



international UPDATE

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THE LESOTHO ELECTION: ACTION REPLAY OR FORWARD WIND?

Roger Southall is Professor of Politics at Rhodes University, Grahamstown.

INTRODUCTION

The prospect of a first free election in Lesotho since independence in 1966 has been sufficient to engage the wary attention of the Basotho electorate. However, an important aspect of the forthcoming election, now scheduled for 27 March 1993, is that it is arousing considerably more international interest than the size or significance of the country would normally warrant.

The major reason for this is that Lesotho is embedded in the very heart of South Africa, and as a consequence, the fairness (or otherwise) of its electoral process, and the success (or otherwise) of its democratisation, will serve as important pointers to what may happen when South Africa itself goes to its first non-racial poll later in 1993 or 1994. Furthermore, even after the dismal failure of last year's election in Angola in bringing to an end that country's civil war, hopes remain that the return of Lesotho's government to civilian hands from those of the military, which seized power in early 1986, will contribute its mite to a broader process of democratisation throughout the Southern African region.

These international hopes and concerns are all valid. However, the reality is that Lesotho's location and role in post-apartheid Southern Africa have attracted depressingly little attention during the current election campaign. Instead, the national political battle has become intensely self-absorbed, as between them the military, the monarchy and the major parties have continued to debate only the political and constitutional issues which have divided the country since 1970. In that year, the then ruling Basotho National Party (BNP), backed by South Africa and the domestic security forces, declined to accept the popular verdict of an election which should have returned the Basotholand

Congress Party (BCP) to power. One consequence has been that the 1993 election campaign is running as an action replay of 1970, rather than focusing national concerns upon the manifold, daunting issues which will confront the country in the near future.

BACKGROUND TO CRISIS

When the army, under Major-General Justin Lekhanya, overthrew the twenty year old regime of Chief Leabua Jonathan, prime minister and leader of the BNP, on 20 January 1986, it promised an eventual return to civilian rule under a constitution better suited to the needs of Lesotho than the Westminster style of government bequeathed at independence.

Under the 1966 constitution, the King, acting as a constitutional monarch, appointed as prime minister the leader of the party or coalition that commanded a majority in the 60 seat National Assembly. Other ministers were selected by the Premier from other members of that house and from the Senate, which was composed of 22 chiefs and eleven other persons nominated by the King. However, after 1970, the Westminster system proved no protection against Jonathan establishing a dictatorial regime which, whilst seeking to cultivate respectability by the appointment of an Interim National Assembly in 1973 in which Opposition parties were enabled to participate, was to prove accountable to no-one but itself and those in the security forces upon whose acquiescence and support it depended.

The BNP, which identified with conservative forces and was supported by the Roman Catholic church, most chiefs and the majority of women, had secured a narrow victory

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in the pre-independence election of 1965 with thirty-one seats (and 41.6% of the vote), compared with the 25 seats (and 39.7% of the vote) won by the BCP, which since its foundation in 1952 has mobilised around a radical nationalist (anti-imperialist, anti-South African and anti-white trader) platform. The balance of 4 seats belonged to the Marematlou Freedom Party (MFP), which advocated executive authority for the recently installed Motlotlehi (or King) Moshoeshe II.

Bitterness surrounded the advance of Lesotho to independence in 1966, not least because the opposition parties contested final decolonisation arrangements whereby control of the armed forces was to be vested in the prime minister, not the king (although the BCP had opposed this before the election). Nor were feelings calmed by South African aid (100000 bags of maize meal) donated to Jonathan who, having suffered a personal defeat in 1965, was forced to seek entry to the National Assembly via a by-election in July 1966. BNP-led independence was subsequently characterised by its opponents as both South African-backed and imperialist.

For its part, the government used its first three years to consolidate its control by such measures as suspending by-elections, inducing MFP defections to the BNP, suspending district councils, and critically, by winning a showdown with the king, forcing his written promise to stay out of the political arena. However, what most enraged the BCP was the government's employment of seconded South African public servants, one of whom was charged with organising the machinery for the 1970 election.

