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THE DEVELOPING INTERNATIONAL RELATIONS OF LESOTHO

A Thesis submitted in fulfilment of the requirements for the degree of Master of Arts in International Relations at the University of the Witwatersrand, Johannesburg.

By

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B.A. Hons.

January, 1970.

I hereby declare that this dissertation is my own work and has not been submitted to any other university.



Signed .....

Harold M. Glass

PREFACE AND ACKNOWLEDGEMENTS

This thesis constitutes an investigation of the developing international relations of Lesotho until the end of 1969. On January 27th 1970, Lesotho had its first post-independence general election. Before the final results were published the Prime Minister, Chief Leabua Jonathan, declared a state of emergency, suspended the constitution and ordered the arrest of Mr. Ntsu Mokhehle, leader of the Basuto Congress Party, and other members of the B.C.P. It has not been possible in this thesis to deal with this crisis.

The writer would like to take this opportunity of expressing his appreciation to his promoter, Professor Ben Cockram of the University of the Witwatersrand, Johannesburg, for his guidance, his interest and his encouragement throughout the preparation of this study; it was a privilege to work under his direction.

The writer, further, expresses his sincere thanks to the following :

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CHAPTER ONE

INTRODUCTION

On the fourth of October 1966 Lesotho (formerly Basutoland), after ninety years under British jurisdiction, became the twelfth British dependency in Africa to become independent since World War II.(1) Shortly before independence the Prime Minister, Chief Leabua Jonathan, in a speech in the Basutoland National Council, outlined the difficult constitutional, legal, organizational and economic problems which faced his Government. "These problems", he said, "go far beyond the routine business of domestic or local administration. They affect our whole future with external Governments and international agencies."(2) The Prime Minister's statement focussed on the peculiar situation of his country for almost every aspect of Basuto life may be classified as international relations, including the daily operation of purchasing milk.(3)

On 16th February 1967 the Prime Minister, in the Lesotho National Assembly, listed his country's problems under three headings. "The first is to ensure security and stability by ..... preserving peace and order. The second is to establish our place in the community of independent nations, and our relations with individual

/members .....

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(1) Following Ghana, Nigeria, Sierra Leone, Tanganyika, Uganda, Zanzibar (later united with Tanganyika), Kenya, Malawi, Zambia, the Gambia and Bechuanaland.

(2) National Assembly Debates. Vol. 1, No. I, Col. 658. 27th September, 1965.

(3) Milk is purchased from South Africa.

members of that community. And the third is the planned development of the economy of Lesotho, mobilising its human and physical resources to raise the living standard of its people, and to create new opportunities for employment at home. This last is probably the most vital of its three tasks, but all are inter-related and inter-dependent."(4)

Here it is proposed to discuss the question of Lesotho's developing international relations using these three headings as a basis.(5)

I. "To ensure security and stability by ..... preserving peace and order."(6)

This problem is of primary importance. The development of Lesotho's economy and the establishment of the country's "place in the community of independent nations" are dependent on the existence of political stability, peace and order. Perhaps even Lesotho's sovereignty may ultimately depend on these objectives being maintained.

The civil war in Biafra could be attributed in part to internal tribal conflict in the Nigerian Federation. A number of other African states are faced with similar dangers because their true lines of demarcation are tribal rather than the existing

/national .....

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(4) National Assembly Debates. op.cit. Vol. II, No. 10, p.1. 16th February 1967. Unrevised mimeographed. The word "Unrevised" means that typing mistakes were not corrected.
(5) Chief Jonathan's order will not be followed seriatim.
(6) National Assembly Debates. op.cit. p.1.

national boundaries.(7)

Lesotho is not hampered by the disruptive effects of tribal differences and it is one of the few states where "multi-party democracy is developing in Africa, based on economic, religious and political convictions and not on tribal or racial differences."(8) But it has been shaken by a constitutional struggle, the underlying cause of which stems from the clash between African traditionalism and parliamentary democracy. The struggle began prior to independence, and threatened to delay the advance to independence and it has still not been resolved. It is between the King, supported by the opposition Basutoland Congress Party (B.C.P.) and the Maremetlou Party (M.F.P.), on the one hand, and the present Government on the other, and could lead to civil disturbances sufficiently widespread to result in civil war. Should such a situation develop it is not impossible that the Prime Minister would petition the South African Government for help.(9) This might result in substitution for Lesotho's sovereign independence of some form of "quasi-independence"(10) which could leave the South African Government in virtual control.

If Lesotho wishes to continue to exercise its sovereignty fully

/its .....

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(7) The civil war in the [illegible] largely be attributed to an attempt to form a na[illegible]t of some 200 tribes.

(8) Glass, H.M. - South Africa[illegible]olicy Towards Basutoland. p.29.

(9) A request for foreign protection would not be unique in Lesotho history. Moshesh often asked the British Government to protect his country during its many clashes with the Trekkers of the Free State.

(10) Czechoslovakia's present position could be described as "quasi-independent".

its Government must ensure that the constitutional conflict is resolved peacefully.

II. "The planned development of the economy of Lesotho, mobilising its human and physical resources to raise the living standard of its people, and to create new opportunities for employment at home."(11)

Lesotho has few natural resources and no significant industries. Its economy is based on agriculture and pastoralism in limited areas. Geographically and historically its economy is inextricably linked with that of the Republic. From the earliest times Lesotho has been drawn into the economy of South Africa, dependent on the fast developing industries of its neighbour as a labour outlet for its growing population. But with the gradual reduction of the number of foreign labourers that the Republic will accept, this traditional outlet is narrowing. Since there is no surplus of fertile land in Lesotho it is therefore essential to increase the productivity of its soil so as to create more employment opportunities. Here lies the key to Lesotho's future. Unless employment for its expanding population is created within its own borders the possibility of social upheaval in the country cannot be discounted.

While the Lesotho Government appreciates this, it has not accepted that its first and urgent task is to increase

/agricultural .....

(11) National Assembly Debates. op.cit. Vol. II, No. 10, p.1. Unrevised mimeographed.

agricultural output. To do so would imply revision of the archaic system of land tenure which is, except in exceptional circumstances, not conducive to progress. Amendments of the land tenure have been designed only to improve the industrial potential of the country; and the prospects for a significant reform are remote. The Government appears instead to have placed industrial development at the head of its list of priorities. In this it has simply followed the example of other African countries where industrialization has seemed the quickest way to satisfy the expectations of the new electors that independence would at once be followed by higher wages. Like these countries Lesotho depends heavily on capital and technical aid not only to develop industry but to meet its current needs. British aid dates from the Colonial Development Act of 1929,(12) but the sums were small and progress limited. In 1965 an economic mission headed by R.S. Porter of the British Ministry of Overseas Development was appointed to examine "measures required for the development"(13) of the economy after independence. Its recommendations were severely criticised by the Lesotho Government because the mission had placed the emphasis on agricultural development. Nevertheless the assistance offered by the British Government was accepted and it seems that the greater part of Lesotho's capital aid will continue to come from Britain. Aid from other sources has

/usually .....

(12) Lesotho. Prepared for the British Information Services by the Central Office of Information, London. Rf.P. 5751/66. p.21.
(13) British News. British Information Service. No. 40. 5th October, 1965.

usually taken the form of technical assistance and Lesotho is turning increasingly to South Africa for this type of aid. The South African Government, on its part, has shown willingness to assist Lesotho, and particularly in this way.

Economic ties between Lesotho and South Africa go back to the discovery of diamonds near Kimberley, when thousands of Basuto went to work on the diggings. Since the early eighteen-nineties Lesotho has been covered by a customs agreement with the Cape Colony, extended after 1909 to the Union of South Africa. In addition South Africa and Lesotho have shared a common currency. In future they may have a much more important link. Lesotho has one commodity, and one only, in surplus water, and only one potential buyer for it, South Africa. Recently the Government of Lesotho and the Republic issued a joint statement announcing in principle an agreement on the Oxbow water and hydro-electric schemes. If these schemes become operational the Lesotho economy will be assured of a considerable income annually, and this would help to make the country less dependent on outside aid. On the other hand, Lesotho's dependence on the Republic would become even more accentuated since water royalties from South Africa would add to the numerous ways in which Lesotho depends on South Africa already. In the final analysis "Lesotho's role as an independent state is inevitably circumscribed by its economic dependence on South Africa."(14)

/III. .....

(14) Spence, J.E. Lesotho. The Politics of Dependence. p.73.

III. To establish Lesotho's "place in the community of independent states", and its "relations with individual members of that community."(15)

Since gaining independence, Lesotho has joined most of the international organizations which its new status entitled it to join, including the United Nations Organization, the Organization for African Unity, United Nations Economic, Social and Cultural Council, Food and Agriculture Organization, World Health Organization, International Labour Organization, International Postal Union, the Commonwealth of Nations and the Commonwealth Parliamentary Association. Membership has brought advantages but for a country so poor as Lesotho it has also been an added financial burden. In 1967 Lesotho had to undertake to contribute R29,997 to the United Nations annual budget(16) and had by then contributed R11,425 to the United Nations Working Capital Fund.(17) A Foreign Office has had to be organized and a diplomatic service created to staff delegations to international organizations and embassies and High Commissioners to those countries with which Lesotho has its most important links. They constitute a further drain on manpower and resources only justified by the fact that most of Lesotho's relations with foreign states and international organizations have been in connection with aid in some form, and are therefore essentially productive. Even more fruitfully the Prime Minister, Chief

/Jonathan .....

(15) National Assembly Debates. op.cit. Vol. II, No. 10, p.1.
(16) Kooma News. Volume 1. No. 4. 23rd March 1967.
(17) Ibid.

Jonathan, has visited many countries with requests for aid, and Lesotho has either received or been promised aid from countries such as Canada,[18] the United States,[19] Korea,[20] and Austria,[21] as well as, of course, from the United Kingdom.

Before gaining independence, Lesotho had often been under discussion at the United Nations, particularly in the United Nations Special Committee on Colonialism (the Committee of 24) whose main concern was that South Africa would annex it as soon as it ceased to be a British colony. It was expected to ally itself with the African and Asian critics of the Republic in order to prevent this. Since becoming independent, Lesotho, together with Malawi and Botswana, has however made an impact on the world body and on the Commonwealth by refusing to associate itself with the Afro-Asian countries in their vendetta against South Africa, Portugal and Rhodesia.

Lesotho has adopted a similar pragmatic approach to the question of diplomatic representation and has not established formal relations with certain states because of the expense which such relations would involve and the unlikelihood of any immediate financial or economic advantages. The Prime Minister has instead stated his country would have one roving "diplomatic representative for the whole of Africa stationed in one African country."[22] It would appear, however, that in addition to

/this .....

(18) Ibid. No. 103. 14 August, 1967.
(19) Lesotho Times. 30 June, 1967.
(20) Koena News. No. 75. 6 July, 1967.
(21) Koena News. No. 64. 21 June, 1967.
(22) "because of the expensive nature of diplomatic exchange, which is no less than R50,000 per annum in one country" - Chief Jonathan. National Assembly Debates. op.cit. Vol. II. No. 8. p.2. 14th February 1967.

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(18) Ibid. No. 103. 14 August, 1967.
(19) Lesotho Times. 30 June. 1967.
(20) Koena News. No. 75. 6 July, 1967.
(21) Koena News. No. [illegible]. 21 June, 1967.
(22) "because of the expensive nature of diplomatic exchange, which is no less than R50,000 per annum in one country" - Chief Jonathan. National Assembly Debates. op.cit. Vol. II. No. 8. p.2. 14th February 1967.

this one roving ambassador, Lesotho desires formal diplomatic relations with Pretoria. This will have to await the agreement of the Republic which has appeared to be in no haste to give it. The proximity of the two capitals makes direct discussion at ministerial and other levels a simple matter. The Lesotho High Commissioner in the United Kingdom, J.R.L. Kotsokoane, has interpreted his country's policy "as a strategy for survival and not mere political expediency or diplomatic dribbling."(23) South Africa has particularly welcomed Lesotho's friendship because this friendship assists the Republic in establishing a channel of communication with Black Africa.

(23) Kotsokoane, J.R.L. - The Realities of Independence in Southern Africa. Address to U.N.A. Tunbridge Wells. 13 April, 1967.

CHAPTER TWO

TO ENSURE SECURITY AND STABILITY AND BY PRESERVING PEACE AND ORDER.

A. Constitutional Development.

After a prolonged series of battles between the Trekkers and the Basuto and an impending collapse of the Basuto forces, Sir Philip Wodehouse, *Governor of the Cape Colony* and High Commissioner for South Africa, was by 1868 able to obtain approval from London to annex Basutoland.(1) On the 12th March 1868 he issued a Proclamation declaring that henc[illegible]th the Basuto would be British subjects and Basuto terri[illegible]itish territory.(2)

/The .....

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(1) Wodehouse feared that the Basuto forces would be routed, that the people would be left without land and that in their flight they would cause trouble elsewhere. He also feared that should the Trekkers annex Basutoland they would be within striking distance of a port, at Port St. John's.

(2) "Whereas with a view to the restoration of peace and the future maintenance of tranquillity and good government on the north-eastern border of the Colony of the Cape of Good Hope, Her Majesty the Queen has been *graciously pleased* to comply with the request made by Moshesh, the Paramount Chief, and other Headmen of the tribe of the Basutos that the said tribe may be admitted into the allegiance of Her Majesty; and whereas Her Majesty has been pleased to authorise me to take *the steps necessary* for giving effect to her pleasure in the matter; Now, therefore, I do hereby proclaim and declare that from and after the publication hereof, the said tribe of the Basutos shall be, and shall be taken to be, for all intents and purposes British *subjects;* and the territory of the said tribe shall be taken to be British territory. And I hereby require all Her Majesty's subjects in South Africa to take notice of this my Proclamation accordingly." High Commissioners' Proclamations and Notices, 1868 - 1909. p.1.

The British Government, however, was not enthusiastic about this extension of Imperial responsibility[3] and prevailed upon the Cape Colony to assume responsibility for the administration of Basutoland.

The period of Cape rule, lasting until 1884, was unhappy for the Basuto mainly because the Governor of the Cape was given power by the Act of Annexation[4] to legislate for the Basuto by proclamation under a system which became known as "direct rule", or as Lord Hailey has said, "the progressive substitution of the jurisdiction of magistrates for that of Chiefs."[5] Cape Ministers proved just as reluctant as the British had been to continue to bear the burden of the administration of a colony which showed no signs of being self supporting and in September 1883 the Cape Parliament passed the Basutoland Disannexation Act.[6] With equal reluctance, the British Government re-assumed the administration of the territory.[7]

/In .....

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(3) British policy was opposed to colonial expansion at the time and this had been made clear by the Sand River Convention in 1852, giving independence to the Transvaal, and by the Bloemfontein Convention in 1854 which gave the Orange River Sovereignty independence. Disraeli summed up the British attitude towards colonialism at that time when he wrote: "these wretched colonies will be independent in a few years and are a millstone around our necks." Walker, E.A. - A History of Southern Africa. p.234.

(4) Act No. 12 of 1871.

(5) Hailey, Lord - Native Administration in the British African Territories. Part V. p. 49 and 57.

(6) Act No. 34 of 1883.

(7) On the 18th March, 1884, a proclamation was issued which embodied an Order in Council of 2nd February, 1884, giving effect to the decision of the British Government to reassume administration. Ref. Report on Constitutional Reform and Chieftainship Affairs. Basutoland Council. Maseru. Basutoland. 1958. p.17.

In terms of the Order in Council of February 1884 and subsequent proclamations, Her Majesty's High Commissioner for South Africa was to exercise all legislative and executive authority in Basutoland; a Resident Commissioner replaced the Governor's Agent and Chief Magistrate, and Assistant Commissioners replaced the former Cape Magistrates. Instructions to Col. (later Sir) Marshall Clarke as Resident Commissioner, were that the Basuto were "to be encouraged to establish internal self-government to suppress crime and settle tribal disputes."(8) This instruction marked the beginning of the gradual process of constitutional development. It was the practice of the Resident Commissioners, as it had been of the Governor's Agents, to consult pitsos(9) when an important decision had to be made,(10) and "government by consultation" became the basic principle. In the national pitsos it is possible to see the beginnings of the Basutoland National Council, which in turn developed into the Legislative Council, the forerunner of the present day National Assembly of Lesotho.

Although initially important, in time however, the influence of the national pitso became less important as the range of matters with which the Administration entrusted the Paramount Chief increased and he began to rely increasingly on the counsel given to him by his immediate advisers and less on the simple approval by acclamation of the national pitso. The decline of the pitso

/led .....

(8) Lagden, G. - The Basutos. Page 560.
(9) Tribal gatherings of the chiefs and people, or council of the Basuto.
(10) Hailey. op.cit. p.61.

led Sir Marshall Clarke to take steps to ensure that "an effective body representative of public opinion" should be preserved for the Basuto.(11) With the concurrence of Paramount Chief, Letsie I,(12) Clarke obtained the approval of the High Commissioner, Sir Henry Loch to formulate on 30th April, 1890 a set of regulations for the future conduct of what was to become the purely consultative Basutoland Council, with no legislative or executive authority. Even so it was only after some years that the Council became more than a project, because initially many chiefs feared that legislative development would curtail their powers, and it was not until 1903 that the Council finally came into existence.(13) At that stage the Council contained no representative element and in order to put it "on a more regular footing and to regularise existing practice",(14) the Secretary of State for the Colonies authorised in May 1909 a proclamation which was "in short, to be a formal statement of the existing position."(15) By Proclamation 7 of 3rd March 1910 the Basutoland Council was established to discuss the domestic affairs of Basutoland: its powers and composition closely followed the provisions of the 1903 regulations. In this way there came into being in

/Basutoland .....

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(11) Report on Constitutional Reform and Chieftainship Affairs. op.cit. p.27.
(12) Who had succeeded his father, Moshesh.
(13) The regulations for the Council, which were given the High Commissioner's formal approval in May 1903, made provision for a Council consisting of not more than 100 members, 5 being nominated by the Resident Commissioner and the remainder by the Paramount Chief.
(14) Council Papers, Volume 1. Archives. Maseru.
(15) Report on Constitutional Reform and Chieftainship Affairs. op.cit. p.31.

Basutoland a council representing "vested interests".(16)

In 1907 a politically conscious group in Basutoland had formed the Progressive Association which expressed widespread dissatisfaction with the conduct of justice at the chiefs' courts. As a result of its criticism a comprehensive debate on the subject of the administration of justice took place in the Basutoland Council in 1922. Certain amendments to the "Laws of Lerotholi" followed, culminating in comprehensive court reform in the period 1938-1946. With the additions of elected members the Basutoland Council slowly assumed a more representative character and after 1948 the Council discussed various proposals which, if accepted and implemented would give it legislative powers over and above its merely consultative powers.

As a result of a motion adopted by the Council in September, 1955, requesting the British Government to grant to the Council(17) legislative powers affecting internal matters, Basutoland was granted a constitution which came into effect in 1960. The constitution gave Basutoland representative government, the Basutoland Council becoming the legislative body in which half of the 80 members were elected by universal adult franchise. This represented a major gain for the people at the expense of the chiefs. In 1958, during the discussions on the

/constitution .....

(16) "Nominated members were to include the principal persons exercising authority as chiefs of the Basuto tribe". Proclamation No. 7, 3rd March 1910. Sect. 2(3) and 2(4).
(17) Such laws to be confirmed by the Paramount Chief.

constitution, all political parties in Basutoland had wanted a legislature composed of a majority of elected members.(18)

Early in 1962, in pursuance of a resolution passed by the National Council in the previous year, the Paramount Chief appointed a Commission to review the existing constitution and to make recommendations for continued constitutional progress. In October 1963 the Commission, including representatives of the Chiefs and representatives of the major political parties, recommended a new constitution to function as an interim constitution pending the attainment of independence. In February, 1964 the National Council unanimously approved this by resolution. During April and May of that year, representatives of the British and Basutoland Governments met in London at a Constitutional Conference on Basutoland. At this conference the British Colonial Secretary, Duncan Sandys, confirmed that the British Government would approve an interim constitution on the basis of the recommendations set out in the Commission's report, adding that preparations would meanwhile be made for Basutoland's independence. Independence could be requested at any time, but not sooner than one year after the new elections. This interim constitution became with minor changes the Basutoland Independence Constitution.(19)

/Basutoland .....

(18) At the time, the British Government required that any constitution should be approved by the National Council, which was dominated by chiefs; the Council nevertheless accepted the concept of a legislative Council, half the members of which should be elected.

(19) The main provisions of the 1965 (interim) Constitution, contained in Basutoland Order-in-Council of 29th January, 1965 were in substance the same as those of the constitution agreed to at the Independence Conference of June 1966, which came into effect when Basutoland became independent in October, 1966.

Basutoland was about to venture into responsible government after only a comparatively short period of representative government. During this pre-independence interim period, the British Government retained responsibility for external affairs, defence and internal security, but the constitution empowered the British Government Representative[20] to delegate any of his responsibilities to the Basutoland Government. The British Government Representative also retained powers relating to currency, customs and excise, copyright, patents, and posts and telegraphs. In consultation with the Public Service Commission, he also retained responsibility for the Public Service.[21]

Two days after the general election, held on the 29th April, 1965, Basutoland's interim constitution came into being. In the elections[22] the Basutoland National Party won 31 of the 60 seats in the National Assembly,[23] but their leader, the present Prime Minister, Chief Leabua Jonathan, was defeated in his own constituency. Ntsu Mokhehle's Basutoland Congress Party obtained 25 seats[24] and the Maremetlou Freedom Party won 4 seats.[25] The deputy leader of the Basutoland National Party, Chief Sekhonyana Maseribane, acted as Prime Minister until 1st July, when Chief Jonathan, having won a bye-election, assumed office.

/In .....

(20) Under the constitution the post of Resident Commissioner became the new post of British Government Representative.
(21) Because Britain paid most public servants.
(22) The number of votes cast was 259,825 from a roll of 416,952 registered voters. According to estimates there were about 125,000 absentee voters.
(23) The B.N.P. polled 41.63% of the votes cast.
(24) 39.66% of the poll.
(25) 16.49% of the poll.

In November, 1965 further talks were held in London between the British and the Basutoland Governments, at which the Basutoland Prime Minister "confirmed that a final request for independence would be submitted after 29th April, 1966."(26) During these talks the British Government agreed to a request by the Lesotho Prime Minister that the responsibilities of the greater part of the British Government's Representative for external affairs, internal security and defence, should be delegated to the Basutoland Government. Thus the Basutoland Government was permitted, subject to the British Government being kept fully informed and its consent obtained before the conclusion of any agreement, to discuss and to conclude agreements relating to external affairs directly with all Governments with which Britain had diplomatic relations; to enter into multi-lateral arrangements, to apply for membership of appropriate international organizations, and to negotiate for technical and financial assistance. In addition, the British Government Representative assigned to the Basutoland Government his responsibilities for internal security, including the control of the Police Force. On the question of customs, however, no agreement was reached between the British and Basutoland Governments as a new customs agreement between Lesotho and the Republic of South Africa was already being negotiated.(27)

/On .....

(26) Lesotho. COI. op.cit. p.12.
(27) Presumably Britain did not delegate this authority since, in this matter, she acted for two other dependent territories, Swaziland and Bechuanaland, which would be affected by any new customs agreement with the Republic of South Africa.

On April 18th and 19th, the Basutoland Government moved resolutions[28] in the National Assembly and Senate, requesting the British Government to grant Basutoland independence.[29] On 11th May the National Assembly passed the resolutions, without amendment, by 32 votes to 28. At that stage a constitutional crisis developed. On 29th April, the Paramount Chief dismissed five of the eleven Senators he had originally nominated,[30] and replaced them with five fresh nominees.[31] The crisis delayed the passage of the independence resolution in the Senate, because the Government wanted the legality of the Paramount Chief's action to be tested in the High Court. On 12th May the court ruled against the Paramount Chief, finding that he had no power in law to revoke the appointment of Senators. It was not until 27th May that the resolution requesting independence was passed in the Senate[32] and then only after an undertaking by the Government that the rights of the Chiefs would be entrenched "in its (their) present hereditary form."

The Basutoland Independence Conference was held in London in June 1966, under the Chairmanship of Mr. Fred,Lee, the British Secretary of State for the Colonies. The Basutoland delegation consisted of members of the Government, members of the two

/opposition .....

(28) One year after the 1965 elections.
(29) These motions were moved in terms of the agreement reached in London in 1964, and in terms of a White Paper of 8th March, 1966, in which the Basutoland Government had set out conditions under which it proposed to seek independence.
(30) The Paramount Chief allegedly dismissed them because they had voted contrary to his interests.
(31) Known to be opposed to the Jonathan Government.
(32) By 22 votes to 8 with one abstention.

opposition parties and a Chief representing his fellow-chiefs.(33) The Paramount Chief attended as a distinguished observer since constitutionally he was precluded from voting. He was however available for consultation and advice.

At the conference, Mokhehle argued that the conditions for independence required by the report of the 1964 Conference had not been satisfied, and that before a date for independence could be set, there should be a further mandate from the people by way of a referendum or fresh elections.(34) Both the Basutoland Congress Party and the Maremaltou Freedom Party who had unanimously accepted the 1960 and 1965 constitutions as a basis for independence, now contended that the powers vested in the Crown and the British Government Representative(35) should be transferred to the Paramount Chief, and not to the Basutoland Government, which, they claimed, could then have delegated such powers to appropriate Ministers.(36)

/But .....

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(33) Members of the Basutoland delegation were: The Prime Minister, Chief Leabua Jonathan, and four Basutoland Cabinet Ministers; the leader of the opposition Basutoland Congress Party, Ntsu Mokhehle, and a member of his party; the deputy leader of the opposition Maremaltou Freedom Party, Edwin Leanya; and Chief Leshobora Seeiso, representing the chiefs.

(34) During the debate on independence in the National Assembly, the opposition moved an amendment to the main motion which, inter alia, requested that independence be asked for only if a two-thirds majority were obtained in both Houses of Parliament and that any major national or international matters should require a two-thirds majority vote of members of both Houses of Parliament "and in the event of disagreement shall require 60% majority vote of those qualified to vote in a referendum". Assembly Debates. Col. 110-112. 19th April 1966.

(35) Relating to defence, foreign affairs, internal security and the public service.

(36) Similar views were expressed by the opposition at the Independence Debate in the Basutoland National Assembly. Ibid. Col. 111.

But the British Government's view was that no further mandate was necessary from the Basuto people, that the position accorded the Paramount Chief in the interim constitution was that of a constitutional monarch, and that to extend his powers beyond those previously envisaged, would be "wholly out of tune and spirit with all previous agreements."(37) On 15th June, the opposition delegates withdrew from the conference. The British Government thereupon accepted the independence resolutions of the Basutoland Parliament and undertook to take the necessary steps to implement Basutoland's independence.(38) It was agreed that on 4th October 1966 Basutoland would become independent under the name of Lesotho. Three matters dealing with treaty rights and obligations entered into by Britain on behalf of Basutoland, with extradition(39) and with finance were to be decided in the future.

Basutoland had now reached the final stage of constitutional development and the country was set on the road to independence. It would entail a long hard struggle against drought, poverty and backwardness; and for this struggle Basutoland was a land endowed with very few natural resources, and was, in addition at this crucial time a land divided against itself.

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(37) Lesotho. C.O.I. op.cit. p.13.
(38) For a full report on the Independence Conference see Cmd. 3038. Report of the Basutoland Independence Conference.
(39) A subject in regard to which authority to conclude agreements had already been delegated by the British Government's Representative to the Basutoland Government. The Basutoland delegation assured the Conference that any legislation or treaties affecting extradition would conform with the practice of civilized nations.

A Johannesburg English daily newspaper commented on the situation. "Even with the advantage of overwhelming popular support when they come to power, the paths of Governments that lead their countries into independence have proved difficult enough in Africa. To undertake the task without such support, and in the shadow of a major dissension between the principal political figures is an unhopeful prospect to say the least."(40)

B. The Establishment of a Constitutional Monarchy.

From this brief description of the constitutional development of Lesotho it can be seen that development followed closely on the traditional pattern which had been adopted by the United Kingdom Government in other British-administered territories. In Lesotho, there had been a gradual development in the direction of a Westminster-type Parliament, coupled with a gradual increase in the powers of the legislature which ultimately became representative in character. There was a gradual whittling away of the powers of the British High Commissioner, the Paramount Chief and the Chiefs. This shift of power has created a crisis, however, for authority lies deeply rooted in tradition and until the crisis is finally resolved, it will continue to hamper Lesotho's sovereign independence, economic evolution, and social stability. The clash between the Paramount Chief (supported by the B.C.P. and M.F.P.) and the Prime Minister resulted mainly from the British system of indirect rule, which in turn, created what has been termed a "problem of dualism", or what might properly be termed a

/"problem .....

(40) The Star, Johannesburg, 3rd May, 1966.

"problem of pluralism."(41)

The Basutoland Council had over a period of years acquired increasing powers at the expense of the Paramountcy and the Chiefs. Moshesh was neither an hereditary nor an absolute ruler. He had always had to consult his council before making a decision of any importance, and had expressed the wish that the Queen should govern his people through him and the Council of the Basuto. Sir Godfrey Lagden refers to a communication from him, to Burnett and J.M. Orpen in 1862, in which Moshesh stated: "I wish to govern my people by Native Law, by our own laws, but if the Queen after this wishes to introduce other laws into my country, I would be willing, but I should wish such laws to be submitted to the Council of the Basuto; and when they were accepted by my Council(42) I will send (to) the Queen and inform her that they have become law ....."(43)

The functions of the early National Pitsos indicate clearly that the traditional position of the Paramount Chief was not that of the absolute ruler and that on important matters he never acted without the concurrence of his people. A contemporary traveller, Lord Bryce, writing in 1879, explained how "once a year the Commissioner meets the whole people, in a National

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(41) Although most commentators on Lesotho refer to the problem of "dualism", a division of authority between the High Commissioner and the Paramount Chief, in fact, the problem that arose was not only one in which there was a sharing of power between the Paramount Chief and the Chiefs on the one hand and the High Commissioner on the other, but it involved a sharing of power between four elements: the Paramount Chief, the High Commissioner, the Chiefs and the Basutoland Council.

(42) The writer's italics.

(43) Lagden, G. op.cit. p.315.

Assembly called the Pitso ..... The Paramount Chief presides, and debate is conducted mainly by Chiefs; but all freemen, gentle and simple, have the right to speak in it. *There is no* voting, only a declaration by shouts, of the general feeling."(44) And according to Eugene Casalis, there were among the Basutos "all the elements of a regular government, nearly allied to the representative form, which only require to be developed."(45) It was the recognition of this democratic basis which had led Orpen to press the Cape Parliament to encourage and develop the "strong democratic element" which he had found in Basutoland.(46)

The Cape Government, however, by regulations issued in 1871 and 1877, had introduced a system of "direct" Magisterial rule(47) and paid little regard to Basuto customs and law. A legacy of these unhappy times was that the authority of the Chiefs, and, in particular, that of the Paramount Chief, was greatly weakened. In March 1884, when the British Government reassumed administration of Basutoland, the policy of the Cape Government was changed, and a new system of government, based on the recognition of the Chiefs as agents of the Administration, was introduced. A Resident Commissioner, responsible to the High Commissioner, and an Assistant Commissioner, became the Administrators of the territory. The Paramount Chief was regarded as having "full

/power .....

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(44) Bryce, Lord - Impressions of South Africa. p.424 ff. Quoted in Report on Constitutional Reform, etc. op.cit. p.25.
(45) Casalis, Eugene. The Basuto. p.236.
(46) Orpen, J.M. - Some Principles of Native Government, etc.. presented to the Cape Parliament in 1880. Quoted in Report on Constitutional Reform, etc. op.cit. p.23.
(47) Similar to the system which had been practised in the Transkei.

power and authority", but in practice the Chiefs exercised most of the detailed executive authority.

Increasing malpractices by many of the Chiefs led to dissatisfaction, so much so that the problem was frequently raised in the Basutoland Council during the nineteen-twenties and nineteen-thirties.(48) As a result the British Government appointed a Commissioner(49) to investigate the whole system of administration. His findings induced the British Government to alter the whole system and to introduce a system of "indirect rule" such as had been developed in certain other territories administered by Britain in Africa. Indirect rule implied "such a degree of supervision as will place the Government in a position to assure justice for and fair treatment of the people, and to provide for such a development of the native institutions as will adapt them to meet the new problems raised by the changing conditions. The control from below which previously operated to secure at any rate a minimum of just government must largely disappear under a system of protection and must be replaced by control from above."(50)

In December 1938 the High Commissioner issued a Native Administration Proclamation (51) by which the British Government embarked upon a policy of entrenching the powers of the Paramount

/Chief .....

