Civil Society, Electoral Politics and the Retrieval of Democracy in Lesotho

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This paper looks at the potential of building a civil society which can contribute to strong democracy in Lesotho. It argues that civil society in independent Lesotho has been stunted by dominant political and intellectual discourse in which it evolved, and that this discourse must be transcended if viable democracy is to be attained. Historical factors which have arrested the growth of civil society are discussed, and possibilities for transforming the political landscape from below assessed.

Introduction

The 1980s and 1990s were decades of intense political struggles for retrieval[1] of democracy in Lesotho. Having lived through years of single-party followed by no-party rule and deteriorating quality of life, the country's working classes were increasingly coagulating into a broad front to bring down authoritarianism. The collapse of BNP rule in 1986 concretised this focus as the traditional party political schisms of the social groups fell away. The bonapartist complexion of despotism rekindled the consciousness of the subject classes as natural allies in their struggles against an autocratic state. The question remained, however, whether this consciousness would survive democracy and restoration of electoral politics. This article looks at the patterns of state-civil society relations through which this question was tackled in practice in the first five years of elected government from 1993 to 1998. It further assesses the prospects for building modes of government based on the people's control and limitation of repressive powers of the state in the future.

In the current political and academic discourse this task has come to be assigned to the realm of independent social organisations commonly referred to as civil society. The term civil society has been variously appropriated in political discourse in the last few years[2]. Civil society as construed by this

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author refers to organised sectors of society, in any form and for any purpose. It is differentiated from the general term "society" which broadly refers to all members of a polity. Civil society cannot be construed in terms of "progressive" civil society alone as the experience discussed in this paper will illustrate. Further, civil society cannot always be "progressive", there are numerous objective and subjective conditions which impinge on its composition and orientation. Civil society has to be distinguished from political society, which comprises formations brought into being specifically to pursue a political agenda as opposed to the largely (indeed purely) socio-economic mission of civil society.

What makes civil society an essential ingredient of democracy is the fact that democracy must be seen to improve the lives of the people, to allow for self-exertion and release of people's creativity in the transformation of society for the better in all spheres of life (see Wamba-dia-Wamba 1994a). For this end to be attained, restrictions imposed by the state on the individuals and groups (peasants, craftspersons, workers, businessmen, professionals) must be minimal. Being of such motley make-up, civil society is the one sphere capable of pushing back the restrictions of the state on societal groups, and pushing out for the simultaneous expansion of the competing interests of the various sectors of civil society in this regard. It follows from this conception of the question that (i) civil society stands outside the state and political society, and (ii) the state must be seen as a contested space, it must not be required to stand *ab initio* on the side of the oppressed; nor can it be blamed for "failing" to do so. Its character is in the final analysis given by the freely contesting balance of interests of the disparate civil society constituencies.

Civil Society and the Politics of Self-Restraint

The processes through which the organisations which would be expected to comprise the core of popular civil society came to fail or achieve this task can be traced to the emergence of the political party as the nation-wide vehicle for mobilisation of the people to take on the colonial state and capture power by the local classes. While the first civil society organisation (the Basutoland Progressive Association) predated the first political movement (the Basutoland African Congress) by more than four decades, in their emergence the political parties came with a message that was more compelling to all classes of the subject people. In place of the "localised" and "particularistic" struggles of

civil society formations, the political party message had a messianic ring - it promised to scatter colonialism to the wind, and solve the problems of all classes of Basotho in one stroke. While the political party did not immediately squash and replace or displace the existing civil society organs, it coexisted uneasily with them for a brief period, contesting for power and influence over the same social constituencies. Through direct occupation of the leadership structures of the labour movement (the most visible civil society of the time) by party leaders, formation of new unions, and imposition of party priorities on union programmes, the nationalist movement rapidly incorporated the civil society and thereby weakened its position vis-a-vis a future independent state. Through an aggressive programme of entrepreneurship where many middle class members of the BAC were encouraged to form small businesses (especially in the retail and wholesale sectors) the nationalists were also able to create a stable, loyal commercial civil society.

The role of capturing the state was seen as belonging to those who prescribed it for themselves - the political party. The familiarity with the (liberal) discourse of rights, freedoms, representation, self-determination, all made the middle classes see themselves as the natural leaders of the process of capturing the state on behalf of the rest of the population. While the essentially economic struggles of the independent organisations continued and proliferated in the decade to independence (Southall 1984), a question may be asked: to what extent were these politically motivated, and not entirely and immediately to do with the workers' economic conditions; to what degree were they directed at the colonial state, not colonial capital, without adequately emphasising the link between these two? To put the question slightly differently, to what degree had the political party introduced formal politics into labour without introducing labour to formal politics? Subsequent experience was to show that labour had been drafted into macro-politics without negotiating the terms of that engagement(Southall 1984). In this way whereas labour was highly mobilised and organised, it still fell short of constituting a building block of civil society. To the extent that their economic struggles did not combine with the political resolve to compel the state to fulfil their demands; and to the extent that their involvement in political campaigns might have lacked specific economic demands - they remained organised labour but increasingly lost attributes that made them constitute a civil society.

It was in this state that the country entered independence with a civil society that was largely incorporated[3] (into the political movement), forming the hub of BCP support. Thus the BNP did not have an incorporated civil society through which to control society after assuming power as the first independence government. Unable to hammer consensus and mould hegemony (due to the weakness of its influence in civil society), the BNP state resorted to a two-prong strategy of state coercion and creation of its own "parallel civil society" by deliberately financing alternative trade unions and labour federations, forming youth clubs. Thus one can talk of two tiers of civil society for most part of Lesotho's post-colonial history - that which came into being independently under colonialism but ended up being incorporated into the BCP, and that which came into being largely through state efforts under BNP rule and stayed close to the ruling party and the government. To the degree that most of the division of labour organisations which evolved after independence remained in this rut, weaving themselves around the main political parties, but did not command the resolve to impress their interests on the programmes of these parties, they fell short of forming a civil society. Their contiguity to the political parties, both inside and outside government, made these organisations to variously be uncritical of the state (in the case of pro-BNP organisations) or to mount criticism and resistance to state with a greater cue from party politics without sufficiently emphasising the everyday needs of their members, thus accentuating their vulnerability to state persecution (in the case of pro-BCP organisations). For convenience I will refer to the former as the first generation of civil society groupings, and to the latter as the second generation. The third group of organisations which appeared in the 1980s and 1990s without alignment to any political party, I will refer to as the third generation organisations. These designations do not imply, however, that these (categories of) organisations do not exist side by side today.

