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## Managing post-election conflict in Lesotho

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Recurrent political violence in Lesotho has tempered the optimism generated by that country's transition to democracy in the early 1990s. The country underwent a historic transition from military dictatorship to multiparty democracy in 1993, and has held four multiparty elections since then. However, the extent to which these elections have contributed to democratisation remains a moot point. The transition of the early 1990s notwithstanding, Lesotho's political system is still characterised by endemic instability, which tends to be accentuated during elections. At the heart of this instability is a problem of factionalism, despite the fact that Lesotho does not have deep-seated racial, ethnic and tribal cleavages as many other African countries do. One would have imagined that, in a less divided society such as Lesotho, it would be relatively easy to build a common national purpose, national identity, and national vision. Ironically, this does not seem to be the case. Political polarisation in Lesotho runs quite deep, even in a context of sociocultural homogeneity.

While elections in Africa are often marked by various kinds of conflict, their intensity in Lesotho is becoming an increasingly worrying trend. Post-election conflict in 1998 nearly resulted in civil war, but was eventually contained by a combination of internal and external efforts. The external efforts included diplomatic interventions by South Africa, and military interventions by the defence forces of Botswana and South Africa. Internal efforts included the establishment of the Interim Political Authority (IPA) that facilitated, among other things, the reform of the electoral model away from the first-past-the-post (FPTP) system and towards a new mixed member proportional (MMP) system. Under the new system, 80 of the 120 seats in Lesotho's national assembly are contested in an FPTP election, and the remaining 40 seats in a compensatory proportional representation (PR) election. The 40 PR seats were meant to compensate smaller political parties which were not strong enough to win any constituencies, but had enough support across the country to warrant parliamentary representation.

It was generally assumed that the new electoral system would help to make Lesotho's political culture more consensual and less adversarial. Given the smooth running of the 2002 general election and 2005 local government elections, this expectation seemed to be realised. But the political cloud that has hovered over the 2007 general election and its aftermath suggests that Lesotho is not yet out of the political woods. This study explains why politics in Lesotho remain unstable; why the 2007 general elections became so hotly contested among the key political role players, and assesses the post-election conflict as well as steps being taken to resolve it.

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### WHY IS POLITICAL INSTABILITY A RECURRING PROBLEM IN LESOTHO?

Politics in Lesotho are so unpredictable that they often defy textbook conventions. As a result, many of the problems that confront the country seem far bigger than its geographic size, resist

internal solutions, and require external diplomatic or even military intervention. Many keen observers of Lesotho's political scene were optimistic that, following the introduction of a multiparty electoral system in 1993, the country would move towards a sustainable democracy. However, while it has held regular elections since then, it has not yet achieved the goal of political peace. It is worth recounting two major incidents as a context for subsequent discussions.

After the historic election of 1993, violent conflict broke out, largely involving the security establishment, and including faction fighting in the armed forces, strikes by the police over salaries, and open conflict between the army and the executive arm of government. This prompted King Letsie III to temporarily dissolve the newly elected Basotho Congress Party (BCP) government – a move reversed following internal pressure by civil society activists and external intervention by three SADC countries, namely Botswana, South Africa and Zimbabwe. These three countries (later joined by Mozambique) have become the SADC guarantors of Lesotho's democracy in terms of a formal memorandum of understanding signed in 1994. Three years later, the ruling BCP – which had scored an overwhelming victory in the 1993 elections – experienced an internal split. A new party, the Lesotho Congress for Democracy (LCD), emerged through floor-crossing in parliament and became the ruling party.

A general election was held in 1998, and was fiercely contested. Lesotho was plunged in another violent conflict, perilously bordering on civil war, as some opposition parties disputed the election results. Again, the conflict was resolved through a combination of internal and external interventions. This time, the external intervention involved both diplomatic and military initiatives. South Africa and Botswana sent troops to quell the political turmoil and Zimbabwe offered to send a police contingent, given that its defence force was stretched to the limit in the Democratic Republic of Congo (DRC).

