



JUSTICE AND PEACE

NEWS



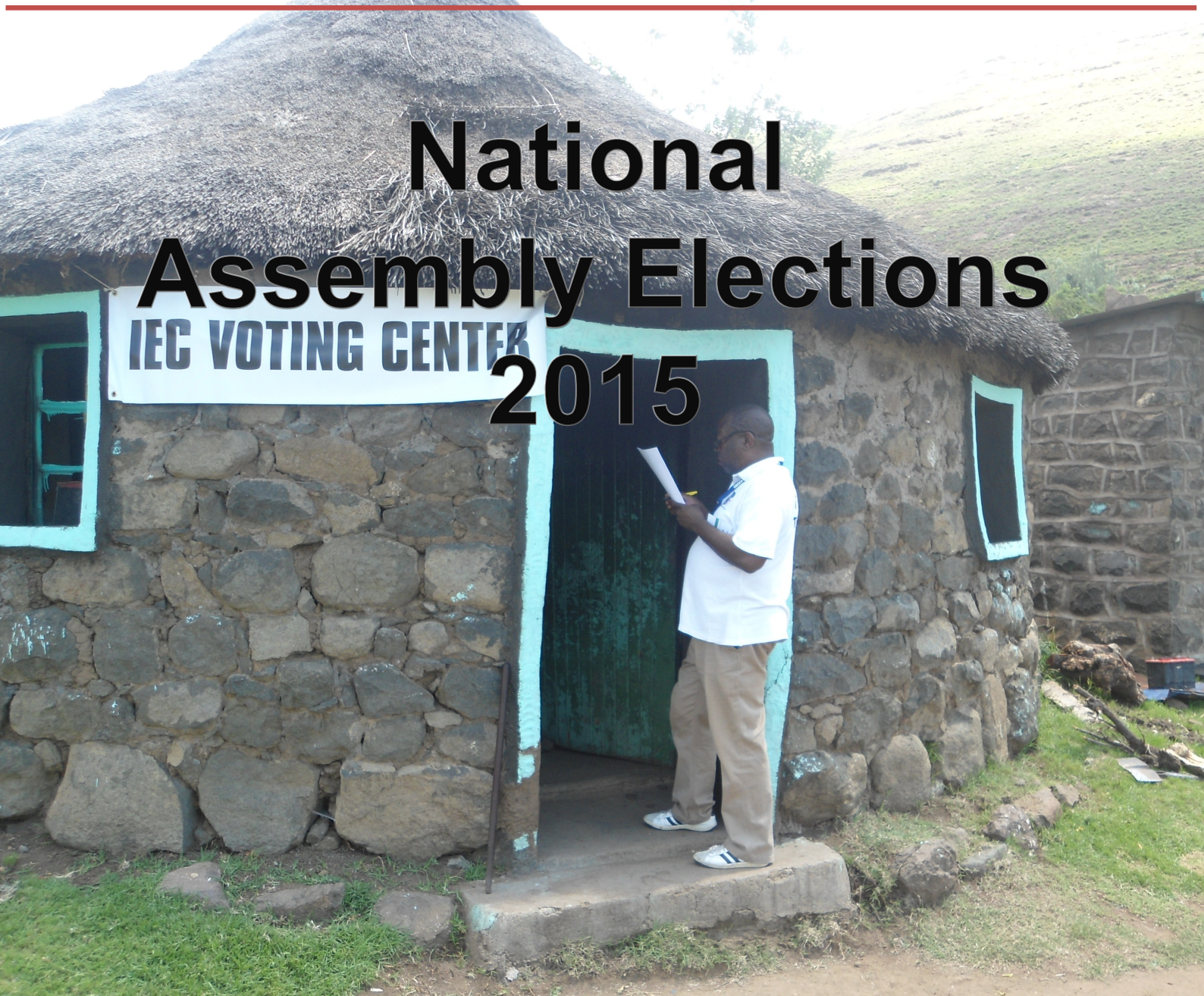
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National Assembly Elections 2015

Special issue



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I SALUTE you all our readers for your continued support and readership of Justice and Peace News.

This Newsletter is part of the project called "Strengthening Civil Society in Lesotho" (SCIL) which is supported by the European Union under Deepening Decentralization Programme. In this project one of the main activities is to provide information to the community based organised with a view to raise their access to information profile.

This issue comes at this time due to unavoidable circumstances that came our way during the period under which the paper had to come out.

This is a special edition because it provides brief insights of our 2015 February 28th National Assembly elections. It takes us through the electioneering stages. It thus provides brief analysis of how the campaign process went; looking at the conduct, political tolerance, adherence to the code of conduct by political formations and their membership in general and the overall atmosphere during this period in question.

The paper then provides an overview of the actual election period. Here it looks into major issues emerging from the election administration and management. It also critically explores the overall environment at which elections were held; the readiness of the IEC in both logistics and delivery of services required for elections running; the actual voting process and its challenges; and

then the thereafter being the results publication; seat allocation; government formation and parliament opening.

Another article discusses the role of chiefs in the democratic dispensation in Lesotho and concluded by a critical analysis of the role of women and how they are featured in both elections outcome and government formation.

Last but not least is the Justice and Peace Basic Needs Basket which informs the critical analysis of the recent National Budget for 2015/16.

I wish to express my heartfelt gratitude to Dr. Victor Shale, Dr. Motlanelle Kapa, and Mr. Sofonea Shale for their contributions through the above mentioned articles.

".....We accomplish in our lifetime only a tiny fraction

of the magnificent enterprise that is God's work.

Nothing we do is complete, which is another way of saying that the kingdom always lies beyond us.

No statement says all that could be said.

No prayer fully expresses our faith.

