

THE UNIVERSITY OF THE WITWATERSRAND

THE LESOTHO EDUCATION ACT OF 1995/96, AND ITS SOCIO-
ECONOMIC AND ACADEMIC IMPACT ON LESOTHO TEACHERS: A CASE
STUDY IN MASERU, LESOTHO

BY

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Abstract

This study examined how the Lesotho Education Act of 1995 was initiated, formulated and implemented. In addition, the study investigated teachers' perceptions of the impact of the Act on them. The study was conducted through stakeholder interviews, school visits and an examination of official documents, education reports and minutes of meetings.

First, the study has established that the Act was initiated to phase out churches from school management in church schools, contrary to its stated objectives of promoting education. Second, the process of formulating and implementing the Act was bureaucratic and lacked coherence, sustainability and political consensus. Third, the Act has left teachers disillusioned and feeling disempowered by not accommodating their representation in structures dealing with their employment, conditions of service, promotion and demotion, transfer, discipline, dismissal, and designing the national curriculum. It has no provision for them to unionise, and does not even bind the employing authority to allow them to influence policies at national level. Fourth, on the provision of education, the Act is seemingly inconsistent with the national Constitution and other conventions on the Rights of Child and conventions which Lesotho signed. Contrary to them, the Act makes the provision of education in Lesotho circumstantial.

Keywords: Lesotho Education Act 1995, Lesotho Education Stakeholders, Lesotho Church Education, Lesotho

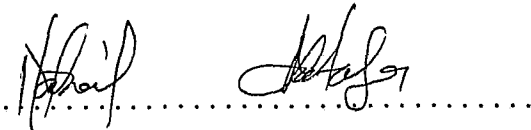
government and churches, Lesotho Teachers.

Dedication

This work is dedicated to my wife, Matebello Motaba, for her endless encouragement and financial assistance throughout my studies. She has also been a wonderful mother during my long absence from home, taking care of our daughter, Tebello Roja Aletta Motaba.

Declaration

I declare that this research report is my own unaided work. It is submitted in partial fulfilment for the degree of Master of Education in the University of the Witwatersrand, Johannesburg. It has not been submitted before for any other degree or examination in any other university.



Mokomatsili Nathaniel Ndaba Motaba

On the/.../1998

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List of Abbreviations

ACL	Anglican Church of Lesotho
BCP	Basotuland Congress Party
BNP	Basotho National Party
COSAS	Congress of South African Students
COSC	Cambridge Overseas School Certificate
COSATU	Congress of South African Trade Union
ECOL	Examination Council of Lesotho
JC	Junior Certificate
LAT	Lesotho Association of Teachers
LCD	Lesotho Congress for Democracy
LEC	Lesotho Evangelical Church
LTTU	Lesotho Teachers' Trade Union
MFP	Marema-Tlou Freedom Party
MP	Member of Parliament
PFD	Popular Front for Democracy
PTSA	Parents Teachers Students Association
RCC	Roman Catholic Church
SADC	Southern African Development Community
SADTU	South African Democratic Teachers Union
SASCO	South African Students Congress
SDU	Sefate Democratic Union

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Operational Definitions

Basotho:

Citizens of Lesotho

The Act :

refers to both the Education
Act of 1995 and its amended version

Expressly :

a legal jargon meaning "explicitly"

The Lesotho Education Act 1995/96 :

it means both the Education Act of 1995 and its amended
version

The Principal Act :

refers to the Educational Act of 1995

The Educational (Amendment) Act :

is the amended version of the Education Act No.10 of
1995 or the Principal Act

The Education Act 1995 :

it means the Education Act No.10 of 1995, the Principal
Act or the Lesotho Education of 1995

The "three legged-pot" :

it is a three dimensional ideology in Lesotho, which
referred to education in Lesotho being a responsibility
of; churches, the government and community or parents

CHAPTER 1

INTRODUCTION

1.1 Statement of the Problem

The purpose of this study was to establish *why the Lesotho Education Act of 1995/96 was enacted, and how its implementation affected teachers.*

The study set out to test four closely related assumptions. Firstly, it was assumed that the Act was initiated, formulated and implemented by government hardly allowing inputs from parents, teachers and churches. This marginalization of major stakeholders denied them an opportunity to know the purposes and objectives of the Act. This was the case especially for teachers, the people expected to translate the Act's objectives into practice.

Secondly, it was assumed the purpose of the Act was not really *"to promote the education of the people of Lesotho ..."* as stated in the principal Act (Education Act 1995, section 3(1)). Rather, in relation to teachers, the Act was meant to restrict their movements, by forcing them to take their grievances only to the government in the event of disagreement. In that way, the government thought teachers would not have freedom to disrupt education with industrial action as they did before the implementation of the Act. Put another way, the Act was against teachers' trade unionism.

Thirdly, it was assumed the Act did not specify how teachers

were expected to contribute to the promotion of education in Lesotho.

Lastly, it was assumed the Act had no positive impact on Lesotho teachers. Teachers viewed it as a strategy made by the government to victimise them for striking for salary increment, and to be pensionable like other civil servants. They were not even interested in reading the Act.

1.2 Background to the Study

An Overview

Lesotho education could be classified into three major streams. First, indigenous education which was exclusively controlled by the Basotho; then, colonial education in the 19th century. Finally, the Basotho entered the post-colonial education phase after independence from Britain in 1966. This last phase was marked by a post-independence government's persistent desire to centralise education, thus invoking resistance from churches and teachers in Lesotho.

1.3 Indigenous Education

Prior to the colonial era, the Basotho educated boys and girls separately in traditional culture and family practices. Normally, compulsory education lasted no more than a year, while today in other places where it is still practised its duration is about six months.

In essence, the purpose of indigenous education was to produce

initiates who would be well-informed about their roots, proud of their culture and dignity, and knew how to serve their society and respect elders. It also gave the initiates communication skills, and trained them to defend their territory from attacks, hence the male initiates were taught how to fight with sticks.

1.4 Colonial Education

The origins of colonial education could be traced back to the arrival of missionaries in the 1830s. After arriving in the present day Lesotho, the missionaries of various denominations such as the Anglican, Catholic and Evangelical faiths, established schools for the Basotho. Collectively, they saw the main purpose of giving the Basotho literacy skills in order to read and understand the Gospel.

Due to their conviction that Basotho culture was incompatible with Christianity, they discouraged the Basotho from continuing with cultural practices such as initiation schools and polygamous marriages, and they even refused entry to those who did not adopt the new religion. In their mission schools, as it is still happening today, the young learner had to wear European clothes, in some schools learned to cook European foods, and was addressed by an European name. In short, colonial education came at the expense of the local people's culture.

As for the colonial government, it allowed missions to establish schools on a denominational basis, and showed little interest in the education of the Basotho. It never considered

it a priority to allow the Basotho to acquire literacy and communication skills. Instead, it was interested only in educating a few of them in order to produce interpreters in courts and translators of English to facilitate communication with the colonised population.

Basically, the colonial government never gave the Basotho an education that would liberate them from poverty, over dependence on migrant labour to South Africa, and to be independent from their colonial masters. The education of that era produced teachers, clerks and lawyers, but not engineers, education policy-makers and doctors.

1.5 Post-Colonial Education

Mission / Church Education

The reluctance of the colonial government to build schools gave missionaries leeway to build more schools and to acquire authority in Lesotho education. The church is now in a strong position to bargain for more say in educational matters, and adamant that it owns schools based on its premises. Teachers working in "its schools" have their salaries paid by government. When opposing the government's move to nationalise church schools in the 1970s, it stated:

it is a well known fact that ... churches own schools. If the government of Lesotho is planning to make changes, the procedure is for the government to sit down with churches to discuss the matter (Khalanyane, 1985:80).

The church's participation in Lesotho Education

Though it was never legislated, the church in most cases continues to give preference to teachers of its own denomination when vacancies appear in schools based on its premises, and even when admitting learners to "its schools". In this way, education continues to be carried out in a divisive and fragmented manner. Teachers and students belonging to the same denomination hardly interact with those not subscribing to their religion.

The Rationale Behind Church Opposition of Centralisation

There are probably two reasons that influence the church to oppose centralisation of education in Lesotho. First, it continues to see its role as to give the Basotho a knowledge of God in schools falling under its jurisdiction. As Khalanyane (1995) correctly states, "schools are ... platforms for the spread of the gospel by ... churches" (Khalanyane, 1995:80).

This first reason shows that the purpose of education for the Basotho as seen by churches did not change when the Basotho achieved independence in 1966. It is still evangelical i.e. to give people the knowledge of God.

The church feels that government's legislation has to be consistent with moral education. In a petition to the king for intervention in the dispute between itself and the government over the Bill that led to the Act of 1995 i.e. the core of this study, it wrote in the mid 1990s:

we think it is incumbent upon us, as providers and consumers of education to secure that laws made by the civil society provide for a religious and moral education that is in accordance with our conscience, that our innate, God given ... right of freedom to choose an education and school for our children is safeguarded and honored (Petition on the Education Bill 1995:2).

The second reason influencing the church to resist centralisation of education seems to be economical. It gets economic benefits by way of determining and collecting fees from parents in church schools. "To some churches," argues Khalanyane, "schools are a means of livelihood for ... priests and other members of the clergy, because the revenue collected by schools is used to sustain church livelihood" (Khalanyane, 1995:80).

Government's Attempts to Centralise Education Since Independence and the Church's Reaction

The discussion below will show that the issue of centralising education in Lesotho is not a phenomenon of the 1990s when the government introduced the Act of 1995. The tension between the church and government over the management of schools was present as late as the seventies - the church opposing the government's move of nationalising schools. It will also be seen that parents, being the provider of school fees for their children's education did not feature prominently neither in school management nor in the tension involving the government and the church. The same can be said of the Lesotho teachers and students.

In 1977, the National Conference was held which recommended

that schools in Lesotho be nationalised. Probably because of the church's objection to the recommendation, the Basotho National Party (BNP) government suspended the idea of nationalising schools. Three years later, the government recommended that formal education in Lesotho be a joint responsibility between the church, the community/parents and the government. This was welcomed by the disgruntled church.

That joint responsibility involving the church, the community and the government was known as a *three legged pot* in Lesotho (The Lesotho Ministry of Education, The Education Sector Survey Report of the Task Force, 1982). In practice, however, the parents' responsibility extended only to the payment of fees, without receiving subsidies from government or the church. Parents have never been involved or consulted as a body when the curriculum and syllabus were changed. They have never been organised in structures which they could use to speak in one voice, such as the Parents Teachers Students Associations (PTSA) found in South Africa.

The Government's Use of Legislation to Assert its Control of Education

Below is an example of some of the legal means used by the government to empower itself in order to control the fragmented, denominationally based, and heavily-church controlled education system. It would appear that the legislation proposed prior to the passing of the Act of 1995 were also intended to control teachers, as they troubled government with frequent protests and industrial action.

Teachers' upheavals were always motivated by a demand for improvement of remuneration in teaching. There is no evidence of them fighting for improvement of conditions of service, representation in structures handling their employment, remuneration, promotion, demotion, discipline, transfer, appeal and dismissal. And not even striking for representation in the national curriculum committee, or resources needed to improve education in the country.

Table 1: *The Government's Legislation after Independence*

The Teaching Service Regulations of 1986
The Teaching Service Commission (Amendment) Order No.12 of 1990
The Education Order of 1992
The Education Act 1995
The Education (Amendment) 1996

The government promulgated the Teaching Service Regulations of 1986 which allowed teachers to transfer from one school to another without losing service. In a way, the legislation negatively affected the church because teachers in its schools could easily change schools without fearing that the transfer would make them lose benefits.

The legislation passed after independence were probably a response to teachers' strikes for salary increments and pensions, apart from taking away management of schools from churches. For example, in 1990 teachers went on a national strike demanding improvement of their salaries and pensions. The government came to introduce the Teaching Service Commission (Amendment) Order No.12 of 1990, which was enacted to deal specifically with teachers who "wilfully" defied the

"lawful" authority by refusing to carry out their duties during the 1990 teachers' chalkdown (Khalanyane,1995). Probably, the government was angered by frequent strikes which affected teaching and learning in the country.

The government moved further to publish the Education Order No.4 of 1992, which entitled the government to appoint, promote, transfer, with or without consulting the church, and to remove from office and grant leave to teachers (Khalanyane, 1995). These powers were previously exercised by churches in church schools. The Order was strongly resisted by churches, especially the Catholic church which owned (and still owns) the majority of schools in Lesotho. Seemingly the government surrendered, as it did not implement the new education legislation.

Lesotho teachers went on strike again in 1994 to improve their salaries, and to fight for pensions and allowances. The Basotuland Congress Party-led government ended the strike by reaching an agreement with teachers, committing itself to upgrade teachers' salary scales. However, after making the first payment with arrears in 1995, it reneged on the agreement (Lefoka, 1997), thus putting back the salary scales back to the pre-strike level, arguing that the new scales were beyond its fiscal capability. The International Monetary Fund and the Lesotho Parliament said the new figures of teachers' salaries were "abnormally high" (Minutes of the Meeting Between Prime Minister and Teacher Organisations on Salaries of Teachers, L.A.T., L.A.T., Head Masters/Mistress Association, 14/06/1995).

The government went further to prevent the teachers' protest; sent the police to the striking teachers in 1995, closed discussion pertaining to teachers' salaries (Minutes of the Meeting Between the Prime Minister and Teacher Organisations on Salaries of Teachers, L.A.T., L.T.T.U., Headmaster/Mistress Association, 14/06/1994) and even withheld cheques of striking teachers. Eventually, teachers returned to classes to resume their work.

The Passing of the Education Act of 1995

The BCP-led government came to pass the Education Act of 1995 with its Bill opposed by both the church and the teachers' trade union who complained that the education bill was done in a bureaucratic manner side-lining their inputs. The Act was amended in 1996, but its intention of centralising control of schools where the government paid and still continues to pay teachers' salaries was not changed. The amended Act is essentially a clarification of clauses by adding more words and correction of editing mistakes identified in the principal Act.

1.6 Summary and Further Clarification of Major Issues Raised

An attempt was made to give the historical background of the Lesotho education system and the context from which the Act of 1995 emerged. Possibly, this task might not have been achieved given the complexity and uniqueness of the Lesotho education system. Unlike other education systems, Lesotho education system is funded and managed differently. For example, parents pay fees for their children's education, but they have never

been represented when educational policies are made at national level. Contrary to other education systems, approximately 98% of schools in Lesotho are church schools. Strangely, teachers working in church schools are paid by the government. This issue has been a bone of contention for a long time, and I think it will remain so until such time that one uniformed education system is implemented in Lesotho.

This "Summary and Further Clarification of Major Issues Raised" is intended to eliminate confusion which could have arisen in the light of the uniqueness of the Lesotho education system, by way of summarising issues raised and giving more attention on some of them.

The education of Lesotho is divided into three types: Indigenous, Colonial and Post-Colonial Education. The Indigenous Education, as the name suggests, refers to a traditional type of education the Europeans found the Basotho practising when they arrived in the 19th century. It was meant to produce the initiates who were well-informed about their roots and culture.

With the advent of missionaries in the 1830s and the colonists, the Basotho were exposed to colonial education. Unlike the Indigenous Education whose purpose was to produce a traditional man, the colonial education was meant to produce somebody who knew how to read the Bible (according to missionaries). Put another way, the missionaries saw their role among the Basotho as to convert them into Christianity. They built hundreds of schools in order to achieve this purpose, while the colonial government showed little interests

in building schools for the Basotho.

Few things need to be clarified under colonial education, because they are very important to help one to understand the debate around the emergence of the Act, and why it came to be resisted by some stakeholders, particularly churches and teachers.

The arrival of missionaries and colonists was a watershed in the history of the Basotho, in the sense that their influences, especially the missionaries, came to permeate lives of the Basotho. First, the laxity of the colonial government to build more schools for the Basotho meant that the majority of the Basotho received their education in mission schools, which were in essence, running schools on divisive and denominational lines. Admissions in such schools were more based on individual's denominational faith. For example, Catholics attended schools ran by Catholics, Anglicans went to an Anglican school, and a similar thing was happening in other church schools. This practice is still common.

Second, the colonial government's failure to build more schools allowed missionaries to control virtually the education system in the country. They came to be elevated into a strong position to bargain for more say in educational matters, feeling that no change should be made without their involvement. Therefore, any government's legislation to centralise or nationalise education in the country, was/is bound to meet resistance from churches. As it will be seen in the Post-Colonial Education, the resistance of the clergy

against legislation intended to nationalise/centralise schooling is said to be informed not only by the clergy's insistence that the Basotho need to be Christianised, but also by financial benefits the church finds in schools by way of charging fees.

The Post-Colonial Education is dominated by the tension referred-to between the government and the church. For as early as 1977, the church resisted a recommendation made by the National Conference that schools be nationalised. It momentarily became happy when the government, probably mindfully of its opposition, said education be a *three legged pot* i.e. be a responsibility of government, community/parents and churches.

For the same reason of being against the nationalisation of church schools, the church opposed the Order of 1992 which preceded the Act of 1995. Similarly, when the government introduced the Act of 1995, the church came to oppose it.

The Passing of the Act of 1995

The issue of having teachers in church schools recruited by churches, while their payment came from the government was considered by the government problematic and causing ambiguity with regard to accountability in the management of schools. For example, teachers did not know to whom they were accountable, while the government found its role in the management of church schools not clearly spelled out. And mostly importantly, the government felt that it could not enforce its will in the management of church schools because

of that arrangement (Lesotho Ministry of Education, Education Sector Development Plan 1991/92-1995/96). Then, it decided to revise all education laws and regulations in order to eliminate this ambiguity and parallel management existing in church schools (Lesotho Ministry of Education, Education Sector Development Plan 1991/92-1995/96). It was against this background that it introduced the Act of 1995, despite of opposition from churches who saw it as an imposition, and something meant to nationalise schools.

As far as Lesotho teachers were/are concerned, they normally feature when they demand salary increments and pensions. Given the authority and influence of the church in Lesotho, it may not be surprising to see them embracing the position of the church in relation to the Act. Nonetheless, there is no evidence of them embarking on a national campaign against the Act, for example as they did when they demanded salary increments and pensions in 1994.

1.7 Significance of the Study

The study has the potential to be of assistance to three important groups in Lesotho education, namely teachers, the government and community members who wish to make policy inputs, as well as to the international community.

First, it is hoped the study will enrich the knowledge of Lesotho policy-makers about what needs to be improved, strengthened or avoided. Second, it is believed the study could help the Lesotho government to assess the impact of the Act, by providing it with feedback on its successes or

failures. Third, it is anticipated that the study will benefit people interested in education, especially prospective teachers in Lesotho. It could enlighten them with an up-to-date information on what is happening in the profession they intend to join. Fourth, the report is intended to provide an opportunity to other stakeholders in education to make inputs on how they want the education system to be transformed in Lesotho. Last, it is hoped that the research will not only benefit Lesotho, but also other countries engaged in a process of transforming their education systems, such as South Africa. They may learn from mistakes committed in Lesotho, or follow examples if the approach used in Lesotho shows success.

1.8 Brief Outline of Chapters

The remainder of this report falls into four main chapters. Chapter 2 presents the conceptual framework and reviews the related literature, while Chapter 3 discusses the research design, population and techniques employed.

Chapter 4 will analyse the Education Act 1995 (inclusive of its amendment) and critically look at it in terms of its consistence with the Constitution of Lesotho, as well as other conventions to which Lesotho Government is a signatory to them. Most importantly, it will be shown how education stakeholders perceived the Act, especially Lesotho teachers.

