



Intra - and - Inter - Party Democracy in Lesotho

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ACRONYMS

ABC	All Basotho Convention
AD	Alliance of Democrats
ADR	Alternative Dispute Resolution
ANC	African National Congress
BBDP	Basotho Batho Democratic Party
BCP	Basutoland Congress Party
BLF	Basutoland Federation of Labour
BNP	Basotho National Party
CCA	Common Country Assessment
CCL	Christian Council of Lesotho
CPL	Communist Party of Lesotho
CSOs	Civil Society Organisations
DC	Democratic Congress
DPPA	Department of Political and Peacebuilding Affairs
DWF	Democracy Works Foundation
EMB	Election Management Body
EISA	Electoral Institute for Sustainable Democracy in Africa
EU	European Union
FDGs	Focus Group Discussions
FPTP	First Past The Post
IEC	Independent Electoral Commission
IPA	Interim Political Authority
LCD	Lesotho Congress for Democracy
LCN	Lesotho Council of Non-Governmental Organisations
LDF	Lesotho Defence Force
LCW	Lesotho Council of Workers
LEC	Lesotho Evangelical Church
LIPAM	Lesotho Institute of Public Management
LLA	Lesotho Liberation Army

LPC	Lesotho Peoples Congress
LPF	Lesotho Paramilitary Force
LWP	Lesotho Workers Party
MEC	Movement for Economic Change
MFP	Marematlou Freedom Party
MMP	Mixed Member Proportional
MPs	Members of Parliament
NDI	National Democratic Institute
NEC	National Executive Committee
NIP	National Independent Party
NRA	National Reforms Authority
NSDP	National Strategic Development Plan
NWCs	National Working Committees
PCs	Principal Chiefs
PWDs	People with Disabilities
PFD	Popular Front for Democracy
PR	Proportional Representation
PS	Principal Secretary
PREGA	Programme on Renewal and Enhancement of Governance Architecture
RCC	Roman Catholic Church
RCL	Reformed Congress of Lesotho
SACU	Southern African Customs Union
SADC	Southern African Development Community
SDGs	Sustainable Development Goals
SWAPO	South West Africa Peoples Organisation
UCP	United for Change Party
UN	United Nations
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme

DISCLAIMER

The United Nations Development Programme (UNDP) commissioned this assessment on the state of intra-and-inter-party democracy in Lesotho to contribute to knowledge building and operational learning about the functioning of political parties and their contribution to democracy in Lesotho. Findings contained in this report and analysis thereof do not necessarily reflect the views of the Government of the Kingdom of Lesotho, the UNDP or other UN agencies in Lesotho. The author, Dr. Victor Shale, takes full responsibility for the report.

FOREWORD

Lesotho has embarked on an ambitious path of national reforms following an engaging country-wide dialogue process over the last years. Basotho have spoken and determined the course of action to attain the “Lesotho We Want”. In support of the national reforms process, the United Nations in partnership with the Government of Kingdom of Lesotho through the Ministry of Development Planning (MoDP) initiated a project titled *Party Democracy, Conflict Prevention and Consensus Building*. The project falls under UNDP’s flagship Programme, “*Renewal and Enhancement of Governance Architecture (PREGA 2019 -2023)*”, which commissioned two assessments on: (1) Intra-and-Inter-Party Democracy; and (2) Conflict, Peace and Gender Context to provide empirical evidence on factors associated with various conflicts and prevention thereof, and issues of intra-and-inter-party democracy – and with stronger focus on unpacking the contributions of women and youth on peace and democracy.

These assessments make a compelling case for capacity building to engage in conflict prevention and management, review of existing laws and policies, reinvigoration of governance institutions and the speed up of national reforms. When the findings and recommendations of the assessments are implemented, we have no doubt that they would impact positively on social cohesion, socio-economic and political developments in this country. The Government of Lesotho with support of UNDP will continue to prioritize support to conflict prevention and management and intra-and-inter-party democracy as has been the case over the past decades. These efforts build on the ongoing national reforms processes and the SADC initiatives to strengthen national and regional capacities for conflict prevention and democracy.

We thank all those who participated for their invaluable contributions towards the finalisation of the assessment and the key findings and the recommendations thereof. We hope this assessment report will make substantial contributions to intra-and-inter-party democracy in the Kingdom of Lesotho. Special thanks goes to the Government of the Kingdom of Lesotho, the UN Resident Coordinator, the UN Department of Political and Peacebuilding Affairs (DPPA), the United Nations Development Programme (UNDP) and the Joint UNDP-DPPA Programme on Building National Capacities for Conflict Prevention for their technical and financial support to the assessments through the initiative on *Party Democracy, Conflict Prevention and Consensus Building*.



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EXECUTIVE SUMMARY

The overarching aim of the assessment on Intra-and-Inter-Party Democracy in Lesotho was to provide empirical evidence on the functioning of political parties and the impact of coalitions on socio-economic development and social cohesion in Lesotho. Pursuant to the objective of the assessment, a qualitative analysis method was adopted for the desk research and in-depth interviews that were conducted with purposively selected respondents in state and non-state sectors including state institutions, political parties, civil society organisations, faith-based organisations, media, security agencies and development partners. The findings will be used to inform various interventions of the United Nations (UN) and its agencies in Lesotho primarily geared towards strengthening of political parties and other governance institutions. These findings can be summed up as follows:

- There is consensus among interlocutors that the political party coalitions have been a source of Lesotho's political instability. The perverse incentives in the formation of political parties has led to a multiplicity of parties further crowding the field and exacerbating conflict, with poverty fuelling the situation as young Basotho see politics as the only viable option for a livelihood.
- Coalition formations appear to have not been based on ideology and alignment around core agenda but on political interest and convenience and the impulsive urge to settle political scores. Resultantly, the coalition dispensation has eroded intra-party democracy and aggravated inter-party tensions due to resentment, deep-seated fear, suspicion, and serious distrust amongst politicians. This has had a ripple effect on communities at the local level because public service delivery such as the provision of electricity, water and roads infrastructure remain partisan and fuelled the cycle of stagnation. Lack of service delivery and partisan approach wherever support is provided to communities has led to increased tensions among communities. This has put social cohesion under a serious strain amidst the persistent drought and the pandemic of COVID-19.
- There is a legal framework in place governing the registration of political parties in Lesotho. However, the legal framework does not adequately deal with the

registration, funding, compliance, and de-registration of political parties. There is also no proper oversight of political parties' operations because the Independent Electoral Commission (IEC) which is charged with this responsibility does not have adequate resources. However, despite this constraint, the IEC has made efforts in the past to ensure political parties' adherence to the electoral law.

- Lesotho political parties can be classified as ranging from mass parties, representative parties, constitutional parties and near cartel parties. This is because firstly, they focus on mass recruitment, mobilisation and organisation than ideology. Secondly, they operate like election machines and seek to maximise electoral gains by projecting themselves as providing the voice and choice to the electorate as well as certain distinct sectors such as traditional leaders and workers. Thirdly, they operate within a framework of rules and constraints as alluded to in the points above. The political parties acknowledge rights and entitlements of other parties. Fourth, they are overdependent on the state for funding-a trait that is often associated with cartel parties.
- The political parties are also typified by the similarity of structures, leader centeredness, lack of effective governance rules or failure to enforce governance rules for political parties that have them. These include lack of ideological and policy clarities, lack of internal regulations, lack of elaborate institutional structures that are essential for political party functioning. They have a glaring deficit on gender mainstreaming and representation of vulnerable groups, including youth and PWDs in leadership positions. These shortcomings are a major reason for the weak intra-party democracy in Lesotho.
- Within parties, National Executive Committees (NECs) are bestowed with the responsibility to make decisions on the day to day operations of the parties. Yet, they are visibly not adequately trained in the management of organisations. As a result, most of them tend to be preoccupied with election-related activities. Although most political parties hold candidate and leadership elections, these processes are marked by inconsistencies in the application of rules resulting in intra-party conflicts.

- While political parties have articulated intra-party disciplinary processes, outcomes of these processes are not easy to enforce due to factionalism. Generally, outside of the litigation and internal disciplinary measures, political parties don't have alternative dispute resolution mechanisms such as mediation, negotiation and conciliation. Consequently, disputes get taken to the courts of law - the risk being delays and outcomes that don't deal with the causes but symptoms of the disputes.
- Political parties do not have resource mobilisation strategies that guide mobilisation and management of human, financial and infrastructure resources to support their operations. Despite the law enabling public and private party funding, the major challenge is lack of accountability for the public funds by parties. Notwithstanding limited sources of funding, the assessment found instances of good fundraising efforts, but these are devoid of gender-sensitive budgeting and expenditures.

Based on the foregoing findings, there is a need for rethinking the current support to political parties that only focuses on them as institutions. A comprehensive capacity building approach that ensures the reorientation of political parties to become people focused is required. In this way, the quality of political parties will be enhanced over quantity so that their intra-and-inter-party democracy is improved. The assessment assumes a trickledown effect where strong, viable political parties will contribute to the strengthening of social cohesion. It therefore makes the following recommendations:

Regulatory and institutional framework

Given the deficiencies in the legislation on political parties, there is an urgent need to:

- Enact comprehensive political party legislation that governs the formation, management, conduct, funding, and de-registration of parties and coalitions. This could be initiated under the ongoing national reform process.
- Establish a statutory body exclusively focusing on political parties. This will create a distinct separation of roles between that body and the IEC so that the latter concentrates exclusively on management and administration of electoral processes. There are several case studies from the continent and beyond that can be used to draw lessons.

- Review the electoral system to ensure that it is responsive to Lesotho's current political challenges and to ensure that it reflects a genuine national consensus. The review will also curb the continued inconclusive election results that have given birth to unstable coalition governments and will add value to the country's democratic and economic development.
- Carryout legal reforms including introduction of strict controls on floor crossing so that it does not usurp the power from the electorate and, strengthen provisions pertaining to party coalitions so that their formation, management and accountability are clearly expressed.

Political party capacity building

To ensure the emergence of strong, viable and competitive political parties, it is recommended that:

- A multi-pronged approach must be adopted to ensure that the capacity and behavioural aspects are both enhanced. There is a need to pay attention to strengthening of the people-to-people relations through reorientation of the conduct of the individuals that constitute political party structures. This will have a positive impact on improving social cohesion because social cohesion relies on people's behaviour than the technical skills they may have.
- A complete paradigm shift in the way in which political parties are managed and supported must be adopted. Aligned to the constitutional reforms especially pertaining to political parties and coalitions, a comprehensive political party support programme that seeks to transform them from personality-based to people-centred parties must be initiated with the support of the UN and development partners.
- Ensure value addition of the intervention in (a), technical support must be extended to individual parties so that they can realign their internal systems and structures and also to institutionalise internal consultative processes and checks and balances. However, given the history of mistrust, care must be taken to avoid such intervention

being misconstrued as influencing the electoral performance of some political parties over others.

- An inter-party committee mechanism should be established to promote consensus building among political parties so that every decision and plan regarding capacity building support is above board and taken at this forum. This inter-party committee could also serve as forum for addressing election related issues outside of the IEC established political parties' sub-committee, which serves as a platform for IEC's interface with political parties for joint problem-solving. Thus, the inter-party structure would also serve as a peace-building mechanism that addresses conflicts before they escalate during the current national reform process and the elections. There are examples that could be used for benchmarking such as Kenya, Tanzania, and Malawi.
- To support the capacity gaps identified in the assessment, a curriculum can be developed. The curriculum must pay special attention to training on: (a) party systems, party organisation and management; (b) leadership development and leadership skills; (c) policy development and implementation; (d) gender mainstreaming and inclusivity; (e) peacebuilding and conflict management skills; (f) coalition building, leadership, and management skills; (g) social mobilisation skills; (h) communication skills; (i) recruitment strategies; and, (j) membership record keeping and maintenance.
- The curriculum to be developed as well as the approach to training must ensure empowerment of marginalised groups that include women, youth and PWDs. Empowerment of party members will have a huge impact on how parties are managed. Over and above the content stipulated in (c) above, the curriculum must include public speaking, debating, election campaign planning, campaign strategies, resource mobilisation and leadership training skills for these groups.

