

THE DAWN OF THE POLITICAL CLOUD OVER LESOTHO 1998 ELECTIONS

M.L. Pherudi and S.L. Barnard¹

INTRODUCTION

The Basotholand Congress Party gained an overwhelming victory in the 1993 elections in Lesotho but the schism from within hampered its governance. The schism gained momentum during the party's summit held between 28th February and 2nd March 1997, and the summit resolved:

Vote of no confidence in Dr Ntsu Mokhehle, the then party leader, and that he should be removed from party leadership in terms of Section 21 4(IV) of the party constitution.² That summit clearly evinced the differences among the stalwarts of the party, which continued to widen the split from time to time. Dr. Mokhehle, in self-defence and his attempt of clinging to power took his party to court and the outcome favoured him. The presiding judge, Justice Wiston Maqutu, argued that the Basotho Congress Party's National Executive Council had failed to provide evidence of warning to the then leader of the party about his inefficiency, and therefore the party cannot be left without a leader.³

Despite the court ruling fighting factions could not see each other eye to eye within the government.

In the light of the growing dissatisfaction about his leadership, Dr Mokhehle dropped a bombshell on the 7th June 1997 when he announced resignation from the Basotho Congress Party. He formed a new party called the Lesotho Congress for Democracy, which was launched on the 10th June 1997. He immediately transferred government power to the new party. Out of 61 MPs 41 transferred their loyalties to Dr Mokhehle, which effectively gave him the

¹ Department of History, University of the North, Qwaqwa branch and UOFS.

² "Thaka e ncha ere e leleklele Dr Mokhehle", *Makatolle*, Vol. 15, No. 11, 19 March 1983, p. 3.

³ Africa Institute of South Africa (AISA - Pretoria), "Lesotho Premier: Court reinstates premier as party leader, but for interim", GLEAA04031 31 9301 ZAF/AFP - JV45.

majority in parliament. The then Prime Minister shocked the country, with many doubting the constitutionality of his action.⁴ Dr Mokhehle's action indeed violated the political morality of Lesotho. Protesters constituting some Basotho Congress Party members and the opposition parties, urged King Letsie III to ask Dr Mokhehle to resign and call for new elections. The request of the opposition posed a very difficult situation for His Majesty, King Letsie III, because constitutionally he is supposed to be apolitical and if he consented to the plea of the opposition it would be viewed in a serious light by the ruling party. Furthermore, it would not matter which party would win the elections scheduled for 1998 when differences emerged, the Basotho politicians would be advised to heed the words of the present Secretary General of the United Nations, Kofi Annan, when he said: "...My brother African leaders, I appeal to you once again: We Africans must summon the will to resolve our problems by political and not military means. For every day we fail to do so, the innocent people of this continent pay a terrible price..."⁵

THE 1998 GENERAL ELECTIONS AND THEIR COMPLICATIONS

The 1998 elections were most interesting compared to previous ones. These were driven by real issues, like policies rather than personality cults. Furthermore, the electorate would possibly not focus their attention on the historical wrongs of the previous years. They had already tasted the Basotho National Party rule, the military rule, short lived royal rule and the incomplete Basotho Congress Party's rule. It appeared that the political muscle of the principal parties would be fairly and genuinely tested because of the partial completeness of the governing circle of Lesotho.

As in the 1993 elections, many parties registered for the electoral contest. Those registered were Marematlou Freedom Party (MFP), Sefate Democratic Party, Basotho National Party (BNP), Basotho and Congress Party (BCP), National Progressive Party, Popular Front for Democracy, Kopanang Basotho Party, Lesotho Labour Party, United Democratic Party, Christian Democratic Party, National Independent Party and the Independents.⁶ The increase of the election contestants showed political dynamism and diversism among the Basotho, and also provided a broader choice for the electorate. The elections

4 Human Rights Report (HRR), June 1997, pp. 46-7, "Bizzare move by Lesotho's leader", *Pretoria News*, 10 June 1997; AISAI - Pretoria, GLEAA052031 0521 ZAR/AFP - BC98.

5 "Mandela shifts on Congolese conflict", *Public Eye*, 13-17 September 1998, p. 12.