No confession brings perfection, no pastoral visit brings wholeness.

No programme accomplishes the Church's mission.

No set of goals and objectives includes everything " (Archbishop Arnulfo Romero)

Let us pray for peace in our country
Wishing you all the best

Booi Mohapi

Executive Secretary

03 The Role of Chiefs in Democracy and Elections in Lesotho
The boundary that should (or not) be crossed

04 Party Politicking and Value of Elections
Do we have Political gatherings or Election Campaigns in Lesotho?

09 The 2015 Election Results
What the future holds for us

13 A review of CCJP Basic Needs Basket
Is the 2015 National Budget in line with the problems facing the country?

08 The participation of women in politics
Is it enough?



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The Role of Chiefs in Democracy and Elections in Lesotho

A look at the effectiveness and participation of chiefs into modern democracy, having hand-picked Lesotho and the recent events as a sample

By Motlanelle Anthony Kapa (PhD, Rhodes)



Chief Joang Molapo, the deputy leader of one of opposition parties, BNP

chiefs are allowed to partake in party politics while principal chiefs are effectively prohibited by the section 59 (5) of the Constitution

SINCE the advent of the third wave of democratisation in the late 1980s and early 1990s, robust debate has ensued between two camps in academic and policy circles, about the place and role of 'traditional leadership'/ chieftainship in democratising political systems. One camp argues that this institution must be abolished because it is hereditary and fundamentally undemocratic. Another camp calls for its retention given invaluable role in the daily lives of ordinary citizens in the villages where the 'modern' state structures do not exist. The emerging body of literature, however, suggests that the former position is misplaced given the entrenched centrality of this institution in the lives of Africans within their own re-contextualised model of democracy, which is in line with their lived experiences, history, culture and their very nationhood. The idea here is to eschew alien notions and systems of government based on Euro-American frameworks and embrace what suits Africa.

Lesotho is no exception in this regard. Lesotho's chieftainship has been the constitutive structure for the Lesotho nation-state and continues to provide services to citizens based on exceptional local knowledge pos-

sessed by no other structure within society. However, its role in national politics remains controversial in that chiefs below the level of principal chiefs are allowed to partake in party politics while principal chiefs are effectively prohibited by the section 59 (5) of the Constitution. In Botswana, Namibia, and South Africa, for example, chiefs are not allowed to take active part in party politics. They are required by law to abandon their chiefly office if they want to join politics. They are legally recognised to co-exist in a complimentary way with and play an advisory role to other state structures at all levels of society. The chieftainship exists in juxtaposition with elected structures under different models ranging from non-regulated dualism, regulated dualism, subordination, subordination, or harmonisation. Each of these models determines the scope of powers and functions of the chieftainship vis-à-vis those of other state structures.

Generally, however, the chieftainship (as would any institution) uses its political agency to protect itself from survival threats and threats to monarchy as its apex. If other actors in the political system take measures presumed to be injurious to its image and survival interests, it defends itself

irrespective of how its reaction may be interpreted. The recent example prior to 2015 elections is instructive. The principal chiefs reacted robustly towards the Attorney General's unprecedented move of suing the King for having appointed the president of the Court of Appeal. With the support of some politicians both in government and opposition, the Attorney General challenged this appointment and asked the Constitutional Court to declare it irregular and invalid because the King acted on the advice of the Prime Minister alone and not of the cabinet. The College of Chiefs issued a statement critical of the move by the Attorney General and calling for calm, while also protecting the King since he cannot make own statements as a constitutional monarch. Individual principal chiefs also held *lipitso* or public rallies in different districts condemning this move. This case shows clearly how the institution uses its political agency to protect its core values.

Whether or not that move favours some political parties and prejudices others is beside the point and whether or not chiefs below principal chiefs should continue to join party politics needs to be debated. ■

Party Politicking And Value of Elections

A Discussion on Election Campaigns During Lesotho's 2015 Elections

Victor Shale



Former Prime Minister, Thomas Thabane and his followers



The last Democratic Congress Rally before elections

Introduction

Elections are an expression of popular sovereignty through which people exercise their democratic right to choose their own leaders, influence the policy agenda of the countries and provide a seal of approval for the legitimacy and accountability of governments and regimes. Recently in February 2015 Lesotho conducted National Assembly Elections which were hotly contested by main political parties. The elections were organised mid-way through the term of the 8th Parliament due to the collapse of a coalition government which had come to power in May 2012. This was the second time in Lesotho's history that a "snap" election was held. In 2007 the elections were held months early after the then ruling Lesotho Congress for Democracy (LCD) had lost popular support in the National Assembly after the some of its members led by the then Minister of Communications, Thomas Thabane split to form the All Basotho Convention (ABC).

The outcome of the February 2015 elections is a coalition government comprising seven (7) political parties namely, the Democratic Congress (DC), Lesotho Congress for Democracy (LCD), Popular Front for Democracy (PFD), Mamatlou Freedom Party (MFP), National Independence Party (NIP), Lesotho People's Congress (LPC) and the Basutoland Congress Party (BCP). The difference between this coalition and the post 2012 one is that where-

as the smaller parties such as the Basotho Democratic National Party (BDNP), LPC, MFP, NIP and PFD did not participate in government, they have since become part of the new coalition government. A lot of ink and paper has already been used by many analysts on whether this coalition will pass the test of time and we will not bother to touch on this issue here. The All ABC which similar to the DC in 2012 won the majority 40 out of the 80 constituencies but this was not enough to secure it the right to form government. Instead, it together with the Basotho National Party (BNP) and the Reformed Congress of Lesotho (RCL) make up the opposition bloc in the National Assembly.

