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DEPARTMENT OF POLITICAL STUDIES

MASTERS RESEARCH REPORT



RESEARCH TITLE:

Why do political coalitions collapse in Lesotho? A case study of coalition politics in Lesotho from 2012 – 2017

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List of Abbreviations

ABC - All Basotho Convention

ACP - Alliance of Congress Parties

BCP - Basutoland Congress Party

BDF - Botswana Defence Force

BNC - Basutoland National Council

BNP - Basotho National Party

DC - Democratic Congress

FPTP - First-Past-the-Post

IEC - Independent Electoral Commission

IPA - Interim Political Authority

KANU - Kenya Africa National Union

LCD - Lesotho Congress for Democracy

LDF - Lesotho Defence Force

LLA - Lesotho Liberation Army

LPC - Lesotho Peoples' Congress

LPF - Lesotho Parliamentary Force

LWP - Lesotho Workers Party

MFP - Marematlou Freedom Party

MMP - Mixed Member Proportional

NIP - National Independent Party

PFD - Popular Front for Democracy

PMU - Police Mobile Unit

PR - Proportional Representation

RLDF - Royal Lesotho Defence Force

SADC - Southern African Development Community

SADF - South African Defence Force

UNC - Union National Camerounaise

ANC - African National Congress

SMDs – Single-Member Districts

MISA - Media Institute of Southern Africa

SACU - Southern African Customs Union

LHWP - Lesotho Highlands Water Project

AGOA - African Growth and Opportunity Act

HIV/AIDS – Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome

DCEO - Directorate of Corruption and Economic Offences

Abstract

The road to a politically stable Lesotho has not been an easy one following the country gaining its independence on October 4th 1966. The post-independence period saw the country transition towards a period of authoritarian civilian rule, to a military dictatorship and finally an era of one-party dominance democracy. Moving towards this era has proved to be a great challenge as for many years Lesotho's institutions, as well as the electoral model, were viewed as not fully aligned with the values and principles of a democracy such as the representation of the different political parties in Parliament. In an attempt to remedy this problem, a more representative electoral model in the form of the Mixed Member Proportional (MMP) system was introduced. To date, Lesotho has had three elections in the space of five years. These elections have produced three coalition governments, two of which have collapsed following internal disputes and divisions amongst the coalition partners and one which is currently in power. This research report seeks to examine what has been the causal source/s of the coalition collapses which have taken place. Findings from this case-study highlight that the lack of thresholds within the electoral model and floor-crossing provisions have contributed to a volatile Parliament which comprises of small political parties that have the power to make or break these coalitions by either joining them to constitute a majority government or by destabilising the coalitions when crossing the floor in Parliament. Another key finding presents that the political culture of Lesotho which consists of a self-serving elite has significantly contributed to an extremely polarised environment which has affected the public sector as well as the military, thus threatening the democracy of the of the country. These challenges that the country faces require Lesotho to undergo a process of reforms. These reforms which have been instituted by the Southern African Development Community (SADC) and address the three key areas which have been of great challenge to Lesotho and these include the security sector, the electoral model, and the Constitution. As SADC focuses on these areas of concern, we can only hope that the reforms will be implemented with the strong political will from the leaders of the country.

Introduction

Lesotho has had a fraught post-independence political history which has seen the country transition from an authoritarian civilian regime, to a military dictatorship, to one-party dominance democracy and today, Lesotho's politics is characterised by its unstable political coalitions. The evolution of a democracy is one that has presented many challenges which Lesotho grapples with to this day. Previously, Lesotho was categorised as a one-party state. Prior to 2002, Lesotho had been using the first-past-the-post (FPTP) electoral model which saw the under-representation of certain political parties in Parliament. This, of course, presented a number of challenges within the country's political arena, one of them being the tensions brewing between the newly formed Lesotho Congress for Democracy (LCD) and the long-standing Basotho Congress Party (BCP) following the outcome of the 1998 general elections. Just when the political tensions between these two parties were about to erupt due to the highly contested election, the Southern African Development Community (SADC) intervened by deploying the South African Defence Force (SANDF) and the Botswana Defence Force (BDF) to restore peace and order as well as establish the Interim Political Authority (IPA) which would be mandated to facilitate the process of creating a better electoral model for Lesotho. The IPA together with the involvement of other key political actors decided to adopt a Mixed Member Proportional (MMP) model. Under MMP legislators are elected from a combination of single-member constituencies and national party lists or slates. The country's 120 seats are allocated along an 80:40 ratio between the constituency and the party-list components of the MMP. While each constituency chooses a single MP on a first-past-the-post (or plurality) basis, party-list seat allocations ensure overall accordance between seat allocation and the popular vote.. The electoral model was employed during the 2002 and 2007 general election and saw the LCD winning in both elections.The electoral reforms of 2011 under the new National Assembly Electoral Actt, 2011, replaced the the 'two-ballots-two-votes' that had been applied during the 2002 and 2007 elections with the 'one-ballot-two votes' principle. The 2012 electoral result would produce an unprecedented hung parliament - in which no political party was able to secure an overall majority. One may wonder what led to a different electoral outcome in 2012. On the 8th June 2012, the people of Lesotho witnessed an unprecedentedly smooth and peaceful transfer of power from Pakalitha Mosisili (who had occupied the office for 14 years) to the incoming Prime Minister Thomas Thabane (Kapa & Shale, 2014: 104). The All Basotho Convention (ABC), Lesotho Congress for Democracy (LCD) and Basotho National Party (BNP) came together to form a coalition government. It

was not long before the three-party coalition collapsed following internal tensions amongst the coalition partners and an attempted coup. SADC once again intervened calling for the dissolving of parliament and snap elections, which were held on February 28th 2015. The election produced yet another coalition government, which would consist of seven parties. Two of the big parties within this coalition namely the the Democratic Congress (DC) and the Lesotho Congress for Democracy (LCD),had a very antagonistic history between them following the DC being a splitter party of the LCD after internal conflicts. History repeated itself, as conflicts and tensions led to a significant number of coalition partners defecting. This defection included the Deputy Prime Minister, Monyane Moleleki who deserted the coalition to form his own political party, the Alliance of Democrats (AD). On March 1st 2017, collaborative efforts of the opposition bloc pushed for a successful motion of no confidence vote against the Prime Minister Pakalitha Mosisili of the Democratic Congress (DC). This saw the Prime Minister having to dissolve Parliament and call for elections in accordance with the Constitution. On June 3rd 2017, the people of Lesotho participated in the third general elections in a period of five years. These elections resulted in yet another hung parliament and coalition government. Today, Lesotho is under the leadership of the ABC-led coalition government which includes Former Prime Minister Thabane spearheading it. With the country having gone through a tumultuous pattern of unstable coalitions, while in the hands of a power-hungry elite and a political environment which has been dominated by very obscure civil-military relations, a lot is at stake for Lesotho to ensure the implementation of SADC reforms which will lead the country into a more politically stable environment.

The research question of this paper is*:* Why do political coalitions collapse in Lesotho? A case study of coalition politics in Lesotho from 2012 – 2017. The secondary questions of this research report seek to answer the following: what are the sources of coalition breakdown; what are the minimum conditions necessary for a successful coalition; to what extent does the electoral model help explain what has happened within the failed coalitions; and does the institutional design make a difference to how political systems operate.

The main objective of this research is to identify and analyse the sources leading to coalition breakdown. The research is time-based therefore focusing on 2012, 2015 and 2017 governing coalitions in Lesotho as well as the broad fundamentals that drive the formation and the collapse of the coalition. In unpacking these different variables, this research seeks to scrutinise the different factors that contribute to the collapse of the coalitions such as the floor crossing

legislation of Lesotho which significantly contributed to the collapse of both the 2012 and 2015 coalition governments.

This research report is organised into four key chapters. The first chapter is a theoretical chapter which situates the paper within a broader framework of theories that explain Coalition Politics. It is important that I mention that the theories highlighted are not yet applied to the case study of Lesotho as I will do this in chapters to follow. The theories do however present an exposition of theoretical lessons which speaks to the existing literature and the case-study. I will start this chapter by differentiating between the terms "coalition" and "alliance". I will do this as in some literature the terms have been used interchangeably even though they have different meanings. For this research report, I will present the three predominant theories which have contributed to writings of coalition formation. These theories are the office-seeking theory, policy-orientated theory and the theory of pecuniary coalition formation. In the chapter, I explain the premise of each theory as well allude to its applicability within broader Coalition Politics.

In the second chapter, I will shift the focus of the research report towards looking at the historical roots of Lesotho's coalitions. This chapter is divided into five periods which present a timeline leading up to the current coalitions. The five eras which I will address include: the road leading to independence (1966 – 1970); the period of authoritarian civilian rule (1970 – 1986); military dictatorship (1986 – 1993); the era of one-party dominance democracy (1993 – 2002); and the unstable coalition governments era (2012 – 2017). This empirical chapter presents a descriptive background of the series of events that have led to the current political landscape of Lesotho. The chapter also makes reference to the party splits which have occurred since the post-independence period and draws the link to how they have affected the current state of Lesotho politics. A very important component of research report studies the electoral system Lesotho uses today, which is the MMP model. In this chapter, I present a thorough explanation of what has led to the adoption of the current model and how it has affected the state of Lesotho's democracy, particularly in the electoral outcome which has presented a hung parliament over the past three general elections.

In the third chapter, I will respond to the question, why are coalitions formed? In this part of the research report, I will assess the various factors that have contributed to the formation of Lesotho's coalitions. Before discussing why are coalitions formed, I will start by explaining the parliamentary system which Lesotho operates within. This explanation will be followed by a detailed discussion on the link between the MMP system and coalition formation. In this clarification, I will scrutinise the shortfalls as well as the gains of the system. By doing so, I

will provide an all-inclusive overview which will show where are the gaps that require reforming. In this chapter, I will apply all three theories which I presented in chapter two and justify why the office-seeking theory best explains Lesotho's coalition formation. Finally, I will look at coalition agreements as a determinant of coalition formation. Coalition agreements have played a very important role in coalition formation as they have influenced the arrangement of these coalitions. However, in this chapter, I will also explain the other side of the coalition agreements being how they have previously been a source of tension in past coalitions.

In the final chapter of the research report, I will answer the main research question, which is why do political coalitions collapse in Lesotho? This chapter looks at the different sources of coalition breakdown. I will start by assessing the gaps in Lesotho's Constitution by focusing on the passing of a vote of no confidence, the prorogation of parliament and the executive powers of the Prime Minister. The abovementioned aspects of the constitution have caused pressures within Lesotho's landscape. The next section of the chapter will focus on the role of floor-crossing legislation. Floor-crossing in Lesotho has always been an area of debate. The collapsing of coalitions can be attributed to the lack of floor crossing legislation in Lesotho. In this segment of the paper, I will show how political actors have benefited from the lack of a legal framework prohibiting floor crossing. The creation of many different parties has occurred following the effects of floor crossing while it has destabilised Parliament. The political culture of Lesotho has also ominously destabilised the past coalitions. Lesotho's political elite has continued to be characterised by disputes and selfish interest which have continued to break down the social and political wellbeing of Lesotho. This will finally draw upon the civil-military relations which continue to threaten the democracy of the country. As we have witnessed with the previous coalitions, the intervening of the military in Lesotho's politics has had very detrimental effects. I will explain in this part of the essay and show how these relations are a source of coalition collapse.

I will conclude this research report by having identified the different factors that have contributed to the coalition formation and collapse of Lesotho. I will make recommendations following the lessons presented from the case study as well as highlight suggestions from the respondents of the interviews I conducted in the compiling of the research report.

Research Methodology

This research report adopts a case-study approach and will specifically focus on Lesotho as the preferred country. The case study is time-based therefore focusing on the period 2012 until 2017. The methodology which will be applied for this research is qualitative and aims to achieve a deeper understanding of the cause leading up to the collapse of the coalitions. It is important that I highlight that my research will not discard current literature on political coalitions but expand on it in through the use of newspaper articles as well as other archival sources, which were mainly journals. To supplement the information from archival sources, I conducted semi-structured interviews. Appendix B is a sample of the questions which guided me as while conducting the interviews.

The sample size was small and included the following respondents from different sectors:

- Professor Motlamelle Anthony Kapa who is a lecturer in the Department of Political and Administrative Studies, at the National University of Lesotho. He is also an expert on Lesotho politics and has contributed to a vast literature on coalition politics.
- Sofonea Shale is the coordinator for an organisation called Development for Peace Education (DPE) based in Lesotho. DPE works with different communities in Lesotho and promotes dialogue and other nonviolent means to resolve conflicts.
- Tsebo Mats'asa is the National Director (ex officio) of the Media Institute of Southern Africa (MISA) Lesotho. The organisation has a focus on information and communication, coordination, and facilitation, research, advocacy and lobbying, training, technical expertise, resource mobilisation and defence of media practitioners in the country.
- John Aerni-Flessner is an assistant professor in the Residential College in the Arts and Humanities at Michigan State University (USA). He has written on Lesotho politics over the years and currently has a book which is about to be published called, Dreams for Lesotho.
- Khosi Makubakube is the General Secretary of the Christian Council of Lesotho (CCL). CCL is an ecumenical Christian fellowship promoting Christian Faith and serving as a prophetic voice in national unity and social development. The organisation has closely worked with Lesotho's coalition partners in the past years and has facilitated a number of dialogues to promote peace.

- Seabata Motsamai is the Executive Director of the Lesotho Council of Non-Governmental Organisations (LCN) which is an umbrella organization for NGOs in Lesotho.

The respondents were chosen as experts on Lesotho and based on how closely they work the communities of Lesotho as civil society, and their engagements with the Lesotho government on various projects. I selected them based on my familiarity with the work they conduct within Lesotho the organisation I am currently employed at has partnerships with these organisations.

The methods used during these interviews was recording by cell phone and then transcribing the interviews. I took key points from the interviews and then directly quoted some of the statements made by the respondents. Upon getting this information from the respondents, I used the key arguments and ideas and presented them within the different sections of the research report.

In conducting these interviews, I tried to have interviews with some of the politicians. However unfortunately due to time constraints of this research I was not able to do so.

Chapter one: Theoretical Underpinnings on Coalition Politics

The 1990s have been characterised as a period in which Africa entered into an era of multiparty politics. This period saw the rise of many different party coalitions which were formed as a way of obtaining enough votes or combining an adequate number of parliamentary seats to govern. This paper focuses on the political coalitions of Lesotho and seeks to analyse, what has caused the repeated collapse of the coalitions since Lesotho's first coalition following the 2012 electoral outcome. Before I explain the history of Lesotho's coalitions, it is important that I present an exposition of existing literature on coalitions and highlight the theoretical underpinnings which provide lessons on the occurrence of some coalitions. This chapter seeks to draw attention to the variables and factors that have influenced the writings on coalition formation. Quantitative, as well as qualitative literature, have studied the political context in which these coalitions are formed whether it be a democratic or non-democratic context. The chapter will unpack the variables of these coalitions particularly by focusing on the theories and factors explaining the formation of the coalitions. It is important I mention that this chapter does not point to any specific theory as applying to the case study of Lesotho as yet. Instead, the chapter will present existing literature on coalitions and situate the discussion on the collapsing of Lesotho's coalitions. It is in chapter three, I will discuss and explain the formations of the three coalitions which have occurred while applying the different theories.

Differentiating Between an Alliance and Coalition

Pre-electoral alliances and post-election coalitions have become a dominant feature of African politics. Over time there has been extensive literature on coalition politics. However, Kadima (2014:1) who has extensively written on African coalitions argues that coalition theories have their roots mainly in the experiences of Western European countries and therefore tend to focus excessively on post-election coalitions. However, in Africa, pre-electoral alliances occur nearly as frequently as post-election coalitions (Kadima, 2014:1). Kadima goes further to explain that, the lack of political coalitions in Africa is mainly for historical reasons. In most African countries multiparty politics were banned soon after independence in the 1960s and were replaced by one-party systems (Kadima, 2006:1). Thus while early studies of government in Africa covered party coalitions in Nigeria, the Democratic Republic of Congo, Kenya, Mauritius, and Uganda, which experienced coalition governments in the pre-independence and/or immediate post-independence periods, studies of political coalitions in Africa from the 1960s until the end of 1980s was centered on single-party systems. Another reason Kadima

(2006:2) highlights are that most African countries had opted for presidential regimes, which would encourage the emergence of a dominant party, especially when they adopt the extreme form of presidentialism, in which parliaments are weak. In most parliamentary and semi-parliamentary regimes, in order to form a government, it was necessary to obtain at least 50 percent plus one of the legislative seats. In cases in which no party was able to secure this majority, party coalitions would be formed (Kadima, 2006:2). This was the true reflection of the proportional representation electoral systems where no party had won an absolute majority as in most of the parliamentary regimes of Western Europe. Before exploring the theoretical background of African coalitions, it is worth differentiating the terms "alliance" and "coalition", as they tend to be used interchangeably despite significant differences between them. Kapa (2014:2) cites Andrew Wyatt's (1999) basis for distinguishing the two terms: an alliance occurs prior the election when at least two political parties come together in the hope of maximising their votes. By way of contrast, a coalition is "the coming together of a least two political parties to work together in parliament and/or government on the basis of the election outcome, especially when elections have not produced an outright winner". Wyatt further elaborates that "in forming coalitions, politicians leading disciplined parties have a clear idea of their respective strengths whereas politicians forming electoral alliances work with less certainty as they only have an estimate of the strength of their electoral support and how it might be affected by a potential alliance. Likewise, they can only estimate the electoral cost of an ideologically-inconsistent alliance"

Oyugi (2006:54) cites Karume's (2003) definition of coalition building, which states:

> "Coalition building is a process of organising parties collectively in pursuit of a common goal. It entails key elements and actions, that is, pooling of resources in pursuit of this goal, communication about the goal, forming building commitments concerning this goal and an agreement on the distribution arrangement of the product/booty that may result from achieving this goal. The action of such political coalitions consists mainly of individual legislators and political parties seeking purposely/explicitly to control the executive."

