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Neville W. Pule*

This paper deals with one aspect of a rather intricate background to Lesotho's political crisis of 1998: the development and repercussions of power struggles in the Basutoland Congress Party in the period 1991 to 1997. It notes, with some degree of trepidation, that a full treatment of what constitutes a background to Lesotho's crisis of 1998 would necessarily involve issues that are many and varied. Although not dealt with directly here, such issues would include, in addition, the following: dysfunctional and weak political institutions, with the accompanying rivalry between and amongst them; obstacles to elite accommodation and consolidation, itself a function of a poor resource base exacerbated by exigencies of austerity, among others; perverted civil society organisations, whose interests it seems are mediated mainly through political parties of their choice; a chequered history of South African involvement in Lesotho politics, highlighting, among others, the inescapability of various forms of intervention given Lesotho's geopolitical position. Further, the paper argues that the nature of the BCP's electoral victory in 1993, the conduct of the power struggle within the BCP and the resulting paralysis of government, and the manner in which the power struggle was resolved, all contributed to the political crisis that developed around the 1998 general election.

Introduction

History abounds with examples of the rise, dominance, and decline of major political parties. Almost always, the effects of such decline are felt beyond the formal boundaries of the party concerned. To be sure, the Basutoland Congress Party (BCP) was never before 1993 considered a dominant party in the sense that the characterisation was used in the past to refer to the Congress Party in India or, later, to the Institutional Revolutionary Party in Mexico, for example. However, to sweep all sixty-

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five (65) parliamentary seats as the BCP did in 1993 raised the possibility of a dominant party in the making (Sartori, 1976). Yet the BCP’s emerging dominance was short-lived as factionalism and the accompanying power struggles - which appeared even before that famous electoral victory - took their toll, leading to that party’s inability to translate its strategic position into a decisive influence on policy. Eventually, the BCP split formally in June 1997.

Ironically, the BCP’s overwhelming victory proved devoid of much content as the party grappled with myriad internal and external problems. At one level, debilitating internal strife that decidedly prevented it from taking full advantage of an overwhelming mandate to govern plagued the BCP. Chief among the problems was the insufficient attention given to issues of leadership and succession. The advanced age and failing health of the party leader, and the single-most dominant personality in the party’s history, Ntsu Mokhehele, gave rise to intense jockeying for position as different factions anticipated his inevitable departure from public life. The lure of inheriting a party that looked set to govern for the foreseeable future also proved difficult to resist. Effects of an improperly managed and historically neglected succession process were exacerbated by the heightened vigilance of factions within the party as suspicion abound that the leader may be preparing to hand over leadership to a successor of his choice. At another level, the party and its government struggled in their relationship with other institutions of state, especially the armed forces and the monarchy (Matlosa, 1994; Sekatle, 1994; Sejanamane, 1996; Makoa, 1995; Mothibe, 1998; Thabane, 1998). At the time, a popular explanation for these problems was that the government was a victim of well-orchestrated campaigns aimed at obstructing a popularly elected government from governing.

There are a number of reasons why the problems that plagued the BCP are worthy of attention. First, instability in the BCP threatened the still-fragile democratic dispensation stability in Lesotho. Second, to the extent that the advent of democracy in Lesotho was seen as a solution to instability of years past, problems in the country’s dominant political party posed a threat to the fledgling democracy. Third, by virtue of its position as government, BCP’s problems tended to have a negative impact on public policy. Fourth, the range of issues associated with redefining Lesotho’s position and place in Southern Africa - many of which have a direct bearing on sovereignty and nationhood - did not receive attention (Weisfelder, 1992; Mahao, 1993;
This paper examines the nature, causes, and consequences of intra-party strife in the BCP in the period 1991 to 1997. To this end, focus will be on the power struggle between the party's two contending factions, known as Majelathoko and Pressure Group. The choice of protagonists to be analysed is informed by a variety of reasons. For one, the conflict between the two factions was the most visible to the public; for another, party members increasingly felt compelled to identify themselves with either one of the factions. This, however, is not to say that the Majelathoko - Pressure Group divide constituted the only instance of intra party strife within the BCP. There were other divisions somewhat hidden by the dominant modes of voicing discontent. Indeed, subsequent developments show that both factions harboured a variety of disaffected groupings (Cl V/APN/160/98; ClV/APN/168/99; ClV/APN/205/99). Section two (2) discusses aspects of coalition theory and its applicability to the BCP in the middle years of the 1990s. Section three (3) identified the two conflicting sides. Section four (4) identified areas of conflict and the perspectives adopted by both factions. The concluding section evaluates the impact of the BCP impasse and the manner of its resolution on the country and its governance.

### Coalition Theory

In a pioneering study on coalition theory, Riker (1962:12) had this to say about coalitions:

> 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.

The key assumption here is that coalitions form because rational actors make strategic decisions in some decisional context, itself subject to the following conditions: the minimum number of actors is three (3); a majority decision rule must apply; the properties of available payoffs to winners and losers must be specified. Ultimately, coalitions that form do so in order to satisfy the decision rule (Gamson 1961; Leiserson 1968). To these assumptions, Axelrod (1970) and De Swan (1973), among others, added the motivation of actors: that actors are constantly looking to join coalitions that reduce disagreement on policy preference. Bueno de Mesquita (1975) argued that the problem with earlier coalition theories is that they take each
instance of coalition formation as a discrete event, unrelated to past and to likely, future considerations. Hence, he suggested studying coalition formation as a continuous game that ends not with each formed coalition, but with the emergence of a dominant actor.

The BCP emerged from exile in the late 1980s a deeply divided party. Indeed, we can conceivably view it as having been a coalition of rather diverse opinions and interests even as it presented a picture of coherence to outsiders. But why, we might ask, would such a deeply divided party insist on a myth of coherence? Uncertainty about the relative strength of factions, the desire to be part of a vehicle that had more than a good chance of winning the 1993 election, are all compelling reasons why factions would want to coalesce. Having won those elections resoundingly, the task of maintaining that uneasy coalition increased in complexity.