The BNP government was supremely confident of securing re-election. However, as results came in following polling on 27 January 1970, it dawned on the government that it was the BCP which had captured its majority. Declaring the election to have been marred by violence, and enjoying the apparent support of South African advisers and the overt backing of the security forces, Jonathan declared a State of Emergency and suspended the constitution. Subsequent analysis indicated the BCP to have received 51% of the 297690 votes polled and to have won 36 seats, in contrast to 42% and 23 seats for the BNP, and 5.7% and 1 seat for the MNP.

The next 'election', held only in 1985, saw the return of 65 BNP members following a boycott of the polls by all the parties of opposition. The

intervening years had seen a comprehensive breakdown of the Basotho body politic following Jonathan's pursuit of a canny strategy to divide and rule. This produced a major split within the BCP from 1973, when Mokhehle rejected, but deputy leader Gerald Ramoreboli accepted, participation in the Interim National Assembly. Whilst Mokhehle fled to Botswana, Ramoreboli joined the government, which was subsequently challenged by a clumsily botched BCP coup attempt in 1974. The major consequence of the latter was numerous dismissals of BCP supporters from the civil service, which henceforth became a stronghold of the BNP.

Jonathan, the erstwhile conservative, now proceeded to turn Basotho politics on its head by systematically repudiating his reputation as Pretoria's puppet. He adopted an increasingly vocal anti-apartheid position, gaining increasing international and continental African support by such stands as his refusal to recognise Transkeian independence in 1976. He alienated both Pretoria and the Catholic Church by establishing diplomatic links with the communist East, and after the Soweto uprising, his regime built up low key but increasingly cordial relations with the ANC by providing sanctuary and conduit for a substantial number of South African refugees. In contrast, the BCP, the erstwhile radicals, launched a Lesotho Liberation Army (LLA) in the late 1970s which depended upon covert South African cooperation to launch destabilising operations (mainly from QwaQwa and Transkei) against the BNP government. The government responded by strengthening the military, and stressing its role as apartheid victim following SADF strikes into Maseru in 1982 and 1985.

Jonathan's political somersault reaped an inevitable cost. Within his own regime, his anti-apartheid stance increasingly alienated a faction led by Finance Minister Retselisoe Sekhonyana, which enjoyed close business links with South Africa and close political links with the army, the latter already severely embarrassed by its failure to rebuff both the SADF and the LLA. Jonathan's own faction responded to its loss of control of the army by attempting to transform the BNP Youth League into an alternative military force. The predictable result was the coup of January 1986, precipitated by an extended border closure which South Africa imposed to secure an expulsion of ANC refugees and final agreement to Lesotho's collaboration in the long proposed Lesotho Highlands Water Project.

POLITICAL IMPASSE UNDER MILITARY RULE

The army justified its seizure of power by claiming that it was the only neutral force capable of achieving peace, stability and reconciliation. To that end, the new Military Council formally vested executive and legislative power in the King, and appointed a Council of Ministers which drew upon a mix of officers, established politicians, prominent persons, technocrats and senior civil servants. The army disarmed the BNP Youth League; encouraged the return of BCP exiles from Botswana; and whilst pursuing a balance between itself, the monarchy and the parties, proclaimed a suspension of politics. Critically, too, it achieved a rapprochement with Pretoria by moving against the ANC in return for the South African Government clamping down upon the LLA.

It was not long before this equation began to unravel. The King swiftly clashed with the Military when he attempted to assert his authority. This culminated in Lekhanya stripping him of his powers in 1990, compelling him to leave the country for a sabbatical, and subsequently dethroning him in favour of his son, proclaimed Letsie III, who proved a reluctant monarch. Meanwhile, too, the army alienated many Basotho by its complicity in a number of mysterious killings, its blatant collaboration with South Africa, and its corrupt misuse of power for material ends. Indeed, it was discontent with a budgeted pay rise which led to the forced dismissal of Lekhanya on April 30, 1991, and his replacement as head of government by Colonel Elias Ramaema.

By now, however, the military's grip was being loosened as post-February 1990 South African developments made their mark. A series of strikes by increasingly assertive trade unions challenged the ban on political activity; human rights organisations and independent newspapers called for investigations into abuses and denounced rule by the gun; radical activists struck up links with the African National Congress; and critically, the international donor community (upon whose financial assistance the Lesotho Government remains heavily dependent) pressed hard for a return to civilian rule. All this resulted in the appointment of a National Constituent Assembly (NCA) in early 1990 charged with devising a new constitution as a prelude to the holding of a general election and a return to civilian rule.