The 1993 Transition and the Politics of Retrieval

I take the transition[4] period in Lesotho as the years between 1988 and 1993, when the struggles by the working classes escalated, first in the economic realm, and increasingly assumed a political tone, which challenged the legitimacy of the military. This period witnessed the appearance of many self-help organisations, influenced in part by the donor conversion to NGOs as funnels for dispensation of aid[5]. The economics of the transition in Lesotho has been so copiously discussed as to merit no repetition here (Selinyane

1996a, 1996b, 1997a; Weisfelder 1992; Sejanamane and Santho 1991). While controversy may surround the explanation of the generally bleak performance of the national economy in this period, there is sufficient consensus on the problems and the challenges. What must briefly arrest my attention, however, is the explanation of the transition politics. Much of the recent literature tends to lay a greater emphasis on the external factors (donor political conditionality, the crumbling of apartheid, developments in Eastern Europe and the end of the cold war) as motive forces of the transition (Makoa 1991; Matlosa 1996). Where local factors are substantially considered, the retina of analysis tends to dwell on the political parties and their leaders on the one hand, and the military on the other, to the exclusion of civil society groups (Sejanamane 1991; Mahao 1992; Matlosa 1996). Two factors might explain this bias. First, community organisations, where they mounted struggles which dealt an impact on the political regime, initially refrained from making explicit political demands in their everyday struggles, except on occasional common gatherings like the May Day which increasingly became a political platform. Second, when the transition process began to take shape, particularly after the formation of the Advisory Council on constitutional review in 1990, these formations increasingly patrolled themselves out of direct active politics, so that their career in politics was very short-lived in the period since independence. Deliberate attempts by scholarship to understand this trend and its implications for democracy have at best been cavalier. Hence the formulation of the "best" relations between the political parties and community organisations in the transition and between these organisations and the state in conditions of political liberalisation remained beyond the scope of academia.

The initial fissure along loyalties to existing political parties compelled those organisations to consciously eschew tackling the political questions appertaining to their specific interests. Indeed, for a moment the military was tacitly accepted as an arbiter. The main weakness of this option was in conflating party political affiliation for a general adoption of a political stance on economic matters - i.e emphasising the advancement of their economic interests as the only basis upon which support to party politics may be rendered, and acting as a collective to advance this perspective. For first and second generation formations, this "safe" posture was only masking a "waiting in the wings" for one's own political party to come back into the fray upon liberalisation of the political field, so one could emerge from the trench and

celebrate the reunion with the same unreliable party elites without imposing any conditions for further support.

This pose of the civil society organisations under the military was an acknowledgement that individuals belonged to diverse political affiliations 'permanently' and 'unconditionally'; and that since these affinities could not openly contest for hegemony over society in conditions of illegality it was futile to profess allegiances which could not be mobilised to fight immediate struggles for daily survival. It was found wiser to maintain minimum coalitions against military repression, and look forward to the return of politics (political parties) as the sole mode to resolve the entire spectrum of social, economic and political ills visited on these groups over the years. As long as they remained hesitant to take a political stance on their interests, they remained a conglomerate of loosely-held-together individuals with largely emotional political affiliation, but incapable of trading this political affiliation for a party political pledge to minister to their needs. It was natural therefore that with the restoration of party politics the individuals in these organisations reverted unconditionally to their old affiliations. This reluctance to act in a politically conscious manner in the context of the transition engendered their susceptability to party political manipulation during and after the transition.

Civil Struggles and the Politics of the Transition

Numerous struggles took place, mainly on the industrial plane, which galvanised forces for change in the transition period. The commencement of the Lesotho Highlands Water Project (LHWP) around which major labour struggles in the private sector were to be fought, coincided with arrival back home of experienced trade unionists expelled from the RSA during the 1987 mineworkers strike. This augured well for unionisation of the LHWP construction workforce, and consequent struggles around the project provided fuel for unionism elsewhere. The 1990 teachers' strike climaxed in the formation of the Lesotho Teachers Trade Union (LTTU) which proceeded to become one of the most important components of the labour struggles in the period beyond the transition. The National University of Lesotho Academic Staff Association (NULASA) took an explicit political line and intermittently called on the regime to step down; while wildcat strikes escalated in the public sector (Lihale 1991). Youth and students protests became particularly strong and expressly called for restoration of multi-party electoral politics. The rural

areas, where forms and means of oppression are more subtle, were the only sector left without dramatic, organised struggles with the state. Rural forms and modes of resistance and struggle have been discussed elsewhere (Selinyane 1996c) and will not be touched on here.

Several outstanding features characterised the struggles I am concerned with here: first, the organisations which waged these struggles were not ready to take power in their own name, but they also lacked a ready agenda to impose on an emergent government, or mechanisms for controlling and limiting the power of such government. Consequently when the field opened they remained outside the pale of the process they had so greatly exerted an impact on brigning about, and they did not have any influence on the outcome. Only the Construction and Allied Workers Union of Lesotho (CAWULE) and its cohorts explicitly put forward the option of workers' direct contest for state power, and ultimately formed the Lesotho Labour Party which contested the 1993 elections, but did not receive substantial support by the working classes. Secondly, while simultaneous struggles of organised groupings took place, one cannot talk of the existence of a labour movement in the country during the transition. The efforts were scattered, and attempts to form a single national trade union federation transcending the old divisions running along the BNP/BCP rift repeatedly failed during the transition. Opportunism, power struggles, and financial corruption leading to conspiracy and bribe-taking were rife even among the proponents of an alternative labour federation. Thirdly, the transition was rushed through hastily, without settling points to guide a future democratic dispensation, and when the parties took the field to the exlusion of division of labour groups, this sealed the exclusion of these groups from the benefits of the ensuing democratisation. This was made possible by the deliberate decision of these groups to opt out of politics as organised groups and entrust their fate as individual persons to the political dictates of the parties.