In the following sections of this chapter, I seek to explain three theories, namely: the office-seeking theory, policy-orientated theory and the theory of pecuniary coalition formation as the foundational theories which have supported the study of coalition building. I will also make

reference to how these theories have applied in other African countries as well as present their distinctiveness to the context to which they apply.

Office-seeking Theory

Various theories have sought to address the question of why and how coalitions are formed. As Kadima (2006:5) notes, theories of party coalitions are founded on the experiences of Western Europe which have placed emphasis on predicting and explaining models of government formation in parliamentary democracies. The two main general approaches applied in studying the coalitions have been: theories of size and ideology, and the new institutionalism (Kadima, 2006:5). The literature on size and ideology offers two theories: the 'office-seeking' or 'office-orientated' theory and the policy-orientated theory. The office-seeking theory is based on the assumption that the main goal of political parties is to acquire power. In this theory, government formation is a win or lose scenario in which cabinet portfolios are the payoffs. The office-seeking theory holds the notion that parties join forces as a way of obtaining access to gain control over particular benefits, in terms of power and material rewards, that are associated with occupying political office. The theory is based on the view that the government coalitions should comprise few political parties as possible as this allows the winning government the opportunity to maximise the possible office benefits because they do not need to be distributed amongst many actors who would probably be part of the coalition and would want their spoils. According to Axelrod (1970), office-seeking coalitions pursue the maximisation of their benefits while minimising the coalition's bargaining costs by forming only those winning coalitions that encompass ideologically adjacent parties; hence the need for minimal connected winning coalitions. In addition to this, the political parties have the smallest ideological range as Warwick (1994) argues that ideologically diverse governments tend not to survive given the policy compromises which the coalition members have to make. Laver and Schofield (1990:41), argue that the spoils of office may be taken to have a greater or lesser 'scope'. On one end, they may be seen as being confined to the premiership and a few senior government ministers; while on the other one end, patronage may spread right into the political and social system thus providing very extensive spoils for winning parties. The latter potentially reintroduces a co-operative element to the process of coalition bargaining as players can try to distribute particular trophies to those who value them most (Laver &Schofield, 1990:41). The scope varies from one country to another depending on the pervasiveness of the patronage system at play. According to Resnick (2014:49), office-seeking is the goal for the

majority of the political parties since a number of analysts (such as Randall & Svåsand 2002; Van de Walle & Butler 1999) claim that rarely do African political parties advance distinct policy agendas. In addition to that, there are a number of factors including two-round electoral systems, access to financing and the timing of the coalition pact that help determine the sustainability of these coalitions until election day (Resnick, 2014:49). Cox (1997) argues that there are greater incentives for coalition formation in a plurality system than in a run-off system (Resnick, 2014:54). Similarly, Kadima claims that the first-past-the-post system exerts pressure on voters to avoid wasting their vote thus increasing the propensity for parties to coalesce.

The 'Tipping Game'

By way of contrast, Van de Walle argues that coalitions are more likely to take place in two-round systems because candidates who lose in the first round are likely to support the party front-runners who make it to the second round. Why is this the case you may ask? To explain this phenomenon, Van de Walle introduces his concept of 'the tipping game' in which parties will only coalesce when they believe there is a realistic chance of victory. Otherwise, they are better off not opposing the ruling regime and potentially engaging in post-electoral bargaining with either the incumbent party or other opposition parties (Resnick, 2014:49). Van de Walle argues that ideological divisions and long-standing cleavages shape the actions of politicians who seek the support of their voters. In multiparty systems which have stemmed from the third wave of democratization, political cleavages are not well set and identity politics have the potential to trump ideology. Voting is practiced along the lines of religion, language and ethnicity thus political alliances are more fluid and changing, ultimately allowing politicians a greater degree of autonomy in the deals and alliances they make in order to gain power (Van de Walle's, 2006:84). Van de Walle (2006:85) highlights that tipping dynamics are elite processes which are likely to occur in a political system in which party platforms do not polarize the party system thus relationships among politicians and across parties are fluid. He goes further and argues that elections are not the cornerstone of the electoral "autocracies" because they are highly flawed given the skulduggery which takes place before and after elections as incumbents try to win the election. Instead, elite deal-making is a vital dimension of politics. The decisions of key politicians weigh heavily on the electoral outcomes and their legitimacy (Van de Walle, 2006:85).

We then have to ask ourselves, how do the tipping dynamics occur? In some instances, a single actor can tip the balance away from the incumbent regime. The defection of a key ethnic leader who represents a large part of the national electorate may possibly be the signal that the incumbent's fate is sealed therefore encouraging a cascade of other defections (Van de Walle, 2006:85). Van de Walle refers to the example of Benin in which the victory of Nicèphore Soglo in 1991 hinged on his skill of convincing other opposition candidates who he had defeated in the first round to support him. One key ally proved to be Adrien Houngbedji who would be rewarded with a position of speaker of parliament. Four years later, it was Houngbedji's open support of Matheiu Kèrèkou in the first round that would ensure the defeat of President Soglo. Kèrèkou would name Houngbedji his first prime minister while Kèrèkou took on the role of president (Van de Walle, 2006:85).

It is important to note that no single actor can hold this leverage or is it possible to know in advance which actor will tip the balance in this manner. The key dimensions of the tipping game is a problem of coordination in which the survival of the regime is dependent on the support of actors A, B, C, and D. The regime probably requires the support of two of them to survive therefore any of the four need to be certain that at least two of the others are defecting before they will choose to defect. Actor A will defect from the regime if he believes that at least two of the others will also defect. The probability of defection is a secret given that defectors will be chastised by the regime should it manage to survive or does not fall instantly. Therefore, it is difficult for A to know the intentions of other key actors and it is also in his interest to not divulge his preferences (Van de Walle, 2006:85). In the end, the tipping dynamic is characterised by the movement of one actor away from the regime or opposition which may be decisive in shifting perceptions about the practicality of the regime.

Policy-orientated theory

Another theory to explain coalition formation is the policy-orientated theory. This theory assumes that coalitions will be made by parties that are "connected" (Axelrode, 1970), or at least close to each other in policy space. Laver and Schofield (1990) introduce two ideas with regards to the policy-orientated theory. The first is if parties are not interested in office but only in the implementation of their preferred policies, the party controlling the median legislator will become a kind of policy dictator and will definitely get into government (Kapa, 2006:6). The second argument declares that the ideological differences within the

parliamentary opposition may be as relevant to the viability of minority coalition governments as the ideological diversity of the minority itself. Strøm (1990) echoes this argument by highlighting that minority governments have often survived by exploiting the divisions between opposition political parties in the legislature.

Wahman examines electoral coalitions within authoritarian regimes from the period 1989 – 2004. He argues that a previously neglected aspect of coalition formation is policy positions of oppositional parties and the existence of a real policy divide between the opposition and the incumbent government. The most focus tends to be on regional or ethnic identities or personalistic appeals within inexperienced democracies says Wahman (2011:643). If no real ideological division exists, oppositional parties are less inhibited when choosing coalition partners. Therefore, they might possibly delay coalition building until the post-election period to enable bargaining with the incumbent government as well as other oppositional parties. Wahman presents his findings following studying a sample of 111 elections in 55 countries and the results show that there is clear statistical evidence suggesting that coalitions are more likely when the opposition is inclined to believe that an electoral victory is realistic. In addition to this, coalitions are more likely where there is a strong policy divide between the incumbent government and an ideologically coherent opposition (Wahman, 2011:643). Similar to democratic regimes, it can be argued that coalition behaviour is a combination of the wish to occupy office and promote certain policies.

Economic Performance as a factor in coalition formation

In addition to parties being formed along policy preferences, economic performance might be a factor. The theory on economic voting is one of the dominant explanations for incumbent electoral success in the Western context as Wahman explains (2011:646). However, what can be argued is that the provision of public goods, as opposed to private goods, is less important under authoritarianism. Nevertheless, when autocrats are exposed to competitive elections it has been shown that poor economic performance can hinder the chances of re-election also in authoritarian regimes (Collier & Hoeffler, 2009). Thus a strong economic performance can serve to be favourable and decrease the chance of oppositional victories. In this case, authoritarian elections are affected by the incumbent's ability to distribute. Greene's model of authoritarian voting behaviour is of the view that, oppositional parties are always disadvantaged in authoritarian elections because they do not have the resources to distribute patronage as opposed to the incumbent which does

(Wahman,2011:646). Greene further elaborates that the capacity of incumbent regimes to distribute patronage is affected most negatively by privatisation because when economic resources are scarce, it becomes more difficult for the regime to continue distributing the same amount of spoils (Wahman, 2011:646). In this case, the opportunity for coalition formation with the main oppositional party is likely to occur however there is difficulty in this pact rising to power given the concentration of resources particularly in an authoritarian regime.

Based on the above arguments it is clear that coalition formation is a combination of policy and office-seeking behaviour among oppositional parties, while electoral prospects and clear policy divisions have also been important in the shaping of coalition behaviour (Wahman. 2011:654)

The Ethnic Factor

According to Oguyi (2006:70) the political parties that have emerged in Africa following the era of multi-partyism are, by and large, ethno-regional parties considering their structure of membership. This has consequently introduced the dynamics of ethnic politics into coalition governments. Ultimately, decisions regarding the share of pay-offs associated with being in power are viewed from the context of which ethnic group represented could benefit or not benefit from the coalition. Pre-independence political parties were formed along ethnic lines (Ogyugi, 2006). Within this context, an electoral defeat did not only mean the defeat of a political party but of a whole ethnic group. The re-introduction of political pluralism in the early 1990s and the building of alliances and coalitions emerged as a new trend among political parties, which has permitted them to be more effective within fragmented party systems than they would be on their own (Kadima, 2014:8). This is evident in countries such as the Democratic Republic of Congo (DRC), Ethiopia, Kenya, Malawi and Nigeria to name a few. According to Kadima (2014:12), certain party alliances and coalitions end up resembling alliances and coalitions of tribes and sometimes multipartyism turns into multitribalism. Consequently, the ethnic dynamics that have an adverse impact on individual political parties find a way into these alliances or coalitions. Within an ethnically divided context, the efforts aimed at trying to entice many ethnics groups as possible in order to be viewed as politically inclusive and win elections results in a lack of homogeneity which constitutes the main weakness of any coalition in an ethnically diverse society

(Kadima, 2014:13). What this means is, the diversity that allows a coalition to win an election is the factor that it is likely to cause it to fragment.

Theory of Pecuniary Coalition Formation

This brings me to the theory of pecuniary coalition formation which focuses on the interaction between ethnicity and resources as they offer politicians a solution to the problem of commitment during the pre-electoral coalition bargaining phase. In this theory, politicians who compete for office within patronage-based polities must procure the capital to not only pay for electoral expenses but also to offer cash or goods to mobilise their co-ethnic constituents on the day of elections (Arriola, 2013:32). Even after winning elections, these politicians are expected to deliver favours and divert resources. In this process, the role of the *formateur* is crucial as they can exploit the actual market for endorsements created by the interaction between ethnic mobilization and patronage politics (Arriola, 2013:32). The *formateur* can convert the incentive structure for other politicians by supplementing the power-sharing promises linked to coalition negotiating with upfront payments for cross-ethnic endorsements. Arriola (2013:33) suggests that opposition parties are faced with the challenge of accumulating the cross-ethnic endorsements that would constitute a viable electoral coalition. By way of contrast, the incumbents can use the state's resources for their re-election campaigns as opposed to the opposition politicians who pursue the role of *formateurs* and are unable to afford the pecuniary strategy. Arriola (2013:33) also argues that opposition politicians in African states rely on private resources of business to try to apply the pecuniary coalition building strategy, thus opposition politicians require a business sector to fund electoral coordination. It is important to note that there are very few non-ethic organisations within these African countries that are adequately influential or independent to broker electoral agreements among politicians and this is because the middle class is very small thus making business entrepreneurs the only members of society with the power to function as financiers for opposition campaigns (Arriola, 2013:33). Consequently, an opposition *formateur* who is backed by business is likely to have the "war chest" needed to make upfront payments for cross-ethnic endorsements.

The Kenya and Cameroon Case Study Financial liberalisation has had political consequences in many African states because it removed the state as a gatekeeper for capital. Instead, financial liberalisation lies in private hands and not the state. Incumbents lose the

power to exercise their discretion in regulating the access to capital; therefore, greater autonomy lies with businesses as entrepreneurs have the influence to renegotiate their political alliances. Arriola (2013:39) presents an empirical study which highlights comparisons between Kenya and Cameroon. Both countries have undergone the transition from a one-party to a multi-party system in the 1990s. Since the presidential election, opposition politicians in Cameroon have fragmented along ethno-regional lines while in Kenya, a multi-ethnic opposition coalition that could pose as a challenge to the incumbent was forged. President Ahmadou Ahidjo of Cameroon and President Jomo Kenyatta of Kenya sought to use coercion within their respective countries. Ahidjo undertook the process of creating a one-party regime by progressively absorbing smaller parties and merging them into forming the ruling Union National Camerounaise (UNC). On the other hand, Kenyatta struggled to maintain control of his Kenya Africa National Union (KANU) when he took control of the government in 1963. He thus had to absorb an opposition party including smaller ethnic groups that feared being dominated by the country's larger groups. Consequently, by 1970, a one-party state had been created by Kenyatta. The two governments remained stable until the end of the 1970s; this also includes the transition of handing over power to their counterparts Paul Biya of Cameroon and Daniel Moi of Kenya (Arriola, 2013:40). By the time Biya and Moi had to open their political systems to a more multi-party system both had secured their tenure through a mix of co-optation and coercion. There is not much differences in the two countries and their transitions to becoming more multi-party states. However, it is interesting how the financial sector in each country has become an instrument of regime maintenance designed to subdue the business sector. This has been done through regulating access to finance – through state ownership in banking, administrative credit directives, interest rate ceilings, and capital account restrictions – these leaders could be assured the political cooperation of the entrepreneurial class (Arriola, 2013:42). In doing this, both leaders can control the accumulation of resources that might possibly enable their rivals to orchestrate challenges to their authority. Even if the political instruments of their regimes failed, they could rely on the financial controls needed to secure the allegiance of entrepreneurs, the individuals most capable of funding and organising collective action outside of the ruling party (Arriola, 2013:42). Things took a turn in the 1980s as the economic crisis made it challenging for the leaders of either country to sustain their regime without external resources. This was also accompanied by the winding down of the Cold War and international financial institutions calling for fiscal discipline. Both countries struggled to retain their concentrated financial regimes at the same time they were

obligated to adhere to the demand for democracy that made its way across the continent in the early 1990s. In Cameroon, Biya could leverage Cameroon's oil rents to put off external demands for return thus allowing him to keep control over the financial sector. On the other hand, Kenya struggled as it had a weaker fiscal base, given the country remained a largely cash crop exporter. Kenya was forced to liberalise its financial sector in order to access conditional loans that would keep his patronage-based government afloat (Arriola, 2013:4). Ultimately Biya was still able to retain influence over the country's financial sector thus leaving entrepreneurs in a position where regardless of their partisan preferences, they had to retain their links to the ruling party in order for them to also stay in business. Opposition politicians could not acquire resources to forge a pecuniary coalition-building strategy. In Kenya, Moi had to surrender the instruments of financial control and as a result, the number of private banks grew, the largest state-owned bank was privatised. The liberalisation of Kenya saw entrepreneurs defect from the ruling party, therefore, making way for an opposition to attain resources to pursue a pecuniary coalition-building strategy. This case study of the two countries stresses the role of what Arriola calls "financial reprisal regimes" – which as we have seen in the case study are regimes where the incumbent government has instilled strict measures to control the financial sector in the hope to deter the rise of an opposition; these financial reprisal regimes have restrained the business sector through politically. In shifting attention away from ethnic or institutional explanations, the case study suggests that the opposition politicians fail to present a serious challenge to African incumbents, not because they have been polarised by ethnic tensions or intimated but rather they are unable to secure resources in countries where incumbents have politicised the access to financial capital. In doing this, incumbents can neutralise their opponents by placing pressure on business into starving the oppositions of campaign financing.

