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## **Support for Democracy in Lesotho**

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### **1. Background**

Since gaining independence in 1966, Lesotho has experienced several different forms of government. Following the 1970 general elections, a state of emergency was declared and the constitution was suspended resulting in one-party rule by the Basotho National Party (BNP).

In 1973, the BNP invited some members of opposition parties into the cabinet and formed an interim government, which was popularly known as “*Muso oa nakoana*” in Sesotho. This interim government lasted until 1985 even though most of the ministers from the opposition had since been dropped from the cabinet.

In August 1985, the BNP won an election in which it was the only contesting party. For this reason, the election was popularly called “*Likhetho Mohlolo*” meaning “Strange Elections”. On 20 January 1986, the BNP government was toppled by a military coup d’état. The military government issued Order No.4 of 1987, which abolished all political party activities.

Subsequently, Order No.4 of 1987 was repealed and political party activities were again permitted. An amnesty was granted to all those who had fled the country to return home. A constitutional assembly convened to draft a new constitution for Lesotho, which paved the way for the 1993 General Elections. This ushered in the current democratic system of government.

In an atmosphere of changing systems of government, the Afrobarometer surveys have made it possible to find out from the citizens themselves how much support there is for democracy in Lesotho. Specifically, after the post-2007 election dispute, the 2012 Afrobarometer survey reveals that support for democratic processes to select leaders has rebounded to levels seen in previous surveys (e.g. 2005). This briefing paper reviews Basotho’s support for key aspects of democracy including free association and freedom of the press, preference for democracy government and elected leadership, as well as citizens’ beliefs about government accountability and the separation of powers.

### **2. Afrobarometer Surveys**

The Afrobarometer is a comparative series of public attitude surveys, covering 35 African countries in Round 5 (2011-2013). It measures public attitudes on democracy and its alternatives, evaluations of the quality of governance and economic performance. In addition, the survey assesses the views of the electorate on critical political issues in the surveyed countries. The Afrobarometer’s main goal is to produce scientifically reliable data on public opinion in Africa while strengthening institutional capacities for survey research, and sharing research findings to

inform policy and practice. The Afrobarometer also provides comparisons over time, as five rounds of surveys have taken place from 1999 to 2013.

Afrobarometer surveys use a common survey instrument and methodology. The instrument asks a standard set of questions that permits systematic comparison in public attitudes across countries and over time. The methodology was based on a national probability sample of 1,200 adult Basotho selected to represent all adult citizens of voting age, allowing for inferences with a sampling margin of error of +/- 3% at a 95% confidence level. The sample was drawn randomly based on Probability Proportionate to Population Size (PPPS), thus taking account of population distributions, gender as well as rural-urban divides. The sampling process ensured that every adult Lesotho citizen had an equal and known chance of being selected in the sample. Fieldwork in Lesotho was conducted by Advice Lesotho between November 26 and 16 December 2012. Previous Afrobarometer surveys were conducted in Lesotho in 2000 (Round 1), 2003 (Round 2), 2005 (Round 3), and 2008 (Round 4).

### 3. Freedom of Association and Media Freedom

We first consider popular support for some of the key constituents of democracy, beginning with personal freedoms.

#### *Freedom of Association*

An overwhelming majority of Basotho embrace freedom of association: 81% believe that people should be free to join organizations of their choice (Figure 1). This high level of support for free association is similar among urban and rural dwellers, and men and women.

**Figure 1: Basotho Support for Freedom of Association, 2012**



*Question: Which of the following statements is closest to your view?*

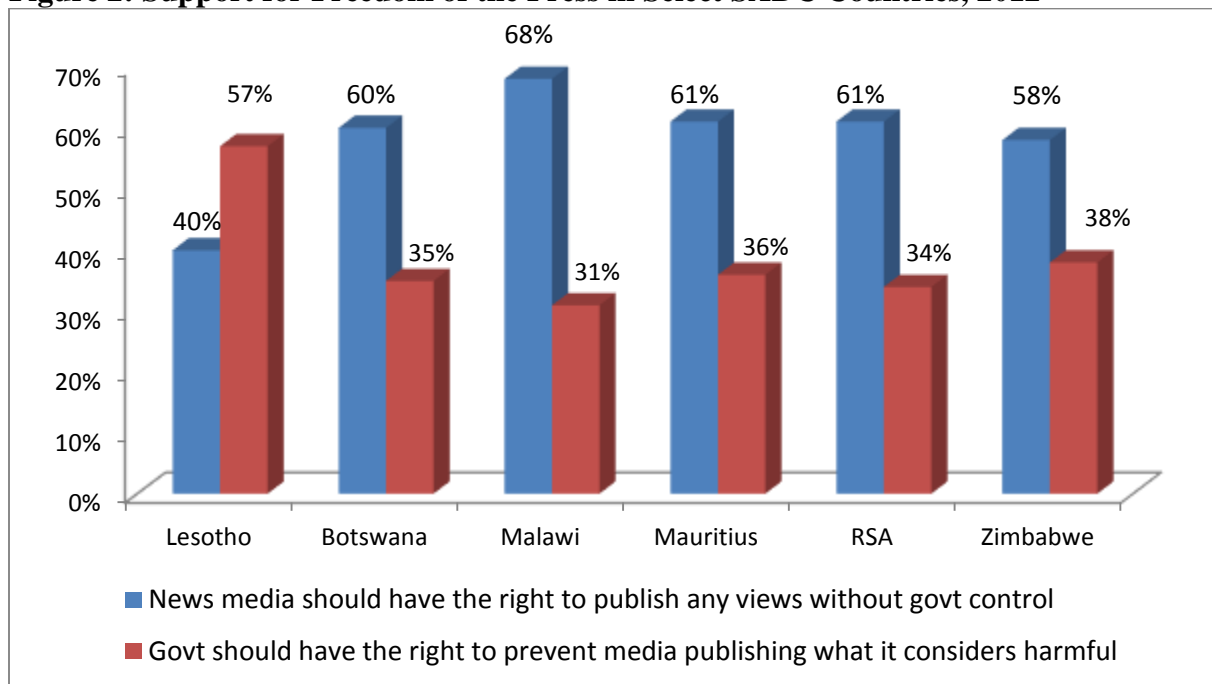
*Statement 1: Government should be able to ban any organization that goes against its policies. (% agree or agree very strongly)*

