

SUMMARY OF EVENTS IN LESOTHO
Volume 14, Number 1 (First Quarter 2007)

Death of Ms Jacqueline Regamey, Former Principal of Morija Girls Training College

News reached Lesotho in January of the death in Lausanne, Switzerland, on 9 November 2006, of **Jacqueline Regamey**. She was in her 85th year.

Jacqueline Regamey (or Miss Regamey as she was always known) was recruited by the Paris Evangelical Missionary Society and came to Lesotho as a missionary teacher trainer in 1957. She was placed at the mission's training college for women teachers at Morija, and eventually became its Principal. In a circular letter to friends in 1975 she wrote that the Morija Girls Training College now had just over 150 students, and an international staff, three of whom were Basotho, one Indian, one American, and one Swiss (herself).

A former student writes about Miss Regamey with affection, and amongst things she remembers is how Miss Regamey hated waste and would bring a slice of bread to Assembly which she had found thrown away in a dust bin. 'Girls', she would say, 'this is an awful waste of bread'. The same student said that when Miss Regamey left Morija to return to Switzerland, the girls at the training college shed oceans of tears.

On her return to Switzerland, Jacqueline Regamey worked for a while in Geneva for the World Alliance of Christian Women. On retirement in Lausanne, she shared a flat with another former Morija missionary, Claire Bezençon, who survives her. The funeral service was held in Lausanne on Monday 13 November 2006.

Veteran MP Publishes New Book

Ntsukunyane Mphanya is a veteran Basutoland Congress Party member, whose political credentials include a father who in 1925 became secretary to the BCP's predecessor, Lekhotla la Bafo. This first major Lesotho political movement was founded in 1919 in Mapoteng in Berea District where Mphanya still lives.

Active as a politician since the 1960s, Mphanya was elected to Parliament after the restoration of democracy in 1993, and served first as Minister of Agriculture, Marketing, Cooperatives and Youth from 1993; and as Minister of Works from 1996. However, when the party split in June 1997, with the Prime Minister's faction becoming the Lesotho Congress for Democracy, Mphanya remained loyal to the BCP, and he lost the two following elections (in 1998 and 2002) to the LCD candidate, Matoane Mokhosi. No longer an MP, and also recently not seeing eye-to-eye with the present BCP, he has been publishing historical books and also books in which he promotes development through cooperatives, which he sees as a modern version of the traditional *matsema* or work party.

His latest book, *Re tla phela joang* (2006), author published, has a title which reflects a past controversy within the Basutoland Congress Party, when party members questioned the wisdom of cutting ties with the colonial administration: if the British left Lesotho, they might leave the country

without sugar and paraffin (*BCP e tla nka tsoekere le paraffin hokae hobane Makhooa a tla tsamaea le tsona* (p. 9)). Then how will we live? (*Re tla phela joang?*)

The book is one of reminiscences and ideas for development. It contains considerable detail on the history of cooperatives in Lesotho and it also has a number of historical photographs, including group photographs of BCP party members and of past events.

Penalties for Stock Theft Revised

King Moshoeshe I, the founder of the Basotho Nation, as is well known, established his reputation as a young chief through his skill at lifting the cattle of neighbouring villages. His very name is an onomatopoeic rendering of the swishing sound of a razor, suggesting the élan he applied to his cattle raids. Those halcyon days are less remembered for their tragedies, but there were indeed some, as occurred in February 1835 when an attempted cattle raid on the Bathepu went terribly wrong and amongst those killed was Moshoeshe's own brother, Makhabane.

Those far off days might be recalled for other things. There was not a single Mosotho in gaol. Indeed there were no prisons, and justice was dispensed in other ways. The very word *teronko*, now used for a prison, had to be imported into Sesotho from the Dutch word *tronk*. However, we no longer have prisons. They have been redesignated, in the interests of political correctness, as correctional services institutions or *Makala a tlhabollo ea batšoaruo*.

Times have changed. Stock theft is no longer a test of manhood. It is an increasingly serious offence. In the early years of the colonial administration, stock theft was dealt with by customary law, but eventually it became through the *Stock Theft Proclamation 1921* a statutory offence with a penalty including imprisonment within the jurisdiction of the subordinate court, and in the case of a second offence imprisonment for up to 4 years and/or a fine of up to £200 (R400) and in addition to these penalties a mandatory whipping not exceeding eight strokes.

More recently, we have the *Stock Theft Act 2000*, which repealed the 1921 statute and includes a provision for penalties where violence is used or threatened to steal stock or produce, the definition of which extends to include ostrich feathers and ostrich eggs (an archaic survival from the earlier statute!), wool, mohair and even milk. Corporal punishment is no longer allowed, but the fine for a first offence was increased to not less than M10 000 and not exceeding M20 000 or imprisonment for not less than five years and not exceeding ten years or both. For a second offence, all of these penalties are doubled, so that the cattle or milk thief, who has used or threatened violence and is unlikely to have M20 000, will spend between ten years and twenty years in gaol.

Stock theft is, however, one of the commonest of offences, and a recent study in Leribe District found that 35% of stock in the study area had been lost through theft in a single year (although it did not say what percentage had been gained by theft!) (See Taelo Letšela, Edward T. F. Witkowski, Kevin Balkwill, 'Direct use value of communal resources in Bokong and Tšehlanyane in Lesotho: whither the commons?', *International Journal for Sustainable Development & World Ecology* 9(4) (2002).) Clearly, if all thieves of stock and produce were apprehended, the number of correctional service institutes in Lesotho would have to be increased a hundredfold.

There is some relief for first offenders in the *Stock Theft (Amendment) Act 2006* (Act No. 10 of 2006) which came into force on 19 December 2006. At first it may seem to have more draconian

penalties for stock or produce theft with violence, but this time for first offenders there is no minimum sentence or fine, and the magistrate can make the punishment fit the crime. For a first conviction the penalties are a fine not exceeding M50 000 or imprisonment for a term not exceeding 25 years or both. However, second offenders beware! The penalty for a second or subsequent conviction has a fine not less than M50 000 and not exceeding M100 000 or imprisonment for a term not less than 25 years and not exceeding 50 years or both.

All Acts of Parliament are published in English, which few stock thieves understand. No Sesotho versions of the 1921, 2000 and 2006 statutes seem to have been published, and it would be interesting to find out how many people, if any, in remote villages even know that the laws exist and what the penalties are.

House 9 Publications Releases New Bibliographies on Writing in and about Sesotho Language

As part of the Lesotho Annotated Bibliography, the five most recent titles from House 9 Publications at the National University of Lesotho have been on Sesotho language. Compiled by David Ambrose, he acknowledges assistance from a wide circle of persons in Lesotho and elsewhere. The specific titles are *Folklore* (28pp.), *Sesotho language* (138pp.), *Dictionaries and phrase books* (38pp.), *Drama in Sesotho* (60pp.), and *Translations into Sesotho* (26pp.).

Sesotho is noted as being one of a group of mutually intelligible languages which stretch as far as Silozi in western Zambia. It is part of other larger groupings including the group styled Bantu Languages, which are spoken by the vast majority of peoples living south of a line from Cameroon to East Africa. Words from these languages was first recorded in Arabic script as far ago as AD 902, although there has been a suggestion that the Land of Punt, recorded in Biblical history as far back at 2500 BC (and recently revived as the name for a breakaway province of Somalia), might be a form of the word Bantu.

The first book about Sesotho was written by the missionary Eugène Casalis in French and published in Paris in 1841. It contains the first published item in Sesotho by a Mosotho, although unfortunately his name is not provided. The first doctoral thesis in which Sesotho was one of several languages which were compared was by Guilelmus Bleek [=Wilhelm Bleek]. It was written in Latin and had the title *De nominum generibus linguarum Africae australis, Copticae, Semiticarum aliarumque sexualium*. If you want the translation of this and a summary of the thesis, you will have to consult the *Sesotho language* bibliography, which also has details of some 47 other Master's and Doctoral theses on Sesotho. A significant number of these are for South African universities and written in Afrikaans.

Mpho Malie Retires from Parliament

Mpho Malie, an academic, computer scientist, and then a businessman who became a politician, was reported in *Mopheme* of 10 January 2007 to be retiring from Parliament. Since the restoration of democracy, the Member of Parliament for Taung had served the ruling party and had held a number of cabinet posts including Minister of Foreign Affairs and most recently Minister of Trade and Industry, where his active role in supporting a revival in the threatened clothing industry had helped to save many thousands of jobs.

The report hinted that Malie was retiring for health reasons, but in fact he will still remain active in politics as Secretary-General of the Lesotho Congress for Democracy, a post which he is not relinquishing.

What was less noticed was that Mpho Malie's father was also retiring from politics. As BNP candidate and a former Chairman of the BNP, he had three times fought his son who was the LCD candidate in Constituency No. 56, Taung, in Mphahle's Hoek District. However, it had been to no avail. His son had beat him with an increased majority in each subsequent election.

Minibus Taxi War at Maseru Border Post

As reported in *The Sun* of 18 January 2007, rivalry between the Ladybrand-based Manyatseng Taxi Association and the Gauteng-based Morning Star Taxi Association flared into violence early on Tuesday morning near to the Maseru Bridge Border Post. It was reported that the conflict left six vehicles burnt out, while two members of the Manyatseng Taxi Association were injured, one with bullet wounds and the other as a result of an assault.

The lucrative Maseru to Ladybrand route (R7 single fare) begins from a taxi rank close by the border. It thus adjoins an area controlled by police. Nevertheless no arrests were made although Free State Police Superintendent Susan Moseki confirmed that there had been a shootout and that nine spent cartridges had been found at the scene.

Windstorm Hits Roma

A windstorm of unusual ferocity hit Roma at about 17 52 on 15 January 2007. Even though the strong winds lasted for less than five minutes, they brought down many trees and branches, blocking some roads. Several houses were damaged on the National University of Lesotho campus, and in the worst case the whole roof of House 78 was peeled off, turned over and crumpled as if it were a sheet of paper. The wind was followed by a downpour of 8 mm of rain which fell in the space of six minutes. Altogether some 24 mm fell during the evening, the wettest day's total in an otherwise dry January.

Death of Professor Peter Hunter of Pius XII College, UBBS, UBLS, NUL & Wits

Peter Hunter, an academic of distinction whose time in Lesotho spanned all four tertiary institutions at Roma, died suddenly at his Johannesburg home on 21 January 2007 at the age of 78.

Archibald Peter Hunter (although few knew his first name) was born in Pietermaritzburg on 24 December 1928, and his first degree was in Psychology and Afrikaans at the University of Natal. He was a devout Catholic, and from the beginning of his career, his interest was in redressing the disequilibrium in South African society. His first teaching jobs were in schools where he could specialize in helping the disadvantaged. After obtaining his MEd with distinction, he became a Lecturer in Education at the University of Natal from 1954 to 1956. After a short spell of supply teaching at schools in London, he was appointed to Pius XII College in Roma, Lesotho as Lecturer in Education from 1958 to 1960.

At the time the Ford Foundation had a scheme for helping Pius XII staff to obtain higher degrees in the USA, and one result was that the Hunter family (Peter had married Lucienne Oberle from Eshowe in Natal in 1957) went to the University of California Los Angeles where he was awarded an EdD in 1962.

On his return, negotiations were underway for Pius XII College to become the new regional University of Basutoland, Bechuanaland Protectorate and Swaziland. After a short spell at Rhodes University in Grahamstown, Peter Hunter joined UBBS in 1964, and rose rapidly through the academic ranks, becoming a full Professor and followed Professor John Turner as second Director of the School of Education in 1970. Amongst his many responsibilities was the coordination of the University Development Team in the period 1973-4, when delicate negotiations were being undertaken to decide how the Botswana and Swaziland campuses were to be developed and with which subject areas.