The Flawed Transition: Intellectual Debates versus Popular Demands

The processes for (re-)introduction of multi-party politics assumed different forms in different parts of the continent with different colonial past. The former British colonies were prodded by the Commonwealth and whipped by the ODA (Commonwealth 1991; Allen et al 1992; Baylies and Szeftel 1992; IDS Bulletin 1993); the French speaking part were nudged by the National

Conference starting with Benin in 1989 to the Zairean setting which foundered over a period of five years until Mobutu was removed by guerilla means (Allen 1992); while the Luso-phone zone became the chip of superpower political bargaining as in the Mozambican and Angolan cases. Some cases, like the Lesotho process, combined some elements of the different approaches. With the collapse of state credibility (Selinyane 1996a) and the rolling crisis, the military was forced to make a public commitment to trasfer power, and a national conference was held in October 1991 to fashion an agenda of transition. In 1995, amidst a protracted national crisis of irresponsible elected government (Selinyane 1996a, 1997a), a second national conference was held in September. Although these processes have been discussed before (Selinyane 1996a) my present purpose is to problematise the national conference as an arena for moulding a coalition of interests and fashioning the character of the state within confines of negotiated (elite) compromises. I will demonstrate that despite their criticism of the 1990-92 Advisory Council the intelligentsia did not propopse any alternative to it, the national conferences for which intellectuals became important midwives were a prosecution of the same agenda by other means.

The transition in Lesotho came at a turning point in modern global political economy where the regime of global capital accumulation had been drastically changed through the structural adjustment regiment of policies[6], relying on despotism for their execution (Callaghy 1986; Hiemenz and Funke 1994; Chomsky 1987), and deliberately fostering authoritarianism, graft and cleptocracy in their trail (Crisp 1994; Lawrence and Seddon 1990; Marshall 1990; Tickner 1992; Rudebeck 1990; Matlosa 1990; Seddon 1986). Having wrought havoc on the lives of the ordinary people in the Third World through adjustment, the IFIs and western capital found it fit to legitimate their programmes through institutions of formal democracy (seen as the existence of freely competing parties, an elected parliament resultant from regular elections, subordination of repressive state apparatus to the executive); and resuscitation of civil society construed as the (usually unaccountable) charitable non-governmental ogrnasations[7]. This was the orchestrated framework that needed challenging. Only a consistent rebuttal of the limited IFI/donor conception of pluralism and democracy and all that it entails, and only a consistent posing of a popular alternative would address the demands of the common people in the processes of transition. It is precisely these challenges which the intellectual and political discourse shunned.

The 1991 and 1995 National Conferences

Two points warrant mention about the 1991 conference. First, that it became especially obsessed with issues of a choreographed national reconciliation (among party political leaders) whose parameters were not determined by the ordinary people. Second, the conference was conducted under the stewardship of the elite experts (mostly from the National University) who were brought in to interpret history and carve the field for transaction of business. The transition was thus managed within narrow bands of a petit bourgeois discourse, its focus remained largely on the constitutional stilts on which a democratic order was to be founded, and not on bringing the people back into the political process. Constitutionalism was viewed as existence of modern independent, separate and mutually exclusive, counterbalancing institutions. In this package, the role and place of the people were marginal, defined by the constitution and the legal process. The exigency to establish new forms and modes of interaction between the governors and the governed was obviated; the only definition of democracy was from above, and the popular classes did not inform its interpretation and its materialisation.

The discourse of the conference also reduced democracy to economic growth *a la* modernisation perspectives. The absence of democracy was often blamed on lack of means of survival, and the limited means of self-sustenance and accumulation outside the state. This was in part following radical theory which saw the creation of capitalism - and thereby the rise of a class of independent entrepreneurs not dependent on the state for its self-reproduction, limiting the space of the state in the economic sphere - as a precondition for liberal democracy (Mamdani 1987), complemented by bourgeois theories which prescribed liberal (i.e capitalist) democracy as the sole mode of democracy for the emergent states after World War II(Wamba-dia-Wamba 1987; O'Brien 1972). Hence the need for state to do development in order to cultivate democracy was emphasised. The clear mechanism by which the state was to (be compelled to) do this were left to the mere fact that the government would have been democratically elected. Thus the specifically political aspects of the transition were by and large left unattended, and the conference remained an intellectual exercise in blunting the radical edge of the subjected groups and concluding deals above their heads, contrary to its pretensions to be a national dialogue for popular resolution of problems of lack of democracy.

For many ideologues the country's economic dependence spelt political dependence and fragility of the state, making it unable to confer collective values and fashion national consensus (Weisfelder 1967: 6-7; Makoa 1995a: 4-5 & 1995b: 34); the remedy for instability and economic depression was creation of a strong state. This statist view is resonant in Makoa (1990) who perceives democracy as a mere game of numbers, failing to root his analysis in the social relations among people and the political relations between people and the state:

> The current political agenda in Lesotho includes representation and accountability ... at the centre of Lesotho's political turmoil is lack of politics - a free and competitive democratic political process in which individuals and political parties are free to compete for power ... The king and the military Council were presented with the challenge to rebuild the nation ... [P]eople took to arms to back up their demands for unbanning of politics. This unbanning of politics would greatly improve the image of the army ... and the king. Both would be hailed as saviours of the nation" (p. 35)[8].

Those acquainted with the nation-building project of the Lesotho state (Selinyane 1996b) and elsewhere on the continent (Olukoshi and Laakso 1995) using development, absolutism, cannot help being scared by this suggestion and its statist content. A few days before the 1995 national conference, Makoa was to write that "one of the most glaring features of the Basotho nation-state is its inability to accumulate and redistribute wealth among its population"(1995: 14). The point that I insist on here is that this discourse panders to a "state-as-messiah" perspective, without proposing mechanisms by which the people can intercourse with the state to enforce the mandate associated with the state. It depends excessively on the goodwill of the state, and helps to marshall intellectual instruments for state's marginalisation of the people from their affairs.