The literature on coalition politics has evolved over the years, with several theories being developed with the intention to explain why coalitions have been formed. The office-seeking and policy-orientated theory defend the study of coalition formation with them applying approaches of theories on size and ideology as well as new institutionalism to ground the study. Following the insights provided above on the theoretical underpinnings, it is evident that coalition building is a process which seeks to maximise the gains while minimising the spread of gains as coalitions involve other partners (political parties) who are also pursuing their individual or parties' interest following the agreement to form a coalition. However, it is important to note that coalition building is a combination of the aspiration to occupy office

while promoting certain policies; showing that both the office-seeking and policy orientated theory complement each other in their application. In this chapter, I also alluded to the theory of pecuniary coalition formation which highlighted that lack of financial liberalisation can impede the possibility of regime change given that in some countries opposition parties lack the financial resources required for campaigning because the state (which is the incumbent government) has strong control over state resources and create barriers that will suppress the rise of privatisation which could be instrumental in the sourcing of resources for the opposition. In conclusion, the literature has looked at different reasons in an attempt to understand coalition formation and behaviour. This chapter has also prompted the discussion on coalitions by presenting a theoretical overview on coalitions. In the coming chapters, I will address Lesotho's coalitions and the reasons behind their formation and collapse over the years and this I will do so by using the theory which I have presented in this chapter.

Chapter Two: Understanding the historical roots of Lesotho's coalitions

As of the time of writing, Lesotho is led by a coalition government and faces many uncertainties for the future. In this chapter of the research report, I will present an analytic narrative organised chronologically by the historical periods Lesotho has gone through. The narrative will briefly highlight the following eras leading up to the coalition period by showing how these eras have contributed to the current politics of Lesotho.

a. The road leading to independence, 1966 – 1970;
b. The period of authoritarian civilian rule, 1970 – 1986;
c. A military dictatorship, 1986 – 1993;
d. The era of one-party dominance democracy, 1993 – 2002;
e. Unstable coalition governments, 2012 -2017;

This chapter will provide a detailed timeline of Lesotho's political coalitions by starting from the inception of these coalitions, to explaining what led to their collapse. The timeline will explain the series of events from the first coalition following the outcome of a hung parliament in the year 2012 until the recent newly formed coalition of the 2017 elections.

The road leading to independence: the early 1960s

The 1960s (prior to the country gaining its independence in 1966) were characterised by instability stemming from the tensions between the leaders of the Basutoland Congress Party (BCP) and the Basotho National Party (BNP) as they both competed for state power following the pre-independence elections in 1965. In early 1962, a Constitutional Commission was established including political parties which would play a role in transitioning the country towards a representative government. The Commission included political parties and chiefs which were appointed by Motlotlehi Moshoeshoe II, subsequent to the motion (No. 62) being passed by the Basutoland National Council (BNC) (Mothibe, 2017:51), on September 19th 1961, to make proposals on among other things, the introduction of self-government (Report of the Basutoland Constitutional Commission, 1963:22). The report was adopted by the BNC on February 1964 as the basis for negotiation with the British government. The Report also recommended a new pre-independence Constitution for Basutoland, "which, after a defined interim period of preparation, might with minimum change and maximum ease become the Independence Constitution" (Report of the Basutoland Independence Conference, 1966:3). The report also recommended that the Paramount Chief should be a constitutional monarch at

independence. It was the 1965 elections which would throw a spanner into the works thus creating instability (Mothibe, 2017:51). The election outcome saw the BNP victorious with 41.63% of the vote and 31 of the 60 seats, followed by the BCP with 39.66% and 25 seats, and finally the Marematlou Freedom Party (MFP) with a mere 16.49% and 4 seats (Report of the Basutoland Independence Conference, 1966:44). Clashing opinions between BNP and BCP on the independence of Lesotho surfaced with the BCP arguing that Basutoland was not prepared to enter into a period of independence and was instead rushed. Contrary to the BCP's proposals, the British government accepted the BNP's call for independence. The seed for post-independence was sown and the country would enter a period in which it would find its own way to a democratic dispensation.

On October 4th 1966, Lesotho gained independence and went into a period which Mothibe (2017:54) characterised by its constitutional conflicts. These conflicts during this period originated from the constitutional position of the monarch. According to Mothibe (2017:54), the issue was whether the Paramount Chief who after independence and separation from Great Britain, would be designated "King", "should be strictly ceremonial" or he would have functions "including control over police and military…" (Khaketla, 1972:11). This became a very contentious issue as the struggle for power between King Moshoeshoe II and the BNP-led government reached a crisis as the monarch declined to accept the terms stipulated in the constitution which allowed him only ceremonial functions and limited powers to appoint (Mothibe, 2017:54). With the aim of changing this, Moshoeshoe II conducted a series of *lipitso* (public gatherings) around Lesotho. The opposition backed his efforts. However, the King's efforts were viewed as disobeying Chief Leabua Jonathan leader of the BNP thus resulting in King Moshoeshoe II being apprehended by the police. In efforts to pre-empt further unconstitutional activities of the King, the "College of Chiefs and the Cabinet compelled the King to sign an agreement… (Khaketla, 1972:152)" The provisions of the agreement were that the king, among other things, would cooperate with his government. Failure to abide by the conditions of the document meant that he could be taken as having voluntarily abdicated. (Mothibe, 2017:55). This agreement seemingly put an end to constitutional conflicts between the government and monarch. Where the opposition challenged the government, their efforts were contained by the government's use of violence via the agency of the Police Mobile Unit, which was deployed by the government against its opponents. The use of security forces by the state soon after independence set the tone for a subsequent reversion towards authoritarian civilian rule.

The period of authoritarian civilian rule, 1970 – 1986

On January 27th 1970, Lesotho had its first post-independence general election. The BCP won the elections with 49.9% of the 36 seats, while the BNP obtained 42.2% and 23 seats and the MFP 7.3% votes which translated to 1 seat (Macartney, 1973:493). Despite this and what seemed a turning point for Lesotho, the next sixteen years would be of authoritarian civilian rule followed by seven years of military rule. As the moment had arrived for the BNP to hand over power to the BCP, Chief Jonathan of the BNP annulled the election results, declared a state of emergency, suspended the constitution, put the King under house arrest, and, later sent him into exile, and arrested and detained opposition leaders (Mothibe, 2017:56). A violent oppressive regime arose with the use of security agencies following the establishment of the irregular militia of enthusiastic BNP supporters. In 1974, the BCP attempted a poorly organised uprising which resulted in many BCP leaders fleeing for exile while others were jailed (Mphanya, 2004:69-88). The BNP retaliated by tightening its grip. However, the exiled BCP leadership launched the Lesotho Liberation Army (LLA) in 1979 with its sole purpose to topple the BNP regime. The regime became more repressive thus resulting in the LLA joining forces with the South African Apartheid regime during the 1980s. The attacks continued until the military overthrew the BNP regime in 1986 following the LLA's (military wing of the BCP) collaboration with the apartheid regime. These authoritarian conditions provided an opportunity for the mismanagement of funds while corruption flourished.

A Military Dictatorship, 1986 – 1993

It had become evident that the state was becoming extremely militarised with the former Police Mobile Unite (PMU) being transformed to the Lesotho Parliamentary Force (LPF) in 1980. In 1982, the LPF changed from a parliamentary force to a standing army, the Lesotho Defence Force (LDF). In 1986 the name changed again to the Royal Lesotho Defence Force (RLDF) and back to the Lesotho Defence Force in 1993 (Mothibe, 2017:60). The country had transitioned into a full military regime. The successful coup of January 1986 saw the BNP regime overthrown by the BCP's military wing (Lesotho Liberation Army). The power of the BCP was fully exerted and this is evident in the passing of two important pieces of legislation. The *Lesotho (No. 2) Order of 1986* conferred executive and legislative powers in the King and endorsed the establishment of a Military Council of six members of the military-appointed by the King based on the advice of the Chairman of the Military of Council. Power became centralised as the King could appoint members of the Council of Ministers which was chaired

by the Chairman of the Military Council. *Order No. 4* was also known as the *Suspension of Political Activities Order* which suspended all political activities "until such time as the goal of national reconciliation shall be achieved" (Mothibe, 2017:60). Cracks started to show following the implementation of the orders. Firstly, it was evident that the power-sharing arrangement between the monarch and military was unequal with the military having the upper hand. Consequently, the King ordered for the resignation of the Chairman of the Military Council; however, the chairman objected this (Mothibe, 2017:61). A year later, the Chairman of the Military Council acted unilaterally by terminating the services of three members of the Military Council and one member of the Council of Ministers (Mothibe, 2017:61). All four were believed to be allies of the King, and an attempt to reverse this proved futile. These incidents became sources of tension which resulted in King Moshoeshoe II being exiled in November 1990 and being dethroned by the military. Prior to the dethroning of the King, the country was already under the leadership of the Military Council which also saw the implementation of the Structural Adjustment Programme which began in 1988. The implementation resulted in the reduction of the annual budget thus affecting spending and creating remuneration grievances within the ranks of the soldiers, police civil servants and teachers. This development created great grief which contributed to the toppling of General Justin Metsing Lekhanya (Chairman of the Military Council) (Mothibe, 2017:63).

The era of one-party dominance democracy

In 1993, Lesotho had its second election post-independence following twenty-three years of authoritarian and military rule. These elections were won by the BCP, which obtained 74.7% of the national vote but received 100% of the constituencies in parliament. The BNP was next in line with obtaining 22.66%, but they were not rewarded with even one seat. Despite these elections, according to some reports being declared free and fair, there was a feeling that almost 25% of the electorate had been discarded (Sejanamane, 2016:112). The outcome was rejected outright by the BNP and this was followed by the party claiming electoral fraud thus lodging no fewer than 20 petitions to the High Court (Sekatle, 1995:114). The High Court rejected eight of the petitions while withdrawing the remainder. Ultimately, the elections were declared free and fair. The relations between BCP and BNP were characterised by acrimony. The new BCP-led government had a number of challenges to overcome, including factionalism within the BCP; King Letsie's III determination to have his father, King Moshoeshoe II reinstated to the throne; and the 1998 SADC's intervention (Mothibe, 2017:63). Endorsing his father's return, King Letsie staged a coup on August 17th 1994 and announced the dissolution of the

government a day after receiving a petition from the opposition to investigate reasons for King Moshoeshoe's dethronement and how he interacted with the post-independence governments since 1966 and his role in the political tensions. SADC intervened leading to the reinstatement of both the BCP government and King Moshoeshoe. This marked the beginning of SADC's attempts to maintain political stability in Lesotho.

There were also other power struggles within the BCP in 1996 which resulted in the majority of the BCP parliament joining the newly formed Lesotho Congress for Democracy led by Ntsu Mokhehle and the BCP was left with a minority. This period ended with another most significant event of political instability following the general elections of 1998 which were won by the newly formed LCD. However, the opposition, namely BCP, BNP, and MFP, rejected the results and petitioned King Letsie III to declare the elections null and void, dissolve parliament and form a government of national unity. The country went into a period of disarray with government offices being closed, erratic clashes between the police, civilians, and businesses, and the arrest of the army's leadership some of whom escaped arrest and fled to South Africa (Mothibe, 2017:66). Maseru had been brought down to its knees and the SADC intervening. On September 22nd 1998, the South African Defence Force (SADF) together with the Botswana Defence Force (BDF) intervened in Lesotho following tensions and animosity. Attempts to intervene in the political instability included addressing the First Past the Post (FPTP) electoral model which had been employed since independence. The model had been perceived to be at the root of the problems Lesotho faced resulting in the one-sided election outcome. Ultimately this led to the establishment of the Interim Political Authority (IPA) in the year 1998 which was mandated to create a better electoral model.

The proposal from the IPA was the Mixed Member Proportional (MMP) model which was a proportional model that included single-member plurality constituencies as well as top up party-list seats to ensure overall proportionality. The 2002 general elections were held under the new electoral model. Once again the LCD secured the same victory as the 1998 elections in the case of the FPTP seats: it won 79 out of 80 constituencies. However, the underlying difference was the role of party list seats, as a result of which 80 seats would be allocated under FPTP and 40 seats from party lists, therefore, totaling 120 seats. The model was hailed by many as a great achievement. Scholars such as Makoa (2012:4) took the view that "the advent of the MMP system may have just heralded a shift in focus or opened a new side of political conflict in Lesotho rather being a cure for it."

For the next six years, political instability continued with losing parties not willing to accept the outcome and therefore forming alliances as a way of increasing their numbers. The 2007 elections were not very different from the 2002 elections. Prior to the 2007 elections the LCD would form an alliance with the National Independent Party (NIP) while the All Basotho Convention (ABC) also went into an alliance with the Lesotho Workers Party (LWP), the BNP and Marematlou Freedom Party (MFP) and the Alliance of Congress Parties (ACP) forming what would be known as the "Big Five". In terms of these alliances, the two major parties (LCD and ABC) would contest the elections in the constituencies, while the minor coalition parties did not contest the elections in the constituencies but submitted a list to the IEC which included people from the bigger parties. This was meant to defeat the key feature if the MMP, to be compensatory to those parties which have not been successful in the first past the post elections. In the similar vein, Matlosa (2008:37) highlights that had the model not been subverted, the LCD/NIP alliance could have obtained 62 seats as opposed to the 82 seats out of the 120 parliamentary seats. By distorting the electoral system the alliances effectively altered inter-party realations in and outside Parliament and continously perpetuated the dominance of the ruling LCD. The tricky issue was that although the LCD/NIP and LWP/ABC alliance partners contested the elections as alliances, in each case they submitted joint PR lists to the IEC, but under the names of their junior partners – the NIP and LWP respectively (Kapa & Shale, 2014:101). This was problematic for the IEC with regards to the allocation of PR seats. The IEC resolved to treat these alliance partners as separate entities for the purposes of allocation. The MFP and other oposition parties protested, arguing that they had lost seats that would have gone to them had the MMP model been applied, as it was during the 2002 elections (Kapa & Shale, 2014:101). The MFP pushed further by taking the case to the High Court, which took 15 months to pass judgement. Eventually, the case was dismissed on two technical grounds rather than on merit, namely that the MFP, which had lodged the case, did not have the legal right to do so and that the court itself had no jurisdiction over the case (Kapa, 2009:6)

Violence followed as supporters of the government clashed with the opposition's supporters; Mosisili survived an apparent assassination when the State House came under attack in 2009. In the midst of the turmoil, internal conflicts within the LCD resulted in a split from the LDC to form the Democratic Congress (DC) which hived away a significant number of MPs to form a minority government. (Mothibe, 2017:69). It was during this time that the LDC tried to retain the support from parliamentarians not only by increasing their remuneration but by introducing obscure perks such as interest-free loans of M500 000.00 (Mothibe, 2017:69). These bonuses

were introduced as methods of attracting parliamentarians to politics however they further exacerbated the culture of greed and self-enrichment through the state's resources. The series of events that had occurred from the period of independence to the era of political coalitions provide a background to understanding the political instability of Lesotho that seems to play itself out today. The following section focuses on coalition governments which Lesotho has undergone following the 2012 elections.

Unstable coalition governments

The election outcome of May 26th 2012 heralded a new era for Lesotho's democracy as it presented a "hung parliament"- a parliament in which no political party was able to secure an overall majority. These elections were facilitated under the new National Assembly Act, 2011 which had replaced the 'two-ballot-two-votes' that had been previously applied during the 2002 and 2007 elections, with the 'one-ballot-two-votes' principle (Kapa & Shale, 2014: 104). This new Act would uphold the mixed-member proportional (MMP) electoral model which would ensure that the allocation of parliamentary seats to political parties is based on the parties' performance relative to the number of votes cast (Makoa, 2012:104). The election outcome of 2012 saw the newly formed Democratic Congress (DC) gaining 48 seats (41 FPTP and 7 PR), short of the 61 seats needed to form a government (Kapa & Shale, 2014: 104). The elections also produced results which would present an opportunity for a coalition government to be formed between the All Basotho Convention (ABC) which had 30 seats, the LCD with 26 seats and the BNP 5 seats. Soon after the Independent Electoral Commission (IEC) released the election results, the ABC, LCD, BNP, PFD and MFP, held a joint press conference in Maseru, where they openly professed their intention of forming a government through a coalition following a statement by deputy leader of the DC that his party was preparing to form a minority government (Kapa & Shale, 2014:104). On the 8thJune 2012, the people of Lesotho witnessed an unprecedented, smooth and peaceful transfer of power from Pakalitha Mosisili (who had occupied the office for 14 years) to the incoming Prime Minister Thomas Thabane (leader of the ABC) (Kapa & Shale, 2014: 104). A coalition was formed between the ABC which had 30 seats, the LCD with 26 seats and the BNP acquiring 5 seats thus allowing them to obtain 61 of the total 120 parliamentary seats, a minimum required to form a government. Thomas Thabane inevitably took the role of prime minister and Metsing that of deputy prime minister, with Maseribane being the senior minister.