In 1976, Peter Hunter and his family returned to South Africa, where he was appointed Professor of Education at the University of the Witwatersrand. The university, in as far as was allowed within the strictures of apartheid, was attempting to make its facilities available to all qualified South Africans. However, many black students came from disadvantaged backgrounds and needed additional support courses. Peter initiated the Academic Support Programme in 1983 and was appointed as Special Education Projects Officer, with direct responsibility to the Vice-Chancellor, to help with this bridging programme. The Academic Support Programme targeted not just students but also lecturers who were helped to adapt to their students' special needs.

The four Hunter children were educated at the campus primary school at Roma and the three oldest proceeded to Waterford/Kamhlaba School in Swaziland for secondary education. On their return to South Africa, all members of the family were active opponents of the apartheid regime. One daughter, Catherine, was held in solitary confinement for many weeks in 1983 as a potential witness in a court case. This led to her mother Lucienne making newspaper headlines by challenging publicly President P. W. Botha at a political meeting in Johannesburg Town Hall to explain why Catherine was being detained without any charge. Later in 1983, their son, Roland, who had been conscripted into the South African Defence Force, was also arrested and charged with spying for the African National Congress and also for passing information to the Mozambican Government. Effectively he had exposed the South African Government's role in trying to destabilize Mozambique through the brutal activities of Renamo. After a trial held in camera he was eventually sentenced to five years in gaol. Another daughter, Rosemary ('Rose') was detained early in 1988. At the time she was President of the University of the Witwatersrand Students' Representative Council. Virtually any kind of protest was by this time illegal in South Africa, but her fellow students hit on a form of protest that even the apartheid government had not envisaged and proscribed. They placed bunches of red roses on the ground outside police stations throughout Johannesburg. The message was that Rose might have been detained but had not been forgotten. She was eventually released, but the Hunters were still harassed in other ways. Their car was fire-bombed outside their Johannesburg house later the same year.

Roland was made to serve the full five years in gaol without remission. The existence of political prisoners was officially denied. However they were treated differently and there was no remission of sentence for good conduct. Roland used this time to do an Honours and a Masters degree in Economics, winning the UNISA gold medal for the best Masters degree of the year. With the end of apartheid, this stood him in good stead, when he became the first Head of the Gauteng Department of Finance and Economic Affairs and then the Executive Director of Finance and Economic Development for the City of Johannesburg.

Meanwhile, Peter's activities, if less publicized, were of great significance and importance as South Africa undertook the enormous task of replacing an educational system which the Minister of Education at the time, Sibusiso Bengu, described as being 'the most fractured and inequitable on the face of the earth'. A Committee of 17 was set up in 1995 with Peter Hunter as Chairman 'to propose a national framework of school organisation and ownership and the norms and standards on school governance and funding in line with the Constitution'. The Committee spent five months holding discussions with stakeholders in the nine provinces and studying written submissions. The final Hunter Report came up with a detailed set of recommendations which essentially provided for wide representation in school governance and for a fee structure so that the very poorest scholars would have free education. It formed the basis for what became the *South African Schools Act*.

Peter Hunter is survived by his wife, Lucienne, and their four children and nine grandchildren, seven of whom attend the same school in Johannesburg near their grandparents' house. The other two grandchildren, by way of contrast, live far away with the youngest daughter Lalage and her husband in Australia.

Maloti Drakensberg Transfrontier Project Offers Sehlabathebe Research Centre for Sale

Advertisements in newspapers in January (for example in *Public Eye* of 26 January 2007) offered for sale the A-frame structure which is familiar to many researchers and visitors to the Sehlabathebe National Park. For more than 30 years it functioned as the park's Research Centre.

The A-frame building, designed by John Morris of Johannesburg, had been part of the early infrastructure of the park, funded by the South African Wildlife Foundation, whose President in the early 1970s had been the late Dr Anton Rupert. The park had been first gazetted in February 1970, and the Research Centre was planned at an early stage and formally opened on 30 March 1973. It contained a research laboratory and full accommodation for visiting scientists and research workers.

For many years, the Research Centre was staffed by Peace Corps, who undertook and published studies on the flora and fauna of the park and in particular on the Maloti Minnow. This is a fish, previously only known from South Africa and believed to be extinct until it was rediscovered in 1970 in the Tsoelikane river, which rises in the park. A herbarium was established at the Centre by Alan C. Beverly and Fred K. Hoener in 1976. By the 1990s this herbarium, the third in Lesotho, had over 1000 specimens of which some 400 were moss and lichen specimens. However in recent years, there had been no resident curator, and it was removed for safekeeping to the herbarium in the Department of Biology at the National University of Lesotho at Roma.

The Research Centre was situated just inside the park gate, 4 km beyond Sehlabathebe Store and 112 km by road from the town of Qacha's Nek. An ordinary vehicle could make it to this point, but once inside the park gate, the road degenerated into a steep track, slippery in the frequently wet and misty weather of Sehlabathebe, and a 4 x 4 was necessary for further progress. Many a visitor to the park enjoyed the hospitality of the Peace Corps overnight and then proceeded into the park on foot or horseback. In over 35 years, it is rather extraordinary that the access road to the centre of the park was never made accessible to ordinary vehicles, especially since the main park accommodation over that period was a luxurious lodge, originally built for Prime Minister Leabua Jonathan, and situated in the centre of the park. Development of the park in fact was minimal, and this was not helped by the Parks Administration being situated near the railway station in Maseru just about as far from the park as it was possible to get and still remain in Lesotho!

However, it now seems that appropriate developments for the park are being planned by the Maloti Drakensberg Transfrontier Project, and as described in the advertisement, these include the construction of an entrance gate, visitor arrival centre and environmental education centre. The old Research Centre, now disused and subject to vandalism, does not blend in well with these new developments and the advertisement invites offers to purchase and remove the structure from the site.

European Union Helps Orphans and Vulnerable Children

At one time the extended family in Lesotho played a major role in taking care of orphans and vulnerable children, now frequently referred to as OVCs. AIDS has now caused so many deaths of parents that there is often hardly anyone left to look after orphaned children. Grandparents may try to do what they can, but frequently they also need the care which the missing middle generation might have been able to provide.

At a signing ceremony in Maseru on 5 February 2007, the Commissioner for the European Union, Peter Beck Christiansen and the Minister of Finance & Development Planning, Dr Timothy Thahane, signed an agreement by which M112 million will be made available to Lesotho for OVCs. The money will be jointly administered by UNICEF and the Ministry of Health and Social Welfare.

University Assists 20-year Old Student to Publish Poetry

Public Eye of 16 February 2007 reported a launch party for a book, *Your spring has come: inspiring and life transforming poems*. This collection of 41 short poems is by a 20-year old student at the National University of Lesotho, **Mpho Sefali**, where she is majoring in English, Drama and Theatre Studies. Born in Mokhotlong, she attended an English-medium primary school in Maseru and Lesotho High School. The themes of the poems range from childbirth to AIDS, life at the National University of Lesotho, ideal love, drugs, and youthful aspiration and despair. A number of university staff and others are acknowledged as helping with the publication which followed opportunities she received to write and recite poems in the media from September 2005 onwards. 200 copies of the book were printed at Morija at a cost of M24 000, which was met by the National University of Lesotho. The former Acting Vice-Chancellor of NUL, Professor Mafa Sejanamane, spoke at the launch of the book and of Mpho's persistence in coming to his office to seek help to publish the book.

Run Up to General Election Generates Excitement and New Party Alliances

In the General Election of 25 May 2002, there had been 19 parties contesting the 80 constituencies, 16 of which had also contested the party vote for the 40 proportional representation seats. For the 17 February 2007 General Election, much was the same, but also much was different. This time there were 15 parties, 10 of which contested the proportional representation vote although, as will be explained, because of certain arrangements and alliances, the two main parties used the proportional representation lists of otherwise minor parties.

The constituencies remained the same, but whereas the main opposition party in 2002 had been the Basotho National Party (BNP), by 2007, as a result of internal dissent, it had lost this role, having fragmented into two separate rival parties, the **Basotho National Party (BNP)** proper, led as

before by **Major-General J. M. Lekhanya** with fingers giving the traditional party victory salute *tlhoho* as party symbol; and the **Basotho Democratic National Party (BDNP)**, led by **Thabang Nyeoe**, which adopted a portrait of the BNP founder, Leabua Jonathan, as its party symbol to be printed on ballot papers. This was only achieved after a struggle with the BNP and some members of the Jonathan family, including Chief Jonathan's widow, Chieftainess 'Mantahli Jonathan. The matter was only finally settled in the High Court in a ruling by Judge Tšeliso Monaphathi on 17 January 2007.

In place of the BNP, a new main opposition party had emerged, the **All Basotho Convention (ABC)**, also known by its Sesotho name **Kobo-Tata**, the 'all enveloping blanket', which had begun its life only very recently on 13 October 2006, when 17 MPs crossed the floor in Parliament and together with the former Independent MP, Lehlohonolo Tšehlana, formed a new 18-member opposition party led by **Motsoahae Thomas ('Tom') Thabane**. Up to that point, he had been Minister of Communications, Science & Technology in the ruling **Lesotho Congress for Democracy (LCD)**. The new party, whose members were quickly dubbed *makobotata* in Sesotho, had the advantage of a leader with charisma. In campaigning terms, this made up for his somewhat chequered past, in which he had managed to serve all previous Lesotho governments in a variety of senior roles. The campaign and party symbol became a newly risen sun with the slogan *La chaba letsatsi!* ('the sun is rising'), while the party gesture, which was soon being seen all over the Lowlands of Lesotho, was an arm projected to its full length at which point the clenched fist opened to provide fingers representing the rays of the sun. This gesture was accompanied by the shout of *toala!* an ideophone reinforcing the idea of the sun's rays being scattered over the landscape. The party colours were green, gold and orange, the last two representing the sun, and these were also soon to be seen worn by party supporters at rallies and elsewhere.

The new party leader was quick to sense that since eight of his MPs were from urban areas, his strength would lie there, but it could also be reinforced by an alliance with the one other party with strength in urban areas, the **Lesotho Workers Party (LWP)**, led by veteran trade unionist, **Macaefa Billy**. As a result, an alliance was forged, and it was agreed that LWP candidates would contest constituencies on the ABC party ticket so that they would not be in competition for votes. As far as the proportional representation roll was concerned, however the reverse would be true and the ABC would not have its own roll, but use the LWP roll, the first three places of which would be reserved for Thabane, Sello Machakela and Macaefa. Sello Machakela was a close associate of Thabane, but being from the rural Malimong/Mahlatsa constituency (no. 22) would not be able to gain much LWP support.

The scions of the endemically fissiparous Congress Party also attempted alliances, of which the most conspicuous was the newly formed **Alliance of Congress Parties (ACP)**, mainly a fusion of the previous Lesotho People's Congress, led by the respected former Deputy Prime Minister, **Kelebone Maope** (who became its Leader), with the Basutoland African Congress (BAC), led by Khauhelo Deborah Raditapole, a former Minister of Health, becoming its Deputy Leader. The veteran Basutoland Congress Party politician, Ntsukunyane Mphanya, failed to get the BCP proper to join the alliance, but he joined the ACP with his own ephemeral version of the Congress Party ('the Congress for Reconciliation and Union') and as a result stood as Chairman of the ACP third on its proportional representation list. The ACP at first attempted to use as its election symbol a picture of Ntsu Mokhehle holding a knobkerrie in one hand and raising a thumb (the old BCP party symbol) on the other. When the Basutoland Congress Party proper objected to this, the symbol adopted was a handshake symbolizing the alliance.