6 Report of the commission of inquiry into conduct and the results of the Lesotho General Elections held in May 1998.

were held on 23 May 1998 under the auspices of Independent Electoral Commission headed by Mr S Mafisa. After the process, the Lesotho Congress for Democracy had overwhelmingly won 78 of the 79 constituencies, mostly with a margin of thousands.⁷

Talking about the overall results of the elections, the Independent Electoral Commission's chairperson, Mr Mafisa, concluded that "the elections were free and fair".⁸ The International Observers concurred with him. They confirmed that the elections were conducted quite smoothly but they could not commit themselves to judging whether there was cheating or not, because it would be difficult for them to see through a folded paper. Other instances like the Christian Council of Lesotho, Lesotho trade Union Congress, Lesotho Council of Non-Governmental Organisations, Lesotho Federation of Women Lawyers, Lesotho Catholic Bishops, United Nations Development Programme, European Union, Southern African Development Community (SADC) as well as government representatives from Canada, China, SA, the USA, Zambia and many others confirmed the fairness of the Lesotho 1998 elections. Declaring the elections free and fair, one supposes, would mark a political victory among the electorate who wanted to see the party of their choice in power. Prof. Phakalitha Mosisili was sworn in as the Prime Minister of Lesotho. Dr Mokhehle commended his successor as a man of power and good qualities. Unfortunately Prof. Mosisili was a rather relatively unknown politician except in the university circles.⁹

On the contrary, some principal opposition parties like the MFP, the BCP and the BNP utterly rejected the outcome of the elections, and were later joined by parties such as the SDU, UP, LLP, LEP and UDP. They formed a coalition of 16 members led by Matsobane Putsoa, and embarked on a physical counting of the ballot papers from polling stations. The results were compared with those published by the IEC. In 31 constituencies made available to the Task Force, there were without exception large differences between the physical counting of those who voted and were cancelled on the voter's roll and counting by the IEC at the exit poll. According to the voters' lists of Mabete, No. 39; Maseru, No. 32; Machache, No. 38; Thaba Putsoa, No. 29 and Qeme, No. 42, a number of polling station lists were missing. The IEC official told the Task Force that they

7 M.L. Pherudi, *Lesotho 1998 elections: Is it a usual political play or political earthquake?* Paper read at history seminar at Mphohadi College of Education, July 1998, p. 9.

8 "No harmony in LCD band", *Mopheme - The Survivor*, Vol. 5, No. 15, 9-15 June 1998, p. 1.

9 "Lesotho crisis in huge challenge for SADC states", *City Press*, 30 August 1998, p. 9.

could not find them despite repeated requests.¹⁰ The Task Force's observations were as follows:

COMPARISON OF IEC EXIT POLL AGAINST VOTER'S LIST ACTUALS BY CONTITUENCIES¹¹

CONSTITUENCY							
NO.	NAME	IEC	VOTERS LIST	VARIENCE (3)-(4)	VARIENCE (4)-(8)	LCD	OTHER
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
06	Maliba Matso	9093	6681	2412	3108	5563	3530
07	Mphosong	7926	6564	1362	3886	5248	2678
16	Likhetlane	8496	7110	1386	2356	3742	4754
17	Peka	8546	6456	2090	2047	4137	4409
18	Kolonyana	7726	5824	1902	1493	3396	4331
29	Mabote	9104	5417	3687	1058	4745	4359
30	Motimposo	7760	7349	411	4705	5116	2644
31	Stadium Area	11350	8401	2949	2739	5680	5662
32	Maseru	9192	2654	6538		3742	5450
33	Qoaling	8710	8167	543	5366	5909	2801
34	Lithoteng	3742	4378	1364	2287	3651	2091
36	Abia	3577	2006	1571	586	2157	1420
37	Thaba Bosin	7715	5097	2612	2422	5035	2675
38	Machache	7482	6180*	1302*	3738*	5040	2442

10 "The 1998 elections", *Mo-Afrika*, 3 July 1998, p. 7.

