



**NATIONAL UNIVERSITY OF LESOTHO**

# Political tensions in Lesotho coalition government: newspaper summaries and clippings



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## **FOREWORD:**

### **1. The Coalition Government of Lesotho**

The coalition government of Lesotho came about as a result of the 26<sup>th</sup> May 2012 National Assembly elections, whereby the All Basotho Convention (ABC) led by Thomas Motsoahae Thabane, the Lesotho Congress for Democracy (LCD) led by Mothejoa Metsing and the Basotho National Party (BNP) by Thesele 'Maseribane jointly agreed to form a coalition as according to the provisions of Section 87(2) of Lesotho Constitution which supports their claim for governmental power.

Tensions in the running and management of the coalition government emerged when the government was hardly two years. There was a complaint by the LCD that Thabane and his ABC were making crucial decisions without consulting other partners. The political situation became worse when there seemed to be an argument between the security organs in Lesotho, the police and the army over the release of eight members of the army for the questioning by police. The questioning involved the bombings in three Maseru families. The situation further worsened by the fact that LCD revealed their marriage to the opposition party; the Democratic Congress (DC) with intentions to form a new coalition and oust the Thabane led government.

However, the pressure caused by political issues in the Country, resulted in tensions in the coalition government. This political instability ultimately forced the Prime Minister to advise the monarch His Majesty King Letsie III to prorogue the parliament in a move to force coalition partners to resolve their disparities. The prorogation of parliament has since attracted a study tour of coalition members to New Zealand to learn about the 'dynamics' of a coalition government, it also invited various interventions by the Southern African Development Community (SADC).

### **2. Arrangement and coverage of the publication**

The articles' summaries and clippings have been collected from the following papers: Lesotho Times, Public Eye, Sunday Express and the Informative. Information gathered from the newspapers covers the period 2013-2014. The topic covers information on political tensions in the coalition government of Lesotho which occurred during the rule of the coalition government.

The articles' summaries are written in such a way that they guide the reader to the source. Particulars of the paper are given in full including the page number of the article. Clippings are taken as they are, denoting whether they are Comments, Cutting edge, Opinion, News, