order No.4 of 1986 was a legislation that banned political activities until a time that national reconciliation would be achieved as indicated in Mothibe, "The rise and fall of military-monarch power sharing", *Africa Insight* 20(4), 1990.

[23]Private Pabala Molapo is a former soldier, who was expelled from the army in the early 1990s. He argues that growing factionalism in the army was caused by the unhappiness and uneasiness of the junior officers regarding the handing over of governmental power to the civilian administration. This is because it meant the loss of the privileges and salaries they had enjoyed in the four years since 1986 when they dislodged the BNP government through a coup.

not reverse the decisions of his predecessor particularly concerning the exiling of King Moshoeshoe II (Gill, 1993:244).

The conclusions that could be drawn from the military government are that upon its assumption of power in 1986, it was convinced that the country needed a new Constitution relevant to the modern political developments of the twentieth century. The military had previously served as the guarantors of civil dictatorship under the BNP government, controlled state power and was now heading the process of transition to democracy. However, it was ensnared in the political culture and legacy developed by the BNP government (Machobane, 2001:133). Machobane further argues that "it tried to eliminate political opposition and form a no-party state" (2001:133). King Moshoeshoe II exercised executive powers in its early phases, a situation he previously desired and preferred since the attainment of independence in 1966. The problem emerged on the "balancing" of military and monarchical interests that resulted in the King being exiled and dethroned in 1990. The military government, which was often confronted with the problems of indiscipline among the junior ranks, was hostile to criticism and opposition (Machobane, 2001).

The period of "Fragile" Democracy, 1993-2000

The 1993 election was a significant development in the re-establishment of constitutionalism in Lesotho (Mahao, 1997:4). This election, which brought about the withdrawal of the military from state power, was won overwhelmingly by the BCP (Matlosa, 1999:167, Gill, 1993:248). The election proved to be a significant milestone in the history of political development in terms of the proportion of the population who cast their votes (Gill, 1993:243).

However, the new democratic dispensation ushered in 1993 was interrupted by episodes of violence which had serious implications for internal peace and security. These included the BNP rejection of the electoral outcome, violent confrontations between the army's two rival factions in January 1994(pro-government and anti-government), the murder of the Deputy Prime Minister Selometsi Baholo in April 14, strikes by members of the Lesotho Mounted Police and junior prison officers and a coup d'etat by King Letsie III that temporarily displaced the democratically elected BCP administration (*Work for Justice (50) October*

1997:1). The political developments which occurred in this period are covered in detail in Chapter Three for it forms a significant background of what the study investigates.

In conclusion, in the period of "embryonic" democratic rule 1965-70, despite the refusal of the BCP to accept the election outcome, the Thaba-Bosiu tragedy in 1966 and the disruptive influence of the monarchy, the country experienced relative stability. In the period of authoritarian rule 1970-86, significant measures were instituted by the BNP to politicize all organs of the civil service and importantly, to create a dependence on the army in order to suppress internal opposition. In fact, Matlosa and Pule (2001:2) comment that "... (it) compromised the professionalism and ethical integrity of the defence force".

The period of military rule, 1986-93 saw the increased involvement of the army in politics. This period was characterized by regular revolts in the military and especially among the lower ranking members (this was caused by lack of discipline and the unrealistic salary and wage demands) (Matlosa, 1999:173). However, the military with passive participation from the key political actors (political parties) eventually agreed to pave the way for the transition to democratic rule. Lastly, the period of "fragile" democracy 1993-2000 was characterized by intense political instabilities. Conflicts occurred between the key organs of the state, there was faction fighting in the ruling BCP government, which was displaced in 1994 and violent conflicts in that in the aftermath of the 1998 election (Matlosa 1999).

CHAPTER TWO

Introduction

The principal theories upon which this study is based are structuralism and institutional functionalism. It should be noted that, though the process of democratic transition has occurred, there are significant challenges that remain unresolved in most developing societies of which Lesotho is a classic example. The country is "caught" between democratic transition and consolidation. Lesotho faces numerous democratic deficits that need careful attention if the process of democratic consolidation is to occur.

The concept of democracy is highly contested in spite of its significant capacity for mobilization in the political transformation in Africa and Eastern Europe (Sachikonye, 1995:1). However, in contemporary discourse of democracy, "the concept has become associated with a political system in which multi-partysim exists, periodic free and fair elections based on universal suffrage are conducted, and press freedom, human rights and rule of law guaranteed..." Sachikonye (1995:1). Since the collapse of authoritarian Socialism in Eastern Europe and decline of military rule in Africa, Western Liberal democracy became the major reference for debates on democratic transition (Sachikonye, 1995).

Francis Fukuyama argue that there is no satisfactory alternative to liberal democracy and affirmed that capitalist democracy represents "the end point of mankind's ideological evolution and the final form of human development" (1992: xiii). Fukuyama further argues that liberal democracy is the only coherent political aspiration which covers across various regions and cultures, while liberal principles in economics "the free market" succeeded in producing the unprecedented levels of material superiority(1992:xiii). It is against this background that the review of literature focuses on the concept of democracy as a model of representation in order to put its exact meaning and assess its applicability in Lesotho's political landscape, the significance of democratic culture and civilian control in emerging democracies which are the preconditions for democratic consolidation.

Secondly, the nature of political instability needs the application of critical instruments for interpretation. Hence, Matlosa (1997:99) argues that "without such tools, any adventure into

that exercise will be tantamount to navigating in the high seas without a compass". Huntington (1968: vii) indicates that "... the causes of violence and stability in developing countries ...are to be found in the lag behind development of viable political institutions[and] behind social and economic change". Structuralism emphasises the structural arrangement of society and explores the constant contest over state power, resource distribution and social stratification based on identity and ideology (Huntington, 1968:49). Institutional functionalism attempts to explain instability and political violence, and focuses on the relationship between the level of institutionalism in the state and the level of political participation by the citizens (Matlosa, 2003:88). Lastly, there is an emphasis on describing the importance of tolerance. According to Sullivan et. al, "tolerance is directly linked to how people are willing to put up with their opponents..." cited in Gouws (1993:17). Tolerance is an essential ingredient for democratization because if opposing groups tolerate each other the process of democratization can easily occur.

An understanding of the theoretical framework of the state is important; since it helps to provide an insight to the nature of problems in the state. This is used in the study because for it forms the foundation for Lesotho's emerging democratic state after the 1993 election. The state is the supreme political machine. It is a source of identity and a stage that is open for competition for power (Mutisya, 1999:11). It is an institution that enables the negotiation of social, economic and political conflicts which are undertaken through the judiciary and by the executive and the legislature. Lastly, the state should be responsible and accountable to its citizens (Mutisya, 1999:11).

Throughout history, government seems to have served three critical purposes. These are maintenance of order, provision of public goods and the promotion of a degree of economic equality (Janda, Berry and Goldman, 1989:5). The maintenance of order means establishing the rule of law to preserve life and property. For Thomas Hobbes, the preservation of life was an important function of the government. In his philosophical treatise, *Leviathan* (1651) he describes life without government as life in the "state of nature". In the "state of nature" life would be "solitary, poor, nasty, brutish and short". He believed that a single ruler must posses almost unlimited authority over all members, to protect the weak against the strong (Janda, Berry and Goldman, 1989).

33

After the establishment of order, the government can use its coercive powers. Governments can tax citizens to raise funds for the provision of public goods. These services benefit all the citizens but are not produced by the voluntary acts of individuals. The government of ancient Rome, for example, constructed aqueducts to fetch water from the mountains to the city (Janda, Berry and Goldman, 1989:7). Lastly, the promotion of a degree of economic equality became important after the processes of industrialization and urbanization. Faced with mounting levels of poverty, some European nations introduced extensive government programmes for improving the lives of the lower classes. Under the emerging concept of the welfare state, government's role expanded to providing individuals with medical care and education (Janda, Berry and Goldman, 1989:8).

These functions are interlinked and it is often not easy to differentiate between them. This means that a collapsed[24] or semi-collapsed state can easily become unable to perform them (as discussed above), though it should be noted that a state capacity is highly variable. According to Zartman (1995:1) state collapse means "a situation where the structure, authority (legitimate power), law and order have fallen apart and must be reconstituted in some form old or new". However, it is essential to note that in Lesotho, the state has not been viewed as the protector of its citizens, politicians have used state power as a personal instrument to punish political enemies. This was the case in the BNP government in the 1970s whilst the findings show that BCP government also used political influence over state resources to consolidate their party's rural support instead of providing the general welfare of the citizens.

2.1 DEFINING DEMOCRACY

The question "what is democracy" remains the most debated matter in politics. The basic intention here is not to provide another lengthy definition of the concept of democracy as this has been done regularly in various well known works on political science (see Sachikonye 1995:1, Janda, Berry and Goldman, 1989). One of the many problems with the concept of democracy (the word democracy is derived from the Greek *demokratia: demos* meaning "the people" and *kratia* meaning "power") is that it has acquired value content (Kotze, 1992:3). Hence the general view is that democracy is desirable, thus most governments tend to co-opt the term to describe their particular political system (Kotze, 1992). There are therefore many

---

[24]Iraq would be a classical example of a collapsed state, following the military intervention led by USA and Britain.

different political systems described as 'true democracies', since they include institutions for a specific group of people who have voted. In such cases, a qualification is added to the word "democracy" to indicate the particular preference for the institutions of the state. Thus, there is, for instance, a 'people's democracy', 'liberal democracy' and 'guided democracy' Kotze (1992:3).

According to Wiseman (1990:40) the perception that "democracy is a government of the people, for the people continues to form the basis of all pronouncements and convictions on democracy". Democracy today tends to be understood as representative democracy. Representative democracy comprises the following elements.

Firstly, popular sovereignty requires that the basic decision-making powers of government should be vested in all members of the society and not only in one group or person (Wiseman, 1990:43). Moreover, political equality requires that every member of society should enjoy an equal opportunity to participate in the nation's political decision-making process. According to Kotze (1992:5) the principle does not embody simply the concept of "one person, one vote". It also ensures that all members of society are afforded the opportunity to vote and influence decisions. Alternatives must be in place to ensure that voters may make real choices (Kotze, 1992).

Furthermore, popular consultation means that a democratic nation must have one or other type of institutional mechanism through which public officials can decide which public policy is beneficial for the majority of the people. The decision as to whether or not such a policy is democratically acceptable is determined in accordance with its content (Kotze, 1992:6). Ranney (1975: 310) defines majority rule as follows: "as long as the procedures used to mean governmental decisions are at all times approved by at least fifty percent plus one of the people and so long as the same proportion of the people can at any time revise those procedures".

This principle prevents bias towards particular groups and ensures that decision-making in government is not in conflict with the wishes of the people. Not all authorities approve the 'unlimited or absolute majority principle' (McClosky, 1995, Thorson, 1961 and Ranney, 1961 cited in Kotze, 1992:7).The proponents of 'limited democracy' do not support the belief that the real decision-making powers should be placed in the hands of the majority. They argue

35

that unlimited majority rule is in conflict with true democracy. This is because certain kinds of decisions in a democracy cannot be taken by a popular majority (Kotze, 1992).

Kotze writes that according to the proponents of 'limited majority', commonly known as constitutional democracy, there are certain things that a government should do only if there is a more substantial majority than fifty percent plus one. He further argues that in accordance with the modern liberal democratic tradition, limitations on majority rule should be imposed in this way. Majority rule cannot be used to repress minorities and minority rights may be negated only in accordance with certain established standards (1992). Further, if minorities are repressed by the will of the majority, a "tyranny of the majority" might result. In representative democracies, it is the task of the majority to convince the minorities to agree rather than to force them. The rights of the citizens to differ are protected (1992).

In societies where there are a low level's of social integration and deep cleavages based on race, language and culture there are usually differing political interests. In acutely divided societies, it is usually difficult to combine majority rule with the protection of minority rights, as well as to instil the practices of democracy (Kotze, 1992:8). Political scientists like Lijphart (1997) and Horowitz (1985) discuss the debatable assumption that it is possible to establish a democracy in deeply divided societies (Kotze, 1992:14). Lijphart proposes a power-sharing model, which emphasises the importance of safeguards for the differing sections of the population so that they would be protected from domination (Kotze, 1992). Horowitz argues that it is important to incorporate into the Constitution, and in particular into the electoral system, mechanisms that will reward efforts at integration and moderation by politicians (Koetze, 1992). It can at least be argued that democratic regimes do in fact have a better history of settling conflict in deeply divided societies than other political models (Diamond et. al 1987: 23).

In most definitions of democracy, the choice of representatives and the mechanisms of elections are the central institutional practices (Sartori, 1967:24, Pennock, 1971:1-2, Huntington and Moore, 1970:509 cited in Butler et. al 1981:328). The question of what choice should be given to the people with regard to the election of representatives must precede such elections. In this respect, the idea of competition remains a very important element. The voters should be given as wide a choice as possible (Butler et. al 1981).

36

Historically, this competition has resulted in the formation of parties and it is only in cases where there are two or more political parties that there can be real competition. Therefore, political parties perform an essential and indispensable function in any democracy. A distinction should be made between what Macridis (1984:72) refers to as "parties of representation and parties of government". The former usually represent a well-defined segment of the electorate in terms of religion, ethnicity and class interests and act in the interests of these segments. In deeply divided societies where "parties of government" dominate, coalitions are commonly found. These parties do not necessarily expect to take over the government, but their aim remains that of representing minority interests (Macridis, 1984). The aim of "parties of government", however, is to secure a majority in order to take control over the government. Importantly, for real representation in a democracy, there has to be a provision to accommodate these types of parties (Kotze, 1992:9).

Joseph Schumpeter (1942) provided most of the arguments for the post-war conceptualization of democracy in Western political science. In arguing against what he termed the classical theory of democracy, Schumpeter advocated for what has been described as an elite model of democracy (Medearis, 1997:817). Schumpeter defines democracy as "that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people's vote"(1942: 269).

Moreover, Huntington further describes democracy in the following manner,

> a twentieth century system [is] democratic to the extent that its most powerful collective decision makers are selected through fair, honest, and periodic elections in which candidates freely compete for votes and in which virtually all the adult population is eligible to vote... it also implies the existence of those civil and political freedoms to speak, publish, assemble and organise that are necessary to political debate and the conduct of electoral campaigns (1991:7).

In a similar, more pointed fashion, Przeworski (1990:10) claims that "democracy is a system in which parties lose elections". In addition, "a focus on competition (not so much on participation) is sufficient to study current transitions to democracy" (1991: note 2). Pule (1997:120) argues that this means that elites are the central players in the transition. They

must demonstrate exemplary loyalty to Constitutions. They must participate in free and fair competition for power and engage in power sharing arrangements whenever it is necessary (Pule, 1997:120). Pule further argues that all these point to a certain level of "maturity" that is necessary if liberal democracy is to succeed. The losers must accept defeat, and winners must be gracious in victory (1997). Przeworski's argument helps to consolidate the argument that Lesotho's elites have failed to abide to the practical implications of democracy. They have throughout the historical phases refused to accept defeat in the elections outcome.

The other aspect of democracy which is worth exploring is parliamentary democracy especially in the context of a Westminster type of system. This is incorporated in the study to provide a broader framework on how constitutional parliamentary democracy which falls within the definitions of liberal representative democracy works. This is because Lesotho practices a constitutional parliamentary democracy. Parliamentary democracy falls within the category of liberal representative democracy (Janad et. al, 1989, Ball, 1993, Nill, 1951, cited in Sekatle 1997:71). The basic characteristics of this system are individual rights, universal franchise, political equality, majority rule and government responsiveness to public opinion (Sekatle, 1997). There are two basic theories of representation, which are the 'delegate' and 'trustee theories'. Hague et. al. put it concisely:

> The delegate is closely bound to reflect the wishes of those who elected him or her. Delegates are typically mandated, that is, given instructions to carry out. The trustee, by contract, uses independent judgement on behalf of the voters. The trustee is free to ignore the voter's view, but does so at his or her peril (1992:22).

The 'delegate' theory assumes that a delegate lacks an independent function. He/she must follow the instructions of the constituency to the letter. When faced with new issues the delegate must always seek a mandate from the constituency (Hague et. al 1992:23). The 'trustee' theory assumes that the elected representative should exercise his or her independent judgement, even if that judgement differs from the wishes of his or her constituency. Priority in decision-making must be given to issues of national interest over the wishes of the individual constituency. Nevertheless, a 'trustee' representative elected under the trustee may find his/her failure to consult constituents may be one of the main reasons for not being re-elected (Hague et. al 1992).

Practically, representatives derive their power from two sources. They are given a mandate during the election period by their constituencies. But it is also assumed that as representatives they can make suitable judgements on behalf of their constituencies (Sekatle, 1997:72). Hence, they are not expected to consult the constituency on each and every matter that is tabled for discussion in the legislature. A distinction has to be made between practices under proportional representation, particularly the party list system, and the majoritarian system. Under proportional representation votes are cast in favour of a political party and not in favour of a particular candidate. In South Africa, in the 1994 elections, members of the national and provincial governments were elected on an individual basis. It should however, be noted that they are representatives of political parties, though they are chosen by constituencies. This gives a good explanation why the representatives who resign from their political parties may lose their seats in the National Assembly (Sekatle, 1997:72).

In majoritarian systems, MPs officially represent constituencies and not political parties. This is also referred to as 'areal' representation. In this system, a representative who resigns or is expelled from a political party may retain his/her seat in the National Assembly (Sekatle, 1997). This is because he or she represents a constituency and not a political party. This means majoritarian systems use the 'trustee' type of representation rather than the 'delegate' type. Candidates have the freedom to act independently. This independence allows them to vote against their own party or vote with an opposing party. The most extreme manifestation of such independence is portrayed in the practice of 'floor crossing', which is changing parties. A representative who crosses the floor may be asked to resign from Parliament (Sekatle, 1997).

'Floor crossing' may occur frequently in parliamentary democracies. A comprehensive list of members of the British House of Commons who crossed the floor from 1900 to 1983 was compiled by D. Butler and G. Butler (1986: 233-239)[25]. The reasons why representatives are allowed to 'cross the floor' is first, that they are allowed to act in terms of their belief that they are acting in the best interests of their constituencies (Sekatle, 1997:73). Secondly, they may cross the floor or make decisions that are not mandated by their constituencies. This is

---

[25]The British parliament of 1979-83 had thirty-one 'floor crossings'. Twenty-five of them crossed from the Labour Party in 1981, and joined the Social Democratic Party (SDP). The SDP was formed by former Labour Cabinet Ministers in 1981. The overall number of the Members of the British House of Commons who changed from the Labour Party in the 1979-83 parliament was twenty-nine out of two-hundred and sixty-nine (Butler D and Butler G, 1986).

because they are elected for a fixed period of time without any conditions (Sekatle, 1997). Sekatle further argues that "once elected, legislators must exercise independence" (1997:73). However, 'floor crossing' may contribute to the representatives' failure to be re-elected and this means that a representative has to ensure that his or her actions to cross the floor are supported by the majority of the people he or she represents" Sekatle (1997:73).

The other important matter in the Westminster type of parliamentary democracy is the relationship between the parliamentary party and the extra-parliamentary party that is, the relationship between representatives and their parties outside parliament (Sekatle, 1997). In studies on Dutch parties, Daalder concluded that "the parliamentary groups are in all parties, autonomous organizations, on which the extra-parliamentary party can exercise no direct control. Parliamentary parties choose their own leader and determine their own political stand" (1989:236).

A similar conclusion was reached in 1955 by McKenzie in a study of British parties. He argues that despite formal party rules that may dictate otherwise, "parliamentary government forces a concentration of power in the hands of parliamentarians, whatever the formal party rules" (this is summarized by Hague et. al, 1992:237). This power in the hands of parliamentarians is demonstrated in the practice of 'floor crossing' which may occur in the Westminster type of parliamentary democracy. When representatives 'cross the floor' to join other political parties they are indeed "choosing their own leaders and determining their own political stand which is contrary to the wishes of the parties under which they were elected to parliament" (Sekatle, 1997:74).

It is important to note that the Westminster-type of parliamentary democracy and its emphasis on the 'trustee' method of representation grants the representatives significant independence. This includes the independence to vote against their party's proposals if they wish, freedom to 'cross the floor' and change allegiance. Lesotho is a constitutional parliamentary democracy which falls within the definitions of liberal representative democracy. This is relevant in the context of Lesotho's political developments. The poor understandings of the practices of parliamentary democracy as well as the theories of representation have contributed negatively towards perennial governance problems and political instabilities whilst the process of democratic consolidation has been hampered.

Democracy guarantees voting rights to all adults, as well as the right to participate in the public affairs regardless of race, ethnicity and religious affiliation. It grants people a chance to make decisions on "their choice" of "their rulers" (Mohiddin, 2002:51, 'Lesotho In The 21st Century Towards Good Governance and Working Democracy', McGill viewed on the 10 March 2005, in httpwww.undp.org.ls/Publications%20reports). It ensures government by consent and not by coercion. Democracy promotes and enhances the expression of various views, ideas, opinions and principles. It helps to achieve fundamental human values such as liberty, equality, self-development and collective decision-making processes (Mohiddin, 2005 'Lesotho In The 21st Century Towards Good Governance and Working Democracy', McGill viewed on the 10 March 2005, in httpwww.undp.org.ls/Publications%20reports). In the absence of democracy, people would normally find it difficult to realize their full potential and to live in peace and security.

The significance democracy is, it can enable African countries such as Lesotho to channel their resources, skills and entrepreneurial spirit to respond to domestic and international challenges of development and poverty alleviation (see Introduction, pg. 1, on the challenges that country confronted following the return from military to democratic rule in 1993). Democracy contributes towards the reduction of political instability, which in turn is good for economic growth and development (Mohiddin, 2005 'Lesotho In The 21st Century Towards Good Governance and Working Democracy', McGill viewed on the 10 March 2005, in httpwww.undp.org.ls/Publications%20reports). Political stability has been one of the lacking ingredients in Lesotho's political landscape since the attainment of independence. The essence of exploring the concept of democracy was to highlight the fundamental principles entailed in the concept and to show that democracy remains a distant dream especially in light of the perennial governance problems that Lesotho has experienced.

Having outlined the definition of the concept of democracy, the next focus is on the nature of political instability. The structuralist approach to the study of political instability in Africa is based on the belief that the ruling classes have minimised the devolution of power to the people in order to serve their own self-serving interests (Chabal, 1994:67). In addition, Chabal concluded that "to talk about politics in Africa is virtually to talk about the state". In African politics, the competition between parties and individuals tends to be focused on access to governmental power (Chabal, 1994).

Matlosa (1997:101) supports the claim that national development suffers as the ruling elite impose its self-interest. This is because much of its efforts, and the resources of the state are directed to that "scarce commodity" power. Matlosa further argues that the capture of state power, upon independence, instantly assures the new ruling elite enormous political power. As a result, this newly-acquired political power was converted into economic power through the process of accumulation of wealth (1997). Furthermore, the combination of political and economic power has regularly been used by ruling movements to impose their control over politics within the state as well as over loans and donations from elsewhere (Matlosa, 1997).

Structuralism explains why all influential tendencies towards the institutionalization of authoritarianism by the civilian and military powers on the African continent became prevalent in the period of the 1950s to the 1960s (Huntington, 1968:3). It is indisputable that one of the victims of political instability and economic stagnation in Africa has been the expansion of democracy (Ake, 1996:3). It is against this background, that he argues that,

> although political independence brought some changes to the composition of
> state managers, the character of the state remained much as it has in the colonial
> era. It continued to be totalistic in scope, constituting a statist economy. It
> presented itself as an apparatus of violence, had a narrow social base, and relied
> for compliance on coercion rather than authority (1996:3).

This suggests that the political environment in Africa since independence has been unfavourable to development. Ake (1996:7) states that "the struggle for power was so absorbing that everything else,... development was marginalised". Chabal argues that the post-colonial state was endowed with,

> an inordinate degree of power, given the means to control the fate and the
> resources of the independent country effectively unhindered and
> unaccountable. It was not just that the post-colonial state possessed all the
> formal power and attributes of the colonial state; it was subject to the
> constraints of colonial political instability (1994:72).

The social stratification in the African continent since independence has ensured the political hegemony of the ruling classes over all other class-forces (Chabal, 1994). In addition, Matlosa

(1997:102) indicates that "capturing state power became a *sine qua non* for "hegemonic politics". This "hegemonic" politics has contributed towards the perpetual underdevelopment and the institutionalization of what could be described as "crony democracy" in most African countries. Political hegemony was also used by the ruling classes for economic accumulation. Consequently, the more the ruling parties lost their authority and credibility, the more they resorted to ruling by force and this ultimately intensified political instability (Matlosa, 1997).

Institutional-functionalism as an investigative device for understanding of instability and political violence in developing countries was articulated by Samuel Huntington. "In Political Order in Changing Societies", Huntington claims that in "societies where there is high participation, yet the process of political institutionalism is low and weak, there is bound to be political instability or ... political decay" (1968:4). Huntington (1968:4) further argues that political decay is "in large part the product of rapid social change and rapid mobilization of new groups into politics coupled with the slow development of political institutions".

Huntington sees political institutionalization in a *Weberian* state as the development by which organizations and procedures obtain value and stability. This normally occurs over a prolonged time through a political culture. This political culture is based not only on the politics of patronage but on legal-rational norms (1968:5). Moreover, traditional societies are usually premised more on the culture of patronage politics and they eventually become less institutionalized yet have high levels of political mobilization. This is different from the developed societies which are considered as highly institutionalized and give room for high political participation (Huntington, 1968:40).

Instability and political violence are the main feature of the states ruled by political elites is due to the disequilibrium between institutionalization and participation. Huntington's thesis focuses on the various levels of institutionalism and participation. He defines institutionalization as "the process by which organizations and procedures acquire value and stability..." Huntington (1968:12). The extent of institutionalization of a political system is best explained with reference to: adaptability-rigidity, complexity-simplicity, autonomy-subordination and coherence-disunity (Huntington, 1968). These dichotomies as Matlosa (2003:88) argues "reflect the traditional modern classifications of modernization theorists".

43

However, before I embark on an in-depth discussion of these factors, it is essential to highlight a popular argument that, in most African countries, the political systems are fragmented and therefore, "the political institutions have little power, less majesty, and no resiliency...... [and] governments simply do not govern" Huntington (1968:2). Huntington also indicates that the degree of institutionalization of any political system can best be explained with the focus on those four above mentioned dichotomies.

The first dichotomy is adaptability-rigidity. Under this, Huntington (1963:13) argues that "the more adaptable an organization or procedure is, the more highly institutionalized it is, the less adaptable and more rigid it is, the lower level of institutionalization". This shows that the political system is a dynamic process, which is flexible to adapt to both endogenous and exogenous changes in order to effectively govern. Lesotho's political system has some specific characteristics of rigidity that tend to inhibit adaptability to domestic, regional and global changes over time. This helps to explain why the country is unable to adapt to the external pressures and influences brought by the process of globalization and regionalization (Matlosa, 1997:99).

Under the complexity-simplicity dichotomy, Huntington (1968:17) states that "the more complicated an organization is, the more highly institutionalized it is". This means that a political system is complex if is maintained by the structured institutions of authority, and power. On the other hand, a political system is simple if it centres on the dominant political elite. A system is simpler, if it is less institutionalized (Huntington, 1968). This means there are few institutions of authority and power. The simplicity of the developing societies' political systems are marked by the "personality cult syndrome, lack of distinction between the ruling party, and government problems of succession at both party and government levels and the predominance of patronage or pork-barrel politics". Matlosa, (1997:99).This issues raised by Matlosa are prevalent in Lesotho's political system.

Moreover, the autonomy-subordination dichotomy indicates that the level of institutionalization of the system is determined by the extent to which it is independent of the various political forces that are operating in it (Huntington, 1968:20). In other words, the state must develop national policies or programmes that transcend the sectarian interests of particular class or party forces (Huntington, 1968). Huntington argues that "political institutionalization, in the sense of autonomy, means the development of political

organizations and procedures that are not simply expressions of the interests of political social groups (1968:20). The main institutions of the state in Lesotho are dominated by the interests of the ruling classes which tend to overcome 'political and economic' considerations.

Lastly, the coherence-disunity dichotomy states that the coherence of the political system is essential in determining its level of institutionalization. Huntington argues that once the system becomes unified and coherent, it becomes, "more highly institutionalized ... [and] the greater the disunity of the system...the less it is institutionalized" (1968:22). The coherence of the system can be maintained through a wide-based political consensus. This can either be in the form of agreement between the state and the population, as well as political tolerance and respect for the symbols of nationhood (Huntington, 1968:23). The disunity that undermines stability and institutionalization in most developing countries has been a result of what Matlosa describes as,

> Deep-seated political polarization, intense political conflicts and lack of internal conflict management mechanisms and the intervention of various external forces into the system, thus undermining the capacity of the state... (1997:100).

Furthermore, Huntington suggests that the problem of political instability and violence in southern Africa is best explained with reference to the low levels of institutionalization in developing countries (1968:31). He further indicates that "...this low level of organizational development, is characteristic of societies whose politics are confused and chaotic". These societies are often characterized by rigid, simple, docile and fragmented state institutions, under conditions of high political mobilization and participation of the population (Huntington, 1968). The discussion of these dichotomies provides the exact nature which Lesotho's political institutions were shaped since the attainment of independence in 1966. They are included in the study because they help to identify the main causes of political instability in Lesotho since the re-introduction of multiparty democracy in 1993 and in the context of the 1998 post-electoral crises.

It also significant to note that Huntington's institutional functionalist dichotomy focuses mainly on the political institutions and political behaviour of the dominant elite and how their

relationship with the population results in stability or instability (Matlosa, 1997:100-101). However, it fails to emphasize that African societies are often composed of several social and political groups[26]. Post-modernist institutional functional theory of political crisis in Africa is best articulated by Chabal and Daloz in "Africa Works". The analysis of scholars as Matlosa correctly notes, is that crisis that which they term as "political economy of disorder, informalisation of politics, and moral economy of disorder" is essentially the "crisis of modernity"(2003:88).This indicates that states have not institutionalized the governance process, but what has occurred is the "political instrumentalization of disorder" (Matlosa, 2003:88).

Chabal and Daloz note that though there are numerous differences between the different countries, all African countries have similar systems of nepotism and patronage (Chabal and Daloz, 1999: xix). This is suggested by the high level of governmental and administrative inefficiency (Chabal and Daloz, 1999).Chabal and Daloz also point at a "lack of institutionalization, a general disregard for the rules of the formal political and economic sectors and a universal resort to personalized and the vertical solutions to societal problems" (1999: xix).

Though modernist and post-modernist institutional-functionalism approaches to African political crises are important, their main weaknesses are that they limit the political processes of the African continent to the interactions between institutions, to how they function and to how they respond to political mobilization. They fail to account for the role of political culture and other actors in the political system in moulding the state and the way it manages national issues. These approaches also fail to recognize the importance of power, resources and identity (Matlosa, 2003:89).