11 *Ibid.*

39	Thaba Putsoe	8190	3270*	4920*		4704	3486
40	Maseru**	5280	4061	1219	1926	1346	2135
41	Koro Koro	4790	4371*	4219	833	3252	3538
42	Qeme	9215	2616	6599		4715	4500
44	Matsieng	9038	7769	1296	4702	5996	3067
45	Makhaleng	8327	5110	3217	551	3768	4559
46	Maletsoanyane	6405	5358	1067	2852	3872	2533
69	Lekhalong la Qacha	8382	7851	1324	5140	4347	3504
70	Lebakeng	7014	6365	649	3877	4526	2488
71	Tsoelike	8249	7629	620	5232	5852	2397
72	Mantso'anyane	9220	4545	4675	140	4815	4405
73	Thaba Moea	6602	3560	3036	873	3915	2687
74	Thaba Tseka	8219	5225	2994	1302	4296	3923
76	Mashai	8307	7156	1151	4274	5425	2882
77	Maliangoaneng	7413	5360	2113	1213	3266	4147
78	Senqu	5118	2522	2996	422	2574	2944
79	Mokhotlong	7699	6511	1088	1459	2647	5052

* 12

1. Column 3 represents the IEC's results as published. Column 4 represents the actual figures from the voter's lists. Column 5 shows the difference between 3 and 4. With the exception of Motimposo, No. 30, with 411 votes; Qoaling, No. 33 with 543 votes; Lebakeng, No. 70 with 649 votes, the differences in other constituencies all range above one thousand. This is a high number of difference. While an attempt is made in paragraph 5 to

12 * Signifies some polling station voter's lists booklets missing.

examine the differences, one truncates the analysis at this point to briefly reflect on the IEC's obstruction in the supply of the source documenting for this critical component of the audit.

2. The constituencies Mabote, No. 29; Maseru, No. 32; Machache, No. 38, Thabana Putsoa, No. 39 and Qeme, No. 42, have a number of polling station lists missing. It was claimed that the missing ones had inadvertently been sealed in the envelopes containing the ballot papers (which can only be accessed through a court order).
3. The Task Force was only told on 26th June 1997 that polling stations' marked voter's lists for all constituencies were stored in the IEC's "strong room" in the districts and were consequently not available at the Maseru headquarters. With the noted pattern of enormous differences between IEC figures and actual count of votes cast (column 5), it became even more imperative that the "ghost" voters in column 5 should be firmly established as they have explicitly and significantly affected the outcome of the elections.
4. To return to the analysis, Column 7 represents the LCD votes as published by the IEC for the corresponding constituencies. Column 8 is the residual when the figure in column 7 is deducted from the figure in column 3 (Independent Electoral Commission's constituency total votes cast). This difference therefore gives the total votes cast for all the other parties plus independents for that constituency. When the figure for column 8 is deducted from the actual figure for the physical count from marked voter's lists in column 4, the results should be the number of votes cast for the LCD in that constituency. Representation in column 7 is to ease comparison in every constituency.
- 5.
- 5.1 Act 56(1)(d) of the National Election Assembly Order No. 10 of 1992 provides that:

"For each polling district within a constituency an extract of that part of certified (sic) copy of the electoral list for the constituency which relates to the polling district."

In almost all the constituencies whose electoral lists were examined by the Task Force the following irregularities were noted:

- A. All supplementary voter's lists were not certified. Their validity and authenticity are therefore subjected to suspicion. These lists were used for voting as demonstrated by the cancellation of a number of electors' names on them.
- B. A larger number of sheets/pages containing names of persons entered in ball pen and marked as having voted show up on the voter's lists of several polling stations in all constituencies processed by the Task Force. In some polling stations these penned lists went into more than one page.
- 5.2 The gravity of the serious irregularities lies in the fact that some non-qualifying registered persons could have been allowed to vote and in very significant numbers. In some instances the consequence was that the outcome of the poll in a particular constituency could be adversely affected. It is therefore crucial that all the voter's lists from all polling stations and constituencies throughout the country should be scrutinised and edited for these two serious irregularities.
- 5.3 The "ballot count" is intended to provide information on the totality of ballot booklets and ballot papers used at every polling station and corresponding constituency, including spoiled ballot papers and unused balances. Thus the ballot count is a crucial control measure on the legitimate use of ballot papers.
- 5.4 The administration of the elections were marred by many irregularities which cast a lot of doubt on the reliability of the pronouncements made by the IEC. A few cases are quoted to illustrate this point:
- 5.4.1 In Qaquu, No. 60, 26 A45 forms seem to have been written by one person even though different names have been signed. This is humanly impossible to happen if not illegal and fraudulent.
- 5.4.2 The delay in receiving the A45 forms from Qacha's Neck, No. 69, were explained as follows: three forms had not been received by the Independent Electoral Commission in Maseru. The question is how the A45 form for that constituency was prepared without those three or how were they separated from the rest after compilation of the summary.
- 5.4.3 The auditors could not access polling station account, form A46, because it had been sealed with the ballot papers.