The last chapter will summarise the research findings and conclusions reached. The report will then be concluded by addressing the limitations of the study.

Chapter 2

LITERATURE REVIEW AND THE CONCEPTUAL FRAMEWORK

The literature presented here provides a picture of how the policy process is conducted in practice, and also how it can improve policy output, particularly in Lesotho.

Both the international and local literature present education as a strongly contested terrain. In some contexts, for example in South Africa, education is not only contested by the state and teachers. There are learners who participate through their students movements such as Congress of South African Students (COSAS), South African Students Congress Organisation (SASCO), while parents too feel they have a role to play, hence they participate in Parents Teachers Students Associations (PTSAs). As for labour and business, they too get involved. For instance, the Congress of South African Trade Union (COSATU) and the business were actively involved in South Africa in the policy process that led to the producing of the National Curriculum Framework.

In most cases, the state considers itself having an immense authority and mandate to transform the education system in the country, in many respects scarcely consulting other stakeholders, especially schools and teachers. It regards itself as a sole partner in policy formulation and management of educational programs. Generally, the state's move is opposed by teachers through their collective bargain or trade union. For instance, in South Africa, the South African Democratic Teachers' Union (SADTU) challenges the government

on the new Outcomes-Based Education (OBE) curriculum. It calls for more inclusion of teacher representatives in the process of drafting the new curriculum, as it believes "... teachers should be the driving force ..." in the development of the OBE curriculum and the resource material (SADTU, 1997:2). It sees the curriculum process dominated by department officials.

In New Zealand, teachers' trade union opposed the state' proposal on salary-based performance incentives on the ground that, the proposal is known to be counter-productive when applied to education. Capper and Munro (1990) convincingly argue that it is difficult to make accurate and objective judgements about relative performance of different employees (meaning teachers in this case).

2.1 International Literature

Cohen and Spillane (1992) see policy and practice being framed by systems of central power. To put it in their own words, "... schools are creatures of the state ..." (Cohen and Spillane, 1992:40), while the German philosopher Hegel, quoted by Roy (1983), "[Sees the state] as the march of God upon the earth - [referring to schools]" (Roy, 1983:6).

The state uses a number of models and sometimes legislation in order to achieve its centralised control of education. The models and legislation it uses 'show how it understands education, as well as how it believes the education has to be transformed. The *Management by Objectives Model* (Holt, 1994) is one of the models, which has many similar features of the

Corporatist Model of Capper and Munro (1993).

In *Management by Objectives*, the state defines targets, and assumes that institutions will find a way of meeting them. For instance, it designs curriculum and promulgates education Acts intended to regulate the conduct of schools and teachers. Schools must struggle to convert its vague objectives it designed unilaterally into classroom objectives.

This practice of the state is criticised by other international scholars such as Holt (1994), who says, "education is not a product defined by specific output measures; it's a process, the development of mind" (Holt, 1994:84) as the state's position implies. Furthermore, Deming in Holt (1994) declares that "we must study a process, seek relevant data, and recognise that the people directly concerned with the process can contribute as much as those who manage it" (Holt, 1994:85).

As for the *Corporatist Model*, it views the state imposing labour relations in education: between the employer (referring to the state), manager (the principal at school) and the employee (the teacher) (Capper and Munro, 1990:150). In this case, says Roy, "[the state exists] to serve the interests of society as interpreted by those who hold political power and the purse strings, and ... teachers need to be made to toe the line" (Capper and Munro, 1990:6).

These models seem to imply that the state politicians do not regard teachers as professionals who were given training in order to perform their professional tasks. However, other

professions such as law and medicine, are not subjected to more rigorous supervision by the state as it is the case in education, where teachers are frequently *kept on their toes* and made to toe the line by the state. For instance, teachers are often blamed when learners fail matriculation examinations, while the medical profession is rarely held accountable when patients die in their care in hospitals.

Besides criticising the highly-centralised and too prescriptive approach used by state governments to transform and manage the education system, international scholars provide interesting solutions that may improve the policy output. For example, Cohen and Spillane (1992) correctly state that:

School systems contain not only rules and formal structures but also beliefs about authority, habits of deference and resistance, and knowledge about how things work. Culture and social organisation intertwine with formal structure (Cohen and Spillane, 1992:42).

Therefore, it is critical that the state should become aware that it depends on localities (schools or teachers) in order to implement education policies successfully, as policy executors. It should be constrained by what the localities will accept, yet it often acts with remarkable independence. In many cases, its bureaucrats neither consult other stakeholders sufficiently, nor conduct situational analysis in order to establish what is happening on the ground. Instead, its bureaucrats rush to introduce rhetorical policies which fail to improve the lives of the very people they are meant to serve. This makes the targeted groups by the state to reject

its policies, viewing state policies as impositions and not in line with a democratic dispensation prevailing in their country, because they want to be consulted when policies affecting their lives are formulated, implemented, and evaluated.

Caution to Policy-makers

Elmore (1989) warned educational reformers that changing structures such as introducing new curriculum frameworks and education Acts, as state governments are fond of doing, is not enough to improve instruction in schools. He was probably aware that reformers like to concentrate on changing structures more than the people's attitudes and perceptions due to the symbolic nature of their actions.

Concentration of reformers on structures at the expense of attitudinal changes give people a compensatory legitimization, or an illusion that something very important is being done in their institution. They seem to be aware that structures are feasible and easier to change than changing people's perceptions. For example, it is comparatively easier in South Africa to design the structure of an OBE curriculum (Curriculum 2005, The National Department of Education, 1997:18) than to convince teachers that there is a need to review their pedagogies and the way they assess students' performance, given that the majority of teachers have developed a particular trend of teaching and assessing students for ages. Therefore, teachers are more likely to view proposed changes in their domain with a sense of suspicion and insecurity, because changing a mind-set is a process requiring

commitment and patience on the side of the policy-maker, not an event that can be done overnight and speedily like the structure.

The Significance of Involving Teachers in Policy-Making

As William Clune (1993) argues, change requires more than good ideas for new directions, and a real understanding on the part of teachers and other people in schools about how to implement it. After all, teachers are in a better position to understand the complexities of the learning process in each child and classroom, unlike state bureaucrats who are far from the school environment, and hardly have an updated information of what daily takes place in schools (because of being far from schools).

Therefore, "teachers must be at the centre of ...fundamental reform ..." (South African Breweries, Unknown:1). Moreover, the state has to ensure that it builds trust between itself (being the chief stakeholder in education) and teachers, and gets a clear sense of the context in which teachers are working. Not only that, it should offer incentives to teachers as a way of motivating them to be more dedicated to the implementation of reform. This aspect of providing incentives in education is also crucial, given that many teachers opt to leave teaching due to the low remuneration in the profession. It may be argued that the incentives offered to workers contribute significantly to more production, as they make workers to push themselves in order to get bonuses. The same attitude may happen in teaching when incentives are offered by the state to teachers and other stakeholders who dedicate

themselves to the improvement of learning and teaching.

The Importance of Teacher Development in Policy Change

Another aspect which may also contribute to the improvement of policy is teacher development. As Raudenbush et al (1993) state, "improving teaching practice by improving teachers skill and knowledge is essential if the quality of...education in the developing world is to improve" (Raudenbush et al, 1993:275). Teacher development is another area which is often ignored by state governments in their rush to change structures and introduce legislation in education. In some cases, for example in South Africa, the Government of National Unity has completed the task of designing the OBE curriculum and the Schools Act (1996) before training the majority of teachers to implement the new curriculum. This makes it difficult to see how the proposed change will be successfully implemented when only a few people had been given a training to implement the new curriculum.

A Good Environment for Policy to Succeed

William Clune (1993) introduces an interesting and commonly ignored reality by policy-makers in many global contexts. As he argues, the importance of a coherent, sustained and change-oriented political process cannot be overemphasised for the policy to stand a better chance of being successfully formulated and implemented in education. There is a need for a state government which is durable. It must have at least two attributes: public consensus and a powerful set of legislative and executive institutions for maintaining reform and

preventing policy disruptions, argues William Clune (1993). For example, some education reforms get disrupted when a new government assumes office. Therefore, it is necessary that the reform is made as inclusive as possible, so that the new government does not have many grounds to reject it, saying it was not consulted when the reform was formulated. As O'Day and Smith (1992) argue, strong and continuing inputs from all stakeholders may ensure both the legitimacy and political buy-in from the stakeholders.

International Literature versus Local Literature

There is a stark difference between the international and local literature in terms of what has to be done to improve the policy output. Unlike the international scholars, local scholars do not tell much about what the policy makers have to do to improve the policy. Nonetheless, they both contend that the policy can be improved in education if the policy process is made as inclusive as possible, and teachers are not regarded as workers, but rather as professionals having a say in what happens in their profession.

2.2 Local Literature

When referring to the Lesotho context, Khalanyane (1995) argues that teachers have minimal control of what goes on in schools. The state takes decisions on the content of education, organisation of schools at various levels, staffing ratios, inspection of schools and the conducting of examinations. This perspective is shared by both Lefoka (1997) and Maruping (1996). For example, Lefoka (1997) states that

teachers in Lesotho do not have power over their profession, and they cannot control the personnel joining their profession or the certification of teachers in teaching institutions, nor do they have a say on the type of programme offered to prospective teachers in teaching institutions. This is unlike what happens in professions such as medicine and law where prospective members have a period of probation during which their competence is judged by expert practitioners.

What probably influences the state to minimise teachers' control on what goes on in their schools, and to make inputs during policy formulation, is that it sees the primary roles of teachers as to teach children specific subjects in the school and to help them develop morally and physically (Maruping, 1995). In short, the state sees duties and tasks for teachers, not rights for them in the very profession for which they were trained.

With reference to the Lesotho Education Act of 1995, which is the core of this study, nowhere the Act in question makes a mention of the rights of teachers, besides specifying duties of teachers. For instance, it states that the teacher shall:

- "serve the school to which he is posted....,"
- "obey all lawful orders of persons who have authority...over him [in the school he] is posted..."
- "exercise the functions of his post impartially, efficiently and without delay." And, "no teacher shall claim as of right additional remuneration in respect of any official duty or work any lawful authority may require him to perform. Furthermore,

- "no teacher shall, without the approval of the Minister [of Education] ..." be employed else where (Education Act of 1995, section 45 and 46).

Purposes and Objectives of the Act

The Act's purposes and objectives as stated in the principal Act sound rhetorical, and seem to contradict the Lesotho Constitution. The principal Act states:

it shall be the duty of every person concerned with the administration of this Act to promote the education of the people of Lesotho ... as soon as circumstances permit, (Education Act 1995, section 3(1)).

In contrary, the Lesotho Constitution expressly states that "Lesotho shall endeavour to make education available to all and shall adopt policies aimed at securing ...[that] primary education is compulsory and available to all" (Lesotho Constitution, section 28(b)). The Constitution does not talk of the provision of education being conditional, as the Act does. Put another way, the Lesotho Constitution does not say the education will be provided "... as soon as circumstances permit ..." (Education Act 1995, section 3(1)). Perhaps, the initiators of the Act ignored that the Lesotho Constitution is the "... the supreme law ... and if any other law is inconsistent with [it], that other law shall, to the extent of the inconsistency, be void" (Lesotho Constitution, section 2).

The Act simply states that "it shall be the duty of every person concerned with the administration of [the] Act to promote the education of the people of Lesotho "

(Education Act 1995, section 3(1)). But it does not specify who are these persons *concerned with the administration of the Act*, and not even tell those persons how to *promote the education of the people of Lesotho*! There are no regulations that may clarify how education will be promoted in Lesotho.

The Act further states rhetorically, "the best interests of the child shall be the guiding principles of those responsible for the education and guidance of the child" (Education Act 1995, section 3(c)). Besides failing to specify the person or persons *responsible for the education and guidance of the child*, it does not provide the rights of the child. Ironically, its remaining sections address non child-centred issues, namely the: Registration of Schools, Management Committees of Schools, Establishment of the National Curriculum Committee, Lesotho Teaching Service, Appointment of Teachers, Conduct of Teachers, Retirement of Teachers, Teaching Service Commission, Adjudicator, Joint Reference Committee and the Miscellaneous (which included the representation of teachers, regulations, consequential amendments and validation of appointments of teachers).

The Act also states that "a child who is physically and mentally handicapped is given the special treatment, education and care required by his condition" (Education Act 1995, section 3(b)). This also sounds rhetorical, given that there is no school in Lesotho governed and funded by the government where disabled persons are *given special treatment, education and care required by their condition*. For example, schools, colleges, and the only university in the country are not designed to accommodate people with disabilities. Even the

only high school i.e. St. Catherines High situated in Maseru, is not funded by government, not designed to accommodate disabled students, and the majority of teachers in that school are not trained to teach disabled students.

The Act's Empowerment of the Government in the Management of Education, Particularly the Minister of Education

Out of twelve parts into which the principal Act is divided, six parts are explicitly dealing with teachers. In all these parts, teachers seem to be dis-empowered and they can hardly be called professionals who have a right to be involved when changes are effected in their profession. Decisions are made for them by the government, and they cannot influence policy direction. For example, the government controls who has to be a teacher, how the teacher has to conduct himself, and qualification(s) of the teacher.

In addition, the government uses structures in which teachers do not have representation to control teachers. There seems to be no stipulated criteria to guide the government when carrying out its functions, and no guidelines or checks and balances in place to stop the Minister of Education from abusing his or her powers. Of course these powers exercised by the government in the management of education are only applicable where the government pays teachers' salaries. These issues raised here are discussed in detail below.

(a) *Teachers' Registration*

Teachers have to apply to a government body called the Teaching Service Department (TSD), where they do not have representation. It is stipulated that "the Minister shall prescribe educational qualifications required for a person to be registered with the Lesotho Teaching Service," and that, "an application for registration as a teacher shall be made in such form as the Minister may prescribe" (Education Act 1995, section 33 and 34). Then, it can be questioned how the Minister, being a political appointee who does not necessarily have to be an educational professional, will be prevented from practising political, ethnic, sexual and religious bias, given that there are no guidelines for him to carry out his functions.

(b) *Committees Created by the Act*

The Act provides that the government through the Minister of Education approves membership of people into school committees or governing bodies. For example, the principal Act states, "the appointment of the Advisory School Committees shall be subject to the approval of the Minister" (Education Act 1995, section 19(3)). Even in this case, the Act does not specify the criteria, guidelines or checks and balances to prevent the likelihood of having the Minister of Education abusing his powers when dealing with people who do not subscribe to his political, sexual, religious and ethnic beliefs.

Teachers are absent in the structure where one would think being educationists, and people given skills and training,

they would be involved. They are not involved in the national curriculum committee. Instead, the National Curriculum Committee is consists of sixteen members, out of which, twelve members represent the government. They are: the Chief Education Officer (Curriculum Chairman), Chief Education Officer (Vice Chairman), Chief Inspector (Headquarters), Chief Inspector (Field Services), Director of the National Curriculum Development Centre, Director of the National Teachers' Training College, Director of the Technical and Vocational Education and Training, Registrar of the Examination Council of Lesotho, Principal of the Lesotho Agricultural College, Chief Education Officer (Primary), Chief Education Officer (Tertiary) and Director of the National Health Training College.

The educational stakeholders absent in the national curriculum committee besides teachers are: parents (though they pay school fees for their children as there is no free education in Lesotho), representative of teachers' trade union, students, as well as Non-Governmental Organisations. Therefore, it can hardly be argued that the Act reflects education being a partnership or a "three legged pot" (as it is known in Lesotho i.e. being the responsibility of the community, churches and the government).

(c) Conditions of Service of a Teacher

The Amendment Act provides that

notwithstanding any other law, the terms and conditions of service, including leave and salary entitlement, of a teacher shall be prescribed by the

Minister, and in the case of a teacher employed by a proprietor such terms and conditions of service including leave, entitlement and terminal benefits shall be determined by such proprietors (Education (Amendment) Act 1996, section 44).

As I earlier stated, teachers' conditions are controlled by the government through the Education Minister (a politician). It is not neither clarified nor specified which criteria he will use when *prescribing the terms and conditions of service for teachers*. The quoted section also shows that the Act is hardly a national legislation, as it does not address the situation in schools where the government does not pay teachers' salaries. Therefore, this strengthens a theory that the Act is intended by the government to clarify its role in schools where it pays teachers' salaries.

And finally, the Act does not even mention when teachers in Lesotho will be pensionable and get entitled to gratuity and other benefits such as housing and car allowances enjoyed by other civil servants.

2.3 Synthesis

As Weiler (1990) argues, the centralised state structures, for example as I have attempted to show in the Lesotho context, tend to be a greater obstacle to democratic expression than decentralised structures. The prescriptiveness found in centralised state structures has a tendency to stifle people's (teachers in this case) innovative and creative capability, making them depend on them while they watch.

This issue of over-centralising powers is also criticised by

Roy (1983) who argues that the presumption that politicians are there to decide all questions relating to education, whether it is resource allocation, school systems, curriculum, parent or teacher relations (as it happens in Lesotho), should be challenged. The people who have to take up this challenge are teachers because together with learners, they are the ones who know what happens in their schools.

Roy (1983) further argues that:

there is no inalienable right given to politicians, [and] no principles of democratic government which support the notion that educational process requires either political intervention, or a high degree of political control. The universities, which are ... after all, educational institutions, function without [too much political intervention] (Roy, 1983:57).

If policy is to succeed, the staff must participate in a *thinking* manner (Badenhorst, 1993). Badendorst correctly argues, "If the teacher is recognised as a professional person, he may also expect to be consulted in policy-making" (Badenhorst, 1993:15). It is therefore necessary that teachers do not become spectators when policies are initiated, formulated, implemented and evaluated in their domain. After all, they are the ones who first take the blame when students fail examinations and misbehave.

As Brent Davies and Guilbert Hentchke (1992) put it, this top-down approach of introducing policies in education is tantamount to the de-professionalisation of teachers, because it denies them an opportunity to express their professional input during the policy process.

Education is an interesting discipline, which differs from others in that it is supposed to put more emphasis on collegiality. For example, teachers are expected to encourage their learners to know, understand (by being reflective), and apply the learned concepts in and outside their school. Not only that, they are supposed to develop a critical outlook on what they see and hear in their learning environment, and to solve problems they come across in life with the help of the learned concepts. I therefore argue that it is not educationally sound to regard the school as an industry with teachers as workers, while students are products (as it is implied in the *Corporatist Model*). As Holt (1994) stated earlier, *education is not a product defined by specific output* like in the industry where the management assesses production by calculating products. The *Corporatist Model* does not encourage critical thinking.

2.4 Conceptual Framework

Elmore (1989) suggests a model or approach in education he calls "forward-mapping". Essentially, his approach focuses on the people on the ground, seeing them as being in closest proximity to the problem. His model stresses a necessity to involve affected people when transforming their institution.

However, this should not be interpreted to mean that teachers have to be left on their own by the government. I agree with William Clune (1993) that a centralised dimension is needed in education because schools and teachers often lack the capacity to conceive and implement innovations on their own. Therefore, they need the state to make policies nationally governing

personnel, finance, curriculum decisions, regular teacher development programmes and supervision. However, I contend that teachers are some of the critical stakeholders who have to be consulted, and the emphasis should be on winning their support throughout the policy process. I call upon the state to administer "clinical supervision" to the institution of learning - which means talking with teachers as opposed to talking to teachers.

The theoretical framework employed in the study refers to some principles of Elmore's "backward-mapping" model (1989), as well as his "forward-mapping" strategy. By way of summarising, "forward-mapping" calls upon policy-makers in education (especially the state) to actively involve other stakeholders in education, namely teachers, teachers trade unions and association, parents, learners and the church. This is likely to improve a policy outcome and give many actors a sense of ownership in the process.