*Statement 2: We should be able to join any organization, whether or not the government approves of it. (% agree or agree very strongly)*

### **Media Freedom**

In contrast, a majority of Basotho (57%) say the government should have the right to prevent the media from publishing things that it considers harmful to society while only 40% say the media should have the right to publish any views and ideas without government control. The reverse is observed in five other SADC countries (Figure 2), where majorities support the right of the press to publish any view or idea without any government control.

**Figure 2: Support for Freedom of the Press in Select SADC Countries, 2012**



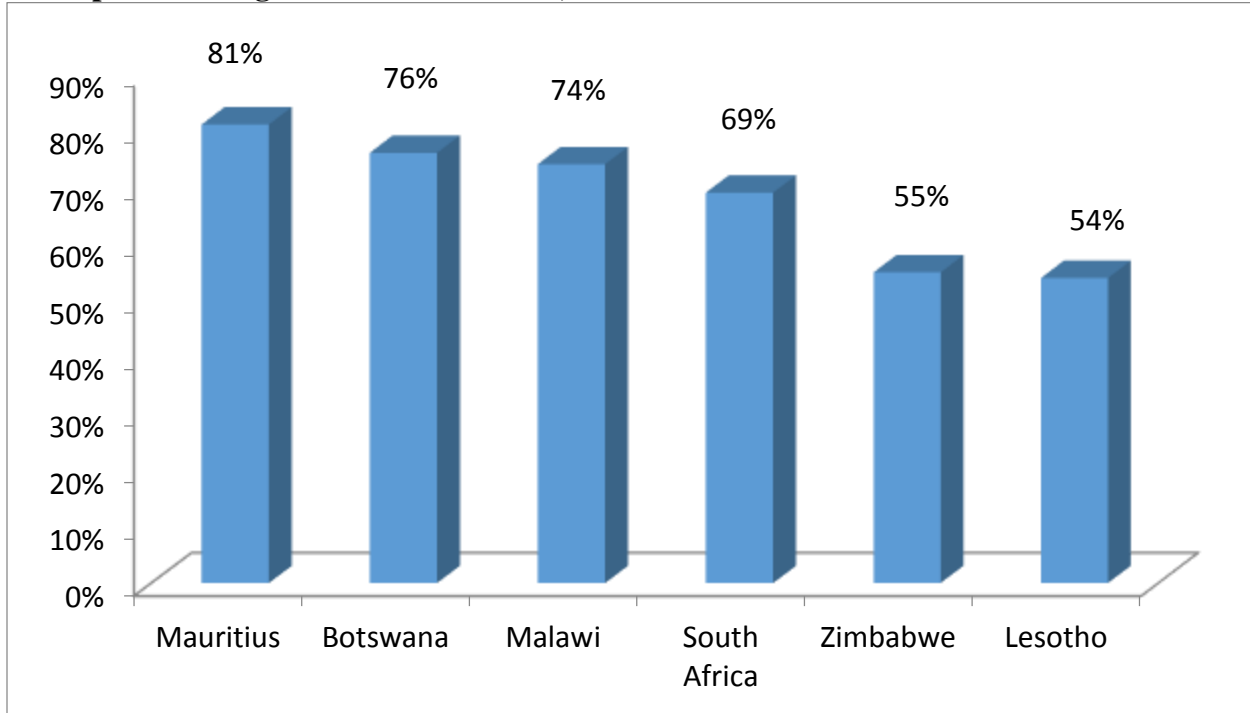
*Question: Which of the following statements is closest to your view?*

*Statement 1: The media should have the right to publish any views and ideas without government control. (% agree or agree very strongly)*

*Statement 2: The government should have the right to prevent the media from publishing things that it consider harmful to society. (% agree or agree very strongly)*

Despite the view expressed above that the government should block “harmful” media statements, most Basotho (54%) believe that the media should be free to investigate and report on government mistakes and corruption. On this matter, Lesotho is on par with Zimbabwe at 55% while still lagging behind four other countries in SADC (Figure 3).

**Figure 3: Support for Media to Investigate and Report on Government Mistakes and Corruption Among Six SADC Countries, 2012**



*Question: Which of the following statements is closest to your view?*

*Statement 1: The news media should constantly investigate and report on government mistakes and corruption. (% agree or agree very strongly)*

*Statement 2: Too much reporting on negative events, like government mistakes and corruption, only harms the country.*

Basotho also expressed some satisfaction with media. 47% noted that the press rarely or never abused its right by publishing untrue material, while 38% said it sometimes or always does so. More specifically, private newspapers attracted the trust of 48% of Basotho, compared with 43% for government newspapers. In sum, Basotho's satisfaction with the media appears to be mixed.