1. INTRODUCTION

The United Nations (UN) and its agencies have over the years supported Lesotho's development priorities contained in the country's strategic development plans. The strategic priorities of the United Nations Development Assistance Framework (UNDAF 2019 - 2023) are: (1) Accountable Governance, Effective Institutions, Social Cohesion, and Inclusion; (2) Sustainable Human Capital Development; and (3) Sustainable and Inclusive Economic Growth for Poverty Reduction. In line with UNDAF 2019-2023 and the Lesotho National Strategic Development Plan (NSDP II), the United Nations Development Programme (UNDP) has initiated a new Country Programme (2019-2023).

The Country Programme comprises three pillars: (i) Governance, Accountability, Social Cohesion and Stability; (ii) Sustainable and Inclusive Economic Growth; and (iii) Environmental Sustainability, Climate Change and Resilience. It is aligned to the Sustainable Development Goals (SDGs) as well as UNDP flagship Programme on Renewal and Enhancement of Governance Architecture (PREGA) 2019-2023. Under PREGA, the UNDP developed a specific project entitled '*Support to Conflict, Prevention, Party Democracy and Consensus Building in Lesotho*', with the financial support of UN Department of Political and Peacebuilding Affairs (DPPA) and the Joint UNDP-DPPA Programme on Building National Capacities for Conflict Prevention. The objectives of this project are to (1) enhance local peace making and mediation initiatives including an inclusive national infrastructure for peace and community policing; (2) increase the number and profile of women mediators in the country; and, (3) strengthen intra and-inter-party democracy and consensus building among political parties and other influential social and political actors.

In pursuit of the project's objectives, the UNDP has commissioned an assessment on the state of intra-and inter-party democracy in Lesotho so as to gain a better understanding of the factors that impact on the proper functioning of political parties. In addition, the assessment is meant to look into the new emergent phenomenon of coalitions and their impact on socio-economic development and social cohesion. This report presents the assessment findings. Following this introduction is a background section on the Lesotho political party system, political parties, and coalitions. It provides an overview of the

country's system of governance, electoral system and provenance of intra and inter-party tensions and instability. The third section deals with the assessment scope and purpose, while the fourth section explains the methodology used in carrying out the assessment. The fifth section presents the assessment findings covering six main areas namely: (a) Regulation of political parties, (b) Political party types, structures and policies, (c) Membership recruitment, (d) Decision making and inclusivity, (e) Resource mobilisation, and (f) Coalition politics, service delivery and impact on social cohesion. The sixth section presents conclusions based on the findings, while the seventh section makes recommendations for the UN and UN agencies' consideration.

2. BACKGROUND AND CONTEXT

The Kingdom of Lesotho is a parliamentary, constitutional monarchy whose systems of governance is analogous to the Westminster type. It has a bicameral parliament made up of the traditional and the modern institutions, namely, the Senate (Upper House) and the National Assembly (Lower House). The Senate consists of 22 Principal Chiefs (PCs) and eleven appointees. The latter are appointed by the King on the advice of the Council of State.ⁱ The National Assembly (NA) comprises 120 Members of Parliament (MPs) elected through a Mixed Member Proportional (MMP) electoral system which is a combination of the first-past-the post (FPTP) and proportional representation (PR) electoral systems. Out of these 120 MPs, 80 are elected on a FPTP basis and 40 on a PR basis. Since its independence from Britain on 4 October 1966, Lesotho has never enjoyed prolonged political stability. A look at its historiography shows a picture of persistent crises manifesting in latent or open violence within and among political parties.

The country held first competitive pre-independence multi-party elections in 1965 that saw the Basotho National Party (BNP) led by Leabua Jonathan emerge victorious. The main opposition party the Basutoland Congress Party (BCP) which was led by Ntsu Mokhehle, had enjoyed a stronger showing in the preceding district councils elections of 1960 where it secured 73 seats compared to the BNP's 23 seats.ⁱⁱ The two parties had acrimonious relations because the BNP had split from the BCP in 1959 and went on to dash the latter's hope to lead the country's first post-independence government. Therefore, the BNP faced stiff competition in the country's second elections in 1970. The

elections were inconclusive because they were annulled by the BNP before the results were announced. Hitherto the annulment there was a wide prediction that the BCP would win.ⁱⁱⁱ The BNP banned political activity, suspended the constitution, and declared a state of emergency thereby precipitating a one-party rule. The Communist Party of Lesotho (CPL) was the only party that was officially banned in 1970 when the Suppression of Communism Act was introduced by the BNP government.^{iv} During this period, the King was also placed under arrest and eventually forced into exile in the Netherlands for about 8 months.

The period 1970 to 1986 witnessed a de-facto one party rule characterised by political patronage, the politicisation of state institutions, purging of political opponents resulting in politically motivated arrests and incarcerations, kidnappings, and even extra-judicial killings. Many BCP linked activists fled the country with some taking up arms under the Lesotho Liberation Army (LLA) established by the BCP. The LLA operated from South Africa with several incursions into Lesotho. Encounters between the LLA and the Lesotho Paramilitary Force (LPF) that was later transformed into Lesotho Defence Force (LDF) were common in the 1970's up to mid-1980's. For example, Matlosa and Pule cite the attacks on government installations such as offices, electricity pylons, telephone posts, and bridges that began in 1979. Also, from 1980, the LLA added the assassination of prominent political figures associated with the BNP government to its tactics.^v

The one-party rule ended on 15 January 1986 when Prime Minister Jonathan's government was overthrown by the LDF. The leader of the army Major General Lekhanya justified the coup by claiming that the army rescued Lesotho from "a crisis of lawlessness" that had engulfed it. In addition, Lesotho's relations with apartheid South Africa were broken largely over Lesotho's support of the liberation movement, the African National Congress (ANC), its refusal to enter into a non-aggression treaty with South Africa and Jonathan's refusal to sign the highlands water treaty with Pretoria. On the other hand, Lesotho accused Pretoria of supporting the LLA.^{vi} As punishment to the Jonathan administration, South Africa blockaded all its borders with Lesotho on 1 January 1986 precipitating the coup within two weeks of the blockade.

The military rule ended in 1993 due to internal and external pressures. Organised civil society formations and the international community were demanding a return to multiparty democratic rule. This period coincided with the continental transition to democracy popularised by Samuel Huntington as the third wave of democratisation.^{vii} There were already two major political transitions in Southern Africa that added to the pressure on Maseru namely, the independence of Namibia in 1990 led by the South West Africa Peoples Organisation (SWAPO Party) and the release of Nelson Mandela and unbanning of the African National Congress (ANC) and other South African liberation movements in the same year.

Following a 23-year hiatus from 1970 to 1993, multiparty elections were held in 1993 to pave the way for a civilian rule. Although the results were decisive with BCP winning all the 65 NA seats, the elections were followed by discontent among opposition ranks as the losing parties felt excluded. As aptly noted by Phungula (2020), the BCP triumph laid bare the flaws of the FPTP electoral system because by design, it does not reward the losers.^{viii} This is contrary to the expectation that democracy is and must be inclusive and it is also counter the Sesotho saying that “Lebo motinyane bana le lentsoe” which loosely translated means that the voice of the minority must be heard and respected in a democracy.

It was not an easy take off for the new BCP government because it inherited politicised state institutions. For example, in 1994 the suggestion by some including the BNP that the BCP government was seeking to integrate the LLA into the army led to hostility of the army towards the BCP government. Mothibe (1999) points out that the army was very suspicious of the BCP believing that it was to be disbanded and replaced by the LLA at worst or neutralised at best.^{ix} Two BCP veterans indicated informed the consultant that the plan was not to interfere with the LDF but simply to integrate the LLA combatants in the armed forces. They stated there was a sub-committee established to look at options for the integration and a delegation was also dispatched to Zimbabwe to learn how this was handled because a decade earlier, Zimbabwe was faced with the same issue.^x In a recent radio interview, the then commander of the LDF, Major General Metsing Lekhanya explained the LDF's attitude to the inclusion of the LLA in the armed forces was resisted. He stated that the LDF was not willing to work with “terrorists”.

The other hurdle was some public servants who had been recruited based on their membership of the BNP and therefore not readily loyal to the new BCP administration. However, there were some who organised through labour unions which were not affiliated to the BNP nor BCP. Unlike some labour unions in the 1960's such as the Basutoland Federation of Labour (BFL) and the Lesotho Council of Workers (LCW) which were affiliated to the BCP and the BNP respectively, the post 1993 labour unions were less partisan. These included the Lesotho Union of Public Employees (LUPE) which organised the February 1995 nurses strike against poor working conditions for nursing assistants, and the Lesotho Teachers Trade Union (LTTU) which was instrumental in the pressure against the military regime to return the country to multi-party democracy.

The BCP's 1993 election victory was also short-lived because of internal leadership squabbles between two factions within it namely "The *Maporesha*" (local nomenclature for Pressure Group) led by the party's deputy leader Molapo Qhobela and the "*Majelathoko*" (those who don't share the spoils) faction led by the Prime Minister's brother, Mr. Shakhane Mokhehle. The two factions were locked in a battle for the soul of the BCP with that contest escalating ahead of the party's elective conference in 1996. The pressure group emerged victorious from the conference, but the result was unsuccessfully challenged in a court of law by Majelathoko faction.

The new pressure group led National Executive Committee (NEC) moved swiftly to remove the then ailing Prime Minister Mokhehle from the party leadership. The NEC strategy was that once removed from the BCP leadership, Mokhehle's position as Prime Minister would be untenable. However, the court interpretation on this issue was that the Prime Minister is a product of the national assembly voted for by MPs and not a political party.^{xi} Based on this clarification, the Prime Minister outmanoeuvred his detractors and formed a new party, the Lesotho Congress for Democracy (LCD) in 1997. He resigned from the BCP and crossed the floor to the LCD. It is important to point out that Mokhehle did not physically cross from the ruling BCP benches to opposition party benches. Instead, subsequent to his resignation in the NA, he was joined by 41 MPs (these were predominantly majelathoko faction members) leaving the BCP with 24 MPs out of a total 65 MPs. He then caused for the forced removal of the BCP from the governing party benches to opposition benches arguing that the LCD had more MPs than the BCP. Thus, by virtue of the greatest number of seats in the NA, the LCD became an instant ruling

party. Mokhehle's switching of loyalties and membership from the party through which he became an MP to the LCD is tantamount to floor crossing. To his credit, the near landslide 1998 election results for the LCD and poor results for the BCP suggest many BCP members supported his strategy and voted for the new party.

The LCD overwhelmingly won the 1998 general elections taking 79 of the 80 parliamentary seats while the BNP won one seat. Its victory was fiercely contested by opposition parties triggering violent protests in Maseru, Mafeteng and Mochale Hoek which had an impact in the whole country as government business came to a standstill. The violence conflict was mitigated through the military intervention of the Southern African Development Community (SADC) and its subsequent diplomatic initiatives supported by United Nations (UN). An interim political authority (IPA) was established in the aftermath of the countrywide conflict leading to the reform of the country's electoral system from FPTP to MMP and enlargement of parliament from 80 to 120 seats. Despite presiding over the historical electoral systems reform, the LCD had not yet perfected its internal democracy and battled with internal squabbles akin to the BCP ones. This led to the LCD suffering its first split in 2001 when the then Deputy Prime Minister Kelebone Maope formed the Lesotho Peoples Congress (LPC).