Backward-mapping puts stress on the importance of people in authority who make policies in a "top-down" manner, and then impose them on the people on the ground - as it happens in the industry (and in Lesotho) where managers or state bureaucrats employ a Scientific Management style. In the Scientific Management style, the management decides everything for their subordinates. The relevance of this approach to education is that its proponents exercise a "push" on the implementers, by not allowing them to be on their own. This means that the state has to be actively involved in the process, by monitoring, supervising the process, providing necessary resources, and evaluating the process.

2.5 Summary

The literature presented here conceptualises education as a contested discipline, especially between the state and teachers. The state considers itself having an immense authority and mandate to initiate, formulate, implement and evaluate educational policies, in many respects not consulting teachers.

In order to achieve its centralised control of education, the state uses models and legislation. The *Management by Objectives Model* (Holt, 1994) and the *Corporatist Model* (Capper and Munro, 1990) are some of the models the state uses.

In the *Management by Objectives Model*, the state defines targets, and assumes that the institution (schools or teachers in this case), will find a way of meeting them. Schools or teachers must struggle to convert its vague objectives or targets into classroom objectives.

The state seems to ignore that education is not a product defined by specific output measures, but rather a process, and the development of mind (Holt, 1994). Deming in (Holt, 1994) correctly argues that policy-makers must study the process, seek relevant data, and recognise that the people directly concerned with the process (referring to teachers), can contribute as well as those who manage it (meaning the state) (Holt, 1994).

The other model adopted by the state, which is equally top-down in orientation, the *Corporatist Model*, views the state imposing labour relations in education. Proponents of this model view the state as an institution existing to serve the interests of society, and teachers need to be made to toe the line (Capper and Munro, 1990).

Both models seem to imply that state politicians do not regard teachers as professionals who were given training in order to perform their professional tasks, hence teachers are inadequately consulted when changes are made in their teaching domain. This is unlike what happens in professions such as Law and Medicine where professionals are not subjected to more rigorous state's supervision. In contrary, in education, teachers' qualifications, registration, conditions of service, appeal and remuneration are unilaterally decided by the state (as it happens in Lesotho). Badenhorst (1993) correctly argues that if the teacher is recognised as a professional, he may expect the state to consult him when changes are made in his teaching domain.

What probably influences the state not to regard teachers as professionals in Lesotho, who have to be involved when decisions are taken on the content of education, organisations of schools at various levels and staffing rations, is that the state sees duties and tasks for teachers, not rights for teachers. For instance, there is no reference to teachers' rights in the Lesotho Education Act 1995/96, besides the Act specifying teachers' duties.

Policy critics such as William Clune (1993), Cohen and

Spillane (1992) contend that it is critical that the state becomes aware that it depends on localities (namely schools or teachers) in order to implement educational policies successfully, given that teachers are policy executors. William Clune (1993) maintains that change requires more than good ideas for new directions, but also a real understanding on the part of teachers in schools about how to implement it. After all, he continues, teachers are in a better position to understand complexities of the learning process in each child and classroom, as opposed to state bureaucrats who are far from school environment.

Raudenbush et al (1993) introduce an interesting aspect that may also contribute to the improvement of policy, apart from policy process being made inclusive in order to win support of other stakeholders. They warn the state not to think there will be an improvement of policy in the absence of teachers being given appropriate training and knowledge of how to implement policy. They are probably aware that the state has a tendency of rushing to change structures and introducing legislation without first giving teachers relevant training and knowledge of policy implementation. It is difficult to envisage how policy can be successfully implemented when the people who have to implement it lack capacity and knowledge of implementation.

Also, the importance of context in which the policy is implemented cannot be over-emphasised. As William Clune (1993) argues, the political context needs to be coherent, sustained, and change oriented for policy to have many chances of being successfully implemented in education. For example, the state

government has to be durable and stable. It must have at least two attributes; public consensus, a powerful, supportive and a set of legislative and executive institutions for maintaining reform and preventing policy disruptions. Strong and continuing inputs from all stakeholders may bring in both legitimacy and political buy-in from stakeholders (O'Day and Smith, 1992). Stakeholders may feel a sense of ownership of the policy, therefore, support its implementation.

When it is appreciated that the state needs to consult and involve all concerned parties during the policy process, it is argued in the literature that involving and consulting every stakeholder may not lead to a successful implementation of policies in education. History has shown that a centralised dimension is also needed in education, given that schools and teachers often lack capacity to conceive and implement innovations on their own. Therefore, the state is called upon to make policies nationally, governing personnel joining teaching, finance, curriculum decisions, regular teacher development programmes and supervision.

Furthermore, the state has to put emphasis on winning support of the affected parties by the proposed policy, particularly teachers. This means viewing teachers as partners in policy change, not as an instrument to be used (as state's attitudes towards teachers seem to imply). It is probably because of this attitude that the state in Lesotho does not specify rights of teachers in the legislation, only tabulated teachers' duties.

Chapter 3

RESEARCH METHODOLOGY

Introduction

This chapter will discuss the Nature of the Study, Population and Sample used, Data Collection Techniques, Data Analysis, and briefly state how the research methods employed in the study relate to the Literature Review (in Chapter 2) and assumptions stated in Chapter 1.

3.1 Nature of the Study

The research was basically qualitative in nature, employing documentary analysis, as well as different tools for collecting data from a range of educational stakeholders in Maseru, the capital of Lesotho.

3.2 Population and Sample

Both the official and non-official actors in education were interviewed (i.e. representatives from each group). They were; the Ministry of Education, Teaching Service Commission, teachers' trade unions, the NGOs, three members of the National Assembly (two from the Opposition and one from the Ruling Party), one legal practitioner, two members from the Law Office, one legal academician from the Lesotho University for legal interpretation of the Act), fourteen practising teachers from different schools (both at primary and high school level).

High school level was represented by eight teachers, while the primary level was represented by six teachers. Due to time and financial constraints, I could not get an equal number of representatives from both levels. Nonetheless, each school provided two teachers to participate in the study.

Out of three high schools whose members participated in the study, each school had two students interviewed in order to find out how students perceived attitudes of their teachers following the Act's implementation, and how their teachers reacted when the Act was phased in. The students also expressed their opinion on the education system in Lesotho, and how they wanted it to be transformed.

Schools selected were those ran by churches in partnership with the government, and those which were solely controlled by the government, because these types of schools were directly targeted by the Act. In order to get diverse perceptions on the Act from different education stakeholders in schools, I selected church schools from different denominations.

I interviewed spokespersons from churches owning the majority of schools, and they were: the Lesotho Evangelical Church (LEC), the Roman Catholic Church (RCC), and the Anglican Church of Lesotho (ACL).

Finally, I interviewed parents and representatives from major political parties (based on recent general elections) in order to establish their perspective in relation to the Act. The political parties whose members participated in the study were the Basutoland Congress Party, Basotho National Party,

Marema-Tlou Freedom Party, Lesotho Congress for Democracy, Sefate Democratic Union, and Progressive Front for Democracy.

3.3 Data Collection Techniques

Interviews

Besides attending conferences convened by teachers, where teachers interviewed politicians (approximately two months before the national elections in May 1998), I used unstructured interviews (meaning face-to-face interviews using guiding questions to elicit information from respondents). The Interview Schedule (questions) appear in the Appendix (in the last page of this study).

Many people seemed more willing to communicate orally than in writing, probably because oral communication was not giving them paper work. Unstructured interviews seemed appropriate due to the complexity and the emotional nature of the research topic, which required me not only to hear responses from interviewees, but also to monitor their emotions. In that way, I was able to have more understanding of the feelings and perceptions of interviewees, to ask questions directly to them, as well as to understand the context in which the words were spoken.

I established initial contact with prospective interviewees by telephoning them, or meeting them face-to-face in order to make an appointment for the interview. In many cases, interviews were held during the first meeting.

Having collected the data (which was my first step), the second step was to bring the arranged data back to the respondent/interviewee to verify his information, before I could analyse it (my third step). The second step was mainly done to avoid a possibility of misinterpretation and omission of some views of the respondent.

All respondents, thirty-eight out of forty who verified their information endorsed it with signature as an indication of their satisfaction that they were not misquoted or misinterpreted. Some of them used the next encounter to clarify further their claims, to correct grammatical mistakes, and even to provide me with more documents to make their "claims" stronger.

Meeting respondents many times helped me to build a bond with them, as well as to understand them better, unlike somebody who collected information and then disappeared.

The language used in the interview was a combination of English and Sesotho (languages understood by both respondents and myself). I recorded data in English, writing down relevant responses, and also what I considered to be "critical" statements underlining how the Act was perceived by the respondent.

Site Visits

Site visits were primarily used to assess the context in which the policy was implemented, as well as to see for myself whether the information provided by respondents was a fair

representation of what was happening in schools. In most cases, respondents were the ones who asked me to come to see for myself whether there was any "promotion of education of the people of Lesotho" as stated in the principal Act (Education Act 1995, section 3(1)), in the light of an overcrowding in schools, dilapidation of classrooms, school surrounding, as well as lack of school furniture.

Documentation

An analysis of several documents was required by the topic and purpose of the study: particularly the Education Act 1995, the Education (Amendment) Act 1996, the Constitution of Lesotho, and the Education Order No.12 of 1992 (which preceded the Act of 1995).

In addition, I read documents provided by respondents which were intended to substantiate their views. Some of the documents were: the Lesotho Ministry of Education (1992) Lesotho Ministry of Education (1991) Education Sector Development plan 1991/92-1995/96; the Lesotho Ministry of Education (1998) Draft Teaching Service Regulations; the Ministry of Law and Constitutional Affairs (1994) Legislation Handbook; the Lesotho Ministry of Education (1997) Circular Notice No.22 of 1997, the Lesotho Government (1996) Minutes of the Meetings Between the Lesotho Prime Minister and Teacher Organisations on Salaries of Teachers. L.A.T., L.T.T.U., Headmasters/Mistress Association; and the Lesotho Church's (1996) Letter to the Right Honourable Prime Minister.

3.4 Data Analysis

The qualitative data were presented in a descriptive form, and to a certain extent in the respondents' own words. In order to facilitate easy comprehension of the data, respondents were categorised in terms of their length of service and portfolio occupied in their institution. The following groups were created:

(a) *Novice Teachers* (with less than five years teaching experience). This categorisation helped me to identify novices from other respondents. Then, I was conscious when analysing their information, because they were not experienced,

b) *Experienced Teachers* (with more than seven years teaching experience). Here I was able to identify "experienced" teachers, unlike in the previous group. Teachers under this category had their teaching experience ranging between seven and forty-eight years.

(c) *Former Teachers in Politics*. In this case, I was able to know people who were not only "experienced" teachers, but were also present when the bill was contested, and the Act was implemented. They left teaching to join politics,

(d) and finally, the *Assorted Group*. This group accommodated legal scholars, parents, teachers' organisations, state bureaucrats and churches in my analysis. As the next chapter will show, these people

were equally important to the study. They were also education stakeholders.

Having categorised respondents in terms of their portfolios in their respective institutions and length of service, I looked at other variables that could influence their perceptions of the Act, namely their educational level, religious background and institutions. In my view, failure to consider these variables might lead to wrong conclusions when analysing their data. For instance, it had to be known whether teachers in Lesotho were homogenous, or their perceptions were also informed by religious, institutional affiliation, experience or educational level.

As it will be seen in the next chapter, I used tables to present the profile of all respondents, responses, while figures I used to present the pass rates at primary, secondary and matriculation levels.

3.5 Research Methods and their Relations

with the Literature Review and Assumptions

Interviews were used to test the first assumption, which stated that *the Act was initiated by the government, largely ignoring inputs from "non-official" actors*. Being education stakeholders, parents, teachers' organisations, churches, students, state bureaucrats and political parties were interviewed. Documentary analysis was also used to test the first assumption. It was equally important as it provided detailed information on the process that led to the initiation, formulation and implementation of the Act.

My second assumption, which assumed that *the purpose of the Act was not really "to promote the education of the people of Lesotho..."* (Education Act 1995, section 3(1)), was tested in various ways. For example, by interviewing education stakeholders, especially teachers because their profession could not be divorced from the promotion of education (Education Act 1995, section 3(1)). Therefore, they were supposed to know whether there was any promotion of education, as well as the socio-economic and academic impact of the Act on teachers.

I also used interviews to get legal interpretation of the Act from legal scholars. Specifically, I asked them to interpret whether the Act was *anti-teachers' trade unionism*, and it was *not specifying how the Lesotho education could be promoted*, as I assumed (my third assumption).

My fourth assumption, which stated that there were no socio-economic and academic impact that might be attributed to the implementation of the Act, I tested it by way of interviewing teachers (organised and unorganised), students in high schools, school proprietors (churches), the government, parents, and politicians from major political parties, as well as a Senate Member.

In order to have first hand information, site visits were taken to schools whose members participated in the study. Two high schools were visited out of three high schools, and a similar thing was done at the primary level.

In an exceptional case, one primary school whose members did not fully participate in the study was observed, and its teachers and the school proprietor were visited. I went to the school to see how teaching and learning were conducted. The headmaster of the school took me around the school to see the teaching aids, the conditions in which teaching and learning were conducted.

Collectively, site visits, documentary analysis, attending of conferences organised by teachers, attending of parliamentary sessions, interviewing of churches, teachers, state bureaucrats and major political parties provided information on the context in which the Act was initiated, formulated and implemented. For example, the contextual information from these sources helped me to see whether the context in which the Act was introduced was *coherent, sustained and change-oriented* as William Clune (1993) argued in the previous chapter.

Finally, the contextual information enabled me either to prove or disprove perspectives espoused by local scholars, namely Khalanyane (1995), Lefoka (1997) and Maruping (1996) who argue that teachers in Lesotho have minimal control of what goes in schools. They see the state taking decisions on the content of education, organisation of schools at various levels, staffing ratios, inspection of schools, as well as conducting of examinations.

Chapter 4

ANALYSIS, INTERPRETATION AND DISCUSSION

Introduction

This chapter will primarily look at the initiation, formulation, implementation and impact of the Act on teachers. In order to facilitate the discussion and easy comprehension of the chapter, the chapter has been divided into two major parts. The first part presents profile of all interviewed education stakeholders, namely students, churches, parents, state bureaucrats and political parties from both the government and opposition. The second part looks at how these stakeholders perceived the Act, covers my analysis and interpretation of their data, as well as how I analyzed and interpreted the data I derived from secondary sources: conventions signed by the Lesotho government on education, newspapers, minutes of meetings between the government and non-official actors, educational reports etc.

The discussion in both parts is intended to prove or disprove four assumptions stated in Chapter 1 of this study, as well as to draw on the literature review in Chapter 2. As the study is mainly on the Act and its impact on teachers, other education stakeholders' perceptions on the Act will not be discussed in-depth, namely perceptions of students, politicians, and parents on the Act and what influenced them.

4.1 Stakeholders' Profile

Tables 2, 3, 4, 5, 6, 7 and 8 present names, educational qualifications, religious denomination, institutions, portfolios and length of service of forty respondents in the study. The asterisk (*) is used to hide the identity of respondents who chose to be anonymous.

Respondents

The respondents' age range was between fifteen and eighty years, thus showing that they were from a broad age groups. For example, there were teenagers and minors in high schools between the age of fifteen and sixteen. Only two students (both married) were between twenty-five and thirty-five years. Besides students, there were *Novice Teachers*, *Experience Teachers*, the *Former Teachers* and what could be referred to as *Assorted Group* (given that the group was comprised of people from various disciplines).

Respondents were drawn from three primary schools, three high schools, the Ministry of Education, the National University of Lesotho, and political parties in Lesotho (inclusive of major political parties). Lastly, some respondents spoke in their parental capacity, for instance Mrs Khotso.

Novice Teachers

They were newly recruited teachers whose experience and length of service were less than five years. For instance Mr D Lekholoane had four years teaching experience. This is shown by Table 2 below.

Table 2 *Novice Teachers*

<i>Name</i>	<i>Experience</i>
L Kou *	4 years
D Lekholoane	3 years
J Matsora	4 years

Experienced Teachers

They were considered experienced on the basis of their length of service, which was between seven and forty-eight years. For example, Mr D Ntoa had seven years while Mr M Leina had forty-eight years teaching experience, as shown below.

Table 3 *Experienced Teachers*

<i>Name</i>	<i>Experience</i>
L Tau *	8 years
D Ntoa *	7 years
M Motopela	28 years
A Muso *	19 years
M Loisa *	21 years
L Ketso *	23 years
M Mokhesi	20 years
M Monyamane	10 years
M Masiu *	28 years
L Lephoto	37 years
L Leina	48 years

Former Teachers in Politics

They were teachers who later became politicians. Most importantly, they were present when the bill of the Act was debated, and the Act was finally enacted. For example, Mr T Makhakhe was the Minister of Education while Mr V Malebo was a Senator. Table 4 presents their names and portfolios in their political parties.

Table 4 *Former Teachers in Politics*

<i>Name</i>	<i>Portfolio and Experience</i>
Mr V Malebo	Senate Member, Executive Member and President of MFP
Mr T Makhakhe	Executive Member of BCP, and Ex-Education Minister
Dr E Malie	Executive Member of BNP, and ex-Chairman of the Lesotho Education Task Force

The Assorted Group

It was comprised of respondents from teachers' organizations, parents, churches, legal profession, the Ministry of Education, as well as the Parliament, as it is shown in Table 5 below.

Table 5 *The Assorted Group*

<i>Name</i>	<i>Portfolio and Experience</i>
M Khotso*	Parent
P sematlane	Executive Secretary (LAT), 5 years
N Khitsane	LTTU spokesperson
L Rakuoane	Attorney, 12 years
M Mahao	Senior Lecturer (Law), 8 years
M Ramakhula	Parent
S Lentscenyane	Executive Secretary (LEC), 1 year
B Nkoebe	SFD President & MP
G T Mohlapiso	Catholic Ed. Secretary, 8 years
S Mokhehle	LCD,*
K Tsiu*	*
L Moloi*	Law Office, *
R Lemao	Law Office, *
S Mano*	Law Office, *

Respondents' Educational Qualifications

Table 6 below indicates that the respondents were learned, with their certificates ranging from the Cambridge Overseas Certificates (COSC) to degrees. For example, twenty-two respondents out of forty were in possession of various degrees such as BAED, BED, BES, LCP, PGCE, BA Honors, LLB, Masters, LCM and PHD. That was evident during interviews as most of them chose to be interviewed in the language known by the learned in Lesotho, English.

Table 6 *Respondents' Educational Qualifications*

<i>Qualification(s)</i>	<i>n. of People in Possession</i>
COSC	10
PTC	3
Diploma	5
Degree	9
Degree + Certificate	4
2nd Degree	4
Masters	4
PHD	1

Respondents' Religious Background

Respondents came from various religious denominations. There were Catholics, Evangelists, Anglicans, Methodists, St. John, Assemblies of God, Seventh Day Adventist, Hindu (though not mentioned in the table to protect the respondent's identity). There were also "non" believers (as they described themselves). Almost every denomination in Lesotho had an input in the study.

As Table 7 shows below, the majority of schools were Catholic-owned. The Evangelical Church ranked second, while the Anglican church was third in terms of owning more schools. Therefore, it could be argued that Table 7 correctly portrays who commanded a greater following and owned many schools in Lesotho.