THE 1993 ELECTION: DENOUEMENT OR DEMOCRATISATION?

The NCA was composed of army officers, civil servants, prominent persons, local councillors and recognised politicians (including Ntsu Mokhehele, back from exile), but as a wholly nominated body it possessed dubious legitimacy, and systematically avoided a fundamental evaluation of political alternatives open to the country. Instead it was upon the basis of a return to the 1966 constitution that the military eventually scheduled elections for November 1992.

Unlike CODESA next door, the NCA failed to consider the introduction of proportional representation and opted to retain the first past the post (FPTP) electoral system. This required a fresh delimitation of boundaries (last conducted in 1985), and provided for the addition of five extra constituencies. Subsequently, although the complications of the registration process led to the election's postponement to 27 March 1993, some 800000 voters were registered, perhaps as many as 90% of the potential (over 21 years old) electorate. Overall, under the supervision of Commonwealth supplied Electoral Officers, there have been few suggestions that the voter registration process has been unfree or unfair.

However, what may prove problematic to Lesotho's future is that the retention of FPTP, whose mechanics often work to squeeze out third and smaller parties, has virtually ensured the continuing domination of the political scene by the BNP and BCP which, given their past record (the former's past abuse of human rights and involvement in corruption, the latter's perpetual internal wrangling and its collaboration via the LLA with South African security forces) are scarcely deserving of automatic favour. They are also advantaged by access to financial resources (obtained by the BNP in government, by the BCP in exile) not available to the ten other parties which are putting up candidates. Only three of these latter, Ha Re Eeng Basotho, the Patriotic Democratic Front (PFD) and the MFP are challenging in more than a handful of constituencies: indeed, the MFP, which intended to challenge for all 65 seats, had fourteen of its candidates denied registration on various technicalities. In short, save in a handful of constituencies where votes for the BNP or BCP are contested by disgruntled would-be politicians who failed to win nomination for one of the major parties, the plethora of new political parties is

unlikely to receive much countenance in parliament.

The result is that whilst only one political party (the PFD) - which favours closer links if not integration with a democratic South Africa - is attempting to debate the future of the country within a radically changing regional environment, the BNP and BCP have returned to their old fight. The BCP, under an aged and ailing Mokhehele, is largely resting its case upon the need for the historical wrong of 1970 to be righted; the BNP, led by Evaristus Sekhonyana, Finance Minister under both Jonathan (who died in 1987) and the military, is claiming that whatever its past mistakes, it enjoys a monopoly of experience of how to run the country. Meanwhile, a further echo of 1970 remains the contested status of the monarch, as the former King (back in Lesotho as a private citizen) continues to receive support from the MFP, whilst his son makes it increasingly clear that he accepted the throne only under duress. Indeed, Letsie's call for the nation to gather in Maseru on March 12, Moshoeshoe Day, a major national holiday, resulted in a military prohibition and a veiled threat of violence against any who might choose to attend the projected rally.

The unresolved issue of the monarchy indicates that controversy about the constitution will continue to rage after the election. This is also suggested by the apparent reluctance of the military to withdraw. Rumours have been circulating about proposed amendments to the 1966 constitution which will reserve for the military political privileges and even veto powers. Such stories are reinforced by the military's scarcely concealed preference for the BNP and that party's selection of Lekhanya as a candidate. Most dramatic of all are fears that the military will simply decline to hand over office to the BCP, or if they do, that they will continuously be looking over the new government's shoulders.

The great irony is that the passage of time has narrowed the policy gap between the two major parties to a barely discernable difference. All that now seriously separates them is their past and their present determination to seize the levers of power. Their historic animosity, widespread distrust of the military, and the campaign's failure to address the country's prospects for the future find many voters simply hoping that Lesotho will pull through the election without turbulence and trauma. Yet if the BNP win there will be allegations of a military 'fix'; and if the BCP wins there is substantial

prospect of trouble with the army later.

The 1993 election may prove the denouement of 1970; but there seems rather less chance of its leading towards either domestic or regional democratisation.

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STATEMENT OF PURPOSE

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