This of course left the **Basutoland Congress Party (BCP)**, which had remained aloof, to continue to use the traditional knobkerrie party symbol. The party leader, **Sekoala Toloane**, headed the party's proportional representation list.

Amongst other parties, the **Marematlou Freedom Party (MFP)**, led by its veteran leader,

Vincent Moeketse Malebo, was still in the race, as was a splinter party from the MFP, the **New Lesotho Freedom Party (NLFP)**, led by **Chieftainess Anna 'Manapo Majara**, a somewhat formidable lady who has let it be known that she prefers to be addressed as 'Ntate' rather than 'Mè'.

Also in the race was the **Popular Front for Democracy (PFD)** led by **Lekhetho Rakuoane**, who had held a proportional representation seat in the previous Parliament.

Three parties, the **Kopanang Basotho Party (KBP)** (1 candidate), **Lesotho Education Party (LEP)** (2 candidates), and the **United Party (UP)** (1 candidate) apparently wished to keep their party names alive by contesting the election with candidates, although they did not submit party lists for the proportional representation part of the vote. The Basutoland African National Congress (BANC), a splinter group from the BAC, led by Molapo Qhobela, a former Minister of Foreign Affairs, did not register itself in time to contest the elections at all. Another party, the Sefate Democratic Congress (formerly the Sefate Democratic Union) led by Bofihla Nkuebe, also announced it was not contesting the elections. It had only managed 0.29% of the party votes in the 2002 election, and hence had not gained a parliamentary seat.

A completely new party also entered the scene. It was the **Basotho Batho Democratic Party (BBDP)**, which had had little formal publicity at national level. Its leader **Jeremane Ramathebane** had contested the two previous elections unsuccessfully for the Mohale's Hoek Constituency on the BCP ticket, and had in recent years gained considerable grass roots support. He was known for having waged a personal campaign on behalf of retired migrant workers and widows of migrant workers, who were unaware of the procedures to obtain benefits to which they were entitled. Having in many cases helped them to secure such benefits, he felt he was assured of their votes and the votes of many members of their families in the elections. At his rallies the male supporters who were former miners wore helmets, overalls and gumboots, while the party cry (incorporated into the party name) was *Batho!* (People!)

To complete the list of 15 parties contesting the election, one must mention the **National Independent Party (NIP)**, led by the nonagenarian **Anthony Clovis Manyeli**. It assumed an unexpectedly important role in the elections as will be explained below.

Party Manifestos Play a Smaller Role in Elections

Although party manifestos are notoriously difficult to collect from smaller parties, it seems that this time there were fewer party manifestos altogether. The BCP indeed was issuing to inquirers its 1998 manifesto implying that it still held to its same programme for development.

Amongst the smaller parties, the MFP reissued virtually unmodified its 2002 manifesto. This included the promise of a future referendum on Lesotho's relations with South Africa. It maintained its support for the chieftainship to be given its rightful place in the government of Lesotho as people working for the government rather than being used by the government. It also repeated its irredentist policy in relation to the Conquered Territory, noting that negotiations on this matter had hitherto been feeble. The policy is reinforced on the back cover with a couplet from the Praises of Lerotholi, *Tšoara thebe e tiee oa Rasenate, Ua bona fatše leno lea ea* ('Grasp your shield firmly, son of Rasenate [i.e. Paramount Chief Lerotholi himself, because Rasenate was a teknonym of his father, Letsie], for you see that your land is going'). These lines, accompanied by a picture of a warrior, have become an enduring slogan of the Marematlou Freedom Party and had originally adorned the cover of the pioneer political periodical *Mohlabani*. From its inception in 1954, *Mohlabani* ('The warrior') had been edited and published by the person who later also became the founder of the MFP, the late B. M. Khaketla.

A more ambitious manifesto was that of the ruling party, the Lesotho Congress for Democracy. Issued in colour and in large format, and only in Sesotho, it has a cover page showing an American Bald Eagle flying over the snow-covered Maloti and has the title *'Muso o tate, moruo o hole, bofuma bo fele (ho ileng ke nako)* ('The government should hurry to make wealth expand

and poverty to end (the time has gone)'). Inside the themes of the title are taken up including water supply; the welfare of workers, and of the aged and disabled; and the fighting of crime, corruption, incurable diseases (including AIDS), and environmental degradation. In relation to creating wealth, reference is made to commerce, industry tourism, tax collection, education, housing and the improvement of infrastructure. The Prime Minister figures in a number of the photographs, and there are also photographs which show Bill Clinton, Bill and Melinda Gates and the pop singer Bono, all of whom had visited Lesotho recently in relation to the fight against AIDS.

The third manifesto known to have been produced was that of the All Basotho Convention (ABC) party. This one is in smaller format but also in full colour with separate editions in Sesotho and English. The inside front cover is a full page picture of Liphofung cave in Butha-Buthe District, although the manifesto provides neither a caption nor explains why it is used. Presumably it is intended to represent tourism development. Other full page pictures show views of Maseru and the Lesotho countryside. The 8-point manifesto covers economic development and restructuring; infrastructure and employment; agriculture; service delivery; health and welfare; expansion of education; justice, safety and security and governance; and foreign policy. The final statement is upbeat and reads 'The time has come for Basotho to take charge of their future. For far too long they have stood aside, taking in promises that have amounted to nothing but poverty and poor living conditions in a country that could well have been a major economy and the role model for African economic success and governance It is time for the party of the future. Time for ABC. We have the right fiscal and monetary policies to control expenditure and broaden our revenue base through stricter control, redirection of expenditure and ongoing revision of our tax laws. We have the financial resources to make Lesotho work. We have the type of visionary leadership and passion for people-centred service delivery that can improve the standard of living of all Basotho and make Lesotho a model country for the whole of Africa to emulate.'

LCD and Some Members of NIP form an Unusual but Controversial Alliance

It will be remembered from the 2002 elections that there had been an unforeseen development. The **National Independent Party (NIP)** of **Anthony Clovis Manyeli** had done unexpectedly well, even in constituencies where it did not have a candidate and did no campaigning. What had happened was that the ruling **Lesotho Congress for Democracy (LCD)** of **Prime Minister Pakalitha Mosisili** had chosen as its party symbol an eagle, the assumed English equivalent of Ntsu, the first name of its first leader, Ntsu Mokhehle. The LCD party slogan had then been *khetha nonyana* ('choose the bird'), it having been overlooked that another party, the insignificant NIP, also had a bird as a symbol, a dove (printed black on ballot papers) carrying an olive branch in its beak. Many people, particularly in remote constituencies, apparently chose the wrong bird, and as a result, the NIP did sufficiently well in 2002 to win 5 proportional representation seats in the National Assembly.

The problem for the LCD in the run-up to the 2007 was how to avoid a similar loss of p. r. votes, because both birds would be again printed on the ballot paper. The solution that was devised was that the LCD would enter into an election pact with the NIP, and share a common p. r. list, and then tell its supporters still to 'choose the bird'. However, this time there would only be one bird, the NIP dove.

This led to a strange situation, but there seemed (at least to some) to be no part of the electoral law which forbade one party to put its party candidates on the p. r. roll of another party. As a result of this psephological prestidigitation, the NIP proportional representation list which was published (for example in *Lentsoe la Basotho* of 1 February 2007) began with five names who were members of the NIP (although none of them were among the eight NIP members who were contesting the election as constituency candidates, and most conspicuously, the party leader, Manyeli, was not on the list at all). Following these first five names came Pakalitha Mosisili, the Prime Minister; Lesao Lehohla, the Deputy Prime Minister; and then a number of other cabinet ministers and LCD party members, none of whom had hitherto been known to have had dual membership in the LCD and

NIP parties! Lower down the list were a number of names including those of NIP and LCD members not only apparently completely new to politics, but also like the first five names, not even standing as constituency candidates. This led to a major controversy and legal action as will be separately reported.

NIP Leader Takes Urgent Legal Action and Wins in High Court

The National Independent Party proportional representation list which included a number of Lesotho Congress for Democracy Party members including the Prime Minister, Deputy Prime Minister and cabinet ministers was apparently cobbled together at short notice and in any case this was obviously done without the agreement of the NIP leader, A. C. Manyeli, who did not appear on the list at all.

This led to an urgent High Court case, CIV/APN/45/07, Anthony Clovis Manyeli v. The Independent Electoral Commission (1st respondent); 'Matšotetsi Mpesi (2nd respondent); the National Executive Committee of NIP (3rd respondent); the NIP (4th respondent); and the Attorney General (5th respondent). The applicant, A. C. Manyeli, requested that the party list for proportional representation submitted by himself on 19 January 2007 be accepted as the only proper, legitimate and final party list; and that the party list submitted by the Secretary-General of the party, Mrs 'Matšotetsi Mpesi on 18 January 'be reviewed and set aside as being irregular and contrary to the specific instruction of applicant'.

The application was moved before Mr Justice Semapo Peete on 27 January 2007, who ordered in an extremely tight schedule that the relevant papers to be served onto the respondents not later than noon on 29 January 2007, with answering affidavits to be given not later than 9.30 a.m. on 30 January 2007, and any replying affidavit by the applicant to be filed by 4.30 p.m. the same day. The matter would then be argued on 31 January 2007.

The case was heard by Acting Judge Mrs 'Maseforo Mahase and the ruling delivered on 5 February 2007. In the ruling it was noted that the 1st and 5th respondents, the Independent Electoral Commission and Attorney General, had not filed an intention to oppose the application.

Representing the 2nd, 3rd and 4th respondents, Advocate Zwelakhe Mda argued that the proportional representation list had been prepared by the Secretary-General and submitted to the IEC, following a special resolution by the Executive Committee of the NIP. However, he was forced to concede that documentary evidence of this resolution had not been attached to the papers submitted to the court. Moreover Mr Manyeli, who is Leader of the Party, denied that there had even been such a meeting of the Executive Committee of the NIP. The judge commented on the answering affidavit of the Secretary-General that it 'is riddled with inconsistencies and contradictory allegations in an endeavour to explain and justify her actions with regard to this party list'. The ruling concludes 'There is nothing filed on record showing that indeed the 2nd respondent had a mandate to act for the 4th respondent. Actually the actions of the 2nd, 3rd and 4th respondents are undermining and fly against the face of the purpose for which the proportional representation system was created.' As a result, default judgment was given in favour of the applicant, Mr Manyeli, and his party list was ruled to be the legitimate NIP list.

The consequences of this were potentially far reaching. The LCD was not on the party list at all but had been campaigning for people to *khetha nonyana* (choose the bird), and now, since the only bird was that of NIP, it seemed that the result would be a vastly increased NIP representation in Parliament, totally disproportionate to its significance as a national party. The LCD would get no additional seats at all through the p. r. system, but NIP would take away many seats from the other minor parties.

Court of Appeal Reverses High Court Ruling in case of Manyeli v. NIP

The High Court ruling had been given on 5 February 2007 favouring Mr Manyeli's proportional representation list over the mixed LCD/NIP list. This was just 12 days before the General Election,

and its sequel was an appeal to the Court of Appeal of Lesotho (C of A (CIV), No. 1/2007) by the National Independent Party (1st appellant), the Executive Committee of the NIP (2nd appellant) and 'Matšotetsi Mpesi (3rd appellant) appealing against Anthony Clovis Manyeli (1st respondent), the Independent Electoral Commission (2nd respondent) and the Attorney General (3rd respondent). In order to hear the matter, a special extraordinary session of the Court of Appeal had to be called at short notice and the matter was heard before Justice J. H. Steyn, President of the Court of Appeal; Justice M. M. Ramodibedi, Judge of the Court of Appeal; and Justice N. Majara.