Table 7 *Respondents' Religious Background*

<i>Denomination</i>	<i>No. of Followers</i>
Catholic	15
Evangelical	11
Anglican	7
Methodist	1
St. John	1
Assemblies of God	1
Seventh Day Adventist	1
Hindu	1
"Non-Believers"	2

4.2 An Overview of Stakeholders' Perception

Generally, participants' responses seemed to suggest that the Act was understood differently by different people in Lesotho, depending on many factors, especially educational

qualifications, religious denomination, institutions from which subjects came from, portfolios, experience and length of service.

Students' Perceptions

The majority of students were either teenagers or minors, and had only a vague understanding of the Act, probably because of their age, low educational qualifications and lack of conscientisation. As evidence of their vague understanding of the Act, I quote two typical answers to summarized questions about who initiated the Act:

... is rumored that [it was] the Minister ... I ... haven't read the Act, only read about it in newspapers (Lelimo, Interview dated 17/2/1998)

... I don't know ... [have] not read the Act, because of no interest and not knowing where to get it (Rantemana, Interview dated 17/2/1998)

When probed about how people were familiarized with the Act, the following kinds of responses were given:

... don't know any familiarisation of stakeholders with the Act. [And], I don't know of any educational research [preceding the Act] (Lelimo, Interview dated 17/2/1998)

... don't know ... it was said in passing [by the government] (Rantemana, Interview dated 17/2/1993)

On the question of how the Act impacted on teachers socially, economically and academically, students said:

I don't see improvement ... the situation is still the same For example, teachers are still getting low salaries and living in poverty (my interpretation) - *ba kobo li mahetleng* (Lelimo, Interview dated 17/2/1998)

... there is no difference that can be attributed to the introducing of the Act (Rantemana, Interview dated 17/2/1998)

I don't know (Mokoena, Interview dated 15/2/1998)

Students' lack of understanding of the Act was consistent with my first assumption that "non-official" actors were marginalised when the Act was initiated. It was probably that exclusion that led to students being generally unclear about the Act. Though none of them had a clear understanding of the Act, they all seemed clear about what had to be done to improve education in Lesotho. Table 8 shows their recommendations on the role of the government, teachers, students, parents and Non-Government Organizations (NGOs) towards education improvement in Lesotho.

Table 8 *Students' Recommendations*

Recommendation and Group Targeted	Out of 8 Students
Government: (a) needs to put together all stakeholders, and every person be allowed to express his opinion. Failure to do this leads to "rebellion" against the government (Lelimo, Interview dated 17/2/1998),	3
(b) the main problem lies with the government, for example, students do not know the Education Act as there was no familiarizing of people with education laws,	1
(c) it does not follow up on teachers i.e. does not supervise them. It has to find out why the academic results are poor in the country in order to stop the recurrence of the problem in future,	2
(d) school fees "discourage" many kids to further their studies because of being too high. Therefore, the government needs to subsidize unfortunate or poor children,	3
(e) it needs to provide enough books in school libraries,	
(f) it has to give copies of the Act to schools, and to ensure that they get displayed on school notice boards for people to read them,	3
(g) it needs to address the tendency of students' expulsion on pregnancy grounds, especially because the expulsion only affects females. Students need to come back to school after their maternity,	3
(h) more higher learning colleges should be constructed by the government, as the present ones are unable to accommodate enough prospective learners.	3
Teachers: (a) need to be patient when interacting with learners, and to ensure that their content is understood by learners,	2
b) is important that they share teaching skills in order to improve poor academic results in their schools,	1
c) need to work with parents, not only to meet them when there is a strike or a new education law,	4
d) teachers' salaries be improved. However, teachers need to come to class prepared, and also to give feedback in time,	3
e) teaching should be done throughout the year, not only when examinations are near,	3
(f) nowadays, teachers are not respectable. There has to be a "return to basics" (Maferoka, Interview dated 3/12/97). For example, the time when teachers were setting good examples for their learners, and were role models. Today, students attend night clubs and "go out" with teachers.	2
Students: (a) indulgence in drugs by students and children should be stopped,	2
(b) students should not fall in love with teachers, "education first, nice time later" (Phiri, Interview dated 5/12/97),	2
c) they need to have interest in their studies,	3
d) given that English is a "failed subject," and many subjects are taught in it, students need to listen to English programs, and even to read the material written in English to improve their knowledge of the subject.	2
Parents: (a) need to be involved in their children's education.	5
NGOs: (a) need to provide financial assistance to laboratories, libraries, and even to needy students.	3

Analysis of Students' Responses

An in-depth analysis of the students' responses in relation to their recommendations revealed that students did not view the promotion of education in Lesotho as being only the government's responsibility. But rather they felt the government, teachers, students, parents and the NGOs collectively had an important role to play. Of course, they viewed the government as a main role player in the improvement of education, hence it had to provide instructional materials such as books to schools, supervision of schools and teaching, and to disseminate information pertaining to educational changes to other stakeholders. Most of their recommendations were directed to the government (as Table 8 has shown).

Students called upon the government to subsidize unfortunate poor children, bearing in mind the financial problem of the said children to get education in Lesotho. As they put it, high fees were "discouraging" many children to further their studies.

In terms of policy process, students made an interesting recommendation. They saw the Lesotho government having an important role of bringing together all stakeholders when policy was formulated. In short, they favored an inclusive process in order to avoid a possibility of policy being rejected by other stakeholders. As they put it, teachers would "rebel" against the government if they were not consulted. That opinion was consistent with Cohen and Spillane (1992) who favor an inclusive policy process, arguing that the inclusivity can bring in a political buy-in and legitimacy of

the policy process. Elmore (1989) also embraces the idea of involving affected parties when innovation is made in their domain through his "forward mapping" approach.

In relation to their teachers, students were critical of their contribution to the improvement of instruction in Lesotho. While they appreciated that Lesotho government had to improve teachers' salaries, they felt that teachers had to share teaching skills with their colleagues, come to class prepared, and even to give feedback on learners' assignment in time. Students also expressed a strong feeling that teaching had to be done throughout the year not only when examinations were near.

Students' response to the socio-economic and academic impact of the Act on teachers was in line with my fourth assumption that the Act did not have positive impact on Lesotho teachers. For instance, one students said there was no "... improvement ...[and] teachers [were] still...getting low salaries and living in poverty" (Lelimo, Interview dated 17/2/98). Therefore, it remained to be seen how "poor" teachers would contribute to the promotion of education in the country, as they were expected to so by the Act (Education Act 1995, section 3).

There was another strong feeling expressed by learners. They resented the behavior of some teachers who "fell in love" with the very students they were entrusted to guide in a process of being well disciplined people of today and tomorrow. It was probably in the light of such incidents that some learners called for a "return to basics", meaning the time when

teaching was a respectable profession. Students' allegation, if it was true, that alleged behavior was not morally acceptable and in line with the principal Act, as it expressly states that,

... every child is provided with opportunities and facilities to enable him to develop ... morally ... [and in] conditions of ... dignity (Education Act 1995, section 3(1a)).

Besides criticizing the government and their teachers, students were also critical of themselves. They called upon other students to have interest in their studies, and not to indulge in drugs. As one of them put it, "education first, nice time later" (Phiri, Interview dated 5/12/1997).

As far as parents were concerned, the majority of students felt parents were not adequately involved in their children's education. They stated that many parents were coming to school only when there was conflict at school. In addition, parents were not meeting teachers on regular basis to be kept abreast of their children's progress at school, and not even assisted their children with studies at home.

Lastly, the NGOs were also not spared by students in their critical outlook of the Lesotho Education system. As it was the case with the government, they felt the NGOs had to contribute to the funding of the system, by offering scholarships to the needy and capable learners.

4.3 General Perceptions of Teachers

Though teachers seemed to have a better understanding of the Act than students, nine out of fourteen were not clear about who initiated the Act and why. When I asked why teachers were not clear about who and why the Act was initiated, one who chose to be anonymous, said teachers were unclear about the Act because there was no discussion or consultation of teachers when the law was made, and not even copies distributed to schools for teachers to comment on the new law.

The response affirmed my first assumption that the Act was initiated by the government largely ignoring policy inputs from no-official actors, especially teachers, though they were expected to translate its objectives into practice at school level. The manner in which the policy process seemed to have been handled was typical of a state using the *Management by Objectives Model* (Holt, 1994). The model in which teachers have to struggle to convert state's objectives into classroom objectives, though the state designed them unilaterally.

Mrs E M Masiu provided what could be another reason for many teachers' ignorance of the Act, what I never considered to be the case, saying the problem with Lesotho teachers was that they did not have a reading culture. She said education in Lesotho was low and not "conscientising." Teachers were "brainwashed," and they could be described as "where do I sign," meaning they just signed or accepted whatever was given to them without being critical. For example, they were not questioning the government for not fulfilling its obligation

of giving teachers pensions. "They don't mind," charged Mrs Masiu, shrugging shoulders.

Nonetheless, Masiu accepted that there were a few teachers interested in what was happening in the Lesotho education. She probably referred to people such as Mr D Ntoa who concurred that the majority of teachers did not know the contents of the Act. Ntoa said, "it is [our] fault [being teachers] that policies in education are made in a top down, because [we] are not active" (Ntoa, Interview dated 3/12/1997). His analysis was in accordance with a critique expressed earlier that teachers often lack capacity and will to conceive change(s) in their domain, therefore, *the state needs to make changes governing personnel, curriculum decisions, teacher development programs, as well as to supervise innovations*. In a situation like that, Elmore's "backward-mapping" perspective (Elmore 1989) becomes necessary, which requires the state to exercise a "push" on policy executors, because of a realization that teachers hardly implement innovation(s) when they are left on their own. However, as Elmore (1989) also argues, teachers have to be part of the innovation. After all, they are policy executors in education - the role they can handle execute successfully if they are unclear about the purpose of the policy, and how to implement it.

Teachers who had strong feelings against the Act, and wanted it to be reviewed, in order to make it acceptable to other constituencies, were mostly from the Catholic church. As Table 9 indicates below, they were either Catholic or had attended Catholic schools at some stage. Therefore, their responses were probably influenced by their religious affiliation or

background. They seemed to be more informed about the Act, as well as more sentimental about it. Unlike other churches, the Catholic church mobilized its followers against the Act. For example, it staged numerous demonstrations against the Act in the streets of Maseru, and presented petitions to the Prime Minister and the king of Lesotho. In addition, the Catholic church engaged the lawyer, Advocate L Rakuoane (whom I interviewed) to interpret the law for its members.

Those initiatives immensely contributed to the people aligned to the Catholic Church being more enlightened and sentimental about the Act. The Catholic members came to be more informed about the contents and spirit of the Act. Therefore, it was probably because of their religious affiliation they wanted the Act to make reference to the existence of the church in the management of schools. Table 9 expresses this stance.

Table 9 Comments of the Catholic-aligned Teachers on the Act

Teacher's Name	Religious Affiliation or Background	Comment on Act	Recommendation
A S Leina	Catholic	Government wanted to "control" and to capture schools, and even to clarify who employed teachers. Also, it had pressure from international donors who were unwilling to give the government loans if it did not take full control of Lesotho education,	The church and the government must respect each other, and allow each other to make input in order to avoid instability in Lesotho
D Ntoa *	Catholic	the Act has to be reviewed e.g. to make it clear, and not to overload one person (education minister),	Both the church and the government need to work hand-in-hand
E Masiu *	Catholic	It "is too bad,"	The church being the owner of school premises, has to be involved in educational policy formulation in order to avoid tension.
M Motopela	Catholic	government wanted to have a bigger say in education, hence it initiated the Act,	There has to be a national forum, and be inclusive.
M Maloisane	Catholic	the Act was done with the intention of taking over church schools	Education be made accessible even to shepherds. "Education is a life long process," therefore, "...it should not be defined as being only found within four walls of the classroom."

4.4 Teachers' Responses to Interview Schedule, and Researcher's Interpretation

Comment on the Act's Origin or Initiation

Some teachers concurred with the Catholic, Evangelical, and the Anglican Church that the government's attempt to centralize education in the 1990s was not a new phenomenon in

Lesotho. They argued that the process was first started by the Basotho National Party (BNP) government in the early 1970s. For instance, in 1975 the BNP government established the National Teachers Training College (NTTC), thus replacing church teachers training colleges.

Later, the military government (1986-1993) through the Order of 1992 attempted to centralize or nationalize church schools. However, the order was never implemented as the Catholic church opposed the nationalization of church schools.

Replacing the soldiers' rule in 1993, the Basotuland Congress Party (BCP) government and later the Lesotho Congress for Democracy (LCD) came to implement the rejected Order of 1992, without changing its spirit, and gave it the title of the "Education Act No.10 of 1995." The Act was later amended, and its amendment came to be called the "Education (Amendment) Act 1996". However, the amendment of the Act did not involve an alteration of the spirit of the initial Act. It was essentially an editing of clauses. Like its predecessors, the LCD also argued that the Act was meant to "promote the education of the people of Lesotho ..." (Education Act 1995, section 3 (1)).

I found the political context in which the Act was initiated and implemented interesting. It appeared to be in direct contrast to a *coherent, sustained, and durable* or stable political context suggested by policy analysts such as William Clune (1993), and even lacked attributes of *political consensus*. For example, the Act was initiated, enacted and amended by the BCP government. But before the BCP could

implement the Act, it faced a political crisis. The majority of its members in parliament left the party to form a new political party in 1997, the Lesotho Congress for Democracy (LCD) in parliament. That meant the LCD became a government without being voted into power through a normal electoral process! Since the formation of the LCD, cases were lodged by the BCP, questioning the legitimacy of the LCD government, but all proved futile as the LCD continued being the government.

Though the LCD was less than a year old when the national elections were contested in May 1998, it was announced as a winner, winning seventy-nine constituencies out of eighty constituencies. The results of the elections were not only questioned by the BCP, but also by other opposition parties, including the BNP which was said to have won the 80th constituency. At the time of writing, the capital of Lesotho, Maseru was under siege: soldiers and the police were heavily armed and patrolling the capital, schools and businesses were closed, no public transport was getting into and outside the capital, petrol stations were closed, cars were being burnt, and some people were killed either by pro or anti-government supporters. The political crisis had reached a point where the deputy president of South Africa, Mr Thabo Mbeki, and other Southern African Development Community (SADC) members from Botswana and Zimbabwe had to intervene (The Star...Wednesday August 12 1998).

In a volatile political context like that, it was unlikely that any education policy could be implemented successfully, for example, to see the *promotion of education of the people of Lesotho* (Education Act 1995, section 3) when schools were

closed, and there was no transport to take teachers and learners to school. There was not even a guarantee that the new government (if there would be any), would proceed with the implementation of the Act.

Some teachers commented that there was another dimension that led to the initiation of the Act by the Lesotho government. They cited teachers' frequent protests and strikes as a powerful force that pressurized the Lesotho government to introduce the Act. According to them, the government introduced the Act to empower itself in the management of education and control of teachers who disrupted schooling with strikes and protests. Prior to the Act, they correctly stated, it was not clear who employed teachers, as teachers were hired by churches in church schools, but were paid by the government.

In the Education Sector Development Plan 1991/92-1995/96, the Ministry of Education had this to say about the improvement of school management and the revising of the education legislation:

while the Ministry has developed policies, laws and regulations according to which schools should be run, local level school management has been in the hands not of the Ministry, but the churches. The result has been parallel management structures, with consequent ambiguity at school level with regard to accountability. With local-level school management in the hands of managers appointed by the churches, and not accountable to the Ministry, the task of enforcing Ministry at school level has proved a difficult one. Furthermore, teachers have been unclear as to who was their employer, as they were employed by the church (on behalf of government) but paid by the Ministry (Lesotho Ministry of Education, Education Sector Development Plan 1991/92 - 1995/96, June 1992).

Therefore, it appeared that the government through the Ministry of Education introduced the Education Act 1995/96 to empower itself in order to deal with *consequent ambiguity at school level* with regard to accountability, and to eliminate *parallel management structures* in church schools. As I stated, the government wanted to clarify who employed teachers, because teachers were *unclear as to who was their employer*. It felt that the "... weaknesses in the system of educational management [would] be addressed ... through comprehensive revisions of the existing education laws and regulations ..."
(Education Sector Development Plan 1991/92-1995/96, Ministry of Education, June 1992).

As some teachers commended, teachers' protests and strikes could have also contributed to the initiation of the Act, given the educational history of Lesotho. The Lesotho government had a tendency of introducing legislation in education after teachers' industrial action or protests. The same could be said of the Teaching Service Commission (Amendment) Order No.12 of 1990 and the Education Order No.4 of 1992 which came after a national teachers' strike in 1990, and recently the Education Act 1995 that followed the teachers' strike in 1994, while its amendment, the Education (Amendment) Act 1996 came after the teachers' strike in 1995.

Of course there was another reason that contributed to the initiation of the Act by the government, contained in the agreement entered into by the World Bank and the Lesotho government. In terms of the agreement, the Lesotho government would "phase out" the church from the management of schools

over a period of two to three years (World Bank Staff Appraisal Report: Kingdom of Lesotho Education sector Development Project, June 1991, Annex 4:97). As the Anglican, Evangelical, Catholic Church, the Lesotho Teachers Trade Union, the Lesotho Teachers Association and few interviewed teachers stated, international donors such as the International Monetary Fund (IMF), the World Bank and the USAID (America), seemed unwilling to give money to Lesotho (Lesotho Church, Education's Secretariat Report to the D.C 16-17 August 1996: The Educational Secretary, Rev. L. Kheekhe), given that Lesotho was not having a complete or clear control of the education system. The World Bank states in the agreement:

... school proprietors, as owners of grounds and buildings ... will be freed from existing managerial responsibilities School managers, currently overseeing key management issues on behalf of school proprietors, will be phased out over a period of 2 to 3 years. Management will be left to the head teachers and the local inspectorate (World Bank Staff Appraisal Report: Kingdom of Lesotho Education Sector Development Project, June 1991, Annex 4:97).

Given a big stake the church had in Lesotho education (owning and determining fees), particularly the Anglican, Methodist and the Catholic Church, it came to challenge the spirit of the new legislation. The church found the spirit of the Act not in line with its role in Lesotho education. It feared that the new law would be used by the government to nationalize its schools, saw it as an imposition, and argued that it was not legislated for the common good. For instance, in the petition to the king, the church stated, "it is our strong belief that in a democracy, parliament legislates for the common good. But

this is not the case..." (Petition on the Education Bill 1995, 12 January, 1996). Then the church warned the government of "... the danger of imposing a law that [was] not accepted by all parties" (Lesotho church, Education Secretariat's Report to the D.C 16-17 August:1996 - The Educational Secretary, Rev.L. Kheekhe).

The government appeared to ignore the opposition of the church. Instead, the Prime Minister stated, "*Bo-ntate molao o tsoile ha o lekoe, thoto e tia tseleng*" - which could mean "the law has been enacted, let's give it a chance, amendments will be entertained later" (Lesotho Church, Educational Secretariat's Report to the D.C 16-17 August: 1996 - The Educational Secretary, Rev. L. Kheekhe).

Considering the subsequent controversy between the Catholic church and the government, it would seem that the church ignored the Prime Minister's request that the new legislation be given a chance. The tension erupted into bitter exchange of words, as is shown by the letter to the Catholic church from the Minister of Education dated 19 September, 1996 Our Ref Ed/S/12 entitled "Dear sirs, Education Act No.10 of 1995." The Minister stated:

... I and the Government take the strongest possible exception to the intemperate, abusive and polemical language used in [your letter] In your letter ... you state: delay in resolving the question of the Education Act No.10 of 1995 will undermine peace and stability in our beloved country Lesotho (ibid).