2.2 ELECTORAL SYSTEMS AND DEMOCRACY

The purpose of this section is to show the significance of electoral systems in the process of democratic consolidation. The findings of the study revealed that electoral systems play a significant role in consolidating democratic stability. There are various types of electoral systems (see **Table 3** below), each of which contributes differently to the processes of

---

[26]In Lesotho, the following social and economic groups can (with considerable overlaps) be distinguishable: the new elite, old aristocracy, professionals (teachers, civil servants etc) and the working class.

democracy. Significantly, Jackson and Jackson observe that "each political system offers certain benefits and disadvantages in terms of representation of different groups in society" (1997:371). Matlosa indicates that "an electoral system refers to a method that a given country adopts for choosing national leaders" (2000:1).

Table 3: Types of Electoral Systems and Representation

Electoral System	Constituency Representation	Party Representation
Single-Member Plurality	Maintains traditional link between representative and constituents. Representatives often elected on a minority of total votes.	Distortion of votes/seats ratio. Minor parties disadvantaged unless support is regionally concentrated. Discourages multiplication of parties, tendency to two- party system.
Single-Member Majoritarian (a) Alternative Vote(AV) (b)Second Ballot	Both maintain traditional link between representative and constituents. Representatives usually elected by a majority.	Distortion of votes/seats ratio. "Wasted Vote" thesis does not apply; small parties survive even if unsuccessful. Tendency toward multi-party system.
Proportional Representation(PR) (a)Party-List (b)Single Transferable Vote(STV)	Individual representatives usually owe election more to party than to voters. Representatives forced to compete for "first preference" votes.	Approximate congruence between vote shares and seat allocations. Minor parties usually gain "fair" representation, easy entry for new parties. Tendency toward[s] multi-party systems.
Mixed Plurality/PR	Maintains traditional link between representative and constituents.	Approximate congruence between vote shares and seat allocation.

Source: Jackson and Jackson (1997:371).

The importance of electoral systems in consolidating democratic stability is that they ensure effective representation. The electoral system has to allow parties, candidates and representatives to be responsive to significant groups and interests (Kotze, 1992:54). Electoral systems are important for political integration (nation building); this means that they should

encourage groups to respect the views of other members of the society as well as their own. Lastly, the electoral systems have to establish a parliament that is able to perform its functions effectively (Kotze, 1992: 55).**Table 3** shows the "distinctiveness"[27]of FPTP (also known as Single Member Plurality) in terms of constituency representation and party representation. This section intends to draw a distinction between FPTP and PR. FPTP is the simplest of all the electoral models in the world. It is drawn from the traditions of liberal democracy in the UK, USA, Canada and New Zealand (Matlosa, 2000:5). Under this system, the country is divided ideally into relatively equal constituencies in which the electors choose, by the vote of the majority, one representative for the National Assembly. Candidates under this system stand in their own right as individuals and not as representatives of political parties though their candidature is endorsed by the parties (Kotze, 1992:98).

This aspect is often misunderstood by politicians and leads to problems, especially in the primary elections, which emanates from the quarrels between constituency selection committees and party leadership concerning the choice of candidates (Matlosa, 2000:5). This often results in internal party squabbles and faction-fighting. The disgruntled party members who were not chosen have sometimes stood as independent candidates[28]. Importantly, the winner of an election may secure a "simple plurality of votes" and not the "majority of votes" (Matlosa, 2000:6).This situation may lead to a winner having only a minority of votes both at the constituency level and at the national level.

However, this system is known to marginalize or exclude the representation of smaller parties and it increases the "hegemony" of the ruling party (Matlosa, 2000). This situation is conducive to a two-party system as in Britain, but the possibility also exists that it may bring about one-party government. Lastly, Molokomme (2000:13) argues that "FPTP does not increase gender equality and women participation in the political process". On the other side, PR is more complex than FPTP. It draws on the traditions of social democracies, and countries such as Denmark and Sweden have adopted it (Matlosa, 2000:11).

---

[27]I am indebted to Matlosa, K: "Electoral Systems and Political Stability in Southern Africa" Paper prepared for the Training Workshop on Election Observation hosted by SADC Parliamentary Forum, Wind Hoek,Namibia,18-20 September 2000 for the use of this term.

[28]In Lesotho, the NEC of the BCP refused to endorse candidature of Bofihla Nkuebe in the constituency Qeme # 30 for the 1993 by-elections after the death of MP Tsotang Mokotso. He was popular among the BCP grassroots supporters. However; he stood as an independent candidate and won the seat in parliament but later formed the Sefate Democratic Union (SDU).

The commonly used "variant" (Matlosa, 2000:11) of this model is the party-list. Under PR, the country is considered as a single constituency and there is no delimitation of smaller constituencies (Matlosa, 2000). The winner is determined through the calculation of total proportion of votes of each party relative to the overall votes cast. Matlosa (2000:11) argues that "rather than being a constituency-based system, it is rather an opinion-based electoral system". Candidates do not contest an election as individuals but as party candidates prepared on list. Jackson and Jackson (1997:373) highlight that "essentially …in all party list systems the election is primarily to ensure that the legislature reflects the relative popularity of the parties: individual candidates are a secondary concern". A characteristic of PR over FPTP is that it is known for increasing and encouraging inclusive and fairly representative mechanisms of governance. Mokolomme (2000:17) argues that this system is advantageous for fostering gender equality in politics and increased participation of women. SADC countries that have adopted this model are South Africa, Angola and Namibia. Moreover, Kadima in support indicates that,

> PR is the most suitable system of representation as far as the fair representation of minorities is concerned. In addition, when designed, PR can be effective in nation building efforts, as it tends to encourage political parties to seek votes and membership across the communities. This limits the attractiveness of mono-ethnic, racial or religious and prevents political stability that would result from the *de facto*, exclusion of some communities from parliament or government (2003:43).

Hence, it leads to coalition governments, or governments of national unity, which could be significant in building the "politics of consensus and compromise as the South African and Mozambican experiences" Matlosa (2000:12). The limitations of this system are that it is criticized for its inability to ensure the accountability of the MPs to the electorate whilst at the same time it forces MPs to accept decisions of the party leadership. PR gives small parties disproportionate power because such parties control the 'swing of seats' needed to make a majority coalition (Guy, 1993:161). Sometimes coalitions can be political absurdities, for instance, in Greece; the right formed an alliance with the Communists in order to keep the Socialist participation out of government. The risks of coalitions are that they sometimes

result in unpopular decisions as a result of a resistance by a coalition partner. The Palestinian problem will probably never be solved unless Israel electoral law is changed (Guy, 1993).

The other problematic feature of PR is its tendency to give extremist parties an opportunity of participating in government. Such a party may eliminate its coalition partners by an internal coup; this happened with Mussolini's Fascists in Italy in the 1920s (Guy, 1993). Guy further argues that "without PR, the Communists and the Nazi's would probably not have been able to storm onto the German political scene as they did in the 1930s" (1993:161).

The essence of this in relation to the study is that Lesotho upon its independence from Britain in 1966 adopted the Westminster Constitution from Britain and the FPTP electoral system. Lesotho is a deeply divided society; Kotze (1992:97) indicates that "it is a society [which is] usually experiencing violent conflicts....". This means that the choice of an electoral system was likely to play a significant role in the process of nation building and democratic consolidation. However, the FPTP electoral system was used in the 1965, 1970, 1993 and 1998 elections. This electoral system contributed significantly to political instabilities and minority governments as was the case with the BNP government after the 1965 elections. FPTP has not contributed positively to the process of deepening democracy in Lesotho but has aggravated the fragility of democracy.

2.3 CONFLICT AND DEMOCRATIZATION

The significance of conflict as indicated in this study is that, it is a threat to the process of democratization in southern Africa. Lesotho is in a state of "flux" as the result of the escalating conflict and this has contributed significantly to the failure of the process of democratic consolidation. The concept of conflict is used in the study to make a clear conceptual understanding of the root causes of conflicts since Lesotho's return to multiparty democracy in 1993. Huntington's (1968: vii) argument best explains the scenario in Lesotho as he highlights that conflict has undermined the authority, effectiveness, and legitimacy of government since independence.

However, it should be noted that conflict is likely to be part of social change in all societies. Therefore, it cannot always be seen as a negative occurrence. Nevertheless, there are diverse theoretical frameworks which have been used to classify the root causes of conflicts in

developing societies. Social Darwinism is a conceptual framework that could be traced from the classical writings of Charles Darwin. It traces the foundations of conflicts to human nature. It explains that the social character of humankind is premised on fear and on the urge for survival in a hostile environment (Schellingberg 1982 cited in Matlosa, 1999:164).

On the other hand, Classical Marxism views conflict as "natural" and unavoidable. It further indicates that once a society experiences class cleavages, the emergence of private property and state formation, conflicts are likely to occur (Deng and Zartman, 1991:34). Marxism describes conflicts as an essential and regular phenomenon that is inherent in human nature during the period of "pre-history". The modernization school argues that conflicts are premised on the self-interest of actors in competition over scarce resources (Matlosa, 1999:164). In the modernization perspective, societies are characterized into traditional and modern societies which could be significant in determining the likelihood of conflicts to occur. According to Rojas,

> Traditional societies [have] social relationships [that] tend to have an effective component-personal emotional and face-face, which is constraint in the process of developing efficient relations of production via a market. Modern societies [have] social relationships [that] are impersonal, detached and indirect, which make possible efficient relationships (1996, 'Modernization Theory and Laws of Social Change' viewed on the 10 April 2005 in httpwww.rrojasdatabank.org/capital 8.htm).

Moreover, others writers attribute conflict with irreconcilable interests, choices and goals in between two or more parties (Deng and Zartman, 1991:34, Ohlson and Stedman, 1994:45). It is against this assumption that the study argues along the lines that conflicts that have been prevalent since the return to democratic rule in Lesotho centred on the clash of interests choices and goals among the elites.

Though there are various interpretations of conflict, what should be highlighted is that all conflicts are characterized by competition and survival strategies concerning resources and power, and interests and values (Deng and Zartman, 1991, Ohlson and Stedman, 1994). These elements form the essential elements of conflicts prevalent in societies. Further, conflicts

occur in a societal setting, when two or more parties compete for the allocation of resources and power and pursue their interests and values for survival in an environment. This happens when parties are unable to share resources and values in an equitable and interdependent fashion. Furthermore, conflicts occur at various levels of society. These include the micro-level, the meso-level and the macro-level (Ohlson and Stedman, 1994). At the macro-level, conflicts occurs at family and household, at the meso-level, conflict occur in the organizational level and the macro-level, conflicts occur at the national level (Matlosa, 1999:165).This is cardinal for the study because the root causes of conflicts after the 1998 crises are traceable from the macro-level level when the ruling BCP was frayed by faction fighting.

Conflicts usually arise from interaction between parties that have "incompatible ends (or aims and objectives) in which the ability of one actor to gain his/her ends depends to an important degree on the choices or decisions another actor will take" Musumbachime (1998:61). Moreover, Musumbachime (1998:61) indicates that modernization theorists argue that social conflicts are based upon the self-interest of several actors and forces in the market place. He further argues that conflicts are common and vital for social advancement. At the centre of conflicts are "parties pursuing interests which are not fully harmonious...it is natural that each individual has his own interests and that these may often be in some degree of conflict with the interests of others" Schellinberg (1982:51).

Another explanation of political conflict in developing countries was put forward by Samuel Huntington. Huntington argues that what he calls political decay is normally caused by an intense contradiction between high political mobilization and lower levels of institutionalization (1968:4).The main point here is that once the population becomes highly politicised, there emerges an increase in all kinds of demands on the political system. Consequently, if the political system has defective and weak institutions, it will ultimately fail to satisfy or meet the expressed needs of the people (Huntington, 1968).

Huntington further argues that "where institutions in a political system have little power, less majesty and no resiliency...governments simply do not govern" (1968:2). As a result, the situation often arises where deep-seated political conflicts and instability frequently occur (Huntington, 1968). Huntington (1968:4) indicates that political instability in developing

societies is "in large part the product of the rapid social change and rapid mobilization of new groups into politics, coupled with the slow development of political institutions".

On the other side, Matlosa (2003:16) argues that conflicts can become destructive and counter-productive once they become violent, and the belligerents resort to violent means to resolve them. It could be argued that the main problems facing developing countries are conflicts (evident and concealed, violent and non-violent) and the absence of efficient regional mechanisms to solve the conflicts (Matlosa, 2003). Furthermore, Ohlson and Stedman (1994:228) argue that "domestic conflict resolution in Southern Africa generally occurs on an ad hoc basis in response to crises. Southern African countries... lack the basic institutions for resolving conflict steadily and preventing conflicts form turning violent".

However, it should be noted that the root causes of major violent conflicts in the region seem to be influenced by the contestation over state power, the distribution of resources and cleavages that are based on ideology and group identity. It was upon this framework that the following classifications of conflicts were identified in southern Africa: (a) conflicts associated with war termination and reconciliation (Namibia, South Africa and Angola), (b) conflicts over distribution of resources (Angola and the Democratic Republic of Congo (DRC) and lastly, (c) conflicts over political participation (Mozambique and Zimbabwe) (Matlosa, 2003:106).

It should be noted that these various types of conflicts are not equally exclusive but are inextricably intertwined. According to (Ohlson, 1993:247) they relate in "complex webs" of interdependence that are specific to each state. They concern authority and the loss of popular support for state apparatuses due to the ability or inability of government to meet desires of citizens. They all illustrate a tendency towards a weakening of the state relative to other forces (Ohlson, 1993).

Since the 1960s, the African continent has undergone rapid political change. The first step was decolonization and the establishment of national governments. In many cases, these were superseded by dictatorships, often with a military basis (Matlosa, 1997:1).These were followed by the transformation from authoritarian rule to either civilian or military rule or to some form of multiparty democracy (Matlosa, 1997:1). In 1986, Lesotho's authoritarian (BNP) government was replaced by military rule which in turn made way for multiparty

democracy in 1993. It is therefore, important to draw into the picture the processes of transition that occurred in Lesotho in order to grasp the exact nature of the problems and prospects that confronted the new democratic dispensation.

2.4 UNDERSTANDING TRANSITION TO DEMOCRATIC RULE

There are numerous aspects of transition that can be identified as countries move away from authoritarian rule to democracy. These include leadership pacts, which entail an undemocratic arrangement between leaders in government and those outside. These negotiations may be influenced by the civil and military authorities, labour movements and diverse political groupings (Nieuwkerk, 1992:7). In this framework, an emphasis is placed on social contracts or compacts that allow for negotiated agreements, usually between the conflicting parties to limit the damage to each other's interests (Nieuwkerk, 1992).

Secondly, transitions occur when the military decides unilaterally to enforce the process of transition to democracy, and restores civilian rule. Thirdly, reform may occur as a result of population pressure from below (Nieuwkerk, 1992:7). This is where the compromise eventually occurs around the need for substantial concessions and changes, without dependence on force. Lastly, a revolution may entail the use of force or violence by the population to bring about the process of regime-change with a view of establishing a democratic form of government (Nieuwkerk, 1992).

These different processes are the types of transitions that any society may undergo when in process of radical change. It should further be noted that these types of transitions may impact on the process of democratization depending on the type which each society underwent. The relationship of these processes to the eventual democracy is that the manner in which they occur in societies may result in unstable democracy or consolidated democracy (Nieuwkerk, 1992). In Lesotho, the transition to democracy was under the military governance and my argument is that this had a negative impact upon the process of democratic consolidation because it appears in the findings of the study that the military became an important political actor in the new dispensation.

However, some people argue that the process of democratization still remains in an embryonic state in some countries. This is because some political elites are still battling to interpret the principles of liberal democracy (Matlosa, 1997:1). Nevertheless, what should be noted is that important gains have already been made in many countries. These include political liberalization and the institutionalization of elections as the key instruments for choosing the state managers. Matlosa argues that "the importance of this development cannot be overemphasized ... during the era of one party/military dictatorship a decade ago, the centralization of the power asphyxiated political competition and allowed the ruling elite to exercise unfettered hegemony over other actors" (1997:1). Consequently, elections became an insignificant element in the legitimization process of the rulers. Their means of legitimacy relied more on bullets and oppression rather than the ballot and consensus (Matlosa, 1997).

Overall, the process of democratization was expedited by two developments, the end of the Cold War and the spread of globalization. Lesotho, a small and land-locked country in southern Africa, embraced democratization partly because of outside influences. The threat of Communism could no longer be used and the impact of globalization too could not be avoided. However, the country does not appear to have made significant changes despite these international developments and in entrenching the consolidation of democracy which has been undermined by the perennial governance problems.

The principal argument of the study is that Lesotho remains a "fragile" democracy, According to Linz and Stephan, the prerequisites that a government should have before the process of consolidation are,

> A state must exist, the rights of the citizens cannot be upheld, and election cannot be held ...election winners cannot exercise executive power in an undefined territory, -no state no democracy...The transitional phase from previous form of government must be complete... [Lastly] all elected government officials must have a full respect for the law-no matter what magnitude of their majority is,-constitutional arrangements must be upheld and rights must not be violated (1996 cited in Hannigan, 2000 'The Viability of Democratic Consolidation in Post-Soviet Russia', viewed on 7 April 2005, in httpwww.ixyl.co.uk/poli/democracy).

Moreover, Linz and Stephan, indicate that a consolidated democracy exists in a setting where principles of democracy and the essential institutions have been institutionalized. They further argue that a state must have the following features before is classified as consolidated. These are "flourishing civil society, political society, the rule of law, a strong state apparatus, and a strong economy" (Linz and Stephan, 1996 cited in Hannigan, 2000 'The Viability of Democratic Consolidation in Post-Soviet Russia', viewed on 7 April 2005, in httpwww.ixyl.co.uk/poli/democracy).On the other hand, Diamond states that democratic consolidation,

> involves behavioural and institutional changes that normalize democratic politics and narrow its uncertainty. This normalization requires....development of democratic citizenship and culture, broadening of leadership recruitment and training ...most urgently it requires political institutionalization (1994:15).

Civil society enables the organization of citizens into various social groups, interest groups and trade unions. Political society encompasses the respect for democratic institutions and arising problems are dealt within the existing institutions. The significance of the rule of law is that it allows for the maintenance of law and order. It provides the legal guidelines for the civil and political society. The importance of having a strong "state apparatus" is that a state should regulate, control and collect revenues from the citizens in order to function properly. Lastly, a stable economic society is essential for mediating between the state and the market (Linz and Stephan, 1996 cited in Hannigan, 2000 'The Viability of Democratic Consolidation in Post-Soviet Russia', viewed on 7 April 2005, in httpwww.ixyl.co.uk/poli/democracy).

However, Huntington argues that for democratic consolidation to occur, a country must undergo a "regime change and still enjoy political stability" (1991:209-210).This means that for him political stability is an essential pre-condition for the process of consolidation to occur. It should also be emphasized that for sustainable democratic development to occur, Mahao (1997:12) argues that "there has to be a programme that involves the reorganisation of the state and the involvement and empowerment of civil society". Democracy has to be entrenched in the reorganisation of productive and distributive mechanisms, because as Bangura indicates,

although democracy is concerned with the rules and institutions that allow for open competition and participation in government, it embodies also social and economic characteristic that are crucial in determining its capacity to survive(1992: cited in Mahao, 1997:12).

As I have earlier indicated, my contention is that Lesotho remains a "fragile" democracy, these factors position a direction that the country has to follow if the process of democratic consolidation is to occur. There seems to be a perception among the politicians in Lesotho that democracy provides opportunities for individuals to access governmental power in order to attain their self-interests. Political tensions in Lesotho have over the years been worsened by this perception rather than the outcome of the elections.

The other significant aspect in emerging democracies is political culture. Political culture contributes in various ways to political systems and to the process of democratic consolidation (Mahao, 1997). In the similar manner, Matlosa states that,

Political culture has both direct and indirect bearing and permutation on political and economic governance processes and such has influenced to a considerable degree, instability or stability of the political systems in the region (2003: 86).

I have adopted Matlosa's conception of political culture in the study to refer to values, norms, beliefs and traditions that shape systems, institutions and processes of governance (2003). These cultural aspects may impact in various ways on the capacity of the government particularly on the effectiveness of the key organs of the state (executive, legislature and security) and on the broader sectors of the population until political stability and democratic governance is "nurtured" and "consolidated" (Matlosa, 2003). Jackson and Jackson indicate that "political culture is one of the most powerful influences that shape a political system. It creates norms–beliefs about how people should behave and these norms influence social behaviour (1997:98).

Heywood argues that political culture is critical for democratic consolidation and political stability considering that it forms the population perceptions of the societal interpretations and expectation on the running of national affairs (1997:185). Heywood further indicates that popular beliefs and values structures both the peoples',

attitudes to the political processes and crucially, their view of the regime as the rightful or legitimate. Legitimacy is thus the key to political stability and it is nothing less than the source of a regime's survival and success (1997:185).

Matlosa indicates that political culture is entrenched in the process of political socialization (2003:87).The main agents of political socialization as Heywood notes are: the "family, educational institutions, religious institutions, civil society organizations and government" (1997:185). The significance of political culture as used in the study is that it is vital for democratic consolidation. Hence, the focal argument is that Lesotho is a "fragile" democracy; this means that the country needs a strong political culture for democratic consolidation. It is evident that one of the key problems lacking among the politicians and institutions of government in Lesotho is political culture, which needs to be instilled in order to strengthen the process of democratic consolidation, is an ongoing process. There is an established culture among the politicians of refusing to accept defeat. There has also been a traditional culture (unwillingness to recognize post-military governments, and the politicization of the main organs by BNP government) over within the army, the police and the national security forces which caused them to fail to offer adequate support to the fledging multiparty democracy in 1993.

2.5 CIVILIAN CONTROL AND DEMOCRACY

It should be noted that civilian control of the military is important if democracy is to survive in deeply divided societies. Lesotho is a deeply divided society in which divisions were caused by the lengthy institutionalization of civilian dictatorship under the BNP. It seems that the efforts to bring the military under civilian control and the massive financial injection by the BCP-LCD governments have not been fruitful in depoliticizing the institution which is one of the significant instruments in democracy. Civilian control needs a broader, political understanding that most transitional democracies require. Moreover, Kohn defines civilian control as,

> ..not a fact but a process. The best way to understand(it), to measure its existence and evaluate its effectiveness, is to weigh the relative influence of military officers and civilian officials in decisions of state concerning

war, internal security, external defence, military policy(that is, the shape, size and operating procedures of the military establishment(1997:143).

In other words, in a newly emerging democracy, civilian control means "civil supremacy over the armed forces and subordination and accountability of armed forces to elected civilian power" Nathan (1995:50-58). This means that the government has a number of duties that it has to put in place if democratic civil-military relations are to be sustainable (Mothibe, 1999:50).

According to Mothibe (1999), the army might be used for multiple purposes by the government. Both the government and the military should realise that the supremacy of civilian rule does not mean that the military becomes the object of executive decrees. Promotion within the military should be based on merit. Nathan (1995:60) argues that "the government must provide adequate financial resources to enable the military to perform its tasks efficiently and effectively". Civilian control over the military is consistent with its full participation "in the development of defence policy without undermining or usurping the authority of civilian decision-makers" Nathan (1995:51).

This section highlights the significance of civilian control in transitional democracies and is included in this study because civilian control over the armed forces was a major problematic issue in Lesotho after the re-introduction of democracy in 1993. This was despite the BCP government's financial injection and commitment to transform and depoliticize the institution in an effort to create stable civil-military relations.

2. 6 THE IMPORTANCE OF TOLERANCE IN DEMOCRATIZATION

According to Sullivan et al, "tolerance is directly linked to how willing people are to put up with their opponents" (1982:2 cited in Gouws, 1993:17). It entails the willingness to extend the civil liberties to adversaries, thus granting opponents certain rights. It implies procedural fairness, a commitment to the rules of the game, and a willingness to apply them equally (Gouws, 1993).

Gouws (1993), further shows that the need for tolerance is greater in deeply divided societies than in homogeneous societies. Heywood (1999:25) describes toleration as "a particular form

59

of inaction based upon moral reasoning and a specific set of circumstances". He sees toleration as another way of forbearance (1999:25). As a way of forbearance, toleration has the potential to influence other actors by rational persuasion (Heywood, 1999:25).

The essence of tolerance is that as a precondition for the process of democratization, it is important in that it leads the process of democratization. This means that if the opposing groups tolerate each other the process of democratization can occur (Gouws, 1993:19). Tolerance is needed to enable groups to coexist within a democratic framework. In the absence of political tolerance, majoritarian democracies in deeply divided societies are liable to become majority tyrannies (Gouws, 1993). This is relevant for the study; hence I have classified Lesotho as a deeply divided society in which divisions were the consequences of the BNP's lengthy authoritarian legacy. This further begs the question of social cleavages reflected in the earlier process of party formation and the absence of political culture in the 1960's and 1970's. In light of this, as a precondition for and concomitant of democracy in Lesotho, tolerance is of special importance. Only if opposing groups; the BCP, LCD, BNP and MFP supporters can tolerate each other will the process of democratic consolidation will get off the ground.

In conclusion, the study is based on structuralist and institutional functionalist theories. Structuralism emphasises the structural arrangement of society and explores the constant contest over state power, resource distribution and social stratification based on identity and ideology (Huntington, 1968:49). Institutional functionalism explains political instability and violence, and focuses on the relationship between the level of institutionalism in the state and the level of political participation by citizens (Matlosa, 2003:88). The application of Huntington's thesis to Lesotho's political landscape shows that there is a high rate of political mobilization and participation whereas political institutionalization is lagging behind as is explored in detail in the study. The concept of conflict is used in the study to refer to the competition over resources, power and values (Deng and Zartman, 1991:34, Ohlson and Stedman, 1994:45). This is related to the findings of the study, that the primary causes of conflicts in Lesotho since the attainment of independence in 1966 have been competition over resources and access to governmental power.

The review of literature focused on the concept of democracy as a model of representation. To most people democracy is the appropriate form of government because it provides

60

opportunities to individuals to articulate and promote their rights and interests (Mohiddin, 2002:51, 'Lesotho In The 21st Century Towards Good Governance and Working Democracy', McGill viewed on the 10 March 2005, in httpwww.undp.org.ls/Publications%20reports). It appears that there is a lack of understanding among Lesotho politicians on how democracy operates and on its practical implications. The important factor in democracy is the electoral principle, which occurs under various electoral systems (FPTP and PR) however, electoral systems and particularly the FPTP contributed negatively in the process of democratic consolidation in Lesotho. The importance of civilian control in democracy and tolerance are critical preconditions that have been deficient since the return to democracy in 1993. These problems were aggravated by an absence of democratic culture which is a critical ingredient of democratic consolidation.

CHAPTER THREE

Introduction

The purpose of this chapter is to present Lesotho's political developments in the aftermath of the 1993 elections. Though the country returned to democratic rule in 1993, this chapter shows that the return to democratic rule gradually precipitated Lesotho into deeper crisis. It seemed that a number of political issues remained unresolved in the process of transition from the previous military government to the new multiparty-democratic dispensation (Sejanamane, 1995-96:38). Sejanamane further argues that the 1993 elections did not signal a change in the way Lesotho was governed (1995-96). The emergence of the new democratic dispensation failed to restrain the culture of political intolerance. The chapter will end with a discussion of the developments leading to the 1998 election and their aftermath.

Lesotho's long awaited democratic election took place on the 27 March 1993 after a lengthy period in "constitutional limbo" (Mahao, 1997:1). There were twelve registered political parties that were contesting the election. These were the BCP, BNP, Kopanang Basotho Party (KBP), Lesotho Education Party (LEP), MFP, National Independent Party (NIP), Popular Front for Democracy (PFD) and UDP. The BCP, BNP and MFP had fielded 65, 65 and 51 candidates respectively and therefore had the possibility of making a mark on the electoral race (Mahao, 1997). If their candidates were elected, it would be possible for a government to be formed by one of them independently, or in coalition with others (Mahao, 1997:5) (see appendix 4).The preparations for the elections were organised by international organizations, particularly the British Commonwealth. Noel Lee from Jamaica and Jocelyn Lucas from Trinidad and Tobago served as Chief Electoral Officers (Matlosa and Pule, 2001:49).

To most observers of Lesotho's political landscape, it was difficult in the post 1965 context to predict which of the three traditional rivals (the BCP, BNP and MFP) would emerge victorious (Matlosa and Pule, 2001:50). The BCP's leadership had recently returned from exile and it was difficult to gauge its support base. It was also difficult to assess the support base of the BNP, which had been deposed by the military in 1986 after a lengthy period of civilian dictatorship. It was unclear how the electorate felt about its unconstitutional

assumption of power in 1970 which was followed by a reign of terror[29]. The royalist MFP did not seem to have gained significant support among the population, though its popularity seemed to have been boosted by the return of the deposed King Moshoeshoe II from exile (Matlosa and Pule, 2001).

The election, which served as the "midwife" (Matlosa, 1999:173) to the withdrawal of the military from state power was won overwhelmingly by the BCP as illustrated in **Table 4** below.

Table 4: 1993 General Election for the National Assembly

Contestants	No. of Votes	%. of Votes	No. seats
BCP	398 355	74.7	65
BNP	120 686	22.6	0
MFP	7650	1.4	0
Other	6287	1.2	0
Total	532 978	100	65

Source: Southall and Petlane, 1995:42.

As observers had indicated with regard to the uncertainty of predicting the winner, the election outcome suggested that the voters were eager for change (Mahao, 1997:9). The people had been denied a chance to exercise their constitutional democratic rights over a prolonged period (Mahao, 1997). The BCP won the election with a majority of 74 %(Matlosa, 1999:97). Though the election was hailed as free and fair by internal and international observers, the BNP refused to accept the election outcome, alleging that the election was rigged. Matlosa claims that the electoral outcome seemed more about punishing the BNP for its unconstitutional actions during and after the 1970 election than about the critical issues of economic development of the country and further argues that "issues of

---

[29]Following the cancellation of the 1970 election by Prime Minister Leabua Jonathan, the state of emergency was declared. This period saw the complete elimination of those who were suspected as being anti-BNP government. There was a massive expulsion from the civil service of those who were suspected to be BCP supporters. There was no freedom of expression and speech with the state media spreading anti-BCP slogans. The BNP Youth league went on the rampage; destroying, killing and burning all those who were suspected of being anti-BNP government. These acts of arson were committed with the approval of the PMU which supported the BNP government.

policy and ideological differences mattered little in the minds of the electorate as emotions drove their impulses to punish the BNP and reward the BCP" (1999:97). The BNP failed to prove allegations of ballot rigging in the courts and it resorted to destabilizing the government (*Report Of The Commission of Inquiry Into The Events Leading To The Political Disturbances Which Occurred In Lesotho During The Period Between 1 July, 1998 to 30 November,* 2001:16).