The elections were held against the background of political tensions between two political blocs comprising the ABC and the BNP on one side and the DC and LCD on the other side. The tensions were a result of many factors including the fallout between the coalition government partners resulting in one coalition partner, the LCD forming new alliances with its splinter party, the DC. That the two parties LCD and the DC renewed their relationship was not a surprise because it was an open secret that the DC had been candidly working hard to weaken the coalition government since it was outmanoeuvred by the three parties by forming government in 2012 even though the DC had won majority constituencies. What



This paper focuses on the pre-election campaigns by political parties and argues that a closer look at these reveals that the parties have been no more than electoral and patronage machines with little focus on challenges besetting the country



Picture by Lesotho Times

Keke Rants'o, before she quit LCD to form RCL which is now on the opposition side



Picture by Public Eye

The currently exiled leader of BNP, Thesele Maseribane

was surprising however was how soon the DC and LCD leaders kissed and made up following their spectacular fallout about three years ago further substantiating the perception that political woes in Lesotho are nothing but a consequence of personal egos. The election campaigning under these circumstances became characterised by accusations and counter accusations between these two political blocs.

Election Campaigns: A conceptual proposition

The political hullabaloo that usually accompanies elections in many African countries should come as no surprise and politicians never disappoint in their acrobatic performance driven by their thirst for power. A universal attribute of parties at election time is that they say little about what they will do to address the needs and aspirations of the citizenry. What they do instead is politicking which is simply a performative aspect of politics. In fact some people often use the phrase "cheap politicking" to explicate the self-serving attitude manifest in political activity around election time. It is for this reasons that conceptually, this paper uses "election campaigns" beyond the simplistic meaning of a political activity whose end goal is to secure votes and acquire power and influence. Election Campaigns should be about communicating ideas to the citizens while at the same time creating space for them to communicate

their preferences and influence policymaking and implementation. There should be reciprocity and therefore a transactional value in people's participation in campaigns as part of the electoral process. In this way election campaigns and by extension elections become true ingredients of democracy. Parties cannot campaign just for the fun of it. Equally, elections cannot be held just to fulfil a constitutional requirement to hold regular elections every five years.

The 2015 Election Campaigns in Lesotho

Election campaigns in Lesotho are governed by the electoral law, National Assembly Electoral Act 2011 provides a code of conduct to be complied with by parties as a mechanism to ensure a free and fair democratic election that promote political stability. In the case of the 2015 elections, SADC also midwived an electoral pledge committing all contesting parties to peace. The Christian Council of Lesotho (CCL) whose concept of a peace pledge was borrowed from its pre-2012 interventions, also held a prayer for elections at the Setsoto Stadium and leaders of parties were in attendance. Lesotho is so far the only country in the SADC region whose legal framework provides for campaign funding to all contesting parties. Parties which took part in the previous elections receive the funds in proportion to the number of votes they got in the last election while new entrants in



Former Prime Minister and front runner (50%) in 2015 elections, Tom Thabane

the election race receive an equal amount. The Independent Electoral Commission (IEC) is entrusted with the management of these funds which may only be used to defray expenses incurred in contesting elections, including the propagation of the political parties or candidates' views and elector education.

The proclamation of the 28 February 2015 as the date of the election was made on 8 December 2014 by His Majesty King Letsie III in line with the electoral law. A total of 23 political parties which were registered with the IEC traversed the country holding public gatherings in different districts. It must be said however that the real contest was between the four main parties namely, the ABC, BNP, DC and LCD. The other parties were either old parties which are on the decline and only active during elections or newly ones not known to the electorate and therefore less likely to obtain sufficient votes to make it to parliament.

The apex of the campaign period was the weekend of 22 February where the above mentioned major parties held their star rallies in the capital Maseru. The ABC held its rally at the Maseru Race Course, the BNP at the Setsoto Stadium, the DC at Ha-Foso near Agricultural show grounds and the LCD at Lepereng. The election rallies went smoothly and there was a high level of political tolerance among political parties. While the peaceful nature of these rallies is attributable to the legal framework and efforts by the SADC, IEC and party leaders who did not incite violence, credit should also go to these parties' supporters who demonstrated political maturity. There were no reported incidents of violence as they crossed each other's paths in the city to the different venues in full insignia of their parties without any confrontation.

It must be said however that the peaceful nature of the above mentioned events must not be mistaken with their quality. To be true, those were not election campaign rallies which fit the definition provided in the foregoing section. They were instead more of a "show of force" gatherings which were also used as a public relations mechanism by these parties. Put otherwise, this paper argues that what was supposed to be election campaigns



Mpho Malie of LCD with UN Secretary General

prior to the February 2015 National Assembly elections became mere politicking devoid of clear development goals and objectives. Consequently, the socio-economic problems affecting ordinary citizens in Lesotho were hardly discussed by political parties. The public and private media was highly partisan and therefore unable to influence the direction of the campaigns by highlighting the challenges facing country and creating space for genuine debates on how those were to be addressed.

The prorogation of Parliament on 10 June 2014 by King Letsie III at the advice of the Prime Minister Thomas Thabane, the alleged coup attempt by the Lesotho Defence Force (LDF) coupled with the deterioration of the security situation as well as the collapse of the coalition government did not only put Lesotho's democratic credentials to test but effectively set the tone for the campaigns period which followed. One of the root causes of the collapse of the coalition was mistrust between the ABC and LCD leaders who were trapped in a tug of war between constitutional correctness and political correctness. Therefore, the election campaign period opened a window of opportunity for the belligerent parties to put up a fierce fight for their political life. The governing coalition, sought to explain to the people why the coalition government could not work. They claimed to be victims of a political conspiracy by the DC and LCD whom they accused of destabilising government in order to fight the anti-corruption campaign government had embarked upon.