#### **4. Preference for the Tenets of Democracy**

After the February 2007 elections, opposition parties contested the validity of the results despite the election being pronounced free and fair by observers. The opposition parties argued that the mixed member proportional electoral system (MMP) had been corrupted and the parliamentary seats had not been properly allocated by the Independent Electoral Commission (IEC). As a result, SADC and local civil society organisations intervened to calm the tension, which was approaching the levels experienced in the post-1998 election period. Former Botswana President Kitumile Masire was subsequently appointed by SADC to mediate the situation between the government and opposition parties.<sup>1</sup>

Masire finally reported in 2009 that he had identified the government as the main problem because the government was not willing to compromise while the opposition was willing to accept any form of mediation and proposal to break the stand-off.<sup>2</sup> Lesotho civil society, led by the Christian

<sup>1</sup> Bertelsmann Stiftung BTI 2012 –Lesotho Country Report

<sup>2</sup> MmegiOnline News 23 July 2009

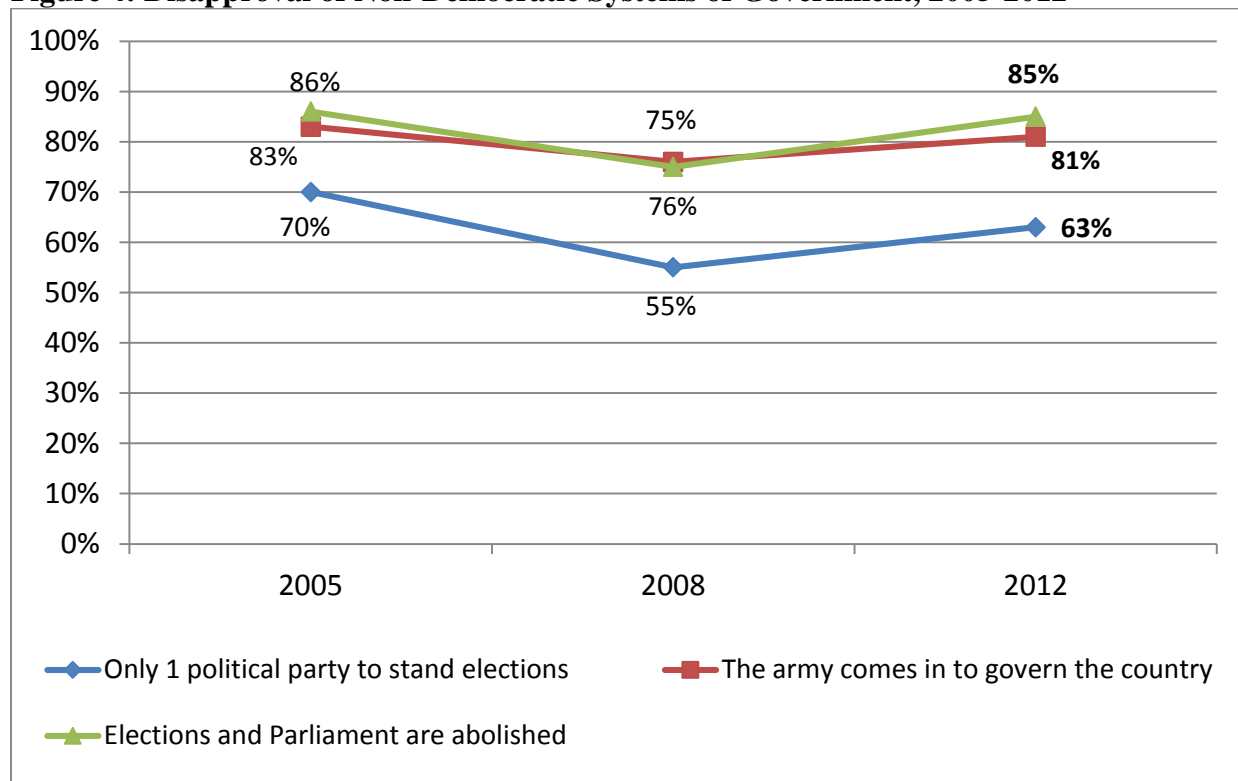
Council of Lesotho (CCL) and the Lesotho Council of NGOs (LCN), then took up the mediation process between the opposition parties and government. This time civil society concentrated on amending the electoral law in preparation for the 2012 elections.

The 2008 Afrobarometer survey results suggested that that political turmoil that followed the 2007 election undermined Basotho’s commitment to democracy to some degree. However, the most recent results from the 2012 survey indicate that Basotho have now recovered their faith in democracy. Almost all measures of Basotho’s assessment of democracy in Lesotho were more favorable than the public attitudes reflected in the 2008 Afrobarometer survey.

***Preference for Democracy***

Basotho categorically reject non-democratic systems of government. In the 2012 Afrobarometer survey, 70% of respondents said they did not approve of a one-party state, 83% disapproved of military governments, and 86% said they would disapprove of the abolition of elections and parliament. These levels disapproval were consistently higher in 2012 when compared to 2008 (Figure 4).