The critical issue is that upon its assumption of power in 1993, the BCP election manifesto showed a commitment to decreasing the gap between the executive organ and the military (Matlosa and Pule, 2001:55). This was to decrease illegitimate power of the military in intervening in government. In its election manifesto, the party argued for,

> [E]fficient and disciplined security forces to maintain law and order and
> to protect lives and security. Professional and non-partisan security forces
> under the command of the Head of State and the Defence Commission. A
> defence force based on quality, not quantity in order to promote
> efficiency in the maintenance of law and order, as well as in defence of
> territorial integrity and sovereignty of the country (1993 BCP Election
> Manifesto:8).

Matlosa and Pule (2001:50) indicate that the previous military government had passed the Lesotho Defence Force Order (17) of 1993. The order effectively removed the military matters from the scrutiny of the civilian administration by providing for the establishment of the Defence Commission. This body had no civilian participation. It was vested with the powers of appointing, disciplining and removing members of the defence force (Mothibe, 1999:52). However, Lesotho's Constitution of 1993 had some provisions which altered the membership of the Defence Commission by extending membership to the Prime Minister and making him the chairman without veto power (Mothibe, 1999). In regard to this, Mothibe (1999:52) argues that the purpose "was to deprive any incoming civilian government of the control over the military".

Furthermore, the military was involved in the violent confrontation that led to two causalities in January 1994 (Mothibe, 1999). The military was divided into two factions. One faction was anti the existing government whilst the other was pro-government (Sejanamane, 1995-96:38).

Gumbi (1995:9) argues that the smaller faction included those who were willing to uphold the constitution whilst the larger faction of the military supported BNP in its efforts to undermine the government. The other issue at stake was a 100% pay increase that was demanded by the smaller faction. The violent confrontation between these two factions resulted in an external intervention from abroad in Lesotho. This intervention was undertaken by the Commonwealth, the then Organization of African Unity (OAU) now African Union (AU) and Southern African Development Community (SADC) countries (Sejanamane, 1995-96:38, Matlosa, 1999:174).

The external powers sent representatives to negotiate between the government and the competing factions. Eventually they made recommendations regarding the military. These recommendations were that the government should implement policies for the restructuring and retraining of the military (Mothibe, 1999:54).They also made a proposal for the integration of the former BCP armed wing (LLA[30]) into the military. This was done with the intention of creating a single, united and disciplined force (Mothibe, 1999). On the 14 April 1994, however, a rebellious group of soldiers assassinated Selometsi Baholo, the Deputy Prime Minister and Minister of Finance. Four cabinet ministers were briefly abducted and later released by the soldiers (Mothibe, 1999:55). In an effort to diffuse the crisis, the government tried to placate the soldiers with an offer of an overall pay increase of 66% and improved allowances. The situation reached a climax when the then Royal Lesotho Mounted Police (RLMP) now Lesotho Mounted Police Service (LMPS) went on strike, demanding a 60% pay increase; in the process they abducted the Minister of Finance. They were offered a 42% pay increase (Mothibe, 1999).

Tensions between the executive and the monarchy were increasing. The situation was exacerbated by the public denouncements of government made by His Majesty King Letsie III (Sejanamane, 1995-96:38). The government established a Commission of Inquiry into the monarchy and the role of King Moshoeshoe II during the BNP's government. This commission was bitterly resented by the King and his supporters and almost ended the relationship between the government and the monarchy. Sejanamane (1995-96:38) argues that "the terms of reference of the Commission were clearly biased against Moshoeshoe II ....the

---

[30] Pule argues that the LLA emerged from exile as a faction –ridden organization, this makes it difficult to draw an exact picture about its size, shape and power it had, *Lesotho Social Science Review 5(1)1999.*

membership of the Commission was not helpful, in that some members were known to hold very strong views on the issue being investigated".

Furthermore, Sejanamane (1995-96) and Makoa (1997:17) both argue that it was apparent that the commission was determined to widen the differences rather than to solve the problem. Unhappy about the Commission's terms of reference and its membership, King Letsie III wrote a letter to the Prime Minister and pointed out that,

> By its composition, the commission can hardly be taken and accepted as neutral, impartial and without ...prejudice, especially when some members of the commission, are self-professed anti-monarchists who on many occasions, made public utterances which directly attack and besmirch both the person of His Majesty and the institution of the monarchy....(*Letter dated 4th August from His Majesty King Letsie III to the Right the Hon. Prime Minister, Dr. Ntsu Mokhehle*).

The government also established a Commission of Inquiry into the military. This Commission was vested with powers to examine the cause of the clashes for the period between November 1993 and April 1994, the role of the military in those events, and what future action should be taken to prevent a repetition of those events (Mothibe, 1999:56).

The Commission was also tasked with the responsibility of identifying all those individuals who contributed to those events. They were also asked to investigate the history of the military since its creation and the incorporation of the former members of the LLA into the LDF (Mothibe, 1999). However, as the result of the instabilities that occurred in August 1994 (discussed hereafter), the Commission was unable to give the full report until January 1995. Among the recommendations, the Commission indicated that,

> The defence force should be employed in civil works, and ... this role should be emphasised more than the defence role. Lesotho must maintain a unified and effective defence force that will be professional and well equipped to effectively discharge its roles by emphasizing the recruitment of technical and professional personnel at the expense of the non-technical and non-professional personnel. The LDF should be brought

within (civilian) political control by amending the constitution to reflect civilian political and policy direction of the defence force and NSS. The appointment of the commander of the LDF will be done by the King on the advice of the Prime Minister; the appointment of the Director of the NSS will be done by the Prime Minister. The quality of command and leadership in the LDF will be improved by retraining the leadership of the LDF and creating a separate officer training programme from that of the other ranks. The government should take disciplinary action against those members of the LDF found to be guilty of misconduct during the military disturbances. Government should adopt a programme to resettle former members of the LLA in ... society by offering them employment within the public service or the private sector, or in the military, or to assist them financially to develop income generating projects (*Commission of Inquiry Report, 1995:57*).

It became certain that a major political crisis was looming due to political differences and opinions with regard to the commission (Sejanamane, 1995-96:38). These came at a time when nobody seemed to have the ability to calm the situation. The BNP, together with the pro-royalist forces, embarked on a joint campaign on the 15 August 1994 (Sejanamane, 1995-96). The basic purpose was to undermine the BCP government. In their campaign, they demanded that King Moshoeshoe II, father of the reigning King (deposed by the military government in 1990) should be reinstated, and called for the dissolution of the BCP government. They further appealed for the establishment of an interim government of national unity and preparations for fresh elections based on PR (Sejanamane, 1995-96).

King Letsie III under acute political pressure from the BNP and pro-royalist forces wrote a letter to the Prime Minister, arguing that the consequence of the Commission would be rising tensions rather than national reconciliation (Sejanamane, 1995-96). He pointed out that,

> ...I can only conclude by expressing my concern and fears to the effect that this commission, - as it presently stands, is not intended to establish the truth and justice to the wronged. On the contrary, it has been created to provide an arena for conducting a political vendetta against His Majesty King Moshoeshoe II. A commission of this nature will not be

seen as having the required and necessary integrity and legitimacy of the public. ..it will be virtually impossible for me to accept the results of its work and its findings as being objective, fair, impartial and just..(*Letter dated 4th August from His Majesty King Letsie III to the Right the Hon. Prime Minister, Dr. Ntsu Mokhehle*).

It was against this background and in the unstable political situation (where the main opposition, BNP was calling for the dissolution of the BCP government), that King Letsie III went to Radio Lesotho and announced that the BCP government had been dissolved and the Constitution suspended (Sejanamane, 1995-96:39). King Letsie appointed a six person Provisional Council, vested with the powers of ruling the country for an interim period announced as between eight to ten months) whilst an Independent Commission would be established in order to prepare and level a playing field for the fresh elections based on PR(Southall and Petlane, 1993:133).The Provisional Council was chaired by Advocate Hae Phoofolo (Human Rights Lawyer), Retselisitsoe Sekhonyana (BNP leader) was responsible for Foreign Affairs, Mrs. Mamello Morrison- Information, Mr. Khauta Khasu- Agriculture, Mrs. 'Mathabiso Mosala- Labour and Mr.Moletsane Monyake- Finance (Matlosa 1993 cited in Southall and Petlane, 1993).

In the wake of this palace coup, what remained unclear was how the King was going to retain power after the takeover and the dissolution of the BCP government (Sejanamane, 1995-96). In protest, thousands of pro-democratic people together with BCP supporters went to the royal palace calling for the restoration of the democratically-elected BCP government. It appeared like some certain anti-government military elements were in support of the takeover, as it viciously crushed the protest. Five people were shot dead in the vicinity of the palace grounds and many injured (Sejanamane, 1995-96).

However, internal and external pressure continued to increase as the result of the dissolution of the BCP government. The internal pressure came though the coalition of the pro-democratic elements, BCP supporters and the Lesotho Council of Non-Governmental Organizations (LCN) (Sejanamane, 1995-96). They organized successful stayaways in the capital, Maseru. The external pressure came from South Africa, Botswana and Zimbabwe (Gumbi, 2001:13). At the peak of the crisis, the King received threats from donor countries such as Germany, the United States of America (USA), Japan and the United Kingdom (UK),

who threatened to suspend aid to Lesotho if constitutional government was not restored (Gumbi, 2001).

Furthermore, Sejanamane (1995-96:42) argues that added to this pressure were the South African military exercises along the border which raised fears of a possible military intervention. Consequently, King Letsie III agreed to restore the BCP government, and a Memorandum of Understanding was signed on 14 September 1994 (Matlosa and Pule, 2001:55). The Memorandum provided for the,

> [T]he restoration of the duly elected government of Lesotho, cancellation of the Commission of Inquiry into the position of the monarchy, reinstallation of King Moshoeshoe II [and] ... indemnity for King Letsie III [as well as], members of the Provisional Council of State, advisers, public servants and security personnel from legal proceedings for actions against taken in the period 17 August to September 1994 [lastly], Botswana, South Africa and Zimbabwe [will].. henceforth maintain an ongoing interest in Lesotho's politics and .....they shall be the guarantors of Lesotho's democratic dispensation (*Understanding of Measures and Procedures Relating to the Restoration of Constitutional Order in Lesotho 14 September 1994*).

Following the restoration of the BCP government and the reinstatement of the deposed King Moshoeshoe II (King Moshoeshoe II died in a car accident at Ha-Noha, Thaba-Tseka in 1996 two years after been reinstated in the throne), the relative stability that prevailed was short-lived (Pule, 1999:5). The ruling BCP government was rent by power struggles. Perhaps the pressure might have been influenced by the visit to Lesotho by Presidents Robert Mugabe and Sir Ketumile Masire on the 11-12 February 1994 (Pule, 1999). In the report, which they compiled during their visit, they stated the need for the full restructuring and retraining exercise to be undertaken by the military and the integration of those members of the former LLA who might wish to serve as part of the transformed, apolitical and unified integrated military (Pule, 1999, Mothibe, 1999:33).

Despite the massive majority which it achieved in the 1993 elections, the BCP power struggles impaired the ability of the party to fulfil its electoral promises (Pule, 1999:6). The

most striking feature of these struggles concerned the question of succession to the aging Prime Minister Dr. Ntsu Mokhehle. As a result, two contesting factions emerged. These were known as the "*Majelathoko*" (it means "those who eat alone" and are selfish). This faction comprised of the BCP's old guard, which portrayed itself as mythically as the real, authentic BCP. Their influence revolved around the personality of the party leader, Dr. Ntsu Mokhehle. The Pressure group (this faction portrayed itself mythically as consisting of the young, enlightened, modernizing, progressive and dynamic members comprised of those who did not like the policies of the party leader Dr. Ntsu Mokhehle) (Pule, 1999:10). The "*Majelathoko*" faction dismissed their rivals as power-hungry and untrustworthy opportunists who did not have a clear understanding of the BCP's Constitution. The Pressure Group faction argued that it wanted to ensure that the BCP and its government were united, democratic and strong (Pule, 1999).

The other bone of contention between the BCP party and its government was on the future of the LLA. The former members of the LLA increased their pressure on the government to speed up the process of integration into the new military (Mothibe, 1999:50, *MoAfrika, 8 March 1996, Mopheme, 23-30 April, 1996*). The Prime Minister Dr. Ntsu Mokhehle, the former chief of the LLA, denied the continuing existence of the LLA. He argued that the LLA had been disbanded upon its return from exile. The Pressure Group successfully managed to recruit some elements of the LLA combatants and intensified the pressure on the government (Pule, 1999:11).

The other factor which aggravated tensions within the BCP was the introduction of the Pardon Act of 1996[31]. Even before it had become law, this Act was contentious (Pule, 1999:14). This was especially when it was viewed in the light of the faction fighting within the BCP.This became uncomfortable for the Pressure Group who argued that the government was trying to appease the military (Pule, 1999, MoAfrika, *26 April, 1996*). It became certain from the rivalry between the two factions that the forthcoming 1998 elections were going to be used to drive out their rivals in the nomination of candidates for the 1998 elections (Pule, 1999). The significance for the control of the NEC in BCP was an advantage because of "[It has]

---

[31] The Pardon Act of 1996 pardoned all those who bore arms for political reasons in the past. These included the army, police, prison wardens and the LLA.The Prime Minister Dr. Ntsu Mokhehle further stated that the proposed amnesty would not extend to cases involving murder and that amnesty would not prevent civil action being taken against those members of the public seeking compensation.

constitutional powers to determine the final list of candidates who stand for elections" Pule (1999:13). I agree with Pule's thesis in this regard because the two competing factions in the BCP were going to utilize their constitutional powers to drive their rival faction from the 1998 final list for those who would be allowed as candidates for the national election. **Table 5** illustrates the BCP NEC committees since 1992. It shows the ascendancy of the Pressure Group within the NEC committees after the cabinet expulsions of the senior Pressure leaders. The expelled members were Molapo Qhobela, Tseliso Makhakhe, Ntsukunyane Mphanya and Sekoala Toloane plus the resignation of the two ministers Dr. Moeketsi Senaoana and Dr.Khauhelo Raditapole (Pule, 1999:6). The dismissed Ministers were the Deputy President, National Chairman, Treasurer General and Deputy Secretary General. They were publicly denounced and the population told to ostracize them-*Phurallano* (*Public Eye, 01 October 2004:4*). The Pressure Group used its control over the NEC to marginalize the "*Majelathoko*" from the affairs of the party, which dominated the government executive (cabinet).

Table 5: BCP National Executive Committees, 1991-1995

NEC	JAN 1992	DEC 1992	DEC 1993	MAR 1996	1997-BCP	1997-LCD
Leader Deputy	N. Mokhehle M. Qhobela	N. Mokhehle M.Qhobela	N. Mokhehle M.Qhobela	N. Mokhehle P. Mosisili	M.Qhobela T.Makhakhe	P.Mosisili K.Maope
Chairman Deputy	S.Baholo B.Tau	S.Baholo B.Tau	T.Makhakhe N.Mphanya	T.Motebang T.Mohloki	N.Mphanya T.Mahlakeng	T.Motebang S.Motanyane
Secretary Deputy	N.Mphanya P.Khala	S. Mokhehle N. Molopo	G.Kolisang Ramolahloane	S.Mokhehle M. Moleleki	G.Kolisang Ramolahloane	S.Mokhehle N.Molopo
Publicity Deputy	N. Mahosi T.Motebang	T.Motebang P.Khala	M.Mahosi N. Nchochoba	M.Maliehe M.Mabitle	J.Mopeli N.Nchochoba	M.Mabitle M.Makharilele
Treasurer	S.Mokhehle	M.Kabi	S. Toloane	L.Motete	S.Toloane	L.Motete
Editor	S.Mohale	S.Mohale	S.Mohale	P.Khala		M.Letlotlo
Members	K.Raditapole M.Moleleki V.Moloi S.Motlamelle.	K. Raditapole Q.Pitso T.Mohloki S. Motanyane	L.Chakela K. Moloi M.Mohosho Q.Pitso	M.Makatla M.Letlotlo K.Maope N.Molopo	M.Pitso M.Khahlane M.Mohosho L.Chakela	M.Malefane M.Mabote M.Makatla M.Moshabesha

Source: Pule, 1999:12.

Note: The last column is included to show the structure of the LCD after the BCP split in 1997.

The deteriorating health and failure to control the power struggles as well as his fears concerning the potential loss of the leadership of the BCP[32] led the Prime Minister on 9 June 1997 to announce that he had formed a new political party (Sekatle, 1997:68, Pule, 1999:23), called the LCD. The establishment of the LCD followed the resolution of Dr. Ntsu Mokhehle's followers who met on the 7 June in response to his call for such a gathering to find a solution to problems in the BCP (Sekatle, 1997, Pule, 1999).

The formation of the LCD caused the BCP to move into opposition, since it had lost the support of the MPs who joined the LCD. The *"Majelathoko"* faction had twenty-five seats whilst the Pressure faction had forty seats (Sekatle, 1997:68). Sekatle further argues that it "heralded an abrupt and radical change to the leadership of a party formed in 1952 and led by Ntsu Mokhehle since its inception" (1997:68). Dr. Ntsu Mokhehle had majority support in the National Assembly, and so ultimately the BCP was relegated into the status of official opposition in government (Matlosa, 1999:179). However, the BCP refused to accept its new status or to recognize the LCD as the new government.

The BCP united with opposition parties namely, the BNP, MFP, UDP, HBP, LEP and SDU, to form a coalition. The coalition was intended to force Dr Ntsu Mokhehle to resign and to reinstate the BCP government. The coalition also called for a joint national "stay away" (Matlosa, 1999). This failed to materialize as the people ignored the call for the "stay away" and went about their business as usual. The coalition later staged a protest at the palace to present their memorandum. They demanded that the King should dismiss the Prime Minister, dissolve the parliament and call new elections (Matlosa, 1999).

However, the breakaway of the BCP and the formation of the LCD paralysed the proceedings of the National Assembly. It was divided into two factions who addressed each other in abusive language. Moreover, the Senate (Upper House, is made of twenty-two Principal Chiefs and eleven nominees that are appointed by the King, Head of State on the advice of the Prime Minister) joined in this deteriorating political behaviour. It strongly opposed the Prime

---

[32] For the detailed explanation on the power struggles in the BCP, see Pule "Power Struggles in the BCP", *Lesotho Social Science Review*, Vol.5.No.1.

Minister's decision to cross the floor and form a new party in the National Assembly and passed a resolution that it would not consider bills from the National Assembly (Matlosa, 1999).

BNP supporters organized another protest march, also to the palace. In their memorandum, they requested that the King should dissolve the National Assembly and displace the LCD government (Matlosa, 1999). There was a series of protests which were intended to intimidate and destabilize the LCD government and force the Prime Minister to resign. The critical questions that one poses were: why did the opposition parties appeal to the monarchy to diffuse the political crisis? Was there any specific role that the monarchy was supposed to play in the unfolding democratic dispensation?

The political actors were gradually forcing the monarchy to the centre of the political arena; this was despite the fact that the King was a Constitutional Monarch (Sejanamane, 1995-96:42). These protest marches were later joined by the Lesotho Council of Non-Organizations (LCNO). This organization was a main actor in the mediation process that led to the reinstatement of the BCP government to power following the palace coup in August in 1994 (Sejanamane, 1995-96). These protests which were intended to destabilize and overthrow the LCD government, were ineffective as the LCD remained in power (Mothibe, 1999:55).

Importantly, the military refused to intervene and gave tacit support for the Constitution (Mothibe, 1999). The other important matter to be mentioned is the response of the military in suppressing the police mutiny in February 1997. An armed wing of the then RLMP now (now the Lesotho Mounted Police Service (LMPS) had dismissed the Commissioner of Police, his deputy and other senior police officers. They later took control of the Maseru Central Police Station and Police Headquarters. This mutiny was caused by their resistance to arrest after they were identified by a Commission of Inquiry under the terms of Legal Notice No. 60 of 1996. This was in connection with the alleged killing of three of their colleagues on 31 October 1995 (Mothibe, 1999:55).

It was perhaps these acts that reassured the newly established LCD government that the military was upholding the constitution. Besides, the USA, Botswana, South Africa and

Zimbabwe gave assistance to the government through the restructuring and training of the military and subsidised the establishment of the Ministry of Defence[33] (*Defence News*, 1996).

In the Ministry, policy is formulated and performed by the Principal Secretary (PS), the Commander of the LDF and the Director of National Security Services (NSS).The significance of this arrangement is that it creates a balance between the military and the civilians through the appointment of the PS. It also safeguards regular consultations and cooperation between the entire military personnel and the civilians (Mothibe, 1999:51).

The Ministry employed initiatives for providing educational training for members of the military. The intention was to equip military personnel with the respect for democratic values, human rights and the primacy of civilian rule (Mothibe, 1999:52). In support of Mothibe's argument, Edmonds indicates that education and training for the military enables the foundation on which the "normative aspects of the professionalism are built" (1990:110-112). Edmonds further argues that education for the military must focus on the relationship between the armed forces and the society in order to discourage the illegitimate forms of military involvement in public affairs (1990). Upon its establishment, Mothibe cites numerous efforts that were undertaken by the Ministry of Defence to provide educational development to the army,

> (a) In March, 1995, the United States Embassy in Lesotho funded a workshop programme on the role of the military in a democracy which was addressed by Lieutenant Colonel Marley of the United States Army and Dr.Laurie Nathan, Director of the Centre of Conflict Resolution, University of Cape Town....

> (b) In July, 1995, the United Nations Development Programme (UNDP) in Lesotho funded a seminar on Democracy and the disciplined forces officially opened by the Prime Minister and addressed by the experts from United States, South Africa, Zimbabwe and Kenya

---

[33]The Ministry of Defence mission statement was to reflect the notion of civilian control of the army and security services. Civilian control was seen as an essential aspect of the democratic government. This condition ensures that the army operates in accordance with the constitution and wishes of the parliament (Ministry of Defence, Annual Report 1997/98:3).

(c) UNDP .... also funded studies at the diploma and post-graduate levels for the members of the military at the national tertiary institutions and abroad (1999:52).

Government commitment to the military was shown by an enormous financial injection it received (Mothibe, 1999:53). The national budget had shown a steady, large increase since the 1995/96 financial year. The budget allocation to defence was M 102.63, a huge increase of M39.42 million from that of 1994/95. In 1996/97 it increased to M123.8 million (this was 9.1 percent of the total national budget and the third highest allocation received by any ministry) (Lesotho Budget Speech, 1996/97). In the 1997/98 financial year, it was M147.1 million and second only to Education. This has increased to M165.5 million in the financial year of 1998/9 (Lesotho Budget Speech, 1997/98).

This reflected the increasing importance of defence in the national priorities of Lesotho. It also showed that the LCD government realised that military support was critical to its survival (Mothibe, 1999:53). Further, Mothibe (1999) argues that this showed the willingness of the government to provide enough funds in order to enable the military to perform their tasks effectively. In presenting the 1998/99 Budget Speech, the Minister of Finance stated that "the government recognizes the need to maintain a numerically small defence[force]....which should be well trained, professional, accountable, highly motivated and well equipped".

This was the situation that prevailed in the military prior to the 1998 elections. The Prime Minister's, (who is also Minister of Defence) visits to the military barracks were reported to be well received by members of the army (Mothibe, 1999). Importantly, in the Christmas message in 1996, the Prime Minister Dr. Ntsu Mokhehle was quoted as saying in *Defence News* "I and my Government are encouraged by these positive developments (the climate of change in the defence and security forces) and the direction you have achieved in so far in moving so far towards greater professionalism and discipline" (1996).

Before his retirement, the Prime Minister made an announcement that the position of the commander of the LDF had been upgraded from that of Major General to that of Lieutenant General (Radio Lesotho Broadcast, 13 April, 1998). The timely response by the military in suppressing the police mutiny and giving tacit support to the constitution in the aftermath of the LCD's assumption of power, suggested that the forthcoming 1998 election would occur in

a peaceful atmosphere marked by peace and stability. However, this was not to be as later discussed on the developments after the 1998 election.

The 1998 General Election

In the 1998 election, there was an increase in the number of constituencies from sixty to eighty (Kadima, 1999:77). The main contestants for political power were the LCD, BCP, BNP and MFP. Minor parties included the Christian Democratic Party (CDP), KBP, National Progressive Party (NPP), NIP, LEP PFD, SDU and a coalition of two political parties; Lesotho Labour Party and United Democratic Party (LLP/UDP).There were thirty independent candidates. Expectations were high that the LCD would be defeated and the BNP seemed to have regained its popularity among the masses. The MFP, a pro-royalist party seemed to have gained popularity within the traditional structures. Lastly, the BCP was expecting a repeat of the 1993 elections victory (Kadima, 1999).

There were similarities in the electoral manifestos of the BCP, BNP and MFP. The issues ranged from education, economic development, poverty alleviation, prevention of stock theft, agriculture and industrial development (Sekatle, 1999:36). Despite the expectations that the LCD would be defeated, the election result was a shock for the opposition parties (Kadima, 1999:77). The election was won overwhelmingly by the LCD as outlined in **Table 6** below,

Table 6: 1998 General election for the National Assembly

Contestants	No. of Votes	% of Votes	No. of Seats
LCD	355 049	60.7	79
BNP	143 073	24.5	1
BCP	61 793	10.6	0
MFP	7 460	1.3	0
Other	16 244	2.9	0
Total	584 740	100	80

Source: Independent Electoral Commission (IEC), Provisional Results, May 27, 1998.

76

This was an unexpected result considering the fact that the LCD was a newcomer on the political landscape and competing against well-established parties such as the BCP, BNP and MFP .The LCD won 79 out of 80 constituencies (Kadima, 1999). A closer examination of the results in terms of percentages of votes received by the contesting parties and candidates shows that the LCD got 60% of the total votes. The losing parties received 40 %(Kadima, 1999). The elections were declared free and fair by domestic and international observers. However, the BNP which had won Bobatsi # 80 constituency, refused to accept the election outcome, and this time was joined by the BCP and MFP. Their refusal was based on the allegations of ballot rigging (Makoa, 1999:83). It can be argued that the LCD's victory did not only infuriate the opposition parties but the entire nation which was perhaps looking for a closely contested race (*The Star, 4 September, 1998*).

The BNP, BCP and MFP signed an official agreement that created an alliance that bound the three parties under the same name, *Setlamo* Democratic Alliance (SDA)[34]. The SDA filed urgent applications in the High Court against the election outcome. They lost all their cases of electoral rigging (Kadima, 1999:78). This was followed by the refusal of the High Court to declare the election outcome null and void. The opposition parties tightened their grip by calling for his Majesty King Letsie III to dissolve the LCD government. They also appealed for the formation of a government of national unity and new elections, based on PR (Kadima, 1999).The alliance further appealed to SADC countries, notably Botswana, South Africa and Zimbabwe (Guarantors of Lesotho's Democracy since 1994) to dissolve the elected LCD government (Matlosa, 1999:180, Mothibe, 1995:55). This was the same demand that they made prior to the election.

On the 4 August, the opposition parties marched to the royal palace in protest against what they described as the rigged elections. They stayed around the palace gates, to wait for the King to respond to their demands. The victorious LCD government condemned this act but the opposition resisted without any noticeable willingness to compromise (Matlosa, 1999:180). The tensions increased on 10 August, when the opposition supporters imposed a stayaway that saw violent blockades and commercial lockouts in the capital Maseru (Mothibe,

---

[34] *Setlamo* means coming together against one common enemy. The origins of the SDA are traceable from the 1997 developments when the BCP, BNP and MFP joined hands together in an effort to forcefully topple the LCD government. The aftermath of the 1998 election only came with the official adoption of the name when three parties came together and refused to accept the election outcome.

1999:56). The conflict increased and turned to violent clashes between the government supporters, the opposition alliance supporters, the police and the military (Mothibe, 1999).

Internal measures (mediation attempts) were deployed to defuse the crisis and to bring the aggressive parties together in a peaceful political settlement. However, these efforts collapsed because of mutual mistrust and suspicions (Matlosa, 1999:181). The failure of these early political negotiations led to an external intervention by SADC to resolve the political crisis. This intervention was led by South Africa resulted in the establishment of the Langa Commission of Inquiry[35]. The collection of evidence on the conduct of the election went at a slow pace which resulted in delays in the submission of the final report. Moreover, political tempers kept rising and this resulted in violent clashes between the opposition and the LCD supporters (Matlosa, 1999).

The opposition supporters went on a campaign to destabilize the government and render the country ungovernable. Their supporters went on the rampage, mounting illegal road blockades, terrorising street vendors, burning tyres, and looting and burning shops (*Report Of The Commission Of Inquiry Into Events Leading To Political Disturbances Which Occurred In Lesotho During The Period 1 July, 1998 to November,* 2001:24).The capital city, Maseru, became largely inaccessible. During these mounting tensions, the security establishment failed to bring the situation under control. Members of the LDF remained unconcerned to acts of violence, as the conflicts moved slowly gravitating towards civil war (*Report Of The Commission of Inquiry Into Events Leading To Political Disturbances Which Occurred In Lesotho During The Period 1 July, 1998 to November,* 2001).

The report of the Langa Commission at last came out on the 17 September 1998. The findings of the report neither confirmed nor disproved the allegations of ballot rigging. This hardened the positions of the political contenders that the election had been rigged (Matlosa, 1999:183). This was because it neither confirmed nor disapproved the allegations. An example drawn from the report stated that,

---

[35]The terms of reference of the Langa Commission of Inquiry were to investigate the conduct of 1998 elections. The commission was established with the intention of finding the truth to the looming allegations of ballot rigging. This was after the opposition parties had submitted their internal report which concluded that the elections were rigged.

> We are unable to state that the validity of the elections has been conclusively established. We point, out however, that some of the apparent irregularities and discrepancies are sufficiently serious concerns. We cannot, however, postulate that the result does not reflect the will of the Lesotho electorate. We merely point out that the means for checking this has been compromised and created much room for doubt (Langa Commission of Inquiry, 2001:28).

Instead of offering a solution to the volatile situation, the Langa Report was full of unclear and inconclusive statements (Matlosa, 1999:183). Gay (1998:3) argues that "the report was a disappointment, as it seemed ... [that] it was giving both warring factions something to cheer about and also blaming the Independent Electoral Commission for the mess in the elections". Consequently, the opposition supporters intensified their offensive (Matlosa, 1999). Significantly, the Langa Commission did not play prominent role in the electoral crisis, but aggravated the existing tensions.

Opposition supporters took advantage of the reluctance (in some instances complicity) of the security establishment (Mothibe, 1999:57). On the 18 August, they confiscated government vehicles, closed government offices and captured the state-run Radio Station (Radio Lesotho). This was followed by the forcible closure of the National Assembly (*Independent Mail, 03/09/1998*). Tensions also flared between the security organs of the state. The military and the police exchanged fire around the palace gates. Junior officers of the army staged a mutiny and forced the commander of the army to resign. This was followed by the arrest and detention of twenty-eight senior officers (Radio Lesotho Broadcast 11 September, 1998).