The Court of Appeal, as constituted, heard the matter on 9 February 2007, and upheld the appeal, effectively reversing the decision of the High Court. It intimated that the reasons for upholding the appeal would follow later, and these were delivered in a signed judgment of Justice M. M. Ramodibedi, countersigned by the other judges and dated 21 February 2007 (i.e. four days after the General Election).

There were several different issues dealt with in the Court of Appeal Judgment. One of them concerned whether it had any jurisdiction in the matter in view of Section 69 of the Constitution of Lesotho which deals with Decisions of Questions as to Membership of Parliament. This reads in part:

69. (1) The High Court shall have jurisdiction to hear and determine any question whether:-
- (a) any person is validly nominated or designated as a Senator under section 55 of this Constitution;
 - (b) any person has been validly elected as a member of the National Assembly; or
 - (c) the seat in Senate or the National Assembly of any member thereof has become vacant.
-
- (6) The determination of the High Court of any question under this section shall not be subject to appeal.

Rather strangely, the Judgment quotes 69(1)(a), which is of course irrelevant, because it deals only with Senators, and fails to mention 69(1)(b) which, while not pertinent before the election, might well assume importance thereafter. It also notes that what the High Court had given was a default judgment which could not be considered to be a 'determination' as in 69 (6).

A second matter concerned whether the High Court Rules had been followed. Although the original High Court application included 'Dispensation with the rules of this court due to the urgency of the matter' and this had been granted, the Court of Appeal found that default judgments and applications were both subject to the *High Court Rules 1980*, and that in the case of applications like the one heard by the High Court there was a required procedure which had not been followed, and in particular there had not been an application to the Registrar of the High Court for a date for the hearing, as was required by the rules. Moreover the court by its action had granted a default judgment directly affecting the rights of litigants that were not before it and whose case was not up for debate or decision. The IEC had accepted the first list submitted to it, and since the original applicant had sought to disqualify the persons named as candidates, they should have been joined as respondents in the application.

The Court of Appeal Judgment further examined the findings of Acting Judge Mrs M. Mahase and found them unjustified on the facts. In particular, her reliance on the failure to attach a resolution was a 'technical objection which clearly had no regard to the circumstances of the case'. The judgment in a rather patronizing tone then went on to remind the 'learned Judge' that 'by holding a dogmatic view that failure to attach a resolution is fatal in motion proceedings to a party's case regardless of the circumstances' she had fallen into exactly the same error which she had committed in an earlier case which had come before the Court of Appeal.

The Court of Appeal quoted an extract from the Minutes of a Special National Conference of the National Independent Party held at Maseru on 13-14 January 2007, which resolved:

- '1. To establish an alliance between the NIP and the LCD for purposes of the 2007 general elections in terms whereof:
- 1.1 The Party List to be submitted to the Independent Electoral Commission in respect of the

proportional representation Seats shall contain names of NIP members and LCD members, provided that the first five members on the list shall be NIP members;

1.2 LCD shall not submit any Party List of its own in respect of the proportional representation Seats, but shall throw its full weight behind the NIP in the election for proportional representation Seats.

1.3 NIP shall not field and/or endorse any Candidates in respect of Constituency elections in all the Constituencies, but it shall throw its full weight behind LCD in the elections for the Constituency Seats.

2. To authorize the President or the Vice President or the General Secretary of NIP to sign the said alliance agreement on behalf of NIP.

3. To authorize the NIP National Executive Committee to do all that is necessary to implement this resolution.'

The Judgment concludes that the earlier decision of the High Court to grant a default judgment 'was irregular and of no force and effect'; that the Court of Appeal 'has jurisdiction to hear the appeal against the court orders'; and that the only authentic party list is that submitted to the IEC by the National Executive Committee of the NIP. 'It follows that the appeal succeeds'.

Although the Court of Appeal is the highest court in the land, its decision, while governing the election about to be held, raised matters which might still be matters of concern later. The IEC had accepted the NIP National Executive Committee's list, but equally it had accepted, in contravention of the NEC's decision, eight NIP constituency candidates. Underlying everything was a loophole in the electoral law. It had been intended through proportional representation to provide fair representation for smaller parties whose proportional vote entitled them to seats in the National Assembly, but who had failed to win such seats in the 'first past the post' constituency elections. In the High Court Ruling by Honourable Acting Judge Mrs Mahase, it was stated that the 'NIP's entitlement to include any person of its choice in its party list on proportional representation is mind boggling. [The Secretary-General] argues that the NIP is entitled to include *any person of its choice* in its *party list* with a caveat that such a person should be qualified to be a candidate in terms of the law. This is a deliberate misinterpretation of the law. This is a highly distorted interpretation of the law with regard to the system and purpose for which the PR was designed/enacted'. The Court of Appeal apparently did not consider such a matter relevant. It was dealing with the law as it is, rather than what it should be. It is not a legislative body.

Pre-election Assessment of Party Chances

It became clear as the election campaign hotted up, that there were only two main contenders, the LCD and the ABC. Developments which were definitely in favour of the LCD had been the full implementation of free primary education during the life of the last Parliament, and the introduction of old-age pensions which, although very modest at M150 per month, had become a lifeline to the elderly who had no other income support, particularly in an age when their children were increasingly dying as a result of AIDS and leaving children to be looked after by grandparents.

There were also developments which counted against the LCD, including the serious deterioration in health service delivery as a result of loss of doctors and nurses to other countries. There had been no sign that this state of affairs had received the attention it required, with tertiary institutions expanding the training of lawyers far more than that of health personnel, the training of whom should have been made not just a national priority but a national emergency. The level of crime and the number of unsolved murders, including some of high profile people, as well as the general inefficiency in the justice system was also a matter of concern to many people. Although the story may not have penetrated to rural areas without newspapers, the LCD also lost credibility in the scandal which resulted in cabinet ministers and other senior staff being sold (in fact virtually given) luxury cars by the company which was running the government car pool. They were sold at 1% of the original purchase price, only a relatively short time after they had been bought new. As reported in *Public Eye* of 19 January 2007, one such car, a Mercedes Benz, which a cabinet minister had bought for M4 000, was now on sale in Bloemfontein with a price tag of R256 000.

The ABC had the advantage of being a new party, although its leader had of course been part of the previous government and had at the time happily also bought his luxury car at 1% of its original value. It was necessary for him to recant and even literally to wash his hands of the transaction at a party *pitso* in Maseru, although subsequent attempts to return the car were not successful. The ABC benefited from people who thought it was time for change, or were attracted by its attractive party colours. Among the urban youth it became trendy to greet each other with the party slogan and gesture *toala!* and ABC rallies were well attended. The actual constituency candidates put up for Parliament were a rather heterogeneous group, and there were heated arguments about their choice, so much so that some of the candidates who had crossed the floor with Tom Thabane were not adopted in constituency primary elections and found themselves out in the wilderness. One of them, Molebeli Bernard Soulo, who had been MP for the Maseru constituency of Lithoteng, was so annoyed by this that he stood against the official ABC candidate as an Independent candidate. Nevertheless, as a result of its alliance with the Lesotho Workers Party, it was clear that the ABC was going to do well in urban areas, particularly those which had factory estates with significant numbers of textile workers. In rural areas, on the other hand, it had hardly had long enough to make a significant impact.

Election Proceeds Smoothly on 17 February 2007

February turned out to be an extremely dry month, and there was no significant rainfall on the days immediately preceding the election, nor in the following week. Ballot boxes or election materials stranded because of swollen rivers were not a problem, but nevertheless with more than 200 of the polling stations not even reachable by 4 x 4 vehicles, helicopters were widely used. A large proportion of the polling stations were primary schools, very few indeed of which had any form of lighting, so that in a number of cases polling had to cease at sunset and continue the following day.

2634 Special Constables were recruited to help with the election. They were required to be between the ages of 18 and 45 with no criminal convictions. Reported election incidents were few, although in Thaba-Tseka it was reported that a group of youths of one party attempted to rob youths of another party of their voting cards.

At the polling stations, electors first had to present their voting card or some other form of acceptable identification. Their name was then checked against the Register of Electors. Their hands were then examined for any signs of indelible ink which would show that they had already voted. After these preliminaries a ballot paper was supplied for the constituency candidate vote. As soon as it was filled in and folded, the index finger of the left hand was painted with indelible ink and the ballot paper was placed in the box for constituency candidates. This was followed by the issuing of a second ballot paper for choosing a party in the proportional representation vote. After this had been filled in and folded and put in the required second box, the procedure was complete and the voter could return home, with their purple stained finger proudly announcing that they had exercised their right to vote.

The party list, as a result of alliances provided just ten choices, and these were provided in alphabetical order of the party initials which were also on the ballot paper. First came the Alliance of Congress Parties with a handshake; then the Basotho Batho Democratic Party, whose symbol was so complex that in its reduced format little detail was visible.

Following that came the familiar *koto* or knobkerrie of the Basutoland Congress Party; then the Basotho Democratic National Party with a portrait of Leabua Jonathan; and the Basotho National Party (from which the BDNP had split) with its long term symbol of fingers giving a victory sign (*tlholo*).

There was of course no ABC symbol, because supporters had been told to vote for the Lesotho Workers Party whose symbol was a clenched hand holding a spear across a map of Lesotho. The ABC symbol, however, might have worked equally well because, as it was printed on the constituency ballot papers, it came out as a white sun with black rays which at a distance could be easily mistaken for a cogwheel, perhaps equally suitable for the Lesotho Workers Party.

The remaining symbols were those of the Marematlou Freedom Party (an open hand, did they perhaps mistakenly get a few *toala* votes?); the National Independent Party (a black dove with an olive branch); the National Lesotho Freedom Party (a breakaway from some time back from the MFP and with a Basotho shield as symbol); and the Popular Front for Democracy (a black star).

Election Results Provide Excitement but Many Long Waits

As in the previous election, the National Convention Centre, known also as the 'Manthabiseng Convention Centre, was the venue for announcing results. The first of these came in just after 11 a.m. on the day following the election, Sunday 18 February 2007. It was the result for the Qhalasi Constituency where the former ABC MP had lost the primary election to Professor Ramoshebi Maboee Moletsane, a former Vice-Chancellor of the National University of Lesotho and the Chief of Liphiring in the same constituency. However, the electors were apparently not impressed. The candidate of the LCD won with 61.0% of the votes, more than twice as many as Moletsane.

Only a few results came in during the daytime, but those that did were mainly from urban areas where the ABC did particularly well and at one time the party was in the lead by 7 seats to 5. A section of the crowd in the Convention Centre was clearly quite partisan, and ABC victories were greeted with cries of delight. This reinforced the general belief that ABC strength was in urban areas such as Maseru.

By Sunday evening, results were coming in faster and when the Independent Electoral Commission finally decided to call it a day (or rather a night) at 1.45 a.m., the LCD had gained 19 seats, the ABC 12 seats and the ACP one seat.

The one ACP (Alliance of Congress Parties) seat was for Constituency No. 27, Seqonoka, where Kelebone Maope has a considerable personal following. He received 1888 votes compared to 1732 received by the ABC candidate. The LCD candidate, as happened in no other constituency, found himself in third place, and this was despite his being Dr D. R. Phororo, the Minister of Agriculture and Land Reclamation. The winner of the seat, Kelebone Maope is a lawyer and former Minister of Justice and Deputy Prime Minister. However, together with 26 other MPs he had parted company to form his own party, the Lesotho People's Congress in October 2001, a move not dissimilar to that of Tom Thabane almost exactly five years later. However, while Maope had the intellect, temperament and integrity of a good parliamentarian, he lacked the charisma and flamboyancy which counts for success in campaigning. In the 2002 General Election the LPC won just one seat, his own, in the same Seqonoka Constituency. For the purposes of the present election, however, his party had combined with others to form the Alliance of Congress Parties of which he was now effectively the leader. No doubt the rather different fortunes of the LPC and ABC in successive elections will one day become a matter for academic research amongst political scientists.