The Minister construed the church's statement as a "deliberate threat ... to undermine peace and stability in the country."

Then, he warned the church that, "should such a situation unfortunately arise from [its] actions [he had] no doubt that it [would] be dealt with according to the prevailing laws of the land" (ibid).

The statement from the Minister highlighted how the government handled the policy process of the Act. The policy process appeared to have been conducted in a hostile environment where there was no political consensus suggested by William Clune (1993). The Minister further stated to the church: "you seem not to appreciate that the present democratic Government is the result of a free and fair general elections" (ibid). Again, the statement indicated that the policy process of the Act was handled in an environment lacking political consensus and inclusiveness.

The government's statement seemed to be in accordance with a state that considered itself as the march of God upon the "earth" [referring to other education's stakeholders] (Roy, 1983:6). It probably considered itself having an immense authority and mandate from the electorate to transform the education system in the country, while other stakeholders had to play a second role. This is evidenced by the following categorical statement, in which it stated its resolute and unshakable intention of enforcing the Act despite of the opposition from other education stakeholders:

... you seem to ignore the fundamentals of a democracy which is that the entire nation should accept and comply with a law that had been enacted by Parliament which consists of people's elected representatives The government's intention to apply and to enforce Education Act No.10 of 1995 is resolute and unshaken (ibid).

This section has attempted to show that the motive that led to the initiation of the Act was very complex. Not a single cause could be attributed to the initiation of the Act. However, the Act seemed to have been introduced by the government primarily to empower itself to manage church schools. As it will be shown later, it was debatable whether its purpose or objective was really to *promote the education of the people of Lesotho* (Education Act 1995, section 3).

In addition, the section has attempted to show what was causing tension (and I think will remain a bone of contention for years to come) between two important role players in the Lesotho education system, namely the church and the government. The government's intention of empowering itself in the management of schools agitated the church, particularly the Anglican, Methodist and Catholic Church. Later it will be shown in detail how the Act came to affect the church and teachers.

Surprisingly, teachers did not seem to embark on a similar course taken by the church against the initiation of the Act, though the Act directly affected them, and they had reservations against it as it is shown below.

Purposes and Objectives of the Act

The majority of teachers interviewed questioned whether the genuine intention of the Act was to: *promote the education of the people of Lesotho* (Education Act 1995, section 3(1)). They echoed similar sentiments to those expressed by their

colleague, Mr Ntoa who argued that the Act would not "... improve the standard of education and the system," because "... there was no strategy or mechanism [in place] that [would] help [Lesotho] to have a new system" (Ntoa, Interview dated 3/12/1997). As opposed to "[promoting] ... the education of the people of Lesotho ...," teachers saw a "... change of authority, not of the system" (Ntoa, Interview dated 3/12/1997).

Besides failing to get evidence showing that there was a "... [promotion] of the education of the people of Lesotho ..." (Education Act 1995, section 3(1)) following the Act's implementation, I found this objective of the Act vague and too general. The matter was and is still complicated by the fact that, at the time of writing, the government had not implemented regulations that were in line with the Act. Perhaps the regulations could clarify how Lesotho education would be promoted. This delay in implementing regulations was also criticised by the former Education Minister, Mr T Makhakhe (as it will be shown later).

Teachers were also critical of the provision in the Act which states that: *the child having physical and mental handicap will be given special treatment, education and care required by his condition* (Education Act 1995, section 3(1)(b)). It was perceived to be "cosmetic," given that there was one primary and one high school (St. Catherines High School) in the whole country catering for the visually impaired students! Even in those schools, as I witnessed, there were hardly any trained people in special education to work with disabled learners, while the structure of those schools, colleges and the only

university in the country (the National University of Lesotho) were not designed to accommodate learners with disabilities.

Powers of the Education Minister

Teachers were critical of what they termed "excessive" powers vested upon the education minister. "These powers ..." argued Ntoa, "... can ... be equated with those of God" (Ntoa, Interview dated 3/12/1997).

When I subjected the Act to legal scrutiny, in order to establish whether their critique had a documentary base, I discovered that the Education Minister was the only stakeholder entitled to accept or reject teachers' application unilaterally. The amended Act states that "an application for registration as a teacher shall be made to the chief Education Officer (teaching Service) in such form as may be prescribed by the Minister" (Education (Amendment) Act 1996, section 34(1)). As for the principal Act, it specifically and emphatically states that "the Minister shall prescribe educational qualifications required for a person to be registered" (Education Act 1995, section 33).

Questions could be asked on the basis of the cited sections. Firstly, why one stakeholder (the Minister of Education) was given a prerogative right to prescribe teachers' qualifications. At the time of writing, it was not even stipulated which criteria the Minister would use in his prescription and judgment. In my view, this scenario can be questioned on the basis that in practice, the Minister is a political appointee who is not necessarily appointed on the

basis of his or her distinguished excellence in education. Secondly, it can be questioned what will happen in the case of a Minister who is poorly educated, given that his powers are "excess" in the deciding and determining of who qualified to be registered as a teacher and not. Seemingly, there are no guidelines or checks and balances in place to stop him from abusing his powers.

Committees Created by the Act

The government, the Lesotho Evangelical Church, and the Lesotho Association of Teachers argued that school committees created by the Act were reflecting community empowerment, especially of parents who for ages were never involved in their children's education. Ironically, the Act stipulates that "the appointment of the Advisory School Committees shall be subject to the approval of the Minister" (Education Act 1995, section 19(3)). Therefore, this may mean that parents are not that free to be involved in their children's education. The Minister is a deciding factor who seemingly carries out his functions without guidelines, checks and balances. I find it difficult to see how the Minister will be restricted from being prejudiced against community members not subscribing to his political, sexual, religious and ethnic inclinations when school committees are appointed.

The arrangement of having the Minister "to stoop so low" as to be involved in his capacity in the appointment of local authorities (in primary, secondary and high schools) was questioned by some teachers. For instance, Mrs Masiu wondered

and questioned what type of empowerment was being instituted in Lesotho.

I also find it difficult to envisage how the Minister would effectively be involved in the appointment of school committees, efficiently carry out his work at departmental or ministerial level, take overseas trips (as they always do), attend cabinet meetings and the Parliament's sessions. Based on the Pass List 1997 Results, there were 210 secondary schools, 142 high schools, more than 700 primary schools in the country. Therefore, it remains to be seen whether the Act has set an achievable, realizable or feasible task for the Minister (in his capacity) to fulfill i.e. to be involved in the appointment of the school committees for so many schools.

The majority of teachers criticized the Act for giving teachers a limited slot in school committees. That was debated in the light of how the Act was perceived: being seen as affecting the teacher more than anybody else in Lesotho education, but the teacher was seen poorly represented. As Ntoa (Interview dated 3/12/1997) put it, the teacher appears to hold a very low and inactive role in the new structures introduced by the Act. He is placed in a similar position with some people who might not be educationists. The principal Act provides that each school committee at primary level shall consists of:

- (a) two representatives of the proprietor;
- (b) one representative of teachers who shall be the secretary;
- (c) four members of the community served by the school who shall be elected by parents of pupils admitted in that school;

- (d) a chief of the area where the school is situated or his representative;
- (e) the principal of the relevant school (Education Act 1995, section 19(1)-(2)).

Representatives of the proprietor, members of the local community, and local chiefs comprised the majority of the committee memberships. Yet representatives from these groups might know little or nothing about education. Teachers and principals whom I expected to be informed about education, together have only two places on the committee.

Considering the position of the teacher on the school committee, the teacher find it difficult to be a writer (secretary) and simultaneously engage in discussion/debates when the committee is in session. This may impinge on his access to influence policies. The Act is even silent about educational qualifications required for members to be appointed into school committees, thus creating possibilities for people with little or no knowledge of education to join school committees.

The scenario created by the Act seems to imply that the state in Lesotho does not view teachers as professionals, hence their appointment into schools' committees exclusively depends on the approval of the Minister of Education. I wonder whether a similar arrangement could happen in other professions such as law and medicine. Would people without legal or medical background participate on equal footing with those qualified when transformation is implemented in their professions?

As teachers stated, I discovered that there was no teacher representation on the National Curriculum Committee, and not even a representative from the teachers' trade union, (see section 26(1) of the principal Act). There was no teacher representation in the Lesotho Teaching Service (which deals with teachers' registration and remuneration). Of course, this structure was only representative of the government, though the education system in Lesotho is not exclusively funded by the government. Parents pay fees for their children to attend school, but they are not represented at national level.

In addition, I discovered that there was no teacher representation in another important structure affecting teachers directly called the Teaching Service Commission (TSC). The TSC is vested with the power to "... appoint, promote, demote, discipline, transfer and remove from office teachers whose salaries are paid by the government ..." (Education Act 1995, section 59(1)). Teachers criticized the TSC for its composition and on the basis of its accountability. For instance, they did not view it as an independent body, but rather a structure accountable to the Minister of Education.

Contrary to their perception, I do not find a legal provision in the Act making the TSC accountable to the Education Minister. However, I discover that the TSC does not represent all interested parties in Lesotho education. It only represents the government and churches having the highest number of registered schools (whose teachers are paid by the government) (Education (Amendment) Act 1996, Section 57 1(a), (b) and 2)). The Act provides that, "the [TSC] shall consist

of ... members appointed by the Minister ...," thus making the critics of the Act rightly to question the independence of the body.

In addition, at the time of writing this report, the government was not only involved in the appointment of the TSC members, but also in their remuneration. In my view, looking at who appoints the TSC members and remunerate them, it remains to be seen how independent the TSC will be, and to whom it will be accountable.

Teachers' critique with regard to the position of the teacher in structures created by the Act, corresponded with a perspective advanced by policy analysts who say teachers are in closest proximity to what happens at school level, and are more likely to choose the most suitable methods and technologies for successful learning (Clune, 1993; Cohen and Spillane, 1992). Therefore, they convincingly argue that teachers have to be consulted when a policy is formulated and implemented, or be at the center of fundamental reform (South African Breweries).

Clarification of the Teachers' Employer

Though the majority of teachers interviewed made strong remarks against the Act, and felt it was initiated by the government to nationalize church schools and to control teachers, some teachers said the Act was not completely "bad". For instance, Mr M Motopela appreciated that for the first time in Lesotho education, there was a new law clarifying who employed teachers, unlike in the past when it was not clear

who had to address teachers' grievances (as I have shown earlier). Due to the clarity brought by the Act, Mr Motopela correctly pointed out that it is at last known who has to address teachers' demands.

Though the Act has clarified who employs teachers in Lesotho, it does not seem to give teachers enough latitude to express their policy inputs in education. For example, it lacks provision for teachers' trade unionism, what teachers used to articulate their grievances and demands to their employing authority (the government). It does not seem to create conditions conducive for trade unions to operate in the Lesotho education system. The Act entitles the government to designate teachers' "association", not "trade union". There is absolutely no mention of the word "trade union" in the Act. The principal Act says:

the Minister may designate a professional teachers' association which may submit nominees to represent it on committees established under [the] Act" (Education Act 1995, section 75(1)).

The word "may" probably means neither the government nor the Minister of Education are bound to involve teachers in structures affecting them.

Teachers' Pensions

Some teachers, the Lesotho Teachers Association (LAT) and Lesotho Evangelical Church (LEC) appreciated that for the first time, Lesotho had enacted the Act in which the government committed itself in writing to give teachers

pensions. The principal Act indeed states that the teacher may "retire...on permanent and pensionable terms" (Education Act 1995, section 55). However, I do not find a legal provision in the Act specifying when Lesotho teachers will become pensionable, and what kind of pension they will get. For instance, the Act, in the absence of regulations does not even specifying what type of pensions teachers who qualify will get.

As some critics of the Act argued, the issue of giving teachers pensions in Lesotho seemed to have become a political ploy by politicians, especially when the country faced the national elections. For example, less than four months prior to the May 1998, the government distributed a document entitled the "Personal Detail of Public Service Officers" to schools, where it was signed by many excited and enthusiastic teachers, wrongly thinking the document was getting details from them to enable the government to see who qualified to get pensions.

As was the case with the Act (which many teachers said they did not read fully, if at all, even though it affected them), the majority of teachers were not aware that they were signing a wrong document. Just below the form they were filling, it was stated that, "[the] form must be completed and returned to the Ministry of the Public Service, P O Box 527 Maseru, Lesotho, preferably before end of January 1997." Had teachers not been "where do I sign" as Mrs E M Masiu described them with their inattentive attitude, they might have realized that they were signing the wrong document, since in actual fact teachers did not belong to the Ministry of Public Service, but

rather to the Ministry of Education. In any case, they were signing a document long overdue (the return date was 1997, yet teachers received the document in 1998).

The developments in the Parliament less than three months before the national elections in May 1998, also provide a glimpse of how the issue of giving teachers pensions had become a political ploy. I attended the last sitting of the National Assembly of Lesotho where the Minister of Education, Mr. Lesao Lehohla belatedly tabled documents on "Pensions (Designation of Teachers) Notices, 1997" and "Teachers Pensions Regulations, 1997" for the Assembly to debate them. Per the standing order of the Parliament, the Assembly had to be given more than a week to debate the regulations. But in that case, the Education Minister handed over the documents to the National Assembly to debate them on the very day the parliament had to be dissolved in preparation for the next Parliament! Not surprising, the National Assembly could not debate the documents. The Legislation Handbook (1994) states:

It is the Parliament itself that makes ... laws and it must be given adequate time to consider any Bill. It is therefore essential that policy relating to legislation be thoroughly thought through and that as many difficulties and problems as possible be identified and a solution found at the preliminary stages, thus lessening the need for subsequent legislative amendments (The Ministry of Law and Constitutional Affairs, Legislation Handbook, April 1994).

Therefore, the documents on teachers' pensions were neither debated nor approved by the Parliament, because the Minister did not give the Parliament adequate time to consider the *Bill*. But outside the Parliament, the impression was created

either intentionally or unintentionally that the government had finally succeeded to put through regulations through the Parliament to give teachers pensions. That was not the case. I met teachers who fell victims of the impression that pensions were on the way for teachers.

When I asked about teachers' pensions, the Senator and the leader of the third largest political party in Lesotho, Mr V Malebo said he did not think teachers would be pensionable in the near future.

The Act's Impact on the Church

Contrary to many teachers interviewed, Mr Ntoa did not see the government dispossessing churches their schools by implementing the Act. That perspective was not shared by the majority of teachers. For instance, Sister L M Lepphoto (Interview dated 19/2/1998) said the Act was "... totally against the previous ideology of education being a three legged pot ..." meaning the responsibility of parents\ community, government and the church in Lesotho. She stressed that there was no featuring of the Educational Secretary (who was a representative of the church in the management of schools), as it was the case before the implementation of the Act.

Educational Secretaries from churches were involved in the processing of teachers' applications into teaching, teachers' discipline, demotion, promotion and transfer. Of course these powers had been taken away by the Teaching Service Commission (TSC) created by the Act, for instance the Circular Notice

dated 29 October 1997 reminded the Educational Secretaries, teachers' organizations and Senior Education Officers that:

... according to section 59 of Education Act No.10 of 1995 the power to appoint, promote, demote, discipline, transfer and remove teachers from office is vested in the Teaching Service Commission (Ministry of Education Circular Notice No.22 of 1997, dated 29 October 1997).

As far as my critique and analysis is concerned, indeed the Educational Secretary does not feature in school management in church schools where teachers are paid by the government, except with the approval of the Minister of Education. The principal Act stipulates that, "a church that is a proprietor shall, subject to the approval of the Minister, appoint a person ... to be an Educational Secretary of that church" (Education Act 1995, section 24 (1)). Furthermore, the next subsection in the same clause entitles the Minister to "withdraw his approval if an Educational Secretary does not carry out his work satisfactorily" (Education Act 1995, section 21(c)).

The church has lost the privilege of appointing an Educational Secretary who was not necessarily meeting the criteria of the Minister of Education. Equally disturbing to the church members associated with the Catholic and Anglican church in Lesotho (as expressed by their spokespersons), was that the Act did not even specify the criteria the Minister would use when assessing the performance of their Educational Secretary, in order to avoid a possibility of religious and political bias.

Familiarization of Stakeholders with the Act

Stakeholders said there was no "formal, "clear" or "outstanding" way of familiarizing people with the Act done by the government. It was generally believed that teachers also contributed to their ignorance of the Act because of being a "dormant" community, as some teachers described their attitude. The majority of teachers admitted that they were generally not reading documents affecting their profession.

Some teachers said the government could not familiarize them with the Act because of the way it viewed teachers in Lesotho - "we are told in Lesotho, not consulted," stated some teachers who asked to remain anonymous. They said sometimes they received circulars on transfer, demotion etc., and books came to their schools without first being given appropriate training and teacher's guide. Ironically, under those circumstances the government expected them to teach new syllabi.

When I inquired why teachers thought the government was imposing its will upon them, in unison, two teachers from a certain school said teachers in Lesotho in the eyes of the government were servants who had to teach ten subjects with a ratio of more than 40:1 in each classroom. In addition, the teacher was somebody to play around with, of course somebody not to be consulted when changes were made in his workplace. I find their perspective in line with that espoused by Khalanyane (1995) who states that teachers in Lesotho has minimal control of what goes on in schools, as well as

Lefoka's (1997) findings that Lesotho teachers do not have power over their profession (Lefoka, 1997).

As Maruping (1995) states, the state in Lesotho seemed to view teachers' role or task in education as to teach subjects in schools. Unlike Cohen and Spillane (1992) and William Clune (1993) who contend that it is critical for the state to be aware that it depends on localities (schools or teachers) in order to implement educational policies successfully. In contrary, the Lesotho state appeared to have viewed the policy formulation and implementation from a different angle. It was probably unaware that inputs from other stakeholders could ensure both legitimacy and political buy-in from stakeholders (O'Day and Smith, 1992).

The issue of giving teachers appropriate training or knowledge of the Act was said to have been ignored by the state. The state seemed to have ignored the warning expressed by Raudenbush et al (1993) that improving teaching practice by improving teacher's skill and knowledge is essential if the quality of education in the developing world is to improve.

In terms of my observation, analysis and interpretation, it would appear that there was no clear and systematic way of familiarizing stakeholders with the Act. The former Education Minister, Mr Makhakhe was reported to have held some rallies in some places in the country. His endeavors were criticized on grounds that he was merely making political statements in those rallies, rather than explaining clauses to stakeholders. Even the Chief Education Officer I interviewed testified that he was not sure of the depth of the Education Minister's

initiative of familiarizing stakeholders with the Act. But still, the Ministry went ahead to implement the Act.

There were a number of alternatives which the government could have adopted to familiarise stakeholders with the Act, thus contributing to a smooth implementation of the Act. For instance, in relation to teachers, it could have staged workshops for them, disseminated information in newspapers, over the radio, on television, as well as allowing both organised and unorganised teachers to make their inputs. Unfortunately, these did not seem to have been done, hence Mr Lekholoane (one of the teachers interviewed) wondered whether the Act was operational or not. He saw no evidence or change following the implementation of the Act.

Educational Research

The question whether the Act was preceded by educational research to establish the problems or strengths in the education system, as it happened in other countries transforming their education systems, unveiled anomalies in the Lesotho education system. In South Africa (SA) for instance, a comparatively inclusive and broad study was undertaken to find out how different stakeholders such as teachers' organizations (SADTU), students organizations, Parents Teachers Students Association (PTSA) and liberation movements wished a South African education system to be transformed from an apartheid education to the post-apartheid system, hence there was an establishment of research groups such as NEPI. Universities such as the University of the Witwatersrand, University of Cape Town and the University of

Natal created Education Policy Units (EPUs) to assist the SA government with research base in its endeavor to oversee transformation of the education system.