This axis of argument is also followed by Matlosa (1993: 4) who characterises Lesotho's "political predicament" since independence as "underlined by severe legitimacy crisis of government and lack of accountability to the electorate and the governed", which "are critical pillars of authoritarianism and constitutional impasse that still beset the country to date". Although Matlosa mentions in passing the "lack of organised and politically vibrant civil society in the form of active opposition politics by political parties and non-governmental organisations acting as pressure groups to ensure legitimacy and accountability

of governance" (1993: 4), he fails to develop this beyond ruing lack of legitimacy and accountability. Leaving aside the conflation of civil society and political society in this statement, I wish only to point out that Matlosa's position suffers from failure to develop a thesis of civil society: what should be the relationship between these groups and the political parties on the one hand and the state on the other? Instead of tackling this question, the emphasis is shifted to the technical legislative and administrative dimensions of democratisation.

Equally worrisome is the interpretation of the democratisation process as an outcome *not* of popular struggles in the country, but of "armed struggle" only and of the goodwill of, or international pressure on, the military ruling group (Matlosa 1996; Makoa 1995a)[9]. Denial of the role of people's groups in forcing change on the regime naturally leads to a deficient treatment of the role that people's groups can play in the processes of restoration and entrenchment of democracy. Hence the focal point of the negotiations towards 1993 elections was integration of armies and (constitutional and other institutional) safeguards against resumption of war, and not integration of the people in the construction of democracy. Thus Sejanamane (1990/1: 6), one of the most vocal exponents of democracy during the transition, blamed the crisis of democracy on the fact that "traditional institutions of controlling the people ... the chieftaincy, the monarchy and the military .. have self-destructed" (see also Sejanamane 1996: 37). Only a month before the 1993 elections, Matlosa (1993: 22-23) summed up the imperatives for sustainable democracy as (i) a new constitution to avoid abuse of power by a victorious party; (ii) publication of written election manifestos; (iii) presence of international and local elections monitors; (iv) acceptance of the election results by all contesting parties; (v) stipulation of mechanisms and time frame for transfer of power from the military to an elected civilian government; and (vi) addressing the vested interests of the army to avoid future coups. As we now know, this entire repertoire of gestures came to pass without guaranteeing a stable democracy. Clearly a solution must be sought elsewhere, in the concerted intervention and participation of the organised formations of the citizens themselves in the democratisation project, along the lines other than the formalised periodic voting, ombudsman, law courts and newspaper columns.

The array of intellectual perspectives surveyed above formed the agenda of the national conference of 1991. The boycott of the conference by the BCP, and

the ambivalance and eventual withdrawal of the BNP, reduced the process to a deal of the left-leaning forces, excepting the right for reasons which have been discussed elsewhere (Selinyane 1996a). With the collapse of the national conference the parties plodded through the transition by sheer estimation of the likely wishes of the military and the major players, without any common standards to which any one of them could be held.

If any event were to be taken as the barometer of the real content of the national conference, such event might be the attitude and posture of the fractured leadership of the BNP at this conference. The party entered the conference against a background of heated leadership contest in which an entire faction led by Chief N.P. Peete (who later left the BNP to form his own National Progressive Party) was ousted, and the faction led by Chief E.R. Sekhonyana foisted itself at the helm of the party in a largely controversial elections. The scramble by each one of the two factions of the BNP leadership to gain admission to the national conference as the sole authentic representative of the BNP betrayed both the exclusionary focus of the factionalised National Executive Committee of the party, and the grasping of the conference as a medium for conferment of legitimacy on the party leadership. Instead of referring their problems to the party membership democratically, the BNP leadership would rather seek absolution and legitimation over their members through the conference dominated by equally unaccountable leaders of other parties, who had already agreed to participate in the Advisory Council without mandate of their constituencies (Pule 1990/1; Makoa 1990/1), and further agreed to the Lekhanya Clause[10] in the proposed new constitution[11]. The contest for "sole representation", with its obvious implications for pursuit of the "sole party line", further   speaks of the politicians' perception of the conference as a platform for reaffirmation of the established "rules of the play" set by the politicians themselves without contending views from the other sectors of society(Selinyane 1997b).   The abstention of the military, which had already carved for itself a comfortable niche in the new constitutional framework, was a final snub on the conference. Thus the country entered (and came out of) the 1993 elections without common standards worked out by the political actors (save for the broad constitutional framework), and without an alternative popular set of standards to be forced on the emergent government and enforced by the organised people's groups.

A brief comment on the 1995 national conference will demonstrate the wimpish nature of the national conference as a mode of politics in Lesotho. The BCP government was always opposed to the national conference (Selinyane 1996a; *Moeletsi oa Basotho* 16/7/95), but entered on a non-committal, observer status. The ruling party intermittently recused itself during discussion of certain matters including suggestion to form an Independent Electoral Commisssion, a proposal to alter the electoral system from first-past-the post to proportional representation, a proposal to form a reconciliation commission to look into past political misdeeds; and a proposal to reduce the minimum voting age from 21 years to 18 years.   Following the split of the BCP which resulted in the formation of the Lesotho Congress for Democracy (LCD) and its takeover of government, the parliament voluntarily lowered the voting age to 18 years and also amended the Constitution to provide for establishment of the Independent Electoral Commission without so much as a street opinion poll to test the views of the nation on these questions. That this populist (albeit welcome) posture should follow the refusal to engage these issues at the national conference can only convey the image the rulers had of the conference as a farce. Secondly, and more relevant to our case, is that once the government had determined the attitude of the political leaders to these issues at the national conference, it felt no obligation to refer the issues to the electorate whose prerogative has apparently been usurped by the national conferences.

All parties across the ideological spectrum refused or failed to go beyond the national conference as a mode of deepening democracy in Lesotho; while a few parties on the left of the political divide consistently paid lip service to development of a civil society. Paradoxically the political and intellectual architects of the flawed transition and its aftermath were the first to express surprise when the democrtisation experiment failed to work (cf. Selinyane 1997b).   Civil society formations themselves abdicated their mandate to political parties, with dire consequences for the interests of their members.

The Lame Civil Society: What Legacy and What Future?