Seen in this way, the existence of a variety of conflicting views that all claimed to be the BCP position demonstrated that these conflicting views were but symptoms of a more latent conflict - one that reflected ways in which different components of an unstable coalition often go about securing power and influence. Hence access to positions in parliament, cabinet, and high profile positions in the party and the bureaucracy served as important yardsticks in any self-evaluation exercise by each faction. Similarly, failure to access these positions was often intolerable because it had implications for how one faction believed it was faring vis-à-vis rival factions.

This conception has a number of problems, however. Theoretically, there is a level at which all political parties can be viewed legitimately as coalitions formed, as they often are, on the basis of subscription to a minimum programme. From a reading of coalition theory it is apparent also that the minimum number of actors in coalition formation - in order to satisfy the decision rule - is three (3), not two (2).

The presence of a second or even third party in parliament may have benefited the BCP. In theory, the presence of such a party would have resulted in two scenarios, at least. First, BCP factions could be forced to work closely together - to become a coalition - out of fear that one of them could conceivably form a coalition with a rival, second party. Second, one of the BCP factions could actually go ahead and form a coalition with a second party. In the event, the absence of a second party as a result of the
BCP winning all sixty-five (65) parliamentary seats meant that factionalism and the accompanying power struggles became all-consuming at all levels: cabinet, parliament, party. Hence, the first casualty was the decision rule.

The Protagonists

Power contestations in the BCP saw the emergence of two main - albeit far from homogenous - factions. Beyond the fact of the on-going power struggles between the two factions, there were no discernible ideological differences. In fact, none had ever attempted to publicly explain or justify their conflict in ideological terms. One faction, popularly known as Majelathoko, was organised around the personality of the then party leader, Ntsu Mokhehle. Their rivals regarded them as conservative. (However, in the absence of any articulated ideological or even programmatic differences, the meaning of this characterisation remained unclear). This faction, which consisted of the majority of the BCP’s old guard, portrayed itself mythically as the real, authentic BCP. They tended to dismiss their rivals as a clique of power hungry and untrustworthy opportunists without any real understanding of the BCP’s constitution and the party’s way of doing things. Moreover, they accused their rivals of a conspiracy to take over the party from within.

The Pressure Group, for its part, was frequently at pains trying to clear their image. A familiar refrain emanating from this faction was that its main concern is to ensure that the BCP and its government are united, democratic, and strong, not power. This faction portrayed itself mythically as consisting of young, enlightened, modernising, progressive, and dynamic members. With time, this faction, came to include a component of veteran members with sensibilities deemed appropriate. The Pressure Group provided a home for younger and older members with an axe to grind the leader, his brother, and some other members of the Majelathoko faction. Below is a statement closest to what can be considered a self-definition and mission statement of the Pressure Group:

We believe our role should be clearly stated to avoid misunderstanding and misrepresentation. We do not form part of the party structures as outlined by the party constitution, but we are a pressure group or an arm of the executive committee through which the said committee can propose ideas, analyse them and disseminate information to the general populace. The life of the group should be limited to the point where the party is revived and is in motion ... (Khakhaulane, 7-22 October 1996).
The above statement may be useful when tracing the origins of the Pressure Group faction, but it is less helpful, when attempting to explain the subsequent course of events - especially the stalemate that developed. Past pronouncements by the Pressure Group that they are simply a technocratic group with no designs on power were abandoned as attitudes hardened on both sides and as the power struggle crystallised. Both factions relied increasingly on the resources at their disposal. The Pressure Group faction dominated the upper echelons of the party and used this to close out their rivals from any meaningful involvement in party business. For their part, Majelathoko relied more on powers of state, especially those of the office of Prime Minister, to drive a wedge between the party and government. Ultimately, one faction spoke as the party and the other spoke as government.

The seriousness and intractability of the BCP conflict can be gleaned from public pronouncements and actions by leaders of both factions at the time. The expulsion from cabinet of four of the Pressure Group’s leading lights, Molapo Qhobela, Tšeliso Makhakhe, Ntsukunyane Mphanya, and Sekoala Toloane; plus the resignation of two other ministers, Moeketsi Senaoana and Khauhelo Raditapole, signalled the ascendancy of Majelathoko in cabinet, as their replacements and other surviving members of cabinet could no longer be regarded as belonging to the Pressure Group faction. At a public rally called ostensibly to address the public, the then Prime Minister exhorted the party faithfuls to distance themselves from the recently ousted cabinet ministers and senior members of the party’s National Executive Committee (Mokhehle, 1996). Even though not stated in so many words, the Prime Minister’s remarks were an attempt to expel the leading lights of the Pressure Group faction from the party - a course of action favoured in the BCP over the years.1 Earlier, the then Foreign Affairs minister, Kelebone Maope, had articulated the theme of the untrustworthiness of the ousted ministers on state-run radio a few days before the Prime Minister’s rally (Radio Lesotho, 23 May 1996).

Even before their expulsion from cabinet, three of four ministers issued a statement denying newspaper reports that plans were afoot to form a new, breakaway party. The BCP, according to the statement, is a “mass democratic movement of the entire Basotho nation - one and indivisible” (Press Statement, 30 April 1995). The then deputy leader of the BCP, and seeming leader of the Pressure Group faction, Molapo Qhobela, further
asserted after their expulsion from cabinet, that there can be no talk of a split in the party. What existed were serious differences of opinion, but not a split. He further attempted to portray the power struggle as normal in any healthy organisation (TV Lesotho, 1 August, 1996). Such disclaimers notwithstanding, the Pressure Group faction was jolted into action by the hotly disputed proceedings of the 1996 Annual Conference, especially the conduct and outcome of the NEC election, cabinet expulsions and resignations, and the Prime Minister’s address to the nation on Sunday, 26 May 1996. The faction used its new-found time and resolve to criss-cross the country addressing BCP constituencies and attempting to rally as much support as possible for its cause. In this new role, full mileage was extracted from the fact that the expelled ministers were also senior members of the party’s National Executive Committee.