The DC and LCD on the other hand used the campaigning period to convince the voters that they were being persecuted by the ABC led coalition government with trumped up corruption charges and they vowed to ensure that the Prime Minister would be removed from power at the first opportunity. The DC Deputy leader, Mr. Monyane Moleleki was charged with corruption soon after the 2012 elections and he claimed that the charges were politically motivated. The LCD leader Mr. Mothejoa Metsing was also charged with corruption. Similar to the DC Deputy leader, he claimed that the charges were a political conspiracy and he lodged a counter court case in



Controversial LDF Commander Tlali Kamoli

the High Court challenging the constitutionality of investigations against him.

The former premier and DC leader also left no stone unturned to pointing out at the commissions and omissions of his successor Prime Minister Thabane. Ironically, one of his campaign messages was around the restoration of the image of Lesotho which he accused Mr. Thomas Thabane of eroding. This was after the Prime Minister fled the country for fear of an army coup only to come back under the protection of the SADC security police. Yet, in September 1998 Mr. Mosisili invited SADC military intervention fearing the army mutiny. The SADC military intervention to rescue his government left at least 29 LDF members and 8 South African soldiers dead while some soldiers and civilians injured.. So, his message was simply that a leader who solicits support from foreign country due to real or perceived threat from the army is not worthy of being trusted by the people except if that leader is him (my emphasis). So, in a nutshell, the 2015 campaigns were very personal and three names in particular, Metsing, Mosisili and Thabane became instruments through which the parties linked with their supporters.

As has been mentioned earlier, it must be acknowledged that despite the cacophony of claims and counter claims of political conspiracies by political contestants coupled with defamatory and inflammatory language by some radio stations, the election campaigns which are better termed political gatherings were generally peaceful. In fact the pre-election phase in Lesotho is usually peaceful notwithstanding what is at stake. It is usually only after polling that election related conflict manifests. The post 1998, 2002 and 2007 political tensions are a case in point. Therefore, what is lacking in these gatherings is substance and this renders them meaningless and of no consequence to policies in the bigger scheme of things. As a result, the policies have been and will continue to be decided by the political elite who are in power now that the elections are over. The fault lines are in the type of political parties themselves.

The Lesotho political parties: What is lacking?

The above state of affairs is not a surprise given the inherent contradiction within political parties in Africa today whose character and modus operandi resembles that of their pre-colonial counterparts. Political parties in Lesotho and elsewhere in the continent are trapped in personalistic and retributive politics system which in turn shapes the country's political system. The political elite have shown the propensity to pursue narrow political interests as seen in umpteenth party splits and now, the emerging trend of formation of coalitions which on close scrutiny are neither based on common ideological backgrounds or principles but rather on individual elite interests. Lesotho political parties have an unbroken history of splits since the late 1950s. Internal conflicts particularly within the major political parties have become a feature of the country's politics.

Against the foregoing, it is not hard to fathom why then people continue voting in elections in Lesotho. Democracy as a system entails participation of citizens in the affairs of the country. It is axiomatic therefore people take part in elections to exercise their democratic right as responsible citizens. But, they also do so because of the fetishisation of the ballot by the office seeking political elite not because the election campaigns have offered them new hope that their needs and aspirations will be addressed. The high of this logic is therefore that based on past and present observations, what exists in Lesotho is not yet electoral democracy under which the people's right to vote is assured and most importantly, accountability of those elected becomes the outcome. Instead, there exists the "fallacy of electoralism" which is a schizoid understanding by political elite among others that regular elections are tantamount to democracy. Election campaigns where political parties do not transcend electioneering and become instruments through which participation in democratic elections can foster development are a major disempowering factor in Lesotho's electoral politics. The people of Lesotho know this too well that they are not fully empowered but are helpless to do anything about it because the reality of Lesotho politics is that there are no alternatives from where to choose. Same parties and political elite are recycled and they have perfected their game over time so that they remain the only game in town by force or fiat.

For a detailed discussion on the character of contemporary political parties see a research report by Selolwane and Shale 2008 entitled "Inter-party Relations and Sustainable Democracy in Botswana".

Just recently, the LCD which is also a splinter party of the



GENDER AND THE PARTICIPATION OF WOMEN IN POLITICS AND DEMOCRACY

Is it enough?

THE WORLD has been battling discrimination against women in all spheres of life. Women were treated as minors in their families; they had to seek assistance from their husbands for performing any legal transaction. In politics, women could not occupy public positions and all these injustices found resonance with the work of Jean-Jacques Rousseau who excluded women from his social contract theory. This exclusion and discrimination gave rise to feminism movement. To this end, the movement on the women's right to franchise (stand for elections) is traced back to the first wave of feminism, which sought to achieve formal (political and legal) equality between men and women, and this movement was led by liberal feminists such as Mary Wollstonecraft in her famous work *Vindication of the Rights of Woman* published in 1792.

As a result of this movement, women in England aged over 30 years were given the right to vote in 1918 and the fully political right to stand for elections in 1928. In South Africa white women were only given the right to vote in 1930. Being a new comer in democracy because of colonial rule, voting rights in Lesotho were not even an issue during this time. The international community had been very slow to respond to these injustices against women. Thus, the first legally binding treaty was adopted in 1979 (Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)). At the continental level, Africa contextualised CEDAW and adopted Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa in 2008.

Lesotho ratified both CEDAW and the African Protocol on Women's Rights in its fight against discrimination on women. As a dualist state, Lesotho domesticated both CEDAW and African Protocol on Women's Rights through Married Persons Equality Act although the Act is quite fluid in comparison to protections and guarantees in CEDAW and African Protocol on Women's Rights. Despite the shortcomings of Married Persons Equality Act, Lesotho allows and encourages women to participate in politi-

cal arena, not only as electorates but as candidates standing for elections.