Though these developments suggested that there was a plot to topple the government, Matlosa (1999:183) argues that "they did not in their own way amount to coup as yet. A *coup d'etat* is a situation whereby a *de jure* government has been effectively displaced by unlawful means by a person or group of persons who in turn impose a *de facto* authority". This situation of toppling the government had not yet occurred. The activities of the opposition parties, which had damaged the government's ability to function, as well as the reluctance of the coercive military to maintain law and order, gradually precipitated the state into lawlessness. (Matlosa, 1999:184).

It was against this background that the LCD government appealed for the external military intervention from Botswana, South Africa, Zimbabwe and Mozambique. The military intervention was led by South Africa and later joined by Botswana under the auspices of SADC (Makoa, 1999:81). The intervention was known as "Operation Boleas"; its intentions were to neutralize the military's involvement in the conflict and to seek for a peaceful political settlement. "Operation Boleas" managed to disperse the forces that had camped outside the palace and laid siege to the LCD government (Major Mothae Tanki[36], in a personal interview on the 10 June 2002). It also managed to bring to an end a six week stand off at the palace. The legitimacy of the military intervention has been critically analyzed elsewhere and therefore need no repetition here (Makoa, 1999:83, Matlosa, 1999:163, Molomo, 1999:133).

However, I want to emphasize that the military intervention solved the political crises and saved the country from civil war. On this issue, a consideration has to be made to what Mothibe notes that "violent clashes ensured between opposition and government supporters...Maseru remained inaccessible..... (1999:56)...for the whole time whilst the city was inaccessible, the country was effectively without government, as the country's political and military leadership appeared totally helpless" (1999:57). This situation portrays the grave situation that existed in the country. The peaceful means of resolving conflicts as Ohlson and Stedman argue, involves the combination of the following factors:

(a) Transforming the system of actors, issues and actions away from focus on incompatibilities to compatibilities.

(b) Reducing the level of destructive behaviour of violence to non-violent levels even if basic incompatibilities still exist (conflict de-escalation and containment of violence).

(c) Transforming the entire conflict mapping and changing the relationship between the protagonists from one of conflict to that of peace (conflict transformation and peace-building) 1994:13.

The combination of these factors consolidates the argument that the foreign military intervention managed to restore political stability in the troubled country and was a decisive

---

[36]Major Mothae Tanki served for many years in the army. He also served as the military spokesperson. He is now retired from the army and is working at the Central Bank of Lesotho (C.B.L).

conflict management strategy. The intervention set a strong foundation for the peaceful conduct of the 2002 elections. However, Molomo argues that,

> Through the intervention, SADC not only exposed its lack of capacity to carry out regional peace keeping missions, but also the lack of coherent policy regarding the role of SADC and the Organ on Politics, Defence and Security(1999:154).

Makoa argues that South Africa used its military superiority in Lesotho without acknowledging responsibility for its consequences (1999:104). Makoa further argues that to "fit" Lesotho's "agenda" into SADC, South Africa described Lesotho "in ideologically loaded lexicon-chaotic, unstable, mutinous, rebellious and riotous" (1999:95).The study acknowledges the inconsistencies that emerged on burials of the deceased LDF soldiers. A consideration has to made to the LDF commander who said "the deceased soldiers were heroes who gave up their lives for their nation" and the then LDF Spokesperson Major Mothae Tanki in a press conference on the 02 October 1998 pointed that there were no rebels in the LDF, adding that those 18 LDF members killed during the intervention were on duty, serving the Basotho nation (*MoAfrika, 09 October 1998*). The role of the LDF is to protect the territorial integrity, defend the country and to maintain law and order (*MoAfrika, 09 October 1998*). The focal point is that Mothae's claim accentuated the whole issue on the intervention[37] (Makoa, 1999:95).

This military intervention resulted in the establishment of a new political institution, the IPA (Elkit, 2002:2). The IPA was to have twenty-four members, with two from the each party that

---

[37] In South Africa, the Leader of the then National Party (NNP), Marthinus van Schlkwyk , indicated that the joint operation of South African and Botswana troops had not brought stability to the region (Lesotho) but had instead worsened the political crises. Tony Leon of the then Democratic Party (DP) now Democratic Alliance (DA) and Constant Viljoen of the Freedom Front (FFP) condemned the deployment of South African and Botswana troops in Lesotho. They called for the immediate cease-fire and withdrawal of foreign troops from Lesotho. In Botswana, the leader of Botswana National Front (BNF), Dr. Kenneth Khama stated that the intervention failed to solve and unite people of Lesotho. He argued that the SADC leaders should have looked at the possible solutions by referring to the Langa Commission which suggested irregularities. The United Action Leader Party (UALP) Ephraim Setshwaelo said that Botswana's military intervention in Lesotho was unnecessary because peaceful resolution could have been used. Setshwaelo indicated that it was surprising that South Africa and Botswana intervened on behalf of the party which was accused of rigging the elections whilst claiming that they were protecting democracy. For detailed arguments on this issue see: A Statement of the South African Council of Churches, "Conflicts Should be resolved by Peaceful Means", *The Gazette*, October 1998:11. Dikarabo Ramabudu, "BDF in Lesotho", *The Midweek Sun*, 23 September 1998:1.

participated in the May 1998 election, irrespective of the size of each party (Elkit, 2002). The objectives of the IPA were,

> To prepare, in liaison with the legislation and executive organs of the state, for a fresh election in the year 2000 [and] to level the playing field for all parties and candidates to participate meaningfully in the election in an environment that promotes and protects human rights and to eliminate any impediments to legitimate political activity, including undue victimization or intimidation. To ensure equal treatment of all political parties and candidates by all governmental instructions and in particular by all government-owned media, prior to and during the election (Government of Lesotho, Interim Political Act, 1998).

The formation of this body was a positive development for future stability in Lesotho. There were also efforts undertaken by the military leadership of South Africa and Botswana to help in the restructuring of the military. This included the downsizing of the military and training of the officer corps in order to ensure that there would be both efficiency and professionalism (Mothibe, 1999:62).

This chapter has provided an insight to the developments that occurred in the run up to the 1998 elections. It focused on the power struggles that crippled the ruling party (the BCP), the government's efforts to bring the military under control and the breakaway and formation of the LCD. Attention is given to the displacement of the BCP government by King Letsie III. It concludes with the developments that occurred after the 1998 election. The election outcome was followed by the refusal of the main opposition parties who made allegations of ballot rigging. Consequently, tensions increased as the opposition parties marched to the palace calling for the displacement of the government, demanding the formation of a government of national unity and called for new elections. The main organs of the state, the monarchy, the military and police were involved in these political crises. The intervention restored calm and stability and led to the formation of the IPA.

CHAPTER FOUR

Introduction

The purpose of this chapter is to discuss the research findings that were gathered through interviews conducted in Lesotho in September 2004. It is anticipated that the research findings will provide the answers to the core question of the dissertation, which was to determine the problems that Lesotho's new democratic dispensation faced and how these might have contributed to the political instabilities before and after the 1998 elections. The discussion of the findings was preceded by selecting the common themes that frequently appeared throughout the interview process. It should be noted that the reliability and validity of the information obtained might have been influenced by party members who wanted to justify their complaints and grievances relating to the 1998 election, and to prove that their actions had been legitimate. The findings are based on the evidence gathered through the interviews, the general probabilities and on the objective facts that are probably beyond reasonable doubt. The LCD members believed that the 1998 election was free and fair, and the problem was only that the outcome did not meet the expectations of the main opposition parties (BNP, BCP and MFP). Thus their protests, in this account, were not fully justified. There were similarities in the findings that were gathered from various opposition parties and the neutral bystanders.

The findings traced the problems of Lesotho back to the legacy of the BNP government, the continued military involvement in Lesotho's politics and the institution of the monarchy. There has been a traditional culture within the army, the police and the national security forces which caused them to fail to offer adequate support to the fledging multiparty democracy in 1993. In the period 1993-98, there was an established culture of political intolerance and violence among the political elites instead of the resolving of political differences through negotiations.

The principles of democracy and its institutions were poorly understood and Lesotho's political elite showed itself to be unable to accept the realistic implications of a democratic system of governance. There has been problem on the understanding of the electoral model of FPTP which awarded control of government to the party which obtained a majority of votes

in the election. The introduction of the local government structures became the other problem which contributed to the hostile relations between the government and the traditional structures of chieftainship. This was viewed by the BCP government as a step to gradually take away the powers of the traditional structures. This was because the BCP government believed that these traditional structures should be incorporated into the local government structures to support of the central government. It seemed that since the 1993 elections, there has been an absence of coherent national policies intended to consolidate Lesotho's young democracy through the clear understanding of the rule of law and the respect of human rights. Though elections are the crucial institutions of democracy, the 1993 and 1998 elections in Lesotho seemed to have deepened the conflicts that were already in existence since post-independence developments in 1965.

DISCUSSION

Before engaging in an in-depth discussion of the findings, it is essential to bring in light what Huntington describes as problems of democratic consolidation in developing societies which are relevant to Lesotho(1991:209-210). Huntington indicates that there are,

> Transition problems, with regard to how to deal with authoritarian officials who violated human rights, which he refers to as the "torture problem" and how to professionalize the security establishment and bring it firmly under civil control which he refers to as the "praetorian problem". Contextual problems relating to the nature of the economy, the political culture and political stability. Systematic problems emanating from the internal workings of a democracy such as centralization of power, personalization rather than institutionalization of politics, hegemonic politics and domination by vested economic interest (1991: 209-210).

The crisis seemed to have its roots in post-independence Lesotho politics. Hence, Sejanamane (1995-96:38) argues that "[they] had an immediate relationship with the politics of transition from the old order of the military rule to the new order of constitutional government". The return of multiparty democracy to Lesotho, as well as the 1993 and 1998 elections, does not seem to have changed the character of competition for state power. On the contrary, it seems

that the process of democratization that swept across the continent merely redefined the parameters within which struggles were conducted. Indeed, since the end of apartheid South Africa, the democratization of Lesotho has contributed to the escalation of struggles around the control of the state. Contestations were influenced by competition over access to governmental power.

The main factors which emerged through the study were the political actors which have dominated the political landscape since the 1965 elections. These included the military, the monarchy, the established culture within the main institutions of the state to support democracy and the established culture of political intolerance. There has been a persistent mutual suspicion and distrust between the leaders due to the apparent absence of political leadership with competence, integrity and commitment to the long term vision of Lesotho (Selomi Monyane, in a personal interview on the 10 August 2004). The monarch was eager to acquire more constitutional powers in the new democratic dispensation. This was fuelled by the repeated pleas from the pro-monarchy MFP which was appealing for increased executive powers for the monarch. The people whom I interviewed (henceforth respondents) argued that this was a historical problem which started as far back as the post-independence developments when King Moshoeshoe II denounced the Constitution in 1966 which resulted in the Thaba-Bosiu tragedy.

The BCP government was reluctant to address the question of the reinstatement of the deposed King Moshoeshoe II. This was despite the repeated pleas from King Letsie III who testified in public that he wanted to step down in favour of his father. The problem for the BCP government was that King Moshoeshoe II was disliked because of the claims that he collaborated with the previous BNP and military governments. The BCP government argued that King Moshoeshoe II had assisted the former authoritarian governments in suppressing the BCP opposition. As a result, King Letsie III was seen as a better option than his father. Hence, Respondent D indicates that "X [this is done to hide the identity of the mentioned person] had been involved and was part of the evil acts (hid squads in which prominent BCP supporters were killed in the late 1980s) committed by the military government". The relationship between the BCP government and King Letsie III deteriorated when it became clear that he had a different agenda. Problems became rife when the King refused to recognise the BCP government. It seemed that the king was pushing for executive powers with the

85

support of the MFP whilst the BCP government kept on advocating a constitutional monarchy as laid down in the 1966 Constitution.

The 1993 and 1998 elections did not give the losing parties any representation in the legislature. Matlosa (1999:176) argues that "the conflict [after the 1998 election, centred around] political participation and the distribution of resources". This led to the emergence of an extra-parliamentary opposition which did not have any influence within the formal government. It seems that the absence of the opposition in parliament could be attributed to the nature of FPTP electoral model. The continuing use of the electoral model of FPTP played a vital part and is one of the factors that led to the political crises in 1998. Hence, Respondent E claims that "only the BCP and LCD were in parliament after the 1993 and 1998 elections, but there was no equal representation of those who voted for the BNP in parliament apart from one constituency of Bobatsi # 80".This left the smaller parties out of governmental decision-making and most importantly, as discussed later, the state is seen as the most reliable source of accumulation (the electoral model left them out of political participation and accessibility to resources).

Sekatle argues that FPTP is not exclusionary and has not marginalized the minorities (opposition parties) from participating in Lesotho political landscape since the 1965 elections (1999:7). Sekatle argues that,

> I do not agree that the electoral system deliberately excludes certain sections of the population. It did not do so in the 1965 and 1970. In 1965, opposition parties were well represented in Parliament. The 1970 elections would have given a fair representation to opposition parties. The anomaly of one party parliament that resulted from the 1993 and 1998 elections is a legacy of the long history of BNP dictatorship. A political party is judged at the polls by its performance. The verdict passed by the electorate on the BNP in 1993 and 1998 testifies to this. You cannot rule against people's will for more than two decades and expect to be forgiven inside two years (1999:7).

I agree with Sekatle's argument that the confiscation of power by the BNP in 1970 contributed significantly to its performance in the 1993 and 1998 elections. However, I consider that an electoral system which ignores about 40% of the electorates is not inclusive.

86

In support of my argument, Kadima (1999:78) indicates that even in the 1965 election, the exclusionist patterns were visible in the electoral system. Kadima further argues that

> The BNP won only 42 per cent of the total votes and was entitled to over 50 per cent of the seats while the BCP, the Marematlou Freedom Party (MFP) and other parties and independent candidates who had secured together a total of 58 per cent of votes granted only 48 per cent of the seats (1999:78).

The following could have been the composition of the 1998 National Assembly if PR or a mixture of PR and FPTP was used. Rule (1998:18) argues that under PR, the LCD would have received 50 seats (or 60.7 per cent of votes) and the losing parties would get 30 seats (or 39.3 per cent of the votes cast) (see **Table 7** below).

Table 7: Composition of Lesotho National Assembly using 4 Alternative Electoral Systems based on votes cast in 1998

Party.	Only Constituency Seats.	Only PR	Mixed option A; 40/40 split of Constituency and PR seats.			Mixed option B; 80 Constituency seats and Compensatory PR seats.		
			Const.	PR.	Total.	Const.	Compen Seats.	Total.
LCD	79	50	40	25	65	79	0	79
BNP	1	20	0	10	10	1	13	14
BCP	0	9	0	4	4	0	6	6
MFP	0	1	0	1	1	0	1	1
Total	80	80	40	40	80	80	20	100

Source: Rule, S 'The Lesotho Election, May 1998', Johannesburg, EISA, 1998:18.

This means that in both the 1993 and 1998 elections, the opposition parties would have been better represented than in the constituency-based system. This would be different from the minority government that FPTP delivered in the 1965 elections.

It was surprising that in the 1995 national dialogue, the main parties (BCP, BNP, and MFP) refused the reform of the electoral model (Mahao 1999 cited in Crisis in Lesotho, The Challenge of Managing Conflict in Southern Africa, Foundation of Global Dialogue Series No. 2.1999:21). This was regardless of the limitations of FPTP in comparison with PR on the developing country without an established democratic culture. Mahao further argues that "such a country [Lesotho] needs a system that is able to draw people into state institutions and processes to ensure co-ownership of these institutions and processes that affect them" (1999 cited in Crisis in Lesotho, The Challenge of Managing Conflict in Southern Africa, Foundation of Global Dialogue Series No. 2.1999:21). It is evident that if PR or the mixture of FPTP was used, there could have been a creation of co-ownership over the institutions of government that enables political participation by the major political stakeholders in government, which could have served as a useful ingredient for the process of democratic consolidation.

It appears that political power in Lesotho is concentrated in the hands of a few leaders. The absence of internal democracy has been one of the problems that have confronted Lesotho's new democratic dispensation. Respondent D indicates that "in the annual congresses, the executive leadership often imposes decisions without consent of the people; X had that tendency of imposing his decisions in the BCP and also expelling those who did not support him from the party". This point is further supported by the (Electoral Institute of South Africa (EISA) Report on, 'Focus on Challenges to Multiparty Democracy' viewed on the 12 December 2004, in httpwww.plusnews.org/report.asp) which states that,

> although political parties do hold congresses, these congresses are [in] most cases mechanisms for entrenching political control over the party, instead of mechanisms for holding leaders accountable and consulting with party membership on matters of national interest, party strategy and tactics. Openness and transparency in the conduct of the party operations....party financial statements and available records on sources on income ...are generally absent.

This became evident during the period of BCP rule. The party was enfeebled by internal disputes that were not based on ideological differences but rather on the lack of internal democracy within the structures of the party. Respondent F argues that "X used the BCP as

his private property; he was an undisciplined leader who used his popularity to create divisions... and mobilize internal opposition for those he feared". The other observation made by Respondent H is that "the breakaway of the LCD from the BCP was not the beginning of trouble but the ripening and bursting of.... bitter and antagonistic contradictions which have been suppressed for a long time and never been addressed...". Respondent H claims that "the BCP emerged from exile in the 1990s as a divided party which was able to present itself to the electorate as a united party for the 1993 elections". This argument is supported by Mphanya (2004:67) who indicates that in the 1990s, the BCP was highly factionalized over the leadership squabbles that had earlier led to the expulsion of Dr. Ntsu Mokhehle from the position of leadership in the 1980s. Respondent H argues that "the presence of the second party in parliament might have prevented the split from occurring".

In a pioneering study of coalition theory, Riker (1962:12) argues that coalitions occur because rational actors make strategic decisions in some decisional context. Riker further argues that,

> The process of making a decision in a group is the process of forming a
> sub-group which, by the rules accepted by all members, can decide for
> the whole. This sub-group is a coalition (1962:12).

It is evident that the two competing factions, Pressure Group and "*Majelathoko*" in the BCP, might have been forced to cooperate with the fear of the other faction forming a coalition with the second party in parliament. This is apparent in light of the insights of coalition theory that this could have occurred. Axelrod, 1970, De Swan 1973 argue that "actors are constantly looking to join coalitions that reduce disagreement on policy preference" (cited in Pule 1999:3). The absence of internal democracy laid the foundation for the 1998 electoral crises and aggravated the fragility of democracy in the post-democratic dispensation. There were no substantive policy initiatives from the BCP government as factionalism retarded the progress of the government. For instance, Pule (1999:23) argues that "[The BCP] government was found unprepared when South Africa offered permanent resident rights to many Basotho miners in October 1995". This means that at the macro-level of analysis, the 1998 political crises are directly related to the faction fighting in the ruling BCP which reached a climax with the split. This argument is further elaborated on the perceptions about the formation of the LCD.

89

The other problem identified is that Lesotho's politics have been dominated by three political parties (Gill, 1993:26). These are the BNP, BCP and MFP. The struggle for political power has revolved around the same political elites, who are unaccountable, corrupt and interested in their personal profit. The leader of the BNP, following the return of multiparty democracy, was Chief Retselisitsoe Sekhonyana[38]. Chief Retselisitsoe Sekhonyana was accused of having misused the public funds for his personal stakes and there were claims that most of his assets were acquired through corrupt means. In conformity with this argument Machobane states that "[In] the Ministry of Finance, long dominated by ... [Chief Retselisitsoe] Sekhonyana, there were high number of disappearances of moneys as well as financial irregularities..." (2001:129).

Lesotho is a Christian state. However, it emerged in the findings that the Catholic Church played a significant role in the post 1993 democratic dispensation and it undermined the BCP-LCD governments. Respondent I argues that "the role played by Father Monyau [Father Monyau incited the army mutiny in 1998, suggested the killings of senior army officers, the Prime Minister Pakalitha Mosisisli and the former Deputy Prime Minister Kelebone Maope and Minister Thabane, he was charged with treason, incitement to mutiny, sedition and public violence in 2004. He is currently serving a fifteen year imprisonment in the Maseru Central Prison] in the 1998 crises, a senior figure in the Catholic Church, was acting on direct orders from the Church". In conformity with the contention that the Catholic Church contributed significantly to the 1998 electoral crises, Gill argues that the Vatican II may have given the Catholic Church a broader outlook. This was with regard to the burning social and political issues (1993:229). The wish to exercise social and political power may have given the Catholic Church the will to play an influential role in Lesotho's politics, a consideration has to be made to the fact that the "Catholic Church is the largest and richest Church in the country"(1993:229).

---

[38]Chief Retselisitsoe Sekhonyana served in the BNP government from the 1970s as the Minister of Finance until it was toppled in 1986 by the army. However, he continued to serve in the same portfolio as the Minister of Finance until 1991 when the Chairman of the military council and Council of Ministers, Major General Lekhanya was toppled by the junior military officers.

The crucial problem which forced the Catholic Church to intervene in the political landscape was the Education Act of 1995[39].The intentions of the Act were to combine all the enactments relating to education in the country. The government has been providing financial assistance to schools since independence whereas the Churches were responsible for the administration of schools (Pule, 1999:36). The interpretation by the Catholic Church, which vehemently opposed the Act, was that the BCP government intentions were to take over their schools. Importantly, the Catholic Church opposed the clause of the Act which dealt with "appointment of teachers and management of schools" (Selomi Monyane, in a personal interview on the 10 August 2004). Selomi Monyane further argues that "the opposition to this Act was caused by the fact that the Catholic Church had a policy of admitting students and appointing teachers along religious lines [Catholic affiliation], which was a highly politicized" (in a personal interview on the 10 August 2004).What enabled the "easy marriage" between the Catholic Church and the BNP despite their closer historical affiliations was the BNP's strong opposition to the Act. The BNP criticized the move and appealed to the government that schools administration should be under the Church.

On the contrary, X argues that since the 1993 post-democratic dispensation "...the BCP-LCD governments were fighting against the Catholic Church and their intentions were to give it a bad image amongst the population". X claims that it is not true that the Catholic Church became a dominant destabilizing force in the post-1993 democratic dispensation but the "intentions of the BCP government were to take over the Catholic Church schools that is why the Catholic Church had to stamp its authority". In addition, X argues that the Catholic Church is the largest Christian denomination, one of the primary duties of the Church to point the mistakes in the governance of the country. X argues it is the moral responsibility of the Catholic Church to help the ruling leaders to govern along the values of Christianity.

Significantly, X claims that prior to the 1998 elections, "some senior army officers joined the LCD government in the political crusade to fight against the Catholic Church because in reality the soldiers are politicians, hence their involvement in Africa's *coup d'etats*. X indicates that the country was in the state of "relative calm" after the 1998 election and that

---

[39] The Education Act of 1995, covered issues that related to the provision of education. These included the registration of schools, establishment of the National Curriculum Committee, Lesotho Teaching Service, Appointment, Conduct and Retirement of teachers and importantly, teaching service commission. The Act formalised the relationship and partnership between parents, governments and Churches.

the political crises only emerged after the South African and Botswana's military intervention. On the balance of probabilities, I disagree with X that there was "relative calm" in Lesotho after the 1998 elections as this is dealt in details in Chapter Three on the political crises that occurred and rendered the country ungovernable. X arguments were incoherent, for example "he accuses the BCP-LCD governments of the mysterious death of innocent people", though X could not say who were those killed and when. It is evident that in light of the 1998 electoral crises, one of the most influential social institutions with an enormous Christian following formed an alliance with the main opposition (BNP).

In their 1998 electoral manifesto, the BNP promised to remove the Education Act of 1995 and to restore the administration under the Church. This means that the stage was well set-up prior to the 1998 elections; the perception from the Catholic Church was that the LCD would be defeated and the power to control their schools restored. The political and social rivalries were hostile because the Catholic Church was anticipating the defeat of the LCD and its policies. This argument is supported by the widespread teachers' strikes mostly from Catholic schools on salaries that were upgraded by 64% and 75% for only two months, February and March 1995 but later "reversed" (Pule, 1999:37). This was on the explanation that it was to expensive and unsustainable. The BNP took advantage by making pleas of upgrading teacher's salaries from the Catholic constituency if voted to power in 1998.

The other problem which became widespread was the misappropriation of the Lesotho Highlands Water Development fund. The fund consisted of revenue accruals to the Lesotho government as royalties in the sale of water to South Africa. It was intended that these funds should finance development initiatives (*World Bank, Staff Appraisal Report, 1991*). There was an outbreak of "development" activities that were to be led by MPs. This led to increasing corruption as the development initiative resources were used for other purposes. The resources were wrongly used by the MPs to strengthen the BCP's rural and urban support. Respondent F argues that, *"fato-fato"* [40] became the powerful tool for recruitment, only BCP supporters were recruited, how was it benefiting the rural population?

---

[40]This was a development scheme which included the upgrading, maintenance and construction of roads, dams and bridges. It was a rural based initiative and its objectives were to create employment opportunities for the rural, unemployed population. I agree with Pule (1999:26) that this development initiative *"Fato-Fato"* was used by many people to derogate and to poke fun at the scheme. However, I disagree with Pule's interpretation that *"Fato-Fato"* means "scratching the surface without making

This aggravated the internal disputes in the BCP and widened the political differences among the politicians. Pule (1999:15) in support of my argument indicates that "it provided another avenue for accumulation by Lesotho's already corrupt political elite". Opposition parties voiced their concerns over the misuse of public funds and this aggravated tensions between the politicians. Evidence shows that the misuse of funds was known to the BCP government but little nor efforts were undertaken to address it (Pule, 1999:15). In the 1996/97 Budget Speech, the then Minister of Finance. Dr. Moeketsi Senaoana stated that,

> There have been incidences of Members of Parliament being in possession of fund moneys, an action specifically prohibited under Finance Act as fund resources are public funds and government is accountable to the public through parliament. Instances of Members of Parliament becoming directly involved in decisions concerning the implementation of projects have also been reported (1996/97:9).

Hence, Respondent H claims that "...in Lesotho after 1993, if you were a BCP member, you were above the law, whilst today; if you are an LCD member you are still above the law...you can do anything and misuse public funds". This shows that Lesotho's political crises could be explained with reference to continual poverty and what Makoa describes as "economic dependency [and] low level of industrial development" (1999:85).

The unstable political situation in Lesotho was further deepened by continuing labour unrest which the BCP government failed to contain. The government adopted an "anti-worker approach and policy" Selinyane (1997:40). Z argues that "there was no way the BCP government was going to entertain the workers movements that were highly politicized, their intentions were to destabilize the government...they had to be crushed, to protect national security and the emerging democratic dispensation". The incidences as Selinyane argues were,

> The breaking of workers march by bar-police in May 1993....the cancellation of teachers salary increases and the mass dismissal of the Lesotho Telecommunication Corporations workers who went on strike

---

any significant alteration to the nature of the thing being scratched", as I have earlier given my interpretation of the scheme.

against corruption and the massacre of striking employees of the Lesotho Highlands Project Contractors (LPHC) by the Police, which was publicly praised by the Deputy Prime Minister and Minister of Home Affairs (1997:40).

Society was highly polarized along political lines and this polarization was a result of the long legacy of the BNP's rule. Though the BCP had presented itself to the electorate as the guarantor of democracy in the 'multiparty' period after the 1993 election, the biggest problem for the government was how to reconcile the highly polarised society, highly politicized army, the police service and other organs of the state (this included the civil service, it should be noted that large numbers of people were expelled from the civil service in the 1970s). Certainly, the BCP government inherited a highly politicized civil service and was faced with the challenge for its government to depoliticize it. At the same time, the civil service was corrupt and inefficient. This was bound to have a negative impact on the delivery of services to the population. Respondent F claims that "X a former Principal Secretary in the Ministry of Public Service used the public funds to buy his personal tractors and his close relatives who were incompetent were appointed into senior positions, how could the country develop? This shows that the prospects of achieving democratic consolidation remained distant in the emerging democratic state of Lesotho. In the context of the 1998 crises, these incidents hardened the relations between the essential ingredients of democratic consolidation of which placed the new-dispensation in the precarious position.

It emerged through the study that politics in Lesotho does not only include ordinary competition for power. It is comprised of personality cults and the destroying of one's political rivals. Hence, Respondent J indicates that "X was a crook; he is responsible for the death of innocent lives of the LLA members during his association with the notorious Vlaakplaas[41]". Character assassination and continuous usage of vulgar language is common. Respondent J further claims that "X assassinated the College student in a row over a girl, how you have such criminals contesting for political power...". This perhaps best explains why Lesotho's political landscape has been characterized by violence since the return to

---

[41]Dirk Coetzee, self-confessed apartheid assassin, indicates that Vlaakplaas was a farm used to convert ANC/MK soldiers to become police informants.Coetzee indicates that there was a visit to Vlaakplaas by the BCP leadership (Pule, 1999:26). For detailed discussion see "Vlaakplaas and the murder of Griffiths Mxenge" in Anthony Minnaar, Jan Liebenberg, and Charl Schutte (Eds), The Hidden Hand: Covert Operations in South Africa, Pretoria, Human Sciences Research Council, 1994.

democratic rule. Political elites have, instead of competing over the economic upliftment of the country and the eradication of the poverty focused much of their attention on mudslinging. This has continued to be prevalent in the new democratic dispensation whilst in the long run creating violent retaliations. Instead of the elite focusing on economic and political developments, after the 1993 election, there developed hostilities and character assassination that hardened the political ideologies of politicians.

Lesotho's political elite has not behaved differently from other political elites in the African continent. The evidence shows that from the BNP government, to the military government, to the BCP rule and the current LCD government, the major pre-occupation of the ruling elite has been the accumulation of power and imposition of its political control over other non-governmental forces in order to undermine opposition. The violent political tension in Lesotho in the aftermath of the 1998 elections has had more to do with the fierce contestation over state power and the benefits that go with that power, rather than the outcome of the election. For instance, Z argues that "1 was retrenched from Western Holdings Mine, N0.2 [South Africa] in 1992, since then, politics has been the only source of livelihood, and I have been in the National Assembly for more than 10 years".

It has emerged in the study that politics in Lesotho is not only about the acquisition of political power. The assumption of power is seen as the most reliable source of economic power. Respondent D argues that "those who control the state in Lesotho control the economy, politics in Lesotho is associated with economic machinery". Given the weakness of Lesotho's economy, everybody looks at the state for the provision of the basic necessities for survival (Sekatle, 1999:6[42], supports this argument). It is certain that the competition for power in the state is likely to be violent in the new fledging multiparty democracy. This means most political players in the new dispensation were interested in getting control of state power. Lesotho relies on external sources of capital that come in the form of foreign aid, migrant remittances, and the dividends that come from the Southern African Customs Union (SACU) (United Nations Report, 1995, *MoAfrika, 6 December, 1996.*). Given this external dependency, electoral crises could not be described only with particular reference to the outcome of the election in 1998. In the context of the 1998 political crises, these problems

---

[42]See Sekatle, P 'The Political Dynamics of the 1998 Elections in Lesotho', Paper prepared for the SAPES Regional Conference on the Crisis and intervention in Lesotho, Maseru, 5-6 February 1999.

became prevalent as politicians kept on pressing for the formation of the government of national unity which was in one way or the other going to allow them governmental participation and accessibility to resources.