The MMP system was first used in the 2002 general elections that were won by the LCD with 54.8% of votes securing 79 out of the 80 FPTP seats. The remaining FPTP seat was won by the LPC leader. The MMP was widely credited for the ensuing relative peace because it allowed nine (9) more parties besides LCD as well as independent candidates to take up the 40 PR seats to make a full NA compliment of 120 seats. Despite its victory in 2002, the LCD experienced the second split in 2006 due to personality and leadership clashes. The All Basotho Convention (ABC) was formed by Thomas Thabane who was Minister of Science and Technology. He had hitherto been a special advisor to former Prime Minister Mokhehle. Thabane crossed the floor in the NA from the LCD together with 17 MPs.

At the time of the split, Thabane was not part of the LCD NEC but was considered a thorn to the LCD leadership which seemed unsettled by his colourful political credentials having been advisor and almost like a gatekeeper to a revered leader like Mokhehle. Therefore, unlike the BCP and first LCD splits that were initiated by the NECs, the ABC split was led by a non-NEC member. The formation of the ABC significantly eroded the

LCD urban support because country's middle class was disgruntled with the LCD service delivery failure and corruption. The ABC took almost all the urban constituencies from the LCD in the 2007 elections. The LCD maintained dominance over the predominantly rural constituencies of the country winning 61 out of the 80 constituencies.

The ground-breaking electoral reform did not put an end to election related conflict the country witnessed since the return of multi-party democracy in 1993. The 2007 general elections that were once more won by LCD were followed by conflict when opposition parties challenged the distribution of parliamentary seats. Their contention was that the MMP electoral system formula had been breached by pre-election pacts between the LCD and the National Independent Party (NIP) as well as between the ABC and the Lesotho Workers Party (LWP).^{xii} The ABC and LCD had devised a strategy where senior members were listed as election candidates under the banner of the LWP and NIP respectively as a way to secure their election to the NA. Most of these individuals had either been imposed by the ABC and LCD NECs over candidates that were preferred by the constituencies or they were nominated at branch level but had been outright rejected by the constituencies through party primary elections.

To explain how these election pacts were problematic, it is important to note that the electoral system allowed for the use of two ballot papers where a voter would use one ballot paper for a constituency seat and another ballot paper for a PR seat. In almost all cases, voters voted for their party's constituency candidate and PR candidate without splitting the ballot. Therefore, under the ABC/LWP and LCD/NIP election pact arrangements, the respective ABC and LCD members and supporters were instructed to vote these parties under the constituency vote and their alliance partners (NIP and LWP respectively), under the PR vote. This means the ABC and LCD did not have the PR lists. The net effect of this was that these voters voted twice as if they were different voters while in actual fact they were not. Their votes gave the LWP and NIP total number of votes they would not have obtained if they were voted in their own right as separate parties.

Jorgen Elklit (2008) who was the MMP system technical expert to the IEC when the MMP was engineered for Lesotho notes that in terms of the law, the IEC had to allocate the compensatory seats based on the votes cast for those parties which had submitted party lists including the LWP and NIP which had respectively won 24 per cent and 52 per cent of the all the party votes cast. This translated to 10 and 21 compensatory seats,

respectively.^{xiii} By being allocated the votes they did not deserve, the LWP and NIP were not only unduly allocated a high number of PR seats but the other parties that were deserving of the PR compensatory seats were allocated less number of seats. If this second voting did not happen, the ABC/LWP total would according to Elklit's hypothetical calculation have " 29 seats (17 from constituencies and 12 compensatory)" while the LCD/NIP would have likely received "62 seats (61 constituency seats + 1 compensatory seat) instead of their current allocation of 82 seats (LCD 61 constituency seats + 21 NIP compensatory seats – of which 10 went to NIP candidates and 11 to LCD candidates)". Therefore, the 2007 alliance pacts defied the spirit of the electoral system which was to compensate the losers.

The post-2007 election-related conflict and failure by parties to dialogue amongst themselves led to SADC led mediation. This mediation process was frustrated by the LCD government's lack of cooperation and this led to the SADC Mediator former President of Botswana, Sir Ketumile Quet Masire to quit the process. With the departure of the SADC Mediator, local actors stepped up to rescue the situation. The Christian Council of Lesotho (CCL) working in collaboration with civil society organisations (CSOs) under the Lesotho Council of Non-Governmental Organisations (LCN) and supported by the UNDP successfully facilitated the mediation until an agreement was reached. The outcome of this process was the reform of the electoral system through the enactment of the National Assembly Elections ACT 2011 that repealed the National Assembly Elections ACT 1992. The new Act introduced, among others the use of one ballot paper to determine a constituency winner and a share of the PR compensatory seats. In this way, the avenue hitherto used by the ABC/LWP and LCD/NIP election pacts to manipulate the electoral system by according voters to vote twice was closed, and parties only got the NA seats that they deserved.

For the second time since the return to multiparty democracy, electoral systems reform proved insufficient to deter intra and inter-party conflict. In 2011 the LCD split for the third time giving birth to the Democratic Congress (DC) which just like in 1997 when LCD overthrew the BCP, became an instant ruling party through floor crossing in the NA. The DC dislodged LCD when 43 out of 61 LCD legislators defected to the DC with Prime Minister Mosisili. This third split marked the end of LCD's 14-year dominance in Lesotho politics that started in 1997. Under circumstances almost similar to the 1997 BCP split,

the LCD leader and then Prime Minister, Pakalitha Mosisili was embroiled in a conflict for dominance of the party with the NEC which seemed to have the upper hand. He was left with no option but to leave the LCD and form the DC. The LCD NA seats were reduced from 61 to 18 forcing it to opposition ranks. The DC received 40% of the total votes during the 2012 general elections making it biggest party in electoral support. Its votes translated to 48 seats (41 FPTP and 7 PR) in the NA. However, it had not garnered the requisite 61 seats threshold to form a government.

The unforeseen consequence of the 2011 electoral reform was the creation of a phenomenon of a hung parliament occasioned by indecisive election results. This marked the beginning of coalition politics in Lesotho. The 2012 elections did not produce a clear winner with a requisite constitutional threshold of 61 NA seats to form a government. As a result, the ABC, BNP and LCD signed an agreement that saw them coalesce to reach the minimum threshold to form a government led by the ABC. However, this first coalition government ended in 2015 due to a fallout between the ABC and LCD. The fallout triggered a crippling political instability that led to the intervention of SADC. A mediation process led by South Africa's Deputy President, Cyril Ramphosa resulted in a political settlement and a snap election held on 28 February 2015. With no clear cut winner, a new seven-party coalition government led by the DC and comprising the LCD, BCP, LPC, NIP, Basotho Batho Democratic Party (BDP), Popular Front for Democracy (PFD), and Marematlou Freedom Party (MFP) was formed.

This second coalition suffered the same fate as the first one hardly two years in office. The DC leader and his deputy, Monyane Moleleki had a political standoff leading to Moleleki splitting to form the Alliance of Democrats (AD) in 2017. The AD formation tilted scales in favour of opposition parties which garnered sufficient numbers to challenge the DC led coalition government position in the NA. After a political stalemate between the two political blocs (the coalition government and opposition parties) that largely played itself in the NA, parliament was dissolved following a vote of no confidence in the Prime Minister. This led to another snap election to be held on 3 June 2017. Similar to the 2012 and 2015 elections, no party won the requisite threshold to form a government. A third coalition government led by the ABC and joined by the BNP, AD and the Reformed Congress of Lesotho (RCL) was formed.

In February 2019 the ABC held an elective conference for the deputy leader of the party and NEC positions. The election was hotly contested between two factions. These were the “State House” faction that was led by the NEC. This faction was seen as the closer cabinet of the Prime Minister. The other one was the Likatana (rags) faction that comprised of aspirants who were opposed to the state house faction.^{xiv} This group was regarded as the outsiders and it rallied behind Professor Nqosa Mahao. While the NEC contest was competitive, it was won by the Likatana faction. The real battle was for the deputy leader position that saw four candidates, Dr. Moeketsi Majoro who was the finance minister, Mr Motlohi Maliehe who was the party’s chairperson, Mr. Prince Maliehe who at the time of the conference was the Acting Deputy Leader and Professor Nqosa Mahao whose candidature was opposed by the NEC in courts of law. Of these four, the real contest was between Majoro and Mahao both of whom were and continue to be seen as part of the leading pack that could potentially succeed the party Leader, Tom Thabane. The February 2019 deputy leader contest was won by Professor Mahao with 671 votes against Majoro’s 524 votes. The election outcome was never accepted by the State House faction which obstructed access to the party offices by the incoming NEC and this plunged the party into disarray.

Consequently, the BAC is facing internal succession squabbles which have also affected the balance of forces in the coalition government. The factional divide in the ABC has been replicated in the NA where its MPs no longer work together. There have been instances where some defied party line in parliamentary processes by openly aligning with the opposition. However, at the time of the retirement of the Prime Minister Tom Thabane, the two factions entered into a truce to ensure that the ABC would still be guaranteed government leadership. This newly found unity was also meant to ensure a dignified exit of the PM without being subjected to a motion of no-confidence. In addition, it served to protect the individual and factional interests which could only be sustained if the ABC was still in power and leading government. A new grand coalition was negotiated and formed between the ABC and its arch-rival, the DC in May 2020. This fourth coalition government is led by Thabane’s successor, Prime Minister Moeketsi Majoro who was nominated as a candidate for head of government following a compromise between the two ABC factions for party unity.^{xv}

To wind up this section, the assessment findings show that Lesotho operates a fragmented party system where political parties are products of deep-seated personality differences between party leaders.^{xvi} Although they have generally exhibited inability to negotiate win-win solutions to their differences thereby creating a political system characterised by splits and snap elections, recent developments also show that the parties can redeem themselves. The management of the ABC internal fallout by the two factions and their ability to negotiate with the DC, helped avoid a possible dissolution of parliament that would trigger another snap election. This is a significant development that yielded a win-win solution and a lesson to be emulated.

3. PURPOSE AND SCOPE OF THE ASSESSMENT

The purpose of this assessment was to assess the state of intra and inter-party democracy in Lesotho. Findings from this assessment will provide up to date understanding and inputs to the United Nations (UN) Common Country Assessment (CCA), enable the UN and its agencies such as the United Nations Development Programme (UNDP) to reflect on effective and strategic use of resources towards political parties support and to identify factors that could make political parties make meaningful contribution to Lesotho's democracy and economic development. In addition, the assessment is expected to shape the design of appropriate capacity building curriculum as well as methodologies for workshops to be held for the political parties. Therefore, the assessment specifically inquired into:

- 1) The capacity of political parties to function in a democratic and inclusive manner.
- 2) Political capacity and internal democracy.
- 3) The formation and management of coalition governments.
- 4) Gender and inclusivity of political parties' structures at all levels (including barriers and solutions).

The assessment was guided by a realist approach whose thrust focused on 'what works, what doesn't work, how and why, for whom, to what extent, in what respects, in what circumstances and over what duration?' This approach ensured that the assessment paid

attention to the political, cultural and economic peculiarities and conflict dynamics in Lesotho.

4. METHODOLOGY

A qualitative analysis method was adopted for this assessment. Qualitative data was gathered through desk review, in-depth interviews, and Focus Group discussions (FGDs) to uncover the various experiences of the variety of relevant respondents. A total of 66 respondents from 34 institutions and offices were interviewed. Out of the 66 respondents, 41 were males, and 25 were females. The methodologies are detailed below.

(a) Desk Review

Documents related to the assessment were reviewed. These included the UNDP project documents to understand the ToRs in detail. Book chapters and journal articles on Lesotho political history and political parties and other research documents, including newspaper records on political parties and coalitions were also read.