Looking at the Lesotho National Assembly elections of 2015, nine constituencies have been won by women out of 80 constituencies. This is appalling given that more than 50% of voters in Lesotho are women. The question is – why are women not electing women in Lesotho? Is it because of the old time ideology that women do not have reason and therefore they cannot be entrusted with public positions? This shows that there is a need to resuscitate the ideology behind the second wave of feminism (radical feminism) led by figures such as Catherine MacKinnon. The radical feminists go beyond just formal equality; they challenge the structural inequalities in society. Thus, it is trite that Lesotho has achieved formal equality in that both men and women are equal before the law and they both have a right to participate in government as guaranteed by the Constitution of Lesotho yet underrepresentation of women in Parliament points to societal inequalities that still exists between men and women.

It is interesting to note however that out of 40 seats allocated for Proportional Representation, political parties of Lesotho reserved 19 seats for women while 21 seats were given to men. This shows that as institutions, political parties are aware that their survival is based on women's involvement while individual voters have no trust in women as reflected in the outcome of constituency votes.

With regard to cabinet positions, the staggering 27 positions are occupied by men while women occupy only 8 cabinet posts, how unequal can the Lesotho cabinet be? This is despite the new cabinet being increased from 23 portfolios to 35. Of course, one wonders how a tiny economy such as Lesotho manages to keep such a huge cabinet in the midst of high unemployment rate, insufficient social security nets and other deficiencies. Nevertheless, looking closely at the portfolios that women had been

Continued in page 15

The 2015 election results



ISSUES, CONCERNS, PROSPECTS AND CHALLENGES

Sofonia Shale

Introduction

Though the 2015 National Assembly Elections result is known and the process has been declared credible and as a reflection of the will of the Basotho nation by the National and International Observers, there are several statements and narratives given whose legitimacy is not known and many people either believe or reject them on their intuition not necessarily on the basis of correct knowledge. Some critical questions are asked as well about the stability and sustainability of coalition governments in the Kingdom of Lesotho.

This article does not attempt to provide any decisive account but attempts to provide light of some of the aspects, identify gaps and raise some arguments on the substantive issues. In providing correct information, it would be appropriate to bring to fore the popularly held views so that provided information becomes relevant to the context.

Issues, Concerns, Worries and clarities

Basotho are amazed by the number of organisations forming a coalition government. This has not only remained a surprise but some have gone further to even suggest that Southern African Development Community

(SADC) has not approved because in one of its guidelines, only three parties can form a joint government. The swearing in of Ministers has also not taken place as fast as other times and strong arguments were made that such a delay beyond 14 days would be unconstitutional.

Though opening of parliament has not taken any longer than the previous times, some citizens demonstrated intolerance and accused the incumbent government being scared to open parliament and to be facing unprecedented change of loyalty and floor crossing ahead of it starting to operate. The delayed budget was not only raised as one of the indicators of how things are not going well but use of public funds by the government after the end of the old and at the beginning of the new financial year without approval by parliament as unconstitutional. These views were expressed within a general apprehension on the perceived sluggish government formation process after elections. All these have been interpreted as a sign of inability of the Coalition Government of Seven political parties to function.

First and foremost, formation of coalition government in Lesotho is provided for by the Constitution of Lesotho Section 87(2). As long as a Member of National Assembly commands support of majority of members either in a

a single political party or a coalition thereof, such a member can become a Prime Minister and establish a government accordingly. There is neither a limit on the number of parties to form coalition nor provision of any inter-governmental organisation be it SADC, AU or any other to that effect. Though constitution makes reference 14 days after elections that is not for the formation of government. Section 82(1) (b) of Lesotho Constitution provides that within 14 days of holding of National Assembly elections, National Assembly should have sat for the first time. In this meeting the National Assembly Members shall election the Speaker and Deputy. Though it would logically make sense for the MPS to have right to elect the Speaker after taking oath, the Lesotho Constitution provides in Section 71(1) that Members may not take their seat and participate in business of the House before taking oath except in the election of the Speaker and Deputy. The Standing Order Number 11 of the National Assembly and that of the Senate confirm that the first meeting of the new parliament here referring to each house of parliament, shall be for election of the Speaker and the President respectively.

It is true that people have been taught by among others, civil society organisations that Executive and Judiciary arms of government run on money that has been approved by parliament. They also have to account to the public through various mechanisms arranged at the parliament including Public Accounts Committee. It was not only ordinary but within the normal thinking of active citizens to raise eyebrows on the continued government expenditure in the new financial year without estimates approved by parliament. However many people were not aware that in terms of Section 113 of the Lesotho Constitution and Section 18 of Public Financial Management and Accountability Act the Minister for the time being responsible for finance have power to spend without approval. The law provides that if it appears to the Minister of Finance that the Appropriation Act would not be in force by the beginning of the new financial year he or she may authorise expenditure from the consolidated fund. There are however restrictions which include that the authorisation may not be longer than four months and also that such monies authorised may not be more than one third of the total budget of the previous year. What comes out clearly here is that this is the temporary arrangement aimed at enabling government to function within the unusual time when parliament cannot allocate funds.

While these explanations exonerate government in almost all counts as far as constitution and the law are concerned, the reality that government has not been doing its job. People have right to proper and official infor-



IEC chairman, Lesao Lehohla

mation, the right the government has conspicuously disrespected. The silence of government on these processes has not only denied voters their right to know what their government is thinking but have gone further to the cause unnecessary confusion among populace about what is correct and what is not. In a democracy people have right to information, to know what their government is thinking so that they plan and make their decisions on the basis of what is right and official. In the absence of the official story teller, many people who believe are more entitled to government than others, take opportunity to utter uncultured statements under the guise that they take side with parties in government. While government is made of political parties, there is a difference between the party and the government.

