

A Lesotho voter and elections: A note on the 1998 General Election

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Lesotho is gearing itself for a general election scheduled for 1998. While questions are being asked as to whether these elections will be free and fair, and whether they will be held under a peaceful atmosphere, they are nevertheless eagerly awaited by enthusiasts and sceptics alike. However, for voters, civil society, analysts and observers, these will differ markedly from the 1993 election. The differences will centre on who will conduct them, their context and thrust, and the characteristics of the voting population. These set broad parameters for the elections and constitute important variables with consequences for voting in general and its outcome, even though "traditional" political attitudes might persist among a good number of voters. These important issues necessitate a critical comment on the general election which this paper is attempting.

Introduction

As Lesotho edges towards the general election scheduled for 1998 the chasm that has characterized the country's polity since the early 1960's has widened, assuming a totally different shape and adding a new dimension to what would aptly be termed the "traditional political cleavage" among the Basotho nation. This cleavage or divide had, until June 1997 when it underwent a sudden and dramatic change, been epitomized mainly by three bitterly opposed political parties - the Basutoland Congress Party [BCP], Basotho National Party [BNP] and Marema-Tlou Freedom Party [MFP].

The change in the character and shape of the political cleavage in Lesotho followed the emergence on 7 June, 1997 of the Lesotho Congress for Democracy [LCD]. The LCD was formed by Ntsu Mokhehle, the ailing Lesotho Prime Minister and the then leader of the governing BCP, who had, clearly lost control over the party that he had founded and led for 45 years

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since 1952. Not only did the LCD's formation signal the end of the BCP, BNP and MFP's political dominance in Lesotho but it also transformed the complexion and composition of the country's parliament by reducing the governing BCP to a parliamentary opposition and augmenting the number of the country's political parties.

A few weeks before Mokhehle announced that he had formed the LCD, bloody clashes over who should control the BCP's property had occurred between his supporters and those of his rivals within the BCP, a phenomenon which does not bode well for future political contests between the BCP and Mokhehle's LCD. These could, in fact easily entail spurts of violence. Prospects for violent clashes between these political parties might be further enhanced by the fact that the former BCP's guerilla army - the Lesotho Liberation Army [LLA] formed in the early 1970's to dislodge Jonathan from power - was never disarmed. Both parties have LLA members in their ranks.

The LLA issue and the seizure of governmental power by the LCD have prompted questions from influential organizations in the country such as the Christian Council of Lesotho. These include, what are the broad political repercussions of Mokhehle's action; will there be elections in 1998 as the constitution requires and, if so, under what atmosphere will they take place; and, what are their challenges for a Lesotho voter? [Makoa, 1997: 2] Yet such challenges will not necessarily be new. [Makoa, 1995: 8-12]

Because of the lack of data this paper does not attempt to answer these difficult, but profoundly challenging, questions. Rather it will, instead, present the author's comment on the context and challenges for 1998 general election, using the questions to guide the analysis. It will try to show that, while they are a critical indicator and sinew of Lesotho's fledgling democracy, these elections will in the main serve to underscore the voters' limited role in their country's electoral system.

The context and framework of the 1998 Election

The first democratic general election in Lesotho since constitutional rule was abolished was held in 1993. However, while a harbinger of constitutional rule, the election merely provided an opportunity for voters to elect the most popular political party. More precisely, it enabled Lesotho citizens to choose who

should govern them without tampering with their institutionally and structurally determined role in their country's political system. Lesotho's constitution legitimizes the separation between the voter and the ruler, relegating the former to a facilitator in the process of appointing the rulers who wield real power and make policy, while denying him/her control and leverage over the state and elected representatives. To this extent, the voter and his/her vote are primarily a means for applying the constitution. However, this situation pervades all liberal democracies. Being a liberal democracy, Lesotho's 1998 general election will thus occur in an ideological and legal framework which does not only have strong managerial bias but also defines the existing political system *a priori* as appropriate, essential and good.

A Lesotho voter's lack of control and leverage over the state and his/her elected representatives were exposed in 1994 when the country's two cabinet ministers took a three months "unofficial" refuge in neighbouring South Africa because of what they termed a plot by some of the Lesotho Defence Force [LDF] members to assassinate them. [Makoa, 1996: 17] The country's voters could neither call on the ministers to account for their conduct nor formally censure them for the behaviour. Similarly, the voters appeared helpless in the face of a loss or theft by some of the parliamentarians of vast amounts of rural poverty relief money.