Ultimately, the conflict was amicably resolved. Part of the resolution involved the establishment of a multi-party negotiation structure called the Interim Political Authority (IPA) which made a number of proposals aimed at creating a sustainable, stable and peaceful democracy. These included reforming the country's electoral system away from the British-type FPTP system towards an MMP system akin to those used in Germany and New Zealand. Following the work of the IPA and the adoption of the new electoral model, it was assumed that Lesotho's political culture would become less adversarial and more consensual, which would help to ensure greater political stability.

Reforms were also introduced in the security sector, parliament, and local government. A period of relative stability

followed, and the general election of 2002 and local government election of 2005 were free of violent conflict. Given this, and the fact that both elections were given a clean bill of health by domestic and international observers, raised hopes that this small mountain kingdom had found the right political formula. This hope was soon dashed. But before dealing with those events, we need to find a theoretical framework that will help to describe and explain the incessant political instability in Lesotho.

Why does Lesotho experience such high levels factionalism, political tension, and violent conflict, especially during and after elections? Why has no sustainable solution been found for this political malaise? In attempting to answer these questions, I will use two complementary theoretical models, namely institutional-functionalism and structuralism. The former 'explains instability by focusing on the interface between institutionalisation and political participation, while the latter gives pride of place to social stratification and the configuration of power relations among social forces within and without the ambit of the state' (Matlosa 1997:98).

In respect of institutional-functionalism, I draw on the seminal work of the renowned American political scientist Samuel Huntington in his book entitled *Political Order in Changing Societies* (1968). In that book, which has become a classic of political science, Huntington advances an interesting theory about the causes and consequences of political disorder, or what he also refers to as political decay. His main thesis is that political disorder or decay is more likely to occur in societies marked by high levels of political participation but slow or weak processes of political institutionalisation. He also argues that political mobilisation intensifies with democratisation, and that democratisation in turn raises peoples' expectations. Therefore, the state in a changing society such as Lesotho is always faced with major popular demands, which escalate further during the twin processes of economic and political liberalisation and democratisation (as has happened in Lesotho since 1993). It is therefore the duty of a responsive, authoritative, and effective state to meet popular demands or at least to demonstrate publicly that it is making efforts to meet such demands.

If it manages to do so, its legitimacy is likely to be enhanced, and order and political stability to be assured. However, in many African countries, in part as a result of economic and political liberalisation, 'the rates of social mobilisation and expansion of political participation are high; the rate of political organization and institutionalization are low. The result is political instability and disorder. The primary problem of politics is the lag in the development of political institutions behind social and economic change' (Huntington 1968:5). Under these circum-

stances, the state often fails to respond to popular demands, or, worse still, rides roughshod over them (as did the Lesotho military junta of 1986-92). This detracts from its legitimacy and its moral claim to rule. The result is political instability, which is neither conducive to consolidating democracy nor a healthy recipe for socioeconomic development. In Lesotho in particular, this form of instability tends to intensify around elections.

When a structuralist approach is adopted, it is useful to consider the political economy of the state in Lesotho. The Lesotho state has not been transformed since decolonisation in 1966. The colonial class that dominated and controlled the state for the benefit of the colonial power (Britain) rather than those of the Basotho themselves has been replaced by a national middle class, which supplies the ruling elite. As I have argued elsewhere, 'the capture of state power, upon independence, immediately assured the new ruling elite enormous political power. The newly acquired political power was then translated into economic power through accumulation and, in most instances, malfeasance by the ruling classes' (Matlosa 1997:101). Given the weak economic base of the middle class, and therefore the bleak prospects for capital accumulation outside the ambit of the state, contestation for the capture of the state becomes fierce, totalising and uncompromising. Access to the state, in the eyes of the political elite, is tantamount to a political license to rapid accumulation by fair and foul means. Thus, according to Chabal, politics in Africa (including Lesotho) centre on state power, and how this interfaces with economic accumulation for the benefit of the political elite instead of a national purpose. Hence Chabal concludes that 'to talk about politics in Africa is virtually to talk about the state' (1994:68). If power is the defining mark of politics, the state is the heartbeat of the political process in Africa.

