

The present state of Lesotho's democracy: threats and prospects
A talk by Professor Francis Kopano Makoa (PhD) at the
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Lesotho's 14 year old 'democracy' has held, notwithstanding formidable challenges that it has faced and indeed continues to face. These challenges - but not the focus of this talk for they have been adequately discussed by the various analysts (1) - were in the main turning into peace and a hotbed of consensual politics shaky stability brought to the country by the military rule of 1986-1993, bringing the armed forces back under the civilian control that dissipated on 20 January 1986 when ended through a coup d'etat and supplanted Dr Leabua Jonathan's rule, and calming down the fears of the Basotho National Party (BNP) led opposition that it would have no role in post-military democratic dispensation. The return to the barracks of the armed forces in June 1993 saw the restoration to Lesotho of a constitutional dispensation and re-enfranchisement of the Basotho nation as some of its myriad dividends. Indeed, the country has had since June 1993 a constitution which defines duties, obligations, responsibilities, roles and rights of the citizenry and the power and the exercise of it by those who govern and/or manage the affairs of the state.

Today the Basotho people decide and through the ballot appoint their rulers and parliamentary representatives. This is the basic tenet of the democratic ideology. As Bratton and van de Walle put it, "the distinctive feature of democracy is... that it provides political access to decision making for ordinary citizens." (2) But I hasten to add a caveat that democracies are systems of governmental power, hence they are open to abuse by those holding such power. Yet, whether a concept, process or situation, democracy has been long proven to be elastic, expanding in scope, frontiers, meaning and compass. Thus "far from being a finished product, (it) is a process of continuous improvement in how institutions function and interact with citizens and interest groups" (3). Thanks to the advent of the Enlightenment thinking four centuries ago whose critical interrogation and rigorous analysis of the state/citizens relationship unveiled this dynamic. We also now know that democracy has no intrinsic value, this being dependent on its ability to deliver on varied policy issues.

Concerns in conceptualisation of democracy today are thus delivery of public goods and distribution of values, expanding political space and spreading power, opportunity for maximizing civil liberties, subsystems autonomy, citizens' welfare, security, human rights, how nations are governed and the conduct of the state and rulers. Democracy is therefore bound up with and has as its defining elements these clusters of issues, including good governance, full franchise to the population and regular holding of free elections, freedom to choose rulers, popular control over such rulers and ability to hold them to account, equal access to resources, and constitutionalism and the rule of law.

These are universally regarded as the hallmarks and indicators of a democratic regime, and measures of the depth of advances made towards democracy by a country being assessed or making such claims. More importantly, with growing criticality of aid to development these are criteria for grant of bilateral and international aid by donors among which are the International Monetary Fund and the World Bank. Of course, the actual decision to grant aid is often a function of other criteria such as emotive humanitarian problems like abject poverty and HIV/AIDS that are pervasive in Lesotho. Other criteria for receiving aid are potential for improvements in governance, human rights, etc. by the rulers of a candidate for aid. Thus apart from rampant poverty and HIV/AIDS, rates of foreign aid flows into Lesotho have links (although the actual mathematical values are not known) with the country's score regarding performance on democracy and governance. Retreat of Marxism as an alternative theory of society has left democracy as an unchallenged single world's grand ideology or superstructure, a hegemonic force and political control mechanism, and a means of ordering the contemporary world system. However, it is through this ideological character that democracy acquires value and relevance.

We have formal democracy in Lesotho, that is, an elective system of government endowed with some of the characteristics mentioned throughout this talk as defining features of democracies. The holding of periodic elections run by an independent electoral commission consulting with political parties, the presence of a multi-party parliament of elected and ex-officio members with legislative functions and powers, legally independent judiciary, a constitution that sets the parameter for governance and defines rights, responsibilities and obligations of individuals and the citizenry, independent albeit weak political parties that freely compete in and monitor elections, and autonomous associations are the norm so far in Lesotho.

Lesotho has therefore admittedly made laudable, but certainly not remarkable, progress and may legitimately be dubbed democratic if we look at the structures and institutions in place. But experience suggests that much of what is observed is 'formalism.' While it now includes an elective local government, Lesotho's democracy has remained frozen at this formal institutional-structural level. It has not evolved into an interactive process enabling effective mutual engagement by the various political forces. Neither has it increased people's influence over the national policy formulation process. Nor is the government, including parliamentarians representing different political parties, sensitive and responsive to public opinion. Political parties are still largely sealed antagonistic entities not interacting freely even where there are serious national issues that they ought to address jointly. This has impeded the growth of 'consensual politics' that is crucial to the functioning of democracy. Another upshot of this is mutual suspicion and mistrust among the various power contenders, both of which are engines and fans of the much dramatized instability that is said to dog the country.