(48) See Hailey. op.cit. p.66 ff.
(49) Sir A.W. Pim. Author of the Pim Report. Cmd. 4907.
(50) Cameron. H.E. Sir Donald. Quoted in The Pim Report. Ibid. p.49.
(51) Proclamation No. 61 of 1938.

Chief, who was recognised as the "Native Authority", with power to make "rules" and issue orders[52] covering a wide scope of Basuto life.

This dualism left the people confused for they failed to understand where authority was really vested, and it hindered the development of the Basutoland Council. "What was needed was less emphasis on direct rule and control from above, and more emphasis on encouraging the growth of responsibility and initiative in the hands of Basuto organs of self-government."[53] Lord Hailey commented twenty years later that: "little consideration seems to have been given to the possibility of meeting the conditions then prevailing in Basutoland by any other method than the adoption of legislation based on the procedure of Indirect Rule, as practised in Nigeria and Tanganyika. There were, however, exceptional features in the Basutoland Organization - as, for instance, the position attained by the Basutoland Council - which would have justified special consideration being given to the possibility of adopting some variations of this form of procedure."[54]

A progressive element in Basutoland, consisting mainly of the middle class intelligentsia and an increasing number of Chiefs, continued to press for greater powers for the Council, and despite the new regulations, the Council continued to grow in stature. It should be noted that as early as 1937, as many as

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(52) Subject to the approval of the Resident Commissioner or High Commissioner.
(53) Report on Constitutional Reform, etc. op.cit. p.37.
(54) Hailey. op.cit. p.136.

22 commoners had been included amongst members nominated by the Paramount Chief to the Council. From 1943 onwards a change can be noticed in the status of both the Paramount Chief and the Council. The former gradually became a constitutional ruler, while the latter became more representative in character and acquired more powers. The original purpose of the Basutoland Council had been "the discussion of domestic affairs in Basutoland", but in 1913[55] this power had been widened to make it "lawful to discuss any matter arising outside the territory if it affected the affairs of the Basuto."[56] At its 38th Session, held in 1943, the Council passed a Resolution[57] requesting the High Commissioner to consult the Paramount Chief before issuing proclamations affecting the administration of the country "until the time comes for Basutoland to have its own legislative Council." In a letter dated 10th May 1944 to the Resident Commissioner the Paramount Chief wrote: "I beg to state that, with reference to Resolution 7, I request the Resident Commissioner to inform the Council that I, as Paramount Chief of the Basuto Nation, confirm that it is the policy of the Paramountcy to consult the Basutoland Council before issuing orders or making rules closely affecting the life and welfare of the Basuto people and the administration of Basutoland."[58] This communication indicated that the Paramount Chief accepted

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(55) By Proclamation No. 151 of 1913.
(56) Report on Constitutional Reform, etc. op.cit. p.44.
(57) No. 7 of 1943.
(58) Note the similarity of this communication to the earlier one by Moshesh. p.22 above.

that the Council should acquire greater powers, which necessarily involved some concession on his part. The High Commissioner replied that it was British policy "to consult the Paramount Chief and the Basutoland Council before proclamations closely affecting the domestic affairs and welfare of the Basuto people, or the progress of the Basutoland Native Administration, are enacted."(59)

Further signs of the shift of power from the Paramount Chief to the Council were seen when, in 1948, it was decided that the Paramount Chief should elect three advisers, from a panel of 18 nominated by the Council from amongst its members, to be attached to the British Administration's headquarters at Matsieng. "We may discern in this development a desire among responsible Basuto that the Paramount Chief should become increasingly a constitutional ruler."(60) By 1950 the Council succeeded in ensuring that "no local rate or levy imposed by the Paramount Chief under the Native Administration Proclamation should be deemed valid unless it had the concurrence of the Council."(61)

The task of the 1958 Constitutional Commission was therefore to make adequate provision in the new constitution for the growing pluralism of power.(62) It was becoming apparent that

/the .....

(59) Lesotho. C.O.I. op.cit. p.9.
(60) Report on Constitutional Reform, etc. op.cit. p.41.
(61) Proclamation 9. 1950. Sec. 5.
(62) "To minimise the effects of dualism, in so far as it is possible to do so by constitutional reform, by linking together into one system of Government the authority of Her Majesty's representatives and the authority of the Basuto Nation, as embodied in the Paramount Chief, the Chiefs and the people." Report on Constitutional Reform, etc. op.cit. p.56. Par.80(b).

the Paramount Chief was supporting the Council in its quest for *greater power*, and that *in consequence*, the Council *was on the* way to becoming a proper legislative Council, and the Paramount Chief a constitutional ruler. The 1958 Commission, in an attempt to reconcile the traditional system with a modern parliamentary system,(63) proceeded to devise a constitution based on a series of compromises. The Report in attempting to solve the problem of the Chiefs recommended "integrating the Chieftainship into the emerging patterns of Basuto Society."(64) The principal chiefs were made ex-officio members of a single legislative chamber, together with commoners. This the Commission maintained, was "in consonance with national traditions which long antedate the establishment of the Basutoland Council".(65) They were, of course, referring to the old national pitsos, where Chiefs *and Commoners* "met face to face."(66) As for the triarchy of power represented by the Paramount Chief, the High Commissioner and the National Council,(67) the Commission concluded that since the powers vested in the High Commissioner were of a "temporary" nature, and would disappear on the attainment of independence, there remained the division of power between the Paramount Chief and the Council. The 1958

/Commission .....

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(63) "*We have sought to reconcile* the reasonable aspirations of both the Conservative and the forward looking elements of Basuto Society; and to give both chiefs and commoners a fair opportunity to influence the Government of Basutoland." Report on Constitutional Reform, etc. op.cit. p.82.
(64) Ibid. par.80(d). p.56.
(65) Ibid. par. 86. p.61.
(66) Ibid. par. 80. p.56.
(67) Representing Chiefs and Commoners.

Commission was of the opinion that the Paramount Chief should not be a member of the Executive Council,(68) but could not subscribe "to the swamping" of the Paramount Chief in an officially controlled executive.(69) They were also satisfied that it was contrary to Basuto tradition to make the Paramount Chief a voting member of an executive body,(70) and they were "convinced that the standing apart of the Paramount Chief from membership of the Executive Council will facilitate the growth of responsible government and help materially to establish her (his) position as a constitutional ruler."(71) After the 1958 Report had been approved by the British Government, the Paramount Chief,(72) and all major political parties in Basutoland, it was abundantly clear that all important elements in Basutoland were, at that stage, ready to accept that the Paramount Chief should become a constitutional ruler, and that all power was to be in the hands of the National Council. This attempt to eliminate the powers of the Paramount Chief subsequently has proved to be a far more intractable problem than the dualism that formerly existed between the High Commissioner and the Paramount Chief, since the status of the Paramount Chief has its roots deep in Basuto tradition.

/The .....

(68) which was to be given substantial powers and the creation of which was a necessary step in the progress from representative government to responsible government.
(69) Report on Constitutional Reform, etc. op.cit. par.131(i) p.84.
(70) Ibid. par. 131(ii).
(71) Ibid. par. 131(iii).
(72) It should be noted that the incumbent was the Regent Paramount Chief 'Mantsebo Seeiso.

The 1958 Commission considered carefully whether the Paramount Chief, as a constitutional monarch, would have "sufficient interesting and important work to do." They were satisfied that this would not become a problem, because, in addition to the important functions in regard to the Council that the Paramount Chief would exercise, they proposed that at the executive level he should have -

"(a) the right to be informed of all executive decisions;
(b) the right to be informed of all proposed legislation;
(c) certain carefully defined powers of delay;
(d) certain carefully defined powers of reference to the Basutoland Council; and
(e) the right to nominate one of the members of the executive body." (73)

Thus the 1958 Report made it quite clear that the Paramount Chief's powers[74] were to be greater than those traditionally afforded to a Constitutional monarch. The authors of the 1958 Report also recommended[75] that if the Paramount Chief was not to be part of the Executive Council then his powers should be carefully defined particularly "so as to minimise the dangers of dualism." To assist the Paramount Chief with the discharge of his duties, the authors further recommended the setting up of a small Advisory or Privy Council.

Fragmentation of authority, or dualism, was one of the

/difficulties .....

(73) Report on Constitutional Reform, etc. op.cit. par. 131(iv) p.84 ff.
(74) These powers are set out in paragraphs 138-144. Ibid. p.88 ff.
(75) Ibid. par. 131(v). p.85.

difficulties which the authors of the 1958 Report were at great pains to point out and to try to minimise, recognising that both the Chieftainship and the British Government had to relinquish "the competition for power, and hand over to a democratic government - Motlotlehi's Government - which would be genuinely representative of, and responsible, to, all the people of Lesotho."(76) In outlining this problem, the Commission referred to the Hilton Young Report(77) which stated that there "existed no ready-made constitutional device by which the concepts of government represented on the one hand by paternalism, or benevolent autocracy, and on the other hand by modern democracy, with its idea of popular responsibility, can be reconciled in a consistent and logical system." The 1958 Constitutional Report recommended that "paternalism or benevolent autocracy must go",(78) and that steps be taken in the direction of establishing representative government. This was all that had been possible at that time, for the authors of the report believed that Basutoland could not move straight into responsible government without first having had the advantages of a period of experience of representative government, even though, in this case, the latter period proved to be a very short one.

In 1963 a Constitutional Commission was appointed to draft a new constitution for Basutoland. Their recommendations were implemented in the 1965 Constitution.(79) The authors of this

/constitution .....

(76) Report of the Basutoland Constitutional Commission, par. 35 p.20 ff. Maseru. 1963.
(77) Ibid.
(78) Ibid.
(79) With minor changes.

constitution were confident that the problem of dualism would be finally eliminated if there were established in *Lesotho* firstly, one strong Government which would be fully responsible to the democratically elected legislature and secondly, the establishment of the Paramount Chief as Head of State. They decided that therefore Motlotlehi and not the *British Queen should be recognised* as Head of State of Lesotho - although the Queen was at that stage the legal Head of State.(80) The choice of Motlotlehi according to the authors of the 1965 Constitution, represented "the overwhelming might of public opinion among all *groups* throughout the country." Motlotlehi was to act in accordance with the advice of the Lesotho Cabinet, in other words, he was to conduct affairs of state as a Constitutional Monarch.

Because Lesotho had its own distinctive problems and character the authors recommended that Lesotho's Constitutional Monarch

/should .....

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(80) "Whatever argument there might have been about the real understanding and intention of Moshoeshoe when, in the 60's of the last century, he asked Great Britain to take his country and his people under protection, it is plain - but in our view, unfortunate - that the effect of the legal instruments which embodied the transaction is that Lesotho became, and has remained, a British Colony. It is neither a protectorate nor a protected state. This fact has an immediate and direct bearing both on the identity of the Head of State in Lesotho, and on the status of Motlotlehi In strict law, the Head of State in Lesotho is Her Majesty, the Queen, in whom is vested all legislative, executive and judicial power in respect of Lesotho, and who exercises her powers over the territory on the advice of her ministers in London, and through the agency of a High Commissioner stationed in the Republic of South Africa, and a Resident Commissioner stationed in Lesotho. In the result, the Government of Lesotho is in no sense Motlotlehi's Government, but Her Majesty's Government in Lesotho." Report of the Basutoland Constitutional Commission. op.cit. par.61. p.37.

should be given all the powers which the Queen in England possessed, and in addition be given discretionary powers in regard to the allocation and the alienation[81] of land and the disciplining of the Chiefs.[82] So while his "powers in fact remain considerable, his powers in law are slender."[83] The authors of the Report did not consider it advisable to make further exceptions to the British model, and recommended against giving Motlotlehi discretionary powers in the areas of external affairs and treaty making.

C. The Constitutional Crisis.

The 1965 Constitution, which was unanimously approved by all major political parties in Lesotho, was intended to serve as the interim independence constitution and was to form the basis (with minor amendments if necessary) of the Independence Constitution. Possibly this instrument of government was much too complicated for the Basuto. Africa is already littered with the débris of constitutions drawn up at conferences in London - constitutions which were abandoned once British power had been withdrawn. These constitutions did not work in the way they had been intended to work, mainly because they were not suited to the types of traditional societies for which they had been planned. Had the Washington model been used there might have been less confusion. It is perhaps easier to identify authority with one man instead of two, the Prime Minister and the Paramount

/Chief .....

(81) Report of the Basutoland Constitutional Commission. op.cit. par. 110. p.60.
(82) Ibid. par. 115(i). p.63 ff.
(83) Ibid. par. 62(iii). p.38.

Chief, however limited the powers of the Paramount Chief may be as opposed to those of the Prime Minister.

When Uganda became independent in 1962, Sir Edward Frederick Mutesa II, the Kabaka of Buganda, the largest of four kingdoms in Uganda, became a Constitutional Monarch, and Dr. Milton Obote became the country's Prime Minister. King "Freddie" challenged the powers of Dr. Obote, and the conflict developed into a civil war. Dr. Obote dismissed the King, himself assuming full power of Government and virtually becoming a dictator. A similar problem arose in Lesotho. The powers afforded to Motlotlehi were limited: his attempts to gain greater powers indicate this and Motlotlehi decided to try to increase them by challenging the democratically elected Prime Minister, and so precipitated a crisis five months prior to independence, and after less than one year of self-government. The cause of the dispute was the question of whether the Paramount Chief had the power to dismiss, and to appoint senators.(84) Ministers brought the dispute before the Courts and the High Court decided in their favour. The interim period clearly had to be cut short if the country was not to fall into anarchy. In June 1966 therefore, Basutoland Constitutional talks began in London. The Basutoland opposition parties - hand-in-glove with the Paramount Chief - demanded a postponement of the granting of independence pending new elections on the grounds that the Basutoland National Party was a minority government(85) since it had polled less than one

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(84) Other than the 22 Principal Chiefs who automatically have seats in the Senate.
(85) It should be noted that this was not the first time that such a thing has happened in a democracy.

half of the votes in the 1965 elections. The Paramount Chief's opposition, on the other hand, was purely personal; he wanted greater authority for himself, not realising that the course of events had already circumscribed the exercise of the Paramount Chief's power. Despite attempts by the British Administration to underpin his authority, diminution of powers had taken place over the years with the acquiescence of successive Paramount Chiefs. During the vital years 1940-1960 acquiescence in the gradual whittling away of these powers would possibly have been less readily accepted had the incumbent, during the period, been a male and not, exceptionally in Basutoland, a female Regent.(86)

Throughout the London talks there loomed the consideration that, because Basutoland was economically and militarily exposed to the Republic of South Africa, it might be influenced politically by the Republic. In claiming extra powers for himself the Paramount Chief argued that these were necessary if Lesotho was to escape complete subjection to the Republic, since it had often been said that the Prime Minister was "letting Britain out at the front door and Pretoria in at the back." Correctly, the South African Government did not intervene at the time, but there was little doubt where its sympathies lay.

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(86) During the years 1940-1960 the position was held by Regent Paramount Chief 'Mantsebo Seeiso. The royal line in Lesotho has been as follows:-

1. King Moshoeshoe I - (Born 1785 - Died 1870).
2. Paramount Chief Mohato Letsie I (Ruled 1870 - 91).
3. Paramount Chief Lerotholi (1891 - 1905).
4. Paramount Chief Letsie II (1905 - 13).
5. Paramount Chief Nathaniel Griffith Lerotholi, C.B.E. (1913 - 39).
6. Paramount Chief Simeone Seeiso Griffith O.B.E. (1939-40)
7. Regent Paramount Chief 'Mantsebo Seeiso (1940 - 60).
8. King Moshoeshoe II (1960 - .....)

Reference: Personalities in Lesotho. Department of Information. Maseru.

The British Government for its part accepted the Basutoland Government's request for independence and it was decided at the conference that Basutoland should become independent in August 1966. The decision was at once challenged by the opposition which sent representatives to enlist support from the United Nations Organization, and particularly from members of the Afro-Asian bloc in the General Assembly. The Paramount Chief returned to Maseru to warn his people that trouble lay ahead. He said: "feed your horses, and strengthen your bodies for the road ahead is a long one." He also endeavoured to organise a referendum in an attempt to impede the Government and to forestall the implementation of independence. Mass meetings, instigated by him, called for a referendum - but time was too short for one to be held, and, in July, he indicated in "friendly discussions" with the Prime Minister, that he did not intend to force matters. The Independence celebrations followed peacefully. The Paramount Chief (Motlotlehi) assumed the title of King Moshoeshoe II and took the oath of loyalty to the independence constitution, and it was concluded by many Basuto that he had abandoned his ambitions once and for all. He told his people at independence that they should "join hands in our national struggle; together we must build a nation." The reconciliation between Chief Jonathan and the King proved however short-lived, and soon after independence the King again attempted to acquire greater powers. At a *mass pitso* summoned by him on 27th December 1966, six people died violently. The Government felt obliged to place the King under house arrest and gave him the choice of ceasing to involve himself in political matters, or of abdicating.

/Although

Although the short history of emergent Africa has shown that traditionalism has usually succumbed,(87) the position of the Paramount Chief of Swaziland (King Sobhuza) must have been a permanent temptation to Moshoeshoe to seek similar authority for himself. What he overlooked was that Sobhuza was the descendant of chiefs who had ruled the Swazis for 300 years, and that he had in over 40 years of rule proved his outstanding ability and his

/overwhelming .....

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(87) The following table lists 19 African rulers who traditionally inherited positions of wealth and power, losing them in changing and emerging Africa. One ruler was assassinated, others exiled, some (under the heading "joined") gave up their titles and accepted positions of power under the new regimes. Under the heading "toppled" are those who remained in their countries as vassals of the new republics when they were divested of power.

ASSASSINATED

1. The Sardauna of Sokoto. Sir Ahmadu Bello. N. Nigeria.

EXILED

2. The Bey of Tunis, Tunisia.
3. King Farouk of Egypt (now U.A.R.)
4. The Sultan of Zanzibar.
5. King "Freddie" Mutesa, of Uganda.
6. Mwani Ntari V, both of Burundi.
7. Mwami Kigeri of Rwanda.

TOPPLED

8. Litunga of the Barotse (Losi). Sir Mwanawina Lewanika, Zambia.
9. Paramount Chief Goman of the Angoni Malawi.
10. The Asantahene of Ashanti. King Prempeh of the Gold Stool, Ghana.
11, 12, 13. The Kings of Toro, Bunyoro and Ankole, Uganda.

JOINED

14. Sir Seretse Khama, ex-Paramount Chief of the Bamangwato now President of Botswana.
15, 16. The Oba of Benin and the Oni of Ife, who, with traditional powers diminished, have "Establishment" posts in universities and commerce respectively (Nigeria).
17. Paramount Chief Gulama of Kanyembe, now Madam Ella Kiblo Gulama, Sierra Leone's Minister of State.
18. Sadi el Mahdi, great grandson of the "Mad Mullah" who sacked Khartoum and murdered General Gordon, a member of the new Sudanese Establishment.

The Friend, 24th April, 1967.

overwhelming devotion to the interests of his people whose loyalty had become absolute. Moshoeshoe was the successor, after less than a century, of a war leader who had united broken tribes and Moshoeshoe himself an untried boy, distrusted by many Basuto because of his early years of education in England, which had left him out of touch with events in his own country. By making a bid for power King Moshoeshoe, supported by the opposition parties, has disrupted the stability of his country. The repetition of such disruptive action could cause the Prime Minister to assume autocratic powers in order to maintain his country's stability and in order to remain head of the Government. This could bring about civil war, with the Prime Minister possibly attempting to enlist South African military aid.

CHAPTER THREE

THE PLANNED DEVELOPMENT OF LESOTHO, MOBILISING ITS HUMAN AND PHYSICAL RESOURCES TO RAISE THE LIVING STANDARD OF ITS PEOPLE, AND TO CREATE NEW OPPORTUNITIES FOR EMPLOYMENT AT HOME.

A. Economic Background.

Lesotho is a small[1] land-locked country completely surrounded by the Republic of South Africa. It has a high altitude[2] and mountainous topography with 4,500 square miles of overgrazed, sloping grassland; the remainder is badly eroded lowland which forms a narrow strip between two to three miles wide in the north, widening to about 30 miles in the south. It is here that some four-fifths of a total population of just over one million live and eke out a meagre existence with maize and sorghum as their staple foods. The soil of the overcrowded lowland area (11.6% of the total) is sandy and deeply eroded as a result of steep slopes, extremes in temperature and concentrated rainfall. Erosion has indeed "been so accelerated by overgrazing, cultivation, burning of the grass, and by the passage of men and animals along roads and paths, that it has become an urgent national problem."[3] Lesotho's assets include its water,[4] its scenery[5] and its "only tangible and

/enduring .....

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(1) 11,716 square miles in area - about 130 miles long by 90 miles wide.
(2) The lowest point being over 5,000 feet and rising in the highlands to 11,500 feet.
(3) Basutoland. Development Plan 1963/66. Maseru. December, 1963. Page 1.
(4) Infra.
(5) This the Government is trying to exploit by promoting tourism.

enduring asset - its human resources, or the brain, muscle and guts of the people."(6)

Investigations by Government geologists in 1938-1939, and again in 1963,(7) have provided no evidence of mineral deposits of any significance apart from diamonds, which have been mined with a fair measure of success. The value of diamonds exported during the first six months of 1967 exceeded R700,000,(8) and on 19th October 1967 a Mining Rights Bill was presented in the National Assembly providing for the "proper use and orderly development of Lesotho's mineral resources for the benefit of the Basuto nation."(9) The Bill also provided for the establishment of a Mining Board to make recommendations to the King regarding applications for prospecting and mining rights in Lesotho. Five days later, it was announced that an agreement had been reached between the Lesotho Government and the Rio Tinto Zinc Corporation on diamond prospecting and operating at Letsêng-la-Terai.(10) This agreement, which was very unpopular with many Lesotho diamond miners, is a 25-year agreement providing for a two-year prospecting period by the Corporation. During this period, the Corporation would establish and operate the State diamond mine, if economically workable diamond deposits were found. The agreement made provision for the Basuto National Development Corporation to acquire in advance 25% of the new company's share

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(6) Prof. D.V. Cowen. At the annual dinner of Chamber of Commerce in Durban. June, 1967 - The Friend 28th June, 1967
(7) Basutoland Development Plan. op.cit.
(8) Lesotho Times. 14th July, 1967.
(9) Koena News. Vol. I. No. 150. 19th October, 1967.
(10) In May, 1967, a 601.25 carat diamond was found at Letsêng-la Terai and was sold to a South African diamond buyer for R216,360. Ref.: Koena News. Vol. I. No. 46. 29th May, 1967.

capital.(11) In terms of Lesotho's land tenure system which prohibits the sale of any land in Lesotho, the agreement conveyed no right or title in the land to the Rio Tinto Zinc Corporation.

As it has few natural resources and little industrial development, Lesotho's economy remains an agrarian one.(12) Techniques of subsistence agriculture are based on an archaic land tenure system and provide employment opportunities for only about half of the population, the remaining half of Lesotho's male labour force working in the Republic in mining and agriculture.(13)

The present gross national product is in the region of R40 million,(14) equivalent to a per capita income of some R40 per annum, which leaves Lesotho "among the three poorest countries in the world."(15) Net capital formation is inadequate to maintain a satisfactory rate of development. During the 1966/7 financial year the expenditure account showed a deficiency of R16 million and the estimated budget deficit for the 1967/8 financial year was of the order of R11 million.(16) Britain has regularly had

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(11) Koena News. . Vol.,I. No. 43. 24th October, 1967.
(12) "Agriculture in Basutoland borders somewhat on the 'Asian-type' based on small economic units due to land-to-man ratio (sic) which results in small farm units being overcrowded by too many people" - Ref. Basutoland National Council. Report of the Select Committee on Importation and Exportation of Livestock and Agricultural Produce. 1964. Page vii. Maseru.
(13) Dr. J.W. Riemans, Director of the Central Planning Board, Government of Lesotho. In an address to delegates at the 6th International Conference held at Roma, Lesotho. January 8th to 12th, 1968. Ref. Lesotho Times. 19th January, 1968.
(15) Riemans. op.cit.
(16) Estimates for 1966/67 were expenditure R9,856,311, revenue R4,122,475 with grant-in-aid from Britain - to balance the budget - R5,500,000. Ref. Basutoland. Draft Estimates of Revenue and Expenditure for Financial Year ending 31st March, 1967. Revenue and Expenditure for Financial Year ending 31st March, 1967.

to aid Lesotho since the Colonial Development Act of 1929 made such assistance possible.

British policy was that Lesotho should aim at financial self-sufficiency, in part because this was the rule for most colonies, in part because it was expected that some day Lesotho would be incorporated into the Union of South Africa, which might therefore be expected to undertake the cost of development. Assistance under the Colonial Development and Welfare Act of 1945 was therefore limited, amounting to only £100,000 for the period 1946-1956.(17) It was only after 1960 that Britain also "began giving annual grants-in-aid of administration to balance the budget."(18) In that year, under the chairmanship of Professor Chandler Morse(19) an Economic Survey Mission (whose recommendations were subsequently implemented) emphasized the importance of agricultural production, including soil conservation, co-operatives, agricultural research, and improved marketing and transport facilities. Even so the results were disappointing because the "relatively high rate of investment in education has altogether failed to stimulate more productive farming, to lead to a dynamic change in traditional social patterns, and generally to contribute significantly to the modernization of Lesotho."(20) A three-year development programme, ending on 31st March 1966, made provision for expenditure of about £5.75 .....

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(17) Lesotho. C.O.I. op.cit. p.21.
(18) Ibid.
(19) Basutoland, Bechuanaland Protectorate and Swaziland. Report of an Economic Survey Mission. H.M.S.O. 1960. (The Morse Report).
(20) Leistner, G.M.R. Lesotho. Economic Structure and Growth. p. 5.

£5.75 million.[21] This plan emphasized the importance of improving agricultural production, education, roads, airfields, and water and electricity supplies.[22] During the period 1945/66 assistance from Britain totalled over £11.7 million[23] and was made up as follows: £6.2 million grant-in-aid, £4.9 million CD and W Funds, £450,000 in loans and £1,176,000 OSAS.[24]

In 1965 an economic mission[25] headed by Mr. R.S. Porter from the British Ministry of Overseas Development visited Basutoland, Bechuanaland and Swaziland to examine the requirements "for the development of their economies, and for the reduction of their dependence on external aid for recurrent expenditure"[26] and future developments were discussed by the British and Basutoland Governments in June 1966. In a report tabled by the Basutoland Government delegation to these discussions, the Basutoland Government criticised the Porter Report and described it as "fundamentally a shopping list"[27] and argued that it adopted an "uncritical, negative and defeatist approach" because it placed

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(21) Lesotho. C.O.I. op.cit. p.21.
(22) Ibid.
(23) Ibid.
(24) Overseas Staff under the Overseas Service Aid Scheme.
(25) The development of the Basutoland Economy. Report of an Economic Survey Mission. 1965. (The Porter Mission).
(26) British News. op.cit. No. 40. 5th October 1965.
(27) Rand Daily Mail, 21st June 1966.

the whole emphasis on agricultural development.(28) Despite these criticisms, the British Government did not change its emphasis, but after further discussions in October 1966 offered an amount of R22 million in economic aid to be spread over the period 1967/1970.(29) Although this amount was criticized it should be noted that this was equal to the same amount spread over an earlier period of ten years. Of this amount of R22 million, a figure of R7.6 million was made available for 1967/68 for both recurrent and capital expenditure, and Lesotho apportioned "R1.6 million of this to development and the balance R6 million to recurrent expenditure"(30) This means that nearly R5 million had to be found from territorial revenues to cover the recurrent budget of R11 million. The main sources of this money are Lesotho's share of the customs pool(31) and local taxation.(32) Lesotho's dependence on external aid amounts to some R14 million per annum,(33) a serious limitation on its ability to follow a fully independent policy. When the

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(28) "According to the Morse Commission, increases in the value of agricultural output of up to 366% are possible with very little disturbance of the present land tenure system. That is, crop yields could be raised very considerably without disturbing the land tenure system or the administration of land rights by the chiefs, but simply by the application of manure or fertilizer. This, however, presupposes firstly, that soil erosion is brought under control, and reclamation takes place, and secondly, that the large majority of Basuto farmers are willing to improve yields. The Morse Commission expressed the belief that this state of affairs may have to wait for a new generation of farmers to take over." Leistner. op.cit. p.7.

(29) As a result of British devaluation the amount of R22 million is worth about R19.5 million to Lesotho.

(30) Barclays Trade Review. op.cit.

(31) This averages about R1.9 million 1964/65 and 1965/66. Ibid.

(32) "The position today is that Lesotho depends upon external resources to finance well over one half of the Government's annual expenditure - 62% in 1965/66." Ref. Leistner. op. cit. p.13.

(33) Barclays Trade Review. op.cit.

Lesotho Minister of Finance, Mr. B.M. Leseteli[34] presented the 1967/8 budget he emphasized the critical issues facing the country. He pointed out that the net capital formation represented 5% of the national income in the years 1964 to 1966, while production was expanding by a mere 2% per annum, far less than the rate of population growth.[35] During the 1960's Basutoland also faced a serious population problem as it was becoming increasingly difficult to channel its excess population to South Africa, mainly because of South Africa's control measures, and the growing population was beginning to approach the classical Malthusian situation.[36] Professor Cowen has described the population growth as "near panic level"[37] and the Minister of Finance at the time stated that the situation could only lead to a decline in the standard of living. With a population growth of some 2.5% per annum the Minister envisaged the population for the late 1970's as a "very formidable challenge."[38] In view of the fact that employment opportunities in the Republic could be expected to decline and that there was no surplus of fertile land in Lesotho, it was in his view essential both to increase the productivity of the land and to create employment opportunities for those who could find no occupation on it.[39]

If during the coming decade, more opportunities for employment

/cannot .....

(34) Since replaced by Mr. Peete Peete in a Cabinet reshuffle.
(35) Barclays Trade Review. op.cit.
(36) The population has increased from 642,000 to 1,000,000 in the past twelve years.
(37) Rand Daily Mail, 21st June, 1967.
(38) Barclays Trade Review. op.cit.
(39) Ibid.

cannot be created for Basutos in their own country, conditions could become ripe for a Communist take-over. The Lesotho Government appreciates the importance of the problem, but has not yet accepted that the country's first and urgent development programme should be directed towards increasing agricultural output, and reforming the archaic land tenure system, making it possible for more young men to work on the farms. There is a precedent for this in Africa: President Nyerere of Tanzania has not followed the typical African post-independence priority for industrial development, but has recognised that basically his country and, at present, his people, are best suited to agricultural production, with a gradual development of industrialization. Chief Jonathan, however, has on many occasions promised the Basuto that their country will be able to provide sufficient employment in industry, and that his Government will aim at industrialization.(40) If these promises cannot be fulfilled, the Government may in the near future, be faced by a large and hostile group of young unemployed men and public opinion may swing in favour of the opposition B.C.F. Mr. P.N. Peete Peete, Minister of Finance, stated in Parliament "that in 1968 the number of new jobs for 'Sutos which would be created by the establishment of new industries might well run into thousands. But because the Government's industrial plans were not yet definite, he was unable to estimate future employment

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(40) So eager is the Government to industrialize, that Lesotho is already contemplating decentralization of industrial development into the remote areas of the country as soon as this became economically possible - Ref. Mr. P.N. Peete Peete Minister of Finance in Lesotho National Assembly. The Star, 26th October 1967.

figures."(41) Jobs running into tens and even hundreds of thousands were needed. If it had to face the possibility of a serious revolt the Government might have to assume autocratic powers. Dr. Biemans, Director of Planning, has stated that industrialization is a necessity, if Lesotho is to create sufficient domestic employment.(42) With a view to industrial development, the Lesotho Parliament enacted a bill providing for the establishment of a Government-controlled Lesotho National Development Corporation(43) with an initial working capital of R500,000.(44) It has been fortunate in obtaining the services of one of South Africa's most eminent industrialists, Dr. Anton Rupert, as honorary economic adviser, and in July 1967 Dr. Rupert visited Maseru particularly to discuss the establishment of industries with the Lesotho Government.(45) In order to co-ordinate development, a central planning office was established in mid-1967 and in January 1968 Mr. Stephen Tann, a United Nations economist, arrived in Maseru for a two-month visit to assist Dr. Biemans in drawing up a "detailed framework for Lesotho's five-year development plan."(46)

Lesotho remains unready for large scale industrial development programmes and it does not appear that the country will be able to industrialize for many years to come. Apart from the absence of capital, material resources and an adequate infra structure, skilled manpower is lacking. It is often stated

/that .....