The role and posture of civil society organs in the process of consolidation of democracy after 1993 have been treated in detail elsewhere (Selinyane 1996a, 1996b). A few general remarks can be made here. The first is that the sections of society which remained focused to take advantage of the democratic space

were the non-working classes. This was natural given the neo-liberal orientation of the new government's economic programme, and the global movement towards marketism[12]. The government privatisation programme not only gave substantial material support to the Lesotho Chamber of Commerce and Industry (LCCI) in the form of a 4-wheel truck, office equipment and payment of office staff as part of its capacity building drive, it also incorporated a private sector representation on the Privatisation Advisory Committee whereas labour representation was brought in much later in response to complaints by labour federations.

This petit bourgeois civil society, however, failed to put a distinctly middle class programme of demands on the state, and did not benefit from democracy in a systematic and sustainable manner. It benefited from corruptly awarded contracts and other deals volunteered by the state, but failed to compel the state to establish the rule of law, and a set of standards and rules above the board for business to flourish, and to bind the state to provide social overheads as a matter of course for the benefit of the entire class, not impromptu sops for wayward members of the class (Selinyane 1996a & 1996c). To the degree that it failed to cast the state in its image, it failed to construct a petit bourgeois democracy and I argue that it failed as a civil society.

The government, from the outset, adopted an anti-worker attitude and policy as witnessed by the following incidents: (i) breaking of workers' march by baton-bearing police in May 1993; (ii) the cancellation of teachers' salary increases, and imprisonment of striking teachers in 1995; (iii) the revocation of several commissions' recommendations on the improvement of the civil service salary structure; (iv) the enactment of the Public Service Act of 1995 and the Education Act of 1995 proscribing unionisation in the teaching service and the public service respectively; (v) the mass dismissal of the Lesotho Telecommunications Corporations workers who went on strike against corruption in the corporation; (vi) the massacre of striking employees of the Lesotho Highlands Project Contractors (LHPC) by the police, which was publicly praised by the Deputy Prime Minister and Minister of Home Affairs responsible among others for the police.

The fate of the working classes' civil society in this milieu is best demonstrated by the attitude of the national NGO coalition - the Lesotho Council of NGOs (LCN) - to these incidents. Formed in 1990, in an era of general economic

depression, escalating poverty, and spiralling state-generated violence (Thabane 1990/1; McIvor 1990/1), this organisation was dominated by charitable and crisis-focused organisations from its birth. Indeed these were to be the characterising sectors in which the LCN operated ever since. It was through the LCN that the October 1991 conference was held, and it was through it that calls for the second conference of September 1995 came. The organisation also convened a national crisis resolution forum after the urban towns of the country were engulfed by racial tension-cum-violence in May 1991; it took part in the monitoring of the 1993 general elections and several by-elections thereafter, and it was through it that drought relief was distributed in the transition and in subsequent food-shortage periods. The donor funding that these involvements attracted, and the readiness of the state and donors to deal with the LCN as the "mother body" of all community organisations in the country, soon led the leadership of the LCN to declare themsleves as the sole and authentic representatives of civil society in Lesotho. This is the slant in which the LCN entered the era of democratic reconstruction following the 1993 elections.

Owing to a number of problems associated with the transition (Selinyane 1997a) and the very nature of the ruling group (Pule 1997) the post-1993 era was riddled with crises, whose resolution tested the maturity of the country's civil society. During the January 1994 army debacle, the NGO coalition not only deplored the intra-military skirmishes and chastised opportunist politicians for fanning suspicions and cleavages in the army, but also lambasted the government for its regular taunts against all sectors of the public service, which kindled the wrath of virtually all societal groups. The LCN intervened during the short-lived palace coup of August 1994 by leading two national strikes to force the king to restore the elected (BCP) government. The coup was a watershed in the short history of the LCN. Some observers have remarked that even though it is ultimately fair to attribute the civil disobedience of the crisis time to LCN leadership, it was the Democracy and Human Rights Commission of the organisation that pulled this endeavour, at the time when the LCN leadership was torn assunder by political loyalties on the two sides of the coup, thereby injecting inertia into the organisation's functioning structures (Selinyane 1996b).

After the restoration of government the attitude of the LCN leadership to the struggles of the working classes and pro-democracy organisations was to be

decidedy reactionary, seeing every civil struggle as destabilising "our government". The exact mechanisms by which the "hegemony of reaction" was attained in the LCN are discussed elsewhere (Selinyane 1996b; Selinyane and Neocosmos 1998). The coalition refused to support the 1995 teachers' strike, despite appeals from the affiliated Lesotho Teachers Trade Union (LTTU) which led the strike. The LCN further remained nonchalant to the LHPC massacre[13]. In an interview with Sehoai Santho, a founder-member and ertstwhile president of the LCN in 1996, he stated that the LCN never saw its role as shaping a political consensus among its affiliates, but to provide an enabling environment for affiliates to pursue their goals. The LCN Programme Officer Palesa Ts'oene said during the same period that the LCN sees its function as "keeping the lines of communication with the government open", and leaves politics and political questions to its politically-oriented affiliates[14], even though it might participate in resolving national crises.

The civil society body never prescribed a role for itself in the process of building democracy. Hence while the LCN crisis forum of June 1991 resolved among others, that the ultimate solution to the recurring national crises "is the democratisation of the political life of Lesotho [through] establishment of an accountable political system governed by a democratic constitution, which protects human rights ... a bill of rights... and the independence of a free media safeguard" (resolution 17), it never defined what role the people in their organised formations were to play in this process. It remained within the framework of the discourse which I have criticised above, in short ineffectual as a building block of meaningful democracy. Anything approximating the role of the people was to be found in the reference to "a development oriented national education system which also prepares Basotho students to be aware of their rights in a participatory democracy" (resolution 21).