These forms of external assistance have declined since the collapse of the apartheid government in South Africa (United Nations Report, 1995). The other problem is that Lesotho's formal economy and nongovernmental sector employs a small portion of the population. Most of those employed are found in the civil service, the military and other organs of the civil society. Therefore, there has been tight competition for parliamentary seats.

This could be explained from the structuralist perspective that Lesotho has a narrow economic base and the elite views the state as reliable means for accumulation of wealth. Thus, the contestation over benefits that come with control over state power is bound to be violent at times. In the case of Lesotho, Matlosa (1997:100) argues that the disunity that undermines political stability and institutionalization has caused deep-seated political polarisation, intense political conflict and lack of conflict-solving management strategies at the domestic level. Forces external to Lesotho, such as South Africa have intervened specifically in the political system. Botswana and Zimbabwe have also intervened in the negotiations that resulted in the restoration of the BCP government in August 1994; this has undermined the capacity of the state effectively to impose its control.

Problems of political power struggles and social tensions could be attributed to the poverty and fatalism among the wide sectors of the population. The country experienced massive labour retrenchments from the South African mines and this increased the levels of unemployment and worsened the already weak economy. Hence Weisfelder[43], in support, argues that

> a highly politicised population exists in an environment of abject poverty
>
> and neglible potential for satisfying popular aspirations...fully mobilised

---

[43] Richard F. Weisfelder is a professor of Political Science at the University of Toledo. His research on Lesotho political evolution was done in 1965-66, followed by his visits in 1979-81 and 1986. This was followed by his Fulbright lectureship at the N.U.L in the Department of Political and Administrative Studies in 1995-96 academic year. He has authored various articles and book chapters on Lesotho and SADC (This information was obtained from Mr. Khalanyane, of the Institute of Southern African Studies (ISAS), Roma, 10 December 2004).

with no place to go, the Basotho employ their energies in political battles(1967:6).

What could be drawn from Weisfelder's argument and is similar to the findings of the study is that poverty had shaped the political attitudes of the Basotho people. Weisfelders' argument alludes to the weakness of Lesotho's poor economy, which is its inability to support its population. On the contrary, Makoa differs with Weisfeider's approach and argues that it has some serious limitation. Makoa states that, this account fails to account for the long periods of political calm and stability in Lesotho (1999:85). Makoa further states that,

> Neither is it useful if we want to know why a rural Lesotho village has been and remains the cradle of social harmony and stability...it assumes wrongly that growth in affluence will mark an end to political struggles (1999:85).

However, I agree with Weisfeider's thesis because with the increasing levels of unemployment exacerbated by the retrenchments of migrants from South Africa, the attitudes and perceptions on how to assume state power have changed. Importantly, Respondent D argues that "those who control the state in Lesotho control the economy, politics in Lesotho is associated with economic machinery". These political attitudes contributed significantly to the political instabilities that struck the new democratic dispensation and intensified competition for governmental power. This shows that the electoral crises in 1998 were influenced by the unequal distribution of resources. In a similar manner, Mahao indicates that,

> ...the middle class has become highly unfulfilled, dissatisfied and restive, resulting in an exodus to South Africa of a large number of Basotho professionals. For those who have remained in Lesotho, competition is severe for access to state resources, particularly ministerial and senior managerial positions in the government, parastatals, army and other institutions. This has led to a heightened pattern of intrigue and backbiting in recent years, which has undermined the internal coherence of institutions such as political parties, the civil service and army (1999 cited in Crisis in Lesotho, The Challenge of Managing Conflict in Southern Africa, Foundation of Global Dialogue Series No. 2.1999:20).

The consistent and coherent national policies which might consolidate the country's "fragile" democracy have been conspicuous in their absence. Democracy might have been consolidated through a clear understanding of the rule of law, respect for human rights as well as collective leadership and responsible support for democracy (Richard Weisfelder, in a personal interview on the 04 September, 2004). The other problem noted was the absence of trust and confidence in the competence and political neutrality of the law enforcement agencies (Richard Weisfelder, in a personal interview on the 04 September, 2004). This suggests that the political crises had their origins in the weaknesses of the democratic institutions of government. The 1998 electoral crises had more to do with these issues, to which no proper attention has been given in the process of consolidating the country's young democracy.

The problem as appears from the present analysis was lack of confidence on the part of traditional leaders in the Local Government Act passed by the National Assembly in 1996. Lesotho uses a bicameral system of governance, which consists of the Lower House (National Assembly) and the Upper House (Senate). The introduction of these structures was strongly opposed by the local chiefs, who represent the population at grassroots level. In the context of the electoral crises of 1998, these traditional representatives of authority seemed to fail to give adequate support to the fledging democracy. Respondent G claims that "the BCP-LCD governments were led by radicals, who wanted to dismantle chieftainship.... there was no way was the College of Chiefs could support such a government. The intentions of the Local Government Act meant taking power away from the chiefs at the local level".

The other significant problem that emerged in the study and which led to the 1998 political crises is the increasing unemployment of the youth. The youth was largely responsible for the burning and looting in the capital Maseru and was active in the violent clashes that rendered the country ungovernable in 1998. It is evident that there has been an absence of clear and credible policies in the post 1993 dispensation for the youth constituency aged between 18 to 30 years in terms of employment creation, which represents over 60% of the population (Crisis in Lesotho, The Challenge of Managing Conflict in Southern Africa, Foundation of Global Dialogue Series No. 2.1999:35). Crisis in Lesotho, The Challenge of Managing Conflict in Southern Africa Dialogue concludes that "structurally alienated youth can become warlords, as examples of Liberia and Sierra Leone have shown" (No.2. 1999:35).

This forms an explicit example to the developments that occurred in Lesotho before and after the 1998 elections. The BNP, BCP and MFP youth played a significant role in the palace protests calling for the dissolution of the LCD government after the BCP split, whilst after 1998 elections, they mounted illegal roadblocks, closed government offices and the parliament. This shows that the Lesotho youth is likely to follow a similar trend, if it continues to be marginalized and alienated in the efforts of consolidating democracy. A consideration has to be made to the following statement,

> Unemployment in Lesotho is currently estimated at 50 per cent of the overall population. Unemployment is most acute among the youth...Even though agriculture is a major employer in the country, it is susceptible to unpredictable and unfavourable conditions thus rendering it an unreliable source of employment. In the formal sector, government remains the main employer .....(*Report of the National Dialogue on the Development of a National Vision for Lesotho (Vision 2020), Volume 1:1*).

Furthermore, in 1993, when the BCP came to power, it found itself with insufficient power to control the military and the police. This was because the military had managed to establish independent structures of authority within itself, which controlled the management and discipline of its members. Consequently, the BCP had to work with an institution (military) which it did not trust, and but had constitutional powers to control it. This may explain why the country gradually slid into a state of anarchy and civil war after the 1998 election. Though the BCP government did show commitment to depoliticize the military, its measures were ineffective and had little impact upon the military. The political riots of 1998 that rendered the country ungovernable had more do with the military, which failed to follow the provisions of the constitution.

According to Major (now a Colonel) Maaparankoe Mahao[44], (in a personal interview on the 10 June 2002), the role of the military in the post-democratic dispensation was to "maintain the Constitution, be politically controlled and accountable". This supports my argument that the military, as a critical instrument in a democratic society, failed to uphold the rule of law.

---

[44]Colonel Maaparankoe Mahao has a legal training from N.U.L. He is a legal adviser to the Commander of the LDF and also handles all legal matters regarding the army. The discussion occurred at the time when the LDF was going through an intensive transformation process.

In fact, one of the main problems that confronted the new dispensation was the military and this problem increased in the aftermath of the 1998 elections. Upon the assumption of state power by the BCP in 1993, Prime Minister Dr. Ntsu Mokhehle made public speeches that the military was one of the enemies of democracy.

The government, in its dealings with the military, was trying to create a non-partisan armed force which would be accountable to the democratically elected civilian government. This task was complicated by the NSS who demanded equal treatment with members of the LDF. The government failed to assert civilian authority over the key institutions of the state and thus the origins of the 1998 electoral crises could not be adequately explained by simple reference to the 1998 election.

There was a general fear that the BCP government would implement the policies similar to those of the previous BNP government, which included the politicization of the civil service. This contributed to intense political instabilities and led to faction fighting within the military. It was indicated that the intentions of the Makoanyane faction were to return the BNP government to power because of the fear of the unknown. There was a fear within the military that it was going to be disbanded. Z claims that " the assassinated Deputy- Prime Minister, also a Minister of Finance was tasked with the responsibility of dismantling the army, hence why, the army responded by assassinating him". It emerged in the study that the majority of the junior officers from the Makoanyane Barracks, known to have the close affiliations with the BNP, were unhappy about handing over power to the civilian administration, especially the BCP. Gumbi (1995:1) argues that with the attainment of independence in 1966, all the major incidents of political instability in Lesotho (1970, 1986, 1994 and 1998) resulted in coups, which were in significant measure controlled by the military. Hence, Dr. Ntsu Mokhehle leader of the victorious BCP in 1993 confirmed that,

> Though it has not been publicly announced, it is common knowledge that
> my swearing in as Prime Minister was delayed unnecessarily because of
> disagreements within the army. This only happened on the 2nd April yet
> the elections were held on the 27th March-about a week earlier (*Makatolle*
> 13 May, 1994).

100

Despite being used for protection of the BNP's unconstitutional government in the period from 1970 to 1985, the Lesotho military governed the country for seven years between 1986 and 1993. Makoa argues that "the RLDF's role between 1986 and 1993 suggests that the armed forces cannot be dismissed simply as the destabilizing factor. After taking over Lesotho's administration in 1986, the military declared an unconditional amnesty for all BCP exiles as well as its South African-backed Lesotho Liberation Army which had engaged the RLDF in bloody battles since 1979" (1995:34). Until the country went to the polls in March 1993, there were no reported incidents of persecution or intimidation against the BCP and its supporters by the LDF or the police (Makoa, 1995).

The military government never attempted to disarm the LLA or require its members to parade for public identification (Makoa, 1995). What could be drawn from the above analysis is that Lesotho's armed forces have always played a central role in politics in the post-independence period. Petlane (1995:7) argues that the "1993 election did not change this whilst the 1994 incident removed any illusions to the contrary". This has brought up the question of whether the military was willing or ready to transfer power to the civilian administration.

These instabilities in the military were either a form of resistance against political change or efforts to depose the democratically elected governments (Gumbi, 1995:1). The study found that the military has always been one of the vital actors in Lesotho's political landscape. This was supported by the evidence that in 1970, the military supported the unconstitutional and unlawful seizure of power by former Prime Minister Leabua Jonathan (He was in power from 1965-86, when his government was toppled by the military) and also to abort the elections it had clearly lost to the BCP. In 1986, the military was involved again in politics when it overthrew the BNP government. In 1990, the military staged an internal military change that led to the removal of the Chairman of the military government, Major General Metsing Lekhanya. In 1993, the military dictated various terms and conditions for democratic elections. My argument is that all these developments contributed to the 1998 electoral crises because they were left not addressed in the process of transition. There was no way that the military which had been in government would have played a decisive role to defuse the political crises.

According to the *Report Of The Commission of Inquiry Into The Events Leading To Political Disturbances Which Occurred In Lesotho During The Period Between 1 July, 1998 to 30*

November in the context of the 1998 election, the situation which existed in the military was as follows:

> [T]he army appear[ed] to have been divided into two factions. The one consisted of the echelon of Senior Officers who were largely, if not entirely, professional soldiers who saw their duty as requiring them to be responsible to the Government of the day irrespective of what party was in power. The other faction, much larger in numbers, consisted of the lower ranks operating with the legacy of the BNP affiliation and consequently anti-LCD.This latter faction appears to have had the perception that the election of May, 1998 was rigged.... and consequently was strong and indeed violently anti-Government (2001:78).

This helps to bring into the picture the manner in which one of the critical institutions of the state (the military) was highly politicized. It is certain that the political tensions between the main opposition parties occurred on a stage which was well set-up by the military. The military played a significant role as they joined the protesters and assisted in the hijacking and stoning of government vehicles and in the forcible closure of the National Assembly.

There were repeated anti-army statements by the senior BCP government ministers as well as the MPs who went on calling for the disbandment of the military. In this respect, Respondent I states that "those were the BNP's dogs which were anti-government; we wanted the [former] LLA cadres in the army". The other issue which deepened the already hostile civil-military relations was the government decision to set up the commission of inquiry into events relating to the LDF's armed confrontation of January 1994. The terms of reference of the commission as stated by Mothibe were to " identify the persons or groups whose activities caused or contributed to those events and to recommend the future role of the army, redeployment of some of its members and possible legal proceedings against those involved in those January mayhem" (1999:50).

The 1993 election seems to have been the culmination of contradictory developments. These were popular influences from the majority of the population, as well as the influence of external powers-the donor countries, the United Kingdom (UK) and United States of America (USA) calling for the return of a democratic and representative method of governance

(Makoa, 1995:38).The military saw this as an opportunity to bring to an end the series of continuous coups caused by highly politicized junior officers. The fact that an election had occurred became a significant marker in the political history of Lesotho. However, it was unlikely to result in political stability or peace, given the context in which this breakthrough was achieved. An authoritarian culture was instilled in Lesotho's main institutions of government (the monarchy, the military, the police and the political elite). One school argues that the hesitancy of the army in 1998 political crises signalled patriotism on the army's side which did not want to be used "to butcher one of their own" on behalf of the party that rigged the elections and formed an illegal government (Anonymous, 1998). This supports the argument on the role of the army as one of the main actors that played a significant role in undermining the post 1993 dispensation and importantly in the context of the 1998 political crises.

On the conduct of the 1993 elections, the general feeling was that the elections were not free and fair. There was no internal neutral independent body that could supervise the electoral process. Hence, Respondent A indicates that "the 1993 elections were full of discrepancies...there was a shortage of the electoral documents and the election was conducted under the transitional military government with its co-called Electoral Commission.... ...thus the integrity and the capability of the election were questionable". The new findings which emerged were of inadequate electoral documents, there had been little voter education, the registration process was unclear and there appeared to be no equivalence between numbers of people who had voted and those who had registered (Anonymous, 1998).

In addition, Respondent C also indicated that "in some polling stations and constituencies the BNP had clearly emerged as victorious but the situation changed unexpectedly when the official election result showed that the BNP had lost in all the constituencies". This shows that there were some perceived discrepancies, as respondents argue the result had been altered in favour of the BCP. It also emerged that there were complaint sheets that were filled by party agents at the polling stations, complaining about unsealed ballot boxes. These were ignored by the Electoral Commission, which did not make any efforts to address these grievances.

This Respondent's arguments of the 1993 election revolved around the conduct of the election. It seems likely that there was a lack of transparent electoral procedures put in place, especially with regard to the registration process. The Electoral Commission appears to have

been reluctant to address the political parties' complaints submitted to them even before the election results were officially released. There were arguments that there were some levels of intimidation prior to the process of the casting of ballots. This, according to respondents, had a negative impact on the number of people who cast their votes on the election day. The main problem appears to have been the inexperience of the Electoral Commission in creating conditions for the conduct of free and fair elections. This view is supported by Mohiddin (2002:1), 'Lesotho In The 21st Century Towards Good Governance and Working Democracy', McGill viewed on the 10 March 2005, in httpwww.undp.org.ls/Publications%20reports) who indicates that "there is relative inexperience of the Electoral Commission to plan and conduct elections, and the need to strengthen the commission capacity in this respect".

It emerged from Respondents I and J that they believed the 1993 elections were free and fair and that they reflected the will of the people as this was shown by the large numbers of voters who came to vote on the Election Day. Respondent J added that "the election was about punishing the BNP for its unconstitutional seizure of power in 1970". Both Respondent I and J argue that the problem of refusing to accept the election outcome was caused by the general behaviour of Lesotho's political elite which did not want to accept the election outcome (this problem has been discussed earlier in the chapter under the problem of political tolerance among the political elite).

On the theme of the refusal of the election results, the findings are that the legitimacy of the election was questioned on the basis that the IEC ignored the complaints of the opposition parties, even those submitted before the official announcement of the result. However, Respondent G argues that "there was no way the BNP could accept the electoral outcome because all major decisions were made by the Electoral Commission without proper consultation with the relevant stake holders". Phoso Moketa[45], in a personal interview on the 12 June 2004, cited that a report was made by the leader of the BNP Retselisitsoe Sekhonyana on 29 March that the elections were rigged. Hence,

---

[45]Phoso Moketa, is a senior BNP member who served as the regional organizer for the BNP in the 1998 election, he also contested for the Stadium Area constituency under the BNP in the 1998 election. He has been in the party organizational level in the past twenty-years.

...the constancy of voting returns of between 6-7000 for the BCP as against the bottom line of around 1000 for the BNP was suspicious, not least because it obtained in both lowland and mountainous areas, whereas it might be assumed that should be different...there had been gross irregularities at the polls. A consignment of ballot boxes from Denmark had been tampered with; ballot boxes had gone missing in various constituencies... [Lastly] logistical shortcomings in the conduct of the elections, such as failings in the distribution of ballot papers, and extensions of the voting period to the night of the 27th and the whole 28th, without due guarantee that all voters had been alerted to this fact, constituted a basis of legitimate concern(Press Conference Document on 29 March 1993).

This new material which differs from the previous similar literature in that it unravels the complaints that were made in the numerous constituencies against the conduct of the election. This is different from the previous findings in that they only highlight that the BNP alleged that the elections were rigged. It appears that though the military government paved the way for a return to a democratic dispensation, there was inefficiency in the supervision of the elections. This became evident through the assessment of the findings as most of the interviewed political parties argued that the elections were not free and fair. This is the direct opposite of what Makoa (1995-96:36) argues that "while the electoral results were dismissed as fraud by the BNP...Lesotho military rulers, other political parties and the independent observers described them as free ".

The formation of the LCD was, as most of the Respondents argued, an undemocratic move by the then Prime Minister Dr. Ntsu Mokhehle. Overall, the Respondents argued that the Prime Minister should have resigned before forming a party which in their view had undemocratically and unconstitutionally assumed governmental power. Hence, Respondent D argues "that was a criminal activity, X was a thief, and how could he steal power from the party which was voted to power by the population". Respondent D further indicated that in a letter written by G.M Kolisang, it was stated that,

> the formation of the LCD as a political party in parliament
> was not [only]a manipulation of the democratic process, a

travesty of justice but also a betray of the trust that has

been reposed upon him as the leader of the BCP and

warrants the applicability of the convention that Dr. Ntsu

Mokhehle resigns as Prime Minister [sic].

This formation of this new party in parliament is explicitly explained in the theoretical framework of this dissertation which focused on explaining how parliamentary democracy functions in a constitutional democracy. Lesotho is a constitutional parliamentary democracy which falls within the definitions of liberal representative democracy. Constitutional experts[46] argued that the assumption of governmental power by the LCD did not constitute the violation of Lesotho's constitution (Sekatle, 1997:75). The Constitution in Section 87 (2) states that,

The King shall appoint as Prime Minister, the Member of the National

Assembly who appears to the Council of State to be leader of the political

party or coalition of political parties that will command the support of a

majority of the National Assembly

I agree with the above contention because Dr. Ntsu Mokhehle's decision to 'cross the floor' in 1997 in the National Assembly was supported by 40 out of 65 MPs, thus giving him the majority of support in the National Assembly. The LCD succession of state power occurred because it had a majority of seats in the National Assembly. This point is further supported by Justice Maqutu that,

The BCP as a political party does not feature prominently. Its members

are recognized by the Constitution as individuals despite the use of the

term political party in the Constitution. If they choose to be under the

party whip and act collectively, it is their choice. The party does not

feature by law in the making or unmaking of the Prime Minister. Party

Participation and discipline in Parliament among the Members of

Parliament is an internal affair of the political party....removing him from

the leadership [Dr. Ntsu Mokhehle] would not affect his position as the

---

[46]See O.W. H.Oliver SC, advice to King Letsie III on the formation of the LCD in the National Assembly. Oliver states that by forming a new political party, Dr. Ntsu Mokhehle did not vacate the Office of Prime Minister. Dr. Mokhehle was the leader of a political party that had the support of the majority of the members of the National Assembly and there was no reason to assume that he should not be regarded as a properly appointed Prime Minister, *Urgent Legal Opinion*, 12 June 1997.

Prime Minister as long as the majority of the Members of Parliament support him (CIV/APN/75/97).

The split fuelled the culture of political intolerance that had been brewing since the 1965 elections, and which had been followed by authoritarian rule imposed by the BNP after the 1970 elections. Significantly, it laid the foundation for the 1998 electoral crises.

The essential distinction to be made in the context of Lesotho's political developments is that, is on the relationship between delegates and trustees. I have explained how majoritarian systems of governance function. In this system, a representative who resigns or is expelled from a political party may retain his/her seat at the National Assembly. This is because he/she represents a constituency and not a political party.

The findings show that Lesotho's politicians as well as the electorate do not understand how parliamentary democracy works within the sphere of liberal representative democracy. They do not seem to understand how the theories of representation function. When the BCP MPs crossed the floor to form the LCD, they did not contravene the principles of democracy. Hague (1992:237) argues that "they [were] indeed choosing their own leaders and determining their own political stand". In other words, the move by Dr. Ntsu Mokhehle to 'cross the floor' and form a political party did not contravene the normal procedures and practices of Westminster parliamentary democracy. The argument is that those MPs who 'crossed the floor' with Prime Minister Dr. Ntsu Mokhehle, also did not understand the practices of parliamentary democracy and the powers that they have in parliament. This became evident in the discussions with Y, a former MP who 'crossed the floor' with Dr. Ntsu Mokhehle in 1997. Y is now a member of the splinter faction (LPC) that broke away from the LCD in 2002 led by the then Deputy Prime Minister Kelebone Maope. Y indicates that "it was a democratic *coup d'etat* through loopholes and silence of the constitution......MPs are elected and responsible to the constituencies....they should have consulted their constituencies before 'crossing the floor' with the Prime Minister...".

Though the opposition alliance went on calling for the King to dissolve the LCD government in 1997, there are various clauses that explain conditions under which Parliament may be dissolved. Section 83(4) of the Constitution states that "in exercise of his powers to dissolve

107

or prorogue Parliament, the King shall act in accordance with the advice of the Prime Minister, provided that,

(i) if the National Assembly passes a resolution of no confidence in the Government of Lesotho and the Prime Minister does not within three days thereafter either resign or advise a dissolution the King, may, acting in accordance with the advice of the Council of State, dissolve Parliament and

(ii) if the Office of the Prime Minister is vacant and the King considers that there is no prospect of his being able within a reasonable time find a person who is the leader of the political party or a coalition of political parties that will command the support of a majority of the members of the National Assembly, he may, acting in accordance with the advice of the Council of State, dissolve Parliament.

This section of the Constitution shows the circumstances in which the King has the right to exercise his power to dissolve parliament. The only differences with regard to the dissolution of parliament is when the Prime Minister loses the confidence of the National Assembly, as indicated in section 83(4) (b) (The Constitution of Lesotho, 1993).This argument is supported by Sekatle[47]. These sections of the constitution are well known to the politicians but because of their behaviour they ignored this and pressed on for the dissolution of the government.

It may be argued, along the lines of the structuralist approach, that the interest of the political elites was on how best they were going to access the power. This is another factor which shows that in the post 1993 dispensation, which led to the political crises after the 1998 election, the prescriptions of the constitution have not been followed. The real problem has been the competition for parliamentary positions.

The five yearly holding of elections in Lesotho is a constitutional requirement, borne out of popular struggles and hard political bargaining (Makoa, 1997:16). However, an important

---

[47] See, Sekatle, P "Formation of the Lesotho Congress for Democracy: Implications for the 1998 Election", *Lesotho Social Science Review*, 3(2), 1997.

point to make is that Constitutions do not themselves guarantee regular and fair elections. Neither are they always a solution for political conflict (Makoa, 1997). Weisfelder argues that constitutions have been at the centre of Lesotho's political haggling. Since independence, the constitution has been a matter for serious dispute among the main political parties (the BCP, BNP and the MFP) and the Prime Minister Leabua Jonathan suspended it in 1970(in a personal interview on the 04 September, 2004).The uneasy relationship with regard to constitutional issues has continued to be an important destabilizing factor in the political landscape. This was proved by the MFP pro-royalist principles which kept on calling for more constitutional powers for the monarch. This was despite the constitution adopted in 1966 which made the institution the King of Lesotho a constitutional monarch.

The split of the LCD from the BCP led to the emergence of SDA coalition. It appears that an agreement was made before election day by the SDA to reject the election outcome if the LCD emerged victorious. In this regard, Respondent F states that "there was an agreement reached by the alliance to reject the outcome if the LCD emerged victorious". This meant that the writing was clearly on the wall before to the 1998 election. Respondent J argues that "for the BNP there was no way the party was going to accept the election outcome under a government which was not legitimately voted to power by the people...". This argument also shows that the BCP-LCD split had widened divisions and increased hostilities and that the 1998 election was vulnerable to crises.

However, the split had some positive implications for the 1998 elections. Respondent E indicates that "it increased the breakthrough in the deadlocked negotiations on the Independent Electoral Commission (IEC)". Before the split, the BCP was opposed to the appointment of such a commission for the supervision of the elections, despite the opposition parties calling for the establishment of such a Commission. It was as a result of the split that the LCD government agreed with an idea that led to the appointment of an independent electoral body.

The appointment of this independent body signalled a positive development in the process of consolidation of democracy in Lesotho. It was hoped that an independent body would get rid of the suspicions of election fraud. Lesotho's political history shows that in the 1965 election, the BCP refused to accept the results. In the 1970 election, the BNP refused to accept the election outcome and cancelled the results, and in 1993 the BNP as well as other parties

refused to accept the election outcome making allegations of ballot rigging (this is covered in the earlier chapters, on the refusal of the parties in accepting the election outcome). On the other hand, the BCP-LCD split increased the number of major contestants in Lesotho's political landscape. Sekatle (1997:86) argues that "this was certainly a boost to multiparty and an advantage to the electorate who have more choices".

Concerning the fairness of the 1998 elections, the majority of the respondents were not impressed with the conduct of the election. Though the establishment of the IEC was a positive step towards democratization, most of the respondents complained about the lack of cooperation by the IEC. They argued that the appointment of the IEC commissioners was undertaken along political lines and that the IEC became a tool for the LCD government. It should be highlighted that for the first time in Lesotho's history, there was an establishment of an independent body which supervised the election process. Respondent F indicated that "Mafisa (Chairman of the IEC) was lying on the conduct of the [1998] election because he had taken bribery; he accepted bribes from the LCD government". The Respondents complained about the lack of consultative mechanisms from the IEC, which decided to print the electoral ballots without consulting all the stakeholders. The other complaints were that the commission failed to make available a transparent provisional registration process for all the political parties, so that they might assess whether the process had been effectively done.

On the theme of the conduct of the elections, it appeared to most of the respondents that the elections were not free and fair. They argued that the elections were full of irregularities and discrepancies. The findings show that on the overall basis of the statistics that were provided by the IEC, the total number of voters registered exceeded the combined total votes that were attributed to the candidates. Hence, Respondent D claims that "in the combined candidates totals there were 6681 people but the IEC announced that 9093 people had voted". Electoral documents were found abandoned in the Caledon River, which was interpreted by the opposition, particularly the SDA, to mean that the elections were rigged in favour of the LCD by the IEC.

Furthermore, on the conduct of the election, the other issue discovered is that in Teyateyaneng # 24 (constituencies are named numerically), the result announced on the 23 May 1998 was that the BCP had 1041, BNP 1288, LCD 5523. This was different from the report made by IEC chairman (Sekara Mafisa) whose figures were: the BCP 2170, the BNP 1095, and LCD

had 4249. There was no reconciliation between the two sets of figures and this ultimately made the acceptance of the election result questionable. There were complaints about unsealed electoral ballot boxes in some constituencies. Contrary to this, in a personal interview with Sekara Mafisa (IEC Chairman), on the 10 August 2003, he indicated that "the IEC was praised by the parties and the BCP indicated that the election reflected the will of the people, but it came as a surprise that later the BCP, together with the opposition parties claimed that the election result was rigged". He further read a report made by the Commonwealth on the conduct of the election which stated that

> We found no evidence or even allegations of intimidation, impersonation,
> multiple voting or, fraud organized or otherwise...we were impressed by
> the election officers' adherence to the prescribed procedures.

The overall picture which could be drawn from the views of the respondents is that rather than deepening and fostering the young "fragile" democracy, the election added to the country's differences and the tensions among the key political figures. These conflicts seemed to have been in existence prior to the election as the SDA made protests and demanded the dissolution of the LCD government in 1997. The 1998 election was won overwhelmingly by the LCD, which increased the parties' momentum and negativity towards the LCD. Political crises cannot not only be attributed to the outcome of the election. The pre-election demonstrations by the SDA in 1997 are a clear indication that the crises could be traced to the institutional and structural problems that existed in Lesotho, worsened by the split in the ruling BCP.

Lesotho's politicians lack the trust and confidence in the elections as the appropriate democratic practice (Southall and Petlane, 1993:150). I agree with this contention and this argument is based on the Southall and Petlane analysis that, a closer consideration of the 1970 events signalled the turning point in which the seeds of mistrust and contestation that characterized the reactions of the politicians to the electoral process and outcome were sown in the later years (1993). In support this argument, Weisfelder states that

> The BNP's abrogation [of power in 1970] dealt a serious blow to
> Lesotho's fragile sense of constitutionalism. The initial transfer of power
> to an opposition is a critical test for any new state (or democracy) since it
> requires an act of good will by the incumbents (1981:251).

This lack of faith and trust in the electoral process was evident in the 1993 and the 1998 elections as earlier highlighted in the study on the conduct of both elections. In the same manner, Southall and Petlane, argue that the lack of faith in the electoral process is traceable from the 1985 election, when opposition parties boycotted the elections (1993). I disagree with them on the basis that the 1985 lack of faith in the electoral process was caused by the clear certainty such gerrymandering which points that the elections were going to be rigged, though they have acknowledged this fact.

The 1993 and 1998 electoral outcomes contributed to the existing crises that were fuelled by the problems of political intolerance, poverty, the weakness of the economy and the weak state institutions which were vested with the powers of upholding the rule of law inadequately. In conformity of the argument on the weakness of the state institutions, Petlane states that

> It was the politicians disrespect for and mistrust of constitutional rule that
> initially necessitated the co-optation and "misuse" of the army and police
> in order to strengthen the formers position vis-à-vis opponents (cited in
> Southall and Petlane, 1993:151).

One of the signposts of democracy, which is absent from Lesotho, has been transparency and willingness to accept the election outcomes. This goes with an absence of established culture across the politicians and the main organs of the state which is a vital ingredient for democratic consolidation.