Lesotho is a small, landlocked country, economically dependent on South Africa. Given its poor resource endowment (primarily water, human resources and diamonds) it is highly dependent on external resource flows, including foreign trade, foreign investment, foreign aid, Southern African Customs Union (SACU) dividends, migrant remittances, and so on. Confronted with the twin processes of economic and political liberalisation, the Lesotho state has tended to serve the interests of the ruling elites instead of addressing popular demands, both during and between elections. Elites regard elections as important not because of their intrinsic value for democratisation, but because of their instrumental value for the larger project of accumulation through the state machinery. It is to the 2007 general election and the subsequent political crisis in Lesotho that we now turn.

### THE 2007 GENERAL ELECTION: ASSET OR LIABILITY?

Lesotho held its most recent general election on 17 February 2007. This was the fourth multiparty election in the country since the landmark poll of 1993. According to some scholars, notably Larry Diamond (1994), if a country is able to hold more than two successful elections in succession, its democracy can be regarded as consolidated. However, Lesotho's elections have tended to result in violent post-election conflicts. Thus, instead of becoming a political asset, anchoring the country's fragile democracy, they have become a political liability. One important lesson that we can learn from these spasms of pre-election tensions and post-election conflicts is that undergoing a transition to democracy is far easier than building a sustainable democracy by transforming society away from adversarial politics mediated with bullets and force towards consensus politics mediated with ballots and dialogue.

The 2007 election was preceded by a split within the ruling LCD which led to the emergence of a new opposition party, the All Basotho Convention (ABC)-Kobo Tata, in late 2006. The split was triggered by leadership tussles and personality clashes rather than ideological and/or policy differences. Thus leadership battles and succession politics played a central role in this internal conflict. As its annual congress of 2006 drew closer, the struggle for leadership positions intensified.

The Lesotho constitution does not stipulate a maximum tenure of two terms for the prime minister, and constitutional term limits are usually applied in presidential rather than parliamentary systems. Thus the prime minister was not bound either by the constitution or the political system to step down after two terms in office. Despite this, speculation was rife that the party leader and prime minister, Pakalitha Mosisili, would step down before the election. Be that as it may, by the time of the annual congress the party was sharply divided. One faction was led by Tom Thabane (then minister of information and communication, who has served in all governments in Lesotho since independence in 1966) and Monyane Moleleki (then minister of foreign affairs, who has served in all governments since the 1993 political transition). Thabane broke ranks with the ruling party, resigned as minister, and established the ABC. Some 17 LCD members of parliament crossed the floor to the new party. These 17 members of parliament were joined by another MP who had earlier been expelled by the LCD increasing the number of MPs for the ABC to 18. This caused great bitterness that added to the pre-election tensions in the country.

This was not the first event of its kind in Lesotho. As noted

earlier, Lesotho politics are characterised by factionalism within parties (both ruling and opposition), largely resulting from weak and ineffective intra-party democratic structures. This often leads to splits and floor-crossings, which breeds acrimonious politics in turn. In 1993 the BCP won all 65 parliamentary seats, but was soon riven with tensions. When the then prime minister, Ntsu Mokhehle, realised that his faction was in the majority in parliament, he established the LCD. The LCD instantly became the new ruling party and the BCP was reduced to an opposition party, without a fresh election to seek a popular mandate. In 2001 the LCD experienced a split which witnessed the emergence of the Lesotho People's Congress (LPC) led by the then deputy prime minister, Kelebone Maope. And in 2006 Tom Thabane established the ABC and crossed the floor to become part of the opposition (see Matlosa and Shale 2007). Given the anxiety generated by this development, and the bitterness it caused within the ruling party, the government called a snap election on 17 February 2007. Opposition parties did not welcome this because it would not give them a chance to campaign effectively – partly because the time was so limited, and also because party campaign funding was quite modest and was given to parties late. By contrast, the ruling party enjoyed all the advantages of incumbency, including the use of state resources such as the public media.