It is fair to conclude that despite its charitable role the LCN avoided constituting itself as a platform for mobilisation of its constituents to assert themsleves on the state. What the LCN has achieved, however, is to secure a place for itself in the bosom of the state and the donor circle. In February 1997 the coalition's annual meeting resolved to encourage the government to pass legislation to regulate the activites of the NGOs in the country under the pretext that this was already done elsewhere, and that the state would do the same anyway if the coalition did not initiate it. In December 1997 it convened a workshop which successfully brokered a compromise between the Lesotho

Highlands Water Project and the affected communities of the project area, allowing for commencement of Phase IB of the project despite outstanding claims of the vitimised communities[15]. There is a real possibility that through the LCN the state-donor pact could find a way to incorporate popualr classes in a subordinate postion. The state seems more comfortable dealing with the LCN than with dispersed "unruly" segments of civil society. The LCN bureaucracy sees itself as members of a larger brotherhood belonging together with their state and donor counterparts in the processs of delivering development.

The LCN however does not have monopoly representation of civil society, indeed organisations affiliated to this coalition have acted independently despite its pretensions to represent all its members in its prevaricatory stance in the face of state repression of these sections. There were a number of independent initiatives, notably industrial strikes, not at all enjoying the support of the LCN in the early years of elected government. Worthy of mention here are the Lesotho Amalgamation, Clothing and Textile Workers' Union (LACTWU) strikes in the Maputsoe industrial area. These strikes however, failed to translate into worker political consciousness and, as is usual with labour organisations in Lesotho, the union was considerably weakened by internal power scuffles and misappropriation of union finances. Besides these, there were the Lesotho Pharmaceutical Corporation workers' strikes which targeted both unpalatable conditions of employment and state-bolstered corruption in the corporation; and the five-union protest march against the Public Service Bill in 1995. This march was condemned by the Lesotho Federation of Democratic Unions, which was reputed as the more progressive of the two labour federations; while the Lesotho Trades Union Congress (LTUC) expressed support for the protest. The LFDU position was widely assumed to be informed by the BCP credentials of most of its office holders, while the main influence behind the LTUC is its secretary Moletsane Jonathan, a veteran leader of pro-BNP federations (cf. Southall 1984). It is suspect therefore whether such seemingly progressive stance could be taken against a non-BCP government by a federation of the qualifications of LTUC.

As the 1998 elections draw near, civil society organisations are again adopting dramatic postures in preparation for the national poll. The Lesotho Teachers Trade Union has drawn a programme of political demands as a minimum basis on which the union can proffer a bloc vote to political parties, possibly by

striking a formal alliance with a party which promises to deliver on the demands presented by the union. The Lesotho Clothing and Allied Workers Union (LECAWU) has also posted an election candidate in the industrial constituency of Ha Thetsane. The newly-formed eight-member Congress of Lesotho Trade Unions (COLETU), to which both unions are affiliated, resolved at its lauch meeting to evolve a workers' charter as a basis for seeking tactical alliances with political parties in the elections. No general prognosis can be made about the future of civil society in these circumstances, nor is there need for such an effort. Whether the heretofore oppressed sections of civil society will both contribute to strengthening of democracy and maximise their share of benefits from democracy, depends on whether they will opt for incorporation into state or a distance between themselves and the state, to allow themselves to make and enforce their class-specific demands on the state.

This requires that these organisations must device new ways in which they interact first with the political parties, and second with the state. It does not require disengagement from the mainstream methods like regular elections, parliamentarian representation and lobbying of the members of parliament. What it does require, however, is the organised independence of the subject groups; self-awareness of their members as belonging primarily to specific division of labour groups, and only secondarily to political parties; and organised interaction with parties on the terms prescribed by these groups themselves. Attaintment of this end will take discipline, submission to members' voice and collective action, intolerance to corruption and to elitist methods of presenting and discussing critical questions. If the people are not systematically introduced to the "modern", "complex" and often obfuscating ways of doing things, they must insist that things be done in ways that they themselves understand and prefer. Only then will peoples' power and popular perspectives prevail and civil society survive the current modes of democracy and simultaneously contribute to constituting new types which transform lives of the majority of people for the better. The "search for new modes of politics" (Wamba-dia-Wamba 1994a) is a lifelong venture from which the most disadvantaged groups cannot afford the luxury of taking a break.

Conclusion

In this article I have looked at the possibilities for civil society in Lesotho's politics and the opportunities of construction of democracy out of an exuberant

civil society. I have argued that the proximity of the division of labour organisations to the political parties and the state has rendered it impossible for these organisations to influence the state to serve their interests, and to avoid incorporation into the state as partners in curtailment of the rights of their constituents. The 1980s and 1990s have, however, witnessed emergence of a new type of organisations, especially among trade unions, which seek to tackle the political condition of the social constituencies they represent. These have, however, not always survived the vices of undemocratic leadership culture and financial irresponsibility which typified the first (pro-BCP) and second generation (pro-BNP) organisations. Enhancing the prospects of change will depend on the deepening of accountability and membership participation at the organisation level, and deliberate prescription of the terms on which collective support to political parties, and participation in the political processes can be pursued in the interests of the underprivileged groups.

Endnotes:

1.   I am indebted to Macpherson (1973) for this term.

2.   The long running debate surrounding "civil society" and the state/party relations in the context of South Africa in the period leading to the first democratic elections clearly reflects this. The debate has been characterised by bourgeoisification of the concept and desire to subordinate people's organisations to party and state control (Nzimande and Sikhosana, 1992) on the one side; and desire to have civic formations performing a "watchdog" role and pressing the state to respond to their demands on the other (Mayekiso 1992 and 1993). These exchanges have unfortunately not touched the political role of the civil society, even though the debate is apparently about this question. While Nzimande and others want to control civil society's political potential and fate, the civics' position as epitomised in Mayekiso remains that of "barking" at the state when it goes wrong. As to the role of civil society in qualitatively transforming the content of state-society relations, this remains to be sorted out.

3.   It is necessary to point out that "incorporation" here does not mean formal affiliation or assimilation into the BCP. These organisations retained their organisational integrity, but were conscioulsy pro-BCP in a way that made them not critical of the approaches of the party to national issues.

4.   Neville Pule correctly objects that the term / concept of transition is usually used in the discussion of the present conjunture (especially in relation to civil society and democracy) without even a pretence at problematisation of this term / concept. I agree entirely with this objection and its import, but space precludes problematisation here. I use the term to denote the expectations that processes initiated in the late 1980s in Lesotho and elsewhere would lead to qualitatively different modes of rule. Whether circumstances justified the coining of the term when it was first used, and whether later developments demand that we qualify the term, cannot be treated here for reasons of space.