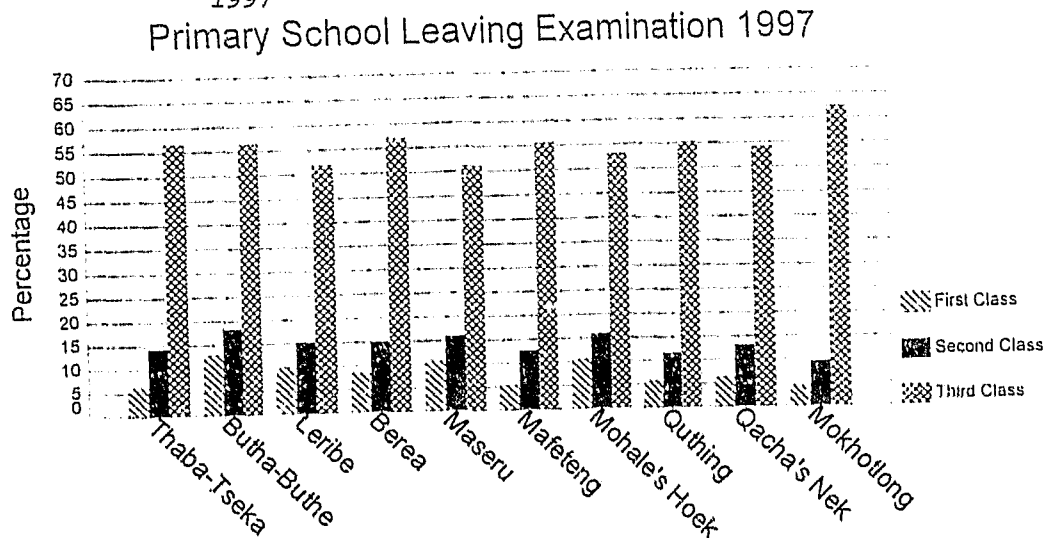
in Lesotho, interviewed teachers said they were not "aware," "don't remember" and even "don't know" the research that preceded the Act. Some were certain that "none" was undertaken. Had it been conducted, being teachers and the last in a chain of policy implementation, I suppose they could have been "aware" of it. Many amendments in the Act, as they argued, probably shows that little research was done by the initiating authority (the government). Almost every section is amended.

Among other things, argued some interviewed teachers, the research could have established the real problems hindering the Lesotho education system from producing renowned scientists, engineers, policy analysts, economists etc. Instead, the majority of schools were unabatedly experiencing an alarming high failure rate at all school levels; from primary to metric level. Ironically, that was in direct contrast to what the Act was said to be intended to alleviate i.e. *to promote the education of the people of Lesotho* (Education Act 1995, section 3)).

Figure 1 below shows an academic performance in primary education for 1997. Overall, it indicates that primary education in all districts in Lesotho had a pass rate of less than 15% in the first division. Besides the Mokhotlong district, which had less than 10% pass rate in the second division, the pass rate in other districts was less than 20%.

The low pass rate in the critical levels, namely the first and the second division, indicated that primary education was largely producing failures since students failing to achieve the first and second levels generally failed to get admission to better schools. Equally worrying to many parents and guardians, without a firm foundation at primary level, it was doubtful how the situation would be better at post primary and tertiary levels.

Figure 1 Academic Performance in Lesotho Primary schools for 1997

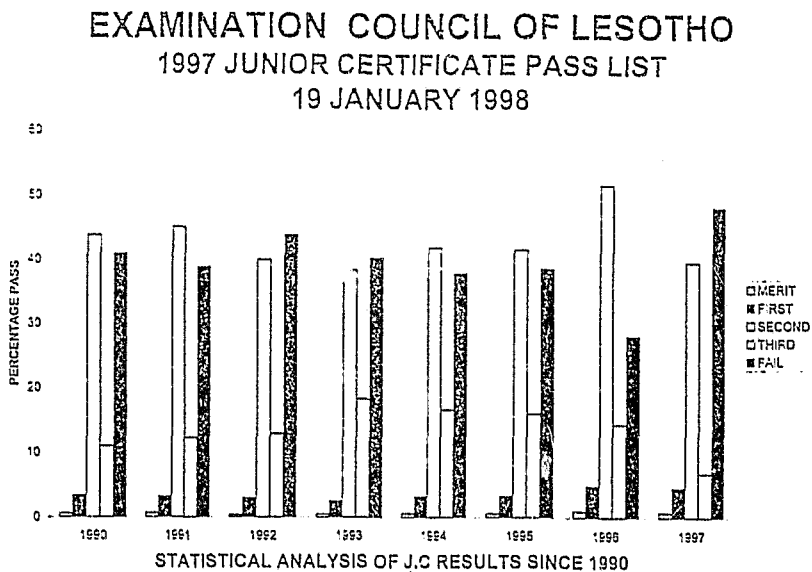


I also found the situation disturbing at Junior Certificate (J.C) level. Figure 2 provides a statistical analysis of the J.C results throughout the country since 1990. Similarly, it provides little evidence that the passing of the Act in 1995 contributed to the promotion of education (Education Act 1995, section 3). For example, two years after the Act was passed, the failure rate has surpassed other years, reaching approximately 50%.

Prior to the passing of the Act, excluding 1996, the pass rate was more or less the same, and it was fairly low. Few than 10% of candidate, each year since 1990 achieved the Merit and First class passes. The Second pass rate was between 40% and slightly above 45%, while it was less than 20% in the Third class division.

An in-depth study is required to establish why the pass rate in 1996 in all levels shot remarkably higher than other years, despite of the year being preceded by a long teachers' industrial action in 1995 and closure of schools. In addition, it has to be established whether the localization of examinations in 1995 influenced the outcome of the pass rates in 1996. As I have stated, the pass rates in 1996 are remarkable higher than other years. Probably, the government altered the pass rates, being aware that a huge number of candidates would fail if the normal scales were maintained in the light of the political and educational unrest in the country was concern during that time.

Figure 2 Examination Council of Lesotho 1997 J.C Pass List

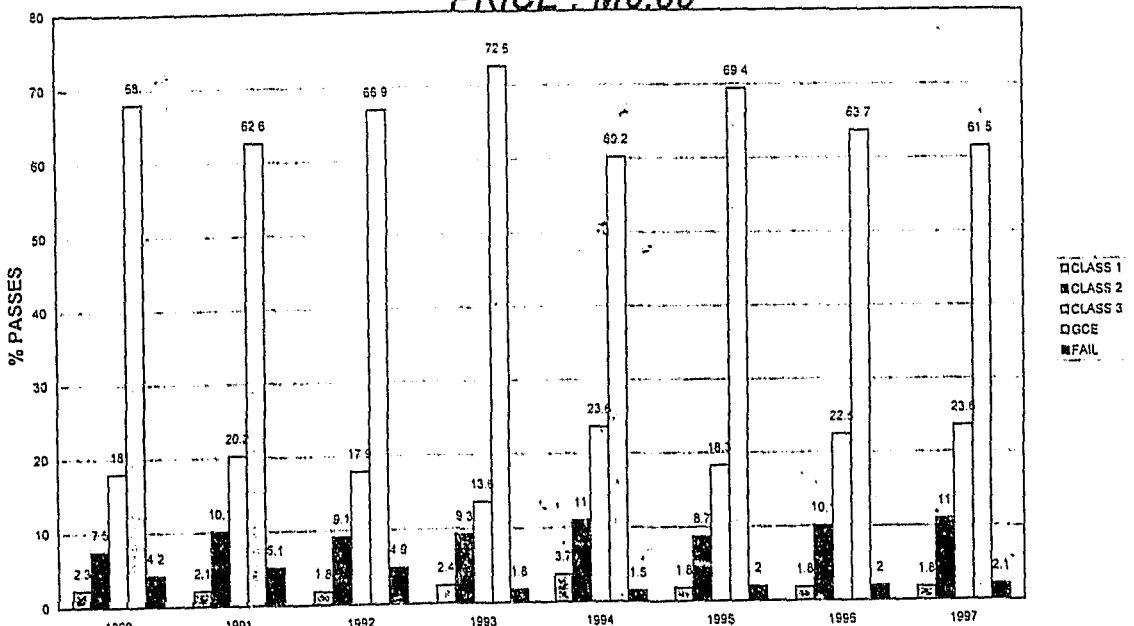


The academic achievement since the implementation of the Act does not give strong evidence of the Act having fulfilled its intention of promoting education. At the matriculation level, since 1990, the number of candidates in the first class division had never exceeded 3.7%. Instead, it deteriorated from 3.7% to as low as 1.8% in 1997. As for the second class division, it had never been above 11% since 1990! Third class division had never gone beyond 23.6% since 1990, while the General Certificate with Education (GCE) division showed the highest figure of students passing in metric. This was a very tricky division. The majority of students falling under GCE had failed most of their subjects, and were not eligible for admission in universities, colleges and technikons to further their studies.

The Commentary of the 1997 COSC has just stated that only three candidates obtained Grade 1 in English and Mathematics in the whole country. "These ... two ... subjects [referring to English and Mathematics] ... determine entry into most tertiary institutions especially at the University level," states the Commentary. Therefore, it can hardly be argued that education is improving in the country, especially considering low performance at critical levels: First and Second class passes.

Figure 3 The Statistical Performance in COSC Since 1990

ECOL 1997 SC PASS LIST. 23rd FEBRUARY 1998.
PRICE : M6.00



STATISTICAL ANALYSIS OF STUDENTS PERFORMANCE IN COSC SINCE 1990

This brief analysis of examination results has attempted to show that if the government had undertaken research prior to the passing of the Act, it could have addressed some of the real problems in Lesotho. While some research could have been taken, though it is doubtful, respondents made it clear that they had neither participated nor been consulted on the research. The ever-vigilant church, teachers, students, parents, political parties business and the organised teaching profession - all were ignored when the Act was initiated, formulated and implemented. As one teacher stated, had the research been undertaken, teachers for instance would have been aware of it.

Moreover, Senator V Malebo who was present when the parliament debated the new law, would have heard when Senate members made reference to the research. Similarly, the only opposition party in the National Assembly, the Sefate Democratic Union (SDU), could have heard when the Act was debated on the basis of the research findings. That was not the case, as its president was not "aware" of the research, and did not remember any Member of Parliament (MP) making reference to research. Like other stakeholders, he could not "commit himself" that research preceded the Act.

Nonetheless, there was a view expressed by the Ministry of Education, the Lesotho Congress for Democracy's followers (speaking in their personal capacity), Mr S Mokhehle, and the former Education Minister (Mr T Makhakhe) who all claimed that the Act was preceded by research, consultations and seminars. They were probably referring to an inclusive research

conducted in 1982 entitled "The Education Sector Survey Report of the Task Force, Maseru Lesotho, November 1982", whose chairman, Dr E Malie I interviewed. The cited document was given to me by an official from the Ministry of Education, thus strengthening the supposition that these participants were referring to the cited report. Apart from this cited education report, no education report was ever taken which was comprehensive than it.

Task Force Report

This Task Force Report was an endeavor to review the: education policy, to examine the system of education in Lesotho and its role in the development of the nation, and also to propose long term policies (The Ministry of Education, Education Sector Survey Task Report of the Task Force, 1982). It had the following participants/respondents: members of the District Development Committees, School Managers and head teachers, representatives of school committees and teachers' organizations, Members of Parliament, representatives of chiefs, other interested parties of the public, the University of Lesotho, Educational Secretaries of churches, and the government's ministries. It was also supported by UNESCO which gave it consultants, thus showing that the Task Force was a multi-disciplinary Task Force composed of nationals and expatriates.

One of the interesting aspects of the Report was its nature. It was a policy document laying down broad objectives and strategies for development of education in Lesotho to the year 2000. Perhaps that explained why the view was expressed that the research preceded the Act under discussion, given that the Act's initiation, formulation and implementation fell within the scope of the cited Task Force.

The specification of policies and strategies proposed by the Task Force was intended to strengthen and unify the efforts of government, churches and communities to provide an education that benefited both the individual and the country (The Ministry of Education, Education Sector Survey Report of the

Task Force, 1982). Put another way, the basic policy the Task Force wished to emphasize was similar to what was enshrined in the Education Policy Guidelines 1981 that the provision of education shall be a partnership among communities, government and the Christian churches. That ideology (mentioned earlier), was known as a "three legged-pot" in Lesotho, because three parties were said to be involved in the management of education and policy formulation, namely the community (especially parents), the church, and the Government.

I neither found evidence nor legal provision suggesting that the Act, coming after the Task Force Report was "...strengthening and unifying the efforts of government, churches and communities to provide an education that [benefited] both the individual and the country" as stated in the cited report (The Ministry of Education, Education Sector Survey Report of the Task Force, 1982: Introduction xi). When I asked Mr Mahao, law lecturer at the National University of Lesotho for legal interpretation of the Act, he could not clearly see a tripartite alliance or a three-legged ideology enshrined in the Act, "perhaps not ..." he said (Interview dated 26/3/1998). He could not see parents' representation in the Teaching Service Commission (TSC).

Therefore, as stated in the Task Force report, parents "...could with fairness claim to have been subjected to taxation without representation," (The Ministry of Education, Education Sector Survey Report of the Task Force, 1982:18), given that they were providing funding for their children's education, but were excluded not only from the TSC, but also in the structure designing their children's education. In

addition, their presence in the school management was unilaterally determined by the government through the Minister of Education. When speaking on behalf of the second largest political party in Lesotho (the BNP), the Chairman of the Task Force, Dr E Malie said, "taxation without representation is tyranny" (Malie, Interview dated 22/2/1998).

Looking at how the Act negatively affected the church, Mr Mahao referred me to the Lesotho Constitution, "the supreme law" (Lesotho Constitution, section (2) on the "freedom from arbitrary seizure of property" (Lesotho Constitution, section 17 and 18(1)-(5)). He saw the government controlling the church premises (meaning the school) without the church getting compensation from the government. As I argued earlier, the new law/Act was rightly seen making the office of the Educational Secretary (the representative of the church in the management of schools where teachers were paid by Government) redundant. The Government was found to have "strengthened" its position in the management of education, as opposed to *strengthening and unifying the efforts of the government, churches and communities* in education. The Minister is empowered to make decision unilaterally on who had to be an Educational Secretary.

Equally striking to me were the findings of the Task Force report. It saw the challenges lying ahead as being the *quality, relevance, organization, costs and financing* of the education system in Lesotho. Therefore, it seems pertinent to me to establish whether the Act is addressing these challenges.

On the issue of *quality*, the Task Force saw a continuing decline of school education in Lesotho at all levels, (what has been confirmed by figure 1, 2, and 3 in this research report). It said the declining pass rate was resulting in a critical shortage of post-secondary students for scientific and technical training, large numbers of students were studying subjects without adequate grasp of the medium of instruction, English. This point has just been collaborated by the Commentary of the 1997 C.O.S.C Results (The Examination Council of Lesotho, 1997 SC Pass List: 23 February (I)), which states that only 8% of candidates throughout the country obtained credits in English!

I do not find evidence that the Act is addressing *the quality* of education in the Lesotho education system. Instead, as interviewed teachers perceived it, the Act is mainly addressing the "control" of schools and teachers by the government (where teachers are paid by the government). This is evidenced by powers given to the Education Minister / Chief Education officer (Teaching Service) compared to the past, as I have shown earlier in the management of education. Other education stakeholders depend on the government's approval before they can participate in structures created by the Act.

In line with a claim made by Mr D Lekholoane (interviewed teacher), I observed that most schools, including his own, had overcrowding, a shortage of teachers, inadequate furniture so that learners were crowded in desks and teachers had difficulty in going between desks rows. In most schools, the floor was patched. That scenario was also expressed in the Task Force Report, when it says the "existing primary schools

suffer from extreme overcrowding, inadequate staffing, few instructional material ..." (The Ministry of Education, Education Sector Survey Report of the Task Force Sector Survey Report; 1982:8). The Task Force Report rightly identified this as another challenge facing Lesotho, therefore requiring attention. But the Act shows little or no evidence of address this problem or challenge.

The Task Force further argues, "many problems of quality and relevance can be traced to weak regulations, supervision and administration" (The Ministry of Education, Education Sector Survey Report of the Task Force, 1982:8). In its opinion, the solution to the problem was to have the church, teachers, parents and the government to have clear roles and responsibilities in education. It also stated that the existing rules and regulations were not fully implemented, managers were neither trained nor full-time educators (and were not providing supervision to school staff on regular basis), and the inspectorate of the Ministry of Education was too weak to provide professional guidance and support so badly needed. "These weaknesses", the Report states convincingly, "must be addressed if there is to be any real improvement in the performance of...schools" (The Education Sector Survey Report of the Task Force, 1982:18).

In terms of my observation, analysis and interpretation, as well as what is enshrined in the Act, there is neither a section nor clause emphasizing a need to supervise schools, managers to be full time and trained educators. Schools were still managed by people who were not full time and trained. Moreover, government's inspectors were not seen in schools

administering clinical supervision. As Ntoa (Interview dated 3/12/1997) put it , "it [was] business as usual," thus confirming the Task force finding that "the inspectorate of the Ministry of Education is too weak to provide professional guidance and support so badly needed" (The Ministry of Education, Education Sector Survey Report of the Task Force, 1982:18). The majority of teachers informed me that they had been teaching for more than five years, and had never seen an inspector since joined teaching.

The issue of lack of regular and effective supervision of schools was not only identified as a serious problem by the Task Force Report and students (as shown in their recommendations), but also by teachers as it would be shown in their recommendations.

Impact of the Act on Teachers

There was a general perception among respondents that there was no positive impact of the Act on teachers. For instance, one student said the teachers' socio-economic status was still low. As he put it, "*Ba kobo li mahetleng* - meaning, "they were still earning peanuts." There was definitely no teacher who claimed to see a positive impact (be it socio-economic or academic) impact on teachers alluded to the implementation of the Act.

Instead of bringing positive change as they were promised by the government, the majority of teachers were convinced that the Act came to have a boomerang effect on them. For instance, teachers were not given pensions, contrary to what they were

told when the Act was debated in the National Assembly, and when the Minister of Education held rallies to inform people about the Act. Also, to put it in the words of one of the "experienced" teachers, Mr Leina, the Act had made teachers "*batho ba manganga*" meaning "stubborn people," when it was expected to boost their morale. I did not find evidence to prove his allegation. Teachers were not seen overtly challenging the government.

Without dwelling much on teachers' responses on how they viewed and felt the impact of the Act, a few points warrant some attention. As teachers claimed the Act's implementation caused conflict and division in schools, I also witnessed teachers' division in some schools. For example, one teacher felt uncomfortable and was reticent during the interview, because of one colleague not aligned to her teachers' organization and church denomination. That was divulged to me after the interviewed teacher asked me to talk with her in her classroom, where the other teacher (whom she viewed as a possible spy) was absent. The possible "spy" was not tolerated because she supported the organization which was welcoming the introducing of the Act by the government.

The people who appreciated the introduction of the Act were also critical of it. For example, the Lesotho Evangelical Church and the Lesotho Association of Teachers (LAT) (who appreciated the Act for committing the government to give teachers pension), said they were not happy that teachers were being retired without getting pensions. Mr P Sematlane, the LAT's executive member, said his organization would do everything legal in its power to ensure that teachers got

their pensions. Similarly, the former Education Minister, Mr Makhakhe was critical of how the Act was being implemented. In his view, the government was showing "indecisiveness" and "timidity," what he saw as another government's weakness, besides making a mistake of implementing the Act without regulations.