(b) In-depth interviews

Interviews were used for purposively identified respondents who are considered critical to the assessment. These included the Speaker of the National Assembly, President of the Senate, Principal Chiefs, Members of parliament, representatives of political parties outside parliament, CSOs including FBOs and the media, government officials, security agencies and development partners. The interviews were conducted using a semi-structured interview guide.

(c) Focus Group Discussions (FGDs)

Focus group discussions (FDGs) were used for interaction with groups of key actors using a semi-structured interview guide. These were CSOs, print and electronic media. Through the FDGs, information pertaining to perceptions on the role, functions, conduct and practices of political parties were captured. The FDG discussions provided experience-based perceptions across gender and age spectrum.

(d) Methodology Limitations

Collection of data for the assessment generally went well with few challenges encountered. These included COVID-19 restrictions, access, and availability of respondents and, reporting bias.

- **The prevailing COVID-19 conditions:** carrying out the assignment under COVID-19 conditions meant that it would not be possible to secure many face-to-face interviews due to travel and social distancing restrictions. This challenge was mitigated by conducting the majority of interviews virtually largely through zoom digital platform, and some through WhatsApp calls. Two local researchers were also engaged to assist with data collection and in instances where virtual meetings were not possible arrangements were made for them to meet face-to-face with respondents as well as for follow-ups with some respondents where clarity on their virtual interviews was required.
- **Access and availability of the targeted respondents:** related to the COVID-19 challenges above, it was difficult to access some of the respondents, especially the high-ranking officials from statutory institutions and government departments. Some were working from home and therefore firming up dates and times with them was not as quick as it would if appointments were set through their office secretaries. This became even more difficult where some of these respondents also had to get clearance from their principals. In some cases, network connectivity related problems were encountered, leading to some respondents not being able to re-join the meetings. Access limitations were addressed through third-party interventions and personal networks. The profile of the local researchers was immensely helpful in this regard because they also have strong networks with the assessment's targeted respondents. Respondents who encountered connectivity problems were followed up and interviewed by the local researchers.
- **Potential for reporting bias:** There was observable reporting bias in some of the interviews owing to political polarization. Collected data was therefore verified through triangulation.

5. ASSESSMENT FINDINGS

5.1 Regulation of political parties

The assessment found that regulation of political parties in Lesotho is administered under two separate laws namely, the Societies Act of 1966 and the National Assembly Elections Act of 2011. In the case of the former, political parties register for their legality as “societies” basically obtaining the right to operate as a legal membership-based entity in the country. In the case of the latter Act, political parties register with the Independent Electoral Commission (IEC) for contesting elections. There were 33 political parties registered with the IEC at the time of this assessment compared to 13 that were registered prior to the 2012 elections. The rapid increase of 20 personality centered political parties within a space of 8 years is largely seen by respondents as a result of intra-party conflicts and splits that have become a permanent feature of Lesotho’s party system since 1997. Out of the 33 parties only one namely the RCL is led by women. Two new parties were also formed just before the assessment and during the assessment but are yet to be registered with the IEC. These are the United for Change Party (UCP) led by Mrs ‘Malichaba Lekhoaba and HOPE led by Ms. ‘Machabana Lemphane-Letsie.

Placing the responsibility of regulation of parties with the IEC poses several systemic challenges to the election management body (EMB). According to the representative of the EMB, it is difficult to verify the 500 names/signatories that come with political party applications as well as their consent because there is no mechanism in place for doing so. The EMB does not have the budgetary and human resource capacity to undertake a verification exercise every time it receives an application. In addition, once registered, political parties generally do not want to comply with IEC accountability procedures and there is no instrument to force compliance. There is also a political complication to this role. The appointment of the IEC commissioners entails recommendations of candidate names made by political parties. Although this was meant to ensure transparency of the process, it has not only turned out to be a serious political problem but also a conflict of interest issue for the commissioners themselves. In most cases, it has been difficult for the commissioners to call the parties to order when they transgress the electoral law and code of conduct. This has created a perception that the IEC as an institution is aligned to the bigger parties and their allies.

Some of the interviewees consider the existing legal framework for political party registration generally adequate subject to some little amendment on registration requirements. The current requirement of a list of 500 electors' names for registration is not only seen as too low but it is also blamed for the proliferation of parties. According to one of the parties in parliament, too many political parties are not beneficial to the country and they neutralise the voice of the people. A suggestion is that there bar must be set higher for the list of electors' names for the registration of parties. This must be increased from 500 to between 4000 to 5000. There was even a suggestion that given that the electoral system allows for independent candidates to contest elections, a minimum threshold for a parliamentary seat must be introduced so that one requires a minimum 5 000 votes to be an MP. The sponsors of this recommendation further suggested that political parties and candidates that do not meet the threshold get de-registered by the IEC.

On the other hand, there were suggestions that the legal framework regulating political parties must make a distinction between the quantity of political parties and quality. Respondents who hold this view suggested that premium must be placed on regulation of parties to ensure quality. They contended that the current legislation merely deals with formation of parties and falls short of regulating their internal functioning, conduct and accountability. It must instead deal with the registration, funding, compliance, and de-registration of political parties so that there is a particular set of standards and practices they uphold if they are to retain their status.

In conclusion to this section, it is clear that the legal framework enables the establishment of parties but falls short of making them accountable institutions. This explains the contradictions, intra-party and inter-party conflict as well as proliferation of parties articulated in the background section above. Most importantly, there is also a link between the poorly regulated parties, their conduct and performance and the declining public confidence in political parties on democracy. The 2020 AfroBarometer survey shows that 57 percent of Basotho are not satisfied with the way democracy works in Lesotho.^{xvii} Therefore, in the short to medium term, the National Assembly Elections Act of 2011 has to be reinforced to respond to the identified gaps on regulation of parties and give the IEC more powers to enforce compliance of parties. Although the National Assembly Elections Act of 2011 repealed the earlier National Assembly Elections Act of

1992, provisions pertaining to political parties were minimally amended if at all. The main provisions regarding the organisational aspect of the political parties remain absent in the new law.

At the time of this assessment, the IEC was dysfunctional after the end of the term of Commissioners in May 2019 and the expiry of the contract of the Director of elections in June 2020. In the absence of the Commissioners and Director of elections no one can legally act on matters pertaining to the conduct and compliance of political parties. This exposed the weakness of a regulatory framework that bestows an EMB with regulation of political parties. In an attempt to minimise the impact of a dysfunctional IEC, the Government of Lesotho appointed the Principal Secretary (PS) in the Ministry of Justice and Law to be the Chief Accounting Officer for the IEC. However, PS was only responsible for overseeing the financial aspects of the IEC not the operational and administrative matters. Even with this limited role of the PS, government was strongly accused of compromising the independence of the IEC by opposition parties and other electoral stakeholders.

An ideal and longer-term solution must therefore be the introduction of a new and comprehensive political party law and establishment of a statutory body tasked exclusively with the responsibility over political party matters. This will ensure that the IEC only focuses on administrative and procedural aspects for political parties contesting in elections.

5.2 Political party types, ideologies and policies

a) The types of political parties in Lesotho

In assessing intra-and-inter-party democracy, it is important to look at the types of parties, how they were formed and are institutionalized. There are different ways in which political parties are usually classified and in most cases this has to do with the structure of party members and constituency, social origins of constituency, organisational structure, the goals of the party, political and ideological alignment, the attitude towards the political system and the party's claim to power.^{xviii} Common classification of parties include, cadre parties, mass parties, representative parties, integrative parties, revolutionary parties, constitutional parties and cartel parties.

The background section of this report and views expressed by the respondents suggest that political parties in Lesotho do not fit the typology of cadre parties because they do not exercise influence through trained and professional networks but they influence the masses directly. They neither fit the scope of integrative parties because the assessment found no evidence that they prioritise a pro-active mobilisation and education strategy guided by ideological purity. Lastly, they also do not fit the revolutionary party classification. The post-1970 elections BNP aggression towards the BCP and the latter's counter aggression and guerrilla attacks against the BNP government do not qualify them as revolutionary parties. Neither do the actions of political parties during the 1998 political riots make them pass the revolutionary party yardstick. For any of the political parties in Lesotho to be classified as revolutionary parties, they would have to exhibit a trend of adopting tactics ranging from outright insurrection and popular revolution to quasi-legalism in their contest for power.

The assessment found that instead, Lesotho political parties fit a combined description of mass, representative, and constitutional parties. **Mass parties** focus on mass recruitment, mobilisation and organisation than ideology. They adopt a catch-all strategy emphasising leadership, unity and pragmatism. Although having ideological identities, the biggest parties in terms of electoral support in the last elections and evidence of their national appeal in terms of established structures throughout Lesotho such as the ABC, DC, BNP and LCD are some of the examples that portray this character. Other parliamentary parties and parties outside parliament also have similar attributes to varying degrees. However, the weakness with some of the parties is that they are personality based organisations with no operational bases and clear programme agenda beyond campaigning for elections. Some parties are managed through mobile telephones earning them the name "cell phone parties". Some respondents described the parties as family business ventures in a challenged economy in which participating in elections is to benefit from public funds. By their own admission, some political representatives indicated that their parties are not built on a solid foundation, lack clear ideological positions and mainly active during elections.

Representative parties operate like election machines and seek to maximise electoral gains by projecting themselves as providing the voice and choice to the electorate as well

as certain distinct sectors. Examples of such parties include the MFP and PFD which have over the years presented themselves as the vanguards of the monarchy and the working class respectively. The FPD's strategy to form alliances with labour unions is another case in point. The Movement for Economic Change (MEC) also presents itself as an advocate of anti-corruption and represents the working class. There is also the Lekhotla La Meetlo party which projects itself as representing culture and tradition. Although they also adopt a catch-all-strategy representative parties also rely on structures. All political parties in Lesotho have this attribute with all having structures at national and sub-national levels at least on paper. The reality is that some of the papers do not have a national appeal but a regional appeal such that they do not exist outside the major cities and towns.

Although slightly varied from one party to the other, a governance structure across all interviewed parties is that they have the national conference at the apex. This structure is the decision-making body that convenes annually to give policy direction of the party and make major resolutions for the operations of the party. For some parties, there is also a special conference whose function is to deal with urgent matters, particularly of a constitutional nature that seems to threaten the stability of the party in-between the national conferences. Below the national conference is the national executive committee (NEC) which is the implementing body that ensures compliance with the decisions of the national conference.

A common feature of the NECs of the interviewed parties is that secretary generals are charged with the responsibility of running the day to day affairs of the party and report to the party leader and deputy leader. Others have National Working Committees (NWCs) which act as extensions of the NEC and focus on operational matters while the NEC deals with both the administration and operations. Besides the national level structures, some parties reported having other structures such as the district committees, constituency committees and branch committees whose roles are comparable to the national structures. All the parties also have women's leagues and youth leagues that focus on the interests of these groups while also representing them in the national and sub-national levels.

A glaring deficit on the question of structures across most parties was gender balance and representation of vulnerable groups, including youth and people with disabilities (PWDs) in leadership positions. Such representation is not formalised and varies from one party to the next. While this is not a legal requirement, it betrays the posture of the parties where they present themselves as parties representing all sectors of society.

Constitutional parties operate within a framework of rules and constraints and acknowledge rights and entitlements of other parties. Lesotho has an established culture of multiparty democracy notwithstanding the robust and at times conflictual inter-party relations. One of the key attributes of constitutional parties is that they make a distinction between party and state where state institutions enjoy political neutrality. As intimated in the background section of this report, political neutrality is not always observed in Lesotho. However, the interaction between political parties and with state institutions as well as the consensus by all parties to embark on a national reforms agenda is testimony of their conviction and recognition of the distinction between the state and political parties. Hence they may rightly be regarded as constitutional parties.