(41) The Star, 26th October, 1967.
(42) Biemans. op.cit.
(43) Mr. W. van Graan was appointed Managing Director; he is employed by Dr. Anton Rupert's organization.
(44) Lesotho Times, 12th May, 1967.
(45) Lesotho Times, 21st July, 1967.
(46) Lesotho Times, 5th January, 1968.

that Lesotho has the highest literacy rate in Africa. This supposition has been and is based on the comparatively high figures for school attendance.(47) Enrolment is admittedly high but there are unsatisfactory aspects. Two-thirds of the school-going children are girls;(48) and as many as two-thirds of the total school-going population are only in the first three years of their schooling. "Of approximately 180,000 children enrolled at school only 2,000 reach the end of primary school."(49) The fact that children are at school for two or three years does not make them literate, even in their own language.(50) According to Dr. Biemans, "not one in three of our Basuto men can really communicate properly in written form, or read a simple written communication."(51) If Lesotho is thinking, as it is, of industrial development programmes, it will first have to expand its educational programme both of academic and technical training if it is to have the skilled personnel which is a prerequisite for industrial development. The Lesotho Government is alive to this problem, and the Prime Minister, speaking at a pitso at Matelile on 3rd December, 1967, stated that his Government intended to effect a complete change in education "so that it can be oriented to meet the needs of the country."(52) Thus, although the Government is aware of the educational needs of the country, it is nevertheless attempting to develop industries immediately, despite the educational

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(47) Hailey. op.cit. p.4 and p.122. See also Basutoland Annual Report, 1938. p.33.
(48) Hailey. op.cit. p.124.
(49) Biemans. op.cit. Also Hailey. Ibid.
(50) There is very little literature in Sesutu.
(51) Biemans. op.cit.
(52) Koena News. Volume I. No. 180. 3rd December, 1967.

shortcomings.

Lesotho is therefore likely to remain an economic appendage of South Africa and heavily dependent on Britain and the outside world for many years for, as their High Commissioner in London has said, "we are the prisoners of geography, the casualties of history, and the victims of neglect by Britain."(53) If Lesotho is to achieve a measure of economic independence, it is to its agriculture that it must first turn in order to provide empl[illegible]d to feed its people. This would mean a change in the [illegible] tenure system, the major impediment to agricultural development.

B. Land Tenure.

All land in Lesotho belongs to the Basuto nation, with the King as trustee for the people. The land tenure system is based on a complex and archaic arrangement based on tradition and custom. "The theory underlying the whole system is that land is a national and social asset, to be enjoyed by the Basuto nation as a whole."(54) The power to allocate land is vested in the King who delegates his powers to the 22 principal chiefs and ward-chiefs. They in turn delegate their authority to their 460 sub-chiefs, who then delegate it to their headmen.(55)

/Because .....

(53) J. Kotsokane at National Delegate Conference of the Movement for Colonial Freedom held in London. March 18/19, 1967. Reported in the Lesotho Times, 14th April, 1967.
(54) Cowan, Prof. D.V. S.A. Journal of Economics. Vol. 35. No. 1. March, 1967. p.62.
(55) Easutoland. Volume 1. No. 3. July, 1966. Department of Information. p.6.

Because power is in every case delegated by the higher to the lower authority, it is the latter who ultimately makes the allocation. The system provides for the right of appeal to the hierarchy in case of objections, and finally appeal may be made to the High Court, if the dissatisfaction relates to the manner in which the decision was reached.(56)

In earlier days this system worked well and prevented the Basuto from losing their land to white farmers and traders as the Swazis and Bechuanas(57) had done, but even so the land was insufficient to provide more than a bare subsistence. The laws of Lerotholi provide that every chief and headman can "take away lands from people who in his opinion have more lands than are necessary for their family's subsistence,"(58) but there can seldom be a surplus.

Today it is widely accepted that the land tenure system is an obstacle to economic progress, and Dr. Vernon Sheddick in his report to the Basutoland Government(59) has drawn attention to the defects of the system, "but the territorial administration and the chieftainship disliked it (the report) as it cut too near the bone. It was quietly suppressed."(60) In 1960 the Morse Report expressed the hope, referring to Africa generally,

/"that .....

(56) Ibid. For details of the methods and procedures of allocating land under the present constitution.
(57) To a limited degree.
(58) Section 7(2). Laws of Lerotholi.
(59) Dr. Vernon Sheddick's Report. 1954.
(60) Cowen. op.cit. p.57.

"that by the end of the present century their traditional land tenure system will be only a memory in every progressive African country."(61) The Report went on to say that "the traditional system of tenure is quite unsuited to the type of society Basutoland leaders would like to create."(62) Professor Cowen, who was a member of a land tenure research team sponsored by the University of Chicago, and financed by the Ford Foundation, said that the team had made a full report in June, 1963, recommending improvements to the system, but that "once more a melancholy fate overcame the report;" and, "it has become a secret sequestered document."(63) Professor Cowen went on to say that "it remains the case that accurate information concerning the land system tends to become a jealously guarded mystery, and that specific proposals for reform languish."(64)

Criticisms of the land tenure system were also made in 1965 by the UN sponsored Chako mission,(65) and the Porter mission.(66) Both declared that abolition of the system was a prerequisite for economic development. The framers of the 1960 constitution, while recognising that there "is wide support in Basutoland for the view that there can be little real economic progress unless

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(61) Morse Report. op.cit. p.243.
(62) Ibid. p.244.
(63) Cowen. op.cit. p.57.
(64) Ibid. p.58.
(65) United Nations, General Assembly. A/AC.109/133 "The Chacko Report. 1965.
(66) The Porter Mission Report. op.cit par.7,8 and 9.

the land tenure system is modernized,"[67] nevertheless made no concrete proposals in regard to reformation other than recommending that when the nation was ready to accept reforms the power to make reform should be vested "in the right hands under the constitution,"[68] namely, the Basutoland Legislature. The framers of the 1965 constitution also recognised that the system needed revision, but they had little doubt that "the overwhelming majority of the Basutoland people - for good and sufficient reasons - are neither willing, nor indeed ready, to jettison the fundamental principles of their land law."[69] They expressed the hope that the Government which was to be set up under the new constitution would, "assisted by the proposals of the Chicago report, ... determine what reforms are required and see to their implementation."[70]

Whilst it is abundantly evident, therefore, that the land tenure system is in dire need of reform, neither the 1960 nor the 1965 constitution framers felt that the duty to make changes was theirs: "our prime task is to recommend the framework of a new constitution." They therefore "steadfastly resisted the temptation to anticipate the future" in regard to land tenure;[71]

/nor .....

(67) Report on Constitutional Reform, etc. op.cit. par.119. p.76. Prof. Cowen is reported to have said in 1967: "We cannot expect a modern economy to be established on an antiquated tribal land tenure system, no matter how politically sensitive the problem of reform proves to be." The Friend, 28th June, 1967.
(68) Report on Constitutional Reform, etc. op.cit. par.119. p.76
(69) Report of the Basutoland Constitutional Commission. op.cit. par.118. p.67.
(70) Ibid. par.121. p.69.
(71) Report on Constitutional Reform, etc. op.cit. par.119. p.76.

nor has the Lesotho Government made any changes in this direction other than providing amendments to the system relating to urban land for industry and commerce. Perhaps the British Government, when it was in control, could have made the necessary changes without provoking a major political upheaval in the country. The question of land reform bristles with problems and none of the Basutoland political parties have dared to express the desire to make changes. While politicians and economists talk about development, industrialization and aid, one of the root causes of economic and social ills is left to do its disruptive work, shrouded in a conspiracy of silence.

The defects of the agrarian structure under the land tenure system are numerous. In practice the system causes soil erosion, thereby reducing productivity and entrenching poverty. The system makes scientific farming impossible, and while the population is increasing,(72) yields from the soil are decreasing. Farmers have no incentive(73) to make improvements and are unable to use their land as security(74) against mortgage bonds to

/enable .....

(72) The rising pressure on land caused by the increasing population has produced a landless class and a fear of insecurity of tenure among those with arable land rights" - 1960 Agricultural Census. Basutoland. Part I. Census Methodology. By C.M.H. Morojele. Maseru, Basutoland. 1963. Page 11.

(73) "It is generally felt that the communal ownership of land in Basutoland is a deterrant to better farming methods and induces a reluctance, on the part of the farmer, to invest capital on (in) his holding." Ibid.

(74) The UN Expanded Programme of Technical Assistance (EPTA) report to the Government of Basutoland in 1965 on the question of loans for proper development, strongly recommended "that immediate consideration be given to some form of land tenure over which any lending institution can obtain a legal security", and were convinced that "this would contribute materially to the more rapid development of Basutoland."

/EPTA .....

enable them to purchase equipment and fertilizers, or to build irrigation dams and farm buildings. Why should they want to improve land which they can never own and which they cannot fence?(75) It was in Pim's view essential, if agricultural progress was to be secured, that security of tenure had to be assured.(76)

Linked to the question of security of tenure is that of improved farming methods(77) which, it has been suggested,(78) could double Lesotho's agricultural output by 1970. The average size of most agricultural holdings is too small to supply the bare needs of a family and the general conclusion obtained from the census conducted by Morojele "shows that the numbers of 'small farms' is increasing, and is likely to increase more, as long as pressure on land increases, and the system of tenure remains unchanged."(79) Since 1958 the Agricultural Department has been building up a small(80) core of improved farmers, referred to as "progressive farmers", who farm larger-sized holdings,(81) and

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(74 continued) EPTA. FAO. Rome 1965. No. 2008. Report to the Government of Basutoland. Agriculture, housing and industrial credit. p.13.

(75) The fact that pastures cannot be fenced has had a retrogressive effect on the education system, making it necessary for many young boys to remain away from school, to care for livestock, which would otherwise not need to be so carefully watched.

(76) The Pim Report. op.cit. p.178.

(77) Sir Alan Pim in his report stated that "the improvements in the methods of cultivation would lead to a considerable increase in the produce, and would reduce the area necessarily left fallow periodically." The Pim Report. Ibid. p.179.

(78) The Porter Mission. op.cit.

(79) Morojele. op.cit. Part III. Agricultural Holdings. p.28.

(80) .4% of all farmers in Lesotho. Ibid.

(81) 10.2 acres as against an average of 5.4 for peasant farmers. Ibid. p.28.

the results have shown that by employing better methods, production can be substantially increased. If the Lesotho Government does finally get down to the question of land tenure and agricultural improvement, there may be hope that the country will be able at least to feed its growing population, but Professor Cowen has questioned whether Lesotho in fact has any agricultural future. "In discussions of Lesotho's economic situation, it is usual to start with agriculture, the implication being that Lesotho is an agricultural country. But while it is true that there is, at present, little besides agriculture, it does not follow that the country is suited to agriculture. On the contrary, Lesotho has an agricultural economy simply because it has no industries, not because of any significant agricultural production."(82) This is basically an even more pessimistic view, for, as mentioned above, the Porter Commission has stated flatly that few, if any, industries could survive.(83) Nonetheless the Lesotho Government, perhaps initially, chose industrialization as the main stimulus to economic development and the means by which the local population would find employment. For this some amendment of the system of land tenure was essential and the Prime Minister began to prepare his people for the necessary changes. In October 1966 he said "I will not willingly see our traditional way of life swept away heedlessly,

/but .....

(82) Cowen. op.cit.
(83) The Porter Mission. op.cit. par. 132.

but we would do well to remember that Basuto custom and tradition is not, and never has been, a fixed and immutable code" ..... "we must not forget the problem of providing land for industry. I believe it will be possible to find a solution that will not undermine our basic principle, that the land belongs to the nation, but will, at the same time, enable us to give sufficient security and inducement to would-be industrialists."(84) It is likely to be a far less difficult task to alter the system to provide for industrial land than to change the land tenure system throughout the country, since such land would be in urban areas, i.e. mainly in or near Maseru. And within four months on 16th February, 1967, the Prime Minister felt able to announce in Parliament that a vital new land bill was to be introduced, which would "aim at establishing the conditions necessary for the development of industries in Lesotho."(85) The Deeds Registry Act came into force on 15th May and in June the Prime Minister stated that the Act had been passed "in order to begin the development of the country, without harming the rights of the nation as a whole".(86) The Act made provision for "persons or companies to get registered and undisturbed title to all buildings and improvements erected on the land"(87) for industrial, mining, commercial and residential purposes, without altering the traditional system under which land ownership is

/vested .....

(84) The Star, 5th October, 1966.
(85) The Star, 17th February, 1967.
(86) Lesotho Times, 30th March, 1967.
(87) Ibid.

vested in the King as trustee for the nation, land being allocated by the chiefs under the entire hierarchical system. The Act also makes provision for the transfer of occupation rights, enabling the land to be used as security, and for the registration of mortgage bonds over such land. Commenting on it, Mr. Wynand van Graan, Managing Director of the Lesotho National Development Corporation, has stated that the Act "has been directly responsible for the keen interest shown by organizations which are desirous of investing in Lesotho"(88) and "could be the 'launching pad' needed to get the country's economy off the ground."(89) In October Mr. van Graan announced that negotiations for 14 light industries had been finalised,(90) an event which in most countries would have gone unnoticed, but in Lesotho was seen as a great leap forward. While the Act is seen as a foundation on which Lesotho can start building its economic future, no real benefit will accrue from it to farmers.

Time alone will tell to what extent Lesotho will industrialize. The country may develop a few light industries which for many years to come will not provide employment for the majority of its people. Lesotho has little prospect of competing with the highly developed large scale industries of its neighbour. For the immediate future, it may have, however reluctantly, to

/concentrate .....

(88) *Lesotho Times*, 1st September, 1967.
(89) The Star, 25th August, 1967.
(90) The Star, 20th October, 1967.

concentrate on improving its agricultural production, which can be effected only if radical changes in the land tenure system are brought about. This, however, is political anathema which politicians have so far avoided. Any proposal to change the land tenure system would involve a clash between the forces of modernization and the innate conservatism which has already manifested itself in the power struggle between the King and the Government.

Meanwhile Lesotho will remain economically dependent on the Republic, and must continue to find there a labour market for its young men. The tendency to seek employment in South Africa has been evident throughout the history of the territory.

C. Migrant Labour.

In the eighteen thirties travellers, traders, trekkers, hunters and missionaries began to visit the country and brought with them the manufactured goods which the Basuto soon desired for themselves. They needed cash to pay for these and could only earn it in the Cape Colony, the Orange Free State, and the Transvaal. The discovery of diamonds at Kimberley, and later of gold on the Witwatersrand, started waves of migration to the mines from all over Southern Africa. Lured by the cash wages, the excitement that city life offered, and the wares that could be bought, hundreds of Basuto men made their way to the mines, and their remittances made possible a new phase in the economic development of Basutoland.

/A .....

A further impetus was given by the imposition of a hut tax in 1899, which made it necessary for many to work on the mines in South Africa. It also helped to change a barter economy into one in which money became the recognised medium of exchange. The necessity to work on the mines and farms in South Africa was soon accepted as part of the social life of the people, and even as part of their ritual customs. Going to work on the mines was regarded by young men as an adventure and became a vital stage in their development towards manhood. In order to become socially acceptable, it was necessary for young men "to go to war", as working on the mines has been described, and labour migration "came to be widely regarded as a form of initiation into manhood."(91) In such ways the Basuto have during the past century been drawn into the economy of South Africa, and become dependent on it. This was vividly illustrated when the Kimberley and the Premier Diamond Mines closed down in 1932, and many Basuto were left unemployed.

Migrant labour has become a major factor in the Basuto economy, but has brought with it social and economic evils. The Union Government Native Commission in 1932, writing about their own migratory labour force, stated that "the reserve natives are thus continually being deprived of many of their people who, by following more advanced methods, would gradually work like a leaven throughout reserve communities. ..... The exodus of

/natives .....

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(91) Schapera, I. Migrant Labour & Tribal Life. A study of conditions in the Bechuanaland Protectorate. O.U.P. 1947. p.115.

natives with brain and education" said one witness, "is having a terrible effect on our territories."(92) It has been calculated that the average male worker from the age of 18 to 40 spends about 12 years on the mines.(93) It can be assumed that these figures apply to workers from Basutoland as well, and in 1943 a memorandum to the Witwatersrand Mine Native Wages Commission on behalf of the High Commission Territories stated that "for the social and political well-being of the territories, it is of paramount importance that the able-bodied men should be compelled to spend a greater proportion of the young and energetic period of their lives at their homes."(94) There can be little doubt that migrant labour is a disruptive element in Basuto life. But until Lesotho can employ its own people, absenteeism is unavoidable.

A practical way of relieving the problem of providing labour would be to amend the land tenure system, and to encourage the young to work and strive for increased agricultural development. In 1932 a Union Government Report stated that "the dead uniformity of life in reserves results in the emigration of

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(92) Report U.G. 22, 1932. Paragraph 85. p.13.
(93) "In the evidence submitted on behalf of the Gold Producers' Committee to the Witwatersrand Mine Workers Commission it was stated in regard to Union natives, that 'the working age of the mine labourer is shown to be between 18 and 40, during which time he has spent about 12 years on the mines.' Memorandum headed 'Summing up and Argument.' Page 40. Cited in Schapera. op.cit. p.53.
(94) Mafeking Registry, 8313/6 - paragraphs 25 and 22(3) of memorandum. Cited in Schapera. ibid. p.56.

large numbers of natives, who desire to follow occupations other than that of primitive pastoralism and of peasant farmers."(95) Farming in Lesotho today still is, but is not necessarily, a primitive occupation.

One benefit of the system of migrant labour has been the institution of deferred payments which, at least, ensures that the Basuto miner does not spend all his money on himself, but provides a regular income for his family. This had two side effects; (i) some of the money earned was spent in Basutoland, and (ii) in the 1965 elections when, for the first time, women exercised their right to vote, their dependence on pay packets from husbands and sons in the Republic must have illustrated to them vividly their country's need to co-operate with South Africa. Many women may have voted for the Basutoland National Party because it was the only party supporting such a policy. Employment opportunities for the Basuto in South Africa are however becoming increasingly limited. In 1955 the South African Government started a campaign to restrict the numbers of foreign Africans working in South Africa and the Department of Bantu Affairs and Development instructed municipalities to cease employing foreign Africans. "If foreign Africans were allowed to come into the Republic uncontrolled, it would be at the expense of the Republic's own Africans," said Mr. G.F. Froneman, Chairman of the Bantu Affairs Commission,(96) although he did

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(95) Report U.G. 22, 1932. op.cit. par. 85. p.13.
(96) The Friend , 19th May, 1967.

also say that South Africa would accommodate foreign Africans "to the extent to which their labour was required," and in order to strengthen friendship ties. Mr. Froneman was also Chairman of the Committee that published a report in January 1963 which claimed that in 1961 the annual cost to the South African Government of providing educational, health and recreational facilities for foreign Africans was over R3½ million and that in that year 312,000 foreign Africans employed on South African mines took R11 million out of South Africa.(97)

The gradual closing of the door on the traditional outlet for surplus labour presents Lesotho with critical problems. The number seeking work has been increased by the population explosion. The prospects are unpromising. Tied to a moribund agrarian system and with only a limited light industrial programme, the likelihood of being able to employ the former migrant labourers at home at even a subsistence wage is remote.

D. Water.

Something may be achieved by the sale of water to the Republic. Water(98) is the country's one major asset and, fortunately for it, the Republic is usually short of water. Mr. Paul Sauer, then Minister of Water Affairs, warned in 1956 that "it is only by making use of all our av[illegible] water that South Africa can attain the fullest p[illegible]elopment."(99) Recently Mr.

/J. Fouche .....

(97) Sunday Chronicle, 7th June, 1964.
(98) "Water is the only major resource that this rugged over-populated and underdeveloped little country can boast." The Star, 8th October, 1964.
(99) P.O. Sauer, M.P. Water for South Africa. Optima. Volume 16, No. 4, December 1956. p.95.

J. Fouche, then Minister of Water Affairs, during his opening address to a National Irrigation Symposium in Pretoria, emphasized that "ultimately the development of South Africa will be determined by its water resources."(100) It has been estimated that by the year 2000 South Africa will need more than twice the amount of water used in 1965; and it is expected that, by that time, the total consumption will have risen to nearly 2 billion gallons per day.(101) A similar view was expressed by Mr. C.A. Carter at a meeting of the Engineering Association of South Africa in Pretoria on 15th March 1966.(102) Since the greater part of South Africa is arid country, its future economic development will depend largely on the availability, at an economic cost, of adequate water supplies in those areas where the demand for water will be greatest. Until recently the planning for water supplies was inadequate and this was once again illustrated during the prolonged drought which struck the Republic in 1966. After the drought a Government Commission

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(100) The Star, 8th November, 1967.
(101) This estimate has been given to the Department of Planning in a provisional memorandum by the National Resources Development Council and is based on a survey conducted with the assistance of the University of Potchefstroom.
(102) At this meeting Mr. Carter was reported to have said that if the Rand continues to expand at the same rate as it has been expanding in the past twenty years (6.2%), at least another 450 million gallons of water per day will be needed by 1980, and an extra 18,000 million gallons per day by the turn of the century. The Star, 16th March, 1966.

was appointed to investigate the feasibility of obtaining supplementary sources. There are many in Southern Africa itself, such as the Tugela in Natal, and the Orange. But South African planners are having to look further afield for additional sources. Areas in which a shortage may become critical in the near future include the Southern Transvaal, almost the entire Orange Free State and the Northern Cape. The Southern Transvaal includes the vital industrial complex of which the Witwatersrand area in particular has until now been supplied mainly with water from the Vaal River, supplemented by local sources. "The Vaal has become the source of water for more than a third of the population of South Africa, and for a large proportion of her irrigated lands; it supplies the water for two-thirds of the country's industries and three-quarters of her power stations."(103) The catchment area is already being supplemented by water from adjacent rivers and the Vaal cannot be relied upon to remain the main contributor for very much longer. Water from an "external source"(104) will therefore have to be brought into the Vaal River Catchment area if "another serious crisis is to be avoided."(105)

The 1963 Basutoland Constitutional Commission believed that with the proper development of Lesotho's water resources, "the annual

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(103) Carter, C.A. "Basutoland as a source of water for Vaal Basin". Die Sievile Ingenieur in Suid Afrika. Vol. 7. No. 10. October, 1965.

(104) "If the Vaal is to hold out for the next 30 years it will need an additional 500 million gallons a day from outside areas". South African Broadcasting Corporation. English Service. Current Affairs. 27th January, 1966.

(105) Mr. J.M. Jordaan, Secretary for Water Affairs, White Paper tabled in the South African Parliament, 28th April 1967.

budget could be balanced within the foreseeable future, and a reasonable standard of service could be maintained - without annual grants continuing indefinitely either from Britain, or elsewhere."(106) The Lesotho Prime Minister, Chief Jonathan, stated in June 1967, that if the Oxbow and allied schemes became operational, and when the water and electricity resulting therefrom were sold to the Republic, "revenue accruing to Lesotho would be in the region of R10 million per annum."(107)

The earliest hydrological data in Lesotho goes back to 1896 when rainfall was first recorded, but it was not until 1932 that the Union Department of Irrigation set up a gauge on the Orange River for river-flow measurement purposes. The first proper hydrological survey was undertaken only in 1950, when Sir Evelyn Baring, High Commissioner at the time, engaged consultants(108) to survey Basutoland's water resources. These investigations led to the formulation of schemes "to regulate the flow of the Orange River for the generation of hydro-electric power and for irrigation purposes in South Africa."(109) A second professional report on the "Regulation of the Upper Orange River"(110) was made in November 1954. Both these reports reached a similar conclusion; that dams should be constructed for hydro-electric power development. They both pointed out the

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(106) Report of the Basutoland Constitutional Commission. op.cit. p.89.
(107) At a National Pitso. Reported in the Lesotho Times. 30th June, 1967.
(108) "A Water Resources Survey of Basutoland." A report made by Messrs. Jeffares and Green, Consulting and Chartered Civil Engineers, of Johannesburg.
(109) Carter. op.cit. p.217.
(110) By Sir William Halcrow and Partners.

very great benefit that South Africa would derive from regulated supplies from the Orange River.(111)

In 1956 Mr. Ninham Shand, a Cape Town consultant, was requested by the Basutoland Government to do a hydrological survey of Basutoland. Mr. Shand made proposals for the diversion of the flow of the upper tributaries towards the Caledon River by means of tunnels cut through the mountains and leading into the sheer river valleys, "making it possible - to deliver pure water into the Orange Free State across the Caledon River."(112) In all, three schemes were proposed by Mr. Shand and they have been considered so superior to the earlier schemes that all discussions have since been based on his reports. The schemes set out in the Shand Report were: the Oxbow scheme, the Kau River Scheme and the Semena River Scheme. Since then Mr.Shand has proposed a fourth scheme, namely the Sinqunsane River Scheme. All the schemes are considered to be economically feasible.(113)

Once Mr. Shand had made his recommendations, the Basutoland Government became enthusiastic over the vast potential wealth which water could bring to its country, and it established "an organization for collecting the further hydrological and other

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(111) Morse Report. op.cit. p.255.
(112) Ibid. p.256.
(113) "the essence of the conclusion reached is that it is economically feasible to develop regional schemes in the uplands of Basutoland for the supply of water and power both to Western Basutoland the Orange Free State". The Shand Report. op.cit.

data needed to put the scheme on a sound factual basis."(114) But until recently, the only scheme to have been properly investigated, has been the Oxbow Scheme. Sufficient information is now available on estimated yields to have permitted an appraisal of the economic feasibility of the scheme. The Oxbow Scheme entails damming the Malabamatso River, chief tributary of the Upper Orange, in a deep gorge in the mountainous northern part of Basutoland,(115) and diverting the flow through tunnels in the Maluti Mountains, and leading this flow into the Orange Free State. From this point, the water could be discharged into tributaries of the Vaal to supplement the Witwatersrand's requirements. The scheme has many variations, and one alternative would be to pipe water directly to the Transvaal. Hydro-electric power would be generated by the cascading waters flowing through the mountains and then dropping to a depth of about 3,000 feet. According to Mr. Carter, the cost of the 10-mile tunnel, which is the shortest route through the mountains(116) would be in the vicinity of R24 million and if water were emptied into the Elands River, about 78 million gallons of water per day would reach the Vaal Dam.(117) The outflow could be almost doubled by tunnelling to link two more rivers, the Motete and the Khubelu with the main outflow. Sixteen miles downstream from the Malabamatso River, is another

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(114) Carter. op.cit. p.217.
(115) Rainfall in this area reaches 55 inches per annum.
(116) By emptying water into the Elands River near Harrismith, a tributary of the Vaal.
(117) After making allowances for losses due to evaporation.

suitable dam site, the so-called Kau Scheme, which, together with Oxbow, could supply the Transvaal with 200 million gallons of water per day; this would involve tunnelling 25 miles through the mountains. With further tunnelling, the various schemes could be so extended that approximately 600 million gallons of water could be supplied daily. A third scheme, lower down the Malabamatso River, where it becomes the Semena River, would supply even more water, and like the Kau Scheme, is not dependent on any of the water from the upper catchment areas which would be supplying the dams for Oxbow. It would involve tunnelling 35 miles through the Maluti Mountains and could supply 800 million gallons per day. It, too, could be developed by further tunnelling to include the water of the Upper Orange itself - known in this area as the Sinqu. A fourth scheme, for the Sinqunyane River, could supply the Orange Free State and Southern Vaal basin with yet another 200 million gallons per day. In all therefore, the operation of the four schemes together could supply South Africa with 1,000 million gallons of water per day. The great advantage of the schemes is that they are all independent of each other so that any one section could be developed at any stage; as need arose additional water could be supplied by implementing another of the schemes.

The financial significance of the independent schemes is that, in the initial stages relatively little capital would be required. The Republic would need to commit itself only as needs arose and at no time would the South African Government

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be making the industrial areas of South Africa totally dependent for water on a foreign source. Some of Lesotho's water could go to the Orange Free State and some to the Transvaal, and the latter could be supplemented by further supplies from the Tugela River. Although the Oxbow Scheme was cogently argued in the Morse Report, a decision was only reached recently. It was delayed mainly because of the colonial status of Basutoland. However, during the past few years, as Basutoland approached independence, its desire to come to a final decision became evident. There can be little doubt that, during the discussions between the Lesotho Prime Minister and the late Dr. Verwoerd, and subsequently with Mr. Vorster, the Oxbow Scheme was a major item discussed. Chief Jonathan blamed Britain for delaying the conclusion of an agreement with South Africa, and said that the British Government "had for 11 years paid only lip service to the implementation of Oxbow."(118) In fact, Britain had started putting money into Oxbow as far back as 1955.(119) In 1965 Basutoland negotiated a R100,000 grant-in-aid from Britain for further preparatory work on the Oxbow, and in August of that year, the Basutoland Government commissioned Mr. Shand to draw up a preliminary feasibility report, which was to be used as a basis on which the Basutoland and South African

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(118) The Friend, 26th June, 1967.

(119) Questioned on the future of Oxbow in the Lesotho Assembly in September 1965, the Minister of Works, S.M. Letsie said "work on the Oxbow actually began some 10 years ago with a Colonial Development and Welfare grant of R65,000 followed by supplementary grants; and a total of more than R200,000 has already been spent on the project. A road has been built to the catchment area; and a vast amount of essential information has been collected." National Assembly Debates. Volume 1. No. 1. Col. 694. 30th September 1965.

Governments might commence negotiations. Whatever blame may be placed on the British Administration for the evils which beset Basutoland, blame in this instance was not in accordance with fact. Only during the past 12 years have the possible benefits of Oxbow been fully realised, and only recently has a feasible programme become available. Moreover after Chief Jonathan's meeting with Dr. Verwoerd on 2nd September 1967 it appeared that Dr. Verwoerd was not prepared to negotiate on the Oxbow Scheme until Basutoland became independent, and particularly not so long as a British Government representative would have to be present. Since Lesotho's independence, discussions between representatives of its gover[illegible]nd the South African government have proceeded steadily. After discussions held in Maseru in April 1967 Chief Jonathan stated that "the first stage of the technical discussions between representatives of the Lesotho Government and South African Government on the development of Lesotho's water resources had been completed, and discussions are now continuing between the consultants of the Lesotho Government and the Department of Water Affairs in South Africa."(120) Before the next round of talks was held, early in October 1967, two officials of the International Bank for Reconstruction and Development visited Maseru apparently to gather information for the Bank on the Oxbow Scheme. Their visit was significant in that no international organization or consortium would have bothered to investigate Oxbow, let alone commit itself to financing an investigation, until it was

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(120) Lesotho Times, 19th May, 1967.

reasonably assured that South Africa would be a consenting party to an agreement to buy water. The visit was followed late in October by resumption of talks between South African and Lesotho delegates. No official communiqué was issued at the end of these vital talks, but certain points emerged from press reports. Firstly, the International Bank was willing to assist Lesotho to finance the project, if South Africa was prepared to buy Lesotho's water and electricity;(121) secondly, it appeared that the Lesotho Government was considering ways of financing the next stage of the project which was to be a final feasibility study.(122) A statement issued by the Lesotho Finance Ministry stated that the study was "a necessary prelude to any final agreement with the Republic of South Africa on the terms on which water and electric power could be sold to South Africa and the raising of the very large amount of capital required to finance construction."(123) A great deal of discussion, particularly in the South African Press,(124) has taken place on the Oxbow Scheme, and commentators have generally been in agreement that, economically, South Africa would benefit since the Republic would be assured of more water, and at a very economical

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(121) The Friend, 2nd November, 1967.
(122) Koena News. Vol. 1. No. 139. 14th October, 1967.
(123) Ibid.
(124) Organized commerce also pointed to the benefits to South Africa. In October, 1965, the Margate Congress of the Associated Chambers of Commerce of South Africa unanimously adopted a motion urging the South African Government to "co-operate with the Basutoland Government for the development of the Oxbow water and hydro-electric scheme with the object of supplementing the Republic's water and power resources." Ref. S.A.B.C. op.cit. 27th January, 1966.

rate.(125)

Many observers however, pointed out political difficulties. "The Star", for instance, observed that "the Republic could not allow itself to become dependent upon a foreign country for so vital a commodity as water,"(126) and "Die Transvaler", while acknowledging the economic benefits, feared that politically "a very high price might have to be paid," and advocated caution.(127) But it soon became apparent that the South African Government was intent on reaching an agreement with Basutoland, and that it was not particularly apprehensive of possible repercussions, since "Basutoland was as dependent on the Republic for its markets and its imports, as the Republic could ever be on Basutoland."(128) Expert comment on the technical and economic implications was favourable. Professor Midgley held that the Oxbow Scheme would mean "that any shortfall in the Vaal system, such as occurred during the recent drought, could be immediately relieved by reserves from the Oxbow system."(129) Carter, in 1967, also stated that schemes involving joint ventures between two states on international rivers were becoming a common feature of international life, and such mutual benefits accrue that "abrogation by either party becomes an extremely remote contingency."(130) Carter pointed

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(125) "The cost of Basutoland's water, which is of a particularly high quality, is estimated at 5c per 1,000 gallons delivered in the Republic." S.A.B.C. Ibid.
(126) Quoted. Ibid.
(127) Quoted. Ibid.
(128) Ibid.
(129) Professor Midgley in an address to Members of the Vaal Catchment Association in February 1967. The Star, 3rd February, 1967.
(130) Carter. op.cit. p.226.

out that the power supply available from Oxbow would be small in comparison with the enormous capacity of Escom and that the loss of supplementary water which Oxbow could supply would be felt only if it occurred in a dry year. "Even then" he said "the restrictions on consumption which would have to be enforced until one of the alternative sources could be developed, would not be intolerable."(131) One of these sources was the Tugela River, a scheme that the South African Government is now investigating.(132) Fears have been expressed that Lesotho might cut off the water supplies.(133) This is unlikely to happen because of Lesotho's dependence on the Republic. Such a move would deprive Lesotho annually of millions of rands in water royalties alone. South Africa could also retaliate by excluding Lesotho labourers from the Republic. The most likely source of tourists to Lesotho if the latter should start to exploit the scenic attractions of its mountains, is also obviously the Republic.(134) The risk that Oxbow tunnels might

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(131) Ibid.