The election was contested by 12 parties: the ruling LCD plus the All Basotho Convention (ABC), Alliance of Congress Parties (ACP), Marema-Tlou Freedom Party (MFP), Popular Front for Democracy (PFD), Basotho National Party (BNP), Basotho Democratic National Party (BDNP), Basotho Batho Democratic Party (BBDP), Lesotho Workers' Party (LWP), New Lesotho Freedom Party (NLFP), Basotho Congress Party (BCP) and National Independence Party (NIP). At stake was the 120 seats in the national assembly, 80 filled via FPTP elections in constituencies, and the remaining 40 via a compensatory PR system. The campaign period was marked by violence, including killings. How this was linked to the electoral contest is not clear, as there are no official reports on these incidents. However, prior to the election a BNP leader, Bereng Sekhonyana, was murdered at his home by unknown gunmen who have not yet been apprehended. Another shooting occurred at the home of the minister of foreign affairs, Monyane Moleleki; its purpose has not been identified, and police investigations are continuing. Yet another shooting incident occurred at the home of the then minister of trade and industry, Mpho Malie, which resulted in the tragic death of a Dutch aid worker who had been attached to the Bill Clinton Foundation. No light has yet been cast on this

callous murder of someone who was not even remotely linked to the electoral contest.

Thus the pre-election environment in Lesotho was politically poisoned, for four main reasons. The first and most important was the split in the ruling party. The second was technical problems related to the registration of voters – largely because the election was called so swiftly. Some of these were addressed by the Independent Electoral Commission (IEC) and political parties. The third was the fact that many voters living in neighbouring South Africa were left off the voters' roll. With the exception of Basotho serving on diplomatic missions abroad, the electoral law does not allow for registration and voting outside the country's borders. The fourth was party alliances, which were formed far too close to the snap election to be effective during the campaign period, and also distorted the MMP electoral system.

The only party alliance established in conformity with the electoral law was the ACP, which contested the election using a single identity for both the FPTP and PR components of the MMP system. However, other alliances did not do so, and this had the effect of distorting the system, leading to charges that they were aimed at manipulating the MMP and undermining its three principles of broad representation, reconciliation and harmony, and the compensation of small players. The two alliances that distorted the MMP model through the use of decoy party lists were the ABC/LWP alliance and the LCD/NIP alliance. In both cases the bigger players, namely the ABC and LCD, used the smaller players, namely LWP and NIP, to place more of their own candidates on the PR party lists. This was problematic because (a) these coalitions were not well-known among rank and file members of the parties concerned as they largely revolved around the party leaderships; (b) the memorandum of understanding establishing the parties were only made public after the election; (c) it is still unclear whether they conformed to the electoral law; (d) the LCD/NIP alliance in particular led to a split within the NIP, followed by a protracted legal battle; and (e) the decoy party lists had the unintended effect of transforming the electoral system into a parallel one, thus defeating the original purpose of the MMP system.

The election was won by the LCD and its alliance partner, NIP. While the two parties were widely expected to form a governing coalition, they parted ways, with the LCD becoming the ruling party and the NIP becoming the opposition in parliament. The LCD won 61 of the xx constituency seats, and the NIP 21 of the 40 party list seats; about six of these went to LCD candidates, some of whom had lost their constituency seats. A roughly similar pattern marked the performance of the ABC/LWP alliance. The ABC won 17 constituency seats;

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the LWP won 10 party list seats, and a majority of these went to ABC candidates, some of whom had lost elections in their constituencies. This clearly distorted the electoral system. In total, the LCD/NIP alliance won 82 of the 120 parliamentary seats, and the ABC/LWP alliance 27. The complete election results are given in table 1.

### THE MAGNITUDE AND MANAGEMENT OF THE POST-ELECTION CONFLICT

Given the pre-election tensions and the bitterness that marked the campaign, it was obvious that the aftermath would be characterised by covert and overt conflicts, despite that fact that all the observer missions – from the Commonwealth, the Southern African Development Community (SADC), the SADC Parliamentary Forum, the Electoral Institute of Southern Africa

(EISA), and the African Union (AU) – had declared the electoral process to be credible and its outcome as legitimate. The major areas of contention were the following:

- The legality of the party alliances and decoy party lists;
- whether it was fair to calculate the election results treating alliance partners as distinct political entities, or whether they should have been treated as single political entities;
- the computation of the election results, and the allocation of parliamentary seats;
- which party, or coalition of parties, qualified for the status of official opposition;
- which party leader (or leader of a coalition) qualified for the status of leader of the official opposition; and
- whether the various role players had respect and upheld the spirit and original intent of the MMP electoral model.