5.4.4 An interesting case in Makhaleng constituency also emerged. Two A45 forms were completed for one polling station, with the same result but different dates. This suggests that there was a deliberate act of manipulation of electoral documents weeks after the announcement of the election results.¹³

The opposition argued that it was unusual that in almost all the constituencies, the order of winning should be the same, i.e.: Lesotho Congress for Democracy, Basotho National Party, Basotho Congress Party and others. They then demanded the auditing of the election outcome and their scope included:

1. checking the registered voters per constituency;
2. matching the above with the outcome;
3. checking the total printed ballot papers;
4. checking the unused ballot papers;
5. checking the spoiled papers;
6. matching 3, 4 and 5 with the election results;
7. checking the sample of the polling station documents;
8. sampling some election results;
9. performing any test which the auditors would find necessary for their audit.¹⁴

The auditing of the election results was intended to remove suspicions about the rigging by the Independent Electoral Commission and the Lesotho Congress for Democracy.

Serious allegations were made by the opposition group that the outcome of the elections did not give the true reflection of the electorate. They emphasised that "li pheuoe, li a nkha" (They are rigged).¹⁵ In support of their conviction, they mobilised their supporters and camped at the Royal Palace in Maseru from 4th August 1998. They handed a petition to His Majesty, King Letsie III, and briefly demanded the dissolution of the Lesotho Congress for Democracy government and the creation of an interim government until the next elections.¹⁶

13 Transformation Resource Centre (TRC), Maseru. *Audit of 1998 General Election and the Kingdom of Lesotho*.

14 "Probing IEC on election fraud", *Mopheme - The Survivor*, Vol. 5, No. 17, 23-29 June 1998, p. 1.

15 South African Broadcasting Corporation (SABC), Bloemfontein, Lesedi FM Stereo-Matshohlo programme, 4 August 1998.

16 *Ibid.*

The election outcome was disappointing to the opposition groups particularly where they expected to outsmart a hardly six months' old Lesotho Congress for Democracy. They vowed not to vacate the Royal Palace before His Majesty would address them on their demands. That was the most difficult task for His Majesty because the constitution barred him from making any political statement. Ironically, the BCP leader, Mr Qobela Molapo, had accused His Majesty of involving himself in politics, and now he wanted the very rule to be violated for personal gain. By allowing the opposition to camp at the Royal Palace, the King created the impression that he was supporting the opposition. He did well to remain tongue-tied. Several deputations from the SADC, headed by the Troika (SA, Botswana and Zimbabwe) came in and out of Lesotho, and finally agreed on establishing a commission of inquiry under the chairpersonship of the South African Constitutional Court Deputy President, Chief Justice Pius Langa. The terms of reference included the following:

1. To inquire into all matters relating to the alleged irregularities in respect of the 1998 National Elections in Lesotho, including
 - * alleged fraudulent acts in the compilation of the voter's roll;
 - * alleged acts of vandalism in respect of electoral materials;
 - * alleged irregularities in the demarcation process;
 - * alleged irregularities in the reconciliation of votes cast with the voter's roll;
 - * alleged irregularities in the counting of votes.
2. To make recommendations to the SADC on a possible solution to the impasse, within fourteen days.¹⁷

The counting process started all over again, and the students of both the Free State University and the University of the North, QwaQwa Campus, helped a great deal in that regard and later SADC members completed the counting mission. Thereafter the Basotho were promised the report on the 10th September 1998, but that deadline could not be met and it created more uneasiness among the opposition who thought that the report had been changed so as to suit the interests of the ruling Lesotho Congress for Democracy. While waiting for the report, the junior officers mutinied and forced the Head of the Armed Forces, Commander-Lieutenant-General Makhula Mosakeng to resign under the duress and he was replaced by Brigadier Anton Thibeli.¹⁸ Probably

¹⁷ TRC, Maseru, *The commission of inquiry*.