Lesotho's democracy has been paralleled by authoritarianism that is suffused with glaringly fascist and anti-democratic tendencies of which concomitants are

progressive diminution in civil liberties and, in some cases, gross violations of human rights, especially of those perceived to be opponents of the government. Expression of popular discontent or dissent through public demonstrations are not just restricted by the police who decide the time and routes to be followed the demonstrators, but have often evoked state violence and disapproving and threatening statements from government ministers and top state functionaries. Also observable is the gradual but steady drift by the system towards a seemingly government-peddled or tolerated praetorianism that has seen increasing disregard for the national constitution and established laws of the country. This development has further curtailed civil liberties and human rights, encouraged debauchery and decadence in the upper reaches of the system, poisoned the relations between the ruling party and the opposition, heightened insecurity and subverted the rule of law principle that supposedly underpins our democracy. Arbitrary arrests and detentions beyond legally permitted number of hours pervade Lesotho. Challenging these in the courts of law is increasingly impossible, as this involves arduously lengthy and financially costly process often protracted by those managing the state as a deliberately stratagem to deter people from appealing to courts for protection.

Also noticeable today in a 'democratic' Lesotho is legalised looting of the state by all those in positions of power, manipulating parliament and using it defend through enactment of hastily drafted legislation garbing illegally acquired public property under the haloed privatization policy. Parliament is now a clearing house for diverse concatenations of backbreaking claims and demands on the mass of poor taxpayers by the elite who form its membership. Amid all these have been atrophying political space and powerlessness for the majority of the population, diminishing popular control and leverage over government and public institutions as power concentrates at the top, waning trust and confidence in critical state institutions such as the independent electoral commission (IEC), courts of law and police, and political apathy and alienation as reflected in falling rates of voter-turnouts.

What all these have meant is that Lesotho's democracy, if there is any, is dangerously degenerating into a non-participatory elite serving edifice that is closed off to the people. There are indications that it is set to become or used as a de-democratizing machine rather than as a liberator and empowering tool for the masses, as the politicians have touted it. Its function, and clearly main goal, has demonstrably been to homogenize politicians and severing them from the masses. It does not seem poised to advance the interests of the voters beyond providing scope for them to that supposedly underpins our democracy. Arbitrary arrests and detentions beyond legally permitted number of hours pervade Lesotho. Challenging these in the courts of law is increasingly impossible, as this involves arduously lengthy and financially costly process often protracted by those managing the state as a deliberately stratagem to deter people from appealing to courts for protection.

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Managed by people with authoritarian orientations who have squashed and continue to clampdown on political dissent through state violence, manipulative political cajoling and incorporation into the system of non-governing parties and groups, the Lesotho democracy offers little or no scope for effective public intervention that would ensure adherence by rulers to democratic principles. Impoverished the people of Lesotho have not been able to defend their democratic gains. The country's twenty or so political parties which are all tightly controlled and led from the top are now part of the parliamentary machinery and government system that subordinate and suppress the masses. Solutions are not insight, though, in a society that has been beset by and subjected to such sustained battering as the Basotho people through destruction of their basic means of subsistence deriving from now dysfunctional rural sector, thus forcing them to slavishly accept and defend their current oppression. The solution certainly lies in overhauling and re-orientating the country's politics through sustained political agitation, and this requires redirecting the thrust of the political struggles in order to break as necessary the political parties, government, state, societal groups and any of organized forces' stranglehold on the people.

Endnotes

1. See for example, F K Makoa and N. Pule; both having fully analysed the trajectory of post-military Lesotho politics in their respective writings, 'Electoral reform and political stability in Lesotho' (African Journal on Conflict Resolution, Vol. 4 No. 2, 2004 and '(Lesotho) Politics since independence'(Neville W. Pule and Motlatsi Thabane (eds) *Essays on Aspects of the Political Economy of Lesotho 1500-2000*), the National University of Lesotho Department of History, 2002,
2. M. Bratton and N. va de Walle, *Democratic Experiments in Africa: Regime Transitions in Comparative Perspective*, Cambridge University Press, Cambridge, 1997, p. 12
3. Joakim Chissano, former President of Mozambique, in keynote address to Senior Leaders Seminar held in Addis Ababa, late February 2007, cited in *The Bulletin*, Vol.5,Issue 2, June2007, p. 1