(132) The fact that the South African Government has agreed in principle to proceed with the Oxbow Scheme does not mean that this will preclude approval of the Tugela River Scheme, since the two schemes are quite separate.

(133) It is perhaps naive to argue, as did Mr. W.I. Clarence, Mayor of Ladysmith, when he stated at a meeting of the Vaal River Catchment Association in February 1967, that water supplies to the Vaal triangle should not be under the control of a "foreign power", and that "we have no assurance that Lesotho will honour any agreements which might be made in connection with the Oxbow project." The Star, 2nd February, 1967.

(134) "Is this a state of affairs" asked 'The Star' "which Lesotho, even under extreme Pan-African Leadership, could dream of in a trial of strength." The Star, 2nd August, 1966.

be sabotaged without the knowledge of the Lesotho Government has been mentioned only to be dismissed: the inlet valves into the tunnels would be several hundred feet under water, and the tunnels themselves thousands of feet under the Maluti Mountains. They would emerge in the Free State, where a valve at the first power station would control the flow, and such control would therefore be in South African hands.

A possible legal difficulty was mentioned in the Morse Report. The Oxbow and allied schemes are all involved in diverting water from the Orange River and its tributaries; this could lead to claims for losses by the owners of riparian rights along these rivers. Since however South Africa and Lesotho are the only states with riparian rights an agreement between them would obviate legal difficulties.(135)

By early 1968 both the South African and the Lesotho Governments were in possession of the final reports of the top-level discussions that had taken place during the preceeding nine months. These reports enabled the respective governments to decide in principle whether the project was economically feasible, and whether further investigations into the details should be launched. On 22nd February 1968 a joint communiqué was issued in Cape Town

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(135) "The Orange River is international and any developments on it, whether in Basutoland, or in the Union, can properly be carried out only after discussions between the parties." Morse Report. op.cit. p.259.

and Maseru stating that the two governments had agreed in principle to proceed with the implementation of the Oxbow Scheme. In his statement, Mr. Vorster said that "it is the considered opinion of the two governments that such a scheme could only be to the benefit of the peoples of both countries and both have accordingly agreed to accept it in principle."(136) It is to be noted that the agreement was in principle only, and that implementation was to be dependent on further technical studies, which were to be authorised immediately. Chief Jonathan saw the agreement as "the most important and the most significant development" which had so far been achieved in the advancement of the Oxbow scheme.(138) No details were revealed about the extent of South Africa's possible financial commitment. It is expected that the bulk of the money will come from the World Bank, which sent a mission to Lesotho in 1967 and Chief Jonathan is reported to have said that his Government was negotiating with an international consortium to build the Oxbow dam.(139)

The decision to proceed with the implementation of the Oxbow Scheme, in principle, should be seen, at least from the South African point of view, as not merely providing a further source of water for South Africa - albeit this may have been the major short-term objective of the decision - but as having wider

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(136) The Star, 24th February, 1968.
(138) "The water in our highlands is going to be our white gold." Chief Jonathan. Ibid.
(139) Ibid.

NOTE: No footnote numbered (137).

implications as part of a possible regional development programme in Southern Africa involving the co-operation of friendly neighbouring states. At the opening of the South African Parliament in January 1967, the State President had disclosed that discussions were taking place between South Africa and some of her neighbouring states on the exploitation of rivers held in common, and the South African Broadcasting Corporation had commented that "in the Southern African context, this is a significant statement: it emphasizes that the sub-continent's natural controls dictate co-operation in the general interest - and that countries in Southern Africa are well aware of the fact."(140)

Water can obviously contribute towards regional development in Southern Africa; Professor Midgley, Professor of Hydrological Engineering at the Witwatersrand University, briefly outlining a co-ordinated plan for water usage involving the power and water of the Orange, Okovango, Kunene and Zambesi Rivers to the advantage of all Southern Africa,(141) said that "if the resources of South Africa's African neighbours were developed to link up with the country's industrial complexes, the whole of Southern Africa could eventually form a common market or co-prosperity block."(142)

/There .....

(140) S.A.B.C. op.cit. "Water dictates co-operation". 23rd January, 1967. Since the S.A.B.C. is State-controlled, and the Current Affairs series is believed to reflect Government thinking, this statement is significant in that it underlined the idea, which Dr. Verwoerd had spoken about earlier, of a Southern African common market, and drew attention to South Africa's relations with her neighbours.

(141) Speech to the third Southern African National Survey Conference at the University of the Witwatersrand on 16th January, 1967.

(142) Rand Daily Mail, 17th January, 1967.

There is at present an atmosphere favourable to "co-operation for a system of separate sovereignties and separate nationhoods"(143) which is helping to remove some of the old barriers which existed between South Africa and her black neighbours. When Chief Jonathan returned to Maseru after his meeting with Mr. Vorster in January 1967, he drew attention to this new climate of co-operation in Southern Africa. "Political difference" he said "should not be allowed to stand in the way of shared economic advantage - and if other African States follow Lesotho's example, then schemes which may today look far-fetched could well become practicable."(144)

In the past few years great developments have been taking place on the southern part of the continent of Africa which, according to the South African Broadcasting Corporation, will lead to a "vast sub-continental power-grid stretching northwards to the Zambesi," and which will include thermal stations, the Orange River Project, the nuclear generator at the Cape, Oxbow, the Tugela and the Cabora Bassa Scheme, since a 'fait accompli'. On 26th April, 1966 the contract for the construction of the Hendrik Verwoerd Dam - the key phase in the Orange River Project - was signed in Pretoria. Then in March 1967, Portugal and South Africa opened talks in Lisbon on a hydro-electric project in Mozambique: this was the proposed Cabora Bassa dam on the Zambesi which will "make cheap power available to South Africa, Rhodesia, Zambia, Malawi and Mozambique, according to

/Portuguese .....

(143) S.A.B.C. op.cit. 23rd January, 1967.
(144) Ibid.

Portuguese sources."(145) A month later, representatives of the Governments of Lesotho and South Africa met in Maseru to discuss Oxbow and related schemes, and in the same month discussions started between representatives of the Swaziland, South African and Portuguese Governments on the co-operative use of water from rivers flowing through the Eastern Transvaal, Swaziland and Southern Mozambique. In August of 1968 it was announced that land had been acquired for a nuclear power station in the Cape for the development of the Camden power station"(146) ..... and it is not only the Republic that will benefit from this new development. In the years ahead the system will spread northwards to the giant Cabora Bassa Scheme on the Zambesi in Mozambique. Enlisting the power of the atom, it will spread southwards to the proposed nuclear station in the Cape. It will embrace the hydro-electric schemes planned for the Orange and Kunene on the border between South West Africa and Angola, and possibly also the Oxbow project in Lesotho."(147)

In 1967, Dr. H.J. van Eck, Chairman of the Industrial Development Corporation had described the role of power as a harmonizing factor in Southern Africa. He saw this as an extension of Dr. Verwoerd's policy of co-operation in Southern Africa between South Africa and its neighbours. Indeed, water and hydro-electric power could translate Dr. Verwoerd's vision into a

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(145) The Star, 30th March, 1967.
(146) The S.A.B.C. saw the opening of the Camden Power Station not only for the material well-being of South Africa, but as "a harmonising factor throughout the sub-continent." S.A.B.C. op.cit. 12th October, 1967.
(147) Ibid.

reality: "The pylons stretching out across the veld mark the spreading arteries of a new body, a new international organism, the Community of Southern Africa."(148)

Ironically the joint statement between the Lesotho and South African Governments on the implementation of the Oxbow Scheme, was issued on the day that delegates to the United Nations Conference on Trade and Development, in New Delhi, walked out while the South African representative was delivering his policy address. "And although the conference was unwilling to listen, deeds will speak louder than words in the end. In this sense, Oxbow is a landmark which other nations, even the most critical cannot ignore. Much more than water and power will eventually flow from the dams in the mountains of Lesotho."(149)

E. Regional Co-operation in Southern Africa.

Whether Southern Africa will ever be linked in a common market is a matter for conjecture, but since the turn of the century "customs unions and customs agreements have played a highly significant part in the political and economic development of Southern Africa."(150) Early inter-colonial customs unions in Southern Africa originated from rival customs and railway policies reflecting attempts by Natal and the Cape Colony to

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(148) S.A.B.C. op.cit. 12th October, 1967.
(149) Rand Daily Mail, 24th February, 1968.
(150) Kelly. "A Customs Union for Southern Africa." Page 1

monopolise the trade of the hinterland.(151) In 1889, the first customs union between the Orange Free State and the Cape Colony, was formed.(152) In the early eighteen-nineties British Bechuanaland, Basutoland, the Bechuanaland Protectorate and East and West Pondoland joined this customs union, and in 1898 Natal agreed to join. Southern Rhodesia and the Transvaal did not join however, until after the Anglo-Boer War, when Milner achieved what Rhodes had been striving for. In an attempt to solve the railway and customs problems of Southern Africa, Milner presided over a customs conference held in Bloemfontein in March 1903, at which it was agreed to abandon all tariff barriers, the Cape, Natal, the Transvaal, Orange Free State, Southern Rhodesia and the High Commission Territories forming a customs union.(153) The significance of this union was that its ramifications went beyond only a customs union, it was "the first of its kind to come together with a wider conception of its functions and opportunity, than the mere beating out of commercial bargains and the jealous accumulation

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(151) For the pre-1910 history see Jean van der Poel, "Railway and Customs Policy in South Africa" and A.J. Bruwer, "Protection in South Africa".

(152) "Rival railway policies also taught the Cape and Free State to regard the South African Republic, and, to a lesser extent Natal as business enemies." Walker. op.cit. p.406.

(153) By 1903 a free trade area extended in Southern Africa from the Cape to the Zambesi, but over the years the various customs agreements that linked the territories were renegotiated and the position changed, and since 1935, as between South Africa and the High Commission Territories on the one hand, and Southern Rhodesia on the other, this free trade situation was substituted by a tariff and customs protection barrier, mainly in order to protect South African and Rhodesian vested interests.

of revenue at the expense of the weaker party,"(154) it was in fact the first stage of the political unification of South Africa.

On several occasions the newly formed union threatened to collapse for, amongst other reasons, undue competition was soon apparent between Transvaal and Cape farmers, and between the Transvaal and Rhodesia. In the latter case both territories were concerned with the effect of protective duties on the cost of living. In 1906 Natal stayed in the union only under persuasion;(155) later the Transvaal, which had then obtained self-government and was determined to lower the cost of living, intimated its intention of withdrawing from the union but did not do so. The union managed to survive another conference in 1906, but again almost collapsed later in 1906 and 1907. At that stage, when a breakdown in the union appeared imminent, the Selborne Memorandum of July 1907 was published and brought about conditions in which steps towards a closer political union entered its final stage. The High Commission Territories, which were members of the early Customs Union, were not represented at the National Convention which established a political union of the four colonies.(156) The existing Customs Union was terminated by the Act of Union and thus it became necessary to conclude a new agreement between the Union and the.

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(154) Van der Poel, J. Railway and Customs Policies 1885 to 1910. Page 124.
(155) Ibid. p.238. ff.
(156) Southern Rhodesia was not represented at the National Convention but sent three non-voting observers

High Commission Territories. On 2nd August 1910 a customs agreement was concluded between them.(157) Similar agreements were concluded between the Union and the Rhodesias(158) and between the High Commission Territories and the Rhodesias.

The customs union of 1910 between South Africa and the High Commission Territories(159) was expressed very tersely. It provided for the maintenance of a customs tariff which would remain in force until it was amended by legislation enacted by either the Union or the Territories, in which event, the party which had not initiated the amendment, was at liberty to retire from it.(160) The agreement further provided for a "free inter-change of the products and manufactures of the Union and the Territories,"(161) excluding spirits and beer. Article 3

/provided .....

(157) Union Government Notice No. 274. 2nd August, 1910.
(158) Union Government Notice No. 275. 2nd August, 1910. Subsequently re-negotiated agreements between South Africa and both Rhodesias came into being in 1915, 1925, 1930 and 1935 (with Southern Rhodesia only), but on the 1st April, 1935, a customs barrier was erected along the Southern Rhodesian border "across the Cape to Cairo railway, and thus marked the end of a dream as old as Rhodes' day of one federation from Table Bay to the Zambesi or maybe Tangyanika". Walker. op.cit. p.666. However, in 1947, a draft agreement was reached between Southern Rhodesia and South Africa for re-establishing the Customs Union and in April, 1949, a customs union came into force. For details of Rhodesia - S. Africa customs agreements. See Kelly "A Customs Union for South Africa:" also T.H. Kelly, "The Transition to Customs Union in Southern Africa", S.A. Journal of Economics. Vol. 22. No. 3. September, 1954.
(159) Union Gazette, No. 274. 2nd August, 1910.
(160) See, Preamble; Article 1; and Article 4.
(161) Article 2.

provided for the payment by the Union Treasury to each territory of a share based on the average amount of customs revenue received by each territory during the years 1906 to 1908. The basis of determination set out in Article 4 was based on Section 12[162] of the schedule to the South Africa Act 1909.[163] Based on these 1906/1908 figures the total share for the three territories was fixed at 1.31097% and remained unchanged until 1966. Finally, the territories were required as far as possible to conform to the relevant tariff laws of the Union.[164] Of the total share of the territories Basutoland received .88575%[165] of the total which according to Sir Alan Pim "probably operated for the benefit of the territory until the Union Government, in order to protect its growing secondary industries, imposed heavy import duties." Whilst the three territories acknowledge the great benefits they receive under the agreement, it has been argued that it has been one-sided, and "that the very broad and general terms of the agreement, and the way in which it has been administered, have given a decisive advantage to South Africa, as the most powerful member state,"[166]/

/while .....

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(162) Section 12 of the Schedule to the South Africa Act 1909 - "There shall be paid into the Treasury of the Union all duties of Customs levied on dutiable articles imported into and consumed in the Territories, and there shall be paid out of the Treasury annually towards the cost of administration of each Territory a sum in respect of such duties which shall bear to the total Customs revenue of the Union in respect of each financial year the same proportion as the average amount of the Customs revenue of such Territory for the three completed financial years last preceding the taking effect of this Act bore to the average amount of the whole Customs revenue for all the Colonies and Territories included in the Union received during the same period."

(163) Except that adjustments were to be made quarterly, instead of annually.

(164) Article 4.

(165) The Pim Report. op.cit. p.58.

(166) Coven, Prof. D.V. "Towards a common market in Southern Africa". Optima. Vol. 17. No. 2. June, 1967.

while the Territories have remained the voiceless partners. Although Article 6 provided for amendment of the customs tariff by any of the parties to the union, in practice amendments have been made exclusively by the South African Government, and there was no provision in the agreement for joint formulation of policy. The effect has been that South Africa alone has determined tariffs, and when this has been done to protect South African industries the Territories have been forced to buy South African manufactures at higher prices than they would have had to pay for many overseas products. It has been argued, therefore, that the Territories have been indirectly subsidising the industrialization of South Africa. A second argument that the agreement operated in favour of South Africa was that the South African tariff policy had been designed both "to secure the home market for her own primary producers, and since 1925, to foster her secondary industries behind a protective tariff."(167) Both have been disadvantageous to the territories. South Africa's policy of reserving its home market for its primary producers kept the Territories out of the South African market for livestock when embargoes and quotas were established. South Africa's policy of protecting its local industries admittedly resulted in a considerable increase in receipts for the Territories from the customs pool, "but on the other hand it has resulted in a heavy burden on the local consumer."(168)

/In .....

(167) Ibid.
(168) The Pim Report. op.cit. p.59.

In 1935 Sir Alan Pim cited numerous examples disadvantagous to the Basuto: a 5½lb. imported blanket should, Sir Alan said, cost 16/3d, but duty increased the price by 25%.(169) South Africa's import control regulations, where they were used for protective purposes, had the same effect, but, against this, it can be argued that since they subscribe to a common monetary system "the Territories can have little cause for complaint about import controls imposed for balance of payment reasons."(170)

Thirdly, the Territories had no say in the determination of customs tariffs aimed at protecting any of their actual, or potential, industrial developments, particularly against the industries of their more powerful South African neighbour. The result was that where industrial development took place this was largely complementary to development in South Africa. These criticisms of the one-sidedness of the customs agreement, valid in many respects, reflect the price the Territories had to pay for belonging to a customs union whose benefits have far outweighed its disadvantages. It was the percentage that the Territories received from the total pool that possibly was not equitable, and the importance of this to the Territories is obvious; an increase of only 1% would almost have doubled their receipts.

In 1964 Botswana which received .27622% and Swaziland which

/received .....

(169) Ibid.
(170) Cowen. op.cit.

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/received .....

(169) Ibid.
(170) Cowen. op.cit.

received .149% protested that their allocations were outdated and did not represent the then trade situation equitably. Accordingly the British Government appointed Mr. F.M. Lewes, a statistician of Exeter University, to prepare revised proposals, for the division of the total 1.31097% as between the three territories. The new allocation based on Lewes' recommendations and implemented by the British Government for the financial year 1964/1965, was as follows: Lesotho 0.47093%. Botswana 0.30971%, Swaziland 0.53033%.(171) The immediate effect of this re-allocation was to reduce Lesotho's revenue by about R1 m. The British Government was criticised for not attempting to negotiate, on behalf of the Territories,(172) with South Africa for a greater share of the total receipts; they were "apparently more concerned with adjusting the imbalance resulting from Swaziland's spectacular growth, than with the question whether the Territories, as a group, were entitled to a larger overall pool as against South Africa."(173) This criticism brought in a completely different question and was outside the scope of Lewes' report. Yet it is not easy to see why Lesotho should have continued, pending negotiations with South Africa, to take the lion's share of the existing allocation to which she had long ceased to be entitled. But the criticism reflected the disappointment of a Government and people without

/alternative .....

(171) Lesotho Times, 17th November, 1967. In 1967 the customs agreement earned for Lesotho R1,462,000; Swaziland R2,023,491; Botswana R1,209,660. The Star, 22nd November, 1967.

(172) Basutoland and Bechuanaland were shortly to become independent.

(173) Cowen. op.cit.

alternative sources of revenue. At a meeting of senior officials of the three Territories in November 1967, an endeavour was made to find a common approach to negotiations with the Republic for the revision of the customs union.

In December 1969 a new customs union agreement was signed by South Africa, Lesotho, Botswana and Swaziland. Although the agreement will come into operation in March 1970 it will be effective retrospectively to April 1969. In terms of the agreement the three former High Commission Territories will each get a fraction of the total customs, excise and sales tax pool for the whole area. That fraction is "determined by the value of each territory's imports and excisable local production (including products liable to sales tax), divided by the areas total imports, plus the duty paid on them, plus dutiable local production, plus the duty paid thereon. The resultant amount is then increased by 42%."(174) Basing revenue on actual imports and local production of taxable goods

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(174) Financial Mail, 19th December, 1969.
The following is the arithmetical calculation on which the share of the revenue pool is based:

$$\frac{A+B+C}{D+E+F+G} \quad X \; H \; X \; 1.42$$

A = value of imports (figure of two years previously) of the territory.
B = value of the territory's production (and consumption) of excisable goods.
C = value of the territory's production (and consumption) of sales tax goods.
D = cif value of the total customs area imports (1968 R1992m).
E = customs duties paid on D (R152m).
F = value of excisable and sales duty goods produced and consumed in customs area (R700m).
G = excise and sales duties paid on F (R312m).
H = common revenue pool (R463m). It does not include sales tax, as these are 1968 figures.
Latest import figures available are: Botswana R19.9m (1967); Lesotho R23.9m (1968); Swaziland R34m (1968).

will alone give the territories a greater share than they received in the past, so that for the 1969/1970 fiscal year Lesotho will receive R4 million as against R2.5 million.(175)

The new agreement minimises many of the criticisms of the former agreement: provision is made for South Africa to consult the other members about proposed changes in customs duties;(176) consultations will be held prior to changes in the fiscal structure where these affect the revenue pool; and a Customs Union Commission will be established which will meet once a year or at the special request of any member, for discussions. The new agreement will help to place Lesotho's economy on a better footing since it will get a larger share of the total which itself will be larger than in the past.

From South Africa's point of view, the maintenance of economic integration and especially the customs union has been convenient. South Africa gains foreign exchange from money that is sent from overseas to balance budgets and promote development in the Territories. Its manufactured goods enjoy more favourable terms than the goods of foreign competitors, and the developing markets are useful. And it has been assured that the territories would not develop into "free port" areas, such as Hong Kong. But it was in intangible benefits that South Africa had most to gain by a close relationship with the Territories. The more South Africa increased the dependence on

/it .....

(175) Financial Mail, 19th December, 1969.
(176) Except where they are purely for fiscal purposes.

it of the Territories and the more integrated the economies of the four became, the more cogent were the arguments in recent years against any attempt at international sanctions against South Africa. Apart from the fact that South Africa could strangle the economies of the three Territories in the event of sanctions being so applied, sanctions would affect the Territories more adversely than the Republic.

Cronje has defined the objectives of a common market as "a gradual abolition of internal customs barriers, a free flow of goods and services generally, and the formulation of a common external customs tariff."(177) The three former High Commission Territories and South Africa have then already gone a long way to establishing such a common market. Their approach has been realistic and they are unlikely to be misled by the example of other African states which, having seen the benefits of the large and successful trading blocs in Europe, have been fired with enthusiasm to develop the economic standards of their people by forming similar blocs, often without regard to the particular conditions of the region. They are already well aware that the forms that economic co-operation can take are many and varied, ranging from bilateral trade agreements to customs unions, free trade associations, and the common market which represents economic co-operation in its most sophisticated form. In the terms of the customs union a free trade area,

/"which .....

(177) Cronje, F.J.C. - "Can a free trade association be created in Southern Africa?" Optima. Vol. 15. No. 3. September, 1965.

"which is no more than an association through which reductions in tariffs and other means of stimulating trade are arranged among member nations, and in which each retains the right to determine its own level of tariffs against outsiders",(178) can in their circumstances have little attraction. Since three of the four states involved in this customs union are comparatively under-developed, while the fourth is highly developed, it would be absurd even to envisage taking the further step to equate the customs union with a common market of the European type.

In this the states of Southern Africa have been more fortunate than those in some other parts of Africa where recent attempts at regional grouping have met in consequence with very varying success. The former East African Common Services Organization was recreated in the form of a common market between Kenya, Uganda and Tanzania in 1967, and Ethiopia, Somalia and Zambia also applied for membership. An economic unit of some 60 million people would have been created but the unit has already shown signs of disintegrating and prompted the realist, Dr. Banda of Malawi, to conclude that his country's economic salvation lay in the South and not in the North. Similarly 14 West African nations with a total population of some 100 million endeavoured to create an economic community, the initiative coming from the Senegal Basin Treaty Powers, Senegal, Guinea, Mali and Mauritania. Many obstacles will have to be overcome, the biggest being that the Central African franc is tied to the

/powerful .....

(178) Ibid.

powerful "franc zone" of the French-speaking states of O.C.A.M., the Afro-Malagasy organisation. Other obstacles are the weakness of Ghana's credit (though since the overthrow of Nkrumah, the country's economy seems to be recovering), the effects of the Nigerian Civil War, and the fact that Guinea and Mali have their own currencies, neither of which are strong, while Sierra Leone devalued its leone in line with the 1967 devaluation of the £ sterling. But the main barrier possibly is that the political ideologies in the 14 states span the entire political spectrum, from Guinea's Communism to the Ivory Coast's Capitalism. Sekou Touré was prepared recently to make concessions in the hope of getting some of the French aid that he had spurned earlier, and Mali has been slowly returning to the fold. The region also includes the impoverished small states of Togo, Dahomey, Niger and Upper Volta - how would these benefit from economic unity? There are differences of language, French or English (even where only one of these is spoken), and different colonial backgrounds, again French or English. The prospects generally for a West African economic union are not particularly bright. Compared with these two regions there are ten countries in Southern Africa: Angola, Mozambique, Lesotho, Botswana, Swaziland, South West Africa, Malawi, Rhodesia, Zambia and the Republic of South Africa, with an area of 2,452,615 square miles and a combined population of 44 million.(179) What are the chances of these ten states successfully accomplishing Dr. Verwoerd's ideal of a Southern African common market? There are many obstacles;

/social .....

(179) Africa Research Bulletin. March, 1967. p.34.

social, political, cultural, economic and financial. Economically, most of these countries still have predominantly agricultural and mining economies, which limit the range of goods that can be exchanged between them. Their purchasing power is consequently low and commercial and industrial activity is limited. The majority of the inhabitants are still involved in an agricultural subsistence economy. There are very few manufacturing industries, and most have to import capital goods. In most the infra-structure is inadequate, and in some only in the initial stages of development. These alone are formidable obstacles to the formation of a common market. In any future regional economic development plan, it will be to South Africa that the other nine will have to look, and the benefits that they might derive from so doing can be many.(180) South Africa has a highly developed economy, and its extensive experience in agriculture, mining and industry make it the obvious natural source of assistance for the developing economies of its nine other concomitants. In the past political differences have been the most formidable barrier to closer economic co-operation, but the removal of British power has rapidly changed attitudes and created "the framework for trust and collaboration in the sub-continent."(181) The late Dr. Verwoerd took the lead in

/trying .....

(180) Mr. J.P.W. Haak, South African Minister of Economic Affairs, told a luncheon in honour of Dr. Alberto Franco Nogueira, Portuguese Minister of Foreign Affairs, in June 1967, that "as a leading industrial, commercial and financial power in Africa, South Africa had a special responsibility for contributing towards the economic development of its neighbours." The Star, 27th June, 1967.

(181) S.A.B.C. op.cit. 19th May, 1967.

trying to foster an atmosphere in which economic co-operation would flourish. In 1960 he stated that "when the black state has reached independence which is truly based on the masses, and is able to take its place alongside the white democratic state, then suitable links must be created. I mentioned one possible method when I spoke about a commonwealth link in the South Africa of the future. Actually a commonwealth link would come into being in Africa between more states on the basis that we contemplate here at the southern tip of the continent between neighbour and neighbour, the one white and the other black; a commonwealth in which no state will lord it over another state."(182) In 1966 Mr. Vorster said: "it stands to reason that all states in Southern Africa will, and must, work as closely together as possible, because it is in the interests of each and every one of us to do so."(183)

South Africa's efforts at closer economic relations are not purely altruistic.(184)

Nevertheless following the lead given by Dr. Verwoerd, most black leaders in Southern Africa have publicly declared their

/desire .....

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(182) South Africa. Assembly Debates. Hansard. Col. 3013-3019. 1960.
(183) S.A.B.C. op.cit. 13th December, 1966.
(184) "If they do not eat we do not sleep." The Star, 31st October, 1966. "The more they prosper the better trading partners they will be" - Mr. Lesley Lulofs, President of the Federated Chambers of Industries. The Friend, 31st November, 1967.

desire to work together. Chief Jonathan was one of the first leaders to endorse Dr. Verwoerd's proposition, and he has on many occasions spoken in terms of a commonwealth or economic community in Southern Africa.(185) His meeting with Dr. Verwoerd and later with Mr. Vorster have lent practical support to ideas of economic unity.

These meetings were followed, in March 1967, by a visit to South Africa by a ministerial delegation from Malawi when a trade and labour agreement was signed between the two countries.

Since then Malawi and South Africa have exchanged diplomatic representatives. In the meantime, relations between South Africa and Botswana, which had not been as cordial as those between South Africa and Malawi, and South Africa and Lesotho, have improved as a result of official and governmental exchanges between the two countries.

Their initiatives were supported strongly by one of the most influential Africans to the north, Mr. Robert Gardiner, the Executive Secretary of the Economic Commission for Africa, who stated at a Press Conference on 21st March 1967, that "one is inclined to say that the integration of the economies of the four countries - Lesotho, Swaziland, Botswana and the Republic of South Africa is as it should be, if all four countries act

/objectively .....

(185) "I look forward to some time in the future when we in Southern region can sit down at a round table, and work out an economic community for the whole of our region" - Jonathan at banquet given in his honour by Banda. The Star, 16th May, 1967.

objectively and with consideration for one another's needs."(186)

The states in Southern Africa will obviously be obliged to forge closer links than those existing at present if they are to form a common market. They are not seeking economic co-operation as a means to political integration, which is possibly the goal of the European common market; on the contrary, "they seek economic co-operation as a means of preserving political independence, and economic inter-dependence for the countries of Southern Africa."(187)/

The first steps taken were therefore bilateral trade agreements and these have been in existence for many years between some of the states of Southern Africa. These agreements have gradually been extended to include other countries but obstacles remain. Basically they relate to the problem facing all under-developed countries in their endeavours to form closer economic ties, that these must work and must be seen to work to the advantage of all parties. There are the dangers that the economically weaker parties will constitute a hindrance to the expansion of the whole, and that the stronger parties will eclipse the weaker, so that Lesotho, for instance, could for many years remain merely a labour reservoir for its stronger South African neighbour. The term common market as applied to Southern Africa, must therefore not be used in its European connotation, where partnership is based on co-operation between developed

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(186) The Star, 22nd March, 1967.
(187) Dr. N. Diederichs, South African Minister of Finance. The Friend, 15th November, 1967.

countries: in Southern Africa such a basis does not as yet exist. The ten countries moreover have different colonial and historical backgrounds; varying political outlooks, differing forms of government, administration and judiciary, and perhaps most significant, differing racial policies. Lesotho, Malawi, Botswana and Zambia all profess to be multiracial, and while the first three are prepared to co-operate in Southern Africa, Zambia is openly hostile to South Africa, Rhodesia and the Portuguese territories. The Portuguese territories of Angola and Mozambique, for example, are administered on a multiracial basis, are not independent, and are not free to exercise an independent policy. The economy of both is linked to the escudo; they have tariff and trade agreements with metropolitan Portugal and until recently, Lisbon monopolized their economic development. Traditional Portuguese policy opposed foreign investment in the overseas provinces. Recent events in Africa, coupled with unrest in Angola and Mozambique, have made the Portuguese Government realise that it should not continue to follow the path of isolation in Africa, and it now encourages foreign investment, and has shown itself ready to align its policy with that of Rhodesia and South Africa. Angola and Mozambique are in some ways the least developed territories of Southern Africa, but their agricultural and mineral wealth potential is immense while the discovery of oil in Angola has made this territory strategically important. "It would certainly be no exaggeration to assert that a market containing

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South Africa, South West Africa and the territories of Bechuanaland, Swaziland and Basutoland with Rhodesia and the Portuguese provinces would link an area of truly immeasurable mineral wealth."(188)

The status of Rhodesia and South West Africa has not yet been finally settled or accepted by the world community and they present therefore a real obstacle to regional development since agreements might have to remain de facto rather than de jure. Of the others Botswana is intent on cementing relations with the Republic. Addressing editors in Southbend, Indiana, on 15th February, 1967, Professor Z.K. Matthews, Botswana's ambassador to the United Nations, said that his country's relations with South Africa "were a matter of practical politics", and that "a moral outlook is very important in international power politics, but it does not carry the day. Self-interest and pragmatism are what count."(189)

On the face of things, therefore, the obstacles are formidable but there are many unifying features and there already exists a considerable degree of regional inter-dependence. Firstly, the ten states of Southern Africa form a geographical unit with, by African standards, a fairly well-developed communications structure. Secondly, there is a high degree of economic co-operation. The total merchandise trade between them amounts to about R550,800,000 per annum which is equivalent to 24.5% of the

/area's .....