It is important that I mention that there are no legal and constitutional provisions governing the post-election transition period and the formation of a new government, and taking into consideration that Lesotho had no history of coalition governments there was little time or room for consultation and opportunity to learn from countries which had such experience (Kapa & Shale, 2014:105). Section 82(b) of the constitution stipulates that Parliament should meet within a 14-day period after an election, consequently, this leaves little or no time for inter-party consultation or negotiation about the formation of a coalition government should the elections produce a hung parliament, as seen with the 2012 elections. According to Kapa and Shale (2014:106), this, in turn, creates a highly volatile, unpredictable and dangerous political system; and this became the backdrop of the ABC, LCD and BNP coalition. The ABC-led coalition has been dubbed by many as the marriage of convenience which was driven by an "anti-Mosisili sentiment" (Mothibe, 2017:71). Both the ABC and LCD had been extremely hostile towards working with the DC or opening up the coalition.

Prior to the collapse of the 2012 coalition, a number of cracks began to show. For one, the coalition presented a level of risk and an uncertain future as it governed with a one-seat majority, thus in the instance of passing legislation requiring two-thirds majority it faced great difficulty. This coalition was also driven by factional politics and a historically antagonistic relationship which had a very strong "anti-Mosisili sentiment" therefore both the ABC and LCD were extremely hostile towards working with the DC (Mosisili's party) or expanding the coalition to anyone else. Soon the coalition started having serious challenges and as Mothibe (2017:71) cites Motsamai (2015:7) that "this coalition became personality-driven with a standoff between Thabane and Metsing over the division spoils". Thabane and Metsing had many clashes and disagreements adding to the already existing tensions. Metsing accused Thabane of making unilateral decisions to the exclusion of his coalition partners (Zihlangu &Ntaote, 2013). Metsing added: "We have decided that we can no longer endure the humiliation that the Honourable Dr. Thabane is inflicting upon the LCD by his unilateral and undemocratic conduct…," (Zihlangu &Ntaote, 2013).

The beginning of 2012 was overshadowed by a number of political incidents which presented challenges to the coalition. One of the main challenges included two members of parliament from the ABC, Mophato Monyake and Thabiso Litšiba, defecting from government thus causing a major blow to the coalition. The defection of members from government benches meant that government had lost the majority in the National Assembly and thus no longer met the terms of section 87(2) of the Constitution of Lesotho which states ('Nyane, 2017:81).

"The King shall appoint as Prime Minister the member of the National Assembly who appears to the Council of State to be the leader of the political party or coalition of political parties that will command the support of a majority of the members of the National Assembly:

Provided that if occasion arises for making an appointment of the office of Prime Minister while Parliament stands dissolved, a person who was a member of the National Assembly immediately before the dissolution may be appointed to the office of Prime Minister"

In addition to this Lesotho found itself in political disarray characterised by an attempted coup d'état and intervention by external third-party mediators. This political turmoil would soon be centered on the coalition partners, Prime Minister Thomas Thabane of the ABC and Deputy Prime Minister Mothetjoa Metsing of the LCD. It is alleged that the third coalition partner Minister Thesele Maseribane (of the Basotho National Party) supported the LCD before moving against it in 2015 (Letuka, 2015). According to Banerjee and Rich (2015: 3), the political crisis started with Thabane's anti-corruption drives, which targeted members of former Prime Minister Bethuel Pakalitha Mosisili's administration. During the political tensions, Metsing threatened to withdraw his party's support from the ruling coalition and called for a vote of no confidence (Banerjee & Rich, 2015: 4). However, Thabane reacted by suspending Parliament. Metsing had also become one of the accused of the misallocation of funds for the acquisition of equipment. However, he declared this charge as politically motivated (Tefo, 2014).

Moreover, it was also suspected that the Lesotho Defense Forces (LDF) and the Lesotho Mounted Police (LMP) split into party lines: the LDF sided with Metsing while the LMP supported Thabane (Banerjee & Rich, 2015: 4). Following the state being divided along the lines of state police and army, in the early hours of August 30th 2014, gunfire was heard in Maseru as army units occupied the police headquarters and surrounded the prime minister's residence (Mohloboli, 2014). Thabane seeking protection crossed over to South Africa stating that "There was clearly an effort to launch a coup". The LDF occupied the police headquarters, disarmed the police and killed a police officer in the process. Private radio stations were off the air and the army was seen roaming the streets of Maseru in vehicles while taking control of the police station in the capital. According to Mothibe (2017:70), the attempted coup follows the decision by Prime Minister Thabane to fire the Commander of the LDF, Tlali Kamoli,

following a decision to have him replaced with Brigadier Mahao. Subsequently, Minister of Public Service Motloiheloa Phooko took over as the interim Prime Minister. At this point two centers of power had been created, not only within the executive (the Prime Minister and Deputy Prime Minister) branch however within the army following the dismissal of Tlali Kamoli who was to be replaced by Brigadier Mahao. The domestic challenges of Lesotho included both a political and security vacuum thus calling for the urgent intervention by SADC. The intervention of external parties under the leadership of South Africa's Deputy President Cyril Ramaphosa, together with the support of the Southern African Development Community (SADC) countries, led to Thabane's return to Lesotho under a SADC protection force (Banerjee & Rich, 2015: 4). Soon after South Africa's intervention, Generals Kamoli and Mahao and the Police Commissioner Khothatso Ts'oona were temporarily exiled to Uganda, South Sudan and Algeria respectively, to learn how a military operates within a democracy (Banerjee & Rich, 2015: 4). In order to settle the political chaos, parliament was dissolved in December 2014. Following this incident and many others, it had become clear that the once convenient coalition which had a strong dislike towards DC leader Mosisili had completely collapsed therefore an agreement mandating mediation efforts by SADC would be brokered and enshrined in the Maseru Declaration.

Consequently, snap elections would be held on February 28th 2015 under the guidance of the SADC force, while the Lesotho Army and Police would be confined to their barracks (Banerjee & Rich, 2015: 4). The result of 2015 did not present an outright winner with the DC obtaining 47 of the 120 parliamentary seats, followed by the ABC clinching 46 seats and the LCD with 12 seats. The DC and LCD entered into a coalition with other smaller parties namely: the BCP, Popular Front for Democracy (PFD), National Independent Party (NIP), Marematlou Freedom Party (MFP) and Lesotho Peoples' Congress (LPC) to push a coalition total of 65. This coalition would see Mosilsili take on the role of Prime Minister and Metsing as the Deputy Prime Minister.

Three months after the new coalition government had come into power, Thabiso Tšosane, a prominent businessman and member of the ABC, was killed by unknown people in May 2015 (Mothibe, 2017:71). This incident was followed by the execution of Lieutenant-General Mahao, who was the former LDF Commander, by the elements of the LDF, in June 2015. These occurrences created fear which saw three opposition leaders, Thabane, 'Maseribane and Rantšo, fleeing to South Africa, while a number of LDF members were rounded up, arrested and brutally tortured for alleged mutiny (Mothibe, 2017:71). Other LDF members also made

their way to South Africa as they feared for their lives. The political instability which had existed since 2012 continued through the second coalition with the perpetual conflict being an agenda at SADC Summits. Following the murder of Lieutenant-General Mahao, SADC at the invitation of the coalition government established a Commission of Inquiry headed by Justice Phumaphi from Botswana (Mothibe, 2017:72). During the Commission's investigations as well as after presenting its report, the coalition government threw all sorts of obstacles either through they own sabotaging efforts or by using the army. This was done as a way of frustrating and tarnishing the image of the Commission (Mothibe, 2017:72). It was not long before the leading coalition party, the DC, saw itself split into two warring factions. The factions dubbed *Lithope* (loosely translated to girlfriends) linked to Mosisili and *Lirurubele* (butterflies) linked to Moleleki. The *Lirurubele* members accused Mosisili of planning to defect to the LCD along with *Lithope* affiliated members of parliament. The DC is an offshoot of the LCD following Mosilili's led party split in 2012 (Sunday Express, 2016). Mosilili has continuously denied these allegations, stating that his defecting would mean relinquishing the Prime Minister post since it belonged to the DC following the Coalition Agreement.

In addition to this, infighting within the DC intensified with the DC Youth League leader Thuso Litjobo threatening to "expose" Women's League boss Dr 'Matumelo Pontšo Sekatle's "personal secrets", saying the Local Government minister was working with "outside forces" to destroy the party in May this year (Sunday Express, 2016). The tension went further with the youth league Secretary-General Letuka Chafotsa making allegations which accused Finance Minister Dr 'Mamphono Khaketla of trying to solicit a M4 million bribe from a joint venture company which had been shortlisted for a tender to provide vehicles and related services to the government. These allegations have since been denied by Dr. Khaketla (Sunday Express, 2016). On November 10th 2016, the tensions between the two factions reached their peak as the DC pulled out of the seven-party coalition. This withdrawal was followed by the resignation of five pro-*Lirurubele* ministers who also crossed the floor, increasing the likelihood of them voting with the opposition (Mokheti, 2016). The DC executive made it clear that it wants Mosisili to cross the floor and resign from cabinet, or alternatively face dismissal. The reasons for these demands according to the secretary-general Ralechate Mokose, include government-sponsored polarisation of the people, patronage, lack of direct policy on service delivery, violation of human rights and worsening relations between Lesotho and its development partners (Mokheti, 2016). By November 2016, Mosisili found himself leading a minority government while his deputy Moleleki (leader of the *Lirurubele* faction) invited ten

parties in parliament to form a government of national unity. There was now uncertainty among the populace as to whether there was still a government as it was evident that the current government did not meet the required majority of 60 plus 1 seats.

On March 1st, 2017, collaborative efforts of the opposition bloc pushed for the passing of a motion of no confidence against Prime Minister Pakalitha Mosisili, of the Democratic Congress (DC). All four leaders, Motsoahae Thabane (ABC), Thesele 'Maseribane (BNP), Keketso Rant'so (RCL) and Monyane Moleleki (AD), reached a unanimous decision calling for the ousting of the prime minister when parliament resumes (Sejanamane, 2017). Following intra-party tensions within Mosisili's camp, his then deputy, Monyane Moleleki, deserted the party to form the Alliance of Democrats (AD) – which crossed the floor to join a three-party opposition bloc in the House (Mokhethi, 2017). On the opening day of Parliament, fourteen members of Parliament moved from the DC to the AD in the opposition benches. One Member of Parliament left one of Mosisili's coalition partners and moved to the opposition-bench, while two others left the opposition side to the crossbench (Sejanamane, 2017). Adding to Mosisili's predicament, nine Members of Parliament who had gone there on a party list and could not cross the floor had already signed an agreement with the opposition to vote Mosisili out of office. The combined numbers remaining with Mosisili after the floor crossing was 37 in the 120-member Parliament. However, on the date of the motion, the government side conceded and provided a meek resistance (Sejanamane, 2017).

The prime minister lost the no-confidence vote which meant section 83 (b) and section 84 (1) of the constitution would be applied. These sections of the constitution stipulated:

Section 83 (b)

if the National Assembly passes a resolution of no confidence in the Government of Lesotho and the Prime Minister does not within three days thereafter either resign or advise a dissolution the King may, acting in accordance with the advice of the Council of State, dissolve Parliament; and

Section 84 (1)

Subject to the provisions of subsection (2), a general election of members of the National Assembly shall be held at such time within three months after any dissolution of Parliament as the King may appoint.

On June 3rd, 2017, the people of Lesotho participated in the third general election in five years. The elections resulted in Thomas Thabane of the All Basotho Convention taking the lead with 48 parliamentary seats, however, failing to secure an outright majority. Thabane indicated that a coalition with the Alliance of Democrats, the Basotho National Party and the Reformed Congress of Lesotho would be formed to reach the 61 percent majority required to form a government (ENCA:2017)

In conclusion, the first coalition was created on the basis of an "anti-Mosisili sentiment". However, things took a turn by June 2014 when the LCD signed a new alliance with the DC which had won 48 seats in the 2012 elections. The collapse of this coalition can be attributed to the political and security challenges which took form and the fractionalisation that began to exist within the political landscape thus significantly contributing to the dilapidation of the coalition. Also not dismissing how the coalition became personality-driven with a standoff between Metsing and Thabane.

The second coalition of 2015 to 2017 was also equally unstable as much of the concerns arising from the first coalition had not been addressed. Instead, SADC's interventions only provided a short-term solution by means of snap elections which would give rise to another unstable coalition which would breakdown following inter-party and intra-party conflict which resulted in the splitting of the seven-party coalition.

Dating back to 2012 there has been a repetitive cycle of snap elections being held which have continuously produced coalition governments. To date, these coalitions have failed to serve a term but instead collapsed following internal disputes and divisions. Does this mean that the political coalitions formed are not working? Should Lesotho explore other methods of governing which would possibly require the reassessing of the current mixed-member proportional system? Are the political coalitions actually the core of the problem? This research report seeks to answer these questions in the next chapters and get to the core of these challenges.

Chapter three: Why are coalitions formed?

A broad spectrum of literature has been presented on the formation and collapsing of coalitions. However, as highlighted in the first chapter of this research report, the formation of coalitions is determined by a number of factors which are dependent on the context and political landscape of the respective country. In this chapter, I seek to explain why coalitions are formed in Lesotho. It goes without saying that the 2012, 2015 and 2017 coalitions of Lesotho are products of the Mixed-Member Proportional (MMP) electoral system which has not produced outright winners in these cases, but instead has resulted in "hung parliaments" which have produced coalition governments. In this chapter, I will start by analysing the workings of the MMP system and how it has applied to Lesotho. I will do so with the intention of showing where the process of coalition formation starts within the case-study of Lesotho. The second part of the chapter will present the theory which best explains why coalitions are formed. I will argue that the office-seeking theory best explains Lesotho's coalitions. I will also explain why the policy-orientated theory and the theory of pecuniary coalition formation do not apply in this context. Finally, I will analysis the coalition agreements that have underpinned these coalitions and attempt to study the gains that have informed the formation of the coalitions. As I scrutinise these various factors, I will discuss the political culture of Lesotho and attempt to show how it has influenced the formation of the coalitions.

The Parliamentary System

Before I show the link between the MMP system and coalition formation, it is important to briefly explain the parliamentary system which Lesotho currently operates within. Lesotho is a constitutional monarchy which means the monarch acts as the head of state within the parameters written or blended in the constitution while the Prime Minister is the head of government and appoints a cabinet. The legislature comprises of two chambers: the National Assembly which is elected for a five-year term, with 80 seats allocated on a first-past-the-post basis, and 40 by means of proportional representation; and the non-elected Senate with 33 members, comprising of 11 nominated by the monarch on the advice of the Prime Minister and the 22 principal chiefs of Lesotho (The Commonwealth, 2017). Secondly, compared to the presidential system where the head of government (the president) holds a lot of power and has a separate electoral constituency, in a parliamentary system the prime minister's authority is reliant on maintaining support within the legislature; therefore, there is a combination of the executive and legislative branches (Ishiyama; 2012:180). Once voters have decided how many seats will be allocated to several political parties, the elected representatives in parliament are

tasked with the responsibility of forming a government. The majority party or a coalition of parties (which can obtain a majority) will then form a government (Ishiyama; 2012:180). The ruling coalition holds the power of appointing the prime minister, who serves until he or she loses the support of the legislature or until the latest possible permissible date for new elections. Once a government loses the confidence of the legislature it must step down, and either a new coalition is formed, or alternatively, a new election is held (Ishiyama; 2012:181). Parliamentary regimes have a level of vulnerability as there is normally an absence of fixed terms, although the executive can call for elections. The confidence votes used in sustaining a coalition government also mean that a government can collapse at any time. Although elections are held every four or five years, very often terms are cut short.

The Link between the Mixed-Member Proportional System and Coalition Formation

Following a long period stained by conflict and violence over election results, Lesotho considered undergoing the process of redesigning its electoral system which would result in the replacement of the British-style First-Past-The-Post (FPTP) electoral system with the new Mixed Member Proportional model, introduced in 2002. Until 1998, Lesotho used the first-past-the-post (FPTP) electoral system which had been used since the 1965 election. According to Maleka (2009:6), this political system had turned politics into a zero-sum game which would be accompanied by aggressive and counter-aggressive political party tactics. The FPTP model gave rise to one-party dominance and the "winner-take-all" election outcome. Following the victory of the Lesotho Congress for Democracy (LCD) in the 1998 general elections, Lesotho erupted into violent and destructive political protest (Maleka, 2009:6). The opposition parties won only a single seat despite having a nationwide share of nearly 40% votes (Goeke, 2016:297). Despite the international community declaring the election free and fair, the opposition, as well as its voters, rejected the election results, and their frustration turned into protests and violence. The tripartite alliance between the BNP, BCP, and Marematlou Freedom Party demanded new elections (Goeke, 2016:298). The growing violence brought the country into a state of crisis. This called for external intervention to bring order to the country. On September 22nd 1998, the South African Defence Force (SADF) together with the Botswana Defence Force (BDF) under the leadership of the Southern African Development Community (SADC) intervened in Lesotho (Goeke, 2016:298). In November 1998, an agreement was reached that an Interim Political Authority (IPA) should be established. The IPA was mandated to facilitate the process of electoral reforms in conjunction with the Legislative and Executive structures of Lesotho and prepare for the holding of elections within a period of 18 months

(Goeke, 2016:298). Debates surrounding the electoral system were heated with the LCD arguing for the FPTP system to be kept in place while the opposition argued for a change to a Proportional Representation (PR) system. Some parties proposed for an MMP electoral system as employed in New Zealand and Germany (Goeke, 2016:298). Following prolonged deliberations, the MMP model was then selected as the preferred model which would combine aspects of both the single-member plurality constituency voting (as in FPTP) with the party-list PR model. Accompanying the electoral reform process was an expansion in the size of the National Assembly from 80 to 120 seats, where 80 of the 120 are constituency-based and the remaining 40 based on national party lists. The new electoral model introduced a ray of hope, particularly for the opposition.