For Lesotho the holding of periodic general elections is a constitutional requirement borne out of bitter popular struggles and hard political bargaining. The constitution of the Kingdom of Lesotho provides for mandatory national elections after a specified period. [The Constitution of Lesotho, 1993: 57] However, an important caveat is that constitutions do not in themselves guarantee regular and fair elections. Neither are they always a panacea for political conflict. In Lesotho constitutions have often been at the centre of political haggling. [Weisfelder, 1974: 8] In fact, Lesotho's independence constitution was still a matter for serious dispute among the main political parties when Jonathan suspended it in 1970 [Maqutu, 1990: 257-8].

Restoration of democratic rule

The military junta which seized power on 20 January, 1986 finally yielded to popular demands for a constitutional and democratic rule, following sustained domestic and international political pressure for democratization. Initially

dismissed by many political analysts as the junta's ploy to prolong its stay in power, the promise made in February, 1990 by the Ruling Military Council to hold free, fair and competitive elections and to hand over the administration of the country to an elected civilian government materialized in April, 1993. Phisoane Ramaema, the Chairman of the Ruling Military Council, organized a general election and handed over the administration of the country to the victorious Basutoland Congress Party [BCP].

The dispensation ushered in by the April, 1993 elections was, however, greeted by a number of ugly political episodes with serious implications for internal peace and stability. These include the Basotho National Party's [BNP] rejection of the elections results, armed conflict between the army's two rival factions in January 1994, the murder of the Deputy Prime Minister, S. Baholo, in April 1994, strikes by rank-and-file members of the Lesotho Mounted Police [RLMP] and junior prison officers, and a *coup d'etat* by King Letsie III in August, 1994 which toppled the BCP regime temporarily. [Work for Justice (50), October 1997: 1] These incidents, especially the king's coup, prompted intervention by the presidents of Botswana, South Africa and Zimbabwe. The three presidents ordered the reinstatement of the BCP regime, indemnification of King Letsie III and those who participated in the coup or enforced it violently, recrowning of the late Moshoeshoe II, disbandment of a commission of inquiry set up by the Prime Minister to investigate the circumstances surrounding the deposition of King Moshoeshoe II, and his relations with the previous governments. King Letsie III formally relinquished the crown to his father in January, 1995 in accordance with the conditions of an agreement reached with the presidents and the delegation of the deposed BCP government in September, 1994 [The Star, January 1995].

Continuing crisis and some implications for the 1998 Elections

However, the intervention by the three presidents witnessed no end to the kingdom's political woes. The crisis mentioned in the foregoing section apparently infected the governing BCP. By the end of 1995 there were gapping divisions within the ruling party's leadership. The BCP's 1995 annual congress failed to produce a national executive committee as the faction (self-styled the "Pressure Group or Progressives") that failed to gain seats in the new committee stymied what was supposed to be an elected executive committee comprised of its rivals (whom it branded "Conservatives" or

Majelathoko) by successfully challenging the constitutionality of the conduct of the elections and securing the High Court's injunction annulling them.

The protracted legal and political battles triggered by the Pressure Group's move further deepened the divisions within the BCP, resulting in its formal split in June, 1997 when its leader and the Prime Minister of Lesotho, Ntsu Mokhehle, announced that he had resigned from the BCP and formed a new party, the Lesotho Congress for Democracy [LCD], which he immediately declared the governing party. [9] Mokhehle's departure left the BCP in the hands of the Pressure Group of which the "top-heavy" comprised of all the 1995 national executive committee members, excluding him. The formation of the LCD and its takeover of the country's administration was condemned by Lesotho's political parties and a section of the civil society led by the Lesotho Council of Non-governmental Organizations [LCN]. Lesotho's Upper House of Parliament (Senate) joined the anti-Mokhehle crusade, denouncing the new LCD government as unconstitutional and declaring that senators would boycott all parliamentary bills passed for scrutiny by the LCD-dominated House of Representatives.

Backed by all the country's political parties, barring the Popular Front for Democracy [PFD], the BCP stepped up a series of protests involving three marches on the Royal Palace in Maseru, the capital, and diplomatic lobbies directed mainly at the Southern African Development Community [SADC] (particularly South Africa, Botswana and Zimbabwe which had intervened to restore democracy to the kingdom after King Letsie III had dismissed Mokhehle's government in August, 1994 and foreign missions in Lesotho). Newspapers opposed to Ntsu Mokhehle believed that a second intervention by Botswana, South Africa and Zimbabwe was on the cards. The pro-BCP *Sesotho* tabloid newspaper, *MoAfrika*, of 18 July 1997, for example, carried on its front page a photo of Presidents Mandela, Mugabe and Nojuma along with an article stating that

"sources close to the government of Lesotho confirm that (the rulers of Lesotho) Messrs Robert Mugabe, Nelson Mandela and Ketumile Masire are planning to visit Lesotho to warn Ntsu Mokhehle that his action is unacceptable." (Author's translation and emphasis).