5.   This was immediately taken advantage of by local elites who started churning NGOs to cash in on the new wisdom. At a national forum convenned in June 1991 by the Lesotho Council of Non-Governmental Organisations (LCN), one of the resolutions read: "The forum agreed on the need to review donor assistance programmes to Lesotho with a view to prioritising the key areas of focus in the development of Lesotho. Such development assistance should increasingly use NGOs as alternative channels of assistance to the grassroots given the lack of an effective development oriented system of governance".

6.   Studies show that adjustment programmes have been used by OECD countries to strengthen their position in international markets and weaken developing countries challenge to the unequal relations of the international division of labour (Bullock and

Parfitt, 1990; Watkins 1991; Harriss 1988;). In some (rather rare) instances adjustment has been used as instrument of battle in trade by the western countries among theselves (Stiles 1990).

7. For history of debates and reasons for renewed interest in civil society see Keane (1988); Gibbon (1995).

8. Incidentally, instead of the people, it was the intellectuals (e.g Matlosa 1996) who celebrated the military as saviours of the people, as pointed out in Note 8 below.

9. Witness Matlosa's (1996: 4) assertion: "The military retired **gracefully** to the barracks and **allowed** free political activity which facilitated the general election of the same year (i.e 1993 - NPS) (Emphasis added).

10. A clause which the then Chairman of the Military Council insisted on, providing for presence of the Commander of the Armed Forces in an elected civilian parliament, as a custodian of the constitution, to guard against political squabbles which might foment future military coups. This would retain the real power in national affairs in the hands of the unelected military behind the facade of a democratically constituted dispensation.

11. One political party could not be represented by two factions holding different positions on various questions of the transition. The conference was about striking a deal among the political elites, not about a dialogue of the different groups of citizens - hence the conference had to ascertain there was a single leader of each party delegation who could speak with finality on the issues at stake and quicken the conclusion of the inter-party deal. As long as commitment of each party to the deal could be guaranteed, whatever viewpoint of the ordinary people emerged outside the context of the conference seemed immaterial.

12. The Commonwealth Harare Declaration of October 1991, emphasised   both the imperative of elected government under multi party political system, and a commitment to free market macro-econime policies as the touchstone of good government. The BCP 1993 election manifesto, in its turn, made a strong commitment to privatisation, deregulation, and trade liberalisation.

13. At a seminar I hosted on "The Role of Civil Society in the Political and Economic Development of Lesotho" on 6/12/96 at the British Council Hall in Maseru, the then President of the LCN P.J. Lerotholi admitted the weakness of the LCN to take up struggles of its constituents, and blamed this on political bickering within the organisation. On the teachers' strike, the following note by the LCN's Democracy and Human Rights Commission to the Secretariat of the organisation is instructive: "Following the unsatisfactory way in which the two executing arm (sic) of the LCN namely the Executive Committee and the Secretariat handled the teachers' strike the

Commission recommends that the affected representative of the relevant commission be requested to attend an Executive Committee meeting as an observer so that the sentiments of the affected constituency are well ventilated. At times of crisis, the commission will issue a statement or will establish a steering committee to deal with such crisis." (Memorandum from Democracy and Human Rights Commission to the LCN Secretariat, dated July 25th, 1995).

14.   These would include organisations like the Lesotho Human Rights Alert Group; the Federation of Women Lawyers; the Community Legal Resource and Advice Centre, and others.

15.   In a conversation with one of the co-ordinators of the workshop, he divulged that the main reason for not seeking to halt the project pending satisfaction of the adversely affected communities, was that the NGO coalition needed funding from the Project for monitoring the activities of the project (sic).

References

Allen, C. "Restructuring an Authoritarian State: Democratic Renewal in Benin" Review of African Political Economy (hereafter ROAPE) No. 54, 1992.

Allen, C. et al "Surviving Democracy" (editorial) ROAPE No. 54, 1992.

Callaghy, T.M. "The International Community and Zaire's Debt Crisis" in Nzongola-Ntalaja. (ed.) The Crisis in Zaire: Myths and Realities. (New Jersey: Africa World Press, Inc. 1986).

Chomsky, N. The Chomsky Reader. (New York: Random House 1987).

Commonwealth "Harare Declaration of the Commonwealth Heads of Government and State" October, 1991.

Crisp, B. "Limitations to Democracy in Developing Capitalist Societies: The Case of Venezuela" World Development vol. 22 (10), 1994.

Gibbon, P. "Some Reflections on 'Civil Society' and Political Change" in Rudebeck, L. and O. Tornquist (eds.) Deocratisation in the Third World. (Uppsala: University of Sweden, 1995)).

Harriss, L. "The IMF and Mechanisms of Integration" in B. Crow, et al (eds) Crisis and Change in the Third World. (Milton-Keynes: Open University Press, 1988).

Hiemenz, U. and Funke, N. "The Experience of Developing Countries with Macroeconomic Stabilisation and Structural Adjustment" in Lee Chung H. and Helmut Reisen, (eds.) From Reform to Growth: China and other Countries in Transition in Asia and Central and Eastern Europe. (Paris: OECD, 1990).

IDS (Institute of Development Studies), vol. 23, no. 1 Good Government?, 1993.

Keane, J. Civil Society and the State.(London & New York: Verso, 1987).

Kibble, S. "Zambia: Problems of the MMD" Review of African Political Economy No. 53, 1992.

Lawrence, P. and D. Seddon "Editorial: What Price Economic Reform?" ROAPE No. 47, 1990.

Lihale, L. "Lesotho Under Military Rule: Five Years On" Vanguard, 1991.

Macpherson, C.B. Democratic Theory: Essays in Retrieval. (Oxford: Oxford University Press, 1973).

Mahao, N.L. "Elections and Consolidation of Democracy in Lesotho" (mimeo), 1992.

Makoa, F.K. "Lesotho's Military Junta: Missed Opportunities" Southern African Political and Economic Monthly, (hereafter SAPEM) 3 (10), 1990.