Political parties are independent organisations whose structures and rules are clearly distinct from that of government. It would be a sign of bad governance outright if the party does not draw a distinction between itself and the government. A party in government influences and controls government through procedural and government processes. A party normally turns its manifesto into a government policy by making necessary decisions within the government structures to point to policy direction. It is the matter of accountability for the government to explain the government formation procedures and address people's concerns. It is basically irresponsibility of the government and improper for the Ministers not to communicate to the citizens, the vital government process and functions.

Lesotho Post-2015 National Assembly Elections

Besides the political hype, opinion and expressions which could have been adequately addressed by the 59046345 (agric College-onion) provision of information by the authorities within the set-up of good governance, there are



SADC fell prey to the partisan propositions of the belligerent parties within coalition, ironical to the best interest of the Kingdom.

more substantive questions. For the keen observers of political developments in this Kingdom, the question is whether Lesotho is better positioned to deal with the challenges curtailed the life of the first coalition government and saw the Kingdom going for elections in 2015 or not? Does the power configuration in parliament as a result of 2015 National Assembly Elections guarantee stability of government, a deficiency from which the previous coalition severely suffered from? Can in essence Lesotho be said to be in a path for stability and development after 2015 National Assembly Elections?

In the first Place was Elections a Solution?

As point of departure, it has to be noted that early election solution was not an indigenous and genuine remedy. On the basis of its limited appreciation of the situation and indeed its rigid posture insulate from internal actors, SADC fell prey to the partisan propositions of the belligerent parties within coalition, ironical to the best interest of the Kingdom. Early elections was never seen as a solution at least by those who have monitored, shaped and been shaped, informed and been informed by the constructivist maturation of political landscape of Lesotho. Civil society organisations are such a group which right from the beginning has charted way but was to the detriment of the nation has been tactfully and strategically side-lined and ignored by the politicians and SADC. Though leaders of the ABC led coalition government, leaders of political parties represented in parliament and the SADC agreed that Lesotho should go for early elections (Maseru Facilitation Declaration, 3:2014) resolution of Lesotho's problems, there was a very strong declining voice from civil society.

"Convinced that though dissolution of parliament on the one hand and change of guard in parliament on the other are considered options of parties none may help Basotho out of the problem but as they are short-term in impact, partisan by nature, divisive in character whose effect can only further expose the nation to the more entrenched

challenges"(LCN, 1:2014).

This option neither rang a bell to the politicians including parliamentarians who were also caught up in the political cross-fire of their leaders not made sense to SADC because it is just not in its nature. When civil society efforts to breathe sense of dialogue and urge to deal with challenges besting the previous coalition were disregarded, Lesotho went for elections. Contrary to what many expected, civil society provided electoral education and mobilisation for citizen participation in the process perceived unhelpful. Civil society regarded it as its duty to side with the people. Several organisations were involved in a number of activities ranging from electoral education, voter-candidates dialogue to leaders' commitment on the reforms. However civil society had earlier a sector expressed its position on the early elections through the Democracy and Human Rights Commission (DHRC) as follows;

"Now that political leaders and SADC have agreed on early and immediate elections, DHRC do not object. DHRC would however, wish to call for the following; (i) That the security situation be speedily stabilised; (ii) That before dissolution, parliament should effect reforms which are reflected in the LCN 8th -9th September 2014 statement as a short-term goal. In doing so a multi-sectoral team which should be mandated to propose reforms to parliament using community voices and other inputs including the New Zealand Report should be established with immediate effect; (iii) That, political leaders under the SADC tutelage commit that immediately after elections, reforms shall continue; (iv) That, elections should be well prepared for so that they reflect the will and the wish of Basotho. This entails the empowerment of an Independent Electoral Commission with adequate resources and relaxing procurement procedures as to facilitate the work of the commission; (v) CSOs should be supported with sufficient resources to embark on robust civic and electoral education, more so that many voters would demand an explanation for the need for early elections and this will be complementing the efforts of IEC;(vi) That there be a national consensus conference where political leaders, business community, academia, youth, labour, women, church, people with disabilities and all other sectors would come together to send a message to the world on their resolve to emerge victorious as a nation in this situation; (vii) That the media plays an active role in preventing confrontation and antagonism; (viii) That Politicians should refrain from inflammatory and provocative statements against one another and instil the same among their followers"(LCN,2014:2).

Civil society was concerned about lack of objectivity in



Cyril Ramaphosa, the SADC facilitator in Lesotho



Early elections was never seen as a solution at least by those who have monitored, shaped and been shaped, informed and been informed by the constructivist maturation of political landscape of Lesotho

in the manner in which all parties both in and outside government looked at the post-prorogation. While Lesotho's conflict cannot be adequately addressed by seeking legal and institutional transformation without looking at the economic base on which it is based, there is certainly a need for visionary political leadership.

Prospects and Challenges

Elections were seen not as a panacea but it would also be unrealistic to take it as a total misfit. The significance of 2015 elections could be assessed at two levels. First is its impact on the political situation and the second is its contribution to the future in terms of political stability and prospects for socio-economic progress. At the first level, 2015 elections have cleared the air. While there is still disharmony between and among different political parties, the antagonistic and inflammatory public engagements of the parties in the same government are not there. This should not however be taken to suggest that there is harmony in the current coalition of seven only to say that presently the situation has not reached the levels Basotho experienced before 2015 elections. The government needs a minimum threshold of consensus to operate as a unit, something that has totally collapsed before elections. At the second level, 2015 election outcome has yet again produced a hung parliament. No single political party has earned a necessary support to form a government. The Democratic Congress (DC) together with Lesotho Congress for Democracy (LCD) and other five political parties PFD, NIP, BCP, LPC and MFP formed a coalition government. Positive about this coalition is that programme of what they will do has formed part of the signed agreement. This is good because it makes it easy for parties to engage and run the defined programme. In times of doubt, parties normally choose to sacrifice programme or their differences. However this makes coalition vulnerable because its differences on the programme may affect the government.