¹⁸ "Modise, Chikane arrive in Lesotho for talks", *Sowetan*, 15 September 1998, p. 2.

the former was suspected of being pro-Lesotho Congress for Democracy, which created an impression that the mutineers were opposition aligned, thus the alleged existence of party aligned forces in Lesotho. In response to the mounting tension in the territory, the Southern Africa Development Committee released the Langa report on the 17 September 1998. The commission did not find widespread election fraud as alleged by the opposition: "We are unable to state the invalidity of the elections ... We point out however, that some of the apparent irregularities and discrepancies are sufficiently of serious concern. We cannot however postulate that the results do not reflect the will of the Lesotho electorate..."¹⁹ After the presentation, Mr S. Mufamadi (the South African Minister of Safety and Security) suggested a meeting, scheduled for the 20th September 1998, with all the stakeholders to discuss the way forward. That sounded diplomatic on the side of the SADC but the question was whether the opposition would augur well with that proposal.

LESOTHO CONGRESS FOR DEMOCRACY'S APPEAL AND SADC INTERVENTION IN LESOTHO

The political situation deteriorated after the release of the Langa Report. Several indicators pointed to heightening anarchy, and some of them were the evident complete collapse of law and order, the breaking down of security, the confiscating of government vehicles by the opposition group, the closing down of the Radio Lesotho Broadcasting Corporation, government's loss of control over the army, and alleged death threats to the Lesotho Congress for Democracy ministers.²⁰ The sum total of the mentioned factors equals the undeclared coup, and indeed Lesotho was in a serious chaotic state. When realising the possible collapse of his government, Prof. Mosisili, the Prime Minister, made an appeal to the head of the SADC, Dr Nelson Mandela, informing him of the life threats on cabinet ministers. The first letter written on 16th September 1998, stated: "...I wish to urgently request your excellency to come to the rescue of my government and the people of Lesotho. The only intervention I can and do request urgently is of military nature ... This morning the situation has worsened ... further serious threats being made included abducting ministers, killing the prime minister and foreign affairs minister at any time. The most serious tragedy is that the police, in that particular, the army are, at best spectators ...

19 TRC, Maseru, *The commission of inquiry*.

20 SABC, Cape Town, Mbeki's national statement on Lesotho crisis, 2 October 1998; "Lesotho boils over", *Sowetan*, 11 September 1998, p. 1.

We have a coup on our hands..."²¹ Indeed the government was in serious trouble particularly when lives were threatened. The SADC did not immediately respond to the Lesotho government's request but instead hoped to attend to that matter on the 20th September 1998 at the summit to be held in Mozambique. On the 19th September 1998, Dr Mangosuthu Buthelezi, the then Acting South African State President, received a second more urgent letter from the Lesotho government which stated: "...This morning we have received reports of a shooting attack at night on the house of a local member of parliament ... extensive damage of property has been occasioned. For three days running, life in Maseru has been grounded as rampaging hordes of armed opposition party protesters, and some soldiers continue to terrorize the city ... a sniper shot has been taken at a cabinet minister's car, as a result, ministers of government are confined to their residences ... The situation is so desperate that some of us may not see the planned meeting of Sunday 20th..."²² The tone of the second letter suggested that "ntja e ja ntjanyana" (it was a complete chaos), and the SADC was expected to provide some rescue aid to the troubled Lesotho Congress for Democracy's government.