Makoa, F.K. "Lesotho's Military Kingdom: An Undemocratic Political Experiment" SAPEM 4 (3 & 4), 1990/1.

Makoa, F.K. "Lesotho's Political Monarchy: From Popular Protest to State Arrogance" SAPEM 4 (10), 1991.

Makoa, F.K. "Political Instability in Post-Military Lesotho[:] The Crisis of the Basotho Nation-State?" (mimeo), 1995a.

Makoa, F.K. "King Letsie's Short-Lived Coup" SAPEM 8 (7), 1995b.

Mamdani, M. "Contradictory Class Perspectives on the Question of Democracy: The Case of Uganda" in Anyang' Nyong'o, P. (ed.) Popular Struggles for Democracy in Africa. (Tokyo: UNU, 1987).

Marshall, J. "Structural Adjustment and Social Policy in Mozambique" ROAPE No. 47 1990.

Matlosa, K.T. "The Impact of IMF Structural Adjustment Programmes on Lesotho" SAPEM 4 (3 & 4), 1990/1.

Matlosa, K.T. "Lesotho's Political Process and the Legal Foundations of the 1993 Elections" Paper to a Workshop on The Electoral Legislation and Administration. Gaborone, Botswana., 1993.

Matlosa, K.T. "Democratisation and Conflict Resolution in Southern Africa: A Comparative Analysis of Lesotho and Swaziland" (mimeo), 1996.

Mayekiso, M. "Working Class Civil Society: Why we Need it and How we Get It" African Communist. 2nd Quarter, No. 129, 1992.

Mayekiso, M. "Heat, Light and Civil Society: Another Rejoinder to Nzimande and Sikhosana" African Communist 3rd Quarter, No. 134, 1993.

McIvor, C. "Sacked Miners Languish in Lesotho" SAPEM 4 (3 & 4), 1990/1.

Nzimande, B. and M. Sikhosana. "'Civil Society' and Democracy: A Rejoinder" African Communist 3rd Quarter, no. 130, 1992.

O'Brien, D.C. "Modernisation, Order and Erosion of a Democratic Ideal" Journal of Development Studies 8 (4) , 1972.

Olukoshi, A. and L. Laakso "The Crisis of the Post-colonial Nation-State Project in Africa" in Olukoshi, A. and L. Laakso (eds.) The Challenge to the Nation-State. (Uppsala: NordiskaAfrikainstitutet, 1995).

Parfitt, T. and S. Bullock "The Prospects for a New L'ome Convention: Structural Adjustment or Structural Transformation?" ROAPE , 1990, No. 47.

Pule, N. (1990/1) "The Military and Political Institutions" SAPEM 4 (3 & 4).

Pule, N. "Conflict and Conflict Resolution in the Basutoland Congress Party" (mimeo) 1997.

Rudebeck, L. "The Effects of Structural Adjustment in Kandjadja, Guinea-Bissau" ROAPE No. 49, 1990.

Santho, S. and S. Sejanamane (eds.)Southern Africa After Apartheid. (Harare: SAPES Trust, 1991).

Seddon, D. "Bread Riots in North Africa: Economic Policy and Social Unrest in Tunisia and Morocco" in Peter Lawrence (ed.) World Recession and the Food Crisis in Africa. (London: James Currey, 1986).

Sejanamane, M. "The Politics of Intrigue" SAPEM Dec./Jan. 1990/1.

Sejanamane, M. "Lesotho's Crisis and Regional Intervention" SAPEM 9 (5), 1996.

Selinyane, N.P. "Defending Fragile Democracy in the Post-Cold War: Lessons from Lesotho" Review of Southern African Studies. (forthcoming), 1996a.

Selinyane, N.P. "Civil Society, Adjustment and Democracy in Lesotho: Some Perspectives" (mimeo), 1996b.

Selinyane, N.P. "Continuity and Change in State-Society Relations in Rural Lesotho: A Comparative Historical Analysis" (paper to Faculty of Humanities, National University of Lesotho, Nov. 28), 1996c.

Selinyane, N.P. "The Making of a Prodigal State: Lesotho Under BCP Rule" SAPEM Augu/Sept., 1997a.

Selinyane, N.P. "The Lesotho Parliamentary Coup of June 1997" (mimeo), 1997b.

Selinyane, N.P. and M. Neocosmos "State-Civil Society Relations in Southern Africa: The Case of South Africa and Lesotho" paper to Conference on Youth and Urban Identities Under Structural Adjustment.. Gaborone 23-25 January 1998.

Southall, R. "Trade Unions and the Internal Working Class in Lesotho" South African Labour Bulletin 10 (3), 1984.

Stiles, K. W. "IMF Conditionality: Coercion or Compromise?" World Development 18 (7), 1990.

Thabane, M. "The 1990 Teachers' Strike" SAPEM 4 (3 & 4), 1990/1.

Tickner, V. "Structural Adjustment and Agricultural Pricing in Mozambique" ROAPE no. 53, 1992.

Wamba-dia-Wamba, E. "The Experience of struggle in the People's Republic of Congo" in P. Anyang' Nyong'o (ed) Popular Struggles for Democracy in Africa. (Tokyo: UNU, 1987).

Wamba-dia-Wamba, E. "Poverty and Political Participation" SAPEM 7 (10), 1994a.

Wamba-dia-Wamba, E. "Africa in Search of a New Mode of Politics" in H. Himmelstrand. (ed.) African Perspectives on Development. (London: James Currey, 1994b).

Watkins, K. "African Agriculture and Food Security in the Uruguay Round" ROAPE No. 50, 1991.

Weisfelder, Richard F. "Power Struggle in Lesotho" Africa Report . 12 (1), 1967.

Weisfelder, R.F. "Lesotho and the Inner Periphery in a Post-Apartheid Southern Africa" Journal of Modern African Studies 30 (4), 1992.

Other Materials

Manifesto of the Basutoland Congress Party, 1993 General Elections.

Memorandum of the LCN Democracy and Human Rights Commission to the LCN Secretariat, July 25th 1995.

Resolutions Passed by the Forum Convened by the Lesotho Council of Non-Governmental Organisations Held on the 3rd and 4th June 1991.

Institute of
Development Studies