In fact, several of the observer missions expressed their unease about the nature of the alliances and party lists and the likely

Table 1: Results of the national assembly elections, 17 February 2007

| Party                             | Total valid party votes | Constituencies won by party | Party's allocation of compensatory seats | Total no of seats | % party votes | % seats won (constituency seats + compensatory seats) |
|-----------------------------------|-------------------------|-----------------------------|------------------------------------------|-------------------|---------------|-------------------------------------------------------|
| Alliance of Congress Parties      | 20 263                  | 1                           | 1                                        | 2                 | 4.6           | 1.7                                                   |
| Basotho Batho Democratic Party    | 8 474                   | 0                           | 1                                        |                   | 1.9           | 0.8                                                   |
| Basotho Congress Party            | 9 823                   | 0                           | 1                                        | 1                 | 2.2           | 0.8                                                   |
| Basotho Democratic National Party | 8 783                   | 0                           | 1                                        | 1                 | 2.0           | 0.8                                                   |
| Basotho National Party            | 29 965                  | 0                           | 3                                        | 3                 | 6.8           | 2.5                                                   |
| Lesotho Workers Party             | 107 463                 | 0                           | 10                                       | 10                | 24.3          | 8.4                                                   |
| Marematlou Freedom Party          | 9 129                   | 0                           | 1                                        | 1                 | 2.1           | 0.8                                                   |
| National Independence Party       | 229 602                 | 0                           | 21                                       | 21                | 51.8          | 17.6                                                  |
| New Lesotho Freedom Party         | 3 984                   | 0                           | 0                                        | 0                 | 0.9           | 0.0                                                   |
| Popular Front for Democracy       | 15 477                  | 0                           | 1                                        | 1                 | 3.5           | 0.8                                                   |
| All Basotho Convention            | ...**                   | 17                          | 0                                        | 17                | 0.0           | 14.3                                                  |
| Lesotho Congress for Democracy    | ...**                   | 61                          | 0                                        | 61                | 0.0           | 51.3                                                  |
| Total                             | 442 963                 | 79***                       | 40                                       | 119***            | 100.0         | 100.0                                                 |

Source: Independent Electoral Commission, Lesotho, 2007.

\*\* ABC and LCD did not qualify for compensatory seats, but benefited from placing some of their candidates on the LWP and NIP party lists.

\*\*\* The constituency seats and total seats do not add up to 80 and 120 respectively because the elections in Makhaleng Constituency no 45 were postponed due to the death of one of the candidates. A fresh election was held on Saturday 30 June 2007, which was won by the ruling LCD.

effect on the MMP electoral model. The SADC Observer Mission recommended that the MMP model had been legally protected because 'left unprotected, the model will soon be assassinated and sacrificed at the altar of personal ambitions' (SADC 2007c:13). The SADC Parliamentary Forum observer mission argued that 'in view of the concerns raised by stakeholders that political inclusiveness, which is one of the main benefits of the MMP system, was threatened by pre-election alliances, the mission recommends the enactment of legislation and/or adoption of guidelines to govern alliances. This should enhance the benefits of the MMP electoral system and promote inter-party collaboration and fair contest' (SADC-PF 2007:8). The EISA observer mission noted that some of the party alliances had the 'potential to abuse the spirit of the MMP system by negating its compensatory mechanism' (EISA 2007:3). While this mission commended 'the move towards consensus-based politics through alliance building', it urged 'political parties to respect and uphold the spirit of the MMP' (ibid). The Commonwealth election expert team observed that while the adoption of the MMP system was a positive development, the emergence of the unregulated alliance system had deleterious effects on the country's democratisation process.