Examples and Dimensions of the Conflict

Below is a narrative of some of the more prominent areas of disagreement between the two BCP factions. Chosen among many possible examples, are the following: legal action taken by one faction against its rival, resulting in seemingly endless requests by both factions for the courts of law to intervene; struggles for the control of various party structures and property at both national and constituency levels; the self-help schemes known as fato-fato; the fate of the party’s armed wing, the Lesotho Liberation Army (LLA); disagreement centering on the interpretation and the purpose of the Pardons Act; problems of a divided parliament; the health of the Prime Minister; and opposing perspectives on succession.

1. Power Struggles in the Courts

In April 1996, four BCP-controlled constituencies of Thabana Morena #42, Mohale's Hoek #47, Mokhotlong #64, and Khubelu #65, instituted legal proceedings in an attempt to get the party's Annual Conference held from 8 to 11 March, declared null and void. This legal action was roundly welcomed by some cabinet ministers, most members of the outgoing 1993 NEC, and the Pressure Group camp as a whole (Makatolle, 3-10 April 1996; TV Lesotho, 1 August 1996). The reasons for this action were: First, that the NEC elections were rigged, with Majelathoko inflating the numbers of delegates eligible to vote; Second, that at the leader’s insistence important reports to the Annual Conference were not read and discussed,
while others were only partially considered. Among these were reports by the General Secretary, the treasurer’s report, and reports from the constituencies (CIV/APN/84/96). For its part, the High Court issued an interim ruling that the outgoing (Pressure group-dominated) NEC should continue as the BCP executive for the duration of the trial. The incoming (Majelathoko-dominated) NEC was suspended as circumstances around its assumption of office were being examined by the court.

After more than six (6) months, judgement on the case was finally handed down on 22 October 1996. The judge ordered that the BCP leader, Ntsu Mokhehle, should sort out the problems arising from the BCP conference in an “amicable settlement.” This, the leader was to do within fourteen days of the judgement. If the fourteen days proved to be insufficient for handling the task, the court could extend it by a further fourteen days. But, all in all, it should not take more than thirty days to carry out the task. In this capacity, the BCP leader was required to notify “affected parties” and others of the “date, time and venue” for the “amicable settlement.” In the meantime, the leader would be responsible for all BCP property until an “amicable settlement” has been reached. Costs were not awarded. Later, the court amended the judgement by adding that the 1993 executive committee would continue functioning until a settlement had been found, and that the same executive should continue to have access to party property.

The nature and meaning of the judgement have been the subject of much commentary and they warrant a few observations. By virtue of elevating the BCP leader above party problems, the court placed enormous responsibility on his shoulders, requiring him to prove his leadership under conditions of unprecedented public scrutiny and discontent within the party. The popular view, based on an open secret that the leader is the life of the Majelathoko faction, was that the court had virtually ruled in favour of Majelathoko, and that the leader would certainly attempt to settle the dispute “amicably” in favour of Majelathoko. Later, this view was tempered by the courts’ amendment, which gave the impression that no one side had emerged victorious.

The court’s peculiar judgement had thus provided the warring factions an opportunity to negotiate. The leader of the BCP called a meeting of both factions on Saturday, 2 November 1996. However, the meeting never
really got underway because the Pressure Group objected to the presence
of an individual they regarded as a non-BCP member in the leader’s
debtination, i.e. Mr. Tom Thabane, then special advisor to the Prime
Minister. The Pressure Group also objected to the leader appointing the
same individual as secretary. The leader of the Pressure group, Molapo
Qhobela, refused to attend the meeting because he felt that he has been
improperly invited. This failed meeting was to be the only attempt to carry
out the court order. To observers, it was patently clear that both factions
were not interested in negotiations; they simply went through the motions.
This failure ultimately forced the judge to give a ruling on the matter. On
Monday, 25 November 1996 the court found in favour of the Pressure
Group. Proceedings of the annual conference, including the election of the
executive committee, in May 1996 were found to have been
unconstitutional. The leader, together with the Pressure Group dominated
executive committee were thus given the responsibility of organising
another annual conference.

Partly because the two factions had no intention of working together, and
partly because of public statements by the Pressure Group that it did not
envisage holding the party’s annual conference anytime before the 1998
general elections,5 the two factions were back in court one month later. On
this occasion, Majelathoko parliamentarians, including the deputy Prime
Minister, Pakalitha Mosisili, were the applicants. They argued that the
Pressure Group-dominated executive had no mandate to run the affairs of
the BCP indefinitely; its role was supposed to be limited to organising the
party’s annual conference. They further argued that the executive had made
no preparations for holding the annual conference, and that this was proof
that the executive had no intention of doing so. Majelathoko were,
therefore, asking the court to instruct the Pressure Group-dominated
executive to cease running the affairs of the BCP and to further instruct the
executive to hold the annual conference by 10 January 1997. The court
ordered the executive to hold the annual conference on 24 January 1997.
If the executive failed to do so, then the BCP leader could hold the annual
conference on 7 February 1997 (CIV/APN/1/97). In compliance with the
court order, the executive began preparations for the annual conference
(NEC - Z/6-97, 13 January 1997). On 23 January, Majelathoko were back
in court. This time they were requesting the court to stop the annual
conference scheduled to be held the next day. They argued that the
executive had failed to make the necessary arrangements for the conference.
The court ordered that the conference be postponed. For its part, the Pressure Group, went ahead and held its own conference the next day where, with the exception of the position of party leader, an all-Pressure Group executive was elected.

Again, the proceedings of 24 January 1997 were set aside by the court, which also ordered that the Executive Committee organise another conference to be held on 28 February 1997. If the Executive Committee failed to do so, the BCP leader “would have to hold such a conference.” Among the guidelines set by the court was that the agenda of 28 February be the same as that of March 1996. Amid accusations and counter-accusation of intimidation, the said conference was held. The most dramatic outcome was that the BCP leader, Ntsu Mokhehle, was removed from the leadership of a party he had led for over forty years. Of course, he made an application to the High Court asking for an order to the effect that his removal from leadership be declared null and void. The court ordered that his removal from leadership is null and void. Further, the court ordered that his five-year term as leader had expired, and that the Executive Committee should hold an annual conference within three and half months. In the meantime, the leader would continue in an interim capacity (CIV/APN/75/97). Whether in the courts or outside, the power struggle in the BCP continued unabated until even more dramatic events occurred in early June 1997.