The MMP model was used during the 2002 general elections. The LCD claimed victory again in the 2002 elections, arguably because it had a better organisational structure than the opposition party. However, 40 compensatory seats were allocated among 9 oppositional parties (Goeke, 2016:298). Through the allocation of these seats, the BNP became the strongest opposition with 21 seats. The new electoral model was promising and according to Goeke (2016:299), the election results led to a stable government and a visible opposition in parliament for the first time.

I have discussed how Lesotho came to adopt the MMP system as there is a link between electoral institutions and the formation and operation of coalitions. Oguyi (2006:63) explains that most post-independence African countries had adopted the FPTP electoral system which led in the first instance to one-party states such as Kenya, Malawi, Tanzania, and Zambia. In countries applying the PR system, it is usually challenging for any party to obtain a majority therefore in order to obtain a majority in parliament a coalition has to be formed. However, with that being said, it is important I state that this does not mean the PR system does not produce an outright winner as it has done so in the case of South Africa as the African National Congress (ANC) has dominated the political space following its first victory in 1994.

As of writing this paper, Lesotho currently uses the mixed-member proportional system (MMP) which is a "hybrid between the first-past-the-post (FPTP) system and the proportional representation (PR) system that seeks to maximise the advantages of each system" (Dingake; 2006:55). One side of the debate has questioned the legitimacy of PR, arguing that it has propelled tensions in Lesotho given that the model has not produced a majority government without the option of a coalition government. The general elections of 2012, 2015 and 2017 did not produce an outright winner and saw different parties coalescing and forming coalitions.

In 2012 the MMP system prevented the DC from obtaining a majority: although it won 41 out of 80 single-member constituency seats, it took only 7 out of the 40 PR seats. In spite of the DC being the largest party in the National Assembly, with 48 out of the 120 seats, Mosisili was forced to yield power to a fragile coalition led by the ABC's Tom Thabane (Banerjee &Rich, 2017). History repeated itself during the 2015 elections: the DC won 37 constituency seats, but 10 PR seats; the ABC won 40 constituency seats, and 6 PR seats; the LCD won 2 constituency seats, and 10 PR seats; and, the Basotho National Party acquired 1 constituency seat and 6 PR seats. Numerous smaller parties had PR seats but no constituency seats: in 2012, 8 such parties had 13 PR seats; and, in 2015, 6 such parties had 8 PR seats. The reliance on smaller parties with PR seats has, thus, prevented the ABC in 2012 and DC in 2015 from attaining ruling majorities without forming coalitions with numerous small parties (Banerjee &Rich, 2017).

In a series of interviews which I conducted for this research report, I had the opportunity to engage different experts from Lesotho on the electoral model and one of them who is Professor Motlamelle Kapa-the Head of the Department of Political and Administrative Studies at the National University of Lesotho shared the following views on the electoral model,

> "We have undermined the principle of two ballots two votes. We turned it into one. You cast one ballot once and it is counted twice. This denies voters the right to choose between different parties and between different candidates standing for elections. The arrangement was that if you are in a political constituency like I am in Maseru, you vote for a party but vote for a candidate from a different party or someone who is there – an independent candidate. But now you are forced to cast your ballot once. And in the majority of cases, people vote for parties and you may find that people vote for a political party whose candidate they don't even quite like."

It was thought-provoking to hear this view, as I was interested in knowing whether ordinary citizens fully understand how their votes are translated. I asked the National Director of the Media Institute of Southern Africa (MISA) – Lesotho, Mr. Tsebo Mats'asa on whether Basotho understand how the electoral model works? And he answered,

"For the people, the main deciding factor when they cast their vote is the political party. In some cases, people rarely look at who is actually contesting in a constituency, they normally think of a political party."

This in my view is extremely worrisome, as the ballot potentially conflicts the vote as voters must choose between a candidate and political party in a single ballot. Whereas the voters

should be able to exercise the option of voting for their preferred candidate who might not be a member of a party which they vote for.

The role of small political parties in Lesotho's Parliament remains highly contested. This follows what Professor Kapa deems as the oversight of not introducing thresholds. Kapa shares,

> "We dropped a key feature of the model which is a threshold. If we had adopted the model with a predetermined threshold to say that parties that get into parliament are those that will have secured a certain percentage of the total votes. In New Zealand, it is 5%, in Lesotho we do not have that. Politicians here deliberately dropped that. Because you see what it would do is prevent the proliferation of parties in parliament because only a few parties would make it to parliament. And that in my view would stabilise the system because you would have very few party negotiations and coalitions would be between parties which actually command majority support from the voters."

The argument follows that the small parties tend to become part of these coalitions and once they disagree on certain issues with their coalition partners, they then threaten to cross the floor in parliament or form an alliance with other parties.

During my interview, Professor John Aerni-Flessner mentioned the incentivising nature of the model by stating the following,

"The MMP system that is in place, incentivises the splitting within parties. If you have a small but solid basis of support in a party and you don't have a route to the top or where you want to be, it's very easy to take your supporters and either form a new party and get into parliament and potentially be a member of the ruling coalition or to join a different party and immediately rise to a position of power and influence because you bringing in a new bloc of supporters into the party"

I am of the view that the MMP electoral system has been beneficial as it has guarded the country against a one-party dominant system, ensuring a multiparty democracy and a more representative Parliament. However, the model will definitely need to be reworked through the introduction of a threshold. The National Assembly Electoral Act, 2011 sets the rules under which political parties can be formed and participate in elections. I think the framework of the Act needs to be reviewed as it has created the challenges which Lesotho currently faces with small parties infiltrating the political landscape and being able to destabilise the coalitions. According to the National Assembly Electoral Act, 2011 one of the requirements for the

registration of a political party is if the party has paid-up membership of at least 500 electors. This clearly makes it easy for many parties to be formed and compete in elections with the potential of making or breaking coalitions. Therefore, the problem does not mainly stem from the electoral model, but rather from the institutional regulations governing the participation of political parties. The coalition split of the DC-led coalition is illustrative of how the small parties that were coalition partners completely fragmented it once internal conflicts reached their peak. Banerjee and Rich (2017) recommend that Lesotho considers adopting a minimum electoral threshold necessary to receive PR seats (often 5% in mixed systems) as this avoids party fractionalization by encouraging very small parties to either withdraw or join forces with larger parties. In addition to this, floor crossing remains a pertinent issue – it is too easy for MPs to break away from one party and join another in defiance of electoral mandates, thus encouraging further fragmentation.

The Office-seeking theory and how it applies to Lesotho

Various theories on coalition formation have been applied with the aim of explaining what drives the construction of coalitions. As indicated in chapter one, the study of coalitions has generated three main theories: the office-seeking theory, policy-orientated theory and the theory of pecuniary coalition formation. In this section of the paper, I will suggest that the office-seeking theory best applies to the case of Lesotho.

Lesotho's political economy currently presents a number of challenges including food insecurity, livelihoods vulnerability, and a poverty crisis, aggravated by the severe drought of 2012, long-term environmental degradation, declining economic prospects, climate change and continuous political instability. Lesotho is also vulnerable to external economic shocks and is highly dependent on South Africa's economy (Santho, 2017:117). The economy of Lesotho is based mostly on agriculture, livestock, manufacturing, and mining. It also depends heavily on inflows of workers' remittances and receipts from the Southern African Customs Union (SACU) (World Bank, 2008: 52). Most households survive on farming, with the formal sector of employment consisting of mainly the female workers in the manufacturing sector and male migrant labourers who work in South Africa's mines. Lesotho continues to try to diversify its economy from being heavily reliant on remittances and agriculture to become more of a competitive economy. However, that still remains a huge challenge for the landlocked country (World Bank, 2012). Although growth has been expected due to the Lesotho Highlands Water Project – Phase 2 construction, financial and insurance sectors are however expected to stagnate following uncertainties surrounding the African Growth and Opportunity Act

(AGOA) (Santho, 2017:118). In April 2016, the international rating agency Fitch downgraded Lesotho to BB- from B+ (Santho, 2017:118).

Given the lack of economic opportunities, politics, particularly entering office, is seen as a means to self-enrichment. The political-economic context of Lesotho helps us understand the applicability of the office-seeking theory to the formation of the coalitions. The office-seeking theory holds that the "securing of posts in government, parliament, or diplomatic corps is extremely competitive in the context of general impoverishment, and coalition building serves as an avenue to access such positions" (Kadima, 2006:8). According to Aerni-Flesser & Rakojoana (2017), the multi-party era within Lesotho has resulted in a growing number of MPs and the number of cabinet ministers doubling from 12 to 28. Most government officials from almost every party have faced allegations of corruption. Few of these cases have led to convictions. There is a perception that top officials are looting public coffers with impunity. According to Kapa and Shale (2014:96), Lesotho's political parties are instruments of elite circulation wherein parties' names are different but the leaders of these parties have been part of the country's politics before, even though under different designations. The office-seeking theory was an area which I explored during the interviews. Kapa draws attention to the highly disjointed political party system which does not have legislation regulating the formation and the management of political parties. In our interview, Kapa mentions how easy it is to create a political party and with Lesotho having very limited economic opportunities, most people who form political parties or become members of these political parties assume they will be given a piece of the pie which may come in the form of powerful ministerial positions or alternatively becoming members of parliament. According to Kapa, not much is required before politicians enter office; not even qualifications. Lesotho sets no bar for politicians thus making it easy for anyone to be considered a politician who can run for office and eventually govern the country. Another respondent reiterated this by stating that, there is no need to meet any specific requirements as these positions are not based on merit but political affiliation. There is a lack of honesty and loyalty amongst the political parties as a result of which the politicians have become less credible. What I found to be interesting during the interviews is that none of the interviewees are of the perception that Lesotho's politics are policy driven. All of them, who are citizens of Lesotho were in agreement that the politics are office-driven. Kapa went further to even say, "the economic survival of the elite is access to the state. If you don't have that access to the state, then you know that your economic opportunities are seriously limited". He also adds that as an academic who has constantly written on Lesotho over the years, the office

seeking theory has been and remains the most convincing and not the policy-influence theory as none of the political parties even differ in their policies nor prioritise policy in their leadership style. In conducting these interviews, I also had a chance to speak to Mr. Seabata Motsamai who is the Executive Director of the Lesotho Council of Non-Governmental Organisations. Motsamai claims, "Politics in Lesotho is the best rewarding work". Civil servants go into politics after retiring as this compliments their pension benefits, university professors leave academia as the universities do not remunerate them as well as the state. When one is a parliamentarian or minister the proximity you have to resources is great. For instance, banks lend you money with less interest. According to him, the banking institutions do not assist ordinary individuals as they do not have the financial security an individual with political power enjoys.

Kapa and Shale (2014:97) further reiterate that both the political elites as well as the opposition have continuously been motivated by the desire for access to state power as well as the benefits that come with public office. In an environment without a robust private sector and under conditions of extreme poverty, unemployment and inequality, the state and the public sector become the key avenue for wealth accumulation and political survival for the elite. Thus contestation over the control of the state in Lesotho tends to become a war by other means (Matlosa, 2017:141). Given these circumstances, it is not surprising that political elites look up to the state for the lucrative deals, attractive salaries and innumerable befits that come with state officialdom (Matlosa, 2017:141). In addition, elite accumulation is often accomplished by foul means. Thus the elite does everything to ensure that it retains power. Therefore, at the heart of Lesotho's politics is state capture by the elite for accumulation and survival purposes rather than the pursuit of the national interest (Matlosa, 2017:141).

Applicability of the Policy-Orientated Theory

In conducting this research, it has been challenging finding information which is indicative of Lesotho being policy-orientated. For one, there has been an absence of an effective strategy designed to address the prevalence of poverty, HIV/AIDS, famine conditions as well as diversifying the economy. According to Aerni-Flesser and Rakojoana (2017), these inadequacies can potentially explain why the voter turnout has declined from over 70% in 1993 to less than 50% in 2015. Adding to this is that Lesotho presents very little evidence of any of policy-influence being a factor for coalition formation. There has not been much policy difference between parties nor have there been any developmental changes which can point to policies that have changed the livelihood of the Basotho people. In my interview with Mats'asa

from MISA-Lesotho, he went on to share that, 'the politics of Lesotho have failed dismally to respond to the needs of Lesotho". He highlighted how most developments have been donor driven and that the localisation of policies is weak. When donors stop funding certain projects or programmes then there is a major breakdown.

The 2012 coalition took some time before formulating a broad policy which would include specific areas of focus and according to Kapa and Shale (2014:107), the coalition government did not outline coherent and explicit policies and not much was achieved in these areas in the two years the coalition was in power. During the 2012 coalition, Prime Minister Thabane initiated some movements towards fighting corruption. The Directorate of Corruption and Economic Offences (DCEO) which was mandated to combat corruption and economic offenses began to act against suspected individuals, some of them being government officers (Kapa &Shale, 2014:107). I wish to flag that part of the reason behind the 2012 coalition collapse was Thabane's anti-corruption initiatives which ended up alleging the involvement of key actors within the coalition. The fragmented government which seems to operate in an incoherent manner within these coalitions not only causes delays in ensuring an effective government which serves the people but also creates an unnecessary bureaucratic layer which is rather problematic and inefficient in the implementation of policy. Another divisive issue was the implementation of Phase Two of the Lesotho Highlands Water Project which was previously negotiated by the LCD government in 2011. Unfortunately, Prime Minister Thabane was not pleased with the lack of progress within the project thus deciding to move it to his office. This move angered the LCD's executive committee because such decision should not be taken unilaterally (Kapa & Shale, 2014:108). Coalition disagreements on numerous issues have slowed down or stopped the implementation of different policies and projects. The coalitions have not acted in a cohesive fashion and dealing with internal squabbles has taken priority as opposed to being policy orientated.

Applicability of The Pecuniary Coalition Formation Theory

Another model presented on the formation of coalitions is the theory of pecuniary coalition formation which focuses on how resources affect the formation of multi-ethnic coalitions in Africa. I would like to argue that I believe the theory does not fully apply to the context of coalition formation within Lesotho given the considerations the theory is set within. The theory of pecuniary coalition formation states that "the interaction between ethnicity and resources offers pragmatic politicians a solution to the commitment problem associated with pre-electoral coalition bargaining" (Arriola, 2013:32). There exists a strong link between the role that the

formateur plays within the patronage politics which are used for ethnic mobilisation purposes. The political demand for capital can be exploited by the formateur who is key in the bargaining process which takes place in the forming of pre-electoral alliances. The level of interaction between ethnic groups and patronage politics creates an incentive structure given that the promise of power-sharing is brought to the fore in exchange for cross-ethnic endorsements. The theory has limited applicability in the case study of Lesotho as the country is ethnically homogeneous with the Sotho group constituting almost 100 percent of the population. According to Turkon (2009:83), social antagonism in Lesotho cannot be explained along the lines of clan opposition. Instead, processes that drive stratification and polarisation are derived from actions of specific interest groups trying to gain control over power, prestige, and opportunities for wealth accumulation. Political operatives go beyond ethnic or clan identity but have the potential of being motivated by various ideologies which, I believe do not differ much amongst the political parties as the political elite of Lesotho is not driven by a policy seeking agenda. Therefore, an attempt at attaining cross-ethnic endorsements is not applicable in this case, however, there is a slight possibility that the *formateur* can have resources which would be key in the bargaining of pre-electoral alliances. I use the word "possibility" as Lesotho is a country that has very limited economic opportunities outside of politics. Therefore, in the instance, the *formateur* engages in the negotiations while trying to organise the alliance, the economic resources would probably have to be from their own financial opportunities and away from the state thus making it slightly challenging. On the other hand, opportunities could be created in the case a coalition collapses as we have witnessed with the case study of Lesotho. The *formateur* can create a strong opposition with the former coalition partners that have opted out of the coalition. These former coalition partners would have presumably accumulated some sort of wealth from their time in office thus providing the *formateur* the economic resources needed to create new political alliances. Therefore, although Lesotho is ethnically homogenous, there exists the potential for a *formateur* bargaining and offering politicians a power-sharing pact that specifies the division of spoils from a victorious electoral campaign in the case of a coalition collapse where economic resources would have been attained from the former collapsed coalition government.