Some of the alliances 'gave a proportion of the vote to minor parties which would not have got so many votes had the major party partners not had their candidates' names appearing on the party list and in this way did not correctly reflect the true level of minor party support. ... At the same time, it had the effect of the major party contesting the constituency seats effectively "cannibalising" the seats won by the minor alliance party from the list ballot by an alliance arrangement with the minor party' (Commonwealth 2007:19).

The post-election conflict began on the day the new parliament was sworn in. Five opposition parties, namely BC, BNP, MFP, NIP and LWP, protested against the allocation of seats and called for the leader of the NIP to be sworn in as an MP despite the fact that he did not contest the election. They subsequently staged a sit-in in parliament until late that evening when they were forcibly removed by the Lesotho Defence Force (LDF). In response, the ABC and its allies called for a national stay-away which lasted for three days. The stay-away was called off following the intervention of the executive secretary of SADC, Tomaz Augusto Salomao, who assured the parties that SADC was exploring possibilities for a negotiated settlement of the political crisis. On 28-29 March an extraordinary SADC summit of heads of state and government was convened in Dar-es-Salaam to deliberate on the political crisis in three member states, namely the DRC, Lesotho and Zimbabwe. In respect of Lesotho the

summit decided 'to send a SADC delegation at Ministerial level to go and assess the situation as requested by the political parties' (SADC 2007a:2). Subsequently, a ministerial troika of the Organ on Politics, Defence and Security Cooperation (OPDSC) chaired by Captain John Chiliati (Tanzanian minister of labour, employment and youth development) and including Marco Hausiku (Namibian minister of foreign affairs) and Dr Angelo Veiga (Angolan deputy minister of home affairs) was despatched to Lesotho on a fact-finding mission on 11-14 April 2007. It submitted a detailed report which identified the following problems:

- manipulation or distortion of the MMP electoral model;
- unfair allocation of parliamentary seats;
- doubtful legality of the party alliances;
- unruly behaviour of youth supporters of parties;
- lack of respect for the electoral code of conduct;
- appointment of new ministers from the NIP party list; and
- lack of communication among political leaders (SADC 2007b: 2-4).

It recommended that the crisis be resolved in the following way:

- The government of Lesotho to initiate a formal dialogue with a view to resolving the political problems between the opposition parties and the ruling party;
- SADC to facilitate the internal political dialogue;
- SADC to consider nominating an eminent person to facilitate and supervise the political dialogue;
- SADC to urge all political stakeholders to respect the outcome of the democratic elections and to address their existing political differences peacefully through dialogue;
- SADC and the government of Lesotho to ask the United Nations Development Programme (UNDP) and the governments of Germany and the United States for financial and technical assistance; and
- internal dialogue in Lesotho to start immediately in order to pre-empt the possibility of repeated waves of tension (SADC 2007b: 5-6).

The report was tabled at the ministerial meeting of the OPDSC held in Dar-Es-Salaam in May 2007, and was duly adopted. Subsequently, Sir Ketumile Masire, former president of Botswana, was nominated as the eminent person to facilitate the national dialogue aimed at resolving the political crisis in Lesotho. The agenda of the dialogue process is as follows:

- creating an enabling environment for a successful dialogue;
- considering certain democratic parliamentary processes;

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- considering the status of election-related court cases versus the need to facilitate the dialogue;
- reviewing and safeguarding the MMP model and agreement on the process;
- reviewing the dialogue process and outcomes; and
- institutionalising a sustainable culture of dialogue and political tolerance.

The dialogue process started in early June.. While it involved the belligerent parties in a negotiation process aimed at resolving the crisis, worrying developments emerged which had the potential to derail the process. A spate of violence was reported in early June 2007. Unknown gunmen attacked the bodyguards of three ministers – Popane Lebesa (minister for trade and industry), Dr Motloheloa Phooko (minister in the prime minister's office) and Mothejoa Metsing (minister for information and communication) – and forcibly confiscated their firearms. Unknown gunmen also attacked the home of the leader of the ABC, Tom Thabane. These incidents led to the imposition of a six-to-six curfew in Maseru which was later relaxed to eight-to-five and ultimately repealed in late June. A senior police officer was shot and injured on Sunday 17 June 2007, and several retired members of the Lesotho Defence Force (LDF) were abducted. Although the political situation remains tense, there is a good chance that the dialogue process will defuse these tensions and help to steer the country towards reconciliation and durable peace, which are prerequisites for sustainable democracy and development.