However, some of Lesotho's newspaper editors and columnists dismissed the protests as futile and inconsequential, dubbing the anti-Mokhehle crusade mounted by the BCP and its allies devoid of "credibility resulting largely from its unwillingness to test Mokhehle's action in the High Court." [Mopheme - The Survivor July 22-28, 1997] Indeed, the anti-Mokhehle campaigns came to naught. Yet they raise important issues such as whether the 1998 general election will be free and fair, and in what kind of political atmosphere it will take place and how will the voter turn-out be [Makoa, 1997: 2].

The elections fairness, atmosphere and voter turn-out debate

Scepticism about the nature and atmosphere of the 1998 general elections has to do largely with Lesotho's post-independence political history. The 1970 general elections conducted by the kingdom's first democratically elected government were annulled - to the chagrin of the electorate, opposition political parties and independent observers - by the then Prime Minister of Lesotho, the late Chief Leabua Jonathan who subsequently ruled by fiat until January, 1986 when the kingdom's small army overthrew his government. The political events in Lesotho since April 1993, particularly the rather "unfashionable" change of government in June, 1997 may have added to and further divided the Basotho nation and/or engendered political apathy and cynicism among the voters.

However, I argue that these issues are important only if it is assumed that the 1998 general elections will serve as a catalyst for both economic advancement and change in voters' conception of their interests. Yet it must be noted that this assumption makes little or no sense unless it is premised on the rationalist theory of political representation. This theory asserts that man is a rational being and can, therefore,

"identify his own interests,... and is aware of the wider claims of the community. He will therefore use his vote in an intelligent fashion..." [Ball, 1993: 123]

The rationalist theory is, however, rivalled by an equally potent, but a more conservative and sceptical perspective on political representation and voting behaviour. This sees "voting behaviour as a habitual activity which can be explained by the early socialization experience of the electorate." [Ponton et

al, 1993: 77] In fact, while not denying that elections are a means of popular participation, some scholars argue that "the existence of elections does not always give voters the ability to exercise real choice." [Hague et al, 1993: 182] Indeed, as I have noted earlier, the focus of elections in liberal democracies is the choosing of rulers rather than transferring real power to a voter. Hence they are of little value to those seeking radical structural changes.

The importance of voter turn-out at the polls, however, lies not in whether or not it will produce a government but rather in the fact that a low voter turn-out may be a reflection of the voters' lack of or waning confidence in the electoral system and democracy. There is little doubt that a combination of these two phenomena might goad people into resorting to unconstitutional avenues to attain their objectives. Thus voter turn-out relates to the fundamental principle that election results should reflect the wishes of and be acceptable to the people for whom they would spawn a government. In other words, the issue in any election that purports to be democratic is the extent to which it serves as a yardstick for measuring the government's popular support and legitimacy.

One of the critical factors that might influence voter turn-out in the country's 1998 election is the significance that is attached to them by the voters. In fact, this argument seems plausible if we use the 1993 elections as an example. A high voter turn-out of 72% was achieved in these elections. The prime factor behind this, according to one analyst, was the annulment of the democratic elections and the abolition of democracy in 1970, suggesting that the importance of these elections to the voters was that they were a means of righting the past wrongs. [Matlosa, 1997: 147] Likewise, the BCP's split and the circumstances under which it lost governmental power to the LCD might inspire rather than dissuade people from voting. But whether or not this saga will become the main agenda for the 1998 elections is a matter for conjecture. However, there is little doubt that the sudden displacement of the ruling BCP by its splinter organization is an important political development which the parties contesting the elections will find difficult to ignore.

Voter turn-out at this election might also be a function of the voters' subjective evaluation of their possible influence over the outcome of the elections. In other words, the voters must not only have an array of alternative political parties from which to choose, but should also believe that their votes will have the desired impact. In a sense, therefore, this serves as a warning that political

freedom and franchise alone will not necessarily drive voters to the polling booths in 1998. Additional variables are the lowering of the voting age from 21 to 18 years and the running of the elections by an independent electoral commission. Introduced as a result of pressure by opposition parties, the commission is believed to be devoid of bias that supposedly characterizes government bureaucracies. The lowering of the voting age will possibly not just increase the number of voters but have an impact on the "traditional" voting patterns since eighteen-year olds may have a different conception of politics - that is, they are likely to view their vote as a tool for self-improvement rather than as a means of affirming or expressing personal political affiliation.

The 1998 Elections: Choosing rulers and passing judgement on the past?