By the third day, results from remote constituencies were being expedited by sending out helicopters (some provided by South Africa) and the final result (from the mountainous constituency of Mantšonyane) was declared at 10.40 p.m. on Tuesday 20 February. This resulted in a final tally of 61 constituency seats for the LCD, 17 for the ABC and 1 for the ACP. There was one failed constituency election, that of Makhaleng, where the ACP candidate, Moqekela Chobane, had died between the nomination day and the election day. The party vote proceeded there as in other constituencies but a fresh election will have to be held for the constituency MP.

Long before the final result had come in, the SADC Electoral Observer Mission, which had 42 members deployed throughout the country, issued a preliminary report stating 'The people of Lesotho have expressed their will in a transparent and instructive manner that will go a long way in contributing to the consolidation of democracy and political stability not only in Lesotho but in the SADC region, in Africa, and the world as a whole'. A detailed SADC report on the elections was promised within 30 days.

Proportional Representation Results Announced Late at Night on Tuesday 20 February 2007

Although it was already very late at night, the IEC was ready to proceed to announce how the 40 seats reserved for allocation by proportional representation were to be distributed. One of the foreign electoral experts assisting with the election, Professor Jørgen Elklit, was invited to make the presentation. In relation to the parties there had been 915 862 registered voters and 442 963 valid votes, a turnout of 50.2%. This is a considerable drop from the 1998 General Election when there had been 554 386 valid votes. Of the 2007 votes, 229 602 or 51.8% had gone to the NIP, the majority of them obviously because of the special alliance with the LCD, which had asked people to continue to 'choose the bird' and the NIP bird was the only one on the party ballot sheet.

The **proportional representation** rules require considerable arithmetic to be undertaken to calculate the entitlement to compensatory parliamentary seats of each of the 10 parties competing in the proportional representation component of the election. The following summarizes the process.

The table which follows shows the total party votes for each party in the second column, and the percentage of the total party votes in the third column to two decimal places. In the calculations that follow, Schedule 5 to the *National Assembly Election (No. 1) (Amendment) Act 2001* requires calculations to be made to as many decimal places as are necessary to distinguish between parties, but they are provided for simplicity here to just two decimal places.

The first stage is for the total votes (442 963) to be divided by the number of constituencies which successfully contested the election to which is added the 40 proportional representation seats. One of the 80 constituency elections failed on 25 May 2002 because of the death of a candidate between nomination and election days, so this total is $80 - 1 + 40 = 119$. The result of the division is 3722.38, which rounds up in accordance with the rules to 3723, a figure known as the **quota of votes**. This figure is then divided into the votes of each party, giving the **provisional seat allocation** shown in the fourth column. The first figure in the column shows the result to two decimal places, after which comes a figure rounded down to the nearest whole number. Then because this gives a total of only 115 seats, 4 seats are added to those parties which have the four highest decimal portions of a seat.

PARTY	VOTES	% VOTES	PROVISIONAL SEAT ALLOCATION	SECOND SEAT ALLOCATION	TOTAL SEATS (CONSTITUENCY + COMPENSATORY)
ABC	0	0.00	0.00 (0)	[retains 17 seats]	17 (17 + 0)
ACP	20 263	4.57	5.44 (5 + 1)	1.88 (1 + 1)	2 (1 + 1)
BBDP	8 474	1.91	2.27 (2)	0.78 (0 + 1)	1 (0 + 1)
BCP	9 823	2.22	2.64 (2 + 1)	0.91 (0 + 1)	1 (0 + 1)
BDNP	8 783	1.98	2.36 (2)	0.81(0 + 1)	1 (0 + 1)
BNP	29 965	6.76	8.04 (8)	2.77 (2 + 1)	3 (0 + 3)
LCD	0	0.00	0.00 (0)	[retains 61 seats]	61 (61 + 0)
LWP	107 463	24.26	28.87 (28 + 1)	9.95 (9 + 1)	10 (0 + 10)
MFP	9 129	2.06	2.45 (2)	0.85 (0 + 1)	1 (0 + 1)
NIP	229 602	51.83	61.68 (61 + 1)	21.25 (21)	21(0 + 21)
NLFP	3 984	0.90	1.07 (1)	0.37 (0)	0 (0 + 0)
PFD	15 477	3.49	4.16 (4)	1.43 (1)	1 (0 + 1)
TOTALS	442 963	100.00	119.00 (115 + 4)	41.00 (34 + 7)	119 (79 + 40)

The provisional seat allocation would also be the final seat allocation if no party already had constituency seats exceeding the provisional allocation. However in the election, the LCD won 61 seats, 61 more than the 0 it would have received under a completely proportional system. Also the ABC won 17 seats, 17 more than the 0 it would have received under a completely proportional system. Neither party had in fact competed in the party vote, because of alliances with other parties. Since both parties are allowed to retain these seats, allocation of the remaining 41 seats becomes the subject of a new calculation, similar to the first but with the divisor 41 instead of 119.

This time round the remaining 442 963 votes divided by 41 give a quota of votes equal to 10 804 and when the party votes are each divided by this figure, we get the results in the fifth column. Initially, neglecting the decimal fractions, the total is 34 seats and so 7 seats have to be added for those parties which have the highest decimal fractions. This process adds one seat to each of the ACP, BNP and LWP, and ensures that four other parties, the BBDP, BCP, BDNP and MFP also get a seat.

In calculating the final numbers of compensatory seats, one has to allow for the fact that the ACP has already one elected constituency seat, so the total numbers of compensatory seats are ACP 1, BBDP 1, BCP 1, BDNP 1, BNP 3, LWP 10, MFP 1, NIP 21 and PFD 1 totalling as required 40.

ABC Wins All Eight Maseru Seats and Others in Urban Areas

On 13 October 2006, 18 MPs had crossed the floor to form the new ABC Parliamentary party. Their fortunes in the 17 February 2007 General Election were mixed. Five of the MPs had been from

Maseru seats, and three of these won convincingly. At Constituency 31, Stadium Area, Lehlohonolo Mafaesa defeated the Minister of Tourism, Environment & Culture, Lebohlang Ntšinyi by 5356 votes to 2117; at 33, Qoaling, a woman candidate, 'Mapheello B. Tšuluba, retained her seat in Parliament by 3014 votes against the 2300 votes of the LCD candidate; and at 36, Abia, the ABC party leader Motsoahae Thomas Thabane received 80.5% of the votes.

The other two former Maseru MPs did not have it so easy. One of them, Molebeli B. Soulo, Chairperson of the ABC, failed to win the primary election in Constituency 34, Lithoteng. After a bitter struggle with his rival to be adopted which he lost in the High Court, he ran as an Independent candidate and came third. His 754 votes could have deprived the adopted ABC candidate of the seat, but in the event Lebuajoang Makhonoi won with 2042 votes to the 1596 votes of the LCD candidate. Soulo, however, was not out of Parliament. His position as fourth on the LWP's p. r. list ensured him a seat. S. S. Sehloho also lost his primary in the Mabote Constituency, which with 19 989 registered voters has the largest number of voters of any constituency. It was won by Denis Thabang Nchai for ABC with 6242 votes, comfortably defeating the Minister of Natural Resources, 'Mamphono Khaketla who received only 2712 votes, less than half as many. Sehloho, like Soulo, however, is still in Parliament, having been no. 9 on the LWP's p. r. list.

The other three Maseru seats also went to the ABC, with two more LCD ministers becoming casualties, Popane Lebesa, Minister of Works in Constituency 32, Maseru (i.e. Central Maseru); and Dr Motloheloa Phooko, Minister of Health, in Constituency 35, Lithabaneng. One other seat close to Maseru won by the ABC was Constituency 26, Berea, to the north-east. The ABC was also successful at Constituency 49, Maama, where their candidate Halekhetheloe Gabriel 'Gabs' Maama convincingly beat the LCD MP, Mrs 'Malebaka Bulane, by 3584 votes to 1752 votes. The Maama Constituency includes the National University of Lesotho Roma Campus and 'Gabs' Maama, was until recently the Supervisor of the University's Printing Unit. He would have attracted a considerable personal vote, not only from the campus community, but from his connections with the church and chieftainship.

Another cluster of ABC victories was to be found in the north of Lesotho in the constituencies of Butha-Buthe, Hlotse, Maputsoe, Likhethlane, Peka and Teyateyaneng, many of which include significant numbers of factory workers, traditional supporters of the ABC's co-partner in the alliance, the Lesotho Workers Party. Elsewhere in rural Lesotho, the ABC had made little impact and sometimes scored less than 10% of the votes. The exception was Mokhotlong where the ABC candidate was Lehlohonolo Tšehlana, an elected LCD MP who had been later expelled from the party, sat as an Independent MP, and then joined the ABC on its formation. He had a reputation for working hard for his constituency members and this paid off by his gaining what was effectively the most rural of all the seats won by the ABC.

One seat which the ABC nearly won was Constituency 42, Qeme. The LCD won with 2696 votes against 2669 votes for the ABC candidate, a majority of just 27 votes. This was the smallest majority in the election, and yet the number of rejected votes in this constituency was 671, the highest in the country.

LCD Makes a Clean Sweep of Qacha's Nek District with Increased Majorities

Qacha's Nek is the least populous and one of the remotest of Lesotho's 10 districts. However, it is the home district of the Prime Minister, and since the previous election has seen considerable development, including new public buildings in the district headquarters town and the completion of a tarred road linking Qacha's Nek with Maseru.

Qacha's Nek has three constituencies and in Constituency 71, Tsoelike, the Prime Minister, Pakalitha increased his share of the vote from 73.5% in 2002 to 91.9% in 2007. In Constituency 69, the Minister of Local Government, Pontšo Sekatle, increased her share of the vote from 67.2% to 83.7%, while in Constituency 70, Lebakeng, her husband, Semano Sekatle, a new MP since 2002, achieved 91.2% of the votes.

It is a peculiarity of the British Parliamentary system that the Speaker of the lower house

seeks re-election. The Constitution of Lesotho allows for the Speaker to be chosen from MPs or from amongst other persons, and the latter has hitherto always been the case. However, in this election, the Speaker stood as the LCD candidate for Constituency 63, Hloahloeng, her birthplace, where she received 89.9% of the votes. Hloahloeng is in the extreme east of Mohale's Hoek District and north of the Senqu, receiving most of its services from Qacha's Nek. Split by the lower Senqunyane gorge, it is one of the remotest constituencies in the country with no roads and only one or two 4 x 4 tracks which approach its boundaries, but do not provide any internal communications.

***Metintinyane* Count the Cost of the Party Alliances**

In the well-known satire by Azariele Sekese, *Pitso ea linonyana*, first published in 1928, the birds take on human roles and in effect hold their own Parliament, at which even one of the smallest birds, a warbler, known onomatopoeically as *motinyane* or *motintinyane* in Sesotho, is allowed to have a voice and to air its grievances, for example against the greed, cruelty and injustice of the hawk. The smaller parties in Parliament by analogy are often called (in the plural form) the *Metintinyane*.

After the election, it was clear to these parties that they were less represented than in the last Parliament, because the LCD, with clearly less proportional support, had, through its alliance with the NIP, managed anomalously to increase its effective support in Parliament from the 77 seats (plus two seats at fresh elections) it won in 2002 to an effective total of 82 seats in 2007, with a possible further seat in the outstanding fresh election. At the dissolution of Parliament it had had only 61 seats in the 120 seat National Assembly.

So what if there had been no alliance between the ABC and LWP and between the LCD and NIP?