Coalition Agreements as a determinant for coalition formation

Coalition agreements are extremely important to the formation of the coalitions as they stipulate the operation of the coalition between the partners while maintaining a mutually beneficial relationship amongst all those involved. Despite these agreements being the

foundation of the coalitions, there are no legal and constitutional provisions governing the post-election transition period as well as the formation of a new government (Kapa & Shale, 2014:105). Given that Section 82(b) of the Constitution stipulates a very limited time (14 days) for Parliament to meet post the elections, there is limited room for negotiation and consultation thus coalitions are formed hastily. During this period, the coalition agreement which will bind the coalition partners is drafted and agreed upon by the respective partners. The coalition agreements are formed at the discretion of the coalition partners, and on a number of occasions, these agreements have been argued to lack a people-centered, policy-orientated approach and to be orientated rather towards obtaining booty and distributing of positions. An official Commonwealth expert (who was mandated by the coalition government to advise on ways to strengthen the coalition) critiqued the 2012 Coalition Agreement for having placed far too much focus on the allocation of Cabinet portfolios and other senior positions in government as opposed to the policies and programmes of coalition partners (Kapa & Shale, 2014:106). The expert notes that:

> "in the absence of a focus on a policy programme and on clearly communicating the direction of the Coalition to the public, an impression has been created that the Coalition Government is 'territorialised', is developing in silos based on the allocation of Ministries to coalition Parties, and is taking too long to get started on the programme to prosperity, inclusivity and transparency the electors voted for" (Prasad, 2013:3)

The above statement supports the argument I presented on the coalitions being more office driven as opposed to being policy driven. In addition to this, when the policy has to be implemented there is a major difficulty as the setup of the coalition has allocated ministries according to coalition partners and lacks an integrated approach. The above inadequacy is recurrent in the coalition agreements of 2015 and 2017. However, the 2017 coalition agreement tries to mitigate fractionalisation and the working of silos. Section 5 of the Coalition Agreement for National Unity, Reconciliation, Peace and Stability of August 2017, clearly specifies that despite the cabinet size being too large for effectiveness and cost, the parties within the agreement have agreed "to undertake the process of reviewing ministries and their responsibilities and thereafter re-align them as necessary before the beginning of the next fiscal year". Section 5.6 has granted the Prime Minister the powers "to appoint up to 8 (eight) deputy ministers to be distributed across ministries in his discretion from the ranks of ABC (2), AD (3), BNP (2) and RCL (1). This clause brings a

certain level of integration which will at least try lessen the challenges of a disjointed cabinet.

The electoral model was created with the intention of ensuring a more representative parliament with the inclusion of MPs from smaller political parties. The model achieved just that and saw the rise of smaller parties entering parliament. This has however created contention. Smaller coalition parties have been viewed as destabilising governments when they leave their coalitions. Some have argued that the electoral model is flawed as it cannot produce an outright winner. I argued that the problem does not stem from the electoral model as coalition governments are not a hindrance to democracy. Instead, they have enabled the representation of various parties which have in turn represented different constituencies. The problem lies in the shortfalls of The National Assembly Electoral Act, 2011 which could create higher barriers to the registering of political parties. In a space where politics are thriving under the office-seeking notion, it is tempting for individuals to enter the political space and create political parties to endorse their candidateship. To make matters worse, forming a political party is not difficult given the deficits of the National Assembly Electoral Act, 2011. I argue the introduction of a threshold of political parties entering parliament can mitigate the destabilisation of coalitions by smaller parties.

I have highlighted that office-seeking has motivated the formation of coalitions in Lesotho. The economy of Lesotho does not provide many economic opportunities thus the securing of the office allows for self-enrichment. Finally, the coalition agreements which govern these coalitions are key to understanding coalition formation. The agreements are very important as they set the parameters in which the coalition operates and it is clear that the 2012 and 2015 agreement had loopholes which would be problematic in the future as they created a much-divided government. The current agreement eases these weaknesses as it allows the Prime Ministers to create a more interrelated coalition government.

Chapter four: Why do Lesotho's Coalitions Collapse?

Dating back to 2012 Lesotho has experienced a repetitive cycle of snap elections that have produced coalition governments. To date, these coalitions have failed to serve a term and instead have collapsed following internal disputes and divisions. The main objective of this chapter is to analyse the causes of the repeated collapse of coalitions in Lesotho since the first coalition of 2012. In the previous chapter, we considered several key influences driving the breakdown of coalitions and in this chapter, I seek to answer the question, why do coalitions collapse?

With the aim of answering the question, I will look at a number of drivers of the incessant collapse of Lesotho's coalitions. In the first part of the paper, I will examine the role of Lesotho's Constitution and unpack how its framework has contributed to the fractured nature of the coalitions. In this part of the chapter, I will also refer to the threshold required for passing a vote of no confidence which has been a common recurrence in Lesotho's Parliament. The second part of the paper will thoroughly discuss Lesotho's floor-crossing legislation and the impact it has had on Lesotho's coalition governments. This section will be followed by a deeper analysis of the political culture amongst Lesotho's politicians. I have decided to refer to the political culture as it provides the premise of the inter and intraparty conflicts which have contributed to the demise of these coalitions. In discussing the political culture, I will also refer to key incidents which have been momentous in the failing of these coalitions. It would be a disservice to not discuss the civil-military relations and party-military relations which are important as we witnessed in the 2012 coalition ending. Thus I will conclude this chapter by addressing these relations.

The first coalition of 2012 ended ten years of one party dominance. Despite this coalition being viewed by many Basotho as the new beginning that everyone had waited for, the coalition would soon be labeled a "marriage of convenience" given the Anti-Mosisili agenda it was founded upon. Soon the coalition would collapse following self-serving struggles coupled with an attempted coup of August 2014. This was soon followed by SADC's interventions which saw fit that the parliament should be dissolved and fresh elections be called. The February 28^{th,} 2015 elections resulted in another hung-parliament and a DC-led coalition which was now in cahoots with a party which it once saw as its arch nemesis: the LCD. It was also not long before internal disputes started to arise and coalition partners began defecting from the coalition. The small land-locked country was facing a period of political instability which would see the

regional body, Southern African Development Community (SADC) step in and prevent the nation from self-destructing. SADC resolved to assist Lesotho in implementing security sector and constitutional reforms. It also appointed a Double Troika committee including Botswana, Mozambique, South Africa, Swaziland, Zimbabwe, and Tanzania. These countries would be designated the role of assisting Lesotho in the implementation of the SADC reforms which would be seen as a major step toward ensuring political stability.

The Shortfalls of Lesotho's Constitution

A Vote of No Confidence

The beginning of 2014 was characterised by a sequence of political incidents that had proved to be a major challenge to the coalition government of 2012. However, despite these occurrences, the real constitutional issues started in May 2014, when two members of parliament from the ABC defected from government thus causing a major blow to the coalition government which already had a thin majority of one in a 120-member National Assembly. The defection of these members meant that government had lost majority within the National Assembly. It is important I mention that despite the government losing the majority it does not automatically lose power. Section 87 (5) together with section 87(6) of the Constitution supplies the procedural requirements for the leaving of office by the Prime Minister. The procedural requirements of section 87(5) stipulate that even when the government has lost majority, a successful no motion of confidence would have to be moved by the National Assembly. Once the motion of no confidence has been passed by the National Assembly, the Prime Minister can exercise two options: either to resign or advise dissolution of government which would trigger the process of elections within a timeline of three months ('Nyane, 2017:81). What this means is that the Prime Minister can still remain in office despite having lost the support of a majority of members of the National Assembly

With the opposition being aware of these provisions, the opposition pushed for a motion of no confidence in government; given that it had lost the majority of the house the possibilities of a successful motion of no confidence were high. Section 83(5) of the Constitution allows for parliament to pass the motion of no confidence in the case there is an alternative successor with a requisite majority (Begman, 2013). Consequently, a motion of no confidence was tabled that former Prime Minister, Pakalita Mosisili form a government ('Nyane, 2017:81). As the relationship between the ABC and LCD continued to deteriorate, the LCD supported the motion of no confidence without necessarily defecting from the government. The constitutional

issue arose in this instance as the constitution did not clearly express whether a party which is in government could support a vote of no confidence against a government to which it is part of (‘Nyane, 2017:81). The Constitution does not give clarity on this matter nor is there precedent which can be followed in Lesotho. Although there was no precedent in Lesotho from either legal or from parliamentary practice, it would seem that the constitutional practice in Lesotho does not necessarily forbid it. The Constitution states that a motion of confidence is raised individually by a member of parliament (MP). Ultimately, this means even individual MPs from the government could exercise their power to either initiate or support a motion of no confidence against the government.

The Prorogation of Parliament

Having shown how a motion of no confidence can be passed by parties within a coalition, the prorogation of parliament is another area of contestation which requires close examination. Section 83 of the Constitution empowers the King at any time to prorogue parliament upon the advice of the Prime Minister. The act of dissolving as well as the prorogation of parliament is within the prerogatives of the monarch, in accordance with the Westminster model (‘‘Nyane, 2017:81). Prorogation in Lesotho is still cast in the classic mould of British conventions which Lesotho inherited from its colonisers. Circumstances under which a parliament can be prorogued have been unclear. However, in the case of Lesotho, it is said that the Prime Minister prorogued parliament in 2014 in order to avoid a motion of no confidence (‘Nyane, 2017:84). Confidence remains the cornerstone of government in Lesotho and it is without a doubt that a government operating without the confidence of the parliament would run against the true spirit of the constitution. A government which continuously prorogues parliament to rule without confidence is a paradox under the broader constitutional scheme in Lesotho.

’Nyane points to three ways in which Lesotho’s constitution is unique and merits circumspection. Section 83 (4) of the constitution grants the Prime Minister the power to advise the King without exception of anything from inhibiting him (Prime Minister) to do so. While this section of the constitution empowers the King with the discretion to reject the dissolution of parliament on the advice of the Council of State, the same discretion does not apply in the case of prorogation. In Lesotho the King’s powers to suspend and dissolve parliament is exercisable. However this is done under the advice of the Prime Minister; moreover, the King’s discretion is retained with regard to dissolution, but not with regard to prorogation. Thus in this circumstance, it seems that the prerogative of prorogation is shifted almost solely to the Prime

Minister in Lesotho (Nyane, 2017:86). Secondly, the Constitution seems to constrain the King from countermanding the Prime Minister even in instances where the Prime Minister advises prorogation with the intention is to avoid a motion of no confidence. Unless a successful vote of no confidence is passed by the parliament, it is difficult to determine that the government has lost confidence in the House. There seem to be no other ways to convey to the King that the government has lost the confidence of the House except a successful motion of no confidence (Nyane, 2017:86). Thirdly, the constitution is structured in such a way that the King cannot refuse the advice of the Prime Minister. Section 91(3) provides that should the King refuse the advice of the Prime Minister, the Prime Minister can execute the action and then report to parliament. This means that the prorogation of parliament lies in the hands of the Prime Minister as the Constitution does not put limitations on the exercise of that power (Nyane, 2017:86).

Governing on the basis of confidence levels

Another challenge to the Lesotho Constitution which contributed to the state of crisis during the 2012 coalition was the nature of the executive power enjoyed by the Prime Minister in the coalition government. The dispute was whether the Prime Minister is the creature of the Constitution or of the Coalition Agreement. This issue was present during the coalition government of 2012 and became heightened in 2014. The LCD, which was the second biggest partner within the 2014 coalition and the provider of the Deputy Prime Minister of the coalition, took the view that the Prime Minister was different from a single party Prime Minister in that the coalition Prime Minister had to consult (Nyane, 2017:86). On the contrary, the ABC and BNP coalition held the view that the Prime Minister was an element of the Constitution thus there was no difference in executive powers when he was a coalition Prime Minister as opposed to when he was a single party Prime Minister. According to 'Nyane (2017:87) these views arose from a political context where the LCD sought recourse in the Coalition Agreement and the ABC in the Constitution. The dispute at hand was whether the Constitution of Lesotho envisages two types of Prime Ministers, namely the coalition government Prime Minister or the single party Prime Minister. The government of Lesotho turns on the office of the Prime Minister; however, neither is the choice of the Prime Minister done directly by the electorate nor indirectly by parliament. Unlike countries that have the investiture vote for the Prime Minister or President (Martin & Stevenson, 2001), the Constitution does not provide an indirect election by parliament as this is an appointive position. The King ‘appoints’ the person who ‘appears’ to enjoy the confidence of the House. What this means is that the government depends

on the confidence of individual members of parliament. From a legalistic standpoint, this is subject to criticism because it denigrates the role of political parties in a constitutional democracy. 'Nyane (2017:89) recommends that this could possibly be an area requiring reform because realistically, governments are formed by political parties conjointly, or individually. To insist on a purely legalistic approach that government depends on the confidence of individual members of parliament is to be oblivious to the realities of politics which provide the very reason for the existence of the Constitution. ('Nyane, 2017:89).

Powers of the Prime Minister in Relation to the Cabinet

A final area of controversy surrounding the demise of the first coalition concerned the power of the Prime Minister in relation to the Cabinet. There were three key decisions which were taken by the Prime Minister that were rejected by the Deputy Prime Minister, citing no consultation by the Prime Minister. The charge of non-consultation was on two accounts, with the first being of the non-consultation of coalition partners in government while the second was non-consultation of coalition partners as political parties including the LCD. Sejanamane (2016:291) states the agreement among the coalition partners was elevated to a legal document (such as the Constitution), as opposed to an ordinary political agreement. As tensions started to rise some coalition partners began to make weight of the agreement against the Constitution, whereas the agreement was amongst the coalition partners. The series of events leading up to the tensions between the Prime Minister and Deputy Minister include the rejection by the Deputy Prime Minister of the following: the dismissal of the army commander in August 2014, the dismissal of the Minister of Communications and the appointment of the President of the Court of Appeal. In essence, the Deputy Prime Minister was not pleased with executive decisions made by the Prime Minister, especially on appointments and dismissals ('Nyane, 2017:91). In contrast with presidential systems where executive authority is vested in a single center of authority, the Constitution of Lesotho seems to differentiate between *de jure* executive authority and *de facto* executive authority and vests them differently. Section 86 posits, that the executive authority in Lesotho shall vest in the King and exercisable through the advice of government officers. This section on its own does not explicitly provide for the center of executive authority in Lesotho. Instead, it is open to interpretation. Given that Lesotho is a British-based constitutional system, it would seem that the monarch is the *de jure* repository of executive authority ('Nyane, 2017:91). However, due to the dominance of parliamentary democracy, the authority largely shifts to the elected government of the day (Langford, 2006). This means that the Prime Minister and no longer that King, meaning that the executive

authority to implement the law, develop national policy, coordinate sections of government, appoint key personnel in government and initiate legislation vests in the cabinet and Prime Minister ('Nyane, 2017:92-93). The Constitution does not vest specific functions in the office of the Prime Minister nor does it vest general executive power in the Prime Minister. Instead, Section 88 provides that the Prime Minister is part of the Cabinet whose function is to "advice the King in the government of Lesotho" ('Nyane, 2017:92-93) This Section embodies the principle of collective responsibility. However, Section 88(2) provides for instances where the principle of collective responsibility may not apply. Those are instances of the appointment and removal of ministers and the dissolution or prorogation of parliament. It would seem the Constitution *ex facie* obliges the Prime Minister to work within the principle of collective responsibility.

It is clear that Lesotho's Constitution consists of terms that are open to interpretation and have thus been problematic. The fact that the Constitution is still cast on antique British constitutional conventions proffers the strong case for reviewing it to ensure it is reflective of the contemporary trends within Lesotho's constitutional democracy. Therefore, its current form is very weak on the limitation of powers of state institutions, particularly the office of the Prime Minister.

The Role of Floor-Crossing Legislation

Despite the electoral reforms of 2002, floor crossing remains a major contentious issue within the political landscape of Lesotho. From the post-independence period we have witnessed the effects of floor crossing a number of times and to date, it remains a major challenge which has significantly contributed to destabilising parliaments in Lesotho. Floor crossing has also resulted in the subverting of the party system thus leading to the proliferation of parties (Matlosa & Shale, 2007:147). Before the 2002 General Elections, the question on how to deal with frequent party switching had come to the fore and was debated. In the application of a mixed member proportional (MMP) electoral system, the National Assembly increased from 80 to 120 seats. Eighty seats are allocated to a constituency-based election (FPTP) and the additional 40 through a party-list system (PR). Emerging from the debates, the provision on floor crossing stemming from the introduction of the MMP, allows only for Members of Parliament elected from a constituency to cross the floor thus allowing them to change their party affiliation, while the 40 members from the party list system cannot cross the floor to the parties without losing their parliamentary seats (Goeke & Hartmann, 2011:270). However, despite this new provision, floor crossing remains a major problem in Lesotho's parliament.

Goeke and Hartmann (2011:266) argue the below-proposed options may possibly address defections:

a. Party switching can be allowed or rather not be regulated by law. This notion is derived from the 'free mandate theory' which holds that 'candidates contesting an election in constituencies stand in their own right as individuals and not as political parties even if their candidature is endorsed by parties' (Matlosa, 2004:27).
b. The other would be the 'qualification defection rule', which South Africa previously applied. In this option, floor-crossing is only acceptable for two 15-day periods per electoral term and the defection had to represent not less than 10% of the total member of seats held by the party which the defector was leaving (Goeke & Hartman, 2011:268).