(188) Crowje. op.cit. p.117.
(189) Rhoodie, E. The Third Africa. 1968. p.38.

area's total exports and 22% of its total imports.(190) Trade within the area has risen by more than 75% in the past 10 years.(191) Many of the products of Lesotho, Botswana and Swaziland such as citrus, wool and grain are sold through South African marketing boards. Although there is no free movement of labour between the countries, about two-thirds of the labour in the South African gold mines comes from South Africa's neighbouring states. In addition, there are many hundreds of thousands of non-South Africans from neighbouring regions, working elsewhere in South Africa. Many new links have been established by recent agreements between some of the countries. South Africa, Rhodesia, Malawi, Angola and Portuguese East Africa have all recently negotiated inter-trade agreements. Mozambique has for a long period served as a railway link for the Transvaal, Rhodesia, Zambia, Malawi and, more recently, for Swaziland, and all use Mozambique ports.

In the private sector some large South African based corporations, in particular the Anglo American Corporation, have vast interests in mining, industry, fishing and exploration which practically embrace the whole region. A new agreement between South Africa and Malawi replacing a former agreement between South Africa and the Federation of Rhodesia and Nyasaland so far as Malawi is concerned will ensure "the continuation of trade relations which have long existed between the two countries."(192) For Malawi,

/regional .....

(190) Africa Research Bulletin. op.cit. p.34.
(191) The Friend, 15th November, 1967.
(192) South African Financial Gazette, 17th March, 1967.

regional co-operation "means co-operation with all countries in Southern Africa regardless of their colour or their political views and ideologies."(193) Today, through a web of economic agreements affecting all spheres of economic activity, a political co-prosperity sphere stretches from the Zambesi to the Cape. Economic and diplomatic experiences are gradually drawing the states of Southern Africa closer. Regional co-operation is proceeding in diverse fields: in a search for oil; in soil conservation;(194) in water and hydro-electric resources; in improvements in communications, in increasing two-way trade; and in improving agricultural production.(195) The development towards closer economic unity has been largely encouraged during the past few years by various factors such as Rhodesia's UDI; the independence of the former High Commission Territories and Malawi; the international Court of Justice decision on South-West Africa; moves by the United Nations to impose sanctions against South Africa, Portugal and Rhodesia. Former fears and suspicions are giving way to mutual trust, respect and political tolerance. But there is no guarantee against unpredictable

/political .....

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(193) Newspheck. 20th October, 1967.

(194) There is a Southern African Regional Committee for the Conservation and Utilisation of Soils. Its members are Lesotho, Botswana, South West Africa, Angola, Rhodesia and South Africa. Bantu . Vol. XIV. No. 4. Department of Information. Pretoria. April, 1967. p.2.

(195) The Inter-Territorial Advisory Committee for the Control of Foot and Mouth Disease in Cattle - the members are Lesotho, Botswana, Zambia, Malawi, Rhodesia, Swaziland, Mozambique, Angola, South West Africa and South Africa. The International Red Locust Control Service - countries represented: Lesotho, South Africa, Botswana, Tanzania Kenya, Uganda, Burundi, Malawi, Angola, Mozambique, the Congo. Ibid.

political action, especially in states which are at an early stage of political and economic development. In the case of Lesotho particularly, the constitutional crisis is not yet resolved and political unrest could erupt should the king, aided by the opposition, make a further bid for power. It is therefore important to consider how Lesotho could benefit from regional organization. It must be admitted at once that benefits could be minimal and that Lesotho could remain the poor relation among the states of Southern Africa whose chief function might well remain that of a labour reservoir. Even this function has a doubtful future.

Lesotho's economy is already closely bound with that of the Republic and it is difficult to see how a common market could give greater benefits to Lesotho. South Africa will in any event continue to assist Lesotho, as long as it is in its interests to do so, and the precepts on which South African aid to Lesotho is based, are not dependent on Lesotho's membership of a Southern African Common Market.

F. Foreign Aid.

(i) General Background.

The peoples of most of the newly independent states of Southern Africa look to the outside world for help in know-how and capital to equip them for the changed way of living which they hope to achieve. But the inevitable frustrations of slow progress and small returns have already led them "to temper

/their .....

their ardent nationalistic aspirations"[196] and some of them have even come to believe that in these days of international indepen ce, economic freedom is impossible for a small under-developed country if it wishes to advance in the measurable future.[197] A concept of aid - either financial or technical - has come i being, whether given for altruistic reasons or for reasons of political gain, or for both. "Many people believe that aid is nothing but a weapon in the cold war, or, even more crudely, bribery on an international scale. Many see in it a return to colonialism in a modern garb. To others, it expresses the brotherhood of man in a shrinking world."[198] In the initial stages after the Second World War aid was seen primarily as a need to give money, for money was what the emergent countries needed most because theirs were non-cash (or subsistence) economies. Aid was measured in pounds, dollars, marks, francs, etc. and the "rich countries vied with one another in the proportion of their respective national incomes that they devoted to the poor."[199]

It was soon realised that cash alone was not going to put the economies of the under-developed countries right, and that the

/purpose .....

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(196) Friedman, W.G., and others. International Financial Aid. Columbia University Press. New York. 1966. p.2.

(197) "That great West African statesman-poet, Leopold Senghor, now President of Senegal, told his people on the eve of General de Gaulle's famous independence referendum of 1958 that no true liberty was ever possible without a full measure of economic independence - while admitting, of course, that in these days of international independence, total economic freedom is all but impossible." South African Financial Gazette. 5th January, 1968.

(198) Leistner, G.M.E. "Aid to Africa". Communications of the Africa Institute. No. 3. Pretoria. 1966. p.1.

(199) S.A.B.C. op.cit. 3rd March, 1967.

purpose of aid should be to accelerate development to the point where these countries could become self-sustaining. More emphasis therefore began to be placed on technical assistance and training. Successful development implied determination by the recipient country to develop itself and no amount of outside aid could do the job alone. Such assistance therefore often came to play a relatively minor role, or if contributed was wasted.(200) Aid has accordingly been described by the Director of Research, Evolution, and Planning Assistance of A.I.D., as the "really tough and difficult way of ensuring that the developing countries use their own resources intelligently and efficiently."(201) Today the body of most consequence in the field of inter-national financial aid is the Development Organization Committee (D.O.C.)(202) of the Organization for Economic Co-operation and Development (O.E.C.D.). The World Bank(203) which differed from its affiliate

/institution .....

(200) P.M. Rosenstein - Rodan - "International Aid for Under-developed Countries". The Review of Economics and Statistics, XL (III)(ii) May, 1961. p.107.
(201) A.I.D. Monthly Digest. May, 1962.
(202) Established in 1960.
(203) The World Bank Group comprises the World Bank (formerly the International Bank for Reconstruction and Development, I.B.R.D.) and its two affiliates, the International Finance Corporation, I.F.C., and the International Development Association, I.D.A. The I.F.C. was created in 1956 to supplement activities of the World Bank by providing risk capital in the private sector where no government guarantee was required. I.D.A. was founded to provide development finance to under-developed countries on terms which are more flexible, and dependent less on the balance of payments position of a recipient than are World Bank loans; this represented a soft-lending institution.

institution the International Development Association (I.D.A.) in that the former did not provide monies for social programmes, was created at Bretton Woods Conference in 1944 to provide aid for under-developed countries as well as to provide long-term aid for the reconstruction of war damaged economies. Recently, the World Bank has been relaxing its lending policies, and is entering the social sector, with the result that the difference between the World Bank and I.D.A. is not as material as it was previously and the main difference now lies in the method of repayment policies of the two agencies.

The flow of aid is also correlated with present and past political and economic ties;(204) but American aid is widely spread because the United States had no previous colonial ties. Similarly German aid has tended to be general in direction since World War II. The aid given by ex-colonial powers, such as the United Kingdom and France, has been concentrated in their own former colonial territories, United Kingdom aid very concentrated in the British Commonwealth countries of Africa and Asia, and French aid being even more exclusively directed to its former African colonies. During the period 1960 to 1963 most additional aid went to Asia, aid going to Africa increasing only slightly. For the year 1963, 44% of aid went to Asia,

/including .....

(204) Countries which until recently controlled African territories generally still have special relationships with them, and direct the bulk of their aid to these territories. This applies specifically to France, Britain, Belgium and Italy. The U.S.A. and Germany supplement the other powers' aid where they deem it necessary. Most of Portugal's aid is allotted to its overseas provinces of Angola and Mozambique. Leistner, G.M.E. Aid to Africa. op.cit. p.2.

including the Middle East, and only 26% went to Africa.(205) In the aggregate, enormous amounts were provided, but the total result of this aid has been negligible in terms of what was actually required, and the per capita income growth rate for Black Africa over the past few years is still the lowest in the world. "In a recent seven year period, the per capita growth income in Black Africa was equal to 1.1%, or about a quarter of the figure for Europe."(206) In 1964 the African Development Bank was established with the main purpose of channelling funds into major economic and social development projects, and particularly into projects of common concern, designed to make the economies of African countries increasingly complementary, and to bring about some orderly expansion of trade.

But most African States for political reasons have failed to take advantage of technical advice, facilities, and aid that could be available to them from South Africa. Dr. Robert Gardiner has tried to persuade independent Black African states to take advantage of the favourable "wind blowing from South Africa". In March 1967, at Addis Ababa, Dr. Gardiner made such an appeal to African states following his visit to Southern Africa earlier in the month.

Most aid is bilateral and usually takes the form of grants; this is particularly true of the aid given by ex-colonial

/powers .....

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(205) Friedman etc. op.cit. p.32.
(206) S.A.B.C. op.cit. 3rd March, 1967.

powers[207] such as France and Great Britain. These grants help to finance economic and social infra-structure projects, to balance current budgetary deficits, and to meet the need for technical assistance.

Donor countries seem to favour specific project financing while some international agencies such as the World Bank group have in the past practically limited their assistance to specific project financing.[208] The United States, West Germany, Japan and the Soviet bloc , also prefer specific project financing in their bilateral aid programmes. This insistence on specific project financing has its bad effects since would-be recipients, in order to qualify for assistance, often place emphasis on projects which they know will meet the requirements of the donor countries or agencies, but which might not, in terms of their priorities be uppermost. On the other hand, the mere submission of specific plans does not mean that the projects will automatically be accepted by the donors. It has been in such circumstances that recipients have tended to try to play off one donor against another.

Since 1960 there has been an increase in multilateral aid because of the development of new agencies such as the International Development Association, Inter-American Development Bank, the United Nations Special Fund and because of a

/stepping-up .....

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(207) "This is particularly true in the poorest of the less developed countries and especially in many which have recently emerged from colonial status." Friedman etc. op.cit. p.22.

(208) In recent years the World Bank has shown itself to be more flexible in this respect.

stepping-up of activities by the older agencies such as the World Bank.(209) Multi-lateral aid has an advantage in that it is not subject to any special political factors and is more widely dispersed than bilateral aid. Nevertheless, though multilateral aid does not appear to have a political tag attached to it, many recipients have felt that this type of aid is still linked to some form of neo-colonialism.(210)

(ii) Technical Aid.

In most of the newly independent countries there is a severe shortage of trained and skilled people, and their urgent need is for trained financial and administrative specialists in addition to their capital needs. They are in need of individuals to help them to define their problems before making a development effort. They have a shortage of trained and experienced economists. Public administration is almost non-existent and illiteracy is a serious barrier to progress. The need for aid has made necessary the provision by recipient countries of other ancillary data without which aid cannot even be requested. For instance it has made it necessary for these countries to undertake statistical surveys;(211) in order to submit plans, applicant countries now need to know about their human resources, their rate of growth, and many

/other .....

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(209) Multilateral aid in 1964/65 represented £1.72m to £1.80m. Friedman etc. op.cit. p.62.

(210) When money was granted by A.I.D. to Lesotho to build the Alpha Road Project, Mr. Mohehle, leader of the Opposition, criticized acceptance on the ground that the grant was coming ostensibly from the United States of America, and that Lesotho did not want to become a pawn of the United States.

(211) Lesotho has only recently established a Department of Statistics.

other facts and figures before a detailed plan can be submitted to a potential donor. In fact, they are not equipped to absorb foreign aid nor to put it to proper use unless technical aid is provided first. It is in recognition of the need to make effective use of foreign aid that technical assistance has lately become an important consideration in granting assistance.

Technical aid has taken on many and varied forms, and includes providing scholarships, sending experts, erecting schools training centres, offering facilities for study and research in developed and donor countries, and generally finding means for improving the health and hygiene of the countries concerned; "Basically, the purpose is "human development"..... to increase knowledge, skill and productivity ... so as to enable the recipients eventually to carry out and sustain all the different tasks pertaining to a modern economy."(212) Because Africa's technological and educational level is far lower than that of the other underdeveloped countries of Asia and the Middle East, Africa is today receiving the major share of technical aid, and, according to Dr. Leistner, the conditions in the newly-emerged African states "render technical aid a particularly attractive instrument in the international rivalry for spheres of influence."(213)

Political independence for Lesotho has brought the beginning of an exacting economic struggle. Even before Lesotho gained

/independence .....

(212) Leistner, G.M.E. Aid to Africa. op.cit. p.3.
(213) Ibid.

independence, Chief Jonathan stated that he was prepared to accept the aid of any friendly country. This is part of Lesotho's international policy of living in peace with her neighbours, both immediate and remote. However, Lesotho was "not prepared to pay the price of peace by accepting foreign ideologies."(214) From the start, Lesotho closed the door to possible aid from the Communist bloc and has been prepared to negotiate [illegible]ly with western countries. Consequently, Lesotho d[illegible]ger the game of international blackmail(215) by playing off East against West. This has, where it has been attempted, not been a very successful method of obtaining aid, and would probably not have brought about the desired results. Had Chief Jonathan shown any intention of soliciting Communist aid, the South African Government, would, no doubt, have sought to block any such request.

Having made it clear that he would not accept aid from the East, Chief Jonathan went to great trouble to justify his country's acceptance of aid from the Republic, whose racial policy he rejects. On numerous occasions, he has stipulated that he would not accept aid unless the Republic was willing to co-operate with the Basuto and willing also to respect their "own institutions"

/and .....

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(214) Chief Jonathan at National Pitso. 8th July, 1967, at Maimong. Kgona News, Volume 1, No. 77. 9th July, 1967.

(215) Countries which are important in terms of cold war strategy, for example India, and until recently the United Arab Republic, were particularly prone to this form of political bargaining. Because Communist aid is less liberal, the tactic has tended to be overplayed.

and their own "way of life".(216) By making such a statement Chief Jonathan sought to allay the fears of some of his people, and of the Afro-Asian bloc, that he might "sell Lesotho to South Africa", for the sake of economic gains. Some(217) have expressed doubts as to the advisability of a "closed-door" attitude to Communist aid, since, they argue, the Communists, both Russian and Chinese, would have relished the idea of establishing a foothold in the heart of Southern Africa, and would have paid well for the privilege. It has therefore been necessary for Chief Jonathan to convince the Basuto of the advantage of the policy he has chosen. So far, Lesotho has been receiving aid, both financial and technical, from numerous sources and countries in the west. But most has come from the United Kingdom and it would appear that, for the forseeable future, Lesotho must look to London for the bulk of its financial requirements although it may obtain useful technical aid from the United Nations Organization. In the long run however it may be South Africa which will provide Lesotho with most of the aid it needs.

(iii) United Nations Aid.

The assistance offered by the United Nations and its specialized agencies consists of the supply of technical experts, the grant of fellowships and awards for study, the demonstration of

/equipment .....

(216) Speech by Chief Jonathan at the opening of the Mpharene Health Clinic on 12th August, 1967. Department of Information. Maseru.

(217) Such as Dr. Blacking who expressed this view at a private meeting in Johannesburg in 1967.

equipment, and the supply of equipment to conduct studies and surveys. Some of this assistance is provided under a regular Programme of Technical Assistance, and is financed from the budgets of the United Nations and the Specialized Agencies. Much of this money is expended on payment for the services of experts who normally work in the recipient countries, i.e. in Lesotho.

When the United Nations Economic and Social Council met in July-August, 1964, it recommended that the United Nations Special Fund and the Expanded Programme for Technical Assistance (E.P.T.A.) should merge to form a new body which became known as the United Nations Development Fund. The merger of the two organizations was approved by the General Assembly in 1965. It operates in much the same way as did E.P.T.A., and the United Nations Development Programme is financed entirely by voluntary contributions from member states.(218) In December, 1960, the General Assembly passed a resolution on the Granting of Independence to Colonial Countries and Peoples,(219) but it was not until 1962 that the implementation of this resolution in respect of the High Commission Territories was considered by the Special Committee.(220) During the discussions in the Special

/Committee .....

(218) In 1967, 182 million dollars was pledged to UNDP by 105 governments and of this about 37 million dollars was earmarked by the governing Council of the UNDP for development projects in 26 African countries. The Star, 12th January, 1968.

(219) General Assembly Resolution 1514 (XV) of 14th December, 1960

(220) In 1947 the General Assembly set up a committee to report on the information on non-self-governing territories - as differentiated from trust territories - to the Secretary-General. A committee of this type met annually after 1948. In 1949 it was established on a 3 year basis and was successively renewed on a 3 year basis. In 1963 it was dissolved and its functions were taken over by the Committee of Twenty-Four.

Committee, certain member countries stated that they were anxious about the economic position in these territories, and "emphasized the need for providing them with additional economic, financial and technical assistance."(221) On 2nd November 1964 the Special Committee adopted a resolution(222) requesting the Secretary-General, in consultation with Great Britain, to study ways of ensuring that the three Territories did not become economically dependent on South Africa(223) and requesting the Secretary-General to "intensify, in co-operation with the specialized agencies, programmes of economic, technical and financial assistance to these territories."(224) During the debate on the resolution in the Special Committee, the British representative, with reference to paragraph 5, considered the study called for, unrealistic "since the plain facts of geography were such that there was inevitably a high degree of economic inter-dependence between these territories and South Africa."(225) However, on 15th March 1965, the United Kingdom's permanent representative, in a letter to the Secretary-General, stated that his Government was prepared to co-operate with the Secretary-General to study the economic

/needs .....

(221) Special Committee on the situation with regard to the implementation of the declaration on the granting of independence to colonial countries and peoples ..... Basutoland, Bechuanaland and Swaziland. Commonly known as the Chacho Report - after its Chairman. 25th August, 1965.
(222) A/Ac. 109/103.
(223) Paragraph 5.
(224) Paragraph 6 - The committee also asked the United Kingdom to take immediate steps to transfer power to the freely elected representatives of the territories. Africa: Political Social and Cultural - Bulletin of the Africa Research Bureau. Volume 1. No. 11. November 1st to 30th, 1964. p.191(b).
(225) The Chacho Report. op.cit. p.4.

needs of the High Commission Territories, and proposed to "invite a three-man team to visit the Territories ... to investigate and advise upon the scope for additional economic and technical assistance to Basutoland, Bechuanaland and Swaziland."(226) On 17th June the Special Committee, during its meeting in Africa,(227) noted the predominant influence of South Africa in the territories, the unsatisfactory economic, social and financial conditions, and the need for United Nations assistance. It requested the Secretary-General, while awaiting the completion of the study requested in the resolution of November, 1964, "to intensify, in co-operation with the specialized agencies, (of) the provision of economic, financial, and technical aid commensurate with the needs of the territories."(228)

The study became available in 1965.(229) It recognised that economic, financial and technical aid was available to the Territories from the United Kingdom and the United Nations Organization, but pointed out that at the rate at which aid was being given, even if it were moderately increased, it "would not meet the needs of the situation,"(230) or *ensure* the economic independence of the Territories from South Africa. The report recommended therefore to the Special Committee and the General

/Assembly .....

(226) Ibid. par. 12.
(227) A/Ac. 109/127.
(228) Paragraph 6. Resolution A/AC. 109/107.
(229) The Chacho Report. op.cit.
(230) Paragraph 16.

Assembly the establishment of a fund to assist the Territories and to supplement the aid given by Great Britain and the United Nations specialized agencies.(231) Such a fund the commissioners believed should be made up of voluntary contributions by member states of the United Nations, and administered by the Secretary-General in co-operation with the Territories together with the Special Fund, Technical Aid Bureau (TAB), Economic Commission for Africa (ECA) and other Specialized Agencies.(232) So far no contributions have been made by any of the United Nations member states, an indication of the degree to which certain member countries of the United Nations are often prepared to criticise and recommend, but not to contribute. The report also recommended the establishment of a United Nations Technical Assistance Office headed by a Resident Representative to co-ordinate all United Nations assistance. Such a body was established in Maseru in 1967, the officer in charge being Mr. Peter Lowes of the United Nations Development Programme.(233) With regard to United Nations technical and economic assistance the Chacho Report stated that "there is no doubt that the Territories could absorb more aid of this sort, especially as concerns professional, technical and

/teaching .....

(231) Paragraph 19.
(232) Paragraph 19.
(233) Lesotho Times, 9th November, 1967. In 1965 a sub-regional representative of the United Nations Technical Assistance Board and Special Fund resident at Gaberones - Botswana - was established.

teaching personnel, resource and other surveys."(234) In May, 1967, the Lesotho Prime Minister stated that aid and technical assistance were being increasingly received from the United Nations, and that at that stage there were 14 United Nations technical experts giving assistance in Lesotho in a wide range of fields including agriculture, co-operative marketing, economic affairs, statistics, and World Food Programme.(235) This did not imply that he was completely satisfied with the United Nations contribution. He was merely expressing his gratitude for what was being done.

Lesotho is now receiving aid from the United Nations, through the UNDP which has offices in Oxfam House in Maseru, and provides assistance in the fields referred to by the Prime Minister. In addition, the UNDP under the World Food Programme is providing a substantial allowance for food which operates in two ways; (a) the largest is the school feeding programme, and (b) what is known as "food for work".(236) The basis of the latter operation is that when road and other rural works are being undertaken, the employees on these operations are paid in the form of food. This type of project has a dual purpose. Firstly it assists important development and secondly it ensures that work is available to people who might otherwise be unemployed. The UNDP is assisting in another way in Lesotho by sending Basuto abroad to follow various training programmes in

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(234) The Chacho Report. op.cit. p.147.
(235) Lesotho Times, 19th May, 1967.
(236) Lesotho Times, 7th November, 1967.

a number of countries.

The Food and Agricultural Organization (F.A.O.) has perhaps been the most active of the United Nations specialised agencies in Lesotho. A grant in 1965 of over R405,700 under the World Food Programme of the FAO made it possible for Lesotho to make a major advance in its nutrition programme. The money enabled a new scheme to start in April 1965 and to continue until February 1966.(237) The grant provided egg powder, dried skimmed milk, fats and vegetable oils. Following the signing of an agreement in August 1967 between the Lesotho Government and the FAO, extensive improvements to the Maseru Agricultural School were started. The agreement provided for the development of the school over a period of two years, by means of a grant of R170,000(238) made available through the FAO by the Swedish International Development Agency. In addition the FAO, in keeping with the policy of the UNDP, provides Lesotho with educational training facilities in other countries.(239) In October 1967 the Acting Director of Rural Relief and Rehabilitation which is a section of the Ministry of the Interior, Mr. P.M. Ntlatlapa, attended the 12th session of the UN-FAO inter-governmental committee of the World Food Programme in Rome. The session approved Lesotho's annual and institutional feeding project "which will cater for three

/agricultural .....

(237) News from Basutoland. British Information Service. No. 1. 5th February, 1965.
(238) Lesotho Times, 18th August, 1967.
(239) Koena News, Volume 1, No. 95. 2nd August, 1967. The FAO sponsored Dr. Daniel Phororo, Veterinary Officer in the Ministry of Agriculture, to Italy on a six weeks' extension course.

agricultural training centres."(240) This brought the number of projects under the FAO to three, the others being the School Feeding Scheme and the Road Maintenance Project. When the FAO met in Rome in November, 1967, for its 14th session, Lesotho was represented by a three-man delegation.(241)

Lesotho was the 126th country to become a member of the World Health Organization and its 29th African Member country.(242) In October 1967 a Lesotho delegate attended the 17th session of the Regional Committee of the World Health Organization in Brazzaville. In addition, Lesotho has joined other international aid organizations, becoming for example the 122nd member of the United Nations Economic, Social and Cultural Organization (UNESCO).

(iv) United States Aid.

"United States aid is a blend of humanitarian sentiment and cold-war strategy."(243) The United States is constantly alive to the necessity of giving aid to developing countries, either for humanitarian reasons, or in order to keep them from becoming client states of the Communist bloc. The Marshall Aid Plan to help to reconstruct war-devastated Europe was the first major United States post-war aid plan. Since then the United States Government has invested millions of dollars in international aid. In 1961, there was a change in the administration of the American aid programme. The functions which till then were

/exercised .....

(240) Koena News, Volume 1. No. 150. 19th October, 1967.
(241) Koena News, Volume 1. No. 150. 19th October, 1967.
(242) Lesotho Times, 11th August, 1967.
(243) Friedman etc. op.cit. p.42.

exercised by the International Co-operation Administration and the Development Loan Fund were transferred to the AID - a semi-autonomous public agency which is part of the State Department, and which now administers all technical and financial aid, except loans undertaken by Emibank(244) and the Peace Corps.

Not only was there a change in the administration of the United States aid programme, but, there was also, at the same time, a change in the policy underlying it which "openly and emphatically accepted the need for long-term development planning by the recipient countries as an essential pre-condition of effective aid."(245) Hence about 65% of assistance made through AID between the years 1961 to 1963, was for programme development financing.(246) In addition to AID, the United States Department of Agriculture is also involved in giving aid in the form of the Food for Peace Programme.(247) Recently there has been another change in American aid policy. Like most other donor countries, the United States, nowadays offers aid on the basis that inhabitants of the recipient countries take part in the 'aid on a self-help' policy. The former President, Mr. Lyndon Johnson, declared in 1967 that "self-help is the life blood of economic development," and that

"no .....

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(244) A Government owned corporation, which though primarily an export financing institution, has operated as a lender for development aid on essentially commercial terms since 1934. Ibid. p.42.
(245) Ibid. p.51/52.
(246) O.E.C.D. Flow of Resources. 1956-63. Page 21.
(247) The United States Food for Peace Programme gave four million lbs. of food valued at R180,000 to Lesotho in 1967 - United States Department of Information. Press release 25/67. Maseru. 19th January, 1967.

"no sustained progress is possible without it. Aid provided as a substitute is aid wasted."(248) For the fiscal year July 1968 to June 30 1969, Congress appropriated $2,295 million for foreign aid.(249) Aid granted to the High Commission Territories over the last few years has included R71,000 to the University of Botswana, Lesotho and Swaziland for higher education.(250) The American Embassy announced in June 1967 that the United States Government, through AID, had allocated $23,000 for the purchase of equipment and material for self-help projects in Lesotho.(251) Six and a half tons of drugs and dressings were donated to Lesotho through the Direct Relief Foundation of California.(252) In addition non-governmental institutions have granted international aid; for example, Lesotho received a donation of drugs worth R100,000 from the Catholic Relief Services and the Catholic Missions Medical Board in Washington.(253)

The Peace Corps is an organization of volunteers giving aid to underdeveloped countries where this is requested. The Peace Corps whose impact thus far has been quantitative rather than qualitative, fills an important gap in underdeveloped countries by providing personnel for development programmes. In April 1967, it was announced that the United States Peace Corps would

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(248) The President told Congress this early in 1967 when outlining his proposals for the United States foreign aid programme for the fiscal year 1968 - United States Information Service. American News Digest, Vol. 7. No. 1. 4th January, 1967.
(249) Ibid.
(250) The Star, 27th May, 1967.
(251) Lesotho Times, 30th June, 1967.
(252) Koena News, Volume 1 No. 74. 5th July, 1967.
(253) The Star, 4th August, 1966.

be arriving in Lesotho to do work in the "fields of education, rural development, health and agriculture."(254) There have, however, been mixed feelings in Lesotho about the Corps and it has been attacked and criticized by Mohehle and other members of his party because they feel that it is an agent of American imperialism.

(v) United Kingdom Aid.

Britain is one of the main subscribers to the World Bank and is a member of the OECD whose DOC co-ordinates aid from western countries. Like France, Britain has devoted the bulk of its foreign aid to assisting its former colonial territories.(255)

/Britain .....

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(254) Koena News, Volume 1. No. 10. 14th April, 1967.

(255) Her Majesty's Treasury Aid to Lesotho, Botswana and Swaziland in £1,000's.

LESOTHO	GRANTS	LOANS	TOTAL
1945/6 - 1956/7	1477	-	1477
1945/6 - 1962/3	6322	370	6696

BRITISH AID TO SOUTHERN AFRICA

Details of the aid programme sponsored by Britain's Ministry of Overseas Development reflect a general increase in 1965, in aid to Southern African Commonwealth countries.

The total figures are:

Economic Aid	1965	1964
Basutoland	R6,340,000	R3,870,000
Bechuanaland	6,910,000	6,374,000
Swaziland	10,796,000	8,948,000

Aid under the heading "Technical Assistance" was:

Basutoland	R 718,000	R 122,000
Bechuanaland	552,000	310,000
Swaziland	508,000	338,000

In 1965 grants totalling R846,000 were included in the figure of R938,000 paid to the three countries together.

Bilateral technical disbursements in 1965 amounted to:

Basutoland	R 618,000
Bechuanaland	552,000
Swaziland	508,000

British experts working in the three countries in the fields of Public Administration, development, planning, health, education and agriculture were:

Basutoland	106
Bechuanaland	190
Swaziland	128

Students and trainees in Britain, financed by the British

/Government .....

Britain has, however, been suffering from adverse balance of payments problems for a number of years, and despite the determination expressed in a White Paper issued by the new Ministry of Overseas Development in August 1965, that Britain would play a major part in international development assistance, the economic restraints announced by the Labour Government in July 1966, imposed great restrictions on overseas expenditure, and "as part of these restraints, expenditure under the aid programme is to be limited to £205 million in 1967-8."(256)

For the development of British dependent territories responsibility was divided between the Colonial Office (Budgetary aid) and the Ministry of Overseas Development. In 1963 the Colonial Development Corporation was converted into the Commonwealth Development Corporation (CDC), to take account of the changed status of many former British colonies. The Commonwealth Development Corporation is a highly versatile and flexible organization for lending or for investing capital to assist a wide range of programmes for development.(257)

/In .....

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(255) - continued.
Government were:

Basutoland	71
Bechuanaland	20
Swaziland	31

Reference. Her Majesty's Treasury Aid to developing countries. Cmd. 2147. H.M.S.O. London. 1963. p.42.

(256) News Letter from Britain, No. 101. B.I.S. 13th February, 1967.

(257) "Nearly R40 million was spent under British Colonial Development and Welfare Schemes and loans to territories in Southern Africa over the last 20 years up to 31st March, 1966. Basutoland's share was R9,916,462." News Letter from Britain, No. 97. B.I.S. 3rd October, 1966.