It was the latter alliance which had distorted the election result. Given that those who had 'chosen the bird' were only 51.83% of voters altogether, the LCD's entitlement under proportional representation would have been just 62 seats. However, it is likely that some of those 'choosing the bird' would, as happened last time, have chosen the NIP bird, and the best guess is that it would have been a similar proportion to last time, entitling (given the lower overall 'bird' support) the NIP to get perhaps 4 seats. Thus 17 seats out of the 21 NIP seats would have gone elsewhere.

In the case of the ABC/LWP alliance, there was an initial proportional representation entitlement to 28 seats, less the 17 which they actually won at constituency level. Since the LWP did get 10 proportional representation seats, it seems they lost just one additional seat they might otherwise have been allocated.

So what of the remaining 16 seats? These would have gone to the *Metintinyane*, and probably, if the provisional seat allocations are used and the decimal parts neglected, the ACP would have received three additional seats, the BBDP one additional seat, the BCP one additional seat, the BDNP one additional seat, the BNP five additional seats, the MFP one additional seat, and the PFD three additional seats. The NLFP, which had received no seats at all, would have received a single seat.

IEC Publishes Election Results

The names of the winning 119 candidates in the 2007 General Election were published by the Chairman of the Independent Electoral Commission, A. L. Thoahlane as Legal Notice No. 39 of 2007 in *Lesotho Government Gazette Extraordinary* no. 13 of 2007 (22 February 2007). They show first the 79 elected constituency MPs, their addresses and occupations. 27 list their occupation as farmer, 25 as politician, and 8 as teacher, and 3 as businessman. Amongst other occupations are security guard, electrician, medical therapist, hawker, accountant, film maker, builder, printer, trader, executive and mechanic. The new parliament will have a variety of skills and experience to guide it, particularly since the 25 who list themselves as politicians have in fact themselves a wide variety of previous careers.

Following the list of constituency seats comes the list of proportional representation seats, which in the case of five parties, consists of only the party leader. These parties are the Basotho

Batho Democratic Party (Jeremane Ramathebane), Basutoland Congress Party (Sekoala Tšephe Toloane), Basotho Democratic National Party (Thabang Ernest Nyeoe), Marematlou Freedom Party (Vincent Moeketse Malebo), and Popular Front for Democracy (Lekhetho Rakuoane). All of these had been MPs in the 2002 elected Parliament except Jeremane Ramathebane.

The Alliance of Congress Parties (ACP), having already won one constituency seat, that of its Chairman, Kelebhone Maope, received one additional p. r. seat, that of Dr Khauhelo Deborah Raditapole, a former Minister of Health, who had managed only 12.7% of the vote in Constituency 24, Teyateyaneng, where the ABC candidate had taken the lion's share of the vote.

The Basotho National Party (BNP) won three p. r. seats, those of its leader, Justin Metsing Lekhanya, together with those of Ranthomeng Matete (Chief of Morija) and Phale Ernest Mokoena. All three had contested the election as constituency candidates and had been defeated respectively in Constituency 74, Thaba-Tseka (with 22.1% of the vote); Constituency 44, Matsieng (5.4%); and Constituency 27, Seqonoka (4.4%).

The Lesotho Workers Party (LWP) won ten p. r. seats including those of its leader, Macaefa Billy, and the LWP member Paul Qhasho, who had formerly contested the Tsikoane constituency. The other eight members on its list were apparently part of the ABC/LWP alliance from the ABC side, a number of them rural constituency candidates. Altogether the list of ten had six who were MPs in the 2002 Parliament, namely Macaefa Billy himself (a p. r. MP), and the LCD turned ABC MPs Molebeli Soulo (formerly MP for Lithoteng), Mabuo Kojoana (formerly MP for Thupa-Kubu), Seeiso Sehloho (formerly MP for Mabote), Rantelali Shea (formerly MP for Mantšonyane) and Sello Maphalla (formerly MP for Hlotse).

The longest p. r. list was of course that of NIP, due to its controversial alliance with the LCD. The first five persons on the list were members of the National Independent Party National Executive Committee including the Deputy Leader, Dominic Motikoe, and Kimetso Mathaba who had both been p. r. MPs in the previous parliament. At fifth place was 'Matšotetsi Mpesi, the Secretary General of the Party. The NIP leader, A. C. Manyeli, was nowhere on the list.

After the first 5 NIP names, there had been a solid block of 10 LCD members headed by the Prime Minister and Deputy Prime Minister who had been elected to constituencies and so did not need p. r. seats. This left in places 6 to 9 as NIP (LCD) p. r. MPs Popane Lebesa, the former Minister of Works, who had been defeated as an LCD candidate in Constituency 32, Maseru; Lebohang Ntšinyi, the former Minister of Tourism, Environment and Culture, who had been defeated as an LCD candidate in Constituency 31, Stadium Area; 'Malebaka Bulane, who had been defeated as an LCD candidate in Constituency 40, Maama; and 'Mamphono Khaketla, who had been defeated as an LCD candidate in Constituency 29, Mabote. Names 10 to 13 on the list were also part of the block of 10 LCD nominations, although not recognizable as persons politically active. Kabelo Mafura, no. 13 on the list, is a former Acting Secretary of the National Environment Secretariat and was subsequently a member of the Lesotho Embassy staff in Rome, Italy.

After that there were a further 5 more NIP nominations nos 14 to 18, including as no. 16, Kholoang Moloi who was the unsuccessful NIP candidate for Bela-Bela in the 2002 election.

Finally places 19 to 21 were again LCD nominations, including no. 20, Lineo Molise, whose success as a p. r. candidate managed to secure her a position as an Assistant Minister in the Cabinet.

Overall there are 28 women parliamentarians, making 23% of the total. This compares with 11.3% of the total being women in the previous Parliament

Death of Limpho 'Lephele' Paneng, Well-Known Announcer for Catholic Radio

The death occurred on 18 February 2007 of **Limpho 'Lephele' Paneng**, well-known for his competence and humour as an announcer and compère on Catholic Radio. Reports of his life and death appeared in very different forms in a number of newspapers, notably *Mohahlaula* of 22 February 2007, *Moeletsi oa Basotho* of 4 March 2007 and *Public Eye* of 2007.

Limpho Paneng was born at Thabang, Mokhotlong, in 1980, and like many of the inhabitants

of that district who later distinguished themselves in the Lowlands, he attended St James High School at Ha Rafolatsane. On arrival in the Lowlands, he undertook a Diploma in Mass Communication at the University's Institute of Extra-Mural Studies in Maseru. His talents were soon recognized and he participated in university radio and played parts in broadcast plays for the Lesotho Distance Teaching Centre. However, he became a household name when he joined Catholic Radio in 2003, adopting as his nickname *Lephele* or cockroach, so that if you picked up *Lephele moeeng* ('Cockroach on the air') in his characteristic high-pitched voice, you knew you were listening to CR. He was well known for his light-hearted style of broadcasting and his much quoted asides such as *Maseru ha se ntho'a bana* (Maseru is no place for kids). He introduced a wide variety of programmes including choral and soul music. One programme directed to youth was *Bophelo ba rona* (Our health, although *bophelo* can also mean 'life'). It is ironic that he did not perhaps follow the advice he was giving, because he died at the age of 26 from TB. Since TB is curable, few would doubt that the real cause of his premature demise was the scourge which haunts the youth of today. According to *Public Eye*, he was single and gay.

His death had an unfortunate sequel. Large numbers of media personnel and also listeners wanted to attend his funeral in Mokhotlong on Saturday 3 March 2007. Unhappily, one bus carrying mourners was unfortunately in a collision in the early hours of the morning with a car near Tabola in Leribe District. The driver of the car died and several of the bus passengers were injured. For those uninjured, the police provided another bus this one broke down at 'Moteng. Some of these passengers, however, managed to complete the journey by public transport in time to give him an appropriate send-off.

Parliament Meets for Swearing in of MPs and Senators

Parliament met for the swearing in of new MPs on Friday 23 February 2007, and at the same sitting **Ms Ntlhoi Motsamai** was re-elected as Speaker of the National Assembly. On the same date, the King, as required by the Constitution, and acting with the advice of the Council of State, reappointed **Pakalitha Mosisili** as Prime Minister.

The Senate met on 1 March 2007 for swearing in of Senators. 22 of these are the Principal Chiefs who hold hereditary positions on the Senate, not unlike the peers of the British House of Lords. The other 11 Senators are nominated by the King on the advice of the Council of State, whose members include the Prime Minister, the Speaker of the National Assembly, two judges, the Attorney-General, the Commander of the Defence Force, the Commissioner of Police, a Principal Chief (nominated by the College of Chiefs), a lawyer in private practice nominated by the Law Society, two leaders of opposition parties appointed by the Speaker of the National Assembly, and up to three persons appointed by the King on the advice of the Prime Minister by virtue of their special expertise, skill or experience.

So whom did these people of this august body advise the King to nominate as Senators? Two seats in the Senate have in recent years been reserved for the Chiefs of Koeneng and Thaba-Tšoeu, chieftainships which have always been headed by chiefs who aspire to be Principal Chiefs, but who as a result of a compromise are designated Independent Chiefs and fall directly under the Principal Chief of Matsieng rather than under any other Principal Chief in their district of Mohale's Hoek. Thus **Chief 'Mualle Moshoeshe** and **Chief Qajela Lebona** return to the Senate.

Two former Senators who have held cabinet positions have never had constituency seats, and they are renominated to the Senate. These are **Dr Timothy Thahane**, Minister of Finance & Development Planning, and **Mr Moses Refiloe Masemene**, a former Minister of Justice. The former Minister of Health & Social Welfare, **Dr Motloheloa Phooko**, who lost his constituency seat, has also been rescued and made a Senator, as has **Dr Mphu Ramatlapeng**, a medical doctor and businesswoman, new to Parliament, but clearly brought in to be the next Minister of Health & Social Welfare. Two other new Senators brought in as potential cabinet ministers are **Mr Tšele Chakela** and **Mr Lekhetho Phakisi**.

Amongst other new Senators are **Lieutenant-General Makhula Mosakeng**, who had retired

in October 2004 after 10 years as Commander of the Lesotho Defence Force; and an experienced educationalist, author and retired academic, **Professor Fusi Zachariah Aunyane Matšela**, formerly of the National University of Lesotho.

The eleventh nominated Senator is **Mrs 'Maphoka Motoboli**. As reported in *Public Eye* of 5 January 2007, members of the LCD in Constituency 13, Hlotse, had been unhappy about her nomination as their candidate, and when the election had taken place she had actually lost by a relatively small margin (1952 votes to 2251) to the ABC candidate, David Moseme Makhele. Makhele himself had managed to unseat the former ABC MP Sello Maphalla in the primary election. Maphalla, however, eventually managed to return to Parliament as a Lesotho Workers Party proportional representation MP.

One of the first duties of the new Senate was to choose its President, and the former Deputy President, **Chief Letapata Makhaola**, was chosen by 26 votes to 6 to replace the previous President, Chief Sempe Lejaha. **Mr Hlomohang Morokole** was chosen as Deputy President.

New Cabinet includes New Faces and New Portfolios

The new Cabinet and Allocation of Portfolios appear in *Lesotho Government Gazette Extraordinary*, no. 20 of 2007 (2 March 2007) as Legal Notices Nos 44 & 45 of 2007. The following is a list of the new Cabinet with completely new members shown in bold face italic type, and those who are occupying new portfolios in ordinary boldface type. Any changes to portfolios are shown in italic type. Two of these are the portfolios of the Minister of Parliamentary Affairs and the Minister of Public Service, which were formerly portfolios falling directly under the Prime Minister.