The latest talks took place on 25-30 June 2007. While all the political parties agreed on how to proceed with the six-point agenda, the main bones of contention were items three and four, namely weighing up the election-related court cases against the need to facilitate the dialogue, and reviewing and safeguarding the MMP and the agreement on the process. The opposition parties wanted these two items to be discussed as part of the dialogue process. By contrast, the ruling party argued that the court case between it and opposition parties on the use of the MMP system in the allocation of parliamentary seats should be allowed to run its course. The ruling party thus preferred a legal resolution of the key issue of how the MMP was used to determine winners and losers in the 2007 election, and how parliamentary seats were allocated. The opposition parties preferred a negotiated solution, informed by expert advice. The ruling party won the day, and these two agenda items are therefore to be resolved through litigation as well as soliciting advice from external experts. The court case was originally scheduled for 2-3 July 2007. Three experts from Germany, Denmark and New Zealand will be engaged to provide technical advice on

whether or not the MMP model was used appropriately in determining the winners and losers of the 2007 general election. The main risk associated with this approach in terms of which litigation is prioritised over dialogue is that once the courts have pronounced their findings on the use of the MMP model and the allocation of seats, they may water down the dialogue process and the technical advice by the external experts.

## CONCLUSION

This monograph has sought to provide a greater understanding of the nature and magnitude of the recurrent political crises in Lesotho. It has found that politics in Lesotho have been marked by endemic instability and factionalism. We have explained this problem using two complementary modes of analysis, namely institutional-functionalism and structuralism. The former emphasises the linkage between levels of political institutionalisation on the one hand, and political mobilisation and participation on the other. We found that in societies marked by high levels of mobilisation and participation but low levels of political institutionalisation, political instability (or political disorder, in Huntington's parlance) is highly likely. We found this to be the case in Lesotho where, due in part to the twin processes of economic and political liberalisation, levels of political participation – and people's expectations – are high, yet levels of institutionalisation remain low and the government is often unable to meet popular demands.

Structuralist perspectives emphasise ways in which political-economic factors inform the crisis of the state in Lesotho. They underscore that the nature of the state has not been fully transformed away from its colonial heritage. While during the colonial rule the state institutions served primarily the interests of the colonial metropole, currently the state serves the interests of elites (especially the ruling elite); conversely, the elite utilises the state as the fulcrum of politics. The state is equated with power, which is used for accumulation purposes. For this reason, politics are fiercely contested, especially around elections. This in part explains why the elections in Lesotho tend to trigger violent conflict.

Election-related conflicts in Lesotho (as elsewhere) cannot be wished away. Given that elections are a high-stakes contestation for state power, they are a fact of political life. Competition over the control and retention of state power are even more intense in weak states and countries with poor resource endowments such as Lesotho. Conflicts per se are not a problem in Lesotho. What is problematic is the failure to manage them

constructively through dialogue and negotiations aimed at reaching compromise solutions. If these sorts of conflicts are not managed constructively from the outset, they quickly tend to escalate and generate political instability, with deleterious repercussions for democracy and development.

Conflict and instability are exacerbated if belligerent parties seek to resolve their problems by military means. Political problems require political solutions, and not military ones. Governments must be responsive to popular demands all times, during and in between elections. Failures to respond to popular demands undermine the popular legitimacy of rulers, and their moral right to govern. This holds true for Lesotho as it continues to grapple with the resolution of the post-election conflict. The continuing national dialogue process facilitated by Masire should be given a chance and the requisite technical and political support, so that it can complete its agenda.

Once this process has been completed, all stakeholders should commit themselves to implementing its recommendations. This may also require legislation that would then turn the agreements into enforceable rules and regulations. Once the dialogue process is concluded, and peace and reconciliation restored, Lesotho needs to institutionalise internal mechanisms for the constructive management of conflicts within and among political parties. ■

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