2. **Vlakplaas and the Search for a Decisive Blow**

Apart from the issues that resulted in legal action, a significant aspect of the April trial was the attempt by the Pressure Group to portray Majelathoko as pro-Apartheid collaborators. The Basotho National Party (BNP) - and BCP-sympathetic press, as well as the independent press, all suddenly rediscovered Vlakplaas and other unsavoury locations in the region’s apartheid past. By collaborating with apartheid, the argument went, Majelathoko betrayed the cause of Southern African liberation as well as the Africanist principles of the BCP. Later, allegations by former Vlakplaas operative, Joe Mamasela, that the BCP leader had resided at Vlakplaas for a time served to focus accusations of collaboration with apartheid squarely on the BCP leader. Amid passionate denial by the BCP leader that he had ever been to Vlakplaas, the Pressure Group-dominated executive declared that:
It is imperative that the National Executive Committee of the BCP should declare its stand unequivocally to the international community, that we as a party, have never had anything to do whatsoever with this notorious place. We therefore, take the position that the responsibility of affirming or rejecting Mamasela’s serious allegations rests squarely on the shoulders of the person who is alleged to have resided at this infamous place - Dr Ntsu Mokhehle (MoAfrika, 6 December 1996).

These allegations were not new. Hence their re-emergence was always intimately related to power struggles in the BCP. And so what was an important issue in its own right became the subject of partisan, factional distortions. Throughout this episode, it remained obvious that such accusations no longer carried the sanction and stigma they once did. Certainly, the possibility existed that they would further complicate Lesotho’s relations with South Africa. But it never appeared as though these disclosures would have a telling effect on how the party rank-and-file related to a leader thought to have collaborated with apartheid. What was less clear was whether such accusations would prove decisive to an internal settlement of the power struggle within the BCP. Indeed those who made the accusation failed to explain why they singled out Vlakplaas and not any number of other locations in South Africa that were used by the BCP while in exile?

3. National Executive Committee (NEC) Elections

The zero-sum nature of the BCP conflict is further illustrated by NEC election results since 1993. In fact, nowhere was the power struggle more evident than in the struggle to dominate the NEC. Each faction seemed to be looking for a comprehensive victory over the other. Exemplifying such a victory would be the phenomenon of “taking all the seats” or at least taking the most important seats. From 1993 onward, NEC’s came to reflect factional and partisan commitments of the protagonists. This was an accepted yardstick for measuring faction’s progress vis-a-vis its rivals. Throughout this period, the position of leader had been somewhat exempt from the competition for NEC positions, because constitutional provisions stipulated that the position of party leader is voted on once every five years. More than constitutional provisions, however, Pressure Group restraint on the leadership question was caused by strategic considerations that were wary of the widely acknowledged popularity of the party leader. Table 1 below shows the composition of BCP National Executive Committees since
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Table 1: BCP National Executive Committees, 1991-1995.

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<th>YEAR</th>
<th>JAN 91</th>
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Source: Media Reports and Party Press Briefings.

NOTE:

1. Due to the unconstitutionality of the proceedings of the 1996 Annual Conference, the column indicating the 1996 Executive Committee is included here only for purpose of illustration and comparison.

2. With the formation of the Lesotho Congress for Democracy in June 1997, an act that finally formalised the split in the ruling party, the last two columns similarly are included for purposes of illustration and comparison.

3. The two-year hiatus between December 1993 and March 1995 can only partly be explained by the divisions that existed within the BCP. Instability within the army, assassination of the deputy Prime Minister, and the coup in 1994, offer a more realistic explanation.

The following observations can be made from Table 1 above. There is a general difficulty in identifying Pressure Group and Majelathoko in the earlier NEC’s, compared to the ease with which this can be done for later executives. Yet this does not mean that there was no discontent in the early 1990s. The need to present a united party to the electorate as part of the BCP’s preparation for the 1993 general election, coupled with the fact that
discontent will almost always precede crystallization of factions, are two reasons that may serve to explain the above point. The struggle over who controls the NEC visibly intensified with each election. From December 1993 onwards the zero-sum character of these struggles becomes obvious, and a mixed executive - itself a product of considerable negotiation and rapprochement - became a remote possibility. As a result, later executives, instead of reflecting a true picture of the differences and factions in the BCP, tended to demonstrate the desire to exclude and to monopolise.

4. **Divided Party, Divided Constituencies**

In the period leading to the 1993 general elections, there was considerable vying for position regarding who would represent the BCP in many of the sixty-five (65) constituencies the party was preparing to contest. Even though the Majelathoko-Pressure Group divide had not yet become public knowledge, the tendency to impose candidates on local communities was already prevalent and it often - though not always - took the form of the dominant divide in the BCP. Yet the party elite managed to present the BCP as a united party to the electorate. With the deepening of the conflict at the national level, further tensions were felt during by-elections, with the Qeme #30 constituency being the most notorious. Bofihla Nkuebe, then a popular choice among BCP supporters in that constituency, was not approved by the NEC, which preferred a different candidate. He stood for the election as an independent, won the seat, and promptly formed a political party, the Sefate Democratic Union (SDU), upon entering parliament.

At the time, the selection of BCP candidates for the 1998 general election promised to be an even more controversial affair occurring, as it did, in the context of heightened tensions within the party. Also, both factions had devoted their efforts to convincing the party’s grassroots that the party is divided - that the fundamental choice a BCP supporter ought to make is whether one is Pressure Group or Lejelathoko. In addition, both factions were aware of the advantage of controlling the National Executive Committee during the run-up to national elections. The executive has constitutional powers to determine the final list of candidates who stand for elections on the BCP ticker. Undoubtedly, these powers were going to be used to full effect by whichever faction was in control during that crucial time. As the power struggle intensified, so did the struggle to control the
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NFC, and so the constituencies were increasingly brought into the power struggle. Getting the right sort of delegates to attend party conferences in order to ensure desirable outcomes became a priority for both factions. In this way, what was essentially a power struggle among those in the upper echelons of the party was transferred and encouraged to spread to the grassroots.