In response to the government's request to the SADC, Mr Molapo Qobela, the BCP leader and one of the spokespersons of the opposition, warned that "any intervention from outside will be interpreted by our people as aggression against King Letsie and his Kingdom. So whatever happens from now, we are ready. Lesotho is a sovereign state and not a SADC colony..."²³ The mood of Mr Qobela's response clearly showed that any military intervention would not be tolerated by the opposition, and that it would be a recipe for military confrontation if the SADC would respond positively to the Lesotho government's request. On the 22 September 1998, soldiers partaking in Operation Boleas under the commandship of Col. Bobbie Hartslief, entered Lesotho in the early hours of the day. It is vital to note that the SADC forces did not voluntarily move into Lesotho but were invited, and whether all stakeholders had a say in that cannot be confirmed. Several reasons were advanced for the SADC's "invasion" of Lesotho, of which some were the deterioration of security in Lesotho, the protection of democracy, the defusion of an undeclared coup, the creation of an environment in which negotiations could resume for lasting peace and also the curbing of more mutinies in the Lesotho Defence Force.²⁴ These

21 "SA Troops alert as Maseru mutinies", *Mail and Guardian*, 18-24 September 1998, p. 1.

22 *Ibid.*

23 "Raid was mission impossible - Col.", *The Citizen*, 24 September 1998, p. 1.

24 "Conflict won't hurt SADC affairs", *Sowetan*, 29 September 1998, p. 1.

are acceptable reasons provided for the SADC's "invasion" of Lesotho but intervention without broader consultation with most of the stakeholders like the King, the opposition parties, the churches, businessmen, the Lesotho Council of Non-Governmental Organisations and many others was a recipe for more chaos in Lesotho. The fact that the situation was volatile is not disputed but the government could have tried to have consultations with other stakeholders even though that would not include all of them. It is also interesting to realise that among all the reasons provided for a "South African" invasion of Lesotho, one is left out and that is the protection of its interests in Lesotho, especially the Lesotho Highlands Water Project. That was evident immediately when South African entered Lesotho. A group of South African soldiers went straight to the project at Katse, while other groups moved to the Royal Palace, the Makoanyane and the Haratjomose military bases.

REACTION TO THE SADC'S INTERVENTION IN LESOTHO

Most of the opposition supporters felt angry at the intervention by the SADC forces and started attacking government and private properties, like shops owned by foreigners, and the houses of Mosisili, Maope, Melato and Thabane. Huge clouds of smoke covered the capital city. Mamello Morisson (another spokesperson for the opposition), cried out that "South Africa acted dishonourably, by failing to discharge its moral duty, failing in protecting the people and instead it decided to protect the government..."²⁵ In Morrison's opinion the SADC acted dishonourably because it would not side with the opposition's aspirations, but instead protected the government's interests. The late Evaristus Sekhonyana, the former Basotho National Party leader, expressed his utter disappointment with the SADC's intervention in Lesotho. He felt betrayed and said that "one evening SADC drank political viagra and woke up the following morning feeling stronger than others..."²⁶ Sekhonyana's view seemed to suggest that the SADC took advantage of Lesotho's feeble military resources and that the country was landlocked.

There were also many responses from South Africa. The Pan Africanist Congress Secretary-General, Mr M. Muendane, impressed by saying that the South African government's move showed up its incoherent and confusing foreign policy, as "they are people who said no intervention in Congo, no inter-

25 SABC-CCV: TV News, Lesotho update, 24 September 1998.

26 SABC-CCV: TV News, Lesotho update, 25 September 1998. (Mr Everistus Retshelisitsoe Sekhonyane, the leader of the BNP, died on 17 October 1998.

vention in Nigeria, but now are sending troops in Lesotho, it just does not make sense.²⁷ The Pan Africanist Congress's view seemed to hold water because intervention in Lesotho was rather "interest driven" than "policy firmness". Both the African National Congress and the Inkatha Freedom Party supported and condoned the SADC's intervention in Lesotho.²⁸ For the first time in many years both parties were in the same boat. Perhaps this sudden mutual understanding was because the Inkatha Freedom Party leader, Dr Mangosuthu Buthelezi, has been honoured quite often by being appointed acting president when both the president and his deputy were out of the country. It is indeed commendable to see these parties coming closer to each other, and one hopes that that would translate into a peaceful co-existence between the two parties in Kwazulu-Natal and other parts of South Africa. On the 2nd October 1998, the SA deputy president, Mr Thabo Mbeki, made a statement on the national media that the opposition and the Lesotho Congress for Democracy government had agreed on settling their differences amicably. That turned out not to be the truth. If any agreement had been reached it would be imperative that the announcement should be done by the head of the country, His Majesty Letsie III, for that would in a way restore the hopes of the Basotho and restore mutual understanding between the factions in Lesotho.