Prime Minister & Minister of Defence & National Security Rt Hon. Pakalitha Bethuel Mosisili
Deputy Prime Minister & Minister of Home Affairs &

Public Safety *and of Parliamentary Affairs*

Minister of Natural Resources

Minister of Gender, Youth, Sports & Recreation

Minister of Foreign Affairs *and International Relations*

Minister of Local Government & Chieftainship Affairs

Minister in the Prime Minister's Office

Minister of Labour & Employment

Minister of Finance & Development Planning

Minister of Tourism, Environment & Culture

Minister of Education & Training

Minister of Forestry & Land Reclamation

Minister of Trade & Industry, Cooperatives & Marketing

Minister of Justice, Human Rights & Correctional

Services and of Law & Constitutional Affairs

Minister of Communications, Science & Technology

Minister of Public Service

Minister of Agriculture & Food Security

Minister of Health & Social Welfare

Minister of Public Works & Transport

Assistant Minister of Agriculture & Food Security

Assistant Minister of Education & Training

Assistant Minister of Trade & Industry, Cooperatives &
Marketing

Hon. Archibald Lesao Lehohla

Hon. Monyane Moleleki

Hon. 'Mathabiso Angelina Lepono

Hon. Mohlabi Kenneth Tsekoa

Hon. Dr Pontšo 'Matumelo Sekatle

Hon. Dr Motloheloa Phooko

Hon. Moses Refiloe Masemene

Hon. Dr Timothy Thahane

Hon. Lebohang Ntšinyi

Hon. Dr 'Mamphono Khaketla

Hon. Ralechate Lincoln 'Mokose

Hon. Popane Lebesa

Hon. Mpeo Mahase-Moiloa

Hon. Mothetjoa Metsing

Hon. Semano Sekatle

Hon. Lesole Mokoma

Hon. Dr Mphu Ramatlapeng

Hon. Tšele Chakela

Hon. Mokone Ramootsi E. Lehata

Hon. 'Malijane Norah Maqelepo

Hon. Khotso Matla

Assistant Minister of Home Affairs & Public Safety
and of Parliamentary Affairs

Hon. Lineo Molise

Assistant Minister of Labour & Employment

Hon. 'Matanki Miriam Mokhabi

Assistant Minister of Gender, Youth, Sports & Recreation *Hon. Lekhetso Phakisi*

The Cabinet now has 25 members, 9 of them women, compared with 23, 6 of them women, in the last Parliament. There are, as shown above, seven new members while five have dropped out including the former Minister of Agriculture & Food Security, Dr Daniel Rakoro Phororo, who failed to win a constituency seat (he had previously been in the Cabinet by virtue of being a Senator); Mpho Malie, former Minister of Trade & Industry, who decided to retire from parliamentary politics; and Motsoahae Thomas Thabane, former Minister of Communications, Science & Technology, who had crossed the floor last October and formed his own political party. The other two who had dropped out of the Cabinet were Assistant Ministers Molise Paul Tšeole and Hlonpho Ntšekhe. In the case of Molise Tšeole, he had lost his seat in Parliament to the ABC candidate in Constituency No 28, Berea. Hlonpho Ntšekhe still represents Constituency No. 8, Thaba-Phatšoa, but is now a back-bencher.

Harvest FM Temporarily Shut Down

The radio station **Harvest FM**, as reported by *Public Eye* of 23 February 2007, was shut down on Tuesday 20 February 2007. The circumstances behind the closure were explained in a press conference by the Prime Minister, Pakalitha Mosisili, the following day. It seemed that the presenter, Rev. Adam Lekhoaba, had not renewed the station's licence, which had expired in May 2006, moreover he was not a Lesotho citizen and he did not have a work permit. The Prime Minister is quoted as having said 'Freedom of expression is allowed in this country but Lekhoaba took us for granted'. According to the newspaper, 'Mosisili also said that Lekhoaba was using his station to incite people to rise against the government'.

Although Lekhoaba was required to leave Lesotho, he reappeared on Saturday 3 March 2007 to marry the former Harvest FM station manager, Ntoetsi Moshoeshe. There was something of a commotion when police arrived at the wedding reception at Machabeng College, indicating that he should not be in Lesotho because letters had been posted at all border posts forbidding him entry. In the end, the reception was allowed to proceed, but he apparently left Lesotho the same day, presumably on honeymoon.

An interview with Rev. Adam Lekhoaba immediately after his marriage was published in *Public Eye* of 9 March 2007. Lekhoaba claimed that he was born at Ha Foso near Maseru and that he would fight for his rights because he was a Mosotho by birth.

In the event, Harvest Radio was soon back on air, together with Adam Lekhoaba. Although Lesotho citizens are not allowed dual nationality, in practice many also have South African identity documents, and it seemed unlikely that the government would not want to pursue this sensitive issue., for fear that it might embarrass many people in high places.

International Palaeontological Expedition Visits Lesotho

An international expedition to study fossil footprints in Lesotho arrived on 12 March 2007 for a two week stay during which they will study in detail trace fossils in several different districts in order to more accurately reconstruct the community structure of ancient ecosystems and the herding behaviour of the dinosaurs and other animals that lived in Lesotho some 190 million years ago.

The expedition is headed by **Dr Roger Smith**, Curator of Karoo Palaeontology at Iziko Museums of Cape Town. Other members are **Dr Jeff Wilson** of the University of Michigan in the USA and **Dr Claudia Marsicano** of the University of Buenos Aires in Argentina. 190 million years ago South America was joined to southern Africa as part of Gondwanaland, and the fossil records of 190 million years ago are similar between Argentina and Lesotho.

The palaeontologists paid a visit to Roma to be briefed on possible sites to visit. They were

shown the fossil footprint site on the National University of Lesotho Roma Campus, known since it was first discovered by David Ambrose and Sumitra Talukdar in 1974. It has two clear prints of an animal about the size of a dog, possibly *Lesothosaurus diagnosticus*. However, Dr Marsicano immediately spotted that the site apparently had at least one very much larger footprint, and there may even be others. These had been missed by the many visitors to the site over a period of more than 30 years!

Police Seize 870 g of Cocaine and Arrest South African Women

As reported in *Leseli ka Sepolesa* of 15 March 2007, two young women, **Keletso Bridget Manyeli** (20) and **Raasetja Catharine Lebepe** (21), appeared briefly in the Maseru Magistrate's Court on 13 March 2007, charged with possession of 870 g of cocaine worth more than M391 000.

According to Senior Inspector Lehlohonolo Moreki of the Drugs & Diamonds Branch, the Lesotho police had been tipped off by the South African police at O. R. Tambo International Airport in Johannesburg that a consignment from Brazil to Kayhil Freight Services in Maseru contained drugs. The two women were arrested when they collected their package from Brazil which they said was a musical instrument for their Church in South Africa. When the package was opened it appeared to be a musical drum, but inside the drum the police found 870 g of cocaine.

A spokeswoman for Kayhil said that three similar drums had been collected by the same young women in the previous year, but she had no idea they contained drugs. Apparently the Lesotho police had been tipped off about such activities earlier, but until now the women had slipped through their hands. They were remanded in custody for a later hearing.

King Delivers Speech from the Throne

In accordance with tradition in Lesotho as a constitutional monarchy, the new Seventh Parliament was ceremonially opened on Thursday 15 March by His Majesty King Letsie III, who arrived accompanied by police on horseback. The Speech from the Throne was delivered to the combined National Assembly and Senate, before whom His Majesty outlined the policies of the new government. Since the Sixth Parliament had not been prorogued it had only had a single session but with thirteen meetings. The Speech from the Throne was thus the first such speech since the Speech from the Throne at the opening of the Sixth Parliament on Friday 12 July 2002.

In his 34-page speech His Majesty referred to priority areas such as job creation, assistance to small businesses, tourism development and water supply, referring particularly to the Metolong Dam, work on which would begin in the financial year which was about to commence. The problems of obtaining passports would be addressed by opening offices in the districts. The National Referral Hospital, long promised, would be finally built, and there would be an active programme to help those infected with HIV/AIDS and to help others to avoid becoming infected.

In relation to education, primary education would be reviewed to make it compulsory. Ten more secondary schools would be built and the Lerotholi Polytechnic expanded.

A large programme of improving communications would be undertaken with many new roads and bridges. New transmitters would be installed so that the whole country would have access to radio and television. The Setsoto Stadium would be improved so that it could be available as a venue for 2010 World Cup matches.

In relation to legislation, Bills would be placed before Parliament in relation to Child Protection & Welfare, a Penal Code, a Sixth Amendment to the Constitution, the Environment, Judicial Administration, National Heritage, Prevention of Money Laundering, and to amend the Education Act.

The government would ensure that the economy grew by at least 7% per year as had been set by the Millennium Development Goals, and at the same time great efforts would be made to reduce poverty.

Manyeli's Exclusion from Parliament Becomes Opposition Rallying Point

After His Majesty had left, it was clear that the First Meeting of the new Session would be a lively one. Addressing the National Assembly, the Leader of the All Basotho Convention, Tom Thabane pointed out that perhaps it was divine intervention that the House when dissolved had had 61 LCD MPs after 17 MPs had crossed the floor to form the ABC. The constituency results had in fact returned just these numbers, 61 to the LCD and 17 to the ABC! Addressing the Manyeli issue (Manyeli, smartly dressed, was in the Public Gallery), he was more serious. It was an injustice that Manyeli, as Leader of the NIP, had been bypassed and had not been put on his party's proportional representation list. The ABC, ACP, BNP, MFP and NIP as led by Manyeli were united in protesting against this. They wanted Manyeli to be sworn in as an MP by the following Sunday, otherwise the parties would call for a three day 'stay away' by workers from Monday to Wednesday the following week. However, Madam Speaker pointed out that only MPs who had been elected and were on the IEC published list in the *Lesotho Government Gazette* could be Members of Parliament.

Thabane also said that to draw attention to their views, the parties would not attend the special lunch arranged for MPs and guests at the Maseru Sun Cabanas following the State Opening, and they staged a sit-in in Parliament after the adjournment at 12.30 p.m. They were ultimately expelled (no doubt feeling very hungry) late at night by members of the security forces who had been standing by all day at the Parliament.

New Vice-Chancellor Inaugurated at the National University of Lesotho

On the day following the Opening of Parliament, Friday 16 March, the Ceremony for the 'Inauguration' of the new Vice-Chancellor was held. For some reason, the University has adopted the word 'Inauguration' for such ceremonies rather than 'Installation', perhaps following the terminology used in the United States for new Presidents, and indeed the ceremony included, as in the case of the US President, the requirement of the new incumbent to subscribe to an inaugural oath of office.

After the turbulence of the previous day, the Prime Minister, who was one of the official guests, might have hoped for less excitement. However, as reported in several newspapers, when he reached the gates of the University, he found the gate blocked by a mass of student supporters of the ABC, wearing party colours and carrying placards with such messages as 'Nonyana e noele NIP', ('the Bird [i.e. the eagle which is the LCD party symbol] has drunk NIP'). This message carries a double entendre in the sense that *nipi* in Sesotho, also refers to a nip of brandy. In the boisterous manner of students who are collectively emboldened to abandon appropriate decorum, they unleashed insulting language on the Prime Minister and also told Mosisili that he wasn't their Prime Minister. He should go and rule in Qacha's Nek.

Despite the turbulence at the university gate, the Inauguration proceeded smoothly thereafter. It was a hot and cloudless day and the podium could only accommodate distinguished guests and academic staff, so the audience on the football field, mainly women students, came equipped with colourful umbrellas to provide themselves with shade.