Indeed, during the endless litigation in which both factions were engaged, a recurring problem was the composition and number of delegates to annual conferences. The seeming inability of both factions to “get it right” highlighted more than anything the desperation to control the NEC going into the 1998 general elections. Hence, the 1998 election promised to be a visible movement of a national-level crisis to a constituency-level crisis. The problem of who legitimately represents the BCP in the constituencies would have been recurring and increasingly problematic for the stability of both the ruling party and the country going into the 1998 elections.

5. Patronage Politics: *Fato-Fato*

The Lesotho Highlands Water Development Fund is a fund made up of revenue that accrues to the Lesotho government as royalties from the sale of water to the Republic of South Africa and from 75% of those customs union receipts that are directly related to the Highlands Water Project. Among other things, it was envisaged that the fund would finance development initiatives. The rationale for establishing the fund was provided by the World Bank, which insisted that revenues from the project should not be permitted to impact negatively on on-going structural adjustment programmes. The Bank also insisted that revenue from the project should not be used purely for budgetary purposes, as is the acse with other revenue that accrues to the Lesotho government (World Bank, 1991).

Once established, a board together with a secretariat for the purpose of ensuring that fund monies are handled “independently and effectively” would administer the fund. A development committee, whose function would be to introduce new projects and to examine projects originating from the communities, was also established. The first deposit into the development fund was made in 1991/92. Thereafter, the fund lay dormant— even though deposits continued to be made— until early 1995 when a flurry of “development” activity led by members of parliament began in earnest.
What rapidly developed was an elaborate patronage scheme designed to cement the ruling party’s rural and peri-urban support. It also provided yet another avenue for accumulation by Lesotho’s already corrupt political elite (Selinyane, 1996). Evidence of the mismanagement of the Lesotho Highlands Water Revenue Fund was well known even to government. For example, in the 1996/97 Budget Speech, the then Minister of Finance, Dr. Moeketsi Senaoana, pointed out that:

There have been incidences of members of parliament being in possession of fund moneys an action specifically prohibited under the 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 [p. 9].

Without denying that there are some who may have benefited from *fato-fato* - namely, those working closely with MP’s and those who were fortunate to be engaged repeatedly - the scheme, and specifically its management, added further tensions among the BCP’s rural constituents. Notwithstanding its declared and disputed objectives, the scheme dented the credibility of the BCP among rural communities. In some areas, squabbles about *fato-fato* simply fed into already existing Majelathoko-Pressure Group tensions, while in other areas these squabbles added yet another debilitating avenue of argument and recrimination.

6. **The Lesotho Liberation Army**

Another area of conflict among BCP factions was related to the future of the Lesotho Liberation Army (LLA), which was the armed wing of the BCP during its years in exile. Like the BCP, the LLA emerged from exile as a faction-ridden organisation (Commission of Inquiry-Lesotho defence Force, 1995). To this day, what exist are LLA’s with distinct leadership as opposed to a single, unified LLA. Indeed, one characteristic of the power struggle in the ruling party was that each faction believed that it has the backing of the LLA or a faction thereof.

One of the pre-conditions for extending amnesty to the BCP by the then military regime was the dissolution of the LLA (Ibid. P. 25-26). In addition to intra-LLA squabbles, BCP factions were divided on the issue of whether or not the LLA exists. The Prime Minister, the BCP leader, and
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Commander-in-Chief of the LLA, was on record then saying that the LLA was dissolved - as such it did not exist (Ibid. P. 72). The Pressure Group, on the other hand, insisted on the continued existence of the LLA. In addition, the Pressure Group argued that the BCP government ought to take steps to ensure the welfare of LLA members. Often cited in this regard was the call for the integration of LLA personnel into the Lesotho Defence Force. The different postures assumed by the BCP factions made the LLA issue a further potentially divisive issue both within the BCP itself and between the government and the armed forces. For one thing, the issue had varying degrees of importance within the party, with the Pressure Group consistently calling for such integration; for another, the army was generally reluctant to accept this option.

The LLA held a conference on Saturday, 24 February 1996, and this culminated in the adoption of a set of recommendations to be tabled before the BCP Annual Conference in March 1996 (MoAfrika, 1 March 1996). Representatives of the LLA also met the Prime Minister on 6 March 1996 (Mopheme, 23-30 April 1996; MoAfrika, 8 March 1996). The aim was to explain to the Prime Minister the resolutions taken at the LLA conference the month before. The issues were reported to be: first, that former LLA combatants wanted to know what happened to the rehabilitation monies they were promised; second, that the LLA had not been disbanded; third, that the LLA is not fighting the Lesotho army anymore; fourth, that families of deceased LLA members should be informed about the circumstances of the death of their kin, and that this is the responsibility of the BCP; fifth, that recommendations by Presidents Ketumile Masire of Botswana and Robert Mugabe of Zimbabwe regarding the LLA should be implemented; sixth, that integration of LLA members into the Lesotho Defence Force need not mean loss of jobs for those already in the army; seventh, that LLA property should be used for the benefit of the BCP, not a few individuals. These resolutions, ostensibly emanating from one of the LLA factions, quickly received the full support of the Pressure Group faction. Hence we can talk of the extent to which some - though not all - LLA divisions corresponded to the main Majelathoko-Precision Group divide in the BCP.

Even the agreement between the Lesotho government and the Lesotho Defence Force that LLA members of the right age and health can individually join the army by applying like everybody else who wishes to join was considered unsatisfactory to the Pressure Group and allied LLA
factions. Hence in the context of the on-going power struggles, the LLA issue assumed a political symbolism. It was also a resource that could be used in the battle for ascendancy within the party. But the LLA was never an issue only for the ruling party and its government, other political parties and the armed forces viewed it with a lot of interest. However, the possibility of broader interaction between the BCP, other political parties, and the armed forces on the issue of the LLA was complicated by the fact that no single BCP position on the LLA existed. The BCP government maintained that the LLA was desolved and, indeed, the Pardons Act of 1996 refers to ‘the former LLA.’ On the other hand, the Pressure group faction and other factions of the LLA maintained that the organisation still exists, and that the then government was simply ignoring it.