The coalition of seven faces similar challenges of govern-

ment stability. The ABC, BNP and RCL coalition of opposition poses a similar threat to the government it was a case previously. Generally speaking, the early 2015 National Assembly elections have not made Lesotho any politically better positioned to drive socio-economic development. The political instability and the vulnerabilities of the coalition government in the current legal and constitutional dispensation remain unabated. While SADC may claim to have accomplished its mission, the real challenges remain unabated.

Reflecting back to the civil society statement, reforms that could have been well done after prorogation when it was clear that no party was in office for any programme except administration and the conduct of public affairs for elections. Although the coalition government intends to push reform agenda and constitutional review, it may be very difficult without serious political engagement. It is not only reform agenda that is at risk but political stability as well. The pre-election controversial issues like security and the functionality of the Office of the Prime Minister will call for a careful treading lest they plunk the country into challenges. The Prime Minister and his coalition government will have to apply shrewd stewardship that does not only contain parties making the coalition unified but also dealing with opposition. Dealing with opposition in the conventional sense will certainly make it difficult for this country to move forward.

Perhaps it is high time that political leadership in Lesotho across the spectra explore grand coalition option as the guaranteed way of taking forward the reform agenda that Lesotho so desperately needs. This is an assignment that Lesotho politicians will have to debate now and not wait to be told by SADC to do it. ■

Will the 2015/2016 National Budget uplift lives of ordinary Basotho families

A Review of the Justice and Peace Basic Needs Basket

'Mamotsiba Makara

ON the 22nd of May 2015, His Majesty's government proposed a National Budget in parliament, a budget which was applauded by some analysts and mocked by others. "Bringing back hope (Restoring good governance through efficiency, Accountability, Transparency, effectiveness and Equity)" was the theme for this year's budget delivered by Honorable Minister of Finance Dr. 'Mamphono Khaketla. At Catholic Commission for Justice and Peace (CCJP) however, we believe that meeting the basic needs of the people is the true measurement of a good budget. Therefore this article will articulate on whether the 2015/2016 National budget will uplift the lives of poor Basotho especially those struggling to meet their daily basic requirements.

Questions for reflection: Does this budget have boldness and holistic vision to make tangible impact? Is there an element of hope as reflected in the theme of this budget? In her own words, the Minister said this government "must bring hope to the cattle farmers, hope to the small café owners....., hope to the wool and mohair farmers...."

Basic Needs Basket (BNB) actually represents the average cost of only basic food items and essential non food items required for an average family of five. Most residents in the urban areas of Maseru where the survey was conducted earn their living through formal employment (offered mostly by textile factories, private security agencies and foreigners shops). Some of these residents are office assistants in the government departments and in the private sector or are self employed with small businesses such as tailoring, selling fruits and some form of piecework around town. These people earn very little, often not enough to meet half of their food needs and yet they have to pay rent, buy water, buy school uniform for their children, buy food etc. with the little income that they receive.

Selected 2015/2016 budget measures

Raising tax Exemption from M30, 500.00 to M32, 330.00:

CCJP commends government for this positive move but still finds this figure NOT enough as it falls far below the minimum cost of monthly basic needs of an average household. This tax credit indicates that a person earning M2, 694.17 or less per month will be exempted from tax and yet the cost of living according to May BNB equals M2, 816.45. From the calculations, we discover that M122.28 is a monthly budget deficit of the tax exempt figure versus the cost of living. In most cases, this budget deficit is financed by borrowings from unauthorized money lenders at very high interest rates making residents more vulnerable to the economy. This is because the borrowings increase their cost of living in the following months as interest is added which makes it even more difficult for them to survive. Therefore a person whose income is not enough to meet minimum food requirements of his/her family should not be taxed. This is an effective way of uplifting the lives of the poor thereby improving their purchasing power.

Food Security: In the budget statement, the government is committed to continue its support to the Ministry of Agriculture and has allocated M224.3million of which above half (M120million) is committed to summer cropping program. 53.5% of the Ministerial budget has been committed to subsidy and therefore we can conclude that government is keen to subsidize agricultural inputs to boost agricultural produce and contribute to the lives of disadvantaged farmers.

CCJP however would like to propose that the summer cropping programs and other pro poor initiatives be strongly and constantly monitored throughout the years to ensure intended impact. We also recommend government to focus its attention to irrigation as it will boost agricultural production. One of the key benefits of focusing on agriculture is its positive impact on the cost of living. The Basic Needs Basket highlights daily challenges of households to meet their sustainable livelihood. CCJP strongly believes that if the cost of food items could be fully financed through agricultural means the total cost of

food items could be fully financed through agricultural means the total cost of living could be reduced hence improved livelihoods.

Social Protection: Social protection is a cross cutting issue affecting different groups of people (vulnerable children, elderly and disabled people). The budget statement has shown that the benefit level for the elderly has increased by 10% from M500.00 to M550.00 which is 15 percentage points less than the increment in the previous financial year. The transfers of other groups are kept constant. This shows a huge difference between the transfer amount and the cost of living. This means that M550 is only enough to cover 14.7% of the monthly needs and cannot cover 85.3% of the costs. Therefore it would be important for government to consider increasing the benefit level to the average income to at least cover 50% of the living costs for marginalized groups. Child grants are aimed at supplementing the households income on quarterly basis but most of those households have a zero income as a result it does not help them to achieve their minimum living standard. CCJP would therefore propose the transfer frequency to be increased from quarterly to monthly maintaining the same benefit level. This will increase their monthly budget share which will in turn reduce poverty gap.