After the formal inauguration, the ceremony included speeches from both the new Vice-Chancellor and the Chancellor. The new Vice-Chancellor, **Professor Adelani Folasayo Ogunrinade**, aged 56, is a person of considerable academic achievements. After a distinguished undergraduate and graduate career at the University of Ibadan, he studied at the London School Hygiene and Tropical Medicine obtaining a PhD in Medical Helminthology. He later obtained a research fellowship at Harvard School of Public Health for postdoctoral studies, where he worked on *Onchocerus volvulus*, the filiaroid worm which causes river blindness (onchocerciasis) in some 3 million Africans. Ibadan, Nigeria's premier university, made him a professor at the age of 35, and he served Ibadan in various capacities including being Dean of the Graduate School. In 1997 he was appointed Deputy Vice-Chancellor for Academic Affairs at the University of the Witwatersrand and he served there for four years at the time of transformation and academic restructuring of the University. From 2002-6 he was Associate Vice-President at the University of Technology in Jamaica. He has also published widely on the pathogenesis and immunology of parasitic diseases and also on Higher Education.

In his speech, Professor Ogunrinade first apologized that the ceremony had been delayed for

two weeks from the date set earlier. This had been because protocol demanded that the Prime Minister and his new government should be installed first.

In his address, the new Vice-Chancellor shared his dreams for the University, dreams which would change the university landscape with new governance and management structures emphasizing efficiency, improved performance and productivity, being nationally relevant and responding to the needs of the country. His dreams included new interdisciplinary undergraduate and graduate programmes in Tourism and Hospitality, Workforce Education, Police and Security Studies, and the Environment. He spoke also of new delivery methods and transforming the Institute of Extra-Mural Studies to become a citadel of life-long learning, opening knowledge to all Basotho and providing cross-border education in a seamless manner. His dreams included new graduates having new skills so that they did not wander through the job markets but created their own employment opportunities. His dreams extended to improved financial management, joint partnerships, improved staff and student welfare, and indeed an institution developing global partnerships with other institutions addressing concerns such as climate change, poverty reduction, the scourge of HIV/AIDS and the UN Millennium Goals. NUL should be an active participant in global issues rather than a passive onlooker.

However, the Vice-Chancellor continued, the occasion was not only one for dreaming but for recalling recent past achievements and indeed some of the accomplishments of his administration in his first 100 days in office. These included dialogue with all relevant groups within and outside the university, resuscitating management committees, and starting consultations with local partners, particularly in relation to establishing a Student Centre, while responding to the creation of a business incubator for the 'entrepreneurs camped at our gate'. [This was a reference to the many informal traders, who were once allowed to trade within the campus, but had been expelled, and who now occupy and crowd the road reserve with inaeesthetic structures for a considerable distance along the approaches to the Roma campus.]

The Vice-Chancellor paid tribute to the students, and also to his predecessors and his present colleagues, both in the university and government, for the good work they have done. He also mentioned his wife who had come from Abuja to be present at the occasion. She holds the post of Special Assistant on Diaspora matters to the Nigerian President.

Following the Vice-Chancellor, the Chancellor, His Majesty King Letsie III, addressed the gathering. He noted that the University and Basotho nation have an obligation to assist and give maximum support to the new Vice-Chancellor in charting and mapping the direction of the University in order to realize development goals in Lesotho. He also directed the Vice-Chancellor to address the financial administration of the University and to ensure that the assets of the University are properly managed. The legal instruments of the University needed to be reviewed to be in harmony with the labour laws and Constitution of Lesotho. Student access was another problem to be addressed, with upgrading programmes needed to bridge the gap between school and university and in particular to address the problem that grades in English Language were so poor in the Cambridge Overseas Certificate Examination.

The occasion was followed by a reception in the garden at the Vice-Chancellor's residence on the Roma Campus.

Stay Away in Maseru Virtually Complete

The stay away in Maseru called for three days from Monday 19 March was virtually complete. No public transport ran, and shops, offices, banks, factories and even law courts were closed. The stay away extended to Roma, where university lectures were also abandoned. Although the government sent a number of buses and other vehicles to bus stops to pick up passengers, there were none to be picked up. Everyone had stayed at home. On the whole the stay away was peaceful, but *Public Eye* of 23 March 2007 carried a picture of a '4 + 1' taxi which had been burnt near the Thabong roundabout after an angry mob caught it breaking the stay away.

Although the ABC enjoys considerable support in Maseru, the stay away had the potential to undermine this support. The kind of problems people were encountering were illustrated in a full page cartoon on the front of *Moafrika* of 23 March 2007. Different people are seen complaining of their

difficulties. One is saying that his sick person has died because there was no transport to get them to medical facilities; another is saying that he has a corpse that cannot be transported to a mortuary; a third is a vendor of perishable goods which have gone rotten; a fourth is a prisoner who is saying that he hasn't been released from prison, even though he has served his sentence; and a fifth is saying that families are being destroyed because *linyatsi*, men with secret girl friends, cannot get back to their homes after spending time with their paramours because of lack of transport.

Tuesday 20 March, it was announced by Tom Thabane, on behalf of the five opposition parties, that the Southern African Development Community had agreed to look into the grievances of the opposition in relation to the problems which has developed in relation to the Mixed Member Proportional electoral system. As a result it had been decided to call off the stay away.

On Wednesday 21 March, all was back to normal, although shops and banks were busier than usual.

LHWP Phase II Feasibility Study Narrows its Choices

The Feasibility Study for Phase II of the Lesotho Highlands Water Project, as indicated by advertisements and information from the Lesotho Highlands Water Commission, has reached about half way in its investigations which are due to be completed by 2009. The first stage was to decide between five competing options, two of which were, with slight variations already provided for in the Phase I Feasibility Study. These were for a dam at Mashai, or for a dam slightly upstream at Taung, in both cases backing the combined flow of the Senqu and Malibamatšo to reach the foot of the Katse Dam, and creating a reservoir from which water would be pumped into the Katse Reservoir.

A third option which emerged was to place a dam across the Senqunyane near Ha Lebelo east of Semonkong and to trap the combined flow of the Senqunyane, Lesobeng and Mantšonyane rivers and pump from the resulting reservoir back to the Mohale Reservoir. This would have been the option least favoured by environmentalists because, although the area is little explored and little known archaeologically, it is known to contain exceptionally fine rock art and rock shelters which may well have been inhabited for over 100 000 years. Moreover the sandstone gorges in which the Senqunyane twists and turns, although at present very difficult of access, are arguably more spectacular than any other such sandstone scenery in southern Africa.

The other two options involve the Polihali dam site, downstream from the confluence of the Khubelu and Senqu. One option considered was a gravity tunnel to the Namahali (Elands) headwaters in Qwaqwa. This would become the longest such water supply tunnel in the whole scheme, but would be extremely expensive, tunnels in such schemes being usually more expensive than the dams themselves. The cost in this case would be increased by difficulties of access, so that short of sinking a shaft midway, a complex option, it would be necessary to bore the tunnel from the two ends over 50 km apart. This option however could generate considerable hydropower at the South African end.

The last option, and the one now favoured, still involves a long tunnel, but water, as in the rest of the scheme so far, would run under gravity saving on recurrent costs. The tunnel would go from the Polihali Reservoir to the north end of the Katse Reservoir near Ha Lejone. Geotechnical investigations for this scheme are about to begin. Drilling and coring will determine the suitability of the rock along the tunnel route and at the dam site.

In the original Lesotho Highlands Water Project Feasibility Study, provision was made for Phases III (Tsoelike Dam) and IV (Ntoahae Dam). The Polihali scheme will rule out the possibility of Phases III and IV, as originally conceived, unless there is a later Phase IIB dam in the Mashai to Taung area.

In the past year, with the additional water from the Mohale Dam available for the first time, an average of 24.7 cubic metres of water per second was exported to South Africa, earning R269 million in royalties, which worked out at 10.7% of the Gross Domestic Product.

NUL Lecturer Nthakeng Selinyane wins High Court Case against University

As reported in *Public Eye* of 30 March 2007, Development Studies Lecturer, **Nthakeng Selinyane**, has won his right to reinstatement at the National University of Lesotho, following a High Court ruling by Acting Judge 'Maseforo Mahase. Selinyane is a columnist in the *Public Eye* newspaper, and

his exercising freedom of speech to criticize the university administration seems to have been the catalyst which sparked off the confrontation between him and the former Acting Vice-Chancellor.

The Acting Judge was scathing in her criticism of the former Acting Vice-Chancellor, Professor Mafa Sejanamane, saying that he had acted as 'a judge, a jury, a complainant and a witness and executed his own judgment'. Sejanamane should not even have written the letter of dismissal. By doing so he had usurped the powers of the Registrar. Moreover, Sejanamane had also been contemptuous of the courts of the land in the extreme, and he should not have been heard by the High Court before he had purged his contempt before the court.

Preliminary Census Results 'Awaiting Cabinet Approval'

Enquiries were made at the end of March about the April 2006 Census results. A spokesperson for the Bureau of Statistics indicated that the preliminary results had been prepared but were 'not ready for consumption until the Cabinet had approved them'.

Inflation Remains in the 6% to 7% Band but Shows Signs of Dropping

Publication of the Lesotho inflation rate had been delayed late in 2006 because it was said that the responsible staff in the Bureau of Statistics had been seconded to work on the census. The situation has now improved, although there is still some delay. The latest inflation rate available at the end of March 2007 was for January 2007, but it was said that the February 2007 figure would be available 'after Easter'.

As the chart shows, the Lesotho inflation rate rose steeply in May 2006 from 5.1% to 6.7% because of the impact of oil price increases and also tariff increases implemented in the new financial year. In the past these had lagged behind inflation, but were now necessary in large steps (for example 18% annual rises for three years in electricity tariffs) to make parastatals profitable ahead of proposed privatization. After the sharp rise, the rate stabilized in the 6% to 7% band, but reached 6.9% in October 2006, the highest rate since September 2003 when it also stood at 6.9%. However, at the end of the year, in part because of fuel price reductions and some seasonal reduction in fruit and vegetable prices, there were signs that the inflation rate was declining again. It dropped to 6.0% in January 2007. The comparable South African inflation rate based on the CPIX was 5.3% in January and 4.9% in February, also showing a declining trend. However, imminent rises in the price of maize because of the dry summer could reverse this trend.

2006-7 Summer: Three Wet Months Followed by Three Dry Months

Going back a year, on the basis of Roma rainfall figures, February 2006 at 357 mm was the wettest February in the past 73 years of available records. February 2007 however became unfortunately memorable for the opposite reason. With only 27 mm it was the driest February on record, drier than February 1968, the previously driest February with 36 mm. The rainfall for the six months from October 2006 to March 2007 was particularly asymmetric, with three months of above average rainfall followed by three months with rainfall below average. The total summer rainfall at 584 mm was below average, and was in fact the driest summer since 1994-5, when the summer rainfall totalled only 452 mm. The January to March rainfall total was only 164 mm, and this is the lowest combined total for these three months since 1965 when the total for January to March was 160 mm.

The consequences of the drought were already considerable. Water had to be released at 'Muela from the Lesotho Highlands Water Project in March into the Mohokare catchment to rescue Maseru. Despite the M8.9 million scheme opened in 2006 to divert water to Roma from the headwaters of the Makhalaneng, there were also frequent water shortages at the National University of Lesotho Roma Campus. In South Africa, it was reported in the *Mail & Guardian* of 16 March 2007 that because of the three month dry spell, South Africa would be unable to meet its required annual harvest of 8 million tons of maize. The extent of the shortfall was not yet clear, but imported maize is extremely expensive, particularly if bought from the USA, the one country with a usually reliable surplus. In contrast to the R600 a ton price of the past three years, maize in South Africa was already trading in

mid-March at R1952 per ton, and prices above R2000 a ton were expected.

Summary of events in Lesotho is a quarterly publication compiled and published by David Ambrose at the National University of Lesotho, P. O. Roma 180, Lesotho. It is also available, including an archive of past issues back to 1994, at www.trc.org.ls, the website of the Transformation Resource Centre in Maseru.