At the present time, political elites in Lesotho remain highly intolerant. This seems to have been the legacy of the BNP authoritarian government and the lack of understanding among the political elite of the practices of democracy. The problem has been politicians who do not acknowledge that in elections, there are winners and losers. There is a tendency rooted among politicians to believe strongly that their party or candidates are the best. In a deeply divided and highly polarized political society like Lesotho, where the assumption of state power is seen as the most important means to economic power, if parties lose they often refuse to accept the election outcome. This has been one of the main problems concerning the BNP, BCP and MFP elite. This shows that if there was an established political culture (refusal to

accept the election outcome) in Lesotho, the process of democratic consolidation could have easily taken off in the post-1993 dispensation.

Liberal democracy as Francis Fukuyama argues is "the end point of mankind's ideological evolution and the final form of human development" (1992: xiii). In Lesotho, this has not been the case. Promises made by politicians in the pre-elections campaigns, their formulation and implementation to eradicate the vast problems that the country confronted (see Introduction, pg.1), following the return to democratic rule have failed. Fukuyama's argument that democracy is the final form of human development is not applicable in Lesotho as the country is trapped in the vicious circle of interpreting the repercussions of democratization and most people live in absolute poverty, all these factors have contributed to political instabilities and retarded economic development. An emphasis could be added to Respondent D's argument that "those who control the state in Lesotho control the economy, politics in Lesotho is associated with economic machinery". This means that much still has to be done apart from the conduct of the elections and strengthening institutions of government.

The other problem identified by EISA Report on, 'Focus on Challenges to Multiparty Democracy' viewed on the 12 December 2004, in (httpwww.plusnews.org/report.asp), is that "the role of opposition parties has been acutely constrained by Members of Parliament poor capacity and the absence of institutional mechanisms such as the portfolio committees, that are essential for the efficient operation of legislature". This is a critical factor that has been lacking in the post 1993 democratic dispensation; parliamentary portfolio committees only came into existence after the 2002 elections. However, X claims that "parliamentary portfolio committees are hardly in operation; this is caused by lack of financial resources that could allow them to have an accurate evaluation of the government policies". The absence of these committees has hindered the process of democratic consolidation in Lesotho.

The institution of the monarchy is powerful in political life. Two Kings since the 1965 elections have not adjusted to the position of being constitutional monarchs. This has been shown by the regular interference of the monarch in Lesotho's political landscape (the 1966 Thaba-Bosiu tragedy, the 1994 August Palace coup are examples). Thabane (1998:12) argues those incidents show that the monarchy is likely to commit more blunders in the future democratic dispensation. Since the return to multiparty democracy in 1993, there have always been two modalities of government. These were a representative and monarchical government

and this created an inherently conflictual situation. The role of the monarchy cannot be discounted in the new dispensation. In the 1998 electoral crises, King Letsie III thought that "the general lawlessness would melt down the multi-party electoral system and in the process the monarchy would assert its authority" (South African Communist Party Secretariat (SACP), 1998:7).

In light of the identified problems, it is evident that Lesotho's political landscape has a high political mobilisation and participation whereas political institutionalization is lagging behind. The key organs of the state have for a long time been perverted and subordinated to the interests of politicians. Matlosa describes this as "[Meeting] interests of the ruling class for both political expediency and economic accumulation ... (1997:100). It is therefore, significant to highlight that the political instability that has been prevalent in post-military dispensation is embedded in the country's early stages of political development. This began in the period of "embryonic" democracy 1965-70. I agree with Matlosa's contention that there is an existence of what he terms "crony democracy" in Lesotho (1997), a type of democracy dominated by the politicians and authoritarianism over other social forces that are beyond state control.

The findings show that though the country is homogenous in terms of ethnicity, it is a divided and troubled society. This has been caused by the lack of understanding of democracy as well as the inability of the leaders to understand and accept the practical implications of democratic system of governance. There has been a continuing problem of mutual suspicion and distrust among politicians. In addition, Weisfelder (1997:35) argues that "the country emerged from the 1993 elections [to the new dispensation] as a case study of murderous anarchy, requiring external intervention and mediation on several occasions". This resulted in the absence of national policies aimed at consolidating the country's "fragile" democracy.

There was an established culture and tradition within the military, the police and the national security to give adequate support to the country's fledging democracy (though is debatable). In this respect, Respondent I asks that "how could the army and police support the party in government which they have fought with for twenty-years under the BNP government? The other problem was the unfair recruitment to the public service which was practised by the BNP government which saw recruitment to the service along party lines. This resulted in the lack of support of the BCP and LCD governments. These problems were overlooked in the

post-1993 democratic dispensation; they continued to exist until the 1998 elections and contributed significantly to the fragility of democracy in Lesotho.

A more problematic issue has been Lesotho's statehood. A study conducted by the Helen Suzman Foundation, showed that 40% of Basotho favoured the integration of Lesotho into South Africa (Mahao 1999 cited in Crisis in Lesotho, The Challenge of Managing Conflict in Southern Africa, Foundation of Global Dialogue Series No.2. 1999:22). In another study conducted by the Lesotho newspaper, 80% of Basotho favoured the integration in one way or the other (Mahao 1999 cited in Crisis in Lesotho, The Challenge of Managing Conflict in Southern Africa, Foundation of Global Dialogue Series No. 2. 1999).

This shows that the process of democratic consolidation is likely to be hampered as many people believe that the middle class should be allowed to migrate to South Africa which has a strong economy and would reduce the level of competition in the main institutions of the state (Hlasane Nkao, in a personal interview on the 11 August 2004, Mahao 1999 cited in Crisis in Lesotho, The Challenge of Managing Conflict in Southern Africa, Foundation of Global Dialogue Series No. 2. 1999:22). The findings show that Lesotho is "caught" between the process of democratic transition and consolidation as the result of the weaknesses of the state organs, the lack of understanding on the workings of democracy and importantly, the absence of strong civil society, a useful ingredient for democratic consolidation. A more inclusive electoral model that comprises of the FPTP and PR known as MPR was adopted in 2002 election. This model presents interesting challenges on the role of opposition and the chairing and representation on parliamentary portfolio committees (Elklit, 2002:13). However, the benefits of the model still remain uncertain as the LCD commands over two-thirds majority of seats in parliament to influence policy making in their favour[48] (Elklit, 2002).

---

[48]The LCD has seventy-nine seats, elected under FPTP out of hundred twenty seats, whilst the forty compensatory under PR are shared by opposition parties.

CHAPTER FIVE

The purpose of this study is to examine and trace the problems that Lesotho's democratic dispensation has faced and how these contributed to the intense political instabilities up until and after the 1998 elections. The basic assumption of the study is that the emergence of the new democratic dispensation has failed to get rid of the culture of political intolerance, resulting in coups and what Sejanamane (1995-96) describes as "the politics of exclusion, whereby the citizens regard themselves as either victors or vanquished". The transition to democracy has created more problems than it has solved. Despite the 1993 election being hailed as the first ever democratic elections since independence, Lesotho has moved from crisis to crisis. The return to democracy after 1993 does not seem to have changed the character of the contestation for governmental power, but to have worsened the struggles revolving around the acquisition of power.

The application of Huntington's thesis in the theoretical framework shows that there is high political mobilization and participation whilst political institutionalization is lagging behind. It is evident that in Lesotho, as Huntington argues, political systems are fragmented and the "political institutions have little power, less majesty, and no resiliency... [and] governments simply do not govern" (1968:2). For instance, the Constitution of Lesotho Section 92 stipulates that,

> The King shall have the right to be consulted by the Prime Minister and other Ministers on all matters relating to the government of Lesotho and the Prime Minister shall keep him fully informed concerning the conduct of the government of Lesotho and shall furnish him with such information as he may request irrespective of any particular matter relating to the government of Lesotho (1993:88).

However, when one considers the frequent political clashes between the main institutions of the state, the monarchy and post-military governments (the BCP-LCD), it is evident that these institutions are weak and fragmented. The monarchy has not adjusted to its constitutional position whilst politicians have continuously overlooked the prescriptions of the

116

Constititution as indicated above. I interpret this as direct violations of democracy and they have contributed significantly to political instabilities. I agree with Thabane (1998:12) that the monarchy is likely to commit more blunders in the future democratic dispensation.

Structuralism indicates that political instability in developing societies proceeds from the premise that the ruling class reduced political power for their self-serving interests (Huntington, 1968:48). According to this approach, national development suffers as the ruling elite focus energies and resources on that "scarce commodity" (Chabal, 1994:68). The newly-acquired political power upon independence in developing countries, particularly in Africa, was translated into economic power for the accumulation of resources by the politicians. The combination of this political power and economic power was used in Lesotho to ensure the total dominance of the ruling BNP under Leabua Jonathan over the state.

The 1998 electoral crises that occurred in Lesotho could not be explained by reference to a single factor such as an election. The root causes of the crises as Matlosa (1999:191) argues are "deeper and its parameters and broader than the election [outcome]..." .The problems that faced the new dispensation could best be explained by reference to the legacy of the BNP which lasted for more than twenty years. It was the culmination of the factors which have been in existence since the attainment of independence. I have identified problems as the military, the monarchy, the weaknesses of Lesotho's economy, high levels of unemployment in the youth constituency and the political dominance by the corrupt political elite (the BCP, BNP and MFP). In a similar way, Weisfelder calls this as "an ossified gerontocracy", (in a personal interview on the 04 September 2004).

The role of the monarchy cannot be discounted in the new dispensation. This institution has consistently battled for more political powers and this has always placed the democracy in an unstable situation. This issue was not given much attention in the process of transition to democratic rule was the role of the monarchy. After the assumption of governmental power in 1993 by the BCP, King Letsie III made public statements that he wanted to step down in favour of his father King Moshoeshoe II. King Moshoeshoe II had been deposed by the previous military government in 1990.There were hostile relations between the monarchy and the BCP-LCD governments, which were caused by the suspicion on the side of government that the deposed King Moshoeshoe II had cooperated with former governments to weaken the BCP. In the 1998 electoral crises, King Letsie III appeared to believe that "the general

lawlessness would melt down the multi-party electoral system and in the process the monarchy would assert its authority" (SACP Secretariat, 1998:7).

There has been a problem of lack of political tolerance amongst politicians. Political intolerance was exacerbated by the poor understanding of democracy among politicians and their inability to accept the practical implications of the democratic system of governance. State institutions are diverted from their official purpose to serve the private ends of the politicians. It appears that political power in Lesotho is concentrated in the hands of few leaders. The absence of internal democracy has been one of the problems that has confronted Lesotho's new democratic dispensation. After the return to multiparty democracy in 1993, a problem remained in Lesotho of deficient democracy, and this continued to play a significant part in bringing about the 1998 crises. The Catholic Church had a significant influence in the post 1993 democratic dispensation as a social institution and with its largest Christian following, placed the new dispensation in the precarious situation which the BCP-LCD governments could not contain.

Politicians have not understood the separation between the parliamentary and the extra-parliamentary in Westminster-style parliamentary democracy. This became evident in the findings when the information obtained from the respondents showed that they regarded those who crossed the floor with Prime Minister Dr. Ntsu Mokhehle as having made an undemocratic move. For instance, Respondent I indicates that the formation of the LCD "was an undemocratic move. The Heads of Troika countries (Botswana, South Africa and Zimbabwe) were also aware of this undemocratic move and warned the Prime Minister that the move was undemocratic and unconstitutional ....it was a parliamentary coup". The formation of the LCD resulted in a deep sense of bitterness among the politicians and among the already divided and polarized population. The political context before the 1998 elections is best described by Matlosa, who states that,

> As [1998] election drew closer, the political bitterness among the
> contestants became more and more pronounced. The animosity and the
> rivalry were real as the opposition parties aimed to either dislodge or
> destabilise the LCD government through both parliamentary and extra-
> parliamentary means....(1999a:16).

Lesotho's political elite has not behaved differently from other political elites in the African continent. Since the pre-independence elections of 1965, there seems to have been a tendency among the losing parties to refuse to accept the electoral outcome. In the 1965 election, the BCP suffered an electoral defeat but refused that it had lost. In 1970, the ruling BNP suffered an electoral defeat but instead of handing over to the victorious BCP, declared the election outcome as null and void and suspended the constitution. In the 1998 elections, when the BCP, BNP and the MFP suffered an election defeat, they refused to accept the outcome and made allegations of ballot rigging. Matlosa highlights that "elections [in Lesotho]….have not been able to resolve deep seated conflicts" (1997:105-106). I agree with this thesis because Lesotho politicians perceive the role of elections in politics as the most reliable means of getting control of state resources. Elections are seen as an important exercise where the "winner takes all and totally annihilates the loser…" Matlosa (1997:106).

The main concern of politicians has been to accumulate power and assert their political supremacy over other forces outside the governmental system. The violent political tensions after the 1993 and 1998 elections were related to this vicious contestation over governmental power. In the theoretical framework, my discussion (in conformity with Matlosa's view) was that conflict is historical in form and structural in context[49]. This means that the 1998 crises cannot be described with reference to a single episode such as the election. These crises are best explained from the structuralist perspective, that because of the impoverished and financially unviable nature of Lesotho's economy, the politicians tend to view the state as the most consistent source for the accumulation of resources. Given the inability of the country to support its population and the continued dependency on foreign aid, the majority of the elite compete for political power. The conclusion seems justified that the critical problem that has imperilled Lesotho's democracy is the competition for scarce resources.

Politics in Lesotho is not just about competition for governmental power. Parliamentary politics that is, the conduct of government has been characterized by wild accusations, character assassination, vulgar and abusive language. Since the most powerful in the land behave in this way, it is perhaps not surprising that Lesotho's political process has often entailed sporadic and bursts of violence.

---

[49] See Matlosa, K "Conflict and Conflict Management", *Lesotho Social Science Review* 5(1)1999.

The most formidable political challenge that faced the BCP administration in 1993 was the question of how it was going to persuade or coerce the politicised army to obey an elected civilian government. It should also be noted that apart from supporting Prime Minister Leabua Jonathan's unconstitutional government from 1970 to 1985, Lesotho's army had governed the country for seven years between 1986 and 1983. The relations between the key civil and military organs of the state were explosive; in other words, there was a deep mistrust between the BCP-LCD government and the army.

The BCP-LCD governments in the new dispensation after the 1993 election did not have enough power (they did not have the monopoly of violence). Before the handover of government, the military had secured to itself exclusive powers, especially with regard to the management and discipline of its own members. This led to the existence of what Kohn (1997:143) describes as "the state within a state syndrome". In the interpretation of the crises, since the return of multiparty democracy in 1993, two rival factions have always existed, somewhere unnoticed in government. For most of the period, the rivals have been the elected civilian authority (under the BCP and later LCD) and the army. These two organs competed for political power which was exposed by the outcome of the 1998 election, when the army failed to uphold the rule of law. The Lesotho Defence Force Act of 1996 states that "the defence force shall be employed....in the maintenance or suppression of internal order.... law and order... (869). Despite the legal provisions shown above, the army remained a political actor which served its own interests and undermined the democratic dispensation. Consequently, the BCP-LCD governments were unable to exercise their coercive capacity over the people.

The sour relations between the army and the politicians placed the new democratic dispensation in a "fragile" position. There were repeated pleas by the senior BCP cabinet ministers and MPs calling for the disbandment of the military and its replacement by the LLA. This resulted in differences between the military and the government because the army believed that the government was making secret moves to abolish it. The BCP government used the state media as a platform for berating its political opponents as well as legitimate state institutions particularly the military, the police, the monarchy and anybody else whom they associated with the previous BNP government.

Instead of deepening democracy in Lesotho, the 1998 election aggravated the already existing problems that had been in existence since return to democratic rule in 1993. For the first time in Lesotho's history there was an establishment of an IEC. This was an improvement on the previous elections of 1965, 1970 and 1993 that were administered by a government-controlled electoral office. In those elections, the election results were rejected by the losing parties. This was an important landmark in Lesotho's political development.

A closer examination of Lesotho's political developments shows the regular interference of the military in politics despite the enormous efforts undertaken by post-military governments to depoliticise the institution. This argument is supported by Mothibe who indicates the need for a non-partisan military if democracy is to take its root and prosper in Lesotho (1999:60). Chege (1995:15) argues that "professional and politically correct armies in the service of democratically-elected governments ought to be encouraged and supported". Though the Lesotho Defence Act gives an adequate account of the civil-military relations which must be followed, this has proved unfruitful. The Lesotho Defence Force Act cannot guarantee that civil-military relations will be stable as the incidents in the post-military dispensation show. Mothibe argues that the Act cannot guarantee that "civil-military relations will in fact be stable and consistent with democracy because civilian control is a process" (1999:60). Mothibe argues that the attainment of this relies on the closer examination of the following issues (1999), which I agree are essential for consolidation of democracy in Lesotho:

> Acceptance by LDF of the primacy of the civilian authority
> and the rule of law, civilian authority must be accepted by all
> the country's political leadership and the general populace....
> LDF mission statement must be uncalculated in the minds of all
> members of the LDF (Ministry of Defence, Annual Report, 1997/98:16).

Whether Lesotho needs a permanent army remains a main issue in the process of democratic consolidation and solving conflicts in future. The LDF receives the third highest budget allocation but only a few (those working in the army) benefit from the existence of a standing army and it does not play any significant role in the building of a democratic culture (Selomi Monyane, in a personal interview on the 10 August 2004). Considering the geographical position of Lesotho, which is entirely surrounded by South Africa and given the fact that the LDF play a less significant role in peace-keeping operations, it is unclear what role the army

plays apart from oppressing people (Selomi Monyane, in a personal interview on the 10 August 2004). Countries like Costa Rica have disbanded their armies and this could serve as a motivating factor for the government of Lesotho to adopt a similar policy of dismantling the army, and replacing it with a strong police mobile unit (Mahao 1999 cited in Crisis in Lesotho, The Challenge of Managing Conflict in Southern Africa, Foundation of Global Dialogue Series No. 2.1999:21, Selomi Monyane, in a personal interview on the 10 August 2004).

After the political unrest in 1998, a large deficit incurred in 1999/00 was a result of the re-construction and restructuring of the Lesotho Bank and the Lesotho Highlands Development Authority (LHDA).The government signed an agreement with the International Monetary Fund (IMF) which supported a Poverty Reduction and Growth Facility (PRGF) programme (Mokose Ralechate, in a personal interview on the 04 December 2003). This agreement was designed "to restore fiscal balance through improved revenue collection, expenditure cuts, public sector reforms [and] maintain external reserves at about 6 months to import cover" Poverty Reduction Strategy (2004/5:14).

Given the weakness of the economy which has been curtailed by conflicts and political instability, it remains to be seen as to whether this will be attained. It was estimated that the reconstruction and development of Lesotho after the 1998 political crises will cost about M300 million. Reconstruction will consist of private sector commercial and household dwellings of about M190 million...public sector reconstruction of M75 million and replenishment of public vehicles of the order of M35 million" Government of Lesotho (1998: xi).It should be noted that the successful conduct of the elections in 2002 elections under the new electoral model of MMP is only the start of the consolidation of Lesotho's "fragile" democracy (see **Table 8** below).

Table 8: Summary of Seat Allocation and Per Cent Votes and Seats in 2002 Elections in Lesotho under the MMP Model.

Party.	Total party votes.	Constituencies won by party	Party's allocation of comp. seats	Total Number of seats	Per Cent Party votes	Per cent seats won(Const. Seats+Comp. Seats)
BNP	124,234	0	21	21	22.4	17.8
BAC	16,095	0	3	3	2.9	2.5
BCP	14,584	0	3	3	2.6	2.5
CDP	1,919	0	0	0	0.3	0.0
PFD	6,330	0	1	1	1.1	0.8
KBP	1,155	0	0	0	0.2	0.0
LCD	304, 316	77	0	0	54.9	65.3
LPC	32,046	1	4	4	5.8	4.2
Lesotho Workers Party(LWP)	7,788	0	1	1	1.4	0.8
MFP	6,890	0	1	1	1.2	0.8
NIP	30,346	0	5	5	5.5	4.2
National Progressive Party(NPP)	3,985	0	1	1	0.7	0.8
NLFP	1,671	0	0	0	0.3	0.0
SDU	1,584	0	0	0	0.3	0.0
Social Democratic Union(SDU)	542	0	0	0	0.1	0.0
UP	901	0	0	0	0.2	0.0
Independents	-	0	0	0	-	0.0
Total	554,386	78	40	118	100	100

Source: Elklit, 2002:9.

Note: Three more parties participated in the constituency elections, but did not win seats and are not included here.

Despite the successful conduct of the elections, which were won by the LCD, the institutions that specialise in conflict management and resolution are still relatively weak (Selomi Monyane, in a personal interview on the 10 August 2004). Moreover, X claims that "violent clashes between the Lesotho Factory Workers Union (LFWU), which were brutally suppressed by police shows an absence of the conflict management strategies in resolving differences amicably, between the LCD government and the population.... Lesotho's democratic dispensation has a history whereby opposition to government is brutally crushed...".

There is poor communication between the electorate and MPs as a result of poor accountability. X further argues that "after the 2002 electoral outcome, we have never seen our MP coming to the constituency sub-structures to brief them about the developments pertaining to service delivery..... the LCD MPs are just enjoying their salaries with their families and they do not care about the population which voted them to power... ". The Lesotho Parliament has portfolio committees which are not efficient and to facilitate the production of quality legislation as well as the control and monitoring of the executive arm of government. In this regard, X claims that "parliamentary portfolio committees are hardly in operation, which is caused by lack of financial resources that could allow them to have an accurate evaluation of the government policies". These problems have continued to undermine the efficiency and effectiveness of parliament.

A new phenomenon has emerged within the political parties in Lesotho and which is more destructive than constructive for the process of democratic consolidation. This is "settling of political problems legally". The consequence of this "strategy" has worsened the already "fragile" political landscape. In April 1996, four BCP constituencies of Thabana-Morena # 42, Mohale's-Hoek # 47, Mokhotlong # 64 and Khubelu # 65 instituted legal proceedings in an attempt to get a court order to declare the Annual Conference held from 8 to 11 March, declared null and void (Hlasane Nkao, in a personal interview on the 11 August 2004, Pule, 1999:7). They argued that NEC elections were rigged. In 2002, senior members and LCD MPs, Mabusetsa Makharile, Thebe Motebang and Shakhane Mokhehle instituted legal proceedings in an attempt to get an order declaring the outcome of the Annual Conference held from 28 to 30 January 2001, declared null and void (Selomi Monyane, in a personal interview on the 10 August). Ultimately, new political parties have emerged as the result of court orders and interdicts barring members from attending conferences. Lesotho now has

over twenty political parties for a country whose voting population is less than a million (*Public Eye, 01 October 2004:4*).

For the process of democratic consolidation to be sustained, it will be essential for the country to establish civic education programmes to inform the population about the general workings of democracy. This will be important to broaden and deepen the understanding of democracy in light of Lesotho's long-term governance problems and post-election experiences since independence. The findings of the study show that there is a poor understanding amongst the electorate of the practical implications and benefits of democracy. It is essential that mechanisms should be devised to ensure feedback and public monitoring by the electorate of MPs. Programmes should be undertaken for the training of party-leaders on the imperatives of internal party democracy, accountability and transparency as the foundations of democracy. Campaigns should also be introduced to provide vulnerable and marginalized groups with an understanding of how government works.

The IEC should be given adequate time and sufficient personnel to prepare for the elections. Registration of voters should be undertaken in time and independent observers should be given access to such processes. There is need for the creation and strengthening of structures for public participation in government. Though the country has had the first ever local government elections on April 30 2005, there are still no clear guiding principles or clear rules for the distribution of powers between the elected representatives at the local levels and the chiefs. Lesotho has to develop a strong and widely accepted policy on the decentralization of power as well as supplying the infrastructural needs of the local communities and developing suitable implementation plans.

REFERENCES

BOOKS

Ake, C (1996): Development and Democracy in Africa, Washington D.C, The Brookings Institution.

Ball, A (1993): A Modern Politics and Government, London, Macmillan.

Benjamin, L and Gregory, C (1992): Southern Africa at the Crossroads, Rivonia, Justified Press.

Butler, D and Butler, G (1986): British Political Facts 1900-1985, London, Macmillan.

Butler, D E et. al(1981):Democracy at the Polls: A Comparative Study of Competitive National Elections, Washington, American Enterprise Institute for Public Policy Research.

Chabal, P (1994): Power in Africa: An Essay in Political Interpretation, London, Macmillan.

Daalder, H and Irwin, G (1989): Politics in the Netherlands, London, Frank Cass.

Deng, F and Zartman, W (1991): Conflict Resolution in Africa, Washington D.C, The Brookings Institution.

Fukuyama, F (1992): The End of History and the Last Man, London and New York, Penguin.

Gay, T and Hall, D (2000): Poverty in Lesotho: More than a Mapping Exercise, Maseru, Sechaba Consultants.

Gill, J .S (1993): A Short History of Lesotho, Morija, Morija Museum and Archives.

Guy, L "The Problem with PR" in Diamond, L and Plattner, F (1993): The Global Resurgence of Democracy, John Hopkins, John Hopkins University Press.

Hague, R, Harrop, M and Berlin S (1992): Comparative Government and Politics, London Macmillan.

Hayes, N (2000): Doing Psychological Research, Buckingham Oxford, Oxford University Press.

Heywood, A (1999): 'Freedom, Toleration and Liberalism' Political Theory: An Introduction, New York, St. Martin's Press.

Heywood, A (1997): Politics, London, Macmillan.

Held, D (1987) Models of Democracy, Cambridge, Polity Press.

Hodgkin, T (1957): <u>Nationalism in Colonial Africa</u>, New York, New York University Press.

Hutchful, E and Bathily, A (1998): <u>The Military and Militarism in Africa</u>, Dakar, CODESRIA Books.

Huntington, S (1968): <u>Political Order in Changing Societies</u>, Yale, Yale University.

Huntington, S (1991): <u>The Third Wave: Democratization in the late 20th Century</u>, Norman, University of Oklahoma Press.

Jackson, R and Jackson, D (1997): <u>A Comparative Introduction to Political Science</u>, New Jersey, J Prentice Hall.

Janda, K, Berry, J.M and Goldman, J (1989): <u>The Challenge of Democracy: Government in America</u>, Boston, Houghton Miffin.

Khaketla, BM (1970): <u>Lesotho1970: An African coup under the Miscrope</u>, London, C. Hurst & Company.

Kotze, H: '<u>Let all Votes Count in South Africa; Choosing an Electoral System for Deeply Divided Society</u>', Research Report No.2 of 1992. Centre for International and Comparative Politics, Stellenbosch, University of Stellenbosch.

Leeman, B(1985):<u>Lesotho and the Struggle for Azania</u>,Vol.i,ii,iii, 1966-1984,South Africa, University of Azania.

Machobane, LBBJ (2001): <u>King's Knights</u>, Roma, ISAS.

Macris, R C (1984): <u>Political Parties: Contemporary Trends and Ideals</u>, New York, Harper& Row.

McKenzie, R (1955): <u>British Political Parties</u>, London, Heinemann.

Medearis, J 'Schumpter, The New Deal and Democracy' <u>American Political Science Review</u> 91(4) 1997.

Minnaar, A, Jan Liebenberg, J and Schutte, C (1994), <u>The Hidden Hand: Covert Operations in South Africa</u>, Pretoria, Human Sciences Research Council.

Mill, J.S (1948): <u>On Liberty and Considerations on Representative Government</u>, Oxford, Basil Blackwell.

Mphanya, N (2004): <u>A Brief History of the Basutoland Congress Party Lekhotla la Mahatamoho: 1952-2002</u>, Morija, Morija Printing Works.

Musambachime, M(1998): 'Conflict Management and Mediation within and among political parties' in Eastern and Southern African Universities Research Programme(ESAURP), <u>The Road to Democracy</u>,TEMA publishers, Dar es Salaam.

Nieuwkerk, A (1992): Transitional Politics in South Africa: From Confrontation to Democracy? Bloemfontein, South African Institute of International Affairs.

Ohlson, T (1993): 'The end of the Cold War and Conflict Resolution in Southern Africa' in Suddique, R(Ed) Sub-Saharan Africa: A Sub-Continent in Transition, Vermont, Ashgate Publishing Com.

Ohlson, T and Stedman, S (1994): The New is not yet Born: Conflict Resolution in Southern Africa, Washington D.C, The Brookings Institution.

Przeworski, A (1991): Democracy and the Market: Political and Economic Reforms in Eastern Europe and Latin America, Cambridge, Cambridge University Press.

Ranney, A (1997): The Governing of Men 4th edition, Hinsdale III, Dryden Press.

Riker, W (1962): The Theory of Political Coalitions, New Haven, Yale University Press.

Roxborough, I (1979): Theories of Underdevelopment, London, Macmillan Press.

Rule, S 'Lesotho Election, May 1998', Johannesburg, EISA, 1998:18.

Sachikonye, L (1995): Democracy, Civil Society and the State, Zimbabwe, SAPES.

Schellengberg, J (1982): The Science of Conflict, Oxford, Oxford University Press.

Schumpeter, J .A (1942): Capitalism, Socialism and Democracy, New York, Harper Bros.

Sixishe, D (1984): "But Give Him an Army Too"Leabua Jonathan: A Biography", Maseru, Mokorotlo Publishers.

Shivji, I, 'State and Constitutionalism: A New Democratic Perspective' in Shivji (1991): The State and Constitutionalism: An African Debate, Harare, Sapes Books.

Southall, R and Petlane, T (1995): Democratisation and Demilitarisation in Lesotho: General Election of 1993 and its Aftermath, Pretoria, Africa Institute of South Africa.

Wamba-dia-Wamba, E., 'Africa Search of a New Mode of Politics' in Himmenlstrand, Kinyanjui, K and Mburugu, E (1994): African Perspectives on Development, London, James Curry Ltd.

Weisfelder, R.F (1999): Political Contention in Lesotho 1952-1965, Roma, ISAS.

Wiseman, J A (1990): Democracy in Black Africa, New York, Paragon House.

Zartman, W (1995): Collapsed States: The Disintegration and Restoration of Legitimate Authority, Boulder, Lynne Rienner Publishers.

JOURNAL ARTICLES

Brink, H (1991): *Quantitative Vs Qualitative Research*, Nursing RSA, Vol. 6, P 14-16.

Chege, M "The Military in the transition to Democracy in Africa: Some preliminary observations", *Codesria Bulletin*, 3 1995.

Diamond, L (1994) "Rethinking Civil Society: Towards Democratic Consolidation", *Journal of Democracy, 5(3)*.

Diamond et. al (1987) "Building and Sustaining Democratic Government in Developing Countries", *World Affairs*, Vol.150 (1).

Elkit, J "Lesotho 2002: Africa's First MMP Elections", *Journal of African Elections*, Vol.2 (2002).

Gay, J "Crisis in Lesotho" *Africa Notes*, November 1998

Gouws, A "Political Intolerance and Civil Society", *Politikon* Vol, 20.1 June 1993.

Gumbi, L "Instability in Lesotho: A Search for Alternatives", *An African Security Review* 4(4) 1995.

Kadima, D "DRC and Lesotho Crises", *Lesotho Social Science Review* 5(1) 1999.