**Figure 4: Disapproval of Non-Democratic Systems of Government, 2005-2012**

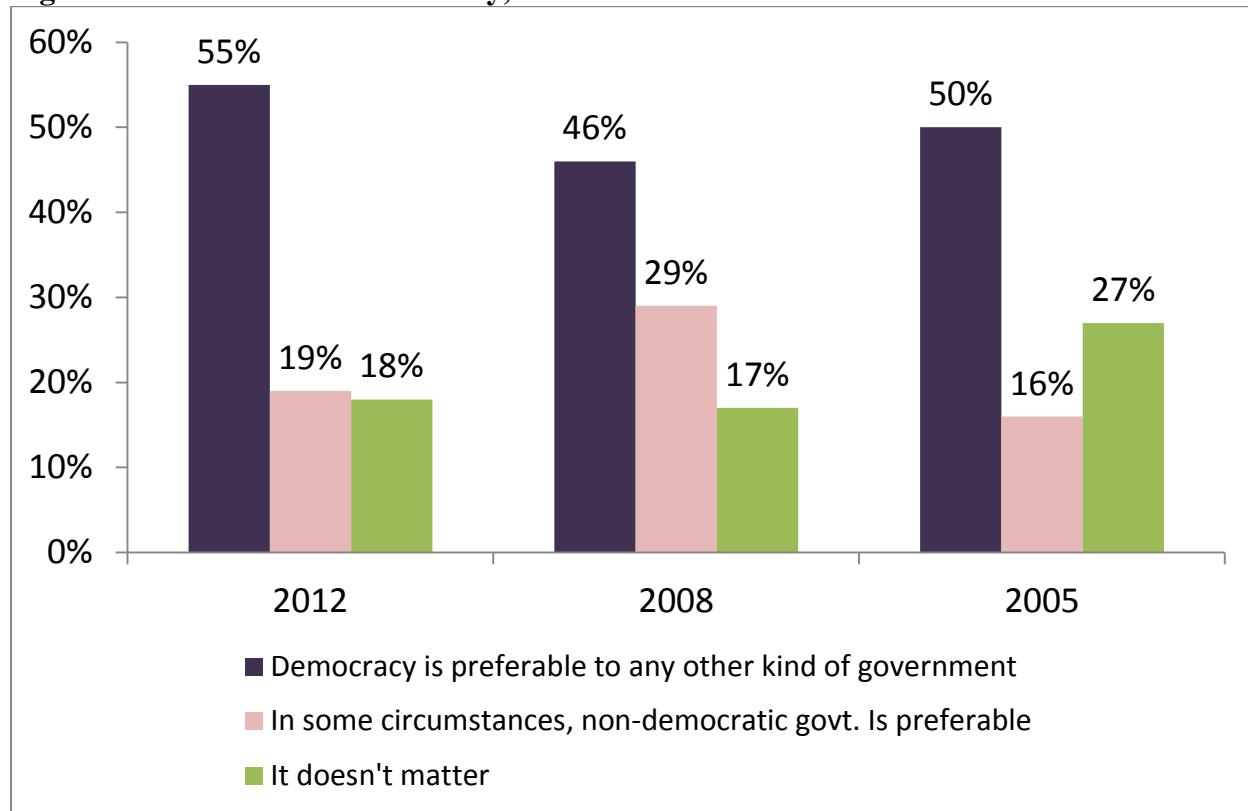


*Question: Do you approve or disapprove of the following: only one political party to stand in elections; the army comes to govern the country; elections and parliament are abolished? (% of those who disapprove of each option)*

A majority of Basotho (55%) believe that democracy is preferable to any other form of government. This reflects a 9% increase in comparison to 2008, when only 46% of respondents preferred democracy. Compared to the 2005 survey results, it is noticeable that Basotho’s preference for democracy in 2012 has rebounded from lows in 2008. In addition, over time the

number of respondents indicating that regime type does not matter has declined from 27% in 2005 to 18% in 2012 (Figure 5).

**Figure 5: Preference for Democracy, 2005-2012**



*Question: Which of these statements is closest to your own opinion?*

*Statement 1: Democracy is preferable to any other kind of government.*

*Statement 2: In some circumstances, a non-democratic government can be preferable.*

*Statement 3: For someone like me, it doesn't matter what kind of government we have.*

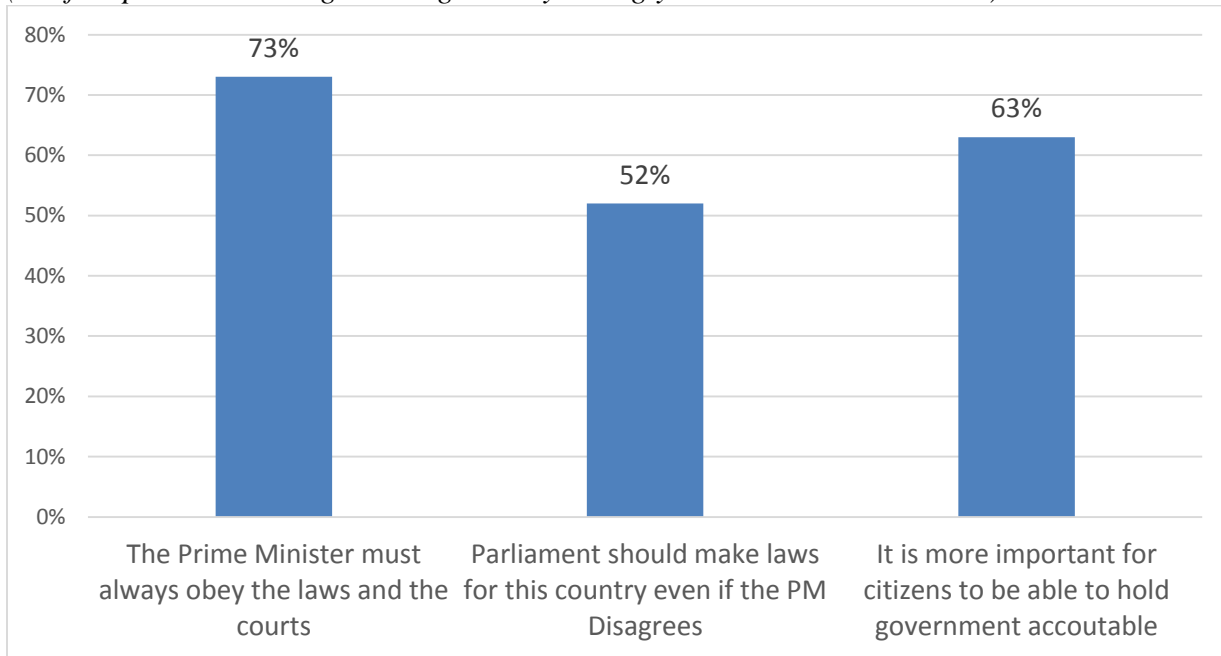
In addition, 62% prefer choosing leaders through regular, open, and honest elections. In terms of electoral competition, 69% of Basotho agree that many political parties are needed to make sure that they have real choices in who governs them.

***Support for Accountability of Government***

Basotho support tenets of democracy, such as accountability of government. Large majorities say that the prime minister should abide by laws and court decisions, parliament should have legislative powers over the prime minister, and the prime minister should be limited to two terms in office.