In 1964 the new Ministry of Overseas Development was established to centralize the administration of aid under a Cabinet Minister and embraces the technical assistance programme which until 1961, had been co-ordinated by the Department of Technical Co-operation. Since 1964 the Ministry of Overseas Development has assumed responsibility for the aid programme as a whole.

Britain's special relationship with her former Colonies is based on deep-rooted historical ties of language, education, administration and legal systems. Moreover other donor countries tend to regard "aid to Commonwealth countries as a particular British responsibility"(258) and in some cases the only external aid Commonwealth countries receive is British. According to estimates published in 1966 the British overseas aid programme for the financial year 1st April 1966 to 31st March 1967 amounted to expenditure in excess of £129 million (R258 million).(259) The bulk of these estimates came under the recently formed Ministry of Overseas Development whose vote for bilateral overseas aid(260) amounted to over £60 million (R120 million), of which about £28.5m came under the Special Commonwealth African Assistance Plan. (SCAAP).(261)

Lesotho is still a long way from economic independence and will,

/in .....

(258) News Letter from Brit... In 1965, African Commonwealth countries ... the great bulk of United Kingdom aid in Africa. ...al of R162 million, R154 million aid to Africa went to Commonwealth countries. 30th May, 1967.
(259) News Letter from Britain, No. 90.
(260) Excluding multilateral and technical aid.
(261) News Letter from Britain, No. 90. op.cit.

in the first instance, look to Britain for the bulk of financial aid. Such aid as Lesotho has already received has proved to be very important, and the Lesotho Government is anxious that Britain's present economic difficulties should not affect British overseas financial aid in future.

According to Dr. Leistner[262] British Colonial policy until shortly after World War II, followed two principles: firstly, that of laissez-faire, i.e. that colonies should pay their own way with the minimum of aid from Britain and, secondly, that it was "the firmly held belief that sooner rather than later the three High Commission Territories would be incorporated into South Africa."[263] As a result of this policy Britain has been accused of neglecting Basutoland and the other two former High Commission Territories in Southern Africa. For example, Colin Legum in an article in the London Observer[264] alleged that until World War II successive British Governments had felt that it was unnecessary to squand taxpayers' money on the High Commission Territories as they believed that the territories would eventually become part of South Africa. While other British dependencies were advancing economically, the High Commission Territories had become "the slums of the Empire". His second criticism was that even when Britain did start aiding the Territories, the extent of aid was inadequate and that, when they were being "rushed" into independence, the

/British ....

(262) Leistner, G.M.E. Lesotho. Economic Structure and Growth. Communications of the Africa Institute: No. 5. p.29.
(263) Ibid.
(264) Observer, London. 17th July, 1966.

British view was that the Territories would have to accept economic dependence on South Africa. Replying to these allegations, the Under-Secretary of State for Colonies, Mr. John Stonehouse, in a letter to Miss Joan Quenell M.P., who had drawn his attention to Mr. Legum's article,(265) acknowledged that whilst the South Africa Act of 1910 made provision for the possible transfer of the High Commission Territories to South Africa, transfer would not have been considered without the acquiescence of the inhabitants. Because the inhabitants were opposed to incorporation "the Territories had been administered in accordance with normal British colonial policy."(266) It has been suggested that while such an attitude may not have been praiseworthy, it was understandable, at least as long as Britain assumed that the Territories would be transferred to South Africa, but it is difficult to understand "why the parsimony continued if it had become obvious that Basutoland would never agree to incorporation."(267) Mr. Stonehouse said that it was misleading to allege that the High Commission Territories had been deliberately starved of financial aid. He went on to say that although in 1929 there had been a Colonial Development Act, the purpose of this Act had been very limited. It had not been "until 1940 that Britain had evolved the policy of providing money for development ... under the Colonial Development and Welfare Act."(268) Mr. Stonehouse conceded that the British policy

/of .....

(265) Cited in Commonwealth Survey. British Information Service 1966. p.963.
(266) Ibid.
(267) Rand Daily Mail, 27th June, 1966.
(268) Commonwealth Survey. op.cit.

of laissez-faire, and the excuse that the British "subsidies would only pauperise them", was possibly a mistaken policy, but that colonies did not like becoming United Kingdom grant-aided territories because of the control of expenditure which the Treasury then exercised. On the question of the Territory's economic dependence on South Africa, he said that "Britain had done what it could to reduce the Territory's (Lesotho's) dependence on South Africa, but the extent to which this could be achieved was very limited."(269)

By 1960 a special commission recommended to the British Government that it should spend £9,500,000 on the High Commission Territories, but by May 1963 only £120,000 had actually been spent on development. A former British Ambassador to South Africa, Sir John Maud, recommended that the High Commission Territories be granted independence as soon as possible, and at the same time urged the British Government to spend £27 million over a period of 10 years, so that Britain could "acquit herself with credit". The British Government accepted his first recommendation, but it did not accept the rider to it. Without subscribing to British policy in Lesotho, one should remember that such aid as Britain has given Lesotho has been basically budgetary assistance and that what might originally be classified as development aid, was offset by recurrent expenses such as the cost of education and health services. These items became regular items in the budget, and amounts given for these changed their function from development to budgetary aid.

/Furthermore .....

(269) The Star, 2nd August, 1966.

Furthermore, it should be noted that much of the aid that Britain has given has been spent on the intangibles, such as education, health and agriculture. Had Britain financed, for example, the Alpha Road running from north to south along the western border of Lesotho, this would have given that country something tangible to point to as aid, but it is difficult to point to improved health conditions or a very gradual improvement in agricultural methods and say "this is what we did for you." Whatever Britain's contribution was, however, it was not enough,(270) and was based on the view that one day Lesotho would, in some way, have a closer relationship with South Africa.

British post-independence aid to Lesotho is based on the report of the Porter mission which, in October 1965, visited Lesotho for two weeks. The Porter mission drew attention to agricultural development, played down industrial and water development, and totally omitted consideration of mineral development. In a White Paper issued by the Basutoland Government on 20th June 1966, the Government severely criticized the Porter mission's Report for reasons here set out. The Report came as a shock to the Basuto , and has been described as a "façade to enable Britain to come out of it cheaply."(271) Professor Cowen described the document as "most disappointing" and said that it would "condemn the country to an economy below

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(270) It has been estimated that in the years after World War II Britain spent some "£5½ million on development" in Lesotho and, "including the estimate for 1966/67 some £9 million in budgetary assistance."

(271) Sunday Times, 30th October, 1966.

subsistence level."[272] Possibly this led to the decision, announced in the House of Commons on 24th October[273] by Arthur Bottomley, Minister of Overseas Development, that the British Government had offered to provide a sum of up to R22 million in budgetary and development aid to Lesotho. This he said would be additional to the post independence aid already agreed upon for the period up to 31st March, 1967, and that in addition "the full range of British technical assistance would continue to be available to Lesotho."[274]

The Lesotho Prime Minister replied that the British promise of aid was "small and doubtful," small in amount, and doubtful because it had "such strings attached."[275] The strings he referred to were, for example, that the money would have to be used to buy British goods, and to pay the salaries of British people working in Lesotho for the Lesotho Government: "all this means is that the aid is passed to us with one hand, and received back by Britain with the other."[276] Mr. Giles, a U.N. economist, felt that Lesotho needed an infusion of R30 million in capital investment over five years to raise the national income by 1%.[277] In his view, of the R22 million that Britain was giving, R18 million

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(272) Ibid. A similar view was expressed by Professor O.P.F. Hor wood, former Principal of Natal University and Economic Adviser to the Lesotho Government. He said that "Lesotho would be condemned to a vicious circle of poverty if the British Government did not increase its offer of financial aid" - The Star, 7th November, 1966. Cited in News Letter from Britain, No. 98. 1st November, 1966.

(273) In a written reply to a question. B.I.S. 1st November, 1966

(274) News Letter from Britain, No. 98.

(275) Department of Information. Press release 36/37. 3rd February, 1967.

(276) Ibid.

(277) Sunday Times, 30th October, 1966. Mr. Giles is a U.N. economist seconded to the Lesotho Government.

would be used to cover the budgetary deficit, leaving only R4 million for capital development over three years. Britain's responsibility therefore, appears to be primarily for recurrent budgetary assistance,(278) and not for development aid. On the question of payment of British personnel in Lesotho, the British Government will make loans to Lesotho totalling £402,500 to cover Lesotho's share of the payments to officers of the British Overseas Civil Service under the general compensation scheme./(279) The Overseas Service Aid Scheme started in 1961 and meets part of the cost of British officers serving in the developing countries until their own people can staff their public services.(280)

An important source of aid is from the British-based Oxfam, which does not confine its assistance to relief pure and simple, but is very much concerned with development aid. "The emphasis with Oxfam is prevention rather than cure."(281) Since 1961, Oxfam has spent nearly R700,000(282) on projects such as T.B. control, farmers' training centres, experimental fisheries and village water supplies in Lesotho. Aid is granted with no political or other strings attached, but Oxfam does "resort to friendly persuasion," to try to encourage the Governments or the agencies concerned to continue with projects

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(278) As it has in the past.
(279) News Letter from Britain. 4th July, 1966.
(280) The annual cost to Britain averages £1,000 a man. News Letter from Britain, No. 101. B.I.S. 13th February, 1967.
(281) Koena News. Volume 1. No. 181. 4th December, 1967.
(282) Koena News. Volume 1. No. 180. 3rd December, 1967

they have started. "We cannot sponsor any project indefinitely," said Malcolm Carruthers,(283) ... "it is up to the country to perpetuate what we start for the benefit of the people."(284)

Oxfam gives much assistance to Lesotho's Save the Children Fund (S.C.F.), and in 1966 Oxfam donated R30,000 towards its activities.(285) In 1967 S.C.F. received an additional R35,000 from Oxfam. S.C.F.'s activities in Lesotho are a joint venture with Oxfam. The S.C.F./Oxfam feeding scheme is at present operating in about 500 schools, providing daily school meals for about 80,000 children in Lesotho.(286)

A brochure published to mark the 25th Anniversary of Oxfam, stated that the R700,000 that had been spent in Lesotho during its first five years of operation represented 128 grants covering 55 projects. Of the total, R450,000 was spent on Government projects, and R194,000 for voluntary agencies - mainly the S.C.F.(287)

The International Voluntary Service - similar to the United States Peace Corps-has placed over 1,000 volunteers in short-

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(283) Mr. Carruthers retired from Oxfam in 1967, and was succeeded by Mr. M.R. Harris, formerly the field director for Oxfam in Africa south of Congo-Kinshasha.
(284) Tribune Africa Service. 29th October, 1967.
(285) Koena News, Volume 1. No. 2. 21st March, 1967.
(286) Lesotho Times, 31st March, 1967.
(287) The major grants have been for Mohales Hoek and Leribe Farmers Training Centre (R162,000), the Agricultural Development Fund R59,000, the Flying Doctor Service (R45,000), the Co-operative Banking Union (R24,000), emergency assistance(R22,000), borehole drilling equipment for village water supplies (R14,000) and the tuberculosis control project(R12,000). Koena News, Vol. 1. No. 181. 4th December, 1967.

term residential community service projects in Britain and abroad.(288) In 1967 there were 17 of these workers in Lesotho helping in the fields of education, health, etc.(289)

(vii) South African Aid.

"While Lesotho remained the responsibility of Britain, South Africa could afford to regard it merely as a convenient source of labour,"(290) but after Lesotho attained political independence the South African attitude changed. It would seem that as long as Lesotho is dependent on foreign aid to support its economy, South Africa will increasingly provide its poor neighbour with some form of aid. South African aid to Lesotho appears to be based on the following concepts:-

(a) It is an extension of the Republic's outward-looking policy in Africa. Before the Republic can really venture deeper into Africa, it must surely show some positive proof of its good neighbourliness policy towards its nearest Black neighbour;

(b) it should be viewed in terms of the concept of the late Dr. Verwoerd's developing Southern African common market, or regional development programme;

(c) from the point of view of South Africa's self-interest it

/is .....

(288) 1965 Annual Report. Cited in News Letter from Britain No. 92. 27th June, 1967.
(289) Lesotho Times, 31st March, 1967.
(290) Leistner. Lesotho. Economic Structure and Growth. op.cit.

is important that Lesotho should develop economically since poverty and frustration might cause Lesotho to become a centre for subversion and disrupt the peaceful and orderly existence at present enjoyed in Southern Africa, creating a foothold for Communism. Or as Professor Cowen has said, "by helping Lesotho, we in South Africa are taking out an insurance policy on our own future;"(291)

(d) for humanitarian reasons South Africa has assisted Lesotho by providing food in times of need, and no doubt South Africa will continue to do so in the future should the need arise. In the words of Dr. Carel de Wet, Minister of Health and Social Welfare, "we must not forget that we might be called in the future to assist to a greater degree with the provision of food to our neighbouring states in Southern Africa."(292) However, when in 1965, the South African Government supplied R300,000 of wheat to Chief Jonathan personally for the people of the famine-stricken Lesotho, the humanitarianism of the gift may have been actuated by political expediency;

(e) on the principle currently accepted by most donor countries: self-help. To quote the SABC, "material aid there must be, but it must be firmly founded on self-help and the development of human resources. This is the guide line that Dr. Verwoerd has handed us;"(293)

(f) the greater part of the South African aid programme will be

/technical .....

(291) Rand Daily Mail, 29th June, 1967.
(292) The Friend, 9th December, 1967.
(293) S.A.B.C. op.cit. 3rd March, 1967.

technical rather than capital although the most recent South African budget made provision for a fund of R5 million to aid neighbouring states. How this fund is to be used, and what its precise purpose will be, was not stated, but it may be assumed that Lesotho will receive a portion of this money;

(g) what can best be termed South Africa's "indirect" aid to Lesotho takes the form of providing employment for many thousands of Basuto, who otherwise would have no (visible) means of earning a living; paying the Lesotho share of the Customs revenue which forms a substantial portion of Lesotho's budget; providing the advantages of a common currency system (so that Lesotho does not suffer from shortages of foreign exchange,(294)) and

(h) Lesotho will derive benefits from the sale of water to the Republic; although the Oxbow and other schemes will be projects of mutual benefit, it should be remembered that South Africa is the only country to which Lesotho can sell water.

The Lesotho Prime Minister has stated that South Africa has already made a substantial contribution towards his country's welfare(295) in the form of technical, financial, medical and agricultural aid.

In June 1967, a four-man technical mission of the South African Water Affairs Department had discussions with two senior officials of the Lesotho Government in Maseru to assess the

/technical .....

(294) Unless South Africa does.
(295) Sunday Tribune, 15th October, 1967.

technical aid needed by Lesotho in the use of its water resources. Projects discussed included an irrigation scheme in the Caledon River Valley, a hydrological survey of Lesotho, the supply of water for industry, and Lesotho's fiscal regulations for the control of water supplies.(296)

On 17th June, 1967, Radio Lesotho(297) stated that the mission was to be the forerunner of other meetings to be held between representatives of the two governments, and that it followed the meeting earlier in that year between Chief Jonathan and Mr. Vorster. The radio broadcast said that "other areas of technical assistance were likely to include forestry, agriculture and mining."(298)

Following the discussions between Mr. Vorster and Prime Minister Jonathan in Cape Town in January, 1967, South Africa commenced its technical aid programme for Lesotho, although as yet no complete programme has been advanced by the South African Government. At this stage, technical aid is being given on an ad hoc basis for specific aspects affecting Lesotho's economy.

1. In September, 1967, the late Dr. J.G. van der Wath, the then Chairman of the South African Wool Board, stated that "negotiations were under way for the setting up of a textile plant in Lesotho to process wool products."(299) This statement was made by him at a press conference in

/Maseru .....

(296) Barclays Trade Review, July, 1967.
(297) Quoted in The Friend, 19th June, 1967.
(298) Ibid.
(299) The Friend, 5th September, 1967.

Maseru after a visit by members of the Wool Board and Wool Commission to Lesotho. In November, 1967, the South African Wool Board issued a statement in which Dr. van der Wath stated that, subject to the approval of the South African Minister of Agricultural Economics and Markets, Mr. D.C.H. Uys, the Wool Board and the Wool Commission had decided to aid Lesotho's wool industry(300) to the extent of about R169,000 over a period of five years. Dr. van der Wath said "Aid to Lesotho in this way will not only promote the wool industry in general, but will also be of national importance because it will help to build good relations between the Republic and this neighbouring state."(301)

2. It was reported in October, 1967, that a South African agricultural technical mission was to investigate "all aspects of Lesotho's agricultural and forestry potential, and problems linked with the conservation, development and efficient utilization of the natural resources of Lesotho."(302) The leader of the South African mission, Dr. W.A. Verbeek, afterwards stated that it was hoped that the mission would recommend a technical assistance programme for Lesotho.

3. In the same month, it was announced by Chief Jonathan in the Lesotho Assembly(303) that South Africa had made a grant of R50,000 to Lesotho to be utilized for the expansion of the

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(300) Wool is Lesotho's main export, amounting to about R2 million per annum.
(301) The Friend, 10th November, 1967.
(302) The Friend, 23rd October, 1967.
(303) On 23rd October, 1967. Lesotho Times, 24th October, 1967.

Lesotho Mounted Police, at the request of the Lesotho Government with "no strings attached."(304) This type of aid fits into no specific aid category as it cannot be really classified as technical aid, but would more properly be termed "mutual benefit aid" since it is as much in the interest of South Africa that Lesotho has a strong police force to maintain law and order(305) as it is in Lesotho's.

4. Also in October 1967, discussions were held in Lesotho between officials of the Lesotho Ministry of Agriculture, Co-operatives and Marketing and a five-man South African technical aid mission. "The discussions covered conservation mainly with Lesotho putting forward an extensive programme of soil conservation."(306)

5. In December, 1967, the South African Government gave the Lesotho Government medical supplies, the quantities of which were not disclosed, but the gift was described as "very substantial."(307) Later the Rand Daily Mail stated the drugs were worth R40,000.(308)

Lesotho needs a programme of economic development aimed at goals that are realisable in terms of its economic, human and social resources. This will mean a shift in emphasis towards improvement in agricultural techniques and secondly towards the development of small industrial and business undertakings, although the idea of giving priority to agricultural development is not well

/received .....

(304) The Friend, 24th October, 1967.
(305) And reinforce the Prime Minister's position?
(306) Lesotho Times, 27th October, 1967.
(307) Koona News, Vol. 1. No. 180. 3rd December, 1967.
(308) Rand Daily Mail, 8th December, 1967.

received in most quarters in Lesotho. But facts point to the wisdom of this direction - and the administrators in Lesotho should realise that improvement of agricultural techniques and productivity - which will really come only with a change in the Land Tenure System - is a more practical process than industrialization, for which Lesotho does not have the infrastructure, the raw materials, the trained manpower or the capital. Chief Jonathan in his election campaign promised his people more jobs in an industrialized Lesotho, but the prospects or means of rapid development in the near future are slender, and if the Prime Minister does not wish to involve his country in a Communist inspired social revolution he should tackle its problems in terms of priorities. And top priority in Lesotho is improvement of agricultural production. The development of industry can only come about when the country has the planning services, administrators, teachers, scientists, technicians and capital. Hence Lesotho should look for aid and assistance that will help to develop her agriculture in the first instance and then for the money, and human resources to fill the positions that are created by an industrial revolution. Eventually Lesotho may have to look to close integration with the economy of the Republic of South Africa.

CHAPTER FOUR

TO ESTABLISH LESOTHO'S PLACE IN THE COMMUNITY OF INDEPENDENT STATES AND ITS RELATIONS WITH INDIVIDUAL MEMBERS OF THAT COMMUNITY.

(i) Lesotho and the United Nations Organization.

The emergence of Lesotho as an independent state should be viewed in relation to changes which have taken place in Africa and in the world community since the Second World War. The United Nations Organization of today is indeed a different body from what it was in 1946.

In the past two decades most territories in Africa have shed colonial rule. The changes that have occurred in the United Nations Organization and in Africa have to a certain extent resulted from their interaction on each other. In 1946 Africa had the smallest number of representatives in the world body, but over the years its growing importance has been reflected by the increase in the number of African countries that have become member states of the United Nations Organization. By 1969 Africa had 43 seats in the General Assembly, giving it the largest continental representation.(1) Developments in the United Nations Organization stimulated by cold-war strategy have created a situation in which African states have been able to become a powerful force in the world body, and to affect its structure materially.

/In .....

(1) The League of Nations had four African members.

In its early years the United Nations' concern with Africa was mainly to extend aid to dependent territories, and it accepted as a sacred trust "the obligation to promote to the utmost, within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these territories"(2) and to develop them towards self-government. Few could have foreseen in 1946 that within the space of only a few years former colonial territories would gain their independence and that African states, allying themselves on several issues with the recently independent Asian countries, would become the most powerful voting bloc at the United Nations. This has made African States of primary importance in fulfilling the Organization's function of maintaining international peace and security. Nor did the authors of the United Nations Charter expect that the veto would be used as a shield to shelter wrongdoers, as a tactical weapon to block procedures, or to prevent admission of new members,(3) but in the very early years it became apparent to member states that Russia was using its right of veto for such purposes. The Russian veto prevented the United Nations from investigating incidents on the western frontier of Greece because its own interests were affected and it even prevented further U.N. discussion of this problem. Since November 1950 the General Assembly has taken

/cognisance .....

(2) Charter of the *United Nations*. Chapter XI Article 73.
(3) For example Ireland's application for membership was vetoed by the Soviet Union.

cognisance of the fact that the Security Council was being rendered ineffective by the veto, and encouraged by the United States of America[4] it endeavoured to assume responsibility for maintaining peace and security.[5] The General Assembly adopted three resolutions known as "The Uniting for Peace Resolutions" which empowered it to make recommendations relating to the maintenance of peace and security, though these decisions were not mandatory. The peace-keeping powers that the General Assembly read into the Charter do not deny initiative to the Security Council in peace-keeping operations, but the General Assembly has, in grave circumstances, acted when it has found it impossible to get a decision from the Security Council on questions relating to international peace and security.

In 1956, during the Suez crisis, the impact of the new role that the General Assembly had assumed became apparent. France and Britain had exercised their veto rights in the Security Council and the United States and Russia brought the Uniting for Peace Resolutions into effect by supporting the establishment of an United Nations Emergency Force in the Middle East. This force was not established under Article 43 of the Charter, but by the

/General .....

(4) By encouraging the Assembly to adopt these resolutions the United States took a risk but it was confident at that time of securing favourable votes from Europe, Latin America and in 10 Asian countries to secure a majority in the General Assembly. The Security Council resolution calling on North Korea to withdraw its forces from South Korea, and calling on member states to assist South Korea in enforcing this was accepted by the Security Council by a majority of 9 to 0. Russia was boycotting the Security Council over the question of the seat for Red China at the time.

(5) At its 5th session.

General Assembly in order to cope with the crisis that had developed. The General Assembly gave the Secretary-General the responsibility for organising the Force.

In other areas the General Assembly's authority had also been extended. For instance in terms of the United Nations Charter,(6) the General Assembly reviewed the reports of the Trusteeship Council, but in time it became the practice in the General Assembly also to "reconsider" matters that had already been discussed in the Trusteeship Council.

The Charter is essentially sympathetic to the ambitions of non-independent peoples, but before its provisions can be translated into action, a majority vote is required in the Assembly. Since 1945 when resolutions on colonialism began to be considered in the Assembly, what started as an anti-colonial minority has grown into a coherent majority. Chapter XI(7) recognised the interests of colonial peoples and their right to self-government, and couples this with international peace and security. There are no Charter provisions for examining political information on territories which are not self-governing, but the Charter can and has been interpreted to do so.

The admission in 1960 of 17 new members to the United Nations made the African bloc the largest single continental bloc in the United Nations and together with the Asian states, they

/numbered .....

(6) Charter of the United Nations. Article 73(c).
(7) Of the Charter.

numbered 44 out of a membership of 99.(8) At that stage anti-colonial states had an absolute majority in the Assembly but since the Afro-Asians could always rely on the 10 votes of the Communist states and on most of those of the Latin American states and often count on the Scandinavian countries to vote with them on anti-colonial issues, by 1960 they were virtually assured of a two-thirds majority on anti-colonial issues.

In December of 1960 Russia took the initiative by requesting the General Assembly to discuss "the Declaration on the Granting of Independence to Colonial Countries and Peoples." Russia realised that the colonial issue and a changing balance in the Assembly was a means of extending its influence and of gaining allies, in an attempt, inter alia, to oust the Secretary-General and replace him with a three-man troika system - a Communist, a Westerner and an Afro-Asian. A Soviet draft declaration calling for the immediate granting of independence to all colonial peoples, was generally supported by the Afro-Asian bloc.(9) The western powers could not oppose the Soviet draft openly and abstained from voting. The result was that Russia gained the initiative in the "third world". Although this move did not give Russia leadership of the Afro-Asian group it did illustrate to the latter the full potential of their own voting strength, and it is "not surprising that in their eyes the United Nations became a forum in which their rights and interest could

/be .....

(8) The African members had a majority in the Afro-Asian bloc: 24 out of 44 as against 9 out of 28 in 1959.
(9) Though the Afro-Asian bloc did not want cold-war strategy to become a factor in fighting colonialism.

be asserted."[10] The General Assembly could no longer be described as an "American voting machine", but neither had it become purely an instrument in the hands of Russia.

In December 1960 the General Assembly adopted the Russian draft, declaring, inter alia, that "all peoples have the right to self determination;" that "inadequacy of political, economic, social, or educational preparedness should never serve as a pretext for delaying independence;" and that "immediate steps" should be taken to transfer all powers to the peoples of dependent territories "without any conditions or reservations."[11] On 27th November, 1961, the General Assembly re-endorsed this resolution and established a committee[12] "to examine the applications of the declaration"[13] and to make recommendations on its implementation. This committee, originally consisting of 17 members, was increased to 24 in December 1962 and became commonly known as the "Committee of 24" or the "Special Committee". In this way the General Assembly had, to all intents, by 1961 assumed a degree of control of all non-self-governing territories. By 1962, the Assembly had also usurped the role of the Economic and Social Council and since then all Economic and Social Council controversial matters have been re-debated in the General Assembly. By 1962 therefore, the General Assembly had acquired an importance far beyond that which

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(10) Spence, J.E. The African States and the United Nations. Optima. June 1964. p.77.
(11) Britain and the United Nations. COI.RF.P. 5028/64. November 1964. London. p.53.
(12) The Special Committee on non-self-governing territories.
(13) Britain and the United Nations. op.cit. p.53.

the authors of the Charter had anticipated, and the changed status of the Assembly reflected the growing influence of Africa in world politics.

The first United Nations' action on the High Commission Territories occurred in June 1962 when the General Assembly adopted a resolution(14) calling on Britain to hasten the constitutional development of her colonies. At the time the British Government opposed this resolution on the grounds that it was "unnecessary and unrealistic".(15) In the same month Mr. N. Mokehehle, Mr. K.T. Motsete, President of Bechuanaland's Peoples Party and Mr. J.J. Nquku, President of the Swaziland Progressive Party, appeared before the United Nations' Committee of 24 and demanded independence for their territories. By a resolution of 7th June 1962 this Committee recommended that "elections be held in each territory on the basis of direct universal adult suffrage, and that a constitutional conference of elected political leaders be convoked to establish dates for the independence of the three Territories."(16) This resolution was reaffirmed in July, 1963.(17)

The United Nations' Charter draws a clear distinction between non-self-governing territories for which the administering power is not accountable to the United Nations, and trust territories whose administering authorities in terms of trust

/agreements .....

(14) Resolution 1817 (XVII) of 17th December 1962.
(15) Nielsen, W.A. African Battleline. American policy choices in Southern Africa. p.107.
(16) Stevens, R.P. Lesotho, Botswana and Swaziland. p.74.
(17) Cited in United Nations' Review. Volume X, Nos. 8-9, August to September, 1963. pp. 38-39.

agreements are accountable to the United Nations. But the Charter[18] obliges members administering non-trust-territories "to transmit regularly to the Secretary-General"[19] technical information on economic, social and educational questions. There is, however, no obligation on them to render political or constitutional information to the United Nations and until 1961, Britain refused to submit such information on her dependent territories. However, in that year the British Government started furnishing the General Assembly with political and constitutional information.[20]

Britain agreed to become a member of the Committee of 24 and to co-operate with it, with the reservation that this committee should not intervene in British territories. However, Britain abstained from voting in the Assembly on the declaration setting up the Special Committee, and from a subsequent declaration enlarging the Committee's membership to 24. The stand by the British was activated by the following considerations:[21]

1. the United Nations Charter did not empower the Assembly to intervene in the internal affairs of non-self-governing territories;

/2. .....

(18) Chapter XI.
(19) Article 73(e).
(20) "We recognise the intense interest in these matters of free people everywhere, and as we press on with our policies we wish to take every possible step to enlist the understanding and support which we believe these policies deserve", Sir Alec Douglas-Home (then Lord Home) British Foreign Secretary, in the General Assembly - Britain and the United Nations. op.cit. p.52.
(21) Ibid.

2. independence could be brought about only after suitable preparation;

3. in any event, the British Government was fulfilling its obligations under Article 73, concerning dependent territories, by supplying the Secretary-General with social, economic and educational information on its dependent territories.

The British Government felt furthermore that the numerous resolutions adopted by the Special Committee on the application of the declaration on non-self-governing territories were unrealistic, considering the facts of a given situation; for Britain the issue was "not whether any territory should gain its independence;" the issue was when it should gain its independence.(22)

In November 1964, the Special Committee approved a resolution on the British High Commission Territories requesting the Secretary-General, in consultation with the British Government, to undertake a study "as to the ways and means of ensuring the economic independence of these Territories vis-à-vis the Republic of South Africa."(23)

During the debate on this resolution, the British Government representative, referring to paragraph 5,(24) asserted that the

/study .....

(22) Ibid. p.54.
(23) United Nations Monthly Chronicle, Volume II, No. 9. October, 1965. p.33.
(24) Requesting the Secretary-General, in consultation with the administering power, to undertake the study. Ibid.

study for which the Committee called was unrealistic "since the plain facts of geography were such that there was inevitably a high degree of economic inter-dependence between these territories and South Africa."(25) The British Government did, however, agree to co-operate with the Secretary-General in a study of the economic needs of the three Territories. In pursuance of this, the Secretary-General appointed a three-man team headed by Mr. M.E. Chacho, Director of the Department of Trusteeship and Non-Self-Governing Territories, to visit the High Commission Territories during May and June 1965. This belated acceptance by the British of United Nations involvement is the economic development of the High Commission Territories may have been motivated by a desire to reduce the Territories' dependence on South Africa as far as possible. The Special Committee met in Addis Ababa in June 1965 to discuss the ending of colonialism and on 17th June the Committee approved a draft resolution on the High Commission Territories(26) calling on the General Assembly and the Special Committee "to take steps to safeguard the sovereignty and territorial integrity of those territories."(27)

During the debate the Committee of 24 granted hearings to the Basutoland Congress Party, the Swaziland Progressive Party and the Pan-Africanist Congress of Africa, and also to the

/administrative .....

(25) Ibid. p.33.
(26) Sponsored by the Afro-Asian members and Yugoslavia and adopted by 17 votes to 0 with 5 abstentions.
(27) United Nations Monthly Chronicle. op.cit. p.47.

Administrative Secretary-General of the Organization of African Unity.

During its visit to Africa the Special Committee was particularly concerned with what was felt to be South Africa's growing ambitions in the High Commission Territories.(28) Two recent events had increased the Committee's concern. The first was Dr. Verwoerd's offer to the territories to become independent under South Africa's guidance, followed early in 1965 by the defeat in elections in Bechuanaland and Basutoland of the principal opponents of the South African Government.

