

## Update on the Political Situation in Lesotho



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The Kingdom of Lesotho has been plagued by persistent political instability since the country gained independence in 1966. Identifying the factors at the heart of Lesotho's persistent political instability could be an important contribution to attempts to solve the country's general problems of underdevelopment, insecurity, gross human rights violations, and breakdown of the rule of law. At the center of the current political crisis are the outcomes of the elections that took place in 2007, 2012, and 2015. The involvement of the security sector in the governance of the country has also played a significant role in contributing to the current political instability. Lesotho has a weak state, and state institutions that are highly party-politicised. There are too many political parties, most having been formed for the single purpose of the pursuit of the interests of those who established them.

## ***State of rights***

Citizens' recent opinions indicate that the country still has a long way to go in transforming human rights conventions into the people's everyday experience and culture. Although Lesotho has ratified and domesticated a number of international conventions that protect basic rights and freedoms, Amnesty International (2018) reported a 'sharp increase' in human rights violations as the country experienced prolonged political and security instability. Findings from the latest Afrobarometer survey shows that 75% of Basotho say the police routinely abuse or torture civilians in their custody. Basotho are increasingly terrified of the police, whom they accuse of torturing and killing with impunity.

## ***Governing party***

The All Basotho Convention (ABC) came into power through a coalition with the Basotho National Party (BNP), the Alliance of Democrats (AD) and the Reformed Congress of Lesotho (RCL). The coalition had hoped to bring political stability after the 2017 election failed to produce an outright winner. However, recently the coalition has been plagued by personality clashes, political infighting and intra-party struggles for power, which could derail the ongoing reform process in the country, and could potentially have a bearing on the party's upcoming electoral committee in 2019.

## ***Constitutionalism in Lesotho***

The development of constitutional democracy in Lesotho took a turn after the inconclusive 2012 election. The outcome of the election resulted in the first coalition government in Lesotho. Since then, major causes of political instability in Lesotho have been around the formation and running of coalition governments. In fact, the failure of coalition governments has urged Basotho to seek an alternative governing institution. According to a recent study by the Afrobarometer, 69% of Basotho have shown more political trust in the King than any other governance institution in the country.

## ***Analysis***

To an extent, Lesotho's history of civil-military relations could be blamed for the killings of civilians by the military and the police. After Lesotho transitioned from military rule to democratic rule in 1993, tensions between the ruling Basotho Congress Party (BCP) government and the military were left unresolved. Moreover, democratically elected leaders did not fully reform the institutions when they were in power. During the 2014 political crisis, the security sector was split along party lines. This led to the misuse of the security force by opposing factions. Even though there are a plethora of theories that explain persistent conflict, the security sector's involvement in the state takes the leading position in terms of reasons why Lesotho keeps falling back into political instability.

At the heart of Lesotho's current political crisis lies the outcome of the 2012 election. There had been contestations within the coalition over the nature of the executive powers of the Prime Minister. This led to the collapse of the marriage of convenience, which contributed to events that plunged Lesotho into political instability. As a result, Basotho have recently expressed that the constitution should be amended to allow the King more say on issues of national importance, because the constitution has been ineffective in resolving political instability in Lesotho.

### ***International community involvement in Lesotho***

SADC has been called upon to curb political instability in Lesotho more than in most member states. Southern Africa Development Community (SADC) recommended the implementation of constitutional and security sector reforms in Lesotho after the political instability in 2014. Reform process becomes a necessity when institutions fall short of their expected effectiveness in addressing economic, social and political needs.

However, Basotho have since expressed dissatisfaction over the reform process, especially on the circumstances surrounding the extradition processes of individuals involved in the security forces' atrocities in 2014. The reform agreement protects accused persons from prosecution until the end of the reform process.

The main obstacle is that there was no timeline imposed on when the reform process would end. In addition, the reform process undermines the constitution. The process is not clear on a number of issues, such as what would happen to cases that were already set in the court of law. Does this mean the executive will now be forced to impose itself on the judiciary to stop all the processes, because there was an agreement made? This could bring Lesotho's justice into dispute.

The African Commission on Human and People's Rights (ACHPR) also expressed concern over the persistent allegations of police brutality in Lesotho, and called on the government to capacitate the relevant institutions to enable them to investigate the allegations of human rights violations.

The European Union (EU) has rallied behind Lesotho's reforms process. The EU endorsed the new reform agreement between government and the opposition, for implementing multi-sectoral reforms that are crucial to long-term stability in Lesotho. The EU is also in support of the decision not to prosecute alleged perpetrators of the 2014 atrocities until after the completion of the multi-sector reform process. This agreement would break the recurrent trajectory of violence in the country and usher in a negotiated solution of the conflict.

## **Conclusion**

SADC has played a significant role in promoting peace and political stability in Lesotho. The international community, through the EU, has also supported the reform process as a form of mediation between two opposing sides. With the ABC's upcoming electoral committee next year, the 'four by four' ought to resolve its internal disputes. Failure to resolve the party's political infighting could cost the ABC votes in the next election in 2022. SADC gave Lesotho until May 2019 to have fully implemented constitutional and security reforms. Should Lesotho's political instability persist as it has done since 1966, the futures of Basotho and their country could be threatened.

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