**Figure 6: Respect for the Balance of Powers between Prime Minister and Parliament, Government and Citizens, 2012**

*(% of respondents that agree or agree very strongly with the listed statement)*



*Question: Which of the following statements is closest to your view?*

*Statement 1: Since the Prime Minister was elected to lead the country, he should not be bound by laws or court decisions that he thinks are wrong. OR, Statement 2: The Prime Minister must always obey the laws and the courts, even if he thinks they are wrong. (% agree or agree very strongly with statement 1)*

*Statements 1: Members of Parliament represent the people; therefore they should make laws for this country, even if the Prime Minister does not agree. OR, Statement 2: Since the Prime Minister represents all of us, he should pass laws without worrying about what Parliament thinks. (% agree or agree very strongly with statement 1)*

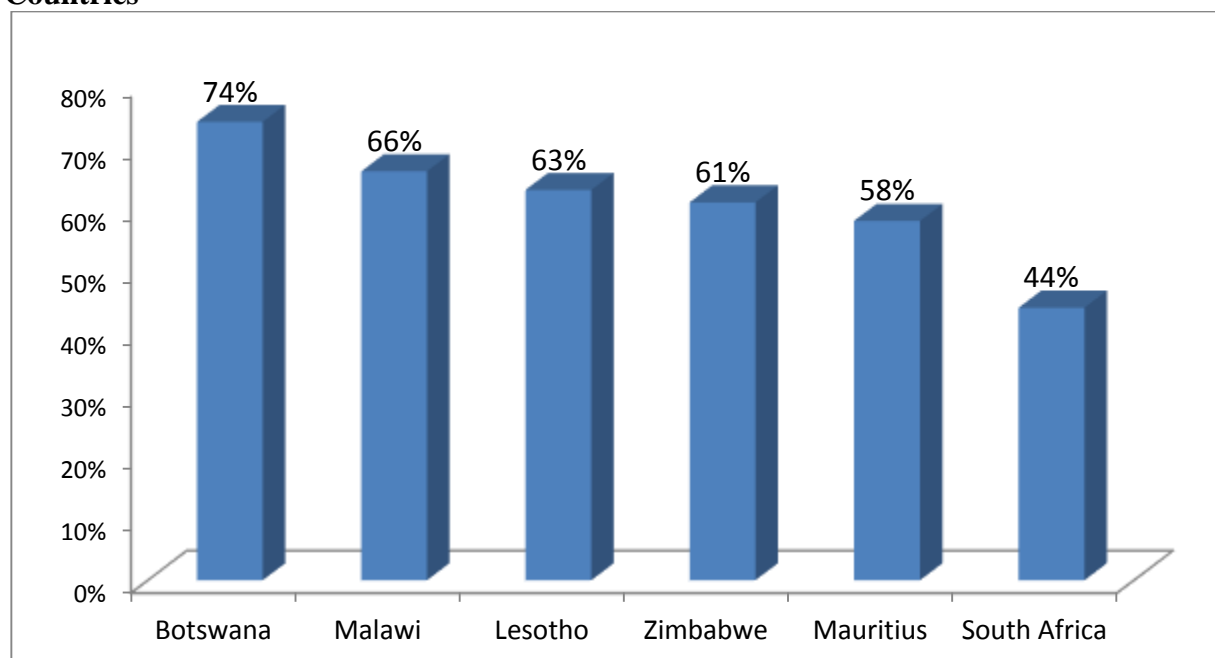
*Statement 1: It is more important to have a government that can get things done, even if we have no influence over what it does. OR, Statement 2: It is more important for citizens to be able to hold government accountable, even if that means it makes decisions more slowly. (% agree or agree very strongly with statement 1)*

In looking at findings from five other SADC countries, support for government accountability is highest in Botswana at 74% and lowest in South Africa at 44%. Lesotho is third highest at 63% behind Botswana and Malawi (66%) (Table 1 and Figure 7).

**Table 1: Accountability of Government to the Citizenry among Select SADC Countries, 2012**

Which of these statements is closest to your view. Choose Statement A or Statement B.  (Respondent is asked to select one of the following statements and give intensity.)	LES	BOTS	MLW	MAU	RSA	ZIM
Statement A: It is more important to have a government that can get things done, even if we have no influence over what it does. (% agree or agree very strongly)	34%	23%	32%	35%	51%	35%
Statement B: It is more important for citizens to be able to hold government accountable even if that means it makes decisions more slowly. (% agree or agree very strongly)	63%	74%	66%	58%	44%	61%

**Figure 7: Support for Government Accountability to the Citizenry among Select SADC Countries**



*Question: Which of the following statements is closest to your view?*

*Statement 1: It is more important to have a government that can get things done, even if we have no influence over what it does.*

*Statement 2: It is more important for citizens to be able to hold government accountable, even if that means it makes decisions more slowly. (% agree or agree very strongly)*

Even though there was substantial support in Lesotho for holding the government accountable, regular reporting of the prime minister to parliament was seen as a waste of time with 53% saying the prime minister should be able to devote his full attention to developing the country rather than