Political parties in Lesotho also portray features akin to **cartel parties**. As elsewhere in the SADC Region and continent, political parties are facing a decline in public confidence and membership. This has seen political parties employing capital-intensive campaign methods (eg, mass media usage rather than leafleting) in an endeavour to attract electoral support (Young 2011).^{xix} The rise in campaign costs have forced parties to devise alternative sources of funding including the state. Since the introduction of public funding in Lesotho, political parties depend on public support for electoral competition but rely on the state for their maintenance through public funding. Notionally, cartel parties are more worried about survival than electoral failure hence they rely less on the public and more on the state. There is a glaring convergence between governing and opposition parties in Lesotho regarding use of the state as a source of funding. While Lesotho parties do not yet tick all the boxes of cartelism, their increasing overdependence on public funds has the potential to reach that stage.^{xx}

b) Political parties and ideology

One of the findings on the type of parties operating in Lesotho is that largely, these parties do not conform to the conventional ideological classification of political parties. Ideology is important to parties because it serves as a campus that guides political parties and citizens find their way about the world, understand their place in it and analyse the political and social events going on around them.^{xxi} An ideology refers to a set of ideas and views espoused by a political party which defines its policy positions, programmes and election manifestos. This world view influences and inspires the party's political actions in terms of how it contest government power and operate in between elections. The assessment found that most of the parties do not have a clearly stated ideological position. Only three of the consulted parties articulated their ideologies. The PFD indicated that it pursues a centre-party ideological orientation while the BNP and MEC stated that they follow nationalist conservative ideology and social democratic ideology respectively.

The fact that some of the parties could not articulate their ideologies does not necessarily mean that they do not have them. According to one respondent, the party's objective statement in the constitution is an expression of an ideological position. This view is supported by the literature where for instance, Kevin Harrison and Tony Boyd (2018)^{xxii} posit that given that ideology is individuals way of understanding the world, forcing personal experiences and world view into an ideological straitjacket must be avoided. They point out that other's world view may not be logical, well-structured or even consistent but their opinions and actions will make reference to the beliefs they hold. Therefore, the assessment finding does not place premium on whether or not political parties in Lesotho have ideologies. Instead, it underscores the deficit where the beliefs that constitute the ideology of these parties are clearly not articulated, accessible to, shared and clearly understood by the rank and file membership. This leads to members including some of the interviewed representatives not being able to explain the identity of the party, its world view and therefore its approach to development and governance issues.

c) Parties and policy

The majority of respondents indicated that majority of political parties in Lesotho do not have written policies. Only one of the parties in the current grand coalition reported that it had written policies developed through a bottom-up approach where the branches originate a policy, followed by constituencies which discuss branch submissions and they in turn make submissions to the party conference. There some parties that either do not have written policy documents that provide a party position in different sectors or are in the process of establishing policy committees that will spearhead their policy development frameworks. None of the parties have ever held a policy conference or engaged in a structured consultative process on policy. Despite this, there are some parties that are known for strong policy pronouncements on certain issues like the economy, Southern African Customs Union (SACU) remittances and integration of Lesotho into South Africa. Such pronouncements are usually based on the views of the leaders instead of resolutions of the annual general council.

What also emerged from the assessment is some party respondents seemed to conflate the constitution and policy documents in their responses. While the constitution does provide a basis for policy, the problem is that some constitutions have been drafted hastily when parties split from others and therefore have errors such that at times they lack coherence. This one of the reasons parties are always going to courts of law to seek intervention where the constitution is at times vague or silent. Therefore such constitutions cannot be used as if they are policy without an additional policy formulation exercise. Similarly, some political parties refer to their election manifestos as policy documents. In terms of process, they do not develop policy documents from which their manifestos are drawn. Instead, they develop manifestos for election purposes and this does not entail consultations with party structures. The manifestos are products of the leadership perspective and decisions on what may constitute an attractive content for elections.

To conclude this section, there is hardly anything differentiating the parties in terms of their structures which are key in their growth, organs, policies that give effect to what they stand for, and membership recruitment. Because the parties are products of leadership personality differences instead of policy differences, most of them do not place

much premium on internal democracy. In addition, the parties fall short in empowerment of marginalised groups in society including women, elderly, youth and PWDs. Instead, these members are prone to palpable manipulation by the party leaders and central committees. For example, the violent conflict that has become synonymous with Lesotho's electoral processes has been sustained through the use of young men and women. It is axiomatic therefore that the centralised personality driven politics and manipulative tactics of their leaders diminished prospects for youth to grow from being activists for the party to becoming its leaders. Similarly, the opportunity for women's participation in electoral processes as candidates and in decision making processes within the party are limited. This is substantiated by political parties failure to defend the gains made on gender equality in 2005 where one third of seats was reserved for women in local government elections.

Respondents' identified capacity needs

- *Training in party systems, party organisation and management*
- *Training in policy development including external policy making*
- *Training in election campaign planning*
- *Leadership skills training*
- *Communication skills*
- *Engagement of women, youth, people living with disability and other marginalised groups within internal structures and process*

5.3 Membership recruitment

The assessment found that political parties do not have a structured approach to membership recruitment and use different strategies and affiliations when recruiting. Prior to independence, the leading churches such as the Roman Catholic Church (RCC) and Lesotho Evangelical Church (LEC) openly supported the formation and operations of the BNP and BCP respectively and carried the propaganda on behalf of these parties in their newspapers namely Moeletsi oa Basotho (RCC owned) and Leselinyana la Lesotho (LEC owned).^{xxiii} Therefore, party membership recruitment was closely tied with affiliation to these churches. Respondents indicated that the relationship between

churches and political parties remains to date, albeit not as defining as it used to be. On the other hand, there are political parties that build strategic alliances with labour movements, farmers unions, music groups especially famo music as well as other mass organisations for recruitment purposes.

All interviewed parties, including the old ones that were established before and soon after independence stated that they are open for all members of society. Their recruitment is guided by section 18 (3) of the Constitution of Lesotho regarding non-discrimination on the basis of race, colour, religion, sex, language, national or social origin, property, birth or another status such as disability.^{xxiv} In addition, the parties do not discriminate people on the basis of their political opinion; hence most bigger parties have been poaching MPs from rival parties through floor crossing. All citizens from the age of 16 years upwards in some parties and from 18 years in others are recruited. For parties that recruit under 18-year olds, such members do not pay membership fee and do not contest positions in party structures until they reach the voting age of 18 years. The only pre-condition for most parties is that a would-be member must be a law-abiding citizen. However, the assessment noted that some of the parties have not considered the risks of recruiting criminal elements. For example, some of the parties have recruited members of the famo music gangs which have been linked with violence and killings in the southern part of Lesotho.

The administrative and procedural aspects of recruitment are the responsibility of the NECs across all parties. All party members and structures are expected to recruit new members from their locations and areas of influence. But the final arbiter on membership is the NEC acting on the recommendation of party structures like the district and constituency committees. What emerged from the interviews with party representatives is that parties charge a membership fee of two Maloti (M2.00) per year. Yet not all of them maintain a membership register. Even those that do have no system that ensures that they provide a user-friendly renewal process to cater for the different times of the year in which people renew membership based on the time they joined. Therefore, it is possible that the party may not be able to establish who has failed to renew membership and make a follow up. The parties also have no membership records of the vulnerable groups such as women, youth, and PWDs.

To conclude this section, it is important to underscore the contradictions in membership recruitment by political parties in Lesotho. Firstly, contrary to popular perception that parties are formed to represent their members, evidence from the literature review and the interviews shows that this is not necessarily the case with parties in Lesotho. Because of the personality cult politics in the country, parties are capable of attracting many people not because of their policy pronouncements and vibrant structures but due to the popularity of the leader. The problem with this type of recruitment is that parties fail to keep the members. There is evidence of parties in Lesotho frequently losing members to other parties either because they cannot keep them busy and sustain their interest or because a floor crossing in the NA triggers members migration to new parties formed or joined by their MPs.

In addition, in the absence of systematic membership registers the parties lose some members because they do not have member details to keep track of all the members. It is important to point out that lack of membership register does not necessarily mean lack of internal party democracy. Instead, it must be considered as an organisational weakness that makes it difficult for parties to state the overall size of their membership and to provide sex-disaggregated data. Hence they use the number of votes the party received in previous elections to estimate their membership size.

Respondents' identified capacity needs

- *Social mobilisation skills training*
- *Communication skills training*
- *Recruitment strategies training*
- *Constituency engagement within committees*
- *Engagement within the parliament*
- *Membership Record keeping and maintenance training*

5.4 Decision making and inclusivity

In order to determine whether a political party is democratic, one has to look at among others how: (a) internal decisions are made, (b) leaders and candidates are selected, and (c) disputes are resolved. The level of membership participation in the decision-making

processes and participation of vulnerable groups is also critical in assessing the internal functioning of parties. A general observation from the desk research and interviews is that decision making in almost all parties follows the governance structure articulated in 5.2 above. That is, the national conference and in other parties, a special national conference is the final decision-making authority. The NECs are bestowed with the responsibility to make decisions on a day to day operations of the parties. As intimated in the preceding sections, such NEC decisions are not necessarily guided by policies agreed with the general membership. The skills capacity gaps of NECs and other structures like the NWCs, district committees and constituency committees were mentioned as a major handicap in implementing the resolutions of the national conferences. As a result, the NECs tend to prioritise election-related activities over the rest of the party programmes approved by the conference.

On candidate and leadership selection, parties generally hold primary elections for candidate selection and elections for national office bearers during the national conferences. Respondents pointed out that both processes are marked by inconsistencies in the application of rules, and this has resulted in disputed nomination and election outcomes and eventual splits. For most parties, candidate and leadership campaigns are marred by manipulation of membership structures and vote buying. The NECs and leaders of some parties are said to have a huge influence in primaries and compilation of PR lists. Only one party stated that its PR lists are determined by the national conference and not the NEC. The NECs' veto powers on the candidate nomination processes were defended by one of the parties arguing that this assists implementation of its 30 percent women representation policy in leadership positions. The party posited that its Secretary General is mandated by the NEC to disqualify any structure that consists of men only.

The assessment found that under a system of personality-based politics, party leaders also hold sway in the election of office-bearers even where independent bodies are engaged to run the party elections. According to one of the parties, party leaders who are mostly treated as 'godfathers' of their parties are often suspicious that aspirants for leadership positions are going to purge them if their preferred candidates or successors lose. Therefore, they ensure that they have a final word on who succeeds them even if it means violating democratic principles and bending party rules and procedures. Candidate and leadership selection processes are also punctuated by factionalism. For

example, representatives of the ABC and BNP attributed the tensions during their NECs election processes and subsequent disputed results in February 2019 and November 2019 respectively to factionalism. According to the former, its internal dispute caused serious governance problems in the party and made it difficult for the government to deliver services.

Resolution of disputes within parties was found to be very weak if at all existent. Besides litigation, most parties' NECs working with and through the party disciplinary structures (at the branch, constituency, district and national levels) are in charge of internal dispute resolution. These disciplinary structures use the party constitution and code of conduct (if they have one). Respondents indicated that in an environment where parties are marred by factional battles, it is exceedingly difficult to enforce a code of conduct. Parties are generally poorly equipped to manage disputes through alternative dispute resolution (ADR) methods such as mediation, negotiation and conciliation. With the exception of one party that reported to be using eminent people as counsellors and advisors to manage differences, especially around changes in leadership, most of the interviewed parties did not have ADR mechanisms in place. As a result, most disputes that could have been addressed through these mechanisms end up in the courts of law. This tends to place a lot of pressure on the already overstretched judiciary. According to representatives of the judiciary, some parties flex their muscles by taking their members to court often to scandalise them taking advantage of the fact that political cases attract a lot of public attention.