After receiving the report of the Chacho Mission, the Secretary-General reported to the Special Committee, the General Assembly and to the United Kingdom Government on the situation in the High Commission Territories. In September 1965, the Committee of 24, after considering the Secretary-General's report (which was based on the Report of the Chacho Mission) adopted a draft resolution recommending to the General Assembly that it take "appropriate action urgently to set up a fund for the economic development of the Territories of Basutoland, Bechuanaland and Swaziland."(29) Contributions to the fund, in terms of the Secretary-General's report, were to be voluntary and based on the goodwill of member states. To date there has, however, been little evidence of "goodwill". The British Government had certain reservations on the draft resolution and, in particular,

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(28) "South Africa has long occupied a dominant position in the political and economic life of Basutoland, Bechuanaland and Swaziland, and of recent years has sought to strengthen its hold over them". The Star , 22nd May, 1965, quoting a working paper prepared by the United Nations International

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on the fifth 'perambulator' paragraph,(30) since it felt that the "geographical situation of those Territories had inevitably entailed the establishment of links between them and South Africa."(31) The British Government did, however, vote in favour(32) of the draft resolution, subject to certain reservations. On 9th November 1965 the United Nations 4th Committee(33) adopted a resolution, sponsored by 31 nations, with 84 votes in favour, 1 against and 6 abstentions, calling on the General Assembly to establish a voluntary fund for the economic development of the High Commission Territories, and requesting the Secretary-General to appoint resident representatives in these three Territories. The Committee of 24 was moreover asked to consider measures for securing the territorial integrity of the territories. The South African representative opposed the resolution, stating that his Government had no territorial designs on the Territories, as the representatives of certain states(34) had alleged during the debate on the draft

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(28) continued - Secretariat for the Special Committee on colonialism.
(29) United Nations Monthly Chronicle. op.cit. p.33.
(30) "Noting with deep concern the predominant influence of the Government of South Africa on the economy of Basutoland, Bechuanaland and Swaziland."
(31) Mr. F.D.W. Brown, U.K. representative. United Nations Monthly Chronicle. op.cit. p.35.
(32) The Russian delegation abstained since in their opinion, the establishment of a fund would not be effective until such time as the territories had become independent.
(33) Trust and Non-Self-Governing Territories.
(34) Including Algeria, Ethiopia, India, Iran, Iraq, Liberia, Mali, Nigeria, Pakistan, Sierra Leone and the United Arab Republic.

resolution. Furthermore the South African representative contended that the economic ties which existed between South Africa and the three Territories benefited the peoples of the Territories.

Basutoland, about to receive independence, had experienced a constitutional crisis which was aggravated when the Maremetlou Freedom Party and the Basutoland Congress Party brought their cases to the United Nations for international review. On 7th July the Special Committee granted written and oral hearings to these two parties during its debate on Basutoland. In their petitions the Parties renewed the claims made earlier by their representatives in London at the Basutoland Independence Conference, when an attempt had then been made to postpone the granting of independence pending new elections. But the British Government representative at the U.N., Mr. F.W. Brown, opposed the representations made by the petitioners on the ground that Basutoland had progressed to independence in full agreement with all parties concerned. To the allegation that the Basutoland Government was a minority Government, Mr. Brown replied that this was not undemocratic, his own Government being a minority Government "in the sense that it polled less votes than the total of the other two parties."(35) The petitioners raised the question of the reserved powers in the constitution, stating that these should be given to their king. On this point Mr. Brown said that it was quite clear that the intentions

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(35) Commonwealth Survey. Prepared for British Information Service by the COI. London. 1966.

of the 1965 constitution "had been to make the Paramount Chief a constitutional ruler, and that had been agreed by all the parties."(36)

On the question of relations between Basutoland and South Africa, Mr. Brown denied allegations by the petitioners that the British Government would negotiate with South Africa on terms not acceptable to the people of Basutoland. Eventually the Committee of 24 adopted a report re-affirming Britain's responsibility for ensuring the independence of the High Commission Territories and calling on Britain to "protect their integrity and sovereignty against South African interference."(37) In September 1966 this report was discussed and adopted by the 4th Committee(38) of the Assembly.

During this debate, 18 Afro-Asian countries sponsored a draft resolution requesting the Assembly to "reiterate its grave concern at the serious threat to the territorial integrity and sovereignty of these territories, constituted by the aggressive policies of the present regime in the Republic of South Africa."(39)/ The 4th Committee accepted this draft resolution which was later passed in the General Assembly(40) by 82 votes to 2(41) with 15 abstentions.(42) Britain, the United States and France abstained on the ground that the resolution anticipated the

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(36) Ibid. p.1184.
(37) Ibid. p.1185.
(38) Trusteeship and Non-Self-Governing Territories.
(39) Commonwealth Survey. op.cit. p.1185.
(40) On 29th September, 1966.
(38) Trusteeship and Non-Self-Governing Te
(39) Commonwealth Survey. op.cit. p.11855.
(40) On 29th September, 1966.
(41) South Africa and Portugal.
(42) Commonwealth Survey. op.cit. p.1185

exercise of sovereignty by Basutoland and Bechuanaland and "nothing should be done to curtail this sovereignty."(43)

On 17th October 1966 Lesotho and Botswana were admitted to the United Nations bringing the United Nations membership to 121 and the number of African member states to 41. The admission of Botswana and Lesotho raised the interesting problem of the granting of membership to small countries. The standards of geographical size, economic viability, political education and training which had formerly been the yardstick of sovereignty, had been abandoned. Somalia and Cyprus had started a headlong rush of smaller territories to independence, the breakdown of the West Indian Federation giving impetus to it. This procedure, as U Thant pointed out, would surely have to stop somewhere short of Pitcairn,(44) whose main revenue was derived from the sale of stamps.

Small states carrying equal power at the count of votes in the General Assembly may lead to the Assembly ultimately being controlled by the under-privileged and under-developed countries. The United Nations Charter imposes no restrictions on applicants for membership regarding size, population or economic viability providing only that membership "is open to all peace-loving states which accept the obligation contained in the present Charter and, in the judgement of the organization are able and willing to carry out these obligations."(45) During the coming

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(43) The Star, 30th September, 1966.
(44) Population numbers about 150.
(45) Article 4(1).

years some 70 states may seek membership, many being smaller and less viable than Lesotho.

The numerical increase of African and Asian members of the United Nations and the concurrent growth in power of the General Assembly are distorting the 'real' world power situation and may create a situation in which the Afro-Asian States could compel the General Assembly to accept resolutions at variance with the vital interests of countries such as the United States and Russia. In this process Lesotho has played its own small part.

(ii) Relations with South Africa.

Relations between Lesotho and South Africa go back to the Great Trek when parties of Boers began settling in the upper regions of the Orange River and along the Caledon River. It soon became apparent that the Trekkers and the Basuto would clash over land since the former were encroaching on what the Basuto regarded as their territory, and Moshesh, "anxious to ensure sufficient grazing for his cattle and sufficient land for his increasing population"(46) was simultaneously extending north and westwards.

In the early states of conflict with the Trekkers, Moshesh appealed to Britain for aid, and in 1845, Sir George Napier "made an agreement with him in which he referred to him as a friend and ally of Cape Colony, and described the boundaries of his territories as recognised by the Cape Government."(47) In 1849 Major Warden, the representative of the Governor of the

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(46) Van Wyk, A.J. Lesotho - A Political Study. Communications of the Africa Institute. p.1.
(47) Hailey. The Republic of South Africa etc. op.cit. p.15.

Cape Colony, laid down a boundary[48] between the Basuto and the Boers. In Moshesh's view the Warden Line deprived his people of lands which Napier's agreement had apportioned to the Basuto people and he never really accepted this line as a valid boundary.

The British Government's grant of independence to the Orange River Sovereignty in 1854, removed even the pretence of control which had been shown by the Governments of the Cape and Natal in this area. One of the effects of the independence of the Orange River Sovereignty contained in the Treaty[49] was that British interference in the affairs of territories north of the Orange River[50] was disallowed. British withdrawal from the Sovereignty created a power vacuum in the area and left the Trekkers and Basuto to confront each other. Hostilities between them increased and the Basuto prepared to fight for the fertile Caledon lands which they thought "not without some reason"[51] to be theirs. Border raids by both parties increased and eventually the raids erupted into a full-scale war which was ended temporarily by the signing of the Treaty of Thaba Bosigo in 1866 by which the Basuto lost portions of upper and central Basutoland.

Some of Moshesh's chiefs, who were settled on lands that had

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(48) Which became known as the Warden Line.
(49) The Bloemfontein Convention, 1854.
(50) This included both the Orange River Sovereignty and Basutoland.
(51) Hailey. op.cit. p.16. But see van Wyk, A.J. op.cit. p.3. "We observe, therefore that whites were living in a good deal of the territory between the Orange and Caledon Rivers long before the Basuto made any claims to this area."

been awarded to the Boers by this Treaty refused to leave the territory and once again war broke out. In the meantime Moshesh had been pressing Sir Philip Wodehouse for British protection; Wodehouse however, had been unable to persuade the British Government to intervene. It was not until 1868 that he obtained permission from London to act and to annex Basutoland./(52) By the second Treaty of Aliwal North, in February, 1869, the boundary between Basutoland and the Orange Free State was re-adjusted and the re-adjusted line has remained the boundary to this day. By the Treaty the Boers gained a valuable strip of land to the west of the Caledon. There is still hope among the Basuto that one day they will regain these lands lost to the Free State and all political parties in Lesotho nominally support this idea. The boundary could therefore still become a live issue and could one day influence relations between Lesotho and the Republic of South Africa.

When in 1899 war between Britain and the two Boer Republics became imminent, the High Commissioner instructed the tribal authorities in the High Commission Territories not to become involved as "the conflict would be between the white races only,"(53) and during the Anglo-Boer war Basuto , Bechuanas and Swazis all remained neutral. After the war, during the discussions on the future of the defeated Boer Republics, it became apparent that the former Republics were not prepared to

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(52) By annexing Basutoland, Britain had violated provisions of the Bloemfontein Convention.
(53) Hailey. op.cit. p.22.

allow Africans to have the vote in their territories. Accordingly the question of the incorporation of the High Commission Territories was deferred in 1906-7, when the Transvaal and Orange Free State were granted responsible government. "To this extent, therefore, the two issues, namely, the extension of the native franchise and the incorporation of the High Commission Territories, had now become inter-dependent."(54)

When the Letters Patent announcing the new constitution for the Transvaal were issued in December, 1906, provision was not made for African franchise, the British Government declaring that "pending any grant of representation to natives, no territory administered by the Governor or High Commissioner will be placed under the control of the new Republic Government."(55) The Selborne Memorandum of 1907, however, proposed some form of union for South Africa "including all colonies and protectorates under British South African Administration."(56) When the proposed union was being debated at a National Convention, Sir Henry de Villiers, Chairman of the Convention, who had recently returned from England, informed the delegates that the British Government's attitude was that, if the Boers did not agree to franchise rights for Africans, the British would not transfer the protectorates. Sir Henry further stated that the British Government "regarded itself in a special sense as a guardian and trustee for the natives of South Africa."(57) The former

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(54) Ibid. p.25.
(55) Dundas, Sir Charles and Ashton, H. Problem Territories of Southern Africa, 1952. p.30.
(56) Hailey. op.cit. p.28.
(57) Hailey. op.cit. p.29.

Boer Republics were however not prepared to change their attitude regarding the franchise, and although there was general agreement during the discussions at the Convention that the High Commission Territories should be incorporated into the proposed Union, it became clear that Britain was not in favour of incorporation.

The Basuto, who were acutely aware of their earlier experiences under Cape rule, and of their recent conflict with the Free State, had sent a deputation to England requesting that their country should be excluded from the proposed Union with South Africa. In 1909 views were expressed(58) in the British Parliament that there should be no change in the constitutional position of Basutoland unless the British Parliament approved and that approval should be granted only in consultation with the local inhabitants. After 1909 similar statements were made frequently.(59) The British Government's attitude was that there would be no immediate change, but that, if South Africa were united, it would be "desirable, as well as necessary, for the Basuto to be prepared to come some day under

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(58) Nowhere in the South Africa Act, nor in the schedule thereto, is it stated directly or is it envisaged that the inhabitants of Territories should be consulted before transfer, but spokesmen of the British Liberal Party of the day assured their Parliament that the inhabitants would be 'consulted', "but it was also clearly indicated that their agreement was not to be essential." Hailey. op.cit. p.97.

(59) See for example: Despatch from the Secretary of State to High Commissioner on 4/12/1925, Cmd. 8707. pp. 18-20; a letter from the Secretary of State to General Smuts on 4/8/1935, Cmd. 8707. p.42; a statement by the British Parliamentary Committee in 1934, Cmd. 8707. p.134.

the same Government as the rest of South Africa."(60) Consultation by the British did not necessarily imply Basuto consent, but, when judging the merits of any request for transfer of territory, the British Parliament was obviously entitled to take the views of the inhabitants into account.

The South Africa Act set out the procedures to be followed if the territories were ever incorporated into the Union and guarantees were included safeguarding lands and tribal institutions. These guarantees were "entrenched", the amending procedure requiring a two-thirds majority of both Houses of the Union Parliament.(61) Many consultations on the significance of Section 151 of the South Africa Act have been held between the South African and British Governments. In the initial stages the British did not explicitly oppose the South African contention that transfer would eventually come about. Gradually the British attitude began to change however, and later, British spokesmen argued that Section 151 merely provided the machinery if transfer was agreed upon; Section 151 they said, did not imply an intent to transfer the Territories, and it was no different in this respect from Section 150 which provided for the possible transfer of the Rhodesias to South Africa.

Whatever the initial intention was, from the time these Territories were first administered by Britain, they were

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(60) Hailey. Native Administration, etc. hoc.cit. p.64.
(61) Section 152 of the Act of Union 1909: The 1961 South African Republican Constitution included these provisions.

treated differently from other British dependencies in Africa, "and the special relationship in which they stood to South Africa indicated the general accord that existed as to the desirability of the Territories eventually being incorporated in the Union."(62)/

Since 1910 the question of incorporation has been raised by various South African Governments on numerous occasions.(63) Prior to 1933, the attitude of South African Governments was that they were more interested in incorporating Bechuanaland and Swaziland; no-one was really interested in Basutoland.(64) In 1924, General Hertzog, Prime Minister at the time, raised the question of the transfer of the Bechuanaland Protectorate and Swaziland.(65) In 1933, in a letter to the Dominions Secretary, General Hertzog no longer limited his request "for he now took up the question of the transfer of all three territories."(66) Since that time references by the South African Government to the question of transfer have related to all three Territories.

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(62) Dundas and Ashton. op.cit. p.29.
(63) See: Cmd. 8707 for a full resumé of correspondence between the South African and British Governments from 1910 till 1939.
(64) "We must now press for the transfer at the earliest possible date of Swaziland and at the same time of Bechuanaland" but "should the simultaneous transfer of both these protectorates not be feasible in the opinion of the Imperial Government, then we urge that Bechuanaland also be transferred as soon as possible after the incorporation of Swaziland has been settled." Cmd. 8707. Ibid. pp. 12-13.
(65) Cmd. 8707. Ibid. p.15.
(66) Hailey. The Republic of South Africa, etc. op.cit. p.67.

In 1935, in an 'aid-memoire', the British and South African Governments agreed that their future policy "should be directed to bringing about a situation in which if transfer were to become a matter of practical politics, it could be effected with the full acquiescence of the population concerned."(67)

Discussions were however discontinued on the outbreak of World War II. After the war both British Colonial policy and South Africa's native policy began to change and their increasing divergence made transfer as a matter of "practical politics" ever more remote.

The British Government's view was that before it could agree to the transfer of the Territories it would first have to satisfy itself that transfer would take place with the full acquiescence of the population.

In the immediate post-war period, the possibility of transfer might have been seriously considered by a Conservative government in England, but had General Smuts, who was then Prime Minister, raised the question at that time, he would have been confronted by a Labour Government far more hostile to South Africa's racial policy than the Conservatives had ever shown themselves to be. In the course of time the policies of the British and South African Governments began to diverge even more, and as opposition to South Africa's native policy grew, not only in England, but in most parts of the world, no British Government, Conservative or Labour, could have agreed to transfer,

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(67) Cmd. 4948. p.1935.

without facing tremendous opposition in the House of Commons.

When the National Party came to power in South Africa in 1948 under Dr. D.F. Malan, the possibilities of transfer became even more remote, although Dr. Malan seriously considered incorporation as a matter of "practical politics", since for him the maintenance of these three islands of British administration within South Africa's borders was "one of the greatest anomalies existing within the borders of a sovereign independent nation,"(68) it regarded the retention of the Territories by Britain as an affront to South Africa's full sovereignty, conceded as it had been by the Statute of Westminister. The Tomlinson Commission Report(69) on the African areas in the Union proposed in 1955 that the High Commission Territories should form three of seven large African reserves,(70) but Dr. Verwoerd, then South African Minister of Native Affairs, did not think the inclusion of these Territories essential for the implementation of his Government's apartheid policy.(71) With the development of the South African Government's Bantustan policy, incorporation became more attractive to it, because the inclusion of the Territories would have increased the land occupied by the Africans of South Africa to approximately 50% of the total land area as against 13% in terms of the Native Administration Act of 1936. Such a plan of

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(68) Assembly Debates. South Africa. Col. 5664. 11th May, 1949
(69) Tomlinson. 15(b), (c) and (d).
(70) Similar proposals were made earlier by Dr. W.W.M. Eiselen in his Report on Native Education in the Union. (Commission on Native Education 1949/50. U.G. No. 55. 1951.)
(71) Hailey. Republic of South Africa, etc. op.cit. p.94.

partition, based on division of the country between black and white, would have made for a seemingly more equitable distribution of land in the eyes of the outside world.(72)

As Minister of Native Affairs Dr. Verwoerd had stated in 1951 that under the apartheid policy, the High Commission Territories could become self-governing Territories and that "the natives of the protectorates will act wisely if they compare more thoroughly the advantages of the apartheid policy for themselves, with the disadvantages of the policy of integration of the United Party, which is also the policy of the British Government in regard to certain of these Territories.(73) The apartheid policy, he said, "will mean that the protectorates will actually become self-governing territories and native areas. ..... I do not envisage the development of the government of the Protectorates on the basis of an absurd, sudden, westernized development as in the case of the Gold Coast. I envisage a natural development of self-government, based on the nature and history and mode of living and customs of the races living there."(74) It was only when Dr. Verwoerd became Prime Minister that the South African Government's policy on the question of incorporation altered. It adopted the approach stated by him as Minister of Native Affairs.

By the early nineteen-sixties it was becoming clear that Britain

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(72) It is enlightening to note here that in 1947 the United Nations was itself supporting a partition plan between two separate groups of people in Palestine.
(73) Assembly Debates. South Africa. Col.3058. 14th May, 1951.
(74) Ibid.

had committed itself to grant independence to the High Commission Territories and, to the South African Government, the issue seemed "to have become, in the course of time, largely a matter of prestige rather than of substantive importance."(75) The South African (Republic) Act of 1961 specifically did not however repeal(76) Sections 150 and 151 of the South Africa Act of 1909 and also the schedule contained therein, indicating that the South African Government did not intend to relinquish the possibility of exercising these provisions some day in the future. The British Government's view was that when South Africa left the Commonwealth, the Act of 1909 lapsed(77) and it informed the South African Government accordingly.(78) The latter appeared to accept this conclusion, since Dr. Verwoerd said in the House of Assembly that the question of incorporation was no longer a live issue in the policy of the Republic.

On 23rd January 1962 Dr. Verwoerd made a statement in the House of Assembly of his Government's intention to proceed in terms of the Bantu self-government Act to establish the first Bantustan in the Transkei.(79) On 4th May 1962 the Recess Committee of the Transkei's Territorial Authority reported that it had approved the scheme for self-government of the Transkei,(80) and in January, 1963, the Transkeian Constitution Bill, which embodied the recommendations of the Recess Committee, was put

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(75) Hailey. Republic of South Africa, etc. op.cit. p.96.
(76) When it repealed the South Africa Act of 1909.
(77) House of Lords. Debates. 12th April, 1962. Cols. 562-642.
(78) Ibid. p.575.
(79) African Affairs. Journal of the Royal African Society. April 1962. pp. 97-103.
(80) Report of the Recess Committee of the Transkeian Territorial Authority. 9th May, 1962.

before the Republican Parliament and was adopted in May with minor amendments. A Johannesburg weekly newspaper commented that "the principle of separate development would no longer be a myth, but a practical fact."(81)

The Transkei Territorial Act made provision for the preservation of the tribal institutions of the Africans. Representation in the legislature was confined to African citizens, and the committee categorically rejected "any conception of a multi-racial Parliament."(82) The control of defence, foreign relations, railways, immigration and constitutional changes was excluded from the authority of the Transkeian authority. The Cabinet was not responsible to the Assembly, but once Ministers were elected, they could not be removed without the permission of the South African State President, who in addition, had the power of either assenting to legislation, or of remitting it to the Transkeian Legislative Assembly for further consideration.(83) Citizenship qualifying for the franchise was confined to Africans domiciled in the Transkei and to all Xhosa-speaking people in the Republic and Sotho-speaking Africans related by descent to the Sotho-speaking tribes in the Transkei.(84)

By this time the Basuto were on the way to becoming independent and the constitutional structure of the first South African Bantustan did not impress them as an alternative to the constitutional form which they envisaged for their country when

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(81) Sunday Times, 10th March, 1963.
(82) Hailey. Republic of South Africa, etc. op.cit. p.116.
(83) Report of Recess Committee. op.cit. par. 28 and 30.
(84) Hailey. Republic of South Africa, etc. op.cit. p.116.

it became independent. Nevertheless Dr. Verwoerd made a further attempt to control the Territories in September 1963.(85) He appealed, not to the British Government, but to the people of the Territories, offering to develop them towards independence under South Africa's guidance.(86) This offer was not enthusiastically received in any of the Territories. Chief S.S. Matete, Leader of the Maremathou Freedom Party and Mr. E. Tau, Assistant Secretary of the Basutoland National Party, felt that they could not consider the offer, as acceptance would mean the end of multi-racialism in Basutoland. In any event they felt that the offer was pointless as they expected full independence from Britain in 1965."(87) Since the stated objective of all political parties in Lesotho was independence, none of them showed any desire to be incorporated into the Republic. In 1963 a British statement, in the United Nations General Assembly, reiterated the British Government's view that there was "no question of these Territories being incorporated into South Africa against the wishes of the peoples."(88)

Discussions during 1962/63 in London between Lesotho and Great Britain on the Constitution "took on an air of urgency as a result of a change in relations with South Africa, now no longer

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(85) In a major policy speech to the Transvaal National Party Congress in Pretoria. 3rd September, 1963.
(86) Published by the Department of Information, Pretoria, in a pamphlet "The Road to Freedom for Basutoland, Bechuanaland and Swaziland." 1963.
(87) Rand Daily Mail, 25th October, 1963.
(88) Lesotho COI. RF.P. 5751/66. op.cit. p.20.

a Commonwealth member,"(89) and the determination of Basutoland's relationship with the Republic was further complicated by the increasing number of South African political refugees(90) seeking asylum, in particular, men like Patrick Duncan, the son of a former Governor-General of South Africa, and Potlako Leballo, exiled leader of the Pan-African Movement and self-confessed leader of the Poqo Movement. The anti-South African activities of these and other refugees disturbed the South African Government and prompted it to place police controls at all border posts between South Africa and Basutoland. Britain as administering power suffered the embarrassment of having to deal with such incidents and was held responsible at the United Nations and elsewhere. Conversely the British Government could reasonably expect Basutoland's leaders, because of their country's dependence on South Africa, to take appropriate action against anti-South African political agitators operating from their country if and when Basutoland became independent.

It was significant that during the discussions of the proposed new constitution, all Basutoland's political leaders, recognising their country's economic, political and military dependence(91)

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(89) Stephens. op.cit. p.74.
(90) In 1961, Basutoland was very much concerned when an escapee from detention under the South African emergency regulations taking refuge in that country was seized in Basuto territory by the South African Police. He was released in January 1962, after proceedings in the Supreme Court in South Africa brought by the British High Commissioner. See House of Lords Debates. Col. 1014. 1st May, 1962.
(91) Britain had admitted "her inability, even at the moment, to defend Basutoland militarily against South Africa." Stephens. op.cit. p.80.

on the Republic, expressed the desire to live in peace and friendship with South Africa.

Having been assured that independence would be granted, Basutoland's political parties began to step up their election campaign. South Africa's position possibly played an indirect role, affecting the strategy of the parties, since all parties realised that the average Basuto was well aware of his country's dependence on the Republic. Although the main parties declared that they would co-operate with South Africa since the reality of their country's economic dependence left little room for manoeuvre, it was in the degree of co-operation on which they differed. For the Basutoland Congress Party co-operation was to be minimal, and greater emphasis was to be placed on outside assistance. The Maremetlou Freedom Party's attitude was similar, but more co-operative. The Basutoland National Party offered the closest and friendliest co-operation with the Republic. The policies of these parties therefore, ranged from "aggressive neutrality to friendly co-operation." The past activities of the Basutoland Congress Party led many Basuto to identify this party's policy with violence, Chinese Communism, anti-South Africanism and anti-clericalism.(92) Although B.C.P. leaders tried to alter this aggressive image "as early as January 1965 there were strong indications that a big shift was occurring in Basutoland allegiances,"(93) and the anticipated loss of support for the Basutoland Congress Party could be expected to be the gain of the Maremetlou Freedom Party which enjoyed the support of most of the leading chiefs.

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(92) The Friend, 21st October, 1964.
(93) Stephens. op.cit. p.82.

Positive acceptance of the need for closer relations with South Africa, which had been emphasised in Chief Jonathan's declarations on the subject, as opposed to the somewhat reluctant acceptance of the position by the other parties, may have materially affected the result of the elections, and eventually Chief Jonathan's bread and butter policies appealed to the majority of the electorate, especially to the thousands of Basuto women who rely on pay packets from husbands in the Republic, and who then for the first time exercised the vote. The B.N.P. victory, although slender(94) indicated a denunciation of radicalism, waning influence of the higher chieftainship, and a refusal by the electors to bow to traditionalism.(95) In South Africa the Basutoland National Party's victory was greeted as a victory for Dr. Verwoerd's policy of "good neighbourliness", and in a gesture of friendship towards Chief Jonathan personally the South African Government donated 100,000 bags of grain to alleviate a food shortage in Basutoland. This brought much criticism from Chief Jonathan's opponents who interpreted the gift as a 'sell-out' to South Africa.

The Republic's friendship for Lesotho was however not without

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(94) The B.N.P. received 41.63% of the votes and 31 seats. The B.C.P. received 39.66% of the votes and 25 seats. There was a very high poll on a franchise based on universal adult suffrage amounting to approximately 90% of those able to cast their votes. Total votes cast numbered 259,825 from a total of 416,952 registered voters, but it was estimated that about 125,000 voters were absent from the territory. COI. RF.P. 5751/66. op.cit. p.11.

(95) The 1960 election for Basutoland district councils: Basutoland Congress Party 73 seats, Basutoland National Party 22 seats, M.F.P. 16, Independents 51, Progressives Nil.

its limitations: in August 1965 the South African Government refused transit rights to 10 Basuto, who, according to Dr. Muller, the Minister of Foreign Affairs, had trained as saboteurs in a Communist country. Chief Jonathan protested to the South African Government, stating that their attitude was prejudicial to the furthering of good neighbourliness, but his protests, as well as courteous requests from the British Government, failed to alter the South African Government's decision. The event illustrated that on a vital issue South Africa would not change its attitude merely to maintain friendly relations.

In terms of the 1965 constitution, the British Government retained certain transitional powers relating to external affairs, defence and internal security pending the granting of independence, but the British Government representative was empowered to delegate part of these responsibilities to the Basutoland Government. In August 1965 Chief Jonathan visited London to ask for all these powers so that his Government could bring about an orderly transition to independence. Chief Jonathan again visited London in November of that year, once again accompanied by Professor Cowen, his Government's constitutional advisor, and this time the British Government acceded to his request,(96) and the transitional powers were transferred to the Basutoland Government.(97) Accordingly the Basutoland

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(96) COI. RP.P. 5751/66. op.cit.
(97) In a statement made at a private meeting Professor Cowen stated that had the B.C.P. and not the B.N.P. been in power, it was unlikely that the British Government would have acceded to this request.

Government was, in January 1966, authorised to discuss and to conclude agreements in the field of external affairs "on a wide range of subjects directly with all Governments with which Britain has diplomatic relations, to apply for membership of the appropriate international or regional organizations[98] and to enter into multi-lateral arrangements; to arrange visits to, and from, states or international organizations, and to negotiate technical assistance agreements with them."[99]

t of the transfer of these transitional powers[100] was s Basutoland Government could proceed to neg ..te with the South African Government on matters affecting extradition, the Oxbow Dam, labour problems and diplomatic relations.

Shortly after the independence celebrations,[101] Chief Jonathan announced that he was to meet Dr. Verwoerd on 2nd September, 1966.[102] News of the proposed meeting between the two Prime Ministers, coming, as it did, immediately after Chief Jonathan's announcement that he and the Paramount Chief had

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(98) Pending the final grant of independence, Basutoland was admitted as an associate member of the UN Food and Agricultural Organization (FAO) and given observer's status in the OAU, both at the end of 1965. COI. RF.P. 5751/66. op.cit.

(99) Ibid. p.12.

(100) The delegation of power by the British Government was subject to a proviso, however, that the British Government be kept fully informed on all discussion and negotiations, and that their consent be obtained before any agreement could become binding.

(101) At which South Africa was represented by Dr. H. Muller.

(102) Chief Jonathan said that he would go to South Africa and "not accept an inferior position" since he was "not a Matanzima". Stephens. op.cit. p.94.

settled their differences, created speculation that the South African Government had brought pressure to bear on the Paramount Chief to settle these differences. In view of the later conflict between the Prime Minister and the Paramount Chief it is unlikely, however, that the South African Government played any part in bringing about the reconciliation.

The implications of the historic meeting between Chief Jonathan and Dr. Verwoerd were immense. Few would have thought, only a few years earlier, that a black Prime Minister would be received at the Union Buildings by his counterpart in South Africa. After the meeting only a short statement was issued, but it became apparent later that the talks had been successful. The Afrikaans Press hailed the meeting as the first step towards the realisation of Dr. Verwoerd's grand design for a South African Commonwealth of co-operating independent black and white states, and on returning to Maseru, Chief Jonathan declared that Lesotho would oppose economic sanctions against South Africa, when it became a member of the United Nations and of the Organisation of African Unity. He reiterated his country's economic dependence on South Africa and called on other African leaders to understand his country's delicate position. A few days after this meeting Dr. Verwoerd was assassinated. He was succeeded by Mr. B.J. Vorster, who, on 21st September 1966, announced in the South African House of Assembly, that he would follow the policy that Dr. Verwoerd had enunciated and that he desired "a continuation of the sound relationships with the Protectorates which already existed."(103)

/On .....

(103) The Star, 22nd September, 1966.

On 5th January 1967 Chief Jonathan announced that a visit to Mr. Vorster would take place some six days later, and they met in Cape Town on 10th January 1967. Whilst the earlier meeting between Chief Jonathan and Dr. Verwoerd had been held primarily to start a friendly relationship, this meeting was to be "more than just a tête-à-tête."(104) Chief Jonathan asked for aid and technical assistance, and, in addition, raised important matters including a more favourable customs agreement, better working conditions for Basuto in South Africa, the exchange of diplomatic representation and the questions of political asylum, transit rights and border controls.(105) It remained for Mr. Vorster to determine how significant and how successful or otherwise the meeting was to be since Chief Jonathan had much to ask for and little to offer in return. Mr. Vorster's options were clear: either he could establish the future pattern of South African - Lesotho relations on the basis of aid and good neighbourliness, or he could have left Lesotho to flounder alone with the inadequate British aid it received and with the meagre assistance which other countries were giving. Mr. Vorster recognised that it was essential for South Africa to assist Lesotho to build up a viable economy. This decision to give aid could be interpreted by countries hostile to South Africa as another step to dominate Lesotho since South Africa had so often "been accused of harbouring plans to swallow up such countries as Lesotho, and nonsense though they are, they have left a legacy of sensitiveness."(106)

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(104) Rand Daily Mail, 20th December, 1966.
(105) Rand Daily Mail, 17th January, 1967.
(106) The Star, 20th December, 1966.

(iii) Diplomatic Representation.

Although the meeting between the two Prime Ministers marked a turning point in relations between their respective countries, the question of a formal exchange of diplomatic representation remains.(107)

An early statement by Chief Jonathan soon after his party's election victory indicated his desire to establish diplomatic representation with South Africa. Basutoland still being a dependent territory, the Republican Government was understandably reluctant to negotiate at that stage.