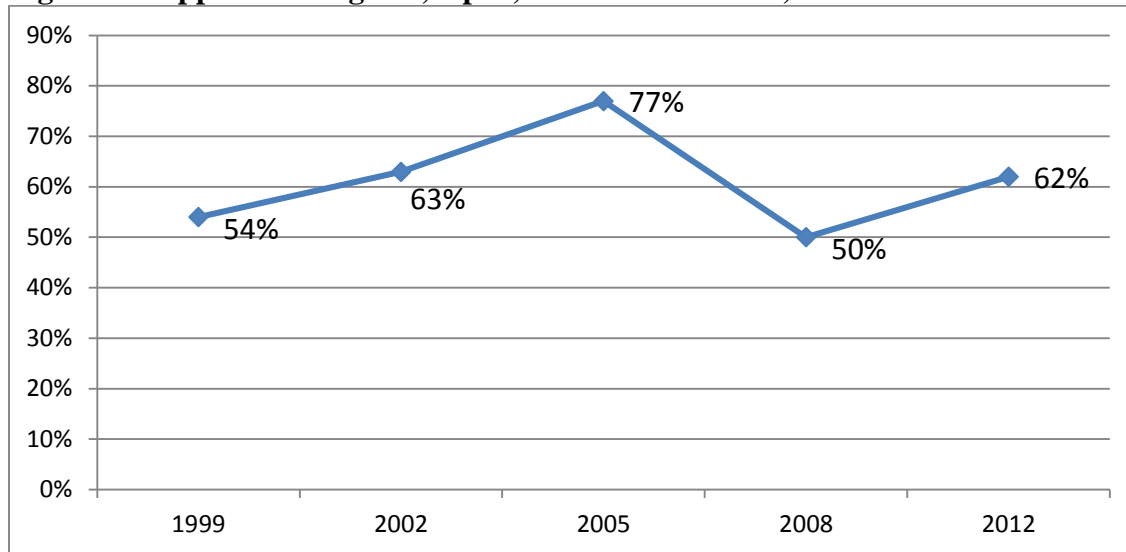


justifying his actions. In addition, 68% of respondents indicate that cooperating with the government rather than criticizing the government should be the opposition parties' main role.

### ***Support for Choosing a Government Democratically***

Basotho support regular and free elections with multiple parties participating. The support for regular and free elections increased steadily from 1999 at 54% to a high of 77% in 2005 then it decreased to 50% in 2008. Reflected in the 2012 survey, support for regular and free elections has begun to rebound with 63% of respondents registering support (Figure 8).

**Figure 8: Support for Regular, Open, and Free Elections, 1999-2012**



*Question: Which of the following statements is closest to your view?*

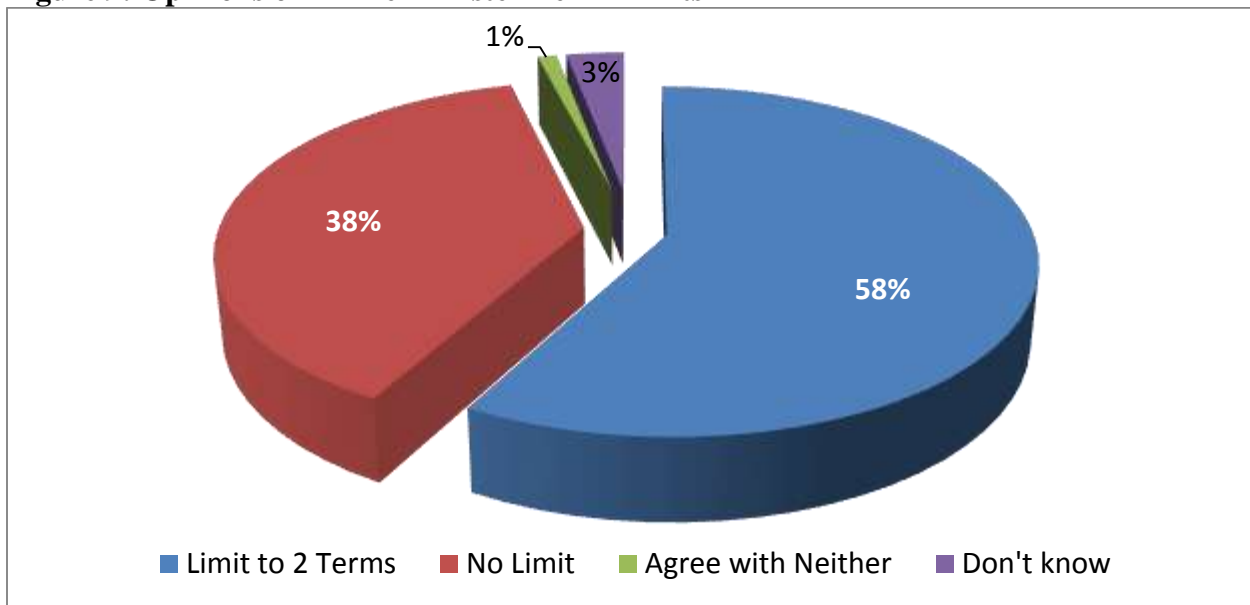
*Statement 1: We should choose our leaders in this country through regular, open and honest elections. (% agree or agree very strongly)*

*Statement 2: Since elections sometimes produce bad results, we should adopt other methods for choosing this country's leaders.*

### ***Prime Minister's Term of Office***

Currently, the constitution does not specify the number of terms an individual can remain prime minister. As long as elections are held every five years and the party in government continues to be elected, the leader of that party can remain in office, regardless of the number of terms his party is elected. However, a majority of Basotho (58%) support limiting the prime minister to two terms and 38% say there should be no term limits (Figure 9).