Regarding gender and inclusivity, political parties fared poorly overall. They do not have policies nor established traditions on gender mainstreaming and inclusivity. For instance, similar to other African settings where women have complained of a) awkward time at which political parties have meetings, b) financing; result of women's relative economic disadvantage which inhibits participation as they may not be financiers of the party as their male counterpart, the situation in Lesotho has resulted in limited participation of women in decision making processes across most parties. Leadership positions are glaringly skewed towards one gender, and therefore the decision making is often not sensitive to interests of the other genders. For example, one of the two parties in the grand coalition government revealed that it only has three women out of 50 MPs in the NA.

However, the assessment found that there are efforts by some parties to improve the conditions that underpin the participation of women in leadership positions. For example, two parties in the NA stated that they have created conditions for women, youth and PWDs participation in leadership positions. One of them indicated that as a result, the current deputy leader of the party is a woman while six out of its fifteen NEC members are also women. Another party pointed out that two of its top positions of Chairperson and Secretary General are held by women. The assessments noted that the National Assembly Elections Act 2011 compels political parties to submit candidate lists with 50 percent female candidates (zebra lists) for PR seats and this has helped improve the number of women in the NA. For example, one of the parties has a 50 percent gender balance in with three male and three female MPs (one elected through FPTP and 5 elected through the PR zebra list system).

There are also capacity building initiatives by some parties to ensure the participation of women, youth and PWDs. One of the parties has developed a leadership skills training programme for women so that they can contest for leadership in the party. Another party has initiated an innovative agricultural skills development programme for youth of all social and political persuasions to develop a new breed of development-oriented politicians. There is also a party that has supported and ensured the inclusion of PWDs in prominent positions of national spokesperson for the NEC and public relations officer of the women's league, respectively.

An analysis of Lesotho political parties decision making processes reveals among others, an influence of the colonial era top-down decision making by the colonialists over the subjects. It is clear that the political elite who fought against the colonial era leadership style have adopted the same style of domination and exercise it over their party members. Political parties in Lesotho have centralised leadership systems with limited participation of members especially marginalised groups in decision making, candidate nomination and leadership selection. This is inimical to the dictates of internal party democracy which place an emphasis on the bottom-up approach to decision making and robust people-to-people horizontal linkages for wider consultation and dialogue.

Respondents' identified capacity needs

- *Intra-party democracy training*
- *Management skills training for national and sub-national structures*
- *Conflict management skills training for all structures especially the NEC*
- *Gender mainstreaming and inclusivity training*

5.5 Resource mobilisation

The assessment found that political parties do not have resource mobilisation strategies that guide mobilisation and management of human, financial and infrastructure resources to support their operations. Consequently, most parties only focus on mobilisation of financial resources during election periods using ad hoc finance committees that they establish for this purpose. Otherwise, parties rely on membership subscriptions as the basic source of funds. Some parties indicated that the membership fees are very low and they have initiated other income generating activities such as holding concerts, organising beauty pageants, introducing burial schemes and many other social activities. Three parties stated that they also rely on revenue generated from renting out of their property to private businesses and individuals. Parliamentary parties have also devised a mechanism of collecting monthly contributions from MPs salaries to sustain themselves. All the above mentioned sources of funding are still not enough to fully support the parties' needs. As a result of these limited funds, the parties' budgets do not promote gender equitable resource allocation and revenue generation.

The National Assembly Electoral Act 2011 allows for public and private funding of parties. Public funding is two-fold, namely, in-kind support and financial support. In the case of the former, the law provides for the equitable public media coverage of political parties and candidates contesting elections. This ensures that all duly nominated candidates and parties get the opportunity to broadcast their propaganda on dates and times stipulated by the IEC. In terms of financial support, parties and candidates receive public funds for election campaigns, poll watching, and constituency support after the elections. These funds are administered by the IEC which then has to account for the funds to parliament through the ministry of Justice and law.

The assessment found that the IEC has successfully disbursed the three different funds to political parties and candidates. However, there are serious accountability problems because parties do not report and account for the accounts in terms of the law. Most interviewed parties confirmed shortcomings in accounting for public funds citing lack of administration capacity to account on time and in line with set reporting methods. Besides capacity issues, part of the problem is that the funds meant for constituency support have been misused by MPs who receive them. They use the funds to buy voters' support and fend off political competition. In terms of the National Assembly Elections Act 2011, only MPs holding constituency seats (FPTP MPs) receive these funds. This has given rise to intra and inter-party conflicts because an impression has been created in law that the PR list MPs are junior to their FPTP peers.

In terms of private funding, the assessment found that despite the electoral law making provision for private funding of parties and guiding the boundaries of such funding, most parties do not have access to private sources of funding. There are almost no private sources to talk of outside of the leaders' own financial support because of a weak private sector. Parliamentary parties also contribute to the parties' fundraising through monthly contributions from MPs salaries. In addition, ruling parties have benefited from private business financial support that goes with irregular public procurement. The assessment also found that some political parties have established partnerships with famous music artists who make some financial contribution to those parties. Most respondents raised serious concerns about the alliances between parties and famous gang groups, saying they may introduce gangsterism in parties through contagion.

According to respondents, including representatives of the security agencies, these artists have become extraordinarily rich and have financially sponsored election campaigns for some parties. They have also been found to be infiltrating some members of the security sector whom they use to illegally acquire arms and ammunition. Recently, members of the LDF were arrested on charges that they had connived with some famous gang members in 2018 to obtain four LDF service rifles. A major concern by respondents is that because of the hold they now have on some political figures and members of the security agencies, these artists and their gangs appear to be receiving protection from criminal prosecution as a return on their party financing investment.

It can be concluded that the political parties' inability to develop resource mobilisation strategies is a serious capacity gap that need urgent attention for parties to be viable institutions.

Respondents' identified capacity needs

- *Resource mobilisation skills training*
- *Public and private funding policy guidelines development*
- *Reporting skills training*

5.6 Coalition politics, service delivery and impact on social cohesion

There is a general frustration among some interviewees that the coalition governments and their politics have not helped improve Lesotho's political instability but have instead further undermined it. Coalitions have eroded intra-party democracy because almost all of them were formed without consultations and inputs of their members.^{xxv} According to one of the coalition party representatives, leaders do not have enough time to consult members because in terms of Section 82 (1) (b) of the constitution, parliament has to convene within 14 days after the holding of general elections. This means that by the first sitting of parliament the parties must have firmed up a coalition agreement because one of the first business items on the first sitting of parliament is the election of a Prime Minister.

It has also been the case that coalitions have aggravated inter-party tensions and conflicts. They have been formed mainly between parties that have a history of hostile relationships because most of them have split from one another. The 2012 coalition between the ABC and LCD is the case in point. The ABC was formed in 2006 by Thomas Thabane after his relationship with the LCD leadership became irreparable. The relations between the ABC and LCD were sour from the beginning and the ABC-led public demonstrations against government were often met with brutal force and the imposition of state of emergencies became a common occurrence. The ABC leader was also denied the position of leader of opposition in the NA despite leading a party which received the second largest number of MPs during the 2007 elections. In a move to spite Thabane, the LCD made the NIP leader Dominic Motikoe the leader of opposition. As earlier explained,

the NIP had entered into an election pact with the LCD to guarantee the LCD's parliamentary majority.

Therefore, when the ABC and LCD coalesced in 2012, the deep rooted resentment had not dissipated and they became strange bedfellows in government. It was no surprise when the two parties frequently disagreed on how to run government and the coalition itself. As the constitutional expert Hoolo Nyane aptly notes, the disagreements between these two parties precipitated a constitutional crisis on three instances.^{xxvi} These were the dismissal of the LDF Commander, the removal of the Minister of Communications who was also the deputy leader of the LCD and, the appointment of the President of the Senate.

A key concern by all respondents is that the Constitution and subsidiary laws do not adequately provide a framework for the formation of coalitions. The Constitution barely mentions coalitions under section 87 (2) regarding the appointment of a Prime Minister.^{xxvii} The clause simply provides that a Prime Minister must be a member of the National Assembly who appears to the Council of State to be the leader of the political party or coalition of political parties that has majority support of the members of the house. The word coalition is not mentioned anywhere else in the Constitution beside under this clause. It follows therefore that political parties are at liberty to determine how to form and manage coalitions. In the absence of such a legal framework, the decision making processes and inclusivity of women, youth and PWDs suffers the same fate as in individual political parties.

All interviewed parties indicated that they do not have a policy position on coalitions, so their participation is not based on any specific policy or ideological considerations. Two reasons seem to be behind coalescing by parties. First is political convenience. The unresolved conflicts of the past and splits of some parties bred resentment, deep-seated fear, suspicion, and serious distrust amongst politicians. This makes coalitions an attractive option as a response to a common threat. One of the major parties in parliament even suggested that political conflict in Lesotho will only end if a government of national unity is formed because all parties will be part of the government. However, the party was not able to substantiate why this proposition would work if coalitions, which currently bring together rival parties have not yielded results.

Findings show that the second major reason for parties to participate in coalitions is their desire to be in a position of power to so that they can access state resources and dispense political patronage as a way to maximise electoral economies of scale. In a quest to achieve this objective of access to state resources, respondents reckon that politicians, especially those in coalitions governments, have become desperate and unaccountable. As a result, they have been involved in scandals of abuse of public resources with impunity.

In support of the thesis that political elite seeks to amass public resources for patronage ends, some respondents contended that the public has not financially or materially benefited from above sagas. They submitted that the elite is self-centred and removed from society so much that what they do is for themselves and not society. The social contract between the elite and citizens has been broken many times so that Basotho have increasingly become intolerant, polarised and politically apathetic. The respondents especially CSOs, which work in the civic and voter education sector attributed the prevalent decline in voter turnout since 2012 to the conduct of the political elite.

Coalition parties share ministerial and other government positions amongst themselves. The assessment found that this has not necessarily improved intra and inter-party relations because everyone wants to be a minister regardless of whether or not they are qualified to lead a government ministry. One of the major problems with the coalition setups is that they do not have dispute resolution mechanisms in place to manage the fallout within parties so when that ambition is not fulfilled, people become bitter and cross the floor to other parties. This has been one of the major triggers of the collapse of coalitions. This was confirmed by a representative of one of the political parties in parliament who stated that her party withdrew its support to the current coalition government because the DC which they supported to get into a coalition government with the ABC has reneged on its promise to share some government positions with it. Coalitions are also perpetually in a competition which leads to a paralysis in the functioning of the state. As one of the two parties in a grand coalition, parties put it:

“The problem with Lesotho’s coalitions governments is that political parties have failed to negotiate a middle ground for implementation of their manifesto aspirations. They instead compete with each other all the time.”

The endless political bickering is seen by some respondents as a short-sighted prioritisation. One respondent cited the removal of Lesotho's Prime Minister during COVID-19 crisis and argued that:

“When the whole world was seized with the novel COVID-19 crisis, the priority in Lesotho was to get rid of the Prime Minister. Parliament was opened at the height of the pandemic and with inadequate measures to prevent the pandemic. Lesotho is now faces a threat of losing out on the Millennium Challenge Corporation just like during the 2015-2017 coalition led by Mosisili. During that time, the United States threatened to withhold the renewal of the MCC. The European Union also suspended its budget support over Mosisili's reluctance to remove the then LDF Commander and address human rights violations. Now since 2017, the pressing demands on Lesotho are the successful implementation of national reforms and need to stop police brutality. But, as usual, the political elite is busy fighting factional battles and oblivious to the crisis facing the country's economy ahead”.