THE AFTERMATH

Youth went on the rampage in the city centre, setting fire to certain government and business properties, including the Lesotho High Court and the houses of some parliamentarians. The building known as Mokorotlo,²⁹ which was a tourist attraction on entering Maseru, ceased to exist after being looted and burned to the ground. To those who might be superstitious, the destruction of Mokorotlo was a bad sign as it meant that "Lesotho was dead". Mokorotlo was one of the major sources of income as tourist attraction as most visitors would not leave the country without buying something of Basotho heritage. The army chief of Lesotho, Lt.-Gen. M Mosakeng, and sixty senior officers resumed command of the Lesotho Defence Force on 24 September 1998, and that showed that the SADC's presence was beginning to bear positive fruits. It sent a clear message that coups would not be tolerated within the Southern Region. Hopefully, SADC succeeded to discourage military take-overs by whatever means.

27 "Parties slam government over Lesotho move", *Sowetan*, 23 September 1998, p. 2.

28 "Lesotho crisis: ANC applauds SA role", *Sowetan*, 2 October 1998, p. 6.

29 Mokorotlo is a delicately handwoven hat worn with pride by the Basotho.

Despite the success of the SADC in Lesotho, there was an exposure of weakness particularly on the side of South Africa. The South African National Defence Force took Lesotho Defence Force for granted. They expected little or no resistance at all and inadequately prepared themselves for sniper attacks. That was confirmed by Col. Hartsliet when he said: "We did not expect that they will resist in the way they resisted."³⁰ It was unfortunate that thorough preparations had not been done before intervening in Lesotho, hence there were a number of casualties on the South African side during the first few hours of their intervention. The Lesotho Congress for Democracy's government refused to step down as demanded by the opposition, because they were put in power by the people's votes and the Langa Commission also had not unearthed fraud. It was alleged that Prime Minister Prof. Mosisili did not inform the King about possible SADC intervention in Lesotho. Rightly or wrongly, the Prime Minister might have believed that the King was part of the problem. It was no secret that the opposition, with their electoral grievances which might have been genuine, stood to gain much from the anarchy which had brought almost everything to a standstill in Lesotho. In response to the anarchy, a curfew was declared on 24 September 1998,³¹ probably with the intention to minimize the level of chaos.

Hundreds of people fled to the small border town of Ladybrand in the Free State, fearing for their lives. About 1 300 people sought refuge outside the Lesotho borders. Despite South Africa having accommodated most of the Basotho refugees, anti-South African sentiments gained momentum in Lesotho. Almost anything linked with South Africa was attacked. It was not uncommon to meet the people in the streets of Maseru shouting: "We do not want South Africa."³² What seemed to have angered the Basotho from the opposition's point of view was that South Africa wanted to dictate to them and had already prejudged that the opposition groups were wrong. Economic life had virtually come to a standstill. Looters helped themselves to merchandise from Metro Cash and Carry, Pep Stores, Shoprite, OK Bazaars, Jet Stores and Sales House outlets and also butcheries. There was total destruction in Maseru³³ and that was confirmed by Mamello Mirisson, when she said: "We protested here for several days, for almost a week without a single window being broken, but now look at our city - it has been destroyed."³⁴ Indeed, Maseru was destroyed; as one

30 "They were waiting for us", *Sunday Times*, 27 September 1998, p. 5.

31 "Maseru fragile as troops mobs up", *Sowetan*, 1 October 1998, p. 6.

32 SABC-CCV: TV, Two way programme, 6 October 1998.

33 "I have never seen such a destruction - Viljoen", *The Citizen*, 28 September 1998, p. 1.