Mr Mohlapiso's version on the Act's impact in relation to teachers concurred with my analysis and observation. At the time of writing the report, there was nowhere the Act was found boosting the economic status of the teacher. Instead, teachers had their increments brought back to their pre-strike level while the police and the army who went on strike for increments too, were given increment by the government. The government through the Education Minister, Mr Makhakhe applied a principle of "no work, no pay" as Mr Mohlapiso mentioned. The Education Minister stated unequivocally, "... the principle of no work no pay is applied across the spectrum in several counties and Lesotho 's no exception to that" (Lesotho Ministry of Education and Manpower Development, Our Ref ED/S/12, dated 19 September 1996).

However, speaking at AME Hall in Maseru, a few months before the May 1998 national elections, when owing teachers to vote for his political party (the Basutoland Congress Party) (BCP), Mr Makhakhe told teachers that he would ask the BCP government (in case his party won the national elections) to give teachers their salaries 'old by the government. The teachers' strike was motivated by a demand for pensions and salary increments.

My observations concurred with Mr Mohlapiso's statement that teachers were augmenting their salary income by teaching evening classes. There was absolutely no standardized way of charging fees for evening classes, and even the government's control of the situation. In essence, teachers were charging fees for services they were rendering to students at evening, and literally having the fees for themselves. That indicated how commercialized education had become in Lesotho. Ironically, schools which were renowned for high failure rate in the country, were the ones whose premises and teachers were used for unregulated evening classes. The whole episode made me to wonder whether the intention was really "educational" as some people wanted me to believe, or it was "commercial."

The Teaching Service Commission (TSC) members were probably right when they said education had become commercialized in Lesotho: schools were mushrooming in the country because of "economic considerations" or commercial reasons. One of them, (who emphatically told me not to reveal his identity, because his work was "sensitive"), said even the Catholic Church was driven by commercial considerations to oppose the Act. He argued that Churches were aware that the Act was taking control of schools from them. Of course his argument was in line with Khalanyane (1995) perspective that schools were used by the clergy as a source of their income.

Furthermore, that TSC member who described his work as "sensitive" revealed that he had also opened his own school, because of what he termed "commercial reasons," though parents thought he was motivated by educational concerns. He stressed that there were few opportunities in Lesotho to survive

besides joining teaching or becoming a civil servant. Therefore, being an educationist, and aware that there was no pension for Lesotho teachers, he too had to look at various ways of getting money, hence he opened the school for commercial reasons.

Though the Act made it illegal for any church to determine fees in schools where teachers were paid by the government (Education (Amendment) Act 1995, section 14(A)), I established that churches were continuing to determine and collect fees in schools on its premises. School administration was still based on religious grounds (hence in Catholic Church school, the head master was still a Catholic, in an Evangelical school the head remained an Evangelical, and a similar thing was happening in other church schools).

I observed that teachers who were sentimental and emotional about the Act, seeing it coming to nationalise church schools, never complained about how churches in Lesotho were failing to manage and supervise education taking place on their premises. Church schools were also experiencing high failure rate as was the case with government's schools, as shown by the table below. The table presents a number of pupils who sat for the Primary School Leaving Certificate (PSLE) in 1997, both in numbers (No.) and percentage (%). As I earlier mentioned, the candidates failing to achieve the First or Second division had a few chances of being admitted to schools producing good academic results. As this table will show, the majority of candidates in 1997 both in government and churches' schools only managed to pass in the Third division, the division that

generally inconvenienced them to proceed with their studies in better schools.

In government schools, ninety candidates sat for examination, out of which only four (4.4%) obtained First Class, thirteen (14.4 %) achieved Second Class, and fifty-nine (65%) got Third Class.

In church schools, the situation did not show improvement. In the Lesotho Evangelical Church (LEC) schools, 14032 candidates sat for examination, out of which 1021 (7.3%) obtained First Class, 2083 (14.8%) managed to get Second Class, while 7889 (56.2%) candidates achieved Third Class pass. This performance in the LEC is slightly different from the performance in the Roman Catholic Church (RCC) schools. In the RCC's schools, 14908 candidates sat for examination. Then, 1084 (7.3%) candidates obtained First Class, 2035 (13.7%) got Second Class while 8098 (54.3%) passed in the Third Class division.

In the Anglican Church of Lesotho (ACL), 5553 candidates sat for examination, out of which 551 (9.9%) candidates passed in the First division, 908 (16.4%) got Second division while 2950 (53.1%) achieved Third division.

Table 10 Standard 7 Examination Results by Proprietor for 1997

Proprietor	No. Sat PSLE	First Class		Second Class		Third Class	
		No.	%	No.	%	No.	%
Government	90	4	4.4	13	14.4	59	65.6
LEC	14 032	1021	7.3	2083	14.8	7889	56.2
RCM	14 908	1084	7.3	2035	13.7	8098	54.3
ACL	5553	551	9.9	908	16.4	2950	53.1
AME	493	15	3.0	47	9.5	269	54.6

Of course the teachers who were unhappy about the Act, also omitted to mention either intentionally or unintentionally that churches were commercially benefiting through their involvement in school management, by way of charging fees in schools.

On the academic impact, Mr Mohlapiso (an Educational Secretary) said the drop in the pass rates at the primary, secondary and high school levels could be attributed to teachers' dropping of dedication to their work. That could be another reason, given that no teacher interviewed demonstrated excitement and enthusiasm that the Act was improving his or her social, economic and academic welfare. Therefore, it was debatable how teachers would contribute to the promotion of education when it was fashionable in the Maseru urban to find teachers conducting evening classes for money (for themselves), and some of them buying and selling clothes to augment their salaries.

4.5 The Act's Standing in Relation to Important and Official Documents

Introduction

This section will focus on some of the documents binding Lesotho to provide education to all its people but, as it will be seen, the Act is not fully consistent with them in relation to the provision of education. The documents are: the Lesotho Constitution and the Convention on the Rights of the Child and the African Charter.

Lesotho Constitution

The inconsistency of the Act with the Lesotho Constitution was said to lie in the Act's failure to provide for *free and compulsory education for all*, and education to those who never received or completed their primary education. In addition, the Act was considered to be circumstantial or conditional with regard to the provision of compulsory education, unlike the Constitution which stated that there should be compulsory education.

Sister L M Lephoto joined other teachers who criticized the Act for failing to provide for "free education" at least to pre-schoolers, despite of the Lesotho Constitution stipulating that "Lesotho shall endeavor to make education available to all and shall adopt policies aimed at; (b) primary education is compulsory and available to all ..." (Lesotho Constitution, Section 28).

What is provided for in the Constitution was not the case in practice, given that many children were not getting access to primary education. This was evidenced by my visit to Tlhahiso Leseli Primary School at Motimposo, Maseru from the 24/8/1998 to 25/8/1998. After meeting the principal, the Bishop of the Fill-the-Gap Church, and volunteer teachers at the school, I was taken around the school by the principal to see students' classrooms, teaching aids, teachers and students in classrooms, and resource books. The students' role was estimated to be more than 300. The school was established in 1997 to equip learners with vocational and literacy skills. It was catering for children whose parents were poor to take them to school, were orphans, neglected and some of them were found indulging in drugs.

I was informed that there was no funding from the state. Teachers' meager salary which was below R200 per teacher per month, children's accommodation, food and furniture were provided by the church. Therefore, looking at the large number of students at the school, and no funding coming to the school from the government, it could hardly be argued that Lesotho was adopting policies that made primary education compulsory and available to all (Lesotho Constitution, section 28).

Contrary to the Lesotho Constitution, the Act does not have a specific law making it compulsory for parents or legal guardian(s) to send children to school. Furthermore, fees were still high in schools, as the Ministry of Education had not ensured that they were made affordable to the majority at least at primary level. Of course students also expressed a

similar view that high fees were "discouraging" children to further their studies.

In terms of my analysis and interpretation, thus concurring with Mr Lemao, a legal scholar, the principal Act seems to create a loophole as far as the provision of education is concerned in Lesotho. It stipulates that every person concerned with the administration of the Act shall be his duty to promote the education of the people of Lesotho "... as soon as circumstances [permit]" (Education Act 1995, section 3(1)). In contrary, the Lesotho Constitution is not conditional. It expressly states that *primary education shall be compulsory and available to all* (Lesotho Constitution, section 28(b)). Put another way, it does not say education will be promoted when "... circumstances permit" (Education Act 1995, section 3(1)). Therefore, there seems to be inconsistency between the two laws. On the question of any inconsistency of the other law with the Lesotho Constitution, the Constitution stipulates that:

[the] Constitution is the supreme law of Lesotho and if any other law is inconsistent with [it], that other law shall, to the extent of the inconsistency, be void (Lesotho Constitution, section 2).

The Lesotho Constitution binds Lesotho to adopt policies aimed at securing that secondary and high education is "... made generally available and accessible to all by every appropriate means, and in particular by progressive introduction of free education" (Lesotho Constitution, section 28(c) and (d)). But, the Act does not make any reference to the progressive

introduction of *free education* at any level: not even provides for subsidies at primary level.

In addition, with reference to Section 28(e) of the Lesotho Constitution, *Lesotho* is also bound to adopt policies securing that "fundamental education is encouraged or intensified as possible for those who have not received or completed their primary education" (Lesotho Constitution, section 28(e)). Again, the Act does not make reference to the above, not even provide for any obligation on the part of any government authority to establish educational institutions for those "... persons who have not received or completed their primary education" (Lesotho Constitution, section 28(e)).

Besides failing to adopt policies enshrined in the Lesotho Constitution pertaining to the provision of education, the Act provides little evidence of being a child-centered document. As some teachers perceived it, it seemingly lacks focus on the child, though the government signed conventions on the rights of the child to get education. This argument is discussed in detail below.

Convention on the Rights of the Child and the African Charter

A view was expressed by some teachers that the Act was not child-centered, despite of the principal Act stating that:

the best interests of the child shall be the guiding principles of those responsible for the education and guidance of the child (Education Act 1995, section 2 (c)).

This is the only section in the Act making specific reference to the child, though in an ambiguous and vague manner. For instance, it talks about the *best interests of the child* without mentioning what they. It is not even clear who are responsible for the education and guidance of the child. As far as the remaining sections are concerned, they are merely addressing non-child centered topics: the Registration of Schools, Management Committees, Lesotho Teaching Service, Appointment of Teachers, Conduct of Teachers, Retirement of Teachers, Teaching Service Commission, Adjudicator, Joint Reference Committee and Miscellaneous.

I find it difficult to envisage *how the people responsible for the education and guidance of the child*, probably teachers, will know the *best interests of the child*. The avenues that can be used to know "the best interests of the child" or students are not provided in the Act. For example, the Act is absolutely silent about the representation of students in their education. In addition, the Act lacks a legal provision binding the *people responsible for the education and guidance of the child* to give children a freedom of expression, in spite of *freedom of expression* being enshrined in the Lesotho Constitution (section 4 (j)) and the Convention on the Rights of the Child. Therefore, it remains to be seen how teachers will know the *best interests of the child* in the absence of these avenues for students/children to be heard.

Though the government through Justice Minister E S Motanyane signed the child-centered conventions, namely the Convention on the Rights of the Child (UNICEF) and the African Charter on

the Rights and Welfare of the Child (Know your Rights, the Foreword), the Act does not mention the rights of the child.

With reference to the Convention on the Rights of the Child, among other things, particularly to the provision of education, the Lesotho Government committed itself to: recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity in particular:

- (a) make primary education compulsory and available to all;
- (b) make higher education accessible to all on the basis of capacity by every appropriate means ... (The UNICEF, Convention on the Rights of the Child, Article 28:9).

The cited article essentially means that,

the child has a right to education, and the state's duty is to ensure that primary education is free and compulsory, to encourage different forms of secondary education accessible to every child and to make higher education available to all on the basis of capacity (The UNICEF, Convention on the Rights of the Child, Article 28:19).

As I argued earlier, what this cited article provides for, was neither visible in the Act nor in educational practice at the time this study was conducted. There was no "free education" as parents and guardians were paying for their children's education, bearing in mind the establishment of Tlhahiso Leseli Primary School for the neglected, orphans, and poor children.

4.6 Regulations of the Act

Introduction

In the process of my study it emerged that the regulations of the Act were drafted without consultation with all interested parties, namely teachers (heads of schools, teachers' organizations, all church school proprietors, parents, community leaders where schools were situated, and students).

Observations and Analysis

Though this practice is not unique to Lesotho, I established that the Lesotho government through its implementing arm, the Ministry of Education exclusively drafted regulations and then issued copies to the heads of Churches to comment on the drafted regulations. I managed to get hold of copies given to heads of churches, while none was given to other stakeholders in education to comment on the regulations. For instance, the Lesotho Teachers Trade Union president, Mr C Chefane, and Sister L M Lephoto (the head teacher) were some of the people who heard from me for the first time that regulations had been drafted and sent exclusively to heads of churches to comment on them. They asked me to give them copies.

The manner in which the government drafted regulations was said to be typical of how educational policies were formulated in Lesotho: the government through its ministries first seeing a need for change, then coming to draft a document of its liking, and conducting pseudo-consultations or seminars where people of its choice are invited. Having done all these, it

would announce that relevant parties or stakeholders were invited. That was seen not different from how it handled a policy process leading to the introduction and implementation of the Education Act of 1995.

4.7 Teachers' Recommendations

Introduction

On a final note, teachers put their recommendations to me. All of them felt that something had to be done to improve education in Lesotho. Among other things, their recommendations helped me to have more understanding of how the Act was perceived by teachers. Being on the ground, few of them seemed to know what was happening at grass-root level more than state bureaucrats in the Ministry of Education, parents at home, community leaders based in villages, and the NGOs' experts in cosmopolitan areas.

Teachers' recommendations were directed at the government, students, teachers, parents and Non-Governmental Associations.

Table 11: *Teachers' Recommendations*

Recommendation + Group Targeted	Frequency out of 14 Teachers
Government: (a) teachers be trained to teach curriculum,	1
(b) policy process be inclusive, involve both local and international experts. In addition, consultations, seminars and conferences be accessible to all interested parties, not only a few elite in towns,	3
(c) stakeholders be practically involved in education, and be noted that education is partnership,	1
(d) Lesotho education system must stop creating a class society, and being elitist. Education should not only be defined as that found within four walls of the classroom,	1
(e) school supervision or inspection be improved and be regular,	3
(f) there is a shortage of furniture, classrooms and teachers. Moreover, schools are overcrowded,	4
(g) there are no benefits in teaching, car advance, housing or medical allowance etc.,	1
(h) there is no independent auditing of school accounts,	4
(i) powers controlling education be decentralized,	4
(j) the Act be amended, and clarified to other stakeholders in education,	4
(k) information be disseminated to all stakeholders,	1
(l) school administration be rotational, especially if there is evidence that school progress is constrained by weak administration. Leadership role be given on the basis of the person's proven abilities and talents,	1
(m) subsidies be given to unfortunate children,	3
(n) remedial schools be established to accommodate slow learners and those who failed examinations.	2
Teachers: (a) need to commit themselves to their work; attend classes and extra-mural activities. They are probably de-motivated by poor remuneration in teaching,	2
(b) be involved in school budgets,	3
(c) have an important role to play in education, and should not only be concerned with salary increments and power.	2
Students: (a) be represented in structures created by the Act,	1
(b) should have interest in learning, not only in social festivities such as cinemas, night clubs and drugs. These retard their minds and performance in class.	2
Parents: (a) be practically involved in their children's education, not only coming to school when there is a parents' meeting.	3
NGOs: (a) are not adequately involved in schooling or in education.	2

Interpretation of Teachers' Recommendations

When teachers acknowledged that Lesotho teachers were deprived of economic benefits such as pensions, housing allowance and gratuities, they urged their colleagues to demonstrate commitment to their teaching obligations: by attending classes and teaching. They felt that teachers should not only be concerned with the struggle for salary and power. As for students, they urged them to be serious with their studies, and not to indulge in drugs.

In addition, teachers viewed the government as being a chief stakeholder in the improvement of Lesotho education, hence most of their recommendations were directed at the government. Among other things, they called upon the Lesotho government to supervise and inspect schools on regular basis, offer subsidies to unfortunate children whose parents were poor to educate them, provide school furniture and address overcrowding in schools, and also to be transparent when changes were made in education.

There was also an outcry from teachers that other stakeholders were not clear about the Act because not every interested party in education was consulted by the government when the Act was initiated. Again, that was in line with my assumption that the Act was initiated by the government hardly entertaining inputs from other education stakeholders.

Teachers agreed with students that an inclusive policy process could have enabled parents to know their children's progress at school. Some parents could have suggested a new

curriculum suitable for their children, especially those parents experienced in education.

Probably because of their more advanced educational experience, teachers made some far-reaching recommendations, and in most cases were more elaborative than students. For instance, they recommended that school administration had to be rotational, and administrators be those who had proven leadership qualities or abilities. They made me aware for the first time that in some schools, principals had been in principalship for more than ten years despite of their "schools" being known for poor academic results and students' in-discipline - considered to be caused by poor school leadership. In many schools, one teacher stated emphatically that teachers were sidelined when budgets were drawn.

A view was also expressed that powers controlling education be decentralized. Being far from school environment and lacking enough manpower to supervise schools, it was rightly felt that the government would not be able to control education effectively. Therefore, some teachers recommended that people at local or district level be empowered to run schools, of course having the Ministry of Education conducting supervision and inspection, and contributing to school funding. As the Act stood at the time of writing, school management committees were not adequately empowered because they had to recommend to the Minister of Education who was far from the school environment.

Finally, teachers recommended that the Act had to be amended and clarified to other stakeholders. An elaboration was made

on how the policy process would be conducted, particularly an inclusive process accommodating both local and international experts, lawyers and all interested parties in education. In short, they called upon the government to conduct a policy process similar to the one undertaken by the Education Task Force (I have discussed its composition, aims and its findings in detail). Some teachers strongly felt that there had to be a national forum on education, which I also find necessary in order to bring in every stakeholders on board when transformation in education is done.

Chapter 5

SUMMARY AND CONCLUSION

Introduction

This chapter will summarise the research findings and conclusions, as well as discuss limitations of the study.

5.1 Research Findings and Conclusions

The Initiation of the Act

The study established that the Act was initiated by the government. This was stated in official documents, education reports, as well as by parents, teachers, organised teachers, churches, state bureaucrats and politicians.

Reasons that led to the Initiation of the Act

First, the government wanted to empower itself in church schools where it was paying teachers' salaries. Prior to the publication of the Act, the government could not enforce its will in church schools. Teachers in church schools were recruited by churches, while the payment was done by the government. This arrangement caused confusion not only in the Ministry of Education, but also in the teaching force. For instance, teachers did not know to whom they were accountable and who was their employer. It proved very difficult when they bargained for salary increments and pensions, because it was not clear who had to address their demands.

Similarly, the government's role in school management in church schools was "ambiguous" (to borrow its terminology) i.e. it was not clearly defined. Therefore, it felt that these weaknesses in the system of educational management would be addressed through comprehensive revision of the existing laws and regulations. Put another way, the government introduced the Education Act of 1995/96 in the light of the *ambiguity* at school level with regard to accountability and to eliminate parallel management structures in church schools (Lesotho Ministry of Education, Education Sector Development Plan 1991/92-1995/96, June 1992). This explains why the Act is focusing mainly on school management in church schools.