What also emerged from the assessment is that service delivery has severely been affected because the leadership of parties in coalitions has not made service delivery their priority. Opposition parties and CSO representatives indicated that public funds are deliberately misappropriated to deal with intra and inter-party problems. They pointed out that where there is provision of services like electricity, water, and roads infrastructure, this is often skewed in favour of areas in constituencies of leading politicians or where both governing coalition parties have large electoral support. The competition is so entrenched that even at the time of the COVID-19 crisis, MPs belonging to the coalition partners have been distributing food parcels in their strongholds only. This has served to divide people along party lines and placed a strain on social cohesion.

There is no gainsaying that the coalition arrangements in Lesotho are formed by the party leaders for power sharing among themselves. This has often led to tensions within the coalescing parties especially when government positions are distributed. Party members who have a legitimate expectation to be rewarded for a successful election campaign get dejected when they miss out on positions because they have to accommodate members of the coalition partner. This has seen some disgruntled

members hopping from one party to the other. This is one of the factors that have led to the collapse of coalition governments in Lesotho with far reaching consequences on economic development. Collected data shows that the coalitions have betrayed the hope among the interviewed respondents that they would enhance service delivery, improve internal party democracy and inter-party relations as well as make a positive contribution to social cohesion and peacebuilding. They have instead triggered fierce competition over state resources and this has led to the political elite being constantly in a campaigning mode. This is undoubtedly a sure but short-sighted way for them to justify their existence and not necessarily the existence and relevance of the political parties.

Respondents' identified capacity needs

- *Coalition development and management policy development*
- *Coalition management training*
- *Communication skills training*
- *Conflict management skills training*

6. CONCLUSION

The assessment found that political parties lack many basic ingredients of organisations that aspire to lead the economic development of a country. Lack of coherent constitutions, vibrant structures, and absence of policies are some of the major deficits. The management of parties based on personalities instead of issue based management is a major Achilles heel of parties because they tend to follow a narrow and personal agenda of the leaders. Consequently, they lack internal democracy and ability to generate issue focused programmes.

The deficits in political parties get carried over into coalitions, which, as clearly articulated by most respondents, are not founded on a solid legal and institutional framework. The party weaknesses become amplified at a larger scale once they coalesce. The findings show that coalitions get formed by a political elite who have failed to gain popular mandate to run the country, use coalitions to circumvent people's choices. Furthermore, just like the individual political parties, coalition governments lack dispute resolution and consensus building mechanisms. The Basotho adage of "pharela ha e eo banneng" (there is always a way out of a problem) has no space in Lesotho coalition politics. As a result, when a dispute arises, the coalition leaders' default mode is to terminate the coalition.

The assessment concludes that the above weaknesses of political parties notwithstanding, attribution of their failures should not and cannot be on them alone. This conclusion is drawn from the fact that throughout the assessment, there was no evidence of coherent capacity building efforts geared towards bringing political parties closer to the people so that they become people focused and endeavour to promote social cohesion. The assessment notes political party support efforts by different actors, including the United States based National Democratic Institute (NDI), Electoral Institute for Sustainable Democracy in Africa (EISA) over the years and lately by Democracy Works Foundation (DWF). But a distinction is made between these efforts that focus on the skills capacity of political parties and a social capital oriented support that addresses the behavioural aspects of individuals in political parties while ensuring a strong relationship between political parties and citizens.

The assessment's literature review shows that the nature of Lesotho political parties that are not people-centred has led to people's disillusionment and loss of trust in politics. Some citizens have stopped respecting the law because they have been rendered destitute through lack of service delivery. The weak set up of parties has given rise to quantity more than the quality of parties. A combination of lack of capacity and indifference by the political elite to people's needs eroded prospects for intra and inter-party democracy. The net effect of this deficit in Lesotho is a complete breach of a social contract between the political elite and the citizens, which have placed an unhealthy strain on social cohesion.

7. RECOMMENDATIONS

Based on the assessment findings, the following are recommendations on what must be done. These are divided into two broad categories as follows.

7.1 Regulatory and institutional framework

There is evidence that the current legislation of parties is deficient. The loopholes in regulatory and institutional frameworks governing the formation and operations of parties contribute to their proliferation, lack of internal democracy, and inter-party conflicts within and outside coalition governments. It is therefore recommended that Lesotho:

- Enacts comprehensive political party legislation that governs the formation, management, conduct, funding, and de-registration of parties and coalitions. This could be initiated under the ongoing national reform process.
- Establishes a statutory body exclusively focusing on political parties. This will create a distinct separation of roles between that body and the IEC so that the latter concentrates exclusively on management and administration of electoral processes. There are several case studies from the continent and beyond that can be used to draw lessons.

- Reviews the electoral system to ensure that it is responsive to Lesotho's current political challenges and to ensure that it reflects a genuine national consensus. The review will also curb the continued inconclusive election results that have given birth to unstable coalition governments and will add value to the country's democratic and economic development.
- Carries out legal reforms including introduction of strict controls on floor crossing so that it does not usurp the power from the electorate and, strengthen provisions pertaining to party coalitions so that their formation, management and accountability are clearly expressed.

7.2 Political party capacity building

There is no gainsaying that to arrest the political instability it currently faces, Lesotho needs to have strong, viable and competitive political parties. It is therefore recommended that:

- (a) a multi-pronged approach must be adopted to ensure that the capacity and behavioural aspects are both enhanced. There is a need to pay attention to strengthening of the people-to-people relations through reorientation of the conduct of the individuals that constitute political party structures. This will have a positive impact on improving social cohesion because social cohesion relies on people's behaviour than the technical skills they may have.
- (b) a complete paradigm shift in the way in which political parties are managed and supported must be adopted. Aligned to the constitutional reforms especially pertaining to political parties and coalitions, a comprehensive political party support programme that seeks to transform them from personality-based to people-centred parties must be initiated with the support of the UN and development partners.
- (c) to ensure value addition of the intervention in (a), technical support must be extended to individual parties so that they can realign their internal systems and structures and also to institutionalise internal consultative processes and checks and balances. However, given the history of mistrust, care must be taken to avoid such

intervention being misconstrued as influencing the electoral performance of some political parties over others.

(d) inter-party committee mechanisms be established to promote consensus building among political parties so that every decision and plan regarding capacity building support mentioned in (c) is above board and taken at this forum. This inter-party committee could also serve as forum for addressing election related issues outside of the IEC established political parties' sub-committee which serves as a platform for IEC's interface with political parties for joint problem-solving. Thus, the inter-party structure would also serve as a peace-building mechanism that addresses conflicts before they escalate during the current national reform process and during elections. There are examples that could be used for benchmarking where this approach to support has worked. These include Kenya, Tanzania, and Malawi.

(e) to support the capacity gaps identified in the assessment, a curriculum must be developed as a matter of urgency and preferably before the next elections in 2022. The curriculum must pay special attention to training on:

- party systems, party organisation and management
- leadership development and leadership skills,
- policy development and implementation,
- gender mainstreaming and inclusivity,
- peacebuilding and conflict management skills,
- coalition building, leadership, and management skills,
- social mobilisation skills,
- communication skills,
- recruitment strategies,
- membership record keeping and maintenance.

(f) The curriculum to be developed as well as the approach to training must ensure empowerment of marginalised groups that include women, youth and PWDs. Empowerment of party members will have a huge impact on how parties are managed. Over and above the content stipulated in (c) above, the curriculum must

include public speaking, debating, election campaign planning, campaign strategies, resource mobilisation and leadership training skills for these groups.

8. ANNEXURES

Annexure 1: List of Consulted Respondents

State Institutions		Respondents	Name		No. people
1	National Assembly	Speaker of the National Assembly	Hon. Sephiri Motanyane	M	2
		Clerk of the National Assembly	H.E Fine Maema	M	
2	Senate	President of the Senate	Hon. Mamonaheng Mokitimi	F	2
		Clerk of the Senate	Mr. Selete Molete	M	
3	Judiciary	Chief Justice	Hon. Maseforo Mahase	F	3
		Chief Magistrate	Mrs. 'Matankiso Nthunya	F	
		Registrar	Mrs. 'Mathato Sekoai	F	
4	National Reforms Authority	Chairperson	Hon. Pelele Letsoela	M	1
5	Security Agencies	Army Commander	Lt. General Mojalefa Letsoela	M	3
		Police Commissioner	Mr. Holomo Molibeli	M	
		Commissioner of Correctional Services	Mr. Chabana Majara	M	
6	Independent Electoral Commission	Director of Elections	Mrs Lydia Macheli	F	1
7	Government Ministries	Ministry of Justice and Law	Mr. Lebeko Sello	M	4
		Ministry of Defense	Mrs. Mamonyane Bohloko	F	
		Ministry of Home Affairs	Mr. Tumelo Raboletsi	M	
		Ministry of Foreign Affairs	Mr. Tanki Mothae	M	
8	Ombudsman	Ombudsman	Adv. Tšeliso Mokoko	M	1

9	Lesotho Authority	Communications	Director	Mr. Tšiu	M	1
Sub Total						18
Political Parties						
10	Parliamentary parties	All Basotho Convention (ABC)		Hon. Lebohang Hlaele	M	11
		Alliance of Democrats (AD)		Hon. Dr. Mahali Phamotse	F	
		Basutoland Congress Party (BCP)		Mrs. Makhotso Rantho	F	
		Basotho National Party (BNP)		Mr. Tšepo Lethobane	M	
		Democratic Congress (DC)		Mr. Tšitso Cheba	M	
		Democratic Party of Lesotho (DPL)		Mrs 'Mathato Thinyane	F	
		Lesotho Congress for Democracy (LCD)		Hon. Teboho Sekata	M	
		Movement for Economic Change (MEC)		Hon. Tšepang Mosena	F	
		National Independent Party (NIP)		Hon. Kimetso Mathaba	M	
		Popular Front for Democracy (PFD)		Hon. Lekhetso Rakuoane	M	
Reformed Congress of Lesotho (RCL)		Dr. Motlohelo Phooko	M			
11	Non-parliamentary parties	Representatives of all non-parliamentary parties	Mr. Mohau Thakaso (WHP)	M	2	
			Mrs Rosa Lenea (LWP)	F		
Sub Total						13
CSOs						
12	Lesotho Council of Non-governmental Organisations (LCN)		Executive Director	Ms. Lebohang Leeu	F	1
13	Development for Peace Education (DPE)		Coordinator	Mr. Sofonea Shale	M	1
14	Transformation Resource Centre (TRC)		Director	Mr. Lira Theko	M	2
				Mr. Tšitso Kapa	M	
15	Women in Law in Southern Africa (WILSA - Lesotho Chapter)		Executive Director	Advocate Mamosa Mohlabula-Nokana	F	1

16	Federation of Women Lawyers in Lesotho (FIDA)	Executive Director	Advocate Mabela Lehloenya	F	1
17	Catholic Commission for Justice and Peace (CCJP)	Manager	Mr. Booï Mohapi	M	1
18	Democracy Works Foundation (DWF)	Country Director	Ms. Kholu Tsumane	F	1
19	Lesotho National Federation of Organisations of the Disabled (LNFOD)	Director	Advocate Nkhasi Sefuthi	M	1
20	Young Christian Students	Director	Mr. Nyeoe Ntene	M	1
21	Lesotho Law Society	Secretary General	Adv. Nthati Pheko	F	1
Sub Total					11
FBOs					
22	Christian Council of Lesotho (CCL)	Heads of Churches	His Grace Archbishop Tlali Lerotholi	M	1
Sub Total					1
Traditional leaders					
23	Principal Chiefs and the College of Chiefs	Principal Chiefs of Thaba-Bosiu	Morena Khoabane Theko	M	2
		Principal Chief of Koeneng le Mapoteng	Morena Peete Lesaoana Peete	M	
Sub Total					2
Media					
24	Private and Public Print media houses	The Post	Mr. Shakeman Mugari	M	5
		Informative	Ms. Mosa Mojonothoane	F	
		Lesotho MNN Centre for Investigative Journalism	Mr. Billy Ntaote	M	
		News Day	Ms. Moleboheng Selebeli	F	
		The Reporter	Ms. Kefiloe Kajane	F	