Kadima, D "Choosing an Electoral System: Alternatives for the Post-War Democratic Republic of Congo", *Journal of African Elections* 2(1).

Kohn, R.H "How Democracies Control the Military", *Journal for Democracy* 8(4) October 1997.

Molomo, M "External Military Intervention in Lesotho's Recent Political Crisis", *Lesotho Social Science Review* 5(1)1999.

Makoa, F "The Challenges of the South African Military Intervention in Lesotho After the 1998 Election", *Lesotho Social Science Review* 5(1) 1999.

Makoa, F "A Lesotho Voter", *Lesotho Social Science Review* 3 (2) 1997.

Mothibe, T "The Military and Democracy", *Lesotho Social Science Review* 5(1)1999.

Matlosa, K "Conflict and Conflict Management", *Lesotho Social Science Review* 5(1)1999.

Matlosa, K "Political Instability and Elections: A Case Study of Lesotho", *Lesotho Social Science Review* 3(2) 1997.

Matlosa, K "Political Culture and Democratic Governance in Southern Africa", *African Journal of Political Science* 8(1) June 2003.

129

Matlosa, K "Military rule and withdrawal from power: the case of Lesotho", in Hutchful, E and Bathily, A (Eds) (1998): The Military and Militarism in Africa, Dakar, CODESRIA Books.

Matlosa, K and Pule N "The Military in Lesotho", *African Security Review* Vol.10.No.2, 2001.

Mutisya M "Understanding the Nature of the Recent Lesotho Crisis", *SAPES* Vol.12 1999.

Nathan, L "Who guards the Guardians? An Agenda for Civil-Military Professionalism in South Africa", *Strategic Review for Southern Africa* Vol.1, 17 May 1995.

Nqosa, M "The 1993 Election and the Challenges for the Development of Constitutionalism in Lesotho", *Lesotho Social Science Review* 3(2)1997.

Pule, N "Power Struggles in the BCP", *Lesotho Social Science Review* 5(1)1999.

Pule, N "A Decade of Transition", *Lesotho Social Science Review* 3(2)1997.

Selinyane, N "Civil Society, Electoral Politics and the Retrieval of Democracy in Lesotho", *Lesotho Social Science Review* 3(2)1997.

Sejanamane, M "The Lesotho Crisis and Regional Intervention", *Southern Review (SAPEM)* 9(5) 1995-6.

Sekatle, P "Formation of the Lesotho Congress for Democracy: Implications for the 1998 Election", *Lesotho Social Science Review*, 3(2), 1997.

Sekatle, P "The Lesotho General Election of 1998", *Lesotho Social Science Review*, 5(1)1999.

Thabane, M "The King in Politics in Lesotho: Background to the 17th Aout of King Letsie III, August-September 1994", *Review of Southern African Studies* 29(1) 1998.

Tsie, B 'Regional Security in Southern Africa: whither the SADC Organ on Politics, Defence and Security' *Global Dialogue*, 3(3), 1998.

Weisfelder, R.F "Why Lesotho needs a distinctive diplomatic strategy", *Africa Insight*, 27 1, 1997.

Weisfelder, R. F "Power Struggle in Lesotho", *Africa Report* Vol.12, No.1 January 1967:6.

Weisfelder, R. F "The Basotho-Nation State: What legacy for the future", *Journal of Modern African Studies* 1(22), 1981.

DOCUMENTS AND PRESS REPORTS

Anonymous (1998): Summary of Events in Lesotho Third Quarter and Fourth Quarter.

Basutoland Congress Party Manifesto, 1993 Elections

BNP Press Conference Document on the 29 March 1993

Central Bank of Lesotho, Annual Report for 1989, Maseru Branch 1990 pg 12:17.

Commission of Inquiry Report, Lesotho Defence Force, 31 January 1995, Maseru, Lesotho.

Crisis in Lesotho, The Challenge of Managing Conflict in Southern Africa, Foundation of Global Dialogue Series No. 2.1999.

Defence News, 1995 Ministry of Defence and National Security, Maseru, Lesotho

Defence News, 1996 Ministry of Defence and National Security, Maseru, Lesotho.

Edmonds, M, Armed Services and Society.Inter-University Seminar Special Editions on Armed Forces and Society, 2 Westview, Boulder 1990.

Government of Lesotho, Interim Political Authority Act, 1998

Government of Lesotho (1998), "Post-Conflict Needs Assessment", Ministry of Economic Planning and Finance, November, Maseru, Lesotho.

Government of Lesotho (1994), Understanding of Measures and Procedures Relating to the Restoration of Constitutional Order in Lesotho, Maseru, Lesotho

Herskovits, J "Lesotho and the Return of Democracy: What Future for the Military?", unpublished paper, no date, p: 34.

Independent Electoral Commission (IEC), Provisional Results May 27, 1998.

Joint statement by leaders of Political Parties, 30 May 1990

Judgment delivered by Justice W.C.M. Maqutu on the 18 April 1997 in the matter between Ntsu Mokhehle vs Molapo Qhobela and others, CIV/APN/75/97.

Langa P, Report on the Commission of Inquiry into the conduct and Results of the Lesotho General Elections held in May 1998. 9 September 1998.

Lesotho Budget Speech, 1996/97.

Lesotho Budget Speech, 1997/98.

Lesotho Budget Speech 1998/99.

Lesotho Defence Force Act No.74, 1996.

Letter From His Majesty King Letsie III to the Prime Minister, Right Honourable Dr.Ntsu Mokhehle 16 August 1994.

Livelihoods in Lesotho, Care, July 2001, Maseru, Lesotho.

Moshoeshoe II Address, March 12, 1986.

Makoa, F "King Letsie III's Short-lived coup, paper presented in the Social Science Seminar, National University of Lesotho (N.U.L), Roma ,2 February 1995.

Matlosa, K "Conflict and Conflict Management: Lesotho's Political Crisis after the 1998 Election", Paper prepared for the SAPES Regional Conference in the Crisis and Intervention in Lesotho, Maseru, 5-6 February1999: 16.

Matlosa, K: "Electoral Systems and Political Stability in Southern Africa", Paper prepared for the Training Workshop on Election Observation hosted by SADC Parliamentary Forum", Wind Hoek, Namibia,18-20 September 2000.

Memorandum of Understanding (signed on 14 September, 1994 by the King and Lesotho Prime Minister.

Ministry of Defence, Annual Report 1997/8.

Molokomme, A "Building Inclusiveness in SADC's Democratic Systems: The Case of Women's Representation in Leadership Positions" Paper Presented at the Southern African Elections Forum, Windhoek, Namibia 11-14 June 2000.

Petlane, T "Notes on State-Society Relations and their implications for Democratic consolidation in Post-election Lesotho", Lesotho Political Crisis Workshop. Roma, N.U.L.

Poverty Reduction Strategy (2004/5:14), Ministry of Finance and Planning, Maseru, Lesotho.

Prime Minister's Statement on the Banning of the Communist Literature from Lesotho, 6 February 1970.

Public Sector Management, Governance and Sustainable Human Development –A Discussion Paper, 1995.

Radio Lesotho Broadcast, 13th April 1998.

Radio Lesotho Broadcast, 11th September 1998

Report of the Commission Of Inquiry Into The Events Leading To Political Disturbances Which Occurred In Lesotho During The Period Between 1 July, 1998 to 30 November, 21 October, 2001).

Report of the National Dialogue on the Development of a National Vision for Lesotho (Vision 2020), Volumes 1 & 2, Maseru, Lesotho.

Sekatle, P "The Political Dynamics of the 1998 Elections in Lesotho", Paper prepared for the SAPES Regional Conference on the Crisis and intervention in Lesotho, Maseru, 5-6 February 1999.

Statement of Reconciliation. July-August 1975.

The Constitution of Lesotho, 1993, Maseru, Government Printers.

Understanding of Measures and Procedures Relating to the Restoration of Constitutional Order in Lesotho, 14 September 1994.

United Nations Agencies Resident in Lesotho, 'The impact of changes in South Africa on developmental prospects of Lesotho' Maseru, 1995.

World Bank, Staff Appraisal Report, No.8853-LSO, The Lesotho Highlands Water Project (Phase 1A), July 1991.

Work for Justice, 50, October, 1997.

NEWSPAPER AND WEBSITES

Independent Mail, 03 March 1998.

Mirror, 27 May 1991.

MoAfrika, 26 April 1996.

MoAfrika, 8 March 1996.

MoAfrika, 10 Hlakubele 1994.

MoAfrika, 6 December 1996.

MoAfrika, 09 October 1998.

Makatolle 13 May, *1994.*

Mopheme, 23- 30 April 1996.

Nketu oa Mara, Vol 3. No.3, January 20, 1967.

Nketu oa Mara, Vol 6. No.7, February 13, 1970.

Public Eye, 01 October 2004.

The Star 4, September 1998.

South African Communist Party Secretariat, 'Lesotho Political Players –All are to Blame' The *Gazette,* 7 October 1998.

EISA Report on, 'Focus on challenges to Multiparty Democracy viewed on 12 December 2004 on httpwww.plusnews.org/report.asp.

Mohiddin, A, 2002, 'Lesotho In The 21st Century towards Good Governance and Working Democracy', McGill viewed on 10 March 2005 in httpwww.undp.org.ls/Publications%20reports .

Rojas, 1996, 'Modernization Theory and Laws of Social Change' viewed on the 10 April 2005 in httpwww.rrojasdatabank.org/capital 8.htm.

ORAL EVIDENCE

Mr. Hlasane Nkao, personal interview on the 11 August 2004

Colonel. Maaparankoe Mahao, personal interview on the 10 June, 2002.

Hon. Mokose Ralechate, personal interview on the 04 December 2003.

Major [ex]. Mothae Tanki, personal interview on the 10 June 2002.

Private [ex] Molapo Pabala, personal interview on the 14 October, 2004.

Mr. Phoso Moketa, personal interview on the 12 June 2004.

Hon. Selomi Monyane, personal interview on the 10 August 2004.

Advocate. Sekara Mafisa, personal interview on the 10 August 2003.

Professor. Richard Weisfelder, personal interview on the 04 September 2004.

METHODOLOGICAL APPENDICES: APPENDIX 1

The principal techniques that were used to gather data were semi-structured interviews. The reason for employing this technique is that it allows interviewees to offer opinions and draw attention to issues that may not have been considered by the interviewer. The sample population was drawn from a number of senior political party leaders. Ten people were interviewed. The study population consisted of eight people from various parties and two citizens who were regarded as "neutral bystanders". The eight people were selected to represent the four main political parties, namely the LCD, BCP, BNP and the MFP. Two were chosen from each party. The sampling technique used was "judgement sampling" (Brink, 1991:15).The reason is that it allows the researcher to select individuals on the basis of specific criteria (Brink, 1991). In this case, the principal criterion that determined their selection was that they were in executive positions in the major political parties.

The questionnaires used through the study were open-ended. This was specifically for the purposes of gathering additional information from the interviews. Most of the interviews had to be conducted in the individual respondent's homes, because it was difficult to find them in the party's offices. The interviews were conducted at times that were appropriate to individual's schedules. This was to assist those with literacy problems and to allow for flexibility. Each of the respondents was given a copy of the questionnaires.

The questionnaires were drafted in Sesotho in order to grasp accurate information. This was after it emerged when the respondents were given copies of the questionnaires prior to the interviews that they could not grasp the exact meaning of the questionnaires. Moreover, to facilitate accuracy in recording the responses, a tape recorder was used during the interview. Therefore, the direct quotations used in the study were translated from Sesotho to English. This led to stylistic editing to improve clarity. It is hoped however, that the actual responses are presented as clearly as possible. After the interviews were conducted, the interviewees were once again briefed and allowed to comment on what they had presented.

The responses were analysed using thematic analysis. Thematic analysis is qualitative analysis, which involves sorting information into themes (Hayes, 2000:173). Themes, according to Hayes (2000) are the repeated ideas or topics, which can be detected in the

135

material being analysed and which come up on more than one occasion in a particular set of data. The researcher read through the data several times. This was to identify the frequent themes. Consequently, the rising themes were then categorized and analysed. It should be noted that thematic analysis though is a useful method of exploring the depth of qualitative data. Nevertheless, it is a precise and difficult process (Hayes, 2000). In establishing objectivity for the study, senior figures of the Catholic Church were approached on some issues that emerged from the interviewees. This was intended to establish objectivity of the study because they had the historical evidence on the Church role since the pre and post independence developments.

Ethics and accountability

The anonymity of the respondents was observed. The researcher was aware of the need for confidentiality in this study. More so, in a confidential survey, the researcher may well know the identity of individual respondents. The researcher has to guarantee that no identifying information will be revealed to any one else (Brink, 1991:16).The respondents were assured that their responses would be treated with strict confidentiality and that their names would not be recorded anywhere. Therefore, in the analysis of the data, the respondent's names were not given out to ensure confidentiality.

Validity and Reliability

Both qualitative and quantitative researchers agree that research findings need to be reliable and valid (Woods and Cantanzaro, 1998 as cited in Brink, 1991:16). In addition, Brink further distinguishes between these two concepts in the following manner (1991:16).

Qualitative Research

Validity concerned with confirming the truth-value or believability of the findings that have been established by the researcher, which means the extent to which the data provides insight. Reliability focuses on identifying and documenting recurrent accurate and consistent features as patterns or themes (Brink, 1991).

Quantitative Research

Validity refers to the degree an instrument measures what it is supposed to be measuring whilst reliability looks for the degree of consistency or accuracy with which an instrument measures an attribute (Brink, 1991).

APPENDIX 2

The following is a series of responses obtained from the personal interviews that were drawn from a sample that consisted of eight people from various senior party leaders and the two from citizens who were regarded as neutral bystanders. The following questionnaires and responses are divided into two sections, Section A covers the developments that occurred after the 1993 election whilst Section B covers the developments after the 1998 elections.

Section A.

When asked on the challenges that were facing the new democratic dispensation in the aftermath of the 1993 election, the following responses were obtained.

Respondent A, "The challenges were that there was no clear demarcation line or separation on the role that the monarchy should play in the new democratic dispensation. This was caused by the fact that the institution of the monarchy had battled for increased executive powers with the previous BNP government after the 1965 pre-independence elections. In 1966, King Moshoeshoe II went on mobilizing support against the adopted Lesotho's Constitution. This problem of getting more executive powers continued to manifest until the 1986, when the military government gave some executive powers to the monarch. However, this was short-lived as the military government again removed the executive powers from the King. There was increasing unemployment as the large numbers of Basotho mine workers were retrenched from the gold mines in South Africa; there was lack of reconciliation in the country among the various parties. The main opposition party, the BNP was struck by the power-struggles which revolved around its leadership. Its leader Retselisitsoe Sekhonyana had a lengthy experience in government and was well respected for his sophistication and political expertise. However, he was not favoured by the population of the BNP members as a result of his close association with the military government that toppled the BNP government in 1986. The MFP continued to appeal for executive powers for the monarch. This aggravated the pressure on the new dispensation that was already battling with weak state institutions that were unable to unable to maintain law and order."

Respondent B, "In fact, the monarch kept on pressing for constitutional powers. This ultimately led to confrontation with the BCP administration. There emerged disagreements between the government and the monarch on how the country should be governed. Secondly, there was loss of trust between the key organs of the state (the military, the BCP government and the monarch).There was increasing unemployment caused by the retrenchments from the South African mines. The society was highly divided as a result of the different political ideologies caused by the legacy of BNP government. Labour disputes destabilized the BCP government and in most cases the government failed to contain them."

Respondent C, "The challenge facing the new democratic dispensation as well as the BCP government was to integrate its former armed wing LLA into the structures of the Lesotho Defence Force (LDF). Secondly, the previous military government under the Chairmanship of Major General Phisoana Ramaema had not addressed the issue of the restoration of his Majesty King Moshoeshoe II to the throne. King Moshoeshoe II relationship with the former BNP government and the military had created some hostilities with the BCP government. In fact, King Letsie III was seen as a better option than his father by the BCP government. Overall, the challenge was with the monarch, whom the BCP administration did not like".

Respondent D, "The King Moshoeshoe II was deposed by the military government under the leadership of Major General Metsing Lekhanya. This problem was left with the BCP government to address or reinstate the deposed King Moshoeshoe II. The BCP government did not trust the monarch. King Letsie III vehemently indicated that he wished to step aside for his deposed father King Moshoeshoe II. However, X [this is done to hide the identity of the mentioned person], had been involved and was part of the evil acts (hid squads which the prominent BCP supporters were killed in the late 1980s) committed by the military government. The Judiciary was not independent. The other important factor was that the BCP was not democratic though the party kept on advocating for democratic principles. For instance, in the annual congresses, the executive leadership often imposes decisions without consent of the people; X had that tendency of imposing his decisions in the BCP and also expelling those who did not support him from the party. The society was highly polarized which was caused by the lengthy period of authoritarianism instituted by the BNP government. The government was faced with this difficult task of reconciling the largely divided population. The military and the post-military governments (BCP-LCD) did not trust one another. This was caused by the fact that the BCP-LCD saw the military and the monarch

as the main enemies of democracy in the country. The infrastructure was poor, caused by the lengthy corrupt and inefficient BNP government and the military. Unemployment was another critical challenge that posed a serious problem for the government".

Respondent E, "It was not clear on the role that the monarch was supposed to play in the new democratic dispensation. This was worsened by the MFP advocacy for executive powers for the monarch. There was an unaddressed issue of King Moshoeshoe II's reinstatement to the throne who was deposed by the military government. As a result of the weak economy, it was prevalent that the competition for state power was likely to be violent. The smaller the cake, the bitter the struggle. Lesotho politicians became involved in struggles for political power. Lesotho's politics are not only about usual assumption of state power. State power is associated with the economic machinery. Those who control the state control the economy. Migrant workers were retrenched in numbers and this posed a challenge to the BCP government because it also did not have clear strategies of how it was going to address this problem".

Respondent F, "There were problems of increasing levels of unemployment. There were external developments which caused fears among the population. The external pressure was mounted by the gradual transition of South Africa into democracy. For some people, they feared that Lesotho would be incorporated into the new South Africa after 1994 elections. There was a deep hatred between the supporters of the main political parties (the BCP and the BNP). There was widespread corruption in the BCP government. The BCP MPs misused the Lesotho Highlands Water Venture (LHWV) for their own benefits; *"fato-fato"* became the powerful tool for recruitment, only BCP supporters were recruited, how was it benefiting the rural population? Significantly, there was a problem at the BCP at the leadership level, and this caused them to fail to address the misuse of funds, for instance "X used the BCP as his private property; he was an undisciplined leader who used his popularity to create divisions and to mobilize internal opposition for those he feared. The other critical challenge was how the newly civilian BCP government was going to institutionalize control over the army. This was because the recruitment into the army was previously done along political lines by the previous BNP government. The army was highly politicized."

Respondent G, "The challenge was on how the BCP was going to institutionalize civilian control over the military. They had fought with the military during the LLA uprisings in the

1970s and 1980s when they wanted to forcefully remove the BNP from power. Secondly, the monarch was appealing for more executive powers despite the adopted Constitution of 1966 which made him a constitutional monarch. BCP government had to make a national consensus on many important issues at the time, when the continent was suffering the worst drought and recession in 1993. There were large numbers of retrenchments from the gold mines. Foreign aid had also declined significantly. There were tense relations between the main organs of the state (military, executive and monarchy). It was difficult for the BCP government to integrate its former combatants into the LDF structures because of these hostilities. There was lack of political tolerance and the absence of inclusive democracy within the main political parties. The population was largely divided along party lines (BNP, BCP and MFP).The BCP made repeated promises about the introduction of local government elections which threatened the traditional structures of chieftainship. It remained to be seen as to how it was going to implemented given the poor nature Lesotho's economy."

Respondent H, "There were fears from the BNP supporters that the BCP government was going to implement the similar policies that the BNP government used [politicization of the civil service]. The previous BNP government policies saw the large expulsion of BCP members and its opponents from the civil service and the politicization of the key organs of the civil service. The challenge was to bring these forces together in the new democratic dispensation. The BCP government did not enjoy any significant support from the civil service. In terms of service delivery; it remained to be seen as to how the BCP government was going to tackle this issue. For instance, in Lesotho after 1993, if you were a BCP member, you were above the law, whilst today; if you are an LCD member you are still above the law this means that you can do anything and misuse public funds. Lastly, the BCP was highly factionalised. This faction fighting gradually undermined its effectiveness in governance in terms of public policy. Perhaps the presence of the second party in parliament might have prevented the split from occurring."

Respondent I, "The challenge was on how the BCP government was going to institutionalize its control over the highly politicized army, the police and the National Security Services (NSS). The other challenge was with the monarch. The fact that the deposed King Moshoeshoe II had managed to destabilize the previous governments (the BNP and the military).This had set a precedent for King Letsie III. It was certain that the BCP government was going to battle with the monarch in the new democratic dispensation. There was no

cooperation between the monarch and the BCP-LCD governments. The BCP government was reluctant to address the question of restoration of King Moshoeshoe II. On the other hand, the BCP-LCD governments did not trust the monarch. The other challenge was the lack of intra-party democracy within the key political parties, which led to the internal struggles and breakaways. This became prevalent in the BCP and the BNP which were the dominant parties. The competition for executive positions in the BCP undermined and deflected the party's attention in addressing the real societal problems. State institutions were highly politicized and they failed to uphold the rule of law and order. The other challenge was that upon its assumption of power, the BCP made it clear that it wished to see the traditional forms of administration (chiefs), to be part of the local government structures. These created hostilities among the chiefs who were did not support this move because they feared that it was going to take away their powers."

Respondent J, "The main government institutions in the democratic society failed to uphold the rule of law. There were divisions amongst the population. There were internal power struggles in the BCP. Some prominent members of the BCP were assassinated as the result of the power struggles; X lost his life in the BCP struggles and the circumstances surrounding his death remains a mystery. This posed some serious challenges on how the BCP government was going govern as a divided party. There was an incompetent civil society[civil society organs were highly politicized] which was pro-BNP. The challenge was how this was going to be transformed to function efficiently in the new dispensation under the BCP government. The political landscape was highly polarized between the BNP and BCP supporters. The previous political differences that had existed in Lesotho's political landscape re-emerged. It remained to be seen how the BCP government was going address this problem as well as the wide spread corruption inherited from the previous military government."

When the respondents were asked on their views on whether the 1993 elections were free or fraudulent, the following responses were obtained.

Respondent A, "The 1993 elections were full of discrepancies and there was a shortage of electoral documents and the election was conducted under the transitional military government with its co-called Electoral Commission which was inexperienced, thus the integrity and the capability of the election were questionable. The elections were full of discrepancies. There was inadequate voter education, no clear and transparent registration

process. In fact, how do you expect to conduct a free election, whilst you lack all the essential ingredients? There was tampering with the official election result. The fact that election was to be conducted by few individuals left much room for doubt about its legitimacy."

Respondent B, "The elections were free and fair. This was reflected by the high percentage of voters who turned to vote. The election punished the BNP for its lengthy authoritarian rule and the unlawful seizure of power in 1970. There was no intimidation and violence but relative calm prevailed during the election day."

Respondent C, "In some polling stations and constituencies the BNP had clearly emerged as victorious but the situation changed unexpectedly when the official election result showed that the BNP had lost in all the constituencies. The 1993 election was not free and fair. In fact with the absence of the adequate electoral material, this meant that the election was open or vulnerable to be tampered with. There is no election that could be conducted in the absence of an independent neutral body and describe them as free and fair."

Respondent D, "The election was free and fair. Though many poling stations opened late, the voting process went smoothly with the voting stations remain opened until all the people had voted. There was relative calmness on the voting day. The population showed patience, determination and maturity. The unfortunate thing was that the election results did not meet with the general expectations of the main political parties."

Respondent E, "The 1993 election was not free and fair. There was arrogance, lack of co-operation with the key political players by so-called Electoral Commission. There were no sufficient consultative mechanisms deployed in the preparation of the elections. Our party did not have confidence with the few individuals who were administering the election. The most transparent measure to ensure that the elections are free and fair, is to facilitate and ensure that all the stake holders are involved in the electoral logistics. In the case of 1993 election, decisions were done without involvement of all relevant parties".

Respondent F, "The 1993 election was full of discrepancies. There is no way the party which had been in exile could win all the constituencies .In some constituencies after the ballots were counted, the BNP had won with a clear margin, but when the general result was

announced it was a different story. What had happened? These showed that something was done to rig the election outcome."

Respondent G, "The 1993 election was not free and fair. How can you judge by just looking at the voting during the voting day? The preparation of elections is a lengthy and gradual process. It starts with voter education which does not favour any party. The transparent registration process encompasses issuing voter registration to all the stake holders for inspection. But all of these were not adequately done, showing that something was going to be done to manipulate the election outcome."

Respondent H, "The 1993 election was not free and fair. Our party filled the complain sheets on the Election Day. Nevertheless, this was ignored by the so-called Electoral College. The conduct of the election was incompetent and election outcome was fraudulent."

Respondent I, "The 1993 election was not free and fair. There were no complains from the political parties. The rumblings and complains only came after the election outcome. This shows that it was only the election which did not with meet with the general expectations of some parties. The domestic and international observes had even declared the election and its conduct as free, fair and transparent."

Respondent J, "The 1993 election showed the passion, determination and commitment of the Basotho people. Hundreds of the migrant workers from the South African mines turned in numbers to cast their votes after having being denied for so long by the BNP government. The conduct of the election was excellent; despite some problems which concerned the ballots boxes and the shortage of the equipment. The election was about punishing the BNP for its unconstitutional seizure of power in 1970."

When asked about the views as why the BNP refused to accept the election outcome, the following responses were obtained.

Respondent A, "The BNP refused to accept the election outcome because; it could not believe that after ruling the country for a prolonged period and it could be defeated by the disorganized BCP. In fact, they were at expecting a closely contested outcome. Also, the BNP

143

was not going to accept the fraudulent election outcome, which was not a true reflection of the people."

Respondent B, "Despite the irregularities in the elections, the BNP seemed to belief that its lengthy dominance (its existence as the only party) had consolidated its support base. But when this failed to materialize, the party was frustrated and ultimately refused to accept the election outcome. There were fears from some organs in the civil service that there were going to be massive retrenchments from their occupational positions. Overall, the election was not free and fair."

Respondent C, "There was no way the BNP was going to accept the election that was rigged and fraudulent. The BNP advocates for free, fair and transparent democratic principles. But, the 1993 election was full of discrepancies and this did not meet with the practices of democracy. There were fears of a possible state of emergency from the victorious BCP as a revenge for the political developments of 1970. Importantly; the election result denied the BNP leadership accessibility to state resources as a result of the electoral model of FPTP used."

Respondent D "Those who control the state in Lesotho control the economy; politics in Lesotho is associated with economic machinery, though the election was not free and fair, there is an established culture among the political elites of refusing to accept the electoral result. The BNP refusal of the election outcome signalled the absence of political intolerance [unwillingness to accept defeat in elections] that has been brewing since independence."

Respondent E, "The election result did not reflect the wishes of the population. Also, there were fears of prosecution, harassment and substantial retrenchments of the BNP supporters from the civil service. The party could not believe that it had lost the election after ruling the country for twenty-three years. The BNP did not want to be ruled by the party it had suppressed during its period of governance that lasted for years. There were fears of the unknown in the new democratic dispensation."

Respondent F, "For the BNP, there was no way the party was going to accept the election outcome under a government which was not legitimately voted to power by the people because it was cheated. The election result was not the true reflection of the Basotho

electorates. The BNP's leadership was not sure of what might happen to their members in the new democratic dispensation. There were fears that the BCP might use its former LLA armed wing against the BNP. There were also mounting fears of politicization of the civil organs by the BCP. The BNP refusal showed an established culture of political tolerance to accept defeat in the election among the key political elites as well lack of solving conflicts amicably."

Respondent G, "There were fears that the BNP was going to the ban all political activities. There was no way the BNP could accept the electoral outcome because all major decisions were made by the Electoral Commission without proper consultation with the relevant stake holders. There were rising fears that the BCP was going to implement the same policies that the BNP implemented during its rule and the politicization of all organs of the state. The election result denied one of the biggest opposition party's accessibility to the state resources and the fair representation in parliament due to the electoral model of FPTP."

Respondent H, "For the BNP leadership, the loss of the elections meant the loss of a decisive vehicle for the accumulation of power and resources. There was no way that the BNP would accept the electoral outcome. Perhaps the situation was worsened by the exclusionist nature of the electoral model of FPTP which deprived of the losing parties a fair representation in parliament. The BNP leadership consisted of the corrupt officials who have been around in state power for the past twenty years. The election result denied them accessibility to power."

Respondent I, "It was not only the BNP that refused to accept the election outcome. The other political parties like the MFP, LLP and HBP also refused to accept the election outcome. There were uncertainties of the unknown in the new dispensation. This was aggravated by the reluctance of the BCP to negotiate with the BNP, which was labelled as responsible for the mysterious deaths of its members. This raised fears within the BNP ranks that the BCP had a secret agenda towards its members. The BCP strengthened its grip in government when it recalled the ambassadors, replaced the permanent secretaries and district administrative secretaries who were appointed by the previous governments."

Respondent J, "The act of refusing to accept the election outcome was provoked by the Electoral College failure to address its grievances. Due to high levels of polarization that existed between the BNP and BCP members, there were fears that the BCP might use the

state institutions to eliminate the opposition. In other words, the election outcome resulted in the revival of the old bitter rivalries that had been ongoing since independence."

When asked about their views on the type of civil-military relations that existed between the BCP and the military, the following response were made,

Respondent A, "They were bad, characterized by mistrust and suspicions. There were growing fears that the BCP was going to disband the military and replace it with its former LLA combatants. Thus, the military was resisting against any change that the BCP government wanted to introduce regarding the army."

Respondent B, "Considering that the recruitment into the army was done along political lines (only BNP members allowed to join the army). The situation was characterised by hostilities. This was because the same institution [military] was used as the tool by the BNP to suppress the BCP opposition during the BNP governance."

Respondent C, "There were anti-military statements made by the BCP parliamentarians and some senior cabinet ministers as well as the Prime Minister, Dr. Ntsu Mokhehle. The Prime Minister was reported to have said that the military was one of the enemies of democracy in Lesotho. The BNP also took advantage of its long time association with the army and aggravated the hostile civil-military relations."

Respondent D, "The civil-military relations were poor. Some grievances of the army were not addressed by the BCP government. The situation was worsened by the BNP as its leader, Retselisitsoe Sekhonyana who took advantage the BCP government weakness to address the grievances of the army such as the clarity on the future of the LLA. The BNP leader went on by repeatedly alleging that the BCP government wanted to replace the army with its former armed wing LLA."

Respondent E, "They were hostile. The BCP government worsened the already volatile situation by proclaiming anti-army statements. The military was threatened by the return of the LLA. They believed that they were going to be disbanded with the immediate effect and replaced by the LLA."