Related to these events was a group with Pressure Group connections as well as connections with one of the LLA factions, the Lesotho Political Victims Organisations (LPVO), led by one Moeketsi Tsatsanyane. Reported to have been formed sometime in 1991, the organisation called on the government to establish a South African-style Peace and Reconciliation Commission and to rehabilitate all political victims (Mohlanka, 27 April 1996). Though its objectives were not different from the resolutions above, it nevertheless emphasised the compensatory aspect of reconciliation. The truth aspect had to do with the desire to have full public disclosure of human rights abuses committed against the BCP by the BNP government as well as those committed by the BCP against its own members during its years in exile.

In a sense, therefore, even these objectives, when articulated in the context of a conflict-ridden organisation, firmly situated the LPVO on the Pressure Group side of the BCP divide. According to the organisation, attempts to meet the Prime Minister failed and government has not met their demands (Mopheme, 30 April - 7 May 1996). Attempts to call a national stayaway during the SADC Heads of State annual meeting held in Maseru from 16 to 24 August 1996, as a way of publicising their demands, did not materialise. The failed stayaway was no doubt aimed at embarrassing the faction in control of government in the presence of regional heads of state. This becomes even more important when one remembers that some of those heads of state had been instrumental in restoring the BCP government to power in 1994, and that some of their recommendations on the LLA issue had not yet been implemented. The existence of a BCP group of this nature
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clearly demonstrated deep political problems and far-reaching discontent within the party. Moreover, from its inception, this group considered the government of its own party an integral part of the problem.

7. The Pardons Act of 1996

Even before it became law, the Pardons Act was always potentially controversial when viewed in light of faction fighting within the BCP and in terms of the divisions in the LLA discussed above. At the time, seemingly innocent, yet typical, press reports on the proposed law were along the following lines:

On Wednesday 23 April 1996, the Prime Minister informed parliament that government intends presenting a Bill that pardons all who bore arms for political reasons in the past. These would include the army, police, prison wardens, and the LLA. Groups still in possession of arms will be given four (4) weeks to hand them over to the police. The Prime Minister further stated that the proposed amnesty would not extent to cases involving murder and that amnesty would not prevent civil action being instituted by those members of the public seeking compensation. (MoAfrika, 19 April 1996; MoAfrika, 26 April 1996; Mopheme, 30 April - 7 May 1996).

Reaction in the press to the Prime Minister's statement mirrored much of the sentiment within the factions. Some insisted that government was trying to placate the widow of the late deputy Prime Minister, Selometsi Baholo. Others maintained that government was trying to appease the army. Still others maintained that the move is directed wholly at the LLA, and that, in the past, arms have disappeared from police and military armouries, yet government would not dare order them returned. According to this view, the proposed Bill was an attempt by government to disarm the LLA, while pardoning those who have committed crimes against the BCP. Thus when considered against the background of a faction-ridden party, the Act was quickly interpreted as an attempt by the one faction in control of government and with numerical strength in parliament to prepare itself for an offensive against a rival faction that is outside government and without sufficient numbers in parliament.

The Pardons Act became law in September 1996. First, the law stated that people in possession of illegal firearms would be pardoned if they observed deadlines for the surrender of such firearms. Later, government announced
that the period during which all illegal firearms should be surrendered was from 25 October to 30 November 1996. Second, unlawful acts committed for political reasons as well as those committed in the execution of duty in the period 27 March to 31 December 1995 were pardoned. Not covered by the pardon were incidences where murder or culpable homicide was committed. Members of the Lesotho Defence Force, the Police Force, the National Security Service, the Prisons Service, the former Lesotho Liberation Army, and other unspecified groups were pardoned. Third, members of the Lesotho Defence Force, the Police Force, the National Security Services, and the Prisons Services who may have or actually have disciplinary proceeding against them for acts committed in the period 27 March 1993 to 31 December 1995 were also pardoned. Fourth, persons belonging to the state institutions mentioned above, together with members of the former Lesotho Liberation Army and the other unspecified groups, who are already involved in legal proceedings in the courts of law may be granted mercy upon conviction. Last, the act did not prevent civil action against members of state institutions, the Lesotho Liberation Army, and other unspecified organisations for acts committed during the period mentioned above.

How does the country rid itself of armed formations? And how does the country allay fears that it is still steeped in instability, insecurity, and violence in spite of its democratic dispensation? Then, as now, these remained issues of considerable import not only to the BCP but to other political parties and citizens as well. Government maintained that the Pardons act was enacted in the interests of national reconciliation. But, occurring as it did in the context of factionalism within the BCP, the Pardons Act was viewed by other factions as an attempt to disarm the LLA. This view betrayed sentiments among BCP and LLA factions that they would rather the LLA remains armed for the time being. The implications of this position for the BCP government's relations with other political parties and other institutions of state made this issue one of the most important for the country's on-going search for peace, stability, reconciliation, and democracy.

8. Divided Parliament

The main division in the party, as well as other minor divisions, was often evident in the workings of the Lesotho parliament. To be sure, public
perception of parliament since 1993 had often been that it is ineffective and somewhat moribund. As the Majelathoko-Pressure Group power struggle became common knowledge, parliament was observed with a view to seeing how the two sides relate and whether co-operation between them was possible.

One episode involving the election of the deputy Speaker of the House of Assembly demonstrates the extent to which the rivalry of the factions played itself out in parliament. On 26 July 1996, Pressure Group members who were present in parliament stormed out of the House in protest over the appointment of the new deputy Speaker of the House. Their position was clarified a few days later by the deputy leader of the BCP and leader of the Pressure Group, Molapo Qhobela, who pointed out that, the election of the deputy Speaker constituted a breach of parliamentary procedure because members of parliament were informed one day before the election that there would be an election the following day. The matter was never discussed by BCP members of parliament, hence the walkout. (TV Lesotho, 1 August 1996; Makatolle, 31 August 1996).