The challenges that floor crossing present continued in 2012 when Prime Minister Pakalita Mosisili of the ruling Lesotho Congress for Democracy (LCD) defected to join the Democratic Congress along with 44 other members. It is reported that the political migration was driven by Mosilili's agitation about the internal feuding within the ruling party. This move effectively demoted the LCD that had won a narrow majority of 62 seats in the 2007 parliamentary elections to opposition status. The Prime Minister's defection and the creation of the DC are nothing new as it is a reflection of the continuous historical trend in which new parties which have been created from political tugs-of-war and intra-party factions. The LCD is a product of floor crossing itself, when in 1997, 41 of its members including the Prime Minister defected from the then ruling Basutoland Congress Party (BCP) to create the LCD (Motsamai; 2012). The LCD breakaway party was the product of BCP failure to solve intra-party problems. The LCD breakaway was initiated by the then party leader and Prime Minister Ntsu Mokhehle. Also what is important to note is the fact that prior to the 2007 elections, 16 LCD members crossed the floor joining a newly formed All Basotho Convention (ABC) party. At the time, however, the move led to volatility in the legislature because of its effect on the National Assembly seat allocation thus calling for elections (Motsamai; 2012).

While the Lesotho Constitution permits floor crossing line with parliamentary rules and regulations (Standing Orders), it has become a leading and favoured modality by Members of Parliament (MPs) to address internal cohesion challenges and leadership spats in their parties (Motsamai; 2012). Since elected MPs represent their constituencies, there is no guarantee that post the floor crossing period, MPs will still have the backing of their constituencies. The motivations for this kind of party movement have been interrogated and there is a widespread

public perception in Lesotho that the recent floor crossing by many of the LCD MPs is essentially self-seeking and based on political survival calculations given there was minimal to no consultation process involved with the electorate. The unending culture of faction fighting and the lack of cooperation for mutual gain has had very detrimental effects on the institutional effectiveness of parliament. This is more severe among the parties represented in Parliament as the resolving of these issues requires the intervention of courts. In the circumstance where no amicable agreement is reached, a party split is probable (Matlosa & Shale; 2007:144). This trend has proven to be destabilising for parties and Parliament. The collapse of the DC-led coalition is evidence that the presence of two warring factions can result in serious implications: in members defecting from the party and depriving the ruling government of a majority. As highlighted in chapter two, the tension between the two factions within the DC involved five ministers from the pro-*Lirurubele* faction crossing the floor. In the end, Mosisili found himself leading a minority government which was later ousted by the opposition bloc successfully pushing for a motion of no confidence vote. Respondents from the interviews which I conducted were of a similar view that floor crossing has been driven by self-serving interests by politicians. On many other occasions, Lesotho's political leaders have defected when they were not happy with what their political parties could offer them and this has proven to be extremely problematic. It is clear that floor crossing has detrimental effects on Lesotho's representative democracy and some of which have been identified over the years by Matlosa and Shale (2007: 148-149) include:

- Floor crossing changes the political character of the National Assembly by altering the outcome of the general election results. What this means is that results can easily be changed by elite pacts and the realignment of power within the National Assembly. This happened in the 2002 election when the LCD, which initially won 79 parliamentary seats, ended up with 61 following the formation of the ABC;
- The proliferation of small, weak parties created by floor crossing further fragments the party system, a problem for an emerging democracy such as that of Lesotho;
- Thirdly, when MPs cross the floor they are under no obligation to consult their constituencies in advance, nor are they required to seek a new mandate thus undermining the principle of accountability of MPs to its constituents;
- Matlosa and Shale (2007:148) mention that one of the weaknesses of political parties in Lesotho is their inability to mutually reinforce inter-party relations by way of

cooperation and alliance where their ideological and programmatic positioning match, therefore, creating the opportunity of inter-party unity;

- Finally, floor crossing can possibly undermine representative democracy in that if the voters feel they keep voting for representatives who constantly switch political allegiance, they may feel that the MPs only serve their interest and not their constituency and that their own vote is useless. This results in mistrust of both the MPs and the political parties.

It is clear that Lesotho requires floor crossing legislation which does not apply by limitation in which it only allows members of Parliament elected from a constituency to cross the floor while the 40 members from the party list system cannot cross the floor to the parties without losing their parliamentary seats. Legislation should be standardised by applying to all members thus ensuring the coalition government is not disadvantaged at the expense of the opposition through floor crossing.

Lesotho's Political Culture

Political parties are a key element of modern representative democracy. However, some parties have struggled with internal tensions that have overshadowed their function of serving and representing their constituents. Lesotho's party politics have over the years been characterised by intra-party conflicts that have resulted in splinters as previously highlighted. As I argued in the previous chapter, Lesotho's coalitions have been driven by office-seeking motives and patronage-politics. This has significantly affected the dynamics of coalition governments and has ultimately contributed to their demise. In this section of the paper, I will focus on Lesotho's political culture and how it has contributed to the country's political instability.

Political Coalitions and the role they play in Lesotho's politics

In an essay on political parties in Lesotho, Shale (2017: 38) creates the term "coalition-hopping" to describe the new recurrent pattern in Lesotho politics whereby coalition partners move from one coalition to another when their objectives cannot be achieved within one coalition. For instance, during 2015 we saw two sworn enemies LCD and DC join forces following DC's usurpation of power from the LDC in an ugly split in 2012; instead, the two joined forces and played a very critical role in orchestrating the fall of the ABC led coalition government. The LCD's choice to join forces with the DC cost it deeply as some of its members of parliament left to form a new party called the Reformed Congress of Lesotho (RCL) in 2014. Despite the LCD having hopped from an ABC led coalition to a DC led coalition, smaller

parties have devised a strategy which enables them to do what Shale (2017:38) calls "hunt with the hunters and run with the hares". In the past, the Popular Front for Democracy (PFD), BCP, Basotho-Batho Democratic Party (BBDP), Lesotho People's Party (LPC), Basotho Democratic National Party (BDNP), National Independent Party (NIP) and Marematlou Freedom Party (MFP) formed a loose pact, called the bloc. The bloc decided to support the ABC led coalition from outside when it voted in parliament against the DC which had been isolated as punishment for its power grab in 2012 after splitting from the LCD (Shale, 2017:38). After the ABC-led coalition collapsed, five parties from the bloc joined the DC led coalition after they (the five parties) secured one PR seat in parliament, however they opted to be part of cabinet and share the spoils in the allocation of Senatorial, ambassadorial and other senior government positions (Shale, 2017:38). As mentioned in the previous chapter, one of the consequences of the MMP electoral system is that it ensures parliamentary representation of small parties. As seen above, these small parties formed the bloc and eventually became part of the DC-led coalition. According to Shale (2017:39), they have been turned into king-makers in Lesotho and can make or break coalitions as seen with the ABC and the DC led coalition.

Intra and inter-party conflicts remain very central to Lesotho's political landscape with the 2012 and 2015 coalition collapsing following internal conflicts within their respective parties as well as their coalition arrangements. I continue to stress that the office-seeking theory applies to the case study of Lesotho and the incidents which have occurred following the collapse of these coalitions further reiterate this. According to Sejanamane (2016: 291), the agreement between the ABC, LCD and the BNP to form a coalition government entrenched divisions following its setup which divided government into three parts, with each controlling the government ministries which had been allocated to them. The coalition agreement went further by allocating coalition partners in charge of the specific ministry the right to exclusively appoint senior staff within that ministry. All principal secretary appointments were made according to coalition partner allegiance. It even came down to the point where chief accounting officers were not appointed based on merit but political associations (Sejanamane, 2016:291). Consequently, the public service became highly divided and was driven by the political party in control of the ministry, resulting in complete chaos. This disjuncture within the coalitions tends to be mollified by an agreement on a common programme. However, in the instance where a programme is not a priority to the survival of the coalition, personal interests, and power struggles tend to trump those programmes and this has recurrently been the case in Lesotho (Sejanamane, 2016:291). In circumstances of this nature, it is extremely

difficult to solve conflicts thus potentially leading to the dissolution of coalitions. While conducting interviews, it was very important that I full picture of how people feel about coalitions; whether they were seen to be positively or negatively contributing to Lesotho's politics. What all respondents expressed is that the coalitions were not a hindrance to the political landscape of Lesotho as they promoted a multiparty system which was very representative. The problem was rather how these coalitions were carried out. When interviewing Mr. Khosi Makubakube who is the General Secretary of the Christian Council of Lesotho - which has closely worked with the coalition governments over the years - I asked him to share his views on Lesotho's coalitions and he answered, "Coalitions are important if they are based on certain values and principles. A programmes approach has to be adopted and unfortunately, that has not been the case in Lesotho". When asked the same question Sofonea Shale from the organisation Development for Peace Education (DPE) in Lesotho responded,

"The political coalitions are a good arrangement as they diffuse the arrogance we have seen before. However, the manner in which they have been formed is disastrous because the issues parties negotiate when they form a government are not necessarily the issues they put on paper. And you find that even if coalition agreements are written on paper, something that will divide them will not be those things they have put on paper, so for me it is the manner in which they are being negotiated and how the agreements are reached. So it is basically a question of managing the coalitions that also relates to the inability to manage political differences but as well the way we negotiate the agreements"

He continues that the process of drafting coalition agreements has to be facilitated by someone or people who interrogate political tensions that may arise given that when these coalitions are negotiated, coalition partners tend to be of the view that they are a single entity. Thus they enter negotiations without thinking about what could possibly cause the coalition to fall apart. This argument refers back to the importance of coalition agreements which I mention in the third chapter. I think the literature on coalition politics in Lesotho has slightly overlooked the potential coalition agreements have in possibly destabilising governments. Although these agreements are formed to determine the terms and conditions which the coalition will operate within, the coalition partners never explore how these terms and conditions may possibly divide them apart and how to address this in the instance it occurs, therefore mediating measures are not put into place to address potential separations.

Political parties in Lesotho remain extremely weak and characterised by a high level of factionalism, distinctive personalism, and barely distinguishable party programs while focusing only on urban areas (Goeke, 2016:302). Goeke (206:302) points to two key problems, namely lack of intra-party democracy and missing ideological differences between the parties. These two shortfalls are believed to create a breeding ground for growing factionalism, splits and the emergence of short-lived parties in the run-up to elections. It is therefore not a surprise that party-switching within the Lesotho political landscape is persistent. Many of the parties are a splinter from another one and most of the new parties came into existence from splitters of the LCD which is also a splinter from the BCP. Political parties in Lesotho depend largely on membership contributions, donations and the personal wealth of their leaders and candidates who become funders of their administration and campaigns (Goeke, 2016:302). Lesotho also provides public funds to political parties for campaigning purposes. These funds are provided to parliamentary and non-parliamentary parties alike, although this is done on a set distribution criteria (Shale, 2017: 39). Proportionality to the number of votes obtained in previous elections is the funding formula used for parliamentary parties while equal distribution is used for non-parliamentary parties. The campaign component of funds has proven to be problematic. Firstly, it is an incentive for the proliferation of parties given that individuals who have constantly moved from one party to another are mindful of the fact that when they break away from their parties they will have funds from the state towards campaigning activities of their new parties (Shale, 2017:40). In addition to this, these funds have become a source of intra-party conflicts because although the law requires parties to account for these funds, adherence to this requirement by both the opposition and ruling is low. In addition, the abuse of funds together with the lack of accounting within these parties has triggered tensions. One prominent example of this is when the DC led coalition used public funds to pay off M500 000 personal loans of all MPs of the 8th Parliament (Shale, 2017:40). The MPs claimed that they did not foresee that the 8th Parliament would not last a full term and thus meaning they were no longer going to be earning an income to repay loans. On the other hand, Opposition MPs never raised an objection to the government when it placed the burden of loan repayments on taxpayers. Instead, they pleaded innocence by claiming that they had not asked for their loans to be written off. Many of these MPs were re-elected back into Parliament after the 2015 elections and were entitled to new loans as members of the 9th Parliament (Shale, 2017:40). One of the issues that remain remnant within Lesotho's political culture is, the country has gone forward into the unstable coalitions without addressing the challenges of its past which continuously affect the present politics of Lesotho. Mr. Seabata Motsamai is of the same view and further mentions that post-

1993, issues of reconciliation were never prioritised. Given that the process of reconciliation was never addressed, some political actors, till this day, hold grudges against each other and these actors are from the main political parties of the post-independence era, which were the Basutoland Congress Party (BCP) and the Basotho National Party(BCP). Following the major splits of both parties, no efforts were directed towards addressing matters around reconciliation even when the country entered the coalition period. Motsamai explains that no conversation was instituted on what are the priorities of Lesotho and what kind of political parties are needed to bring political stability. By this statement, he does not necessarily mean eliminating existing political parties but rather directing these parties towards a new political agenda. According to him, undertaking this process would have minimised the current issues Lesotho has on security and Parliament stability, as the country would have a new vision of how it wants to be governed. As things stand it is clear that the political culture of Lesotho has bred an elite of politicians who are self-serving and view the state as a source of wealth accumulation.

Civil-military relations and party military relations

Military engagement, or the possibility of it, is another source of political tension in Lesotho. Lesotho's post-independence history saw a military regime transition into what we see today as a representative multiparty democracy characterised by fragile and unstable coalitions Many saw the post-1993 democratic dispensation as finally ending the military regime that ruled from 1986 until 1993. However, the transition to democracy has been difficult. It has seen a highly politicised public sector including the army and the police; the determination of King Letsie III to have his father reinstated following his dethroning by the military; and high-levels of factionalism within the BCP which resulted in its split in 1997 and the 1998 military intervention by SADC which contributed to the reforming of the electoral model (Mothibe, 2017:63). From the beginning of the coalition period (2012), we have witnessed very odd relations between the military as well as different political parties. These relations have threatened Lesotho's democracy following an attempted coup as well as the murdering of key political actors. In this section of the paper, I will focus on civil-military relations as well as party-military relations and analyse how they have contributed to the collapsing of coalitions and continue to weaken Lesotho.

One of the leading threats to Lesotho's democracy is the rising spectre of militarisation. Lesotho is currently at crossroads with the promise of democratisation, peace and stability and the potential tragedy of militarisation, violent conflict, and political instability. This tension

between democratisation and militarisation points to the recurrent trend in Lesotho's politics in which civilians are allowed to practice their democratic right of casting their votes during elections, and soon after the votes have been cast, bullets take center stage and redefine the order of the day. This speaks volumes about Lesotho's politics as one day all is well and the next, politics is driven by the military. Although there may have been military withdrawal from state power in the 1990s, the military has not fully withdrawn from politics; the military remains a critical actor as political elites contest state power. Although the military is supposed to be independent of politics it still remains a politically influential tool.

According to Matlosa (2017:143), the political elite began to re-invest in the military for political gain in 2012 and around the same time, the military began to show interest in fiddling with politics. One of the signs of this was the appointment of then Major General Tlali Kamoli as the Commander of the Lesotho Defence Force on March 15th 2012, only three months before the election took place on May 26th 2012. It was not long before Kamoli was promoted to the rank of Lieutenant-General. By the time the elections happened, Mosisili had already left the LCD and contested the elections leading a new political party, Democracy Congress (DC) (Matlosa, 2017:143). With this split taking place, both Mosisili and Metsing (leader of the LCD) had made it clear they support Kamoli. When Thabane took office as prime minister, he first confirmed Kamoli's post however later fired him and replaced him with Brigadier Maaparankoe Mahao as the new commander (Matlosa, 2017:143). Both Mosisili and Metsing strongly opposed the dismissal of Kamoli and supported his refusal to vacate office while strongly opposing the appointment of Mahao. Brigadier Mahao was appointed as the new commander of the LDF as well as promoted to the rank of Lieutenant General. In the midst of it all, Kamoli openly defied a civilian order by refusing to hand over office to Mahao. Soon on August 30th 2014, an unsuccessful military coup took place which resulted in the death of a police officer and scores of police officers being injured. This incident led to SADC's intervention. SADC's intervention efforts saw fit that snap elections were held to remedy this political crisis; however, many have critiqued these intervention efforts as short-sighted as they did not address the issue holistically but only partially addressed the problem.

Matlosa (2017:145) argues that the only concrete step to be taken in respect of the security challenges the country faces is with the signing of the Maseru Security Accord which facilitated the leave of absence for the three security chiefs, Mahao, Kamoli and Khothatso Tšooana (the Police Commissioner). Mahao was sent to South Sudan and Tšooana to Algeria. Despite Kamoli being sent to Sudan, he never made it to his destination. Instead, he was based in South

Africa for the duration of his leave of absence. This became the second act of defiance by Kamoli's military command to civilian authority. The third indication of declining civil-military relations came to fruition by the post-2015 developments. Upon reinstatement as Prime Minister, Mosisili dismissed Tšooana as the police commissioner and demoted Mahao to his original position as Brigadier (Matlosa, 2017:146). Tšooana retired from his post and Molahleli Letsoepa was appointed as the new Commissioner of Police. Mahao's appointment was also terminated and Mosisili appointed Lieutenant-General Kamoli as the LDF Commander with effect from 29 August 2015; backdating the re-appointment by eight months. The return of Kamoli was personified by politics of vengeance in order to deal with his opponents both in and outside the army, using the elite force within the LDF, known as the Special Forces, which was under the leadership of Tefo Hashatsi, whom Mahao had previously reprimanded previously for apparent lack of respect for civilian control over the military. This incident was evidence of the internal faction-fighting within the LDF as well as the declining civil-military relations. The fourth signal includes concern within the military following the abduction of soldiers from May 2015, on charges of allegedly planning a mutiny (Matlosa, 2017:147). With the reign of terror imminent, 23 soldiers were detained in Maseru Maximum Security Prison while 24 others fled to South Africa. It was also during this period when high-profile killings, military style, happened in Lesotho, this including the murdering of a well-known businessman and active member of the ABC, Thabiso Tšosane. Many other opposition leaders namely, Motsoahae Thomas Thabane (ABC), Thesele 'Maseribane (BNP) and Keketso Rantšo (RCL) fled to South Africa for fear of their lives (Matlosa, 2017:148). Mahao, however, did not seek refuge in South Africa although it had been an open secret that the Kamoli faction of the LDF was determined on eliminating Mahao. The final warning sign of the collapse of civil-military relations was the operation to assassinate Mahao. It is evident that the military had been divided into two factions; one faction including the Special Forces and Military Intelligence which was in support of Kamoli, while the other supporting Mahao. The faction supporting Kamoli was inspired while the Mahao faction was weakened following the efforts to demote him. As mentioned that Mahao had a target on his back as he had been under surveillance and an attack was made by the army at his home on 30th August 2014. Mahao survived this attempt however the second one of June 25th 2015 proved to be fatal, with very dire consequences for the security situation of the country.