34 "To the people of Lesotho ... sorry", *Mail and Guardian*, 25 September-1 October 1998, p.

was driving through the city, the ruins of business centres remained to tell the story. Some skyscrapers were burned. Misery, poverty and devastations are nightmares which will continue to haunt the Basotho for long.

Rounds of talks were held between the SADC, the Lesotho Congress for Democracy, the opposition leaders and other stakeholders to discuss serious issues such as: the holding of new elections, drafting of the code of conduct for the political parties, police professionalism and army maintenance. This coming together for talks gave hope that a negotiated settlement would eventually be reached. Finally the Memorandum of Agreement was arrived at and it contained the following:

1. The SADC's delegation to Lesotho in respect of the 1998 elections, met with the political parties in Maseru, Lesotho on 2 October 1998. The political parties, recognising the need to take their country out of the political impasse agreed as follows:
 2. The way forward after the Langa Report.
 - 2.1 The elections.
 - 2.1.1 The parties agreed to the holding of fresh elections within a time frame of 15 to 18 months.
 - 2.1.2 The parties agreed to abide by and respect the outcome of the elections.
 - 2.1.3 The parties agreed on the restructuring and resourcing of an Independent Election Commission to ensure that they would effectively desist from making inflammatory statements.
 - 2.1.4 The parties agreed to formulate a code of conduct.
 3. Electoral System
 - 3.1 The parties agreed to review the electoral system with a view of ensuring greater and inclusive participation in the political affairs of Lesotho.
 4. Security.
 - 4.1 The parties agreed to work together to create levels of security and stability which are necessary to ensure free and fair elections, and also to secure an environment which will assist the process of reconstruction in Lesotho.
 - 4.2 The parties will work together to restore stability in the country and desist from any action that may compromise the professionalism of the security forces.

5. Inclusivity.

- 5.1 The political parties undertook to consult one another in contesting the next coming elections, in order to enable their participation. This was signed on the 1st October 1998 at the United Nations' House, Maseru, Lesotho.³⁵

The agreements gave hope that a solution for a permanent political settlement in Lesotho would soon be reached.

CONCLUSION

It was interesting to note that despite political problems in Lesotho, the country has not degraded to the level of Kwazulu-Natal, the Democratic Republic of the Congo, Burundi or many of the African States North of the Limpopo. Several reasons can be found for this, inter alia that South Africa serves as an external stabilising element for Lesotho, the history of the Difaqane may be too recent for the Basotho to forget, the influence of the church also played a vital role in harmonising relations among the Basotho, the Lesotho Coat of Arms and the National Anthem centre around peace, and the Basotho had witnessed the catastrophic results of political violence in other African states. Despite their differences, they are tied up together by the expression "re sechaba se le seng, bana ba Morena Moshoeshe" (we are the children of Moshoeshe).³⁶

The Lesotho Congress for Democracy won the elections but not with the margin reflected by the Independent Electoral Commission. If it was indeed so that the victorious party had won almost all the constituencies, it would suggest that the protesters were in the minority and it would be easy to contain them. The protest of the majority of the opposition suggested a huge fraud. Furthermore one would suggest that Lesotho should follow the South African election system, namely that of proportional representation, but it should be based on the customs of Lesotho, not on that of South Africa. If the philosophy of the winner takes all remains applicable, one doubts whether there will be any acceptance of the election outcome by the defeated parties in Lesotho. Finally, one was outraged by the election fraud in Lesotho which plunged the country into a ravaging war, culminating in unnecessary loss of life and senseless

35 "Memorandum of Agreement", *Mololi*, Vol. 2, No. 14, 14 October 1998, p. 6; "Memorandum of Agreement", *Mo - Afrika*, Vol. 7, No. 14, 9 October 1998, p. 8.

36 Pherudi, p. 11.

destruction of property. The war has unleashed a devastating blow to the economy of the country, with the potential for an escalating crime wave and an increased rate of unemployment. Political maturity should be the name of the game in which affected parties should iron out conflicts and misunderstandings with all the passion of debate and reasoning intended to channel the process towards a bloodless resolution of the problem.