**Figure 9: Opinions on Prime Minister Term Limits**



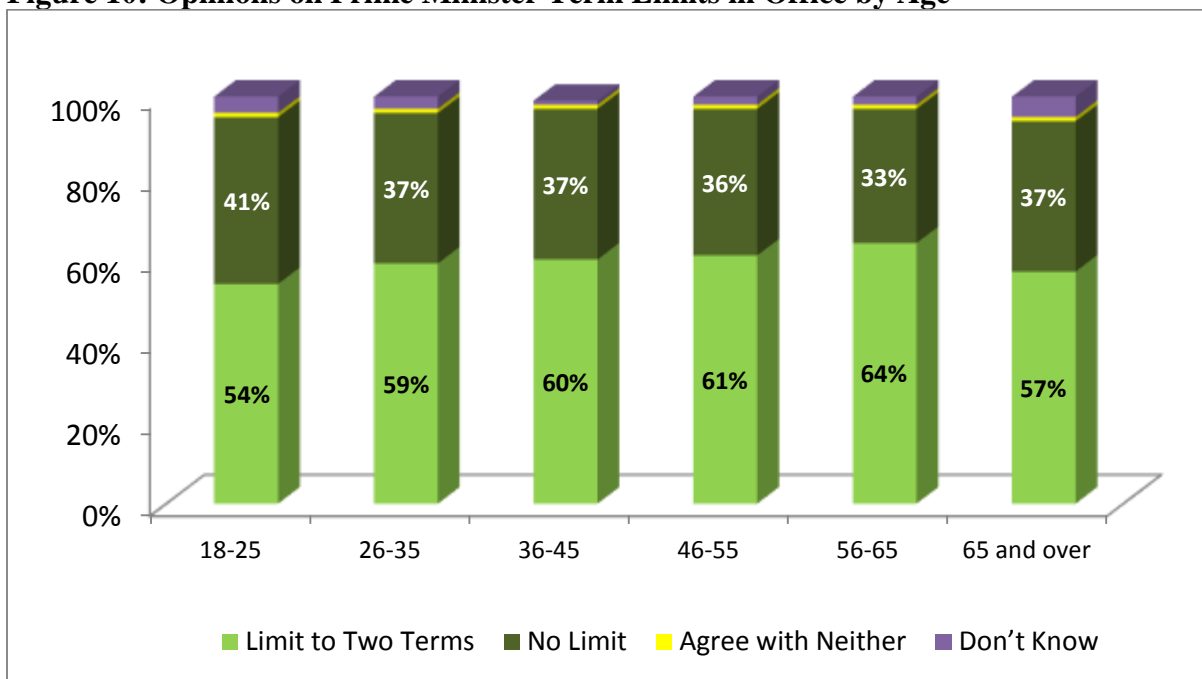
*Question: Which of the following statements is closest to your view?*

*Statement 1: The Constitution should limit the prime minister to serving a maximum of two terms in office. (% agree or agree very strongly)*

*Statement 2: There should be no constitutional limit on how long the prime minister can serve. (% agree or agree very strongly)*

All age groups support limiting the term of office of the prime minister to two terms. The 18 to 25 year-old age group registered the lowest support at 54% while the 56 to 65 year-old age group registered the highest support at 64% (Figure 10).

**Figure 10: Opinions on Prime Minister Term Limits in Office by Age**

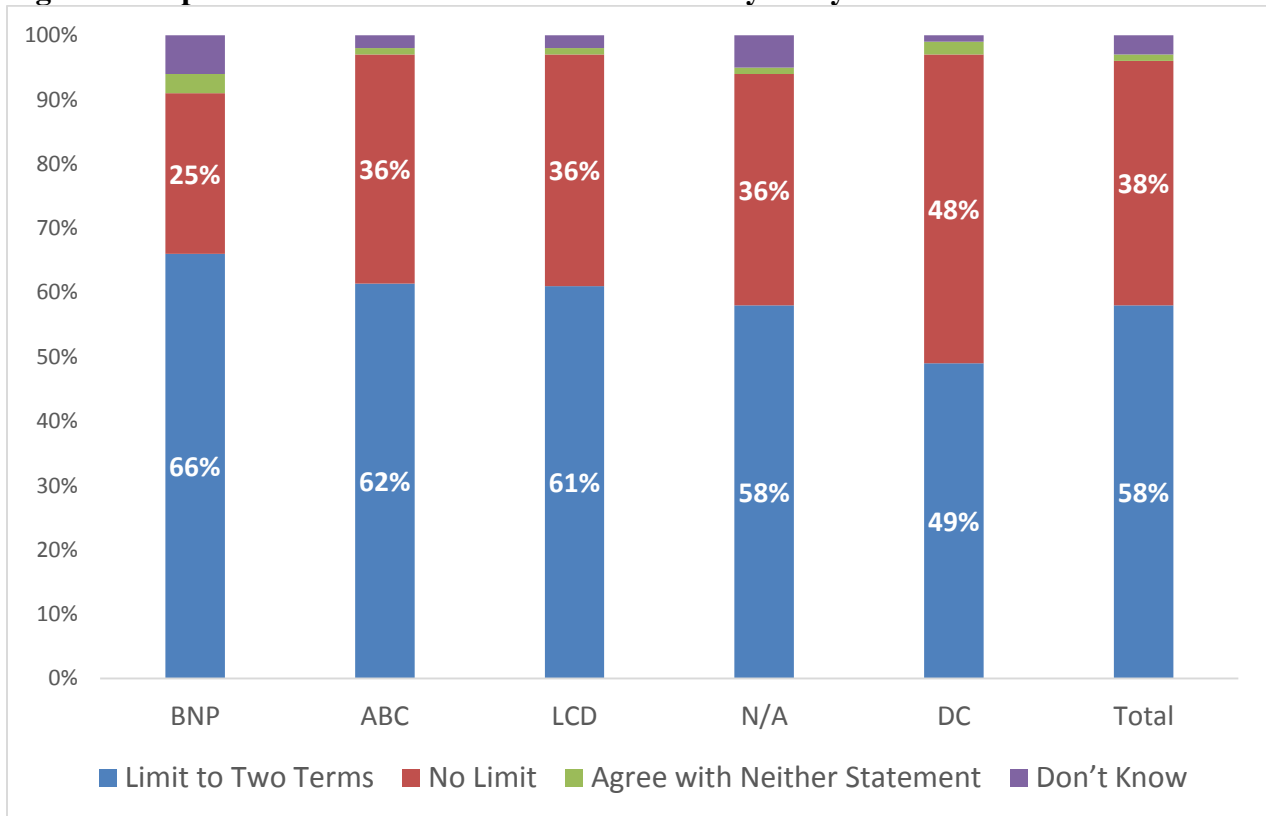


**Table 2: Opinions on Prime Minister Term Limits by Party Affiliation**

Political Party	Limit to Two Terms	No Limit	Agree with Neither Statement	Don't Know
<b>BNP</b>	66%	25%	3%	6%
<b>ABC</b>	62%	36%	1%	2%
<b>LCD</b>	61%	36%	1%	2%
<b>N/A</b>	58%	36%	1%	5%
<b>DC</b>	49%	48%	2%	1%
<b>Total</b>	58%	38%	1%	3%

All party supporters with the exception of the Democratic Congress (DC) have their majority in support of limiting prime minister's term of office to two terms (Table 2 and Figure 11).