25	Private and public Electronic media	Lesotho Television	Mr. Thapelo Mabote	M	8
		Mo-Africa FM	Mr. Chalale Mokhethi	M	
		Molisa ea Molemo FM	Ms. Gladys Makhatseane	F	
		MXXL FM	Mr. Tseliso Sebolao	M	
		People Choice FM	Ms. Malehlohonolo Ramathe	F	
		Bokamoso FM	Mrs. Mankalimeng Rasethunsa	F	
		Ultimate Radio	Ms. Hlomphe Letsie	F	
26	Media Institute for Southern Africa (MISA)	Director	Mr. Lekhetho Ntsukunyane	M	
Sub Total					13
Research Institutions and Experts					
27	National University of Lesotho	Political Science	Professor Anthony Kapa	M	6
28	LIPAM	Director/Registrar	Mrs. Matlali Phakisi	F	
29	IDM	Registrar	Dr. Retšelisitsoe Nko	M	
30	PRIVATE INDIVIDUAL	Social Scientist	Mr. Nthakeng Selinyane	M	
31	PRIVATE INDIVIDUAL	Veteran Politician	Mr Meshu Mokitimi	M	
32	PRIVATE INDIVIDUAL	Veteran Politician	Mr. Habofano Makhoane	M	
Sub Total					6
UN, Development partners and Embassies					6
33	UN RCO	Resident Coordinator	His Excellency Salvator Noyonzima	M	
34	UNDP	Resident Representative	Her Excellency Betty Wabunoha	F	
35	IoM	Head of Office	Ms. Eriko Nishimura	F	

36	European Union	Ambassador	His Excellency Christian Manahl	M	
37	South African High Commission	High Commissioner	His Excellency Sello Moloto	M	
38	GIZ	Director	Mr. Khotso Lefatsa	M	
Sub Total					6
TOTAL NUMBER OF RESPONDENTS					69

Annexure 2: Intra-and-inter-party democracy assessment questions

Regulation

- What are the legal requirements for forming a political party?
- Are there separate requirements for national, district and local level structures?
- Is there a body with which new political parties are required to register? Can the same body de-register a party?
- What conditions would a party be de-registered?
- Is there a body that monitors party activities? If yes, how is this done?
- Are there legal provisions for coalition formation and management?
- Explain and what works well and what does not work well with the legal framework for parties.
- What are the conditions enabling or inhibiting compliance with the legal framework and enforcement?

Party Structure and Policies

- Does the party have governance rules, policies and regulations?
- Describe the governance rules/principles, policies, regulations, and structures of the party.
- What are the functions and responsibilities of the various governance, political and administrative structures?
- What is the party's policy position and record/performance in relation to coalitions, inclusivity, gender, diversity management and human rights?
- Explain the party's policy making process (in terms of how its initiated, who participates in the process, who drafts the policy document and who adopts it).
- Are the policies successfully implemented? Explain the circumstances enabling or inhibiting successful implementation.
- Who is responsible for policy implementation and monitoring?

Membership

- Who are the party members?
- At party leadership positions, are women present, to what extent?
- Does the party have a recruitment policy?
- What are recruitment policy provisions regarding diversity and gender? Are these being followed and how?
- Does the party maintain a membership register? Is it centralised or decentralised?
- What are the requirements for membership?

Gender representation

- Do political parties have a gender policy as a primary requirement?
- Does the party have any incentives for gender equality?

- What is the gender representation in the party leadership structures?
- Does the party have a mechanism to ensure women, youth and PWDs participation as candidates during elections?
- What skills developments, capacity building opportunities exist to build confidence and empowerment of women in political structures at all levels (barriers and solutions)?
- What is the gender representation in National Assembly?
- Does the party have institutional arrangements to address gender responsive human resources in the party in terms of conflict management skills?
- What are the barriers to women's participation in decision making processes and bar them from boldly participating equally with male counterparts in all spheres of life?
- What have been the results of these arrangements? Explain what led to the results.
- What can be done differently or more to improve on the results?

Funding

- Does the party have resource mobilisation strategy?
- Does the party have a gender-responsive HR and financial planning? How much of the party budget is dedicated to gender equality?
- Is there a body that is responsible for fundraising? What is its gender composition?
- Explain what is the performance of such a fundraising structure?
- Explain the circumstances enabling or inhibiting success of the fundraising structure. Are different gender needs for women, men, youth and people with disability taken into consideration?
- What can be done differently or more to improve on the fundraising performance of the party?
- Does the party receive funds from the fiscus? If yes, are there conditions on how the funds must be used?
- Is there a requirement for gender-responsive budgeting?

Internal functioning

- Does the party have a decision-making body?
- What is the composition of the highest decision-making body?
- Is it required to meet frequently? If so, how often?
- What are the procedures guiding its internal functioning, daily operations and conduct of its members?
- Are these procedures followed? What have been the challenges? What has been the role of women in these procedures- are they included?
- Are the decisions of the decision-making body final? If not how are they ratified?
- Does the party have a code of ethics?
- Does such a code differentiate leadership levels? If so, in what way?

- Is there a separate body charged with enforcing the code of conduct? If yes, what is the gender composition of that body?
- Does the party have regulations for leadership and election candidate selection?
- Who selects leaders and candidates? Does the selection process apply a clearly articulated gender lens protocol?
- What are the requirements for different levels of candidature?

Conflict Management

- Does the party have a conflict management structure?
- Are there procedures other than the party constitution and rules for managing internal and external conflict?
- From a gender perspective, what are the best potential models/approaches for driving real and meaningful change to achieve real impact in conflict management?
- What fundamental opportunities exist for re-engineering of Lesotho society including its gender relations and inclusivity?

Coalitions

- Is there a legal and institutional framework governing the formation and management coalition in Lesotho?
- If such framework exists, what are the requirements for inclusivity? What are the enablers and barriers for inclusivity in coalitions?
- Are coalitions agenda, ideology or personality driven? How does any of their basis impact on peacebuilding?
- Do you think coalitions have contributed to social cohesion since 2012? What is their impact on cohesion?
- What types of coalition models do you think are ideal for Lesotho? What would make them suitable for the country?
- What causes/ or are the driving factors for the repeat collapse of coalition governments, their impact on disrupting momentum for reforms?
- Have women's voice, participation and inclusiveness been visible in coalition governments formations
- Explain the circumstances that would lead to coalitions making a positive contribution to social cohesion and peacebuilding and achieving gender equality?
- What measures have been taken by your institution to hold coalitions accountable? Are these measures working? Explain.

9. ENDNOTES

ⁱ The Council of State consists of the Prime Minister, the Speaker of the National Assembly, two Judges of the High Court or Court of Appeal, Attorney General, Commander of the Defence Force, Commissioner of Police, One Principal Chief, two Members of Parliament, three people appointed by the King by virtue of their expertise and one representative of the Law Society of Lesotho.

ⁱⁱ See Khali Mofuoa 2005, Local Governance in Lesotho: In search for appropriate format. EISA Occasional Paper Number 33 and Matlosa, K. and C. Sello 2005. Political Parties and Democratisation in Lesotho. Johannesburg: EISA Research Report No.23

ⁱⁱⁱ See Matlosa 2017 The Meaning of Elections: Review of Lesotho's Democratisation Process, 1966-2016. In In Thabane, M. (ed) Towards an Anatomy of Persistent Political Instability in Lesotho, 1966-2016

^{iv} Matlosa, K. and C. Sello 2005. Political Parties and Democratisation in Lesotho. Johannesburg: EISA Research Report No.23

^v Matlosa, K. and N.W. Pule Civil Military Relations in Lesotho: Problems and Prospects. In: R. Williams and G Cawthra (eds.), *Ourselves to know: Civil military relations and defence transformation in Southern Africa*, (Pretoria: ISS, 2003), p. 39.

^{vi} Leabua Jonathan's government was subsequently overthrown by the military on 15 January 1986. See South African History online at: <https://www.sahistory.org.za/dated-event/south-africa-closes-its-borders-lesotho>

^{vii} Huntington, S.P 1991. *The Third Wave: Democratisation in the Twentieth Century*. Norman: University of Oklahoma

^{viii} Phungula, NP 2020 An Assessment of the SADC Conflict Transformation Capacity in the Context of the Recurring Conflict in Lesotho 1998-2018: Towards a Conflict Transformation Model. A PhD Thesis submitted at the University of Kwazulu Natal (Unpublished)

^{ix} Mothibe, T. H 1999. The Military and Democratization in Lesotho, *Lesotho Social Science Review*, 5 (1), p. 47-63

^x Telephonic discussion with Mr. Meshu Mokitimi, former and Mr. Habofano Makhoane 4 December 2020.

^{xi} See Nyane, H. 2017 The Advent of Coalition Politics and the Crisis of Constitutionalism in Lesotho. In Thabane, M. (ed) Towards an Anatomy of Persistent Political Instability in Lesotho, 1966-2016

^{xii} The NIP is a splinter party formed from the BNP in 1985 while the LWP is a former trade union that mutated into a political party in 2002. Both parties have small membership compared to the more established parties. and only LWP has a clear constituency of factory workers as members.

^{xiii} Elklitt, J. 2008. The 2007 General Election in Lesotho: Abuse of the MMP System? *JAIE* 7 (1), p.10-19

^{xiv} This faction was referred to as likatana/rags after the Prime Minister Tom Thabane's address to a rally where irritated by Professor Mahao's running for deputy leader position in the party labelled the latter as a no body but a mere rag being blown all over by the wind i name emerge

^{xv} The two parties are individually supported by other parties that they have allocated some ministerial and key government positions.

^{xvi} See Shale, V 2017 Political Parties and Political Instability in Lesotho. In Thabane, M. (ed) Towards an Anatomy of Persistent Political Instability in Lesotho, 1966-2016

^{xvii} See the Afrobarometer Survey 2020. On line at <https://www.afrobarometer.org/countries/lesotho-0>

^{xviii} Weissenbach, K 2010 Political parties and party types – Conceptual approaches to the institutionalization of political parties in transitional states: The case of the Philippines. KAS Manilla

^{xix} Young, A. 2011 Cartel Parties and Party Competition: Growth and Analysis. *Inquiries Journal/Student Pulse*, 3(01). Retrieved from <http://www.inquiriesjournal.com/a?id=368>

^{xx} See Katz, Richard, Peter Mair (2009), 'The Cartel Party Thesis: A Restatement', *Perspectives on Politics*, 7, 753–65

^{xxi} See Kevin Harrison and Tony Boyd 2018 The Role of Ideology in Politics and society in understanding political ideas and movements. On line at: <https://doi.org/10.7765/9781526137951.00011>

^{xxii} Ibid

^{xxiii} Kapa, A.M and L. Theko 2008 The Role and Position of Civil Society Organisations in Lesotho's Democratisation Process. *Journal of African Elections* 7 (1), p. 124-137

^{xxiv} Constitution of Lesotho 1993

^{xxv} Kapa, M. 2008 The Politics of Coalition Formation and Democracy in Lesotho, *Politikon*, 35:3, 339-356, Online at:

<https://www.tandfonline.com/doi/abs/10.1080/02589340903017999?journalCode=cpsa20>

^{xxvi}See Nyane, H. 2017 The Advent of Coalition Politics and the Crisis of Constitutionalism in Lesotho. In Thabane, M. (ed) Towards an Anatomy of Persistent Political Instability in Lesotho, 1966-2016

^{xxvii} Ibid