Salary increase of 6%: In order to narrow the gap between the cost of living and the level of income for ordinary Basotho people, the government has increased the salary of public servants by 6 percent. While this is generally a positive development, it is the way this 6% is distributed among employees in the civil service that will determine impact, especially on employees earning rela-

tively low salaries. CCJP would recommend therefore that the salary percentage increment of the low income categories be in line with the annual increase in the urban cost of living. On the other hand, it is observed that this increment is lower than the projected inflation rate of 7.4% in 2015. This therefore, means that, in real terms, the consumers will be worse off as the increment (6%) is lower than the expected inflation rate (7.4%) in 2015. To this end, CCJP can recommend that the annual increment of salaries be at least aligned with projected inflation rate to make it easier for most of the low income earners to come closer to the minimum standard of leaving.

Conclusion: The high cost of living is an issue requiring full commitment of governments and so far debates in Lesotho have never dealt with it. What makes the situation worse is the fact that many people are increasingly becoming unemployed and well educated and qualified young Basotho are failing to find jobs after completing their studies. This has an impact on the increasing household size due to the fact that youth dependency ratio increases. CCJP BNB focuses only on the household average size of 5 people and does not reflect a true picture of spending of the household income as there are extended family members that still benefit from small monthly salaries. It is therefore high time that the focus be directed to not only increasing macroeconomic indicators but ensuring that the economic performance trickles down to those households with no formal employment, to those women providing care for HIV/AIDS orphaned children, to those men safeguarding both private and public property at night, to those providing basic education to our future leaders etc.



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From page 8

allocated in cabinet, Dr Sekatle, Dr Khaketla and Dr Molapo had rightfully been given portfolios within their areas of specialisation as PhD holders

It is doubtful that Finance in particular could have been assigned to Dr Khaketla if there was a man with comparable skills. However, the rest of portfolios given to women are those that Lesotho government often does not hold them in high regard. Thus, it is not surprising that women in cabinet are allocated Gender, Sports and Recreation; Agriculture and Food Security. Highly charged portfolios such as Defence, Police, Mining, Energy, Foreign Affairs, Water and Affairs, Home Affairs, Communications are entrusted to men, and this is despite army being riddled with instability under the leadership of men ministers. Perhaps, if the tide can be turned in cabinet portfolios especially in sensitive portfolios, the country can make headway. One of the ways in which the tide can be turned is to adopt affirmative action policies as prescribed by CEDAW to ensure women representation in high ranking public positions such as cabinet. Further, it is important to identify patriarchal biases in Lesotho political field and challenge them.

Lesotho and Basotho cannot perpetually be ruled by men despite their failures as evidenced by the downward spiral of Lesotho economy and stability as a whole at the helm of men rulership. There is a need to change the lens at which everything is viewed – Men's philosophy defines most sports, their needs define auto and health insurance coverage, their socially designed biographies define workplace expectations and successful career patterns, their perspectives and concerns define quality scholarship, their experiences and obsessions define merit, their objectification of life define art, their military service defines citizenship, their presence defines family, their inability to get along with each other – their wars and rulerships – defines history, their image defines god, and their genitals define sex...why should you have to be the same as a man to get what a man gets simply because he is one? Why does maleness provide an original entitlement, not questioned on the basis of gender so that it is women who want to make a case of unequal treatment in a world men have made in their image... who have to show that they are men in every respect, unfortunately mistaken for women on the basis of an accident of birth? MacKinnon 1987

END OF ISSUE. TILL NEXT TIME

This project is supported by the
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JUSTICE AND PEACE

Seroto sa litlhoko tsa mantlha tsa botho

COST OF BASIC NEEDS BASKET (BNB) AS OF MAY 2015

COMMODITY	QUANTITY	SUPERMARKET A (M)	SUPERMARKET B (M)	Average prices (M)
Maize Flour	25kg	54.99	58.95	56.97
Cabbage	5heads	45	46.45	45.725
Cookng oil	2L	35	45.49	40.245
Salt	1kg	8.95	9	8.975
Spices	400g	20	34.49	27.245
Sugar	2.5kg	26	34	30
Tea	100g	17.8	12.65	15.225
Tomatoes	5kg	24.99	26.95	25.97
Onions	3kg	14.9	10.99	12.945
Meat (Braaipack)	4kg	90	145.45	117.725
Eggs	Tray	34	35	34.5
TOTAL		371.63	459.42	415.525
COST OF ESSENTAL NON FOOD ITEMS				
Paraffin	20L	210	300	255
Bath Soap	6 bars	57	59.7	58.35
Washing Soap	2kg	45	54.99	49.995
Vaseline	500g	7.5	10.45	8.975
Candles	2pkts	16	22	19
Matches	1pkt	5	6.5	5.75
Body lotion	400ml	16.99	7.55	12.27
Toothpaste	100ml	8.9	9.99	9.445
Shoe Polish	100ml	14.99	12.7	13.845
Toilet paper	4rolls	20	13.99	16.995
Pads	1pkt	10.99	15.6	13.295
Rollon	1	7.5	8.5	8
TOTAL		419.87	521.97	470.92
OTHER ESSENTIAL COSTS				
Rent	Two Rooms	480	480	480
Transport	20 working days	500	500	500
Funeral Schemes	1 policy	200	200	200
Baby Seater	1 Employee	500	500	500
TOTAL		1680	2180	1930
GRANT TOTALS				2816.445

The price survey was conducted in two most overcrowded supermarkets in Maseru town in May 2015