To the Pressure Group that episode clearly demonstrated that their rivals, Majelathoko, were violating both parliamentary and party procedures in an attempt to isolate them. To observers this episode further highlighted the extent of divisions within the party. Instructive in this regard was a statement made in parliament by Member of Parliament for Khafung #17, Thebe Motebang, that those who have problems with the appointment of the deputy Speaker had better go ahead and form their own party (Mohlanka, 3 August 1996).

Similarly, the installation of metal detectors in parliament announced on state-run radio on 20 November 1996 after a scuffle involving two members of the opposing factions further demonstrated that the chasm between the two factions widened all the time. Evidently, the presence of members of the public who were observing the day's proceedings did not serve to restrain the two members of parliament.

9. The Prime Minister Indisposed

As early as June 1996, newspaper reports pointed to the failing health of the Prime Minister. Again on 7 July, the Prime Minister failed to address a
public rally in Hotse, Leribe, because of ill health. Later it was reported that he had left for Bloemfontein, South Africa, in order to receive medical treatment. For more than a month, the public could only glean news of the Prime Minister's ill health from newspaper reports and foreign radio broadcasts, as no official explanation was forthcoming. The Prime Minister only resumed duty in September, 1996. Importantly, in his absence the Prime Minister missed the annual meeting of Southern African Development Community (SADC) Heads of State held in Maseru from 16 to 24 August 1996.

Emerging from this saga were two important trends. First, deliberately keeping the public in the dark about the leader's illness, thus making a mockery of the supposed openness and transparency of the new democratic order. Unclear is whether the secrecy was caused by the desire to keep the public in the dark or whether it was the opposing Pressure Group faction that was to be kept in the dark. A further illustration of the rift between the two BCP factions is that during the Prime Minister's stay in a South African hospital members of the Pressure Group were barred from seeing him. A delegation made up of some members of the BCP NEC was denied permission to see the Prime Minister, and it is believed that this was because they were known members of the Pressure Group (Sesotho Stereo, 19 July 1996. TV Lesotho, 1 August 1996). Arguments by the BCP deputy leader that they have every right to see the BCP leader apparently fell on deaf ears as the battle lines were drawn and the enemy well known.

10. Perspectives on Succession

The combination of the Prime Minister's advanced age, his failing health in recent years, as well as the effects of the most profound split in the party's history, led to an unprecedented event in the history of the BCP: open debate about Ntsu Mokhehle's successor. Even the Prime Minister's brother and cabinet minister, Shakhane Mokhehle, admitted that the leader's age and health made retirement a valid option; but he was quick to point out that the decision would have to be made by the Prime Minister himself (BBC, 15 July 1996).

What was ironic about the ensuing debate was that it was not directly about Mokhehle's successor as party leader; instead, it was about who would be the next Prime Minister in the event of Ntsu Mokhehle's exit from public
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life. Both sides of the BCP divide did not hesitate to offer the country their thoughts on the subject - an exercise that rapidly degenerated into the most one-sided and partisan reading of the country's constitution. For the Pressure Group it was unthinkable that the next Prime Minister could be anyone other than the deputy leader of the BCP. For Majelathoko, the next Prime Minister could only be one who gets the necessary support from the majority of members of the national assembly (Khakhaulane, 7-21 August 1996; Khakhaulane, 22 August - 6 September 1996). What were lacking were interventions by legal experts not associated with either side.¹²

That the issue of succession was so closely related to the current struggles within the party demonstrated at once the extent of the cleavage as well as the neglect of the succession issue over the years. Even though perspectives on this issue were frequently articulated in the mass media and at public rallies, the BCP as a party had not developed a debate on Ntsu Mokhele's successor. The two factions seemed reluctant to debate the issue or at least to put it on the agenda. For the Pressure Group - always weary of being labelled power hungry by their rivals - reluctance to espouse this issue was linked to calculations that Ntsu Mokhehle might still be too strong and popular amongst the party's support base. (Note that the flurry of opinion on this matter mushroomed during the Prime Minister's ill health, only to peter out once his health improved.) For Majelathoko, the leader was far too central to their survival and fortunes.

Conclusion

At a press conference held in the National Assembly on Monday, 9 June 1997, the then leader of the BCP and Prime Minister, Ntsu Mokhehle, made the Following announcement:

... I announce the formation of a new political party, which shall be known as the Lesotho Congress for Democracy. The main objective of this new party, as the name implies, will be to deepen and to foster democratic rule in Lesotho. Because we have the support of the majority of parliamentarians, there will be no change in government. We wish those members of parliament who will remain with the BCP success in their new role as the official opposition in parliament. I request that they furnish the Speaker of the House with the name of their leader so that government can arrange for his entitlements (author's translation) (TV Lesotho, 9 June 1997).
And so the BCP impasse was resolved in a spectacular, strident, and vengeful manner. The flurry of debate that followed on the constitutionality, or lack of, of this act was won by those who argued that what had occurred was a normal, if unusual, occurrence in parliamentary democracies. Perhaps, the fairly lukewarm response by the armed forces and the monarchy dampened for a time the resolve of what was not a small opposition. However, the BCP, the Basotho National Party (BNP), and the Marema-Tlou Freedom Party (MFP) held marches and rallies in protest. BCP members of parliament also tried to disrupt the working of the National Assembly as part of their protest action. All in all, their protest was largely unsuccessful, because the LCD remained in power. But more ominous for the future, a long-standing psychological barrier to joint action between the BCP and the BNP was overcome. Few would deny that the basis for an unlikely alliance, such as the one that developed with such a tremendous impact on the country a year later, was laid at this time.

Would the outcome of power struggles in the BCP have been different and slightly more manageable had there been another party with significant representation in parliament? Using insights from coalition theory, yes. The possibility of one faction losing out as a result of a coalition forming between an opposing faction and a third party would have served to restrain some of the more destructive impulses that were displayed by both factions. This was not lost to some of the more insightful members of both factions who occasionally lamented the fact that the BCP has no opposition in parliament. They understood how that state of affairs impacted on their own ability to manage factions within their own party. They also understood that their parliament and, by extension, their government, were largely ineffective institution as a result. This they knew even as they gloated about winning all sixty-five (65) seats in parliament.