Notwithstanding their narrow focus, the 1993 elections achieved two important twin objectives, namely passing judgement on the past systems and appointing the country's rulers. They also underscored the dictum that dominates political discussions in Lesotho, that is, "the nation is a bull". Crudely explained, this means that in politics the nation is not just the final arbiter but that it appoints and dismisses rulers. Thus the voters will pass judgement on the BCP/LCD regime in the next general elections, rewarding or punishing it according to its performance in the last five years (of which a compendium is provided below to illuminate the argument).

It became clear soon after the March 1993 that the BCP had a limited political programme, aiming only at capturing state power denied it by Jonathan in 1970. Yet the party had presented itself as a bulwark of democracy, progress, anti-corruption, stability, peace, economic and social emancipation, political accountability and administrative transparency. However, it failed to develop appropriate mechanisms for concretizing these values despite its frenzied public declarations that these were national priorities. Instead, the country emerged from the 1993 elections "as a case study of murderous anarchy, requiring external intervention and mediation on several occasions." [Weisfelder, 1997: 35] The key concomitants of this anarchy include mutinies by the disciplined forces (the army and the police), the assassination of the then Deputy Prime Minister S. Baholo in April, 1994 and the short-lived, but politically onerous, King Letsie III' coup in August, 1994. But the coup and "the mutinies which followed were also fostered by inflammatory remarks from the BCP cabinet

ministers and parliamentarians..." [Weisfelder, *Ibid*] The remarks included public statements by the Prime Minister and his cabinet denouncing the Lesotho Defence Force as a BNP's murderous youth league that needed to be disbanded.

Not only did the regime exclude its opponents from the administrative and governmental processes but it also appeared determined to stoke political instability and violence. Examples of this double-pronged policy are the purging of the civil service and the security forces, secret importation and stockpiling of weapons of war, and the training of BCP members in their use so that they could challenge the army and eradicate the opposition. On the other hand, the regime demonstrated no determination to translate its "clean and good governance" rhetoric into a national programme in spite of its claim that it was committed to this principle. Instead, as one analyst observes, it publicly defended acts of mismanagement, pilferage and fraud occurring within state corporations, branding reports by the independent media as attempts to destabilize it. [Selinyane, 1997: 23]

The 1993 elections thus produced a largely irresponsible and unaccountable regime, unable to deliver on critical electoral promises of national security, anti-corruption and economic prosperity. However, this in part reflects the weaknesses of Lesotho's system of political representation and the voters' misconception of elections. Yet there is a need to qualify this observation by means of simple, but clarifying, questions lest it becomes a meaningless and misleading tautology. Should we expect a change in voters' behaviour in the 1998 election and if so, what exactly should we expect?

Arguably, if the people who voted for the BCP in 1993 were its members, little or insignificant change can be expected. It is also likely that, whatever the challenges of the coming elections, people will vote for their individual political parties rather than policies. The reasons for this are many and varied, but they usually encapsulate personal gratification and self-identity. In fact, the political polarization in Lesotho offers a wide scope for this type of voting behaviour. To some degree it also determines political priorities and reinforces the feeling among the Lesotho population that going to the voting booths means going to defeat or vanquish political opponents. It is a means of reaffirming the followers' support for their party leadership and membership. Thus

diehard members of Lesotho's political parties invariably see winning power for their leaders as a key *raison de'tre* for voting in an election.

Clearly, therefore, the 1998 election will not only raise the important questions mentioned earlier in this analysis but also present daunting challenges for the voters. Some of the most important challenges, in my view are:

- how to convert their votes into mechanisms for effective popular intervention as the need arises in order to ensure that voters have some degree of control over their elected representatives, government and the state;
- using their votes to forge an accountable government that is responsive to popular demands;
- translating the votes into an antidote for the damaging power struggles that have dogged the Basotho nation since the early 1960's;
- and voting for policies rather than simply bestowing power on their individual political parties.

Conclusions

Lesotho's 1998 general election is unlikely to evoke as much fervour as was the case with the 1993 election. For the majority of Lesotho citizens the latter marked a march to freedom after more than two decades of political repression. However, this is not a sufficient predictor of voter turn out because the agendas of these two elections are radically different. The 1998 election is likely to be about "routinizing" the freedom and democracy won in March, 1993. Yet it poses stark challenges for the voter, namely how to use his/her vote to gain a greater access to political power and resources and to increase his/her control over the elected representatives.

Unfortunately, as I have demonstrated earlier, Lesotho's political system offers little or no scope for popular control. Not only does it limit the voters' options but also relegates the voting population to a source of votes for political power aspirants. Thus the task of a Lesotho voter in the 1998 general election should be the selection of the best representatives, that is, those dedicated to serving

the nation. But this presupposes not only the presence of a clear selection criteria, but also the availability of such a calibre of candidates.

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