The Catholic, Methodist and Anglican churches realised the government's intention of *phasing out* churches from the management of schools using legislation (The World Bank Staff Appraisal Report: Kingdom of Lesotho Education Sector Development Project, June 1991). However, their opposition failed to stop the government to implement the proposed Act. In the words of the government, its intention to implement the Act was "unshakable" and "resolute" (Lesotho Ministry of Education Our Ref ED/S/ 19 September 1996).

The second reason that led to the initiation of the Act is speculative. It would seem frequent teachers' protests and industrial action for salary increments and pensions contributed to the initiation of the Act. The government might have been angered by frequent teachers' protests and strikes which disrupted teaching and learning in schools. This assumption is based on the tone of the Act in relation to

teachers, and the manner in which the Act, coming after the teachers' protests and strikes addresses the teachers' employment, conditions of service and representation. All these are centralised by the government where it pays teachers' salaries.

In addition, contrary to the past dispensation, the Act is now silent about teachers' trade unionism - what teachers used to express their grievances and demands. Prior to the publication of the Act, teachers were organised by trade unions when they bargained for salary increments and pensions. This has disappeared following the publication of the Act. The Act has gone to the extent of entitling the government to designate teachers' associations, not teachers' trade union(s), and to decide unilaterally on membership of school committees (Education Act 1995, section 19(1)-(2)).

The Policy Process of the Act

The majority of teachers interviewed were ignorant about the purposes and objectives of the Act, though they were expected to translate them into practice. That scenario was seemingly informed by the exclusive manner in which the policy process leading to the initiation, formulation and implementation of the Act was handled by the government.

There was no evidence found showing that the initiators of the Act i.e. the government, involved non-official actors throughout the process of formulating and implementing the Act, while students, parents, and community leaders there is no trace of them being involved at any stage. In addition,

there is no sign of political consensus reached even between the church school proprietors (who were consulted). In short, the Act was more of an imposition on teachers and other education stakeholders, hence there was so much resistance against it from churches.

The context in which the Act was implemented sharply contrasted suggestions of policy analysts such as William Clune (1993) and Cohen and Spillane (1992). William Clune (1993) argues that a political consensus is essential for the policy to stand a chance of being successfully implemented, while Cohen and Spillane (1992) advise the state/government to become aware that it depends on localities (schools or teachers) in order to implement educational policies successfully. Surprisingly, the state in Lesotho acted with a remarkable independence, and ignored that teachers are policy executors.

The Lesotho state appeared to have adopted the *Management by Objectives Model* (Holt, 1994) whereby it designed objectives and purposes of the Act as "targets", and wrongly assumed that teachers would meet them. Perhaps, the policy output could have been different had it known or heeded a warning to policy-makers that, *they must study the process, seek relevant data, and recognise that the people directly concerned with the process (referring to teachers) can contribute as well as those who manage it (meaning the government or state)* (Holt, 1994).

The Purposes/Objectives and the Spirit of the Act

The Act's purpose and objective of *promoting* the education in Lesotho as stated in the principal is rhetorical and is hardly in line with the spirit of the Act. For example, there is no clause in the Act providing a legal framework on *how* education in Lesotho would be promoted (Education Act 1995, section 3). At the time of writing the research report, the regulations of the Act were not yet implemented, what could have guided people to promote education in Lesotho.

As I earlier mentioned, the spirit of the Act seems to be the empowerment of government in the management of schools where it pays teachers' salaries. In short, the spirit of the Act seems to revolve around the government's control of church schools where the government pays salaries of teachers. This probably explains why the sections and clauses of the Act are dominated by administrative or managerial issues. They are: Management Committees of Schools, Lesotho Teaching Service, Appointment of Teachers, Conduct of Teachers, Retirement of Teachers, Adjudicator and Miscellaneous (Education Act 1995). In all these issues, the government has centralised control, and neither the church nor teachers could veto its decision. Furthermore, neither the church nor the teacher representative can be a member of the Teaching Service or the management school committee without being approved by the government (of course in the school where the government pays salaries of teachers).

The Relations Between the Act, the Constitution, Conventions and Practice

The government's failure to introduce legislation catering for all children is seen in the creation of Tlhahiso Leseli Primary School at Motimposo. This school with a roll estimated to be more than 300 children was established to cater for children whose parents could not afford school fees. I was informed that the school never got subsidy from the government. Ironically, the Lesotho Constitution expressly states that the government shall adopt policies aimed at providing education to all children. In addition, the government through the Minister of Justice signed the Convention on the Rights of the Child and the African Charter, in which it committed itself to: *make primary education compulsory and available to all* (The UNICEF, Convention on the Rights of the Child, Article 28:9). In essence, the government acknowledged that *the child has a right to education, and the state's duty is to ensure that primary education is free and compulsory* (The UNICEF, Convention on the Rights of the Child, Article 28:9). This was not the case in practice, thus making the objectives and purposes of the Act rhetorical.

Impact of the Act on Teachers

Finally, this study did not establish a positive impact of the Act on teachers. The majority of teachers interviewed were found disillusioned by the Act. Contrary to improving their welfare as they were told by the government when the policy of the Act was at its initiation, formulation and implementation stages, teachers said they had not seen pensions, and a

visible change to their lives following the implementation of the Act. In order to augment their financial position, some teachers resorted to teaching evening classes, buying and selling clothes.

Generally, teachers rightly believed that the Act had disempowered them, in the sense that they were denied representation in structures dealing with their conditions of service, designing the national curriculum, handling their employment, remuneration, discipline, transfer, promotion, and dismissal.

5.2 Limitations of the Study

Due to time and financial constraints, the study was unable to engage all education stakeholders in depth. For instance, these groups were few in the study:

- (a)parents were less than five (with a result that their "voice" was not adequately heard in the study),
- (b)practising teachers were only fourteen (while at secondary level there was none),
- (c)and there were only eight students at matriculation level, while no students participated at secondary level. Perhaps, students at tertiary level could have contributed more than those in high schools, given their long experience in schooling.

Absence of well resourced and equipped libraries in Lesotho might have contributed to the weakening of the quality of this study. There was only one national library situated at the

National University of Lesotho for the whole country. It was only in that library where I anticipated to find as many relevant documents as possible. Unfortunately, I only found very few.

Despite of these limitations, which made it difficult to undertake a rigorous and comprehensive study as I wished, I feel the study was a good foundation for future studies. It may contribute to a generation of fresh debates aimed at producing a legislation accepted by all constituencies, as well as assist the government to review its educational policy (the Act).

Possibly, countries engaged in a challenging and difficult task of transforming their education systems such as South Africa may learn new lessons from how the policy process was handled in Lesotho. For instance, they may see a danger of introducing bureaucratic policies whose purposes and objectives are only known and understood by bureaucrats in offices (people who are far from the school environment), as it happened in Lesotho.

They may pre-empt the situation by avoiding the temptation of rushing to introduce education policies in the absence of comprehensive and rigorous research as was the case in Lesotho. And finally, they may as well avoid to introduce policies without familiarising people with them, because these practices affect a smooth implementation of policies in education. For example, people on the ground i.e. those targeted by policies are unable to implement what they do not know. It is even difficult in some cases for them to support

the policy in whose initiation, formulation and implementation they were not consulted. As O'Day and Smith (1992) argue, inputs from all stakeholders may bring in both legitimacy and political buy-in. People on the ground may feel a sense of ownership in the policy implemented in their workplace, unlike in a situation where rhetorical policies are simply imposed on them.

However, this study does not suggest that the involving and consulting of every stakeholders will always lead to a successful implementation of policies in education. As it happened in Lesotho, where teachers accepted that they were a "dormant community" or "where do I sign" with their not-minding or critical attitude about what was happening in their teaching domain, history has shown that schools and teachers lack capacity to conceive and implement innovations on their own. Therefore, the state or government needs to make policies nationally governing the personnel joining teaching, finance, curriculum decisions, regular teacher development programmes and supervision. Of course, teachers being the policy executors need to be involved and be viewed as partners in education, not as instruments or "workers" who do not have a professional input to make in their domain or profession. Surely, "if the teacher is recognised as a professional personal, he may ... expect to be consulted in policy-making" (Badenhorst, 1993:15). After all,

there is no inalienable right given to politicians,
[and] no principles of democratic government which
support the notion that educational process
requires either political intervention, or a high
degree of political control. The universities,
which are ... after all, educational institutions,

function without [too much political
intention] (Roy, 1983:57)

BIBLIOGRAPHY

- Badenhorst, D.C., (ed). (1993). "Management Tasks" in School Management: the Task and Role of the Teacher Pretoria: Haum (revised).
- Bennett, N et al (eds). (1992). Managing Change in Education London: Open University
- Bertie, E. and Geoffrey, M. (1990). Effective School Management London: Paul Chapman (2nd ed.)
- Capper, P. and Munro, R. (eds). (1990). "Professional or workers? Changing teachers' Conditions of Service" in New Zealand Educational Policy Today: Critical Perspectives Auckland: Allen and Unwin
- Chisholm, L. (1992). "Policy and Critique in South African Educational Research," Education Policy Unit, Wits. (Unpublished Paper)
- Clune, H.W. (1993). "Systemic Educational Policy: A Conceptual Framework," in Review of Research in Education Washington, DC: American Educational Research Association
- Cohen, D.K. (1995). "What is the Systemic Reform?" in Educational Research Vol.24, No.9, pp 11-26
- Cohen, L., and Manon, L. (1994). Research Methods in Education London: Routledge
- Cohen, D.K, and Spillane, J.P. (1992). "Policy and Practice: the Relations Between Governance and Instruction" in Review of Research in Education Washington, DC: American Educational Research Association
- Davies, B. and Hentschke, G. (eds). (1992). "Educational Reform and Teacher Involvement in the United States and England" in Implementing Educational Reform: The Early Lessons London: Longman
- Davies, L. (1994). Beyond Authoritarian School Management: Challenges for Transparency Derbyshire: New Books

De Clerq, F. (1996). "Towards Improving Policy Effectiveness: An Evaluation of South Africa's Education Restructuring Policies," Education Policy Unit, Wits. (Unpublished Paper)

Elmore, R. (1989). "Backward Mapping: Implementation Research and Policy" in Policy for the Curriculum London: Hodder and Stoughton

Examination Council of Lesotho. (1997). Primary School Leaving Examination 1997

Examination Council of Lesotho. (1998). 1997 Junior Certificate Pass List, 19 September

Examination Council of Lesotho. (1998). 1997 Senior Certificate Pass List 23 February

Ferris, J.M. "School-Based Model Decision Making: A principal - Agent Perspective," in Educational Evaluation and Policy Analysis Winter, 1992, Vol.14, pp333-346

Fullan, M. (1991). The New Meaning of Educational Change London: Caswell

Ham, C. & Hill, M. (1993). The Policy Process in the Modern Capitalists Harvester: Wheatsheaf

Hill, M. (ed). (1993). The Policy Process: A Reader New York: Harvester: Wheasheaf

Holt, M. "Why Deming and OBE don't Mix," in Response, September 1994, pp 85-87

Hopkins, C.D. (1976). Educational Research: A Structure for Inquiry Ohio: Charles E. Merrill Publ.Co.

Jonathan, D.J. (1997). "Why OBE will Fail" Faculty of Education, University of Durban Westville, March (Unpublished Paper)

Kgobe, Govender and Greenstein, South African Education and Training Education Policy Unit, Wits. Vol.3, No.3, 15 March 1996

Khalanyane, T. (1995). "Education Act 1995: Contradictions and Controversies" (Unpublished Paper)

Khalanyane, T. (1995). "Power and Struggle: A Critique of Hegemony and Control of Schooling in Lesotho" (Unpublished Med Dissertation, Wits).

Know Your Rights. African Charter on the Rights and Welfare of the Child

Lefoka, P. (1997). "The Process and practice of the Teaching profession and their Implications for a Teaching Council in Lesotho," in International Research pedagogy: Journal of Education for Teaching Vol.24, No.9, pp 11-26

Leotlela, M. (1996). "Relationship of Job Satisfaction, Teacher Commitment and Teacher Effectiveness in Lesotho High Schools," in BOLESWA Educational Journal Vol.13, 1996, pp 25-33

Leselinyana la Lesotho, 18 Motseanong 1995

Leselinyana la Lesotho, 24 Phato - 6 Loetse 1995

Lesotho Church. (1996). Education Secretariat' Report to the D.C 16-17 August: 1996 - The Educational Secretary, Rev. L. Kheekhe

Lesotho Church. (1996). Letter to the Right Honourable Prime Minister, The Education Bill, 21 January

Lesotho Church. (1996). Petition on the Education Bill 1996, 12th January

Lesotho Government. (1993). Constitution of Lesotho, Maseru, Government Printers, 25 March

Lesotho Government. (1998). Draft Teaching Service Regulations 1998

Lesotho Government. (1996). Explanatory Memorandum to the Education (Amendment) Bill 1996

Lesotho Government. (1998). Personal Details of Public Service Officers, 6th March

Lesotho Government. (1996). "Education Act No.10 of 1995: Churches Seeking Solutions in Our New Democracy," in Work for Justice Number 48, December 1996, pp 1-15

Lesotho Government Gazette Extraordinary, Act No.10 of 1995, Vol. XL Friday - 29th December 1995, No.92

Lesotho Government Gazette Extraordinary, Education (Amendment) Act 1996, Vol. XLII Tuesday - 8th July 1997, No.44

Lesotho Government Gazette Extraordinary, Education Order No.4 of 1992

Lesotho Government Gazette Extraordinary, Legal Notice No.14 of 1996, Rectification of Errors (No.3) Order 1996, Vol. XLI Wednesday - 31st January 1996, No.5

Lesotho Government Gazette Extraordinary, Legal Notice No.23 of 1998, Teachers' Pensions Regulations 1998, Vol. XLIII Monday - 16th March 1998, No.17

Lesotho Government Gazette Extraordinary, Legal Notice Teachers' Pensions (Declaration of Pensionable Offices) Notice 1997, Vol. XLII Friday - 5th December 1997, No.91

Lesotho Government Gazette Extraordinary, Legal Notice School (Supervision and Management) Regulations 1988 Thursday - 8th December 1988, No.86

Lesotho Government Gazette Extraordinary, Legal Notice No.23 of 1998, Teachers' Pensions (Declaration of Pensionable Offices) Notice 1998

Lesotho Government Gazette Extraordinary, Legal Notice Pensions (Designation of Teachers) Notice 1997, Vol. XLII Wednesday - 12th December 1997, No.84

Lesotho Government Gazette Extraordinary, Education Order (Amendment) Act 1983, Supplement No.5 to Gazette No.58 of 9th December 1983

Lesotho Ministry of Education. (1997). Circular Notice No.22 of 1997, 29th October

Lesotho Ministry of Education. (1991). Education Sector Development Plan 1991/92 - 1995/96 June

Lesotho Ministry of Education. (1982). Education Sector Survey Report of the Task Force, Maseru, November

Lesotho Ministry of Education. (1998). External Circular Notice No.6 of 1998

Lesotho Ministry of Education. (1992). Education Sector Development Plan 1991/92-1995/96, June

Lesotho Ministry of Education and Manpower Development. (1995). "Dear Sirs, Education Act No.10 of 1995" Our Ref/ED/S/12, 19th September

Lesotho Ministry of Education and Manpower Development. (1995). External Circular No.5 of 1995, ED/S/15 Revised Teachers' Salary Structure, February 1995, 17th March

Lesotho Ministry of Law and Constitutional Affairs. (1994). Legislation Handbook, April

Lesotho Ministry of Education and Training, Sports, culture and Youth Affairs. (1994). 12th August 1994

Lesotho Minutes of the Meeting Between Prime Minister and Teacher Organisations on Salaries of Teachers. L.A.T., L.T.T.U., Headmasters/Mistress Association. (1995). 14 June

Lesotho and the World Bank Agreement (Extract)

Maruping, M. (1996). "The Changing Roles of Teachers in Contemporary Lesotho: Implications for Training Programmes" in BOLESWA Educational Journal Vol.13, 1996, pp 69-78

Moeletsi oa Basotho. (1995). 14 Pherekhong

Moeletsi oa Basotho. (1995) 22 Mphalane

Moeletsi oa Basotho. (1996) 21 Pherekhong

Mohrman, A. et al. "New Boundaries for School-Based Management: The High Involvement Model," in Educational Evaluation and Policy Analysis Fall, 1994, Vol.3, pp 268-286

Mokgalane and Vally, Quarterly Review of Education and Training in South Africa, Education Policy Unit, Wits. Vol.3,

No.3, 15 March 1996

Nicholls, A. (1983). Managing Educational Innovations London: Allen and Unwin

O'Day, J.A. and Smith, M.S., (1992). "Systemic Reform and Educational Opportunity," in Review of Research in Education Washington, D.C: American Educational Research Association

Preedy, M. (ed). (1993). Managing the Effective School London: Open University

Pretoria Department of Education. (1995). "Report of the Committee to Review the Organisation, Governance and Funding of Schools," 31 August

Raudenbush, S.W. et al. "On the Job Improvements in Teacher Competence: Policy Options and their Effects on Teaching and Learning in Thailand" in Educational Evaluation and Policy Analysis Fall, 1993, Vol.3, pp 279-297

Republic of South Africa Government Gazette Staatskoerant, South African Schools Act 1996, No.84 of 1996, Cape Town, 15 November 1996

Roy, W.(1983). Teaching Under Attack London & Canberra: Croom Helm Ltd.

SADTU. (1997). "Let the Teachers' Talk!" April

The School-Based Teacher Development, Funded by South African Breweries

Skilbeck, M, "Beyond Borders: Student Performance Standards in a Global Environment," in Educational Leadership International March 1995, pp 1-5

The South African National Department of Education. (1997). Curriculum 2005,

The Star. (1998). Wednesday 12 August

The UNICEF, The Conventions on the Rights of the Child, Article, 28

Weiler, H.N. "Comparative Perspectives on Educational

Decentralisation: An Exercise in contradiction?" in
Educational Evaluation and Policy Analysis Winter, 1990,
Vol.12, pp 449-462

The World Bank Staff Appraisal Report: Kingdom of Lesotho
Education Sector Development Project, June 1991

APPENDIX

Interview Schedule

These questions were used as guiding questions to probe responses from respondents. They were not necessarily asked in a sequence, as written here.

Subject's Personal Details

- (a) name,
- (b) age,
- (c) sex,
- (d) educational qualification,
- (e) religious denomination,
- (f) present work, portfolio, and length of service,
- (g) do you wish to remain anonymous?

Questions:

- 1(a) Who initiated the Act, and why?
(b) Did you read the Act? If so, what is your comment on it, and its purpose?
2. Please comment on how other stakeholders in Lesotho education were involved in the policy process, especially the non-official" actors (parents, students' bodies, NGOs, church, teachers' associations and unions).
3. Was the Act enacted after research was conducted on education in Lesotho? If so, please comment on the findings discovered.
4. How did the initiators of the Act make people aware of its purposes and objectives?
5. In your view, how did the stakeholders in education react towards the Act, and why did they react like that?
6. How did teachers in particular react when the Act was:

(a).initiated e.g. did they participate? If so, how did they participate? Please comment on their standpoint in relation to the Act.

(b).how did they react when the Act was implemented. Please comment on the reaction?

How do they feel now that the Act is implemented?

7.Does the Act show teachers how to "promote the education of the people of Lesotho ..."? If so, how?

8.In your view, what is the impact of the Act on Lesotho teachers:

(i) socially,

(ii). economically,

(iii). and academically?

Please elaborate.

9.Do you have recommendations to make on how the Lesotho education system can be transformed, looking at participation of the government, organised and unorganised teachers, students, parents, state bureaucracy, and non-governmental organisations etc.? If so, what are your recommendations?

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