There has since been much speculation, particularly in the South African Press, about diplomatic contact between the Republic and Lesotho. The view which in retrospect seems best to have represented the South African Government's thinking on the matter was that of "Die Transvaler" which held that diplomatic contact between the two countries need not follow traditional methods, but that, "the two countries can work together heartily and fruitfully without each having a permanent diplomatic representative in the other country ..... This could be more convenient, and cheaper for both countries, if official representatives of the Governments visited one another from time

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(107) In 1959 Mr. Eric Louw, South African Minister of Foreign Affairs at the time, stated that "the exchange of diplomatic representation with the African States is bound to come in the future." (Quoted in Bulletin of the Africa Institute. Nov./Dec. 1966. Vol. IV No. 11. p.263). But by 1964 the South African Government had made no formal statement in respect of black diplomats though Dr. Verwoerd had suggested a Roving Ambassador for South Africa; African States could then periodically send Ministerial Missions to the Republic.

to time to discuss common interests."[108] This method seemed to represent the current attitude of the Lesotho Government as well,[109] as their Prime Minister stated that "his feeling at present was that ministerial contact could be maintained in both directions by visits - from Prime Ministers downwards - to Pretoria and Maseru. As the two countries were so close, traditional forms of diplomatic relations might be unnecessary."[110]/

This type of diplomatic contact has come to be referred to as "Jan Smuts Airport diplomacy,"[111] or "Telephone Diplomacy." Chief Jonathan's apparent acceptance of the Republic's formula for diplomatic contact brought him much criticism from the opposition parties who accused him of being a tool of the South African Government whose "unchangeable apartheid policy ..... did not at any stage envisage the establishment of diplomatic relations with any African State."[112]

/Until .....

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(108) The Star , 11th September, 1965. Quoting "Die Transvaler".

(109) This method appears to be acceptable to the Botswana Government too. Recently their Secretary for External Affairs, Mr. Archie Mogwe, said, that since South Africa and Botswana were so close they could take up the telephone at any time and talk to each other. The Star, 21st December, 1966.

(110) Rand Daily Mail, 5th July, 1966. Chief Jonathan at a Press Conference in London. 4th July, 1966.

(111) "At Jan Smuts Airport there has developed a situation which must be unique in the history of diplomacy. Black envoys fly in, South African diplomats drive over from Pretoria, and they all have a conference in a special room at the Airport building.
If the discussions last too long the embarrassing question of actually having to accommodate the Africans overnight is solved by putting them up in the six bedrooms which exist in the transit area. Special provisions for new facilities of this kind are being made in the new terminal building now under construction." Sunday Tribune, 13th August, 1967.

(112) The Star, 19th January, 1967. Reporting a statement by the B.C.P.

Until mid-1967 it appeared that South Africa did not contemplate establishing embassies in black African States, not because this had been opposed by a number of right-wing members within the National Party, but rather because the Republican Government had been concerned about possible "embarrassing incidents" that black diplomatic residence in South Africa could create. Such an "incident" occurred in June, 1965 when Chief Sekhonyana Maseribane was told to use the non-white entrance when he tried to cash a cheque at a bank in South Africa.

In June of the same year the South African attitude began to show signs of changing when the Minister of Foreign Affairs, Dr. H. Muller, told a meeting of the Rapportryers Club at Stellenbosch that South Africa's contact with Black Africa was on an 'ad hoc' basis during reciprocal visits, but that "it might, in some cases, become essential to have permanent diplomatic missions in certain African States, and allow non-white diplomats from Africa to establish themselves in South Africa."(113) Shortly after this statement, non-white diplomats were invited to attend a Republic Day reception at the South African Embassy in London. This was the first time for many years that such an invitation had been extended to non-whites. In August 1967 Mr. J. Fouché,(114) at a National Party meeting in Bloemfontein, stated that "we live in Africa - in an Africa of free and independent nations - and we will have to do the right thing at the right time. This means we would eventually consider admitting Black Ambassadors. It would be suicide," he added

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(113) The Star, 3rd June, 1967.
(114) The then South African Minister of Agricultural Technical Services.

"not to recognise this."(115)

These statements by Mr. Fouche and Mr. Muller prompted a meeting in Soweto of the Johannesburg Joint Advisory Board to resolve to send delegations to Botswana, Swaziland and Lesotho to request these Governments to establish permanent embassies in South Africa. The Joint Advisory Board felt that the establishment of such links would help to improve living conditions of foreign Africans living in the Republic.(116) However the Lesotho Prime Minister told the Lesotho delegation that the matter was already "the subject of an exchange of views between the two Governments concerned,"(117) and Sir Seretse Khama refused to meet the Botswana delegation since, in his opinion, the matter was purely for "top level" discussion.(118) These two Prime Ministers were apparently not prepared to be propelled into a situation which was already the subject of delicate negotiations between themselves and the Republic Government.

In August 1967 Dr. H. Muller put forward a formula for accommodating Black diplomats in South Africa. His plan envisaged establishing diplomatic suburbs, one in Pretoria and one in Cape Town, which would not infringe the Republic's Group Areas Act, since diplomatic homes enjoy diplomatic immunity. Dr. Muller's proposed diplomatic suburbs were to be modelled on those of Brazilia and Canberra, and he stated that inquiries in this regard had "reached an advanced stage."(119) He justified the establishment of such suburbs as a logical and natural consequence of South Africa's traditional policy of maintaining

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(115) Rand Daily Mail, 11th August, 1967.
(116) Rand Daily Mail, 14th August, 1967.
(117) Kgena News No. 113. 28th August, 1967.
(118) Lesotho Times, 25th August, 1967.
(119) Sunday Express, 3rd September, 1967.

friendly relations with black neighbours. Shortly afterwards the South African and Malawi Governments announced that they would establish permanent embassies in each other's countries. This development must have been very embarrassing for Chief Jonathan, who, on his return from a visit to the United Nations, told a press conference at Jan Smuts Airport that Lesotho was shortly to establish diplomatic relations with South Africa.(120) At his country's first independence anniversary celebrations he said that Lesotho's representative in the Republic would be a Mosotho.(121)

As yet Lesotho and South Africa have not established permanent missions in each other's countries. The South African Government's intentions, at present, appear to be that the Malawi precedent will not be followed by similar agreements with the former High Commission Territories immediately. Perhaps it is only with more distant African countries that the Republic will establish permanent missions. The South African Prime Minister gave an indication of this when he stated at a National Party Congress in the Transvaal that, "so far, we have found these methods sufficient, but circumstances might arise which will make it necessary to maintain such relations in a different manner with countries which are further away."(122) The Lesotho Prime Minister will have to continue to wait and to bear the opposition's criticism at least until the proposed South African diplomatic suburbs are built, or perhaps until the South African Government has had an opportunity of otherwise

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(120) The Friend, 3rd October, 1967.
(121) The Friend, 4th October, 1967.
(122) The Friend, 7th September, 1967. Shortly before South Africa and Malawi announced the establishment of diplomatic missions in each other's countries.

assessing the results of the Malawi precedent.

At their meeting in Cape Town Mr. Vorster and Chief Jonathan established a formula on which future relations between their countries could be built, based on non-interference and co-operation, but without committing themselves to each other's policies and, "for good measure, a common dislike of Communism."(123) Race relations in South Africa must have assumed a new meaning after this meeting and an editor in a Johannesburg daily(124) commented, almost with surprise, that Mr. Vorster had "behaved towards an African guest with exemplary good manners and impeccable protocol." For many South Africans brought up in the master/servant relationship, the fact that their leader had dined with a black man was, indeed, more significant than the subject matter of the talks.(125)

The meeting in Cape Town proved to be the beginning of a changing pattern of relations between states in Southern Africa and since then ministerial contact has become common. Mr. Harold Macmillan's "Winds of Change" appeared to be blowing the other way. Contact between the Republic and its black neighbours is affecting many white South Africans' attitudes towards black men.

From the South African Government's point of view the apparent success of its outward looking policy could lend support to its Bantustan policy by illustrating that black states within

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(123) The Star, 11th January, 1967.
(124) Ibid.
(125) "Chief Jonathan certainly did not come in by the tradesmans entrance." Allister Sparks. Topical Talks No. 5.

the Republic's borders need not be seen as "Trojan horses", but rather possible allies and potential supporters in the United Nations. Lesotho may provide a channel by which the Republic can reach towards other black African states. The Pan-African Conference in 1968 gives substance to this view. In January of that year representatives of ten African States including Nigeria, Ethiopia, Ghana, Liberia, Kenya, Tanzania, Zambia and the Cameroons, many of whom had consistently shown themselves to be antagonistic towards the Republic, landed at Jan Smuts Airport, in transit to Basutoland, and there together with South African observers discussed "the mobilization of local savings." Although this discussion cannot be described as a major break-through for South Africa's outward bound policy, its significance "lies in the fact that representatives of a number of African countries are laying emphasis on the principle of free co-operation and mutual assistance which constitutes the basis of friendly international relations between nations."(126)

(iv) A New Force in Africa : The Black Arm of South Africa's Foreign Policy.

By 1961 South Africa was no longer a member of the British Commonwealth and was virtually isolated at the United Nations. Whilst this isolation might have suited the conservatives within the National Party, it was not the foreign policy objective of the majority of the leaders of that Party nor of

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(126) Chief Matete Majara, Lesotho Minister of Agriculture. The Star, 13th January, 1968.

the Opposition United Party. Politically and economically South Africa's future welfare is influenced by what happens in the rest of Africa. There was the prospect of militant Black Nationalism spreading from the North and extending across South Africa's own borders. Furthermore, South Africa stood to lose its natural hinterland for trade and economic expansion.

Within a decade South Africa's foreign policy has undergone major changes. The Republic's desire for political control over the High Commission Territories has been abandoned and any chance to establish close political co-operation with a "white belt" of settler communities to the north, running along the backbone of Africa from the Cape to Kenya has been frustrated by political developments in these territories. Faced by the implications of the new developments on the continent Mr. J.G. Strijdom, then Prime Minister, enunciated in 1955 a new foreign policy for South Africa. Unlike his predecessors, Dr. Malan and General Smuts,(127) Mr. Strijdom accepted that South Africa did not have the means to influence the colonial policies of the imperial powers in Africa and concluded that his country should rather find a place of leadership in Africa by co-operating with the emergent Black states. Mr. E. Louw,(128) then South African Minister of External

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(127) For Smuts' attitude towards colonial emancipation see J.C. Smuts. Jan Christiaan Smuts. C.T. Cassell, 1952. For Dr. Malan's attitude see Senate Debates, May 13th 1952. Col. 2635 ff and September 18th, 1953. Col. 620 ff.

(128) Mr. Eric Louw, South Africa's Minister of Foreign Affairs stated in 1957, that South Africa must "accept its future role in Africa as a vocation, and must in all respects play its full part as an African power." - Address at Graduation Day Ceremony, University of Pretoria. March 1957; reprinted as Fact Paper 33, April 1957, Pretoria State Information Office. p.9.

Affairs elaborated this policy when he stated that "the Union of South Africa is an African state, as are the emergent states in the north. Let those states recognise that fact, and in so doing accept South Africa's offer of friendship and co-operation in regard to matters of common concern."(129) This policy did not show results however and in 1963 South Africa's popularity in Africa slumped to its lowest ebb when it withdrew its representation from Kenya, thereby severing its last diplomatic link with Black Africa. In that year, too, South Africa resigned from the Commission for Technical Co-operation in Africa, took steps to withdraw from various African agencies of the FAO, and was expelled from the ECA. By the end of the year 23 African states had declared a trade boycott of South Africa.

Dr. Verwoerd was, however, determined to make his Government's "good neighbourliness" policy(130) work and South Africa has since made marked progress towards reaching this objective in her foreign policy. Malawi has exchanged diplomatic representatives with South Africa; Sir Seretse Khama has declared that he proposes to "make his country a bridge between north and south in Africa"(131) and Chief Jonathan has had 'man-to-man' talks with Dr. Verwoerd and Mr. Vorster. Moreover the South

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(129) Address to the 10th Annual Congress of the South African Bureau of Racial Affairs, Durban; reprinted as the 'Union and the Emergent States of Africa'. Pretoria. South African Information Service, 1959. p.15.

(130) "When he arrived in Britain in 1961 for the historic Commonwealth Conference, Dr. Verwoerd was asked at London Airport what the objective was of South African policy. 'You can call it good neighbourliness' he said." S.A.B.C. op.cit. 23rd December, 1966.

(131) Ibid.

African Government had become bolder and more outspoken on its role in Southern Africa, believing that a break-through in Southern Africa could lead to further success in Africa and in "the rest of the world."(132)

Furthermore, if South Africa were able to demonstrate that it was possible for black and white states to co-exist in spite of a diversity of race it would convince some of her antagonists that a separate development policy was not a threat to international peace. In August 1967 Dr. Muller stated that he believed that his country, together with its neighbouring states was "setting a pattern of co-existence and co-operation which is worthy of following."(133) In September of the same year he said that "in our part of the world there already exists evidence of peaceful co-existence of a number of diverse nations, which by choice find themselves in the same geographical area ..... the spirit of co-operation, good neighbourliness and tolerance which is being displayed by the countries of Southern Africa, particularly at a time when there is so much naked hostility in the world, should surely, therefore, be welcomed and nurtured by member states of the United Nations."(134)

The Lesotho Government is playing a part in helping South Africa to further this foreign policy objective which includes Dr.

/Verwoerd's .....

(132) 'Die Burger' quoted by the Rhodesia Herald, 15th December, 1967.
(133) Dr. Muller speaking at a symposium on International Politics at Potchefstroom University in August, 1967. Reported in The Star, 31st August, 1967.
(134) The Star, 26th September, 1967.

Verwoerd's hope of establishing a "commonwealth of nations" in Southern Africa. Since Lesotho's economy is already closely Southern Africa. Since Lesotho's economy is already closely s integrated with South Africa's, Lesotho has shown a willingness concept.[135] Furthermore, Lesotho, Botswana, Swaziland and Malawi act as buffers between the Republic and the rest of Africa. Perhaps one of the more important rôles that Lesotho can play in time in relation to South Africa's foreign policy will be its support of Mr. Vorster's Southern African "Monroe Doctrine" whereby South Africa in "co-operation with any of its neighbour states, ... will resist external disturbance that jeopardises peace in the region as a whole."(136) Mr. Vorster's policy primarily constitutes a warning to the Government of Zambia not to harbour nor to support terrorists on the Rhodesian border; the warning could presumably extend to other Southern African territories threatening the peace on strategic borders. Mr. Dirk Richard, Editor of the Afrikaans weekly "Dagbreek", referring to Mr. Vorster's "Monroe Doctrine" speech, wrote that the Republic would "tolerate no external action by which a disturbance of the peace in one territory will pose a threat to peace and order in the whole of Southern Africa."(137) Chief Jonathan and Dr. Banda of Malawi are pioneers "in new relations which are slowly emerging between South Africa and the rest of Africa."(138) Their co[illegible] ther with [illegible]na .....

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(135) Indeed, Chief Jonathan holds that he "looked forward to the time when the Southern African states could sit around a table and work out an economic community for the whole southern region." Rand Daily Mail, 16th May, 1967.
(136) S.A.B.C. op.cit. 12th September, 1967. Reporting a statement made by Mr. B.J. Vorster.
(137) Reported in The Star, 28th August, 1967.
(138) African Institute. Bulletin. August 1967. Page 207.

Botswana[139] and Swaziland constitute a group subscribing to a policy of "good neighbourliness" in contrast with the militant Organization for African Unity.

Lesotho's geographical position places her "at the vortex of the socio- politico- economic problems of Southern Africa"[140] and

/her .....

(139) Relations between South Africa and Botswana are not as close as are those between South Africa and Lesotho. Sir Seretse Khama has maintained close links with the Black North and the White South, and could act as an effective bridge builder between them. This position he envisaged even before his country became independent. He will not allow his country to "be drawn too closely into a Malawi-Lesotho-Botswana group and .... will maintain freedom to negotiate with the states to the north and the Organization for African Unity." (S.A.B.C. op.cit. 29th June, 1967). To do otherwise "would not assist in creating the spirit which we wish to establish between the north and the south. It would not fit in with our intention of maintaining links. (Sir Seretse Khama; reported in The Star, 9th July, 1966). Although Sir Seretse does not accept the Republic's racial policy he has stated that he will "co-operate with the Republic, and indeed with any other country in the world as far as our national conscience will permit us." (Sir Seretse Khama; reported in The Star, 7th October, 1966). In particular he would not allow his country to be used as a base for violence directed towards any other state. In contrast with Malawi and Lesotho, who were both anti-Communist, Botswana invited Russia and Red China to its independence celebrations and has established diplomatic relations with Czechoslovakia. Botswana is the key to any campaign to subvert the white south. This country has borders with South Africa, South West Africa and Rhodesia, and a few miles away beyond the Caprivi strip lies Angola. Botswana is therefore of immense strategic importance to any anti-white Communist inspired movement. Militant Pan-Africanists regard Botswana as their gateway to the south. But Khama will have none of it, and is determined not to allow his country to become the gateway and battleground between north and south. He is reported to have said, "Because we can appreciate our strategic position ... we realise that a number of outside influences will want us to change. But we shall resist them." (The Star, 24th August, 1966).

(140) Kotsokane, J.K.L. Lesotho in International Affairs. New World. February, 1967.

and her foreign policy is pragmatic.(141) "Whether she likes it or not, Lesotho's destiny is irrevocably linked with that of her powerful neighbour, South Africa, in which she is an enclave. Any attempt by anybody to ignore the facts of geography, history and economics is not only unrealistic, but manifestly dishonest."(142)

Consequently Lesotho has become part of a new African bloc at the United Nations which is endeavouring to temper international pressures on members of the world body for action, not only against the Republic, but also against Portuguese territories, South West Africa and Rhodesia.

The Basuto people chose as their leader Chief Jonathan, a pragmatist, who has been "primarily responsible for setting the new pattern of relations in Southern Africa"(143) and who, in his own words, has spoken the "race relations curtain"(144) in Southern Africa, and paved the way for peaceful co-existence to be put into practice. When he spoke at the United Nations General Assembly on 25th September, 1967 he brought a novel note into the "South Africa" debate by asserting that apartheid could only be defeated by "gradual and peaceful means"(145) and that the only way that a change could be brought about in the

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(141) After having survived for 150 years, Lesotho now has "no intention to commit suicide by either acting recklessly or allowing herself to be used as the fuse to ignite the explosive power keg that is Southern Africa". Kotsokane, J.K.L. Lesotho's Strategy for Survival. Perspective. September, 1967. p.14.
(142) Kotsokane, J.K.L. loc.cit.
(143) S.A.B.C. op.cit. 29th June, 1967.
(144) Chief Jonathan during a visit to Malawi. Reported in The Star, 16th May, 1967.
(145) The Star, 26th September, 1967.

Republic was by maintaining a dialogue with the country; for "..... where there is no communication, there can be no hope of progress." Although Chief Jonathan made it plain that his country rejected Apartheid he believed that this was the only way of combating that policy. Chief Jonathan's position is one of extreme delicacy. If he does not reject separate development as a political philosophy then his chances of remaining in power, as an apologist of Separate Development, would be doubtful.

Chief Jonathan's ally in this respect is Dr. Hastings Banda, President of Malawi. Their alliance is based on a desire to co-exist peacefully with South Africa, and at the same time to gain economically from this co-existence.(146) Despite Malawi's pro-South Africa policy(147) it has remained on fairly good terms with many other African states.

In May, 1967, Chief Jonathan paid a State visit to Malawi after which the leaders of the two countries issued a joint statement

/pledging .....

(146) At a press conference in July 1967, Dr. Banda said: "We African leaders have a responsibility to guide our people in a realistic way. We must try to make contact with the white rulers in South Africa ... we must start a dialogue with them; we must have negotiations ... If we hope to change the attitude of the whites of South Africa, Rhodesia and Portugal, we must change to methods of friendship, discussion and negotiation". Rhodesia Herald, 8th July, 1967.

(147) Malawi has established diplomatic relations and an exchange of legations with the Republic. Mr. A.N. Nyasulu, Malawi's Minister of Education, defended this decision in the General Assembly on 14th October 1967, saying that such contact "had a better chance of bringing about a change in its apartheid policies than threats." (Reference. Times of Zambia, 14th October, 1967) Dr. Banda's answer to his critics was that "certain people will howl and snarl like hyenas, but where the interests of my people and community are concerned, I am indifferent to the howling and snarling of hyenas." The Star, 11th September, 1967.

pledging "mutual support for each other's policies in international affairs."(148) They were both convinced that in the interests of African states matters of trade, commerce and technical co-operation should be divorced from political ideology. These two leaders have shown themselves to be the "doves" of Africa, pursuing a soft policy in trying to convert the white south to liberalism through co-operation and dialogue, rather than by boycotts and talk of invasion.

The Afro-Asian bloc had gained its first taste of power during the Korean War when India and Egypt played a significant role in the armistice negotiations. By 1955 at the Bandung Conference, the objectives of the bloc were becoming crystallized and the Suez Crisis brought greater cohesion to the group. A corollary to this development was the emergence of Pan-African unity in an attempt by African States to create a unified foreign policy, particularly on matters affecting the African Continent. But the Afro-Asian States were often divided on policy issues affecting Africa. Such differences were plain in their stand at the United Nations during the Congo crisis, and the differences have been emphasized during the two and a half years of the Nigerian Civil War. A factor that has until recently helped to cement Afro-Asian solidarity is racial discrimination in Southern Africa, and the Afro-Asian bloc used the United Nations as a platform from which to launch propaganda against the "White South".

This pattern of Afro-Asian solidarity is slowly being blurred by

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(148) The Friend, 18th May, 1967.

the new Southern African Black Group, which may lead to a reappraisal by some African and Asian States of their positions on this question.

Within the British Commonwealth of Nations the independence of Lesotho and Botswana brought the number of independent members to 25, and heralded a black pressure group opposed to the pan-Africanist group that had tended to dominate Commonwealth discussions. In September 1967 this new group, consisting of Lesotho, Malawi and Botswana, threw a private meeting of the Commonwealth Sanctions Committee into consternation when they suggested that the United Kingdom should endeavour to come to terms with Rhodesia. Although this appeal was rejected, the Uganda Acting High Commissioner, Mr. Kabuzi, surprisingly supported the idea and suggested that since sanctions had failed to dislodge the Smith Government, the time had come to consider compromising with the Rhodesian Government.(149) The solid black front against the white south had suddenly cracked, and the Commonwealth Conference was in a quandary. But whilst Uganda has shown some signs(150) of re-assessing the situation in Southern Africa, the influence of the Lesotho-Malawi-Botswana axis has only superficially influenced other African states. Kenya, possibly, may be the next African country to break the impasse, for while Prime Minister Kenyatta has maintained his Pan-African stand, he nevertheless has given some indications of a desire for a rapprochement with the white south.

/The ....

(149) The Star, 30th October, 1967.
(150) A "personal opinion" expressed by the Uganda Minister of Education, Mr. Joshua Luyimbazi-Zake, during an interview with a Kenya newspaper, he stated that links between South Africa and the Black states of eastern and central Africa should be resumed - The Star, 30th October, 1967.

The Lesotho-Malawi policy has also been endorsed by the Chief Justice of Nigeria, Sir Adetokunbo Ademola (who visited South Africa as a member of the International Olympic Committee's Special Investigatory Mission). He stated that the best way to change the South African attitude was for the Black states to trade and to establish diplomatic relations with the Republic.(151)

On the other hand the militancy of other African States towards the White South has increased. For example, Zambia is openly supporting terrorism against the south, and Guinea's radio has declared that Chief Jonathan and Dr. Banda are "the nucleus of African traitors advocating entente, co-existence and co-operation with South Africa."(152)

Lesotho is one of the major pillars on which South Africa's outward-looking policy depends. For the Republic a ring of protective Black states, economically to some degree dependent on it, would provide a buffer against the north beyond the existing ring of territories administered by white minorities like Rhodesia and the Portuguese territories, which have the disadvantage of attracting unfriendly attention and adverse criticism.

Chief Jonathan has succeeded in maintaining links with the states to the north, yet has not become an instrument of the Pan-Africanists nor of the Organization for African Unity. He is aware that his country's future is irrevocably linked with

/that .....

(151) The Star, 31st October, 1967.
(152) The Star, 18th May, 1967.

that of the Republic and his bargain with the South African Government may be to receive economic aid and assistance in exchange for "diplomatic bridge-building".

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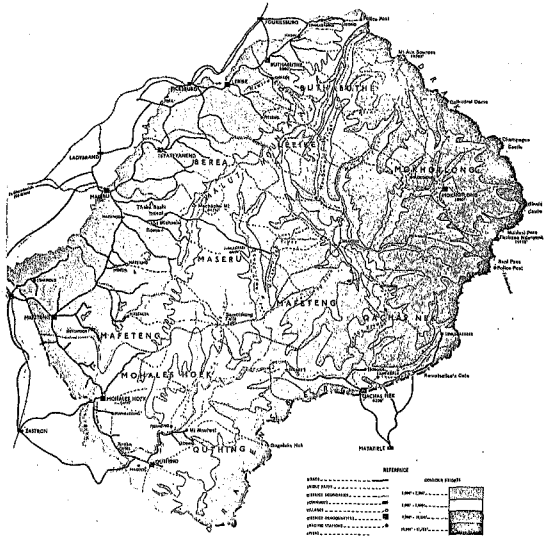
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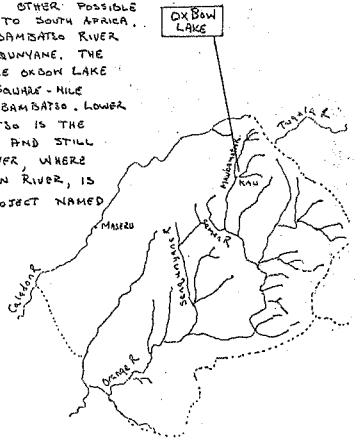
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LESOTHO

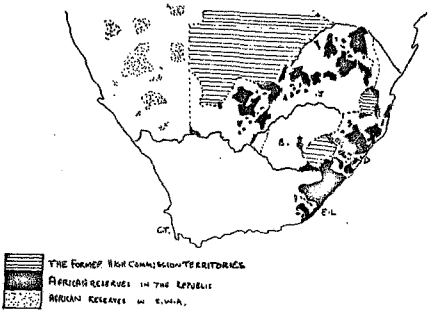

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QUTHING
MASERU
MAFETENG
MAPUTSOE
LEABUA JONATHAN
MOKHOTLONG
THABA-TSEKA
MASERU
MAFETENG
MOHALES HOEK
QUTHING
MOKHOTLONG
THABA-TSEKA
LEABUA JONATHAN
MAPUTSOE
REFERENCE



THE OXBOW PLAN AND OTHER POSSIBLE SCHEMES TO FEED WATER TO SOUTH AFRICA. THREE ARE ON THE MAUBAMBATSO RIVER AND ONE IS ON THE SENQUNYANE. THE HIGHEST PROJECT IS THE OXBOW LAKE SCHEME ON THE 107 SQUARE-MILE CATCHMENT ON THE MAUBAMBATSO. LOWER DOWN THE MAUBAMBATSO IS THE KAU RIVER PROJECT, AND STILL LOWER DOWN THIS RIVER, WHERE IT BECOMES THE SEMEN RIVER, IS A MORE AMBITIOUS PROJECT NAMED AFTER THE RIVER.

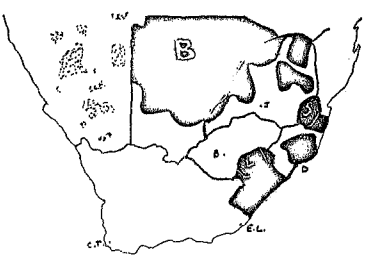


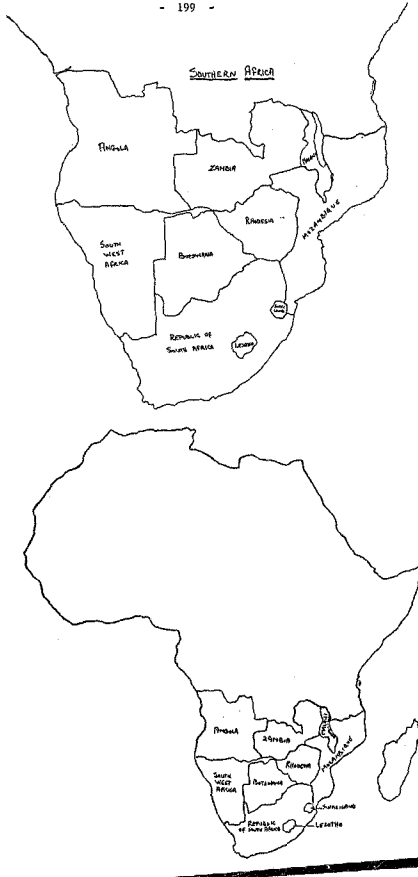
THE FORMER HIGH COMMISSION TERRITORIES AND THE AFRIKAN RESERVES AS THEY ARE TODAY.

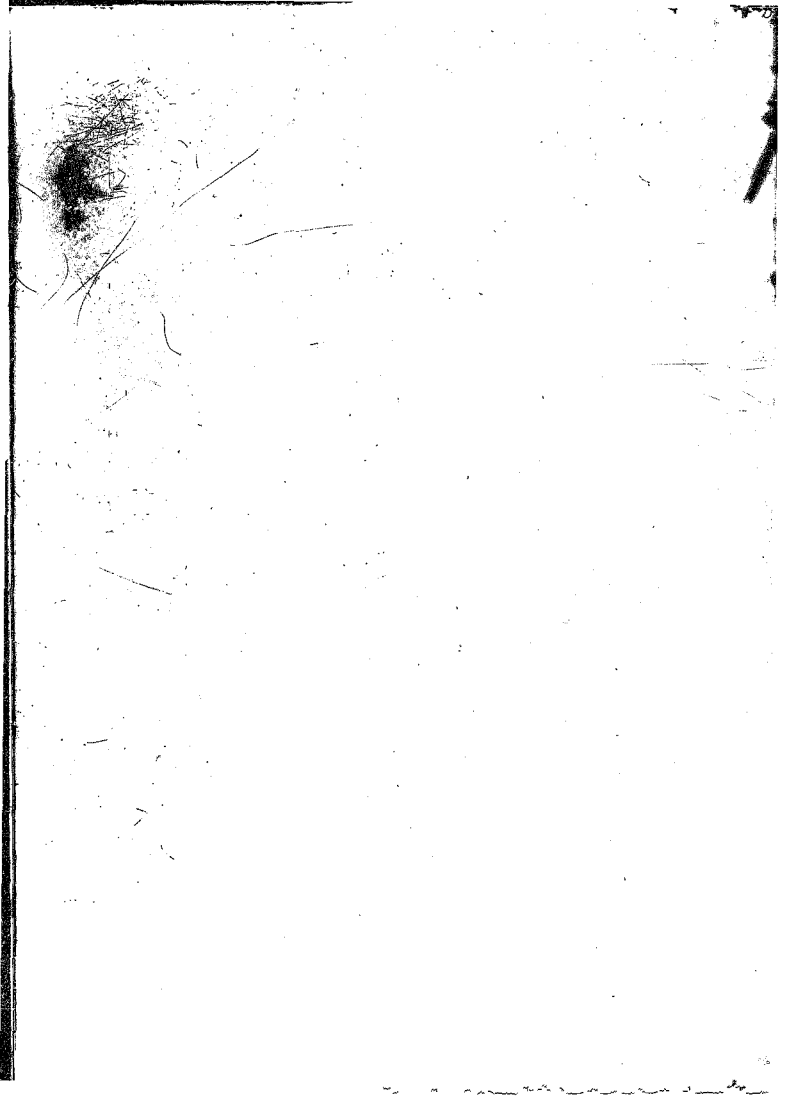


THE FORMER HIGH COMMISSION TERRITORIES AND THE POSSIBLE CONSOLIDATION OF AFRICAN AREAS IN THE REPUBLIC.

BASED ON MAP 63, TOMLINSON REPORT.




SOUTHERN AFRICA
ANGOLA
ZAMBIA
MALAWI
RHODESIA
MOZAMBIQUE
SOUTH WEST AFRICA
BOTSWANA
SWAZILAND
REPUBLIC OF SOUTH AFRICA
LESOTHO
ANGOLA
ZAMBIA
MALAWI
RHODESIA
MOZAMBIQUE
SOUTH WEST AFRICA
BOTSWANA
SWAZILAND
REPUBLIC OF SOUTH AFRICA
LESOTHO



Author Glass Harold Maurice
Name of thesis The developing international relations of Lesotho. 1970

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