As the crisis continued SADC initiated efforts in attempts to stabilise the political turmoil. In November 2015, the regional body convened a double troika summit in Mozambique to receive

the reports of its commission of inquiry into 'disturbances to peace and stability' in Lesotho (Motsamai & Petlane, 2015) and made recommendations. Two of these key recommendations stated that:

- The government of Lesotho should ensure that the criminal investigation of the death of Lieutenant-General Mahao is pursued vigorously and expeditiously.
- Lieutenant-General Tlali Kamoli is relieved of his duties as commander of the LDF and all LDF officers implicated in cases of murder, attempted murder and treason be suspended while investigations into their cases proceed in line with international best practice.

In the midst of the political turmoil, Lesotho's army commander, Khoantle Motsomotso was gunned down in his office at the Lesotho Defence Force's headquarters in Maseru by two senior officers on September 5th 2017 (Hosken, 2017). The killers were armed with hand grenades and handguns as they forced their way into his office killing Motsomotso's bodyguards and other soldiers in the process. This obviously sparked fears of a possible coup following a new era of peace being ushered in under the ABC led coalition. Following the entry of the new ABC-led coalition of 2017, which pledged its commitment to the SADC's recommendations, matters which had previously been swept under the carpet by the previous coalition were finally prioritised. On 11th October 2017, former commander of the Lesotho Defence Force, Kamoli, supposedly handed himself in the pending outcome of an interrogation. The new coalition government of Prime Minister Thabane had not been expected to make any move against Kamoli until a SADC standby force was expected to arrive on November 1st 2017. However things took a turn as the standby force's arrival was characterised by controversy after a SADC army chiefs meeting which decided to dispatch a third security assessment on October 18th before the deployment of the contingent force (Peta, 2017). This infuriated Lesotho government which argued that security chiefs had no mandate to deploy another force but only to determine its size as per the decision of a SADC double troika summit (Peta, 2017). Currently, Kamoli remains in custody for 14 counts of attempted murder over the 27 January 2014 simultaneous bombings of the Moshoeshoe II homes of First Lady Maesiah Thabane, 'Mamoshoeshoe Moletsane and the Ha Abia residence of former police commissioner Khothatso Tšooana (Mohloboli, 2017). On December 1st 2017 eight soldiers (including Hashatsi – ally to Kamoli) accused of the killing of Mahao made an appearance in court and had charges of the murder of Mahao laid against them.

The proposed SADC reforms are very important and provide Lesotho an opportunity to correct its mistakes. However, with that being said, we cannot ignore that their implementation will be difficult as some political actors may try to deter the entire process following their roles in militarisation of Lesotho. In a 35-page document Metsing (who is currently in exile) summarises all 13 demands which have to be met before he can return to the country (Sejanamane, 2018). Some of Metsing's requests include: the establishment of a forensic audit of the June 2017 elections, given he lost the elections and claims this is because of malpractices of the Electoral Body; the dropping of criminal charges and investigations against those who committed crimes in the past; and the establishment of a Government of National Unity (GNU) to which he will be party. Overall, he wants immunity for him and his cronies. Security reform will require the strong political will to address the atrocities which have been committed, and this political will should not only come from Lesotho but also SADC, who must ensure those responsible are brought to book. As seen with Metsing, politicians can try to manipulate the reforms in order to avoid punishment but the vigorous security reforms will hopefully lead the country in the right direction.

Civil-military relations remain blurred with politicians using the military as an instrument to drive their own political agendas. The military has meddled far too much within politics and has become far too partisan as opposed to being a neutral entity. However, promising the various interventions by SADC particularly in addressing the security sector of Lesotho, it is difficult to say with confidence that they will completely address the key issues at stake in civil-military relations. Matlosa proposes three main options for addressing the security crisis and these include:

(a) Maintaining the status quo by assuming the problem will disappear in time. This would obviously spell a political disaster as the country is already on a slippery slope towards a culture of violence, human right abuses, and impunity;

(b) Embarking on far-reaching governance and security sector reforms as proposed by the Commonwealth and SADC. This option holds the promise of democratisation in which democratic institutions can be strengthened and militarisation reversed;

(c) Consider disbanding the army and integrating it into a strengthened police force.

Matlosa (2017:150) proposes the disbanding of the army by arguing that a country such as Lesotho benefits little from an army as it faces no major external security threat given its geopolitical location within South Africa. He argues that it is not necessarily about getting rid

of the army but more about integrating it into the police force; strengthening the police force; increasing the equipment of the police force; and reducing or eradicating the conflicts between the army and the police by merging the two (Matlosa, 2017:150). I agree that Lesotho does not need an army. The role of the army should be to protect the landlocked country from external aggression and to exert power abroad in defense of its territory. Lesotho is surrounded by South Africa and has on numerous occasions called for the military support of the South African National Defence Force. It is highly unlikely that a regional hegemon such as South Africa would want to taint its diplomatic relations by attacking Lesotho or staging a takeover. Other roles of the military include ensuring internal order, disaster management, bolstering national pride, providing a source of employment and assisting with international peace-keeping (Moremoholo, 2017). An effective police force can perform the above-mentioned roles together with maintaining peace and safety. Moreover, in a country such as Lesotho which is not economically viable, resources which would be allocated to the army could be redirected into growing the economy as well as addressing the many social challenges the country faces.

During the interviews, the respondents shared very important lessons from past SADC interventions and made suggestions on what could be done going forward. In one of the questions I ask what recommendations would you make to SADC in addressing the Lesotho crisis. And all respondents were of the view that the SADC reforms should pay special attention to the security sector, the constitution, and the current electoral model.

What was interesting to discover was the mixed reviews on SADC's interventions over the years. The subjects of the interviews did not share a unanimous opinion on the intervention as some felt the mediation efforts were futile with others praised them. For example, when asked about the interventions, Motsamai argued that "[t]he interventions were very short-sighted as they did not include the local actors". Some of the interviewees who are members of civil society made it clear that the interventions were very one-sided as at some points the voices of civil society were completely disregarded. Mats'asa went a step further saying that, "Most of the decisions that have been made by SADC are only helping those that are in power." Mats'asa believes that SADC's interventions are not part of a holistic approach and only address issues at the government level. He mentions that from his previous experiences, SADC has deliberately excluded civil society from its discussions hence in his view, the interventions have been partisan and not multi-dimensional. Kapa and Aerni-Flessner on the other hand, start with mentioning that at the beginning of SADC's interventions, there was a huge misdiagnosis of what the problem was hence a quick solution was proposed; which saw the calling for snap

elections. According to Kapa, the weakness in the post-2012 crisis in the intervention of SADC was that SADC decided not to listen to what the Basotho were telling them in terms of where the sources of the problem were. The root of Lesotho's problems is in the security establishment which SADC decided not to address but instead proposed elections.

However, with that being said, Kapa is of the view that SADC is now on the right track as more action is being taken and people are being called to account. Even though Kapa commends SADC for being back on track, he also mentions that the United States has played a huge part as it has threatened to withdraw its support from Lesotho. As a matter of fact, Kapa believes the United States has had more political clout than SADC and this has put Lesotho under immense pressure.

With the new coalition government in power, the stakes have risen with the possibility that Thabane could lead Lesotho to a new era of democracy and implementation of SADC reforms. Thabane would have to succeed where the previous DC coalition failed and bring Lesotho out of the political mayhem it has faced for many years. During this period his leadership will be under scrutiny as he will not have to prove himself as a legitimate leader not only to the Basotho but also to the rest of the world. Donor funding has been channeled into Lesotho and instead of political elites operating under a neo-patrimonial system as it has for many years, they will have to shift toward advocating for a national interest agenda. It is clear that there are numerous sources of coalition breakdown. Over the years Lesotho's politics has been driven by self-serving interests which continue to be apparent today, three coalitions later. With the SADC reforms possibly introducing changes to the constitutional and security sector, one can only hope that this will contribute to a more politically stable country.

Conclusion

In the research report, I point to the office-seeking theory as the premise in which Lesotho's coalitions are formed. Because of this, it is difficult to say that the different political actors which have come into power have been policy-orientated as the country lacks substantial evidence reflecting policies which have positively affected its socio-economic development. Instead, the country continues to grapple with challenges of high HIV/AIDS rates, unemployment, corruption and declining economic prospects. I have suggested that the patronage politics of Lesotho stem from the limited economic opportunities which are accessed through politics. So what currently exists within the context of Lesotho is the rapid sprouting

up of political parties to gain access to the opportunities associated with the occupation of the office.

The introduction of the MMP system was intended to usher the country into a multiparty democratic state. This was achieved, however, the oversight of not applying the model in its entirety has presented a number of challenges. Firstly, the undermining of the two ballots two votes principle to a one ballot two votes system, has denied voters the right to choose between different parties and between different candidates standing for elections, therefore, forcing voters to vote for political parties which might be represented by a candidate which they do not necessarily favour. Secondly, the dropping of an important feature of the model which is a threshold has resulted in the infiltration of smaller parties within the Parliament. These small parties have been very instrumental in making these coalitions by contributing to forming the majority government. However, they have also resulted in the collapsing of the coalitions when crossing the floor; as the case with the 2015 coalition government. The above-mentioned challenges have caused the Lesotho Parliament to be extremely fragile. Another contentious area of debate has been Lesotho's constitution. The Constitution of Lesotho is a remnant of very antique British constitutional conventions which do not resonate with the current trends in a constitutional democracy. Thus as I have shown in the fourth chapter, the Constitutional presents many grey areas which bring uncertainty.

Lesotho has a history of being previously led by a military regime and as past experiences have shown, the close relations between the military and political actors is extremely dangerous. This is because, in the past, key political actors have used the military to exert their power. This once again occurred during the 2015 coalition when the DC and LCD had aligned themselves with the head of the military to promote their own agendas. These actions have had very serious consequences which include the loss of lives and the creation of a political and security vacuum. Following these trials, today Lesotho finds itself at a crossroad in which it must implement reforms which will address the gaps within the security sector, constitution, and electoral model in order to bring calm to a very fragile political space. It is important that mention that I did not argue against the formation of political coalitions. Instead, I have challenged the motives they have been formed under as well as the way in which they are carried out by all actors. The gaps which exist within Lesotho's constitution remain extremely problematic and require special attention. In conducting my research, the interviews, a number of recommendations were presented by the respondents. These recommendations are not the solutions to Lesotho's challenges however are potential entry-points which could be explored.

These are the recommendations to come out of the interviews:

- Prior to any reforms being initiated or implemented, there is a strong need for a fact-finding mission which will inform the appropriate interventions which are to be taken. What is evident from the last interventions, is there was disengagement between the SADC and civil society. This resulted in the remedial actions being unrepresentative and not capturing the full picture of the matter at hand.

- There is a need to develop a conflict architecture which will incorporate local actors and will have mechanisms in place to address the security challenges as they arise given the fragility of the security sector.

- Polarisation in Lesotho has affected almost each and every institution including the judiciary thus SADC has to closely and carefully monitor the situation. Kapa suggests "Even the Commonwealth should probably play a role here to make sure that the judiciary is strengthened so that it can dispense justice without fear or favour." He went on to suggest the establishment of a special tribunal that will deal with strengthening the judiciary or alternatively a SADC commission which would ensure that individuals are held accountable. What is clear is that there is a need for a neutral entity which will oversee the implementation of these reforms as the state has also become polarised and would not meet the requirements of neutrality.

- Finally, clear avenues of succession are required: Literature on Lesotho coalitions has also omitted the lack of clear succession avenues as a source of coalition breakdown. In my interview with Aerni-Flessner, he succinctly alludes to Lesotho's political parties not having clear avenues for succession for younger or junior leaders. He goes on to mention that "there isn't a clear path to the top for individuals to move up the hierarchy without doing the machinations or threatening splits that we see." Political leaders have also shown an unwillingness to step aside which is really problematic because there are many others who are waiting in line. Once those that are waiting in line became impatient, this causes tensions and we see great agitation from both the incumbent and those waiting to get the reins of power.

In my view, Lesotho has a long way to go before it can fully reach a point in which the political environment can be deemed as steady. However, with the current interventions and efforts made I think the country is on the right track. It is important that I stress, Lesotho should not

be left on its own to deal with its problems as given past incidents it is so easy for these efforts to be wasted and made futile once certain political interest try to drive the process for their own view. Thus the role of SADC and other external bodies such as the African Union, the international community as well as neighbouring countries such as South Africa will be very key in assisting Lesotho to reach a point of political stability.

Appendix A



Semi-Structure Interview Questions

Name:

Profession:

Organisation:

1. **Lesotho's Politics**
   - 1.1. What are your views on the politics of Lesotho in the last 10years?
   - 1.2.Would you say Lesotho is fundamentally politically unstable? If so, please explain
   - 1.3.What are your views on the state of political parties in Lesotho?
   - 1.4.How have political parties and leaders contributed to the fractured nature of the political environment of Lesotho
2. **The Electoral Model**
   - 2.1.To what extent does the electoral model help explain what has happened within the failed coalitions?
   - 2.2.Do institutional designs including electoral designs make much difference to how political systems operate?
   - 2.3.Do you think reforming the electoral system would create greater stability? If so how?
3. **Political Coalitions**
   - 3.1.What are your views on coalition politics in Lesotho?
   - 3.2.Why have the last two political coalitions collapsed?
   - 3.3.What do you think is the cause the collapse of the recent coalition agreements?
   - 3.4. What are the minimum conditions necessary for a successful coalition?
   - 3.5.What are the sources of coalition breakdown? (Also referencing the floor crossing legislation)

4. Recommendations

4.1. What reforms need to be instituted to create a stable political environment?

4.2. What have been the weaknesses and strengths of previous mediation and intervention strategies to address Lesotho's political instability?

4.3. What recommendation would you make to SADC in addressing Lesotho crisis?

Appendix B

Lesotho political parties' splits since: 1957-2014

Political Party & Leader (L).	Pre-Independence Splinter & L'der (L).	Post-Independence Splinters & Leaders (L)
Basutoland Congress Party. 1952. **L:** Ntsu Mokhehle. Ruled 1993-1997	**1**. Marema-Tlou Party. 1957. **L:** Seepheephe Matete. **2**. Basutoland National Party. 1959. **L:** Leabua Jonathan. **3**. Basutoland Freedom Party. 1961.**L:** B. M. Khaketla.	**1.** United Democratic Party. 1967. **L:** Charles Mofeli **2.** Sefate Democratic Union. 1994. **L:** Bofihla Nkuebe. **3.** Lesotho Congress for Democracy 1997. **L:**: Ntsu Mokhehle **4**. Basutoland African Congress. 2002. **L:** Molapo Qhobela **5**. Basotho-Batho Democratic Party. 2006. **L:** Jeremane Ramathebane
Basutoland National Party. 1959. **L:** Leabua Jonathan. Ruled 1965-1986.	**1.** Lesotho Unity Party. 1964. **L:** Leo Matlabe	**1.** National Independent Party. 1985. **L:** Anthony Manyeli. **2.** National Progressive Party. 1995. **L:** Peete Nkuebe Peete. **3**. Basotho Democratic National Party. 2006. **L:** Thabang Nyeoe
Lesotho Congress for Democracy. Founded 1997. Ruled 1997-2012		**1.** Lesotho People's Congress. 2001. **L:** Kelebone Maope **2**. All Basotho Convention. 2006. **L:** Thomas Thabane **3.** Democratic Congress 2012. **L:** Pakalitha Mosisili **4**. Reformed Congress of Lesotho 2014.
All Basotho Convention		**1**. Senkatana Party. 2009 **L:** Lehlohonolo Tšehlana **2.** African Christian Front for Democracy 2009. **L:** Paul Masiu. **3.** Progressive Democrats 2014. **L:** Mophato Monyake.
Democratic Congress. Founded 2012. Ruled in coalition of 7 parties 2015-		**1.** Alliance of Democracts. 2016. **L:** Monyane Moleleki

Source: Victor Shale 2017

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