Power struggles in the BCP and the resulting stalemate certainly emasculated government and had a negative impact on the quality of governance in the country. Substantive policy initiatives originating from government became impossible as BCP problems stood intractably in the way of progress. For instance, government was found unprepared when South Africa offered permanent residence rights to many Basotho miners in October 1995; government was also unprepared when in July 1996 South Africa imposed visa requirements on citizens of Lesotho. The BCP government was largely unable to develop a strategy on which relations
with a democratic South Africa and the region as a whole can be based. Government was also largely uninterested in interacting with political parties and other groups in Lesotho for the purpose of working out such a strategy. Contrary to popular perceptions, the reason why the BCP was unable to act on a variety of issues, including those it had been expressly mandated to act upon, is not commonly held views about that party's innate ineptitude but, rather, the fact that its earlier struggles against other institutions of state and, later, its own protracted power struggle, all rendered the party unequal to the task.
A dominant party is "a party which enjoys a preponderant influence in a given party system" (Daalder, 1991: 180). The need to explain the nature and extent of dominance led Sartori (1976) to identify three basic situations under which dominance may occur. First, one-party regimes, where only one party exists legally. Second, hegemonic party systems, where one party is in control, opposition parties are not outlawed, but they are unable to compete freely. Third, predominant party systems, where opposition parties are not outlawed and they are free to compete; but only one party is dominant.

For an earlier account of Ntsu Mokhehle's emerging personality cult, see B.M. Khaketla's Lesotho 1970. For a later, hagiographic account of Ntsu Mokhehle's mature personality cult, see M. Moleleki's Pale ea Bophelo ba Ntsu.

The main protagonists have never really articulated in a clear and consistent manner the bases of these divisions. For our part, we can only glean snippets of information from the utterances and writings by some of the key actors and BCP-inclined intellectuals. For example, Leeman (1985), Moleleki (1995), as well as that incorrigible flurry of tabloids devoted to articulating the views of the different factions, especially in the period after the 1993 election. On the whole, however, it would seem that divisions were around the following issues, among others: the nature, conduct, and efficacy of armed struggle; the changing composition of party membership, with a South African-based industrial and mining proletariat eclipsing a Lesotho-based peasantry in areas such as party finance and their growing influence as a voting block, perceptions, widely held in some quarters, of the leaders dictatorial and corrupt tendencies; and, the impending leadership change, seen by all yet unacknowledged by all in the BCP, given the age of the leader.

Khaketla, Lesotho 1970, P. 51 gives examples of party members who were either expelled or forced out of the BCP in the early 1960s: Ellen 'Maphosholi Molapo, O P Mofolo, Charles Taolana Chakela, Nechocho Nts'ekhe, and Nathaniel J. Qhobela, among others. Moleleki, Pale ea Bophelo ba Ntsu, refers to similar occurrences in the 1970s. Phoka Chaolana and G.P. Ramoreboli joined Jonathan's Interim National Assembly against the wishes of the BCP, and were later deemed expelled from the party until they were reinstated by the courts of law in 1991. Together with Khauta Khasu, they finally left for good during the party's annual conference in 1992. See also "Ntho tse Ntle Lia Iketsetsoa," Makatolle 14, 14/15, 3 - 1 0 April, 1996, which cites further names of BCP members who left the party after disagreement with Ntsu Mokhehle: Robert Matji, Khalaki Sello, Charles Mofeli, and Phakiso Letumanyane. Of course, BCP problems in the 1990s were much deeper than the previous ones, because opposition to Mokhehle was much bigger and more organised than in the past.

Utterances to this effect were made by Pressure group leaders at a pitso (public rally) at Ha Matala, in the outskirts of Maseru, on the 22 nd December, 1996.

According to Dirk Coetzee, the self-confessed apartheid assassin, Vlakplaas was a farm used to convert ANC/MK soldiers into police informants. These informants
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were called "askaris"... The task of the askaris was to mix with the local population at public places... in order to locate other members of the ANC to be arrested by the police... The Askaiis remained at Vlakplaas until needed by a branch of the Security Forces [p. 179].


Perhaps in reference to the futility and comical nature of this particular "development" scheme, it acquired the name Fato-Fato, which literally means to dig. I interpret Fato-Fato to mean scratching the surface without making any significant alteration to the nature of the thing being scratched. Hence the term is widely used by many, including those who are its most obvious beneficiaries, to derogate and to poke fun at the scheme.

See, "Fato-Fato ha se Ntho ea BCP," MoAfrika 5,2, 26 January, 1996, where a reader makes an impassioned plea that Fato-Fato should be overseen by development committees or councils, not by BCP structures in the constituencies. The reader argued that Fato-Fato had brought confusion to the party and distorted the character of the party's structures in the rural areas.

MoAfrika, the Pressure Group allied weekly newspaper, ran a continuing reminder that it supports the integration of former LLA combatants into the Lesotho army. From this we can infer Pressure Group support for this position.

Report on the Presidential Visit to the kingdom of Lesotho Undertaken by Presidents R. G Mugabe and Sir Ketumile Masire on 11-12 February, 1994, P. 14 paragraph 2.1.2. states that:

...there is a clear need for a full restructuring and retraining exercise to be undertaken, encompassing not only the existing Royal Lesotho Defence Force structures, but also those elements of the former Lesotho Liberation Army structures which might wish to continue their military careers as part and parcel of a unified, fully integrated defence force...

Members of the Lesotho Defence Force murdered the Deputy Prime Minister and Minister of Finance, Selometsi Baholo, on 14 April, 1994. MoAfrika carries a weekly reminder that his murderers have yet to be brought to book.

For a notable exception, see "Taba ea Tlhatlhamano ea Mokhehle ha e Bonolo," Mafube, 9 August 1996.
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