**Figure 11: Opinions on Prime Minister Term Limits by Party Affiliation**



## 5. Support for Law and Order

### *Law Enforcement*

Basotho support law enforcement. 75% of the respondents agree that people have to abide the decisions of the courts of law, 88% agree that police have the right to make people obey the law, and 58% agree that tax authorities have the right to make people pay taxes (Table 3). People are less certain about the role of the tax authorities than other officials: 12% say they do not know whether the authorities should be allowed to make people collect taxes.

**Table 3: Viewpoints on Law Enforcement and Dispensing of Justice**

<b>Law Enforcement Element</b>	<b>Agree</b>	<b>Disagree</b>	<b>Neither agree/ Disagree</b>	<b>Don't know</b>
The courts have the right to make decisions people have to abide by	75%	19%	2%	4%
The police always have the right to make people obey the law	88%	10%	2%	2%
Tax authorities always have the right to make people pay tax	58%	27%	3%	12%

*Question: For each of the following statements, please tell me whether you disagree agree? (% agree or very strongly agree; % disagree or very strongly disagree)*

*Statement: The courts have the right to make decisions that people always have to abide by.*

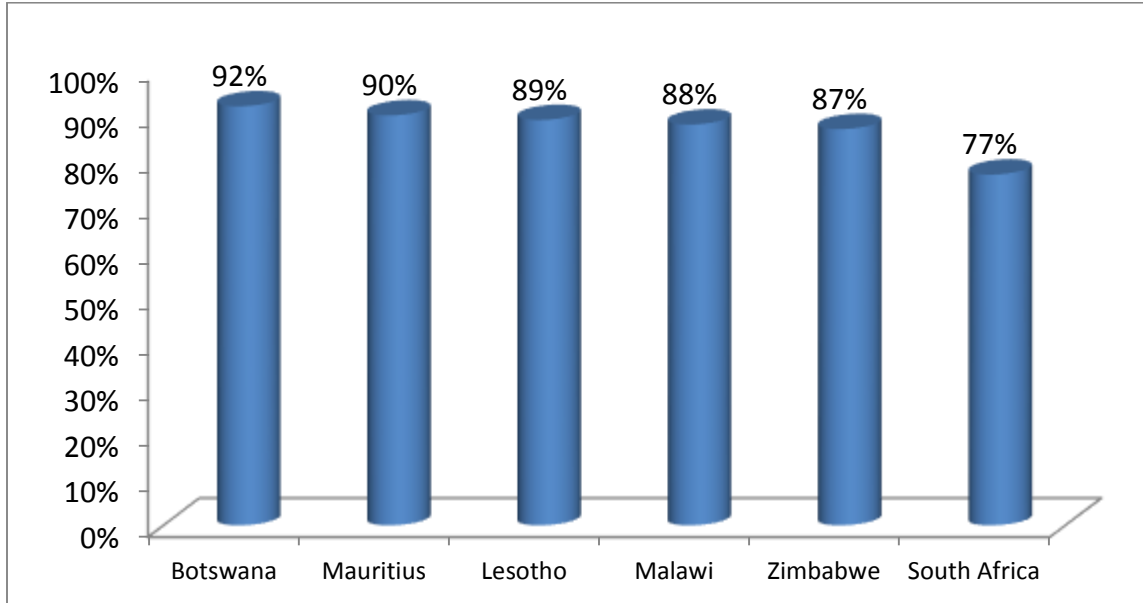
*Statement: The police always have the right to make people obey the law.*

*Statement: The tax authorities always has the right to make people pay taxes.*

### *Obeying the Government in Power*

A majority of Basotho agree that the government in power should be obeyed whether or not one has chosen it. In comparing this across six SADC countries—Botswana, Lesotho, Malawi, Mauritius, South Africa and Zimbabwe—Botswana has highest support for the government at 92% and South Africa has the lowest at 77% (Figure 12). Lesotho is positioned behind Botswana and Mauritius at 89%. In sum, an overwhelming majority of citizens of all SADC countries agree the government in power must be obeyed regardless of whether one voted for it or not. This is another indication of the strength of support for the rule of law and potentially democracy in Southern Africa.

**Figure 12: Respecting the Government in Power Regardless of Political Support in Six SADC Countries**



*Question: Which of the following statements is closest to your view?*

*Statement 1: It is important to obey the government in power, no matter who you voted for. (% agree or agree very strongly)*

*Statement 2: It is not necessary to obey the laws of a government that you did not vote for.*

## 6. Conclusion

Freedom of speech and press are enshrined in the Lesotho constitution. The 2012 Afrobarometer results show that a small majority of Basotho support freedom of speech and press. However, there is a sizable segment of the population, which also wants the freedom of press controlled to some extent. These observations suggest that there is a need to craft a clearly articulated media policy, which will spell out a code of conduct. In doing so, it may be possible to increase the level of public trust in the media, which according to the Afrobarometer survey is fairly low for government (48%) and private (53%) media sources.

Basotho have expressed great support for democracy, its tenets, and institutions. They also express a need for a functioning legislature as one of the pillars democracy. Presently, a prime minister could spend their lifetime in power should they choose to do so. However, Basotho support a two-term limit.

The May 2012 election gave Basotho hope for democracy in Lesotho, which had been somewhat lost after the 2007 election. The survey suggests that Basotho want the new coalition government to keep light for democracy shining by respecting the rule of law and supporting the functioning of all the democratic institutions in the country.

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