Respondent F, "Some differences had remained unresolved. It was not clear about how the recruitment into the new democratic dispensation was going to be like in the army. This was heightened by the pro-government supporters who went on calling for the speedy integration of the LLA into the armed forces. These hostile relations were perpetrated by uncertainties of the unknown in the new democratic dispensation especially regarding the future of those already serving in the army."

Respondent G, "Some senior members in the army and the most junior military officers were still unhappy about the handover of power to the civilian administration. Hence, during their governance, they had enjoyed all the financial rewards and resources. A change in government meant the automatic loss of all the privileges they had previously enjoyed. Also, the army was dominated by BNP members."

Respondent H, "The civil military relations were very poor; there was no co-ordination and cooperation between the army and the government. This was caused by the mistrust that the BCP government and the military harboured. The army had previously been used by the BNP to suppress the same BCP which was now in government."

Respondent I, "The military comprised of the members of BNP who were still upset about the failure of the BNP in the 1993 election. How could the army and police support the party in government which they have fought with for twenty-years under the BNP government? Those were the BNP's dogs [army and police] which were anti-government; we wanted the [former] LLA cadres in the army. There was no way that the civil-military relations were going to be good. The army was highly politicized. The hostilities were worsened by the fears that the army was going to be replaced by the former armed wing of the BCP."

Respondent J, "There was mistrust and suspicion between the army and the BCP-LCD governments. The recruitment process that was earlier used by the BNP (highly politicized) was beginning to have an impact. The civil-military relations were poor. How could you expect the two long standing enemies to work together? There were no measures undertaken in the transition period to reconcile the two institutions for the sake of peace and stability in the new dispensation."

When asked on their views as to why King Letsie III dissolved the BCP government, the following responses were gathered.

Respondent A, "King Letsie III was unhappy about the reluctance of the BCP to reinstate his father to the throne. Also, the King did not like the fact that there were no amendments made to the Constitution of Lesotho. The King wanted more constitutional powers. The King felt that democracy has failed in Lesotho. Importantly, these were similar feelings that the monarch had in the aftermath of the 1998 elections, when the King instead of calling for the protesters to disperse in the Palace grounds as instructed by the LCD government, appealed for more constitutional powers."

Respondent B, "King dissolved the BCP government in the interests of his father King Moshoeshoe II. The government failed to show any sympathy for the monarch. There were fears that the BCP government was going to disband the monarch. Hence, King Letsie III felt that he should act in best interests of the institution. The King was also working with the BNP to undermine the BCP government."

Respondent C, "King Letsie III wanted to establish a pro-monarch style of government. That is why he called the pro-monarch elements to establish an interim government. In other words, it was an effort to bring the monarch to the centre of political landscape. The unwillingness of the BCP government to reinstate his father King Moshoeshoe II to the throne and arguments over how the country should be governed led to the dissolution of the BCP government ....."

Respondent D, "King Letsie III was under pressure from the BNP which refused to recognise the legitimacy of the BCP government after the 1993 election. Hence, the institution of the monarchy had been strained to the side of the anti-government elements (the military and the BNP). There were public anti-monarchy statements which threatened the institution. Remember that among the five enemies of democracy that the Prime Minister [Dr. Ntsu Mokhehle] had complained about, the monarchy was among them."

Respondent E, "King took advantage of the weakness of the government to institutionalize civilian control over the security forces and the failure to demilitarize the political sphere. In

other words, this was another way of showing dissatisfaction the King that party politics were no longer relevant to the needs of the Basotho."

Respondent F, "King Letsie III thought it was time to bring about the effective monarchical control to the core of democratic dispensation. The reluctancy of the BCP government to reinstate the deposed King Moshoeshoe II and the growing fears that the BCP wanted to displace the monarch were the primary causes for his actions."

Respondent G, "Opposition by the BCP's government to reinstate King Moshoeshoe II to the throne. The apprehensive political landscape gave the monarchy the room to intervene this was in an effort to bring an ever lasting solution. Also, when one considers how the monarch had previously competed for political power with the BNP and the military governments over the Constitution. It can be argued that the King Letsie III was competing for more political power in the new dispensation. The King was trying to assert absolute control of the institution of the monarchy in the new democratic dispensation."

Respondent H, "King Letsie III did not recognise the BCP government. The King shared the same sentiments with the BNP, which questioned the legitimacy of the election and had refused to recognize the BCP government. The King was acting in the interest of the institution of the monarchy which was threatened by the policies of the BCP towards the traditional structures of administration such as chieftainship."

Respondent I, "The BCP did not want to reinstate the King Moshoeshoe II. There were plans underway to disband the monarchy in the BCP government. It is known from the historical records that the BCP was anti-chieftainship. Hence why, the policies of the BCP to install the local government structures which were seen as a way of undermining the traditional structures of chieftainship. This made the King to believe that the BCP had a secret agenda of displacing the whole institution."

Respondent J, "King Letsie III was acting in the interests of the institution of the monarchy. The BCP government had a plan in the pipeline to disband the monarch. This became certain through the public anti-monarch statements made by the government. Overall, reluctancy of the BCP government to address the King's grievances led to this situation (reinstating the

deposed king Moshoeshoe II and the establishment of the Commission of Inquiry in the behaviour of the King Moshoeshoe II during the BNP government)."

When asked on their views of the establishment of the LCD in the National Assembly, the following responses were gathered,

Respondent A "It was very undemocratic; the BCP was the winner of the previous 1993 election. This was totally against the principles and practices of democracy. The Prime Minister should have resigned from his position and led the BCP to continue in power. This was a parliamentary coup. It undermined the practices of democracy. This showed that democracy had not yet entrenched in Lesotho."

Respondent B, "It was an undemocratic move. The LCD only emerged in Parliament. Democracy requires that parties should participate in the electoral process, but the LCD just emerged and inherited state power. This was undemocratic and unconstitutional. The Prime Minister was elected under the BCP, so why did he decide to gross the floor without consultation with the electorates?"

Respondent C, "The BCP government was stolen illegally by the hypocrisy of the Prime Minister. This was an undemocratic move. Where did the LCD get the mandate to govern? Political power is gathered from the population through the process of election. The legitimacy and constitutionality of the LCD was questionable."

Respondent D, "That was a criminal activity, X was a thief, and how could he steal power from the party which was voted to power by the population. Indeed, the formation of the LCD as a political party in parliament was not only a manipulation of the democratic process, a travesty of justice but also betrayal of the trust that had been reposed upon him as the leader of the Basutoland Congress Party (BCP) and warrants the applicability that Dr.Ntsu Mokhehle should have immediately resigned as the Prime Minister. This was undemocratic, hence why; the BCP, MFP and BNP joined hands to denounce this action. Importantly, even the Non-Governmental Organisations (NGOs), recognized this undemocratic move and denounced the move."

Respondent E, "This was against the principles and practices of democracy. Who voted for the LCD? All those who crossed to the LCD had taken oaths under the BCP. This means that they should have resigned from their positions before crossing to the LCD."

Respondent F, "It was undemocratic. It showed exactly how the country still has to go in entrenching democracy. The Prime Minister should have resigned from his position and allowed the BCP to continue ruling."

Respondent G, "Irrespective of whether the Prime Minister had the majority in the National Assembly, he should have vacated his position , and then crossed the floor to form a new party. This would be justifiable for him and for the consolidation of democracy in Lesotho."

Respondent H, "This was totally against the principles of democracy. Those MPs deflected from the responsibilities that they were entrusted to them by the population. The breakaway of the LCD from the BCP was not the beginning of trouble but the ripening and bursting of unprecedented actions as well as bitter and antagonistic contradictions which have been suppressed for a long time and never been addressed. The BCP emerged from exile in the 1990s as a divided party which was able to present itself to the electorate as a united party for the 1993 elections. The presence of the second party in parliament might have prevented the split from occurring. This is because the two competing factions in the BCP, "*Pressure Group*" and "*Majelathok*o" might have been forced to cooperate with the fear of the other faction forming a coalition with the second party in parliament. However, the Prime Minister deflected without an official mandate from the population. This was entrusted by the large numbers of people who had voted for the BCP not the LCD in the 1993 election."

Respondent I, "It was an undemocratic move. The Heads of Troika countries were also aware of this undemocratic move and they warned the Prime Minister that his move was undemocratic and unconstitutional. There was also an external intervention that condemned the Prime Ministers' move. This included the Botswana National Front (BNF) and the South African Coalition of Women (SAWU)."

Respondent J, "This was undemocratic, the country had just moved from an authoritarian rule to democratic rule. "X was a crook; he is responsible for the innocent lives of the LLA members during his association with the notorious Vlaakplaas. Prime Minister undermined

the transition instead of implementing structures to consolidate it. The BCP government was unlawfully seized by the Prime Minister. This act did not have a place within the parameters of democracy."

On the question about the possible implications which the BCP split had on the 1998 elections, the following responses were obtained,

Respondent A, "The BCP, BNP and MFP formed an alliance which was known as *Setlamo* Democratic Alliance. This meant that the 1998 election were certainly not going to be accepted by one of the alliance partners. It also contributed to the deeper understanding of Lesotho's Constitution but it widened tensions among the main political actors."

Respondent B, "The 1998 election was not going to be free, fair and acceptable to the losers. This was aggravated by the illegal seizure of the BCP government by the LCD government. The split had negative implications for internal peace and stability as well for the process of democratic consolidation."

Respondent C, "The spilt allowed for the unification of the longer political enemies in the Lesotho political landscape. For the first time, the BNP and BCP united together in opposition of the LCD. This enabled them to overcome the long emotional barrier that existed since independence. This split united the forces that were intended at destabilizing the LCD government."

Respondent D, "The split had negative implications for the 1998 election. It resulted in unnecessary tensions. In which some forces [the BCP and BNP] were determined to use force to overthrow the LCD government. It created an unstable political environment under which the elections were going to occur."

Respondent E, "The split meant that the 1998 elections were going to take place under mistrust between the main political players. The split also facilitated in the deadlocked negotiations that the BCP government had since refused to accept. It increased the breakthrough in the deadlocked negotiations on the establishment of an Independent Electoral Commission (IEC).The opposition parties' vision of having a neutral body supervising the election was ultimately achieved."

Respondent F, "There were series of protest undertaken by all parties, except the PFD. The election was bound to occur under the very volatile political situation. There was an agreement reached by the alliance to reject the outcome if the LCD emerged victorious. Prior to the election the mark had already been made to refuse the election outcome by the *Setlamo* Democratic Alliance opposition parties."

Respondent G, "The split contributed to an increase in the number of political contestants in Lesotho's political landscape. This meant an increase of political parties in Lesotho's political landscape. This was an advantage to the voters who had wider choices to choose from. The split led to the increased hostilities among the political contestants. This had the negative implications on the efforts of consolidating democracy in Lesotho."

Respondent H, "There were negative implications for the 1998 elections. Remember that the return to democratic rule in 1993 was marked by tensions and protests between the key organs of the state. The split aggravated the existing problems on the country. The 1998 occurred under a tense situation characterised by mistrust and suspicion between the major political contestants and it laid the foundation for the 1998 crises."

Respondent I, "The alliance [BCP, MFP and BNP] had already made an agreement even prior to the 1998 election, which was if LCD wins the 1998 election; they should reject the outcome. The protest and demonstrations were suspected with hopes that the newly formed LCD would be defeated. More so, the 1998 election occurred under a hostile political situation characterized by mistrust and suspicions."

Respondent J, "The split had negative implications for the 1998 elections. For the BNP there was no way the party was going to accept the election outcome under a government which was not legitimately voted to power through a democratic process. Opposition parties [BCP, MFP and BNP] were compelled to co-operate with the new government which they refused to recognise as legitimate. The 1998 election occurred under increasing tension between the main political actors. However, the split increased the breakthrough in the deadlocked negotiations that led to the establishment of the IEC."

Section B

When asked on whether the 1998 elections were free and or fraudulent, the following responses were obtained,

Respondent A, "From the establishment of the IEC, it comprised of the well known members of some parties. How could you expect it to organise a free and fair election? The IEC became political machinery of the ruling party [LCD]. It was very uncooperative with all the stake holders in the electoral process. There was arrogance; lack of cooperation by the IEC, it went on to print the ballot boxes [electoral boxes] without knowledge of all the parties. How would you have expected such a body to pave a way for the free elections? Parties' grievances were not attended by the IEC. The 1998 elections were rigged. The electoral documents were found abandoned at the Caledon River. The 1998 elections were full of irregularities, and they showed the high level of incompetence from the IEC."

Respondent B, "The 1998 elections were fraudulent. The LCD rigged the elections. How could the newly formed party win all the constituencies with such a wide margin? Remember that there are some procedures that go with elections. This starts with the process of registration that was poorly done. The IEC also refused to issue to issue voter's registration list to the parties. This showed that something was being organised by the IEC and the LCD government. The 1998 elections were rigged."

Respondent C, "Freeness of the election cannot be judged by looking at voting during the pooling day. The voters roll was not even given to the candidates and political parties for inspection by the IEC. The problem started from the registration process, which was largely fraudulent and intended to create a room for the LCD to win the elections. The elections were rigged. Electoral documents were found abandoned in the Caledon River. The elections did not reflect the true will of the people."

Respondent D, "To show that the 1998 elections were rigged, an examination can be made on the statistics that were provided by the IEC. The total number of voters registered exceeded the combined total voters attributed to the candidates. An example of this is in the combined 'candidates' totals made 6681 people, but the IEC announced that 9093 had voted. There were electoral documents that were found abandoned the in Caledon River. To my surprise, the IEC, tasked with the responsibility of organizing the electoral process failed to explain how

154

the electoral documents went out of the offices. This showed that something was been hidden by the IEC and which the LCD government knew."

Respondent E, "The 1998 election was fraudulent and full of irregularities. In the Teyateyaneng constituency, the result announced on 23 May 1998 was BCP 1041, BNP 1288, and LCD 5523. However, in the report by IEC Chairman the figures appeared as BCP 2170, BNP 1095 and LCD 4249. How then do you reconcile these two different figures and come with a conclusion that the elections were free and fair."

Respondent F, "Mafisa (Chairman of the IEC) was lying on the conduct of the election because he had taken bribery, he accepted bribes from the LCD government, not all ballot boxes were sealed in some constituencies. How could you say that the elections were free and fair? The IEC failed with everything from the organizational logistics of the elections. This was because it wanted the LCD to win. Remember that some members of the IEC were well known members of some parties especially the chairman of the IEC, who was aliened with LCD government. How do you expect such a politicized body to deliver free and fair elections?"

Respondent G, "The elections were free and fair. They reflected the will of the population. In fact, what happened were signs of the losing parties which did not want to accept the election outcome. It is true that IEC lacked some technical know-how in some aspects. Nevertheless, from registration, everything went well. It was only the shortage of resources which prevented the IEC from issuing the voters registration list to all parties."

Respondent H, "The IEC was not aware that some of its staff sympathized with the opposition parties on their allegations ballot rigging. Hence, they stole the electoral documents and dumped them in the Caledon River. This was to make as if the elections were doctored. The elections were free and fair and reflected the will of the people."

Respondent I, "The 1998 were fraudulent, full of discrepancies and irregularities. This was a disgrace especially when one considers that the establishment of IEC was seen as a positive step to avoid the grievances of the allegations of ballot rigging."

Respondent J, "Even the so-called Langa Commission of Inquiry into the Conduct of the 1998 elections, showed that the elections were full of discrepancies. The 1998 elections were fraudulent. Some ballot boxes were opened even prior to voting. There was tampering with the electoral process."

When asked on what have been the factors that have made Lesotho's democracy to become "fragile", the following responses were obtained,

Respondent A, "The military, the monarchy, failure by political leadership to understand the concept of democracy, politics of the belly and the Catholic Church played a significant role in undermining the new dispensation(Catholic Bishops were anti-government). Lastly, there has been lack of support for post-military civilian's governments by main organs of civil society."

Respondent B, "The monarchy, which competed for executive powers, the weak nature of Lesotho's economy made the political competition to power violent. The other problem emanated from the army, the unruly civil society, widespread corruption among the BNP and BCP elites and the absence of accountability and transparency. Importantly, the Catholic Church played a significant role in the new dispensation, its role was ignored but it managed to destabilize the BCP-LCD governments because it was anti-government policies. For instance, opposition to 1995 Education Act."

Respondent C, "The military, the NSS, the police and all the other organs of civil society. The absence of the strong economic base to cater for the increasing population. The monarch and the Catholic Church were problematic. There has been widespread dominance of corrupt BNP and BCP politicians."

Respondent D, "The military, the monarch and lack of understanding among the politicians on how democracy works. There has been increasing levels of unemployment within the youth constituency and the general which made the contestation of state to become violent. There has been an intense controversy over the local government structures."

Respondent E, "Political intolerance, and the military, they did want to recognize both the BCP-LCD governments. The institution of the monarchy has been striving for increased

constitutional powers. This undermined the whole concept of democracy. State institutions (the police, the army and the prison services) have contributed negatively towards democracy. There is a problem of youth unemployment which very little is done to address it. In addition, the particular focus could be made of the Catholic Church, which had strong links with the BNP party and they worked together to undermine the new democratic dispensation under the BCP-LCD governments. Also, the nature of the electoral model used FPTP. For instance, only the BCP and LCD were in parliament after the 1993 and 1998 elections, but there was no equal representation of those who voted for the BNP in parliament apart from one constituency of Bobatsi # 80, this shows that there has been a problem of deficient democracy since 1993."

Respondent F, "The military, poverty, unemployment, politics of the belly and limited access to the state controlled national radio and the abusive language and character assassination has created in unnecessary conflicts among the political elites. The usage of the electoral model of FPTP which is not inclusive has been the source of political instability. Further, there is a problem of internal democracy. For instance, in the annual congresses, the executive leadership often imposes decisions without consent of the people. There has been an increasing level of unemployment among the youth. Importantly, X a former Principal Secretary in the Ministry of Public Service used the public funds to buy his personal tractors and his close relatives who were incompetent were appointed into senior positions, how could the country develop."

Respondent G, "There was failure of the BCP-LCD governments to transform the larger electoral votes into effective power in 1993 and 1998 respectively. The monarchy, the military, the ineffective civil society and the widespread corruption among the political elites. There has been the lack of understanding about the principles of democracy. The BCP-LCD governments were led by radicals, who wanted to dismantle chieftainship in fact there was no way was the College of Chiefs could support such a government. The intentions of the Local Government Act meant taking power away from the chiefs at the local level; this was one of the biggest challenges after the 1993 dispensation."

Respondent H, "The other problem has been the traditional structures of chieftainship at the local levels; these structures have often delayed the policy formulation in order to assist the central government. The electoral outcome saw the re-emergence of the old rivalries and

hostilities between the BCP and the BNP. It should be noted that politics in Lesotho involves destroying the one's political rivals."
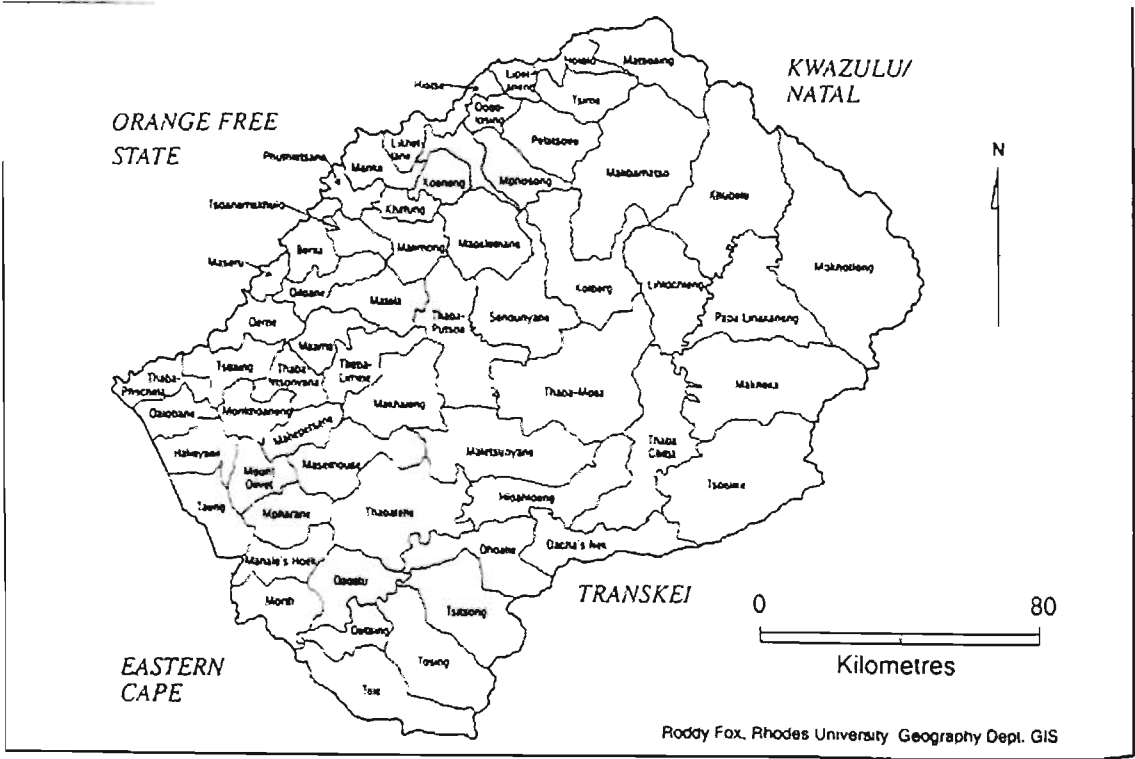
Respondent I, " The role played by Father Monyau in the 1998 crises, a senior figure in the Catholic Church, was acting on direct orders from the Church. Lesotho's politics are influenced by character assassination, vulgar or abusive language. This has been the problem which Lesotho's young democracy has been faced with and this often results in conflicts which could be attributed to the exclusionist patterns of FPTP."

Respondent J, "State institutions (the police, the army and the prison services) have contributed negatively against democracy. The particular focus could be made of the Catholic Church which had strong links with the BNP party and they worked together to undermine the new democratic dispensation under the BCP-LCD governments. For instance, X assassinated the College student in a row over a girl, how you have such criminals contesting for political power, this no way that the county's democracy will be consolidated as a result of the political leadership."
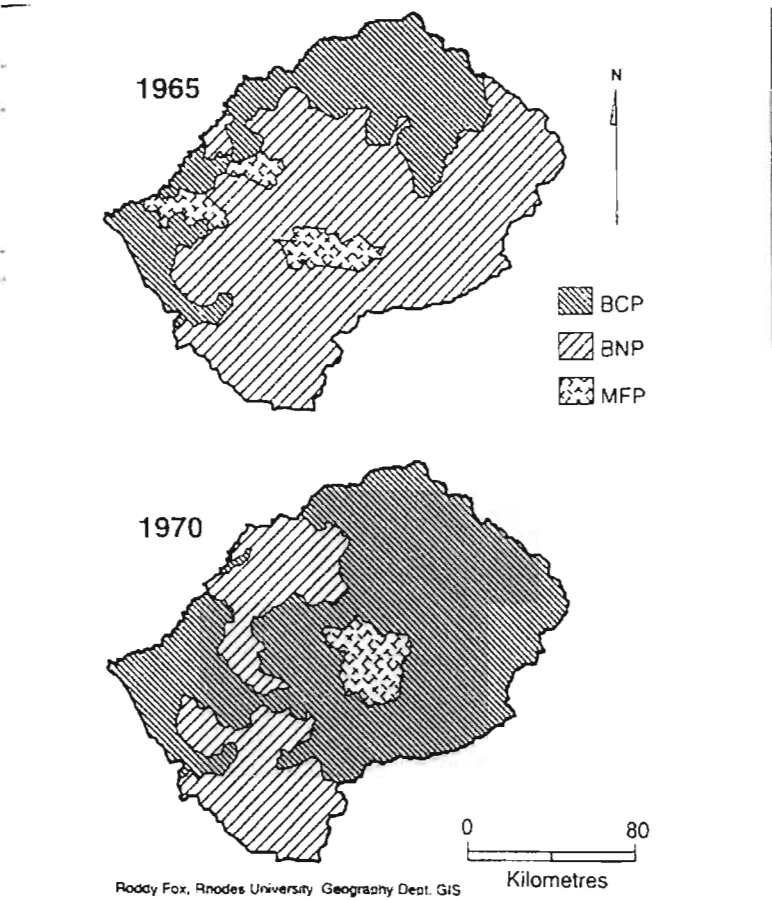
APPENDIX 3

The following maps shows the territorial division of the country for the 1965 Parliamentary elections and makes a comparative analysis in terms of the geographical distribution of seats won by the major parties in the 1965 and 1970 elections. It helps to determine the level of support for the main parties among the rural and urban electorates. As anticipated, the BCP which as a modernizing won most of the 1965 constituencies in the urban areas as showed in the 3.2 Map. The BNP gained most seats in areas that had the larger proportion of the Roman Catholics whilst the BNP gained more seats that were dominated by the Protestants (Weisfelder, 1999:99-100).

3.1   Lesotho: Parliamentary Constituencies in the 1965 Elections.

Source: Southall and Petlane, 1995:40

159

3.2 Geographical Distribution of Seats won in 1965 and 1970.

1965

N

BCP
BNP
MFP

1970

0   80

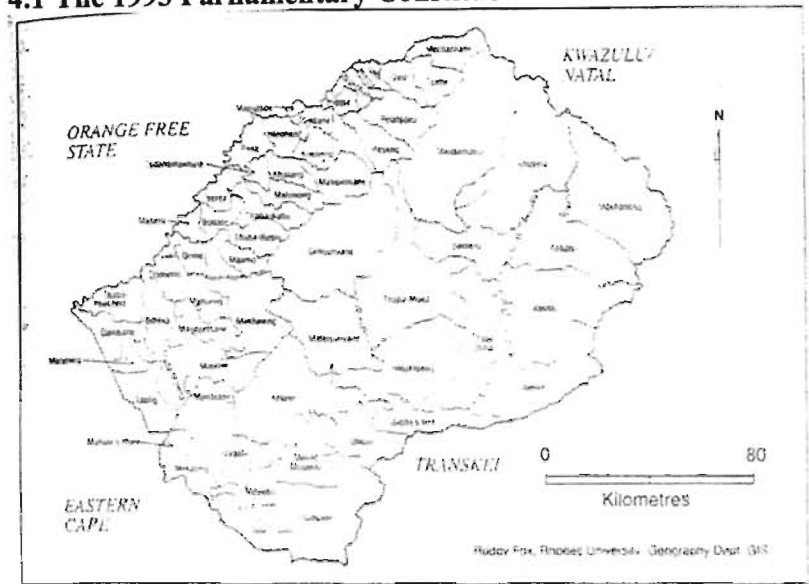Roddy Fox, Rhodes University Geography Dept. GIS

Kilometres

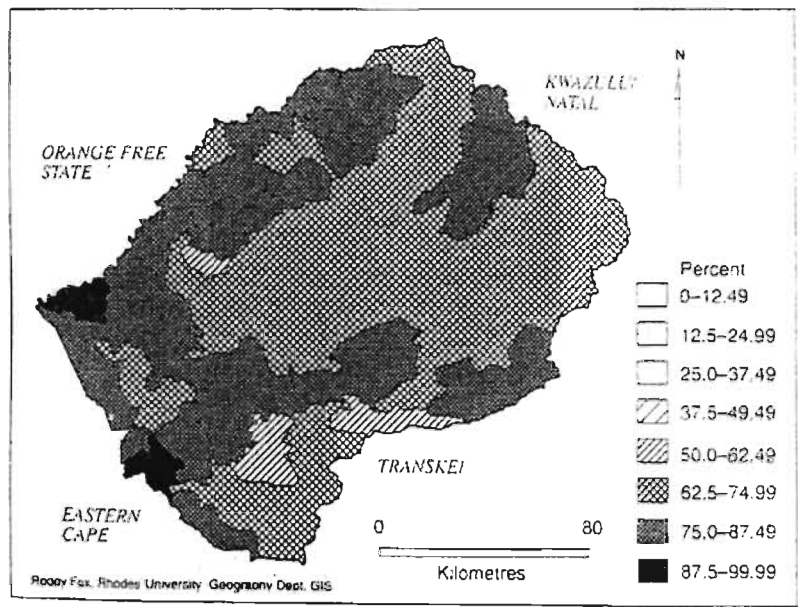**Source: Southall and Petlane, 1995:49.**

APPENDIX 4

The maps show the parliamentary constituencies that the country was divided in the 1993 election and the BCP support.

4.1 The 1993 Parliamentary Constituencies

Source: Southall and Petlane, 1995:55.

4.2 The 1993 General Election: BCP Support

Source: Southall and Petlane 1995:55.

161

APPENDIX 5

This section is divided in two parts, part one shows the questionnaires as they were drafted in Sesotho during the data collection process and part two is the questionnaires in English.

Part One

Karolo ea Pele

1. Ho ea ka maikutlo a hao, ke life liphephetso tse neng li tobane le Lesotho kamora likhetho tse akaretsang tsa 1993?

2. Ha u Sheba, 'na u lumela likhetho tsa 1993 li ne li lokolohile li bile li na le ponaletso?

3. Ho ea ka Maikutlo a hao, ke hobaneng ha mokha oa BNP o ile oa hana ho amohela sephetho sa likhetho tsa 1993?

4. Ha o Sheba, likamano li ne li le joang pakeng tsa Muso oa BCP le Sesole kamora likhetho tse akaretsang tsa 1993?

5. Na ho thehoa hoa LCD ka Lekhotleng la Sechaba, le ho nka matla a puso ho BCP e bile ka hara "lipallo" tsa puso ea sechaba ka sechaba?

6. Ho thehoa ho hoa LCD ha o Sheba, 'na ho bile le litla-morao tse ntle kapa tse mpe pele ho Likhetho tse akaretsang tsa 1998?

Karolo ea Bobeli

1. Chebong ea hao, o lumela Likhetho tse akaretsang tsa 1998, li ne li lokolohile kapa li bile manyofonyofo?

        Ho joalo (   )

        Che   (   )

2. Hlalosa mabaka a karabo tsa hao...

3. Maikutlong a hao, 'na o lumela puso ea sechaba ka sechaba o thopothetse hantle sechabeng?

        Ho joalo (   )

        Che   (   )

Kea Leboha.

Part Two

Section A.

1. In your view, what do you think were the challenges that were facing the new democratic dispensation in the aftermath of 1993 election?

2. Do you think 1993 election free and fair or fraudulent?

3. Why do you think BNP refused to accept the election outcome?

4. In your view, what kind of civil-military relations existed between the BCP government and the military?

5. In your view, do you think the establishment of the LCD in the National Assembly, and its inheritance of state power undemocratic?

6. Are there any positive implications, which you think the BCP split had on the 1998 elections?

Section B

1. Do you think the 1998 elections were free and fair or fraudulent?
   Yes ( )
   No ( )

2. If yes or no, please explain your answers?

3. Do you think Lesotho is a fragile democracy?

   Yes ( )

   No ( ).

4. If Yes or No, please explain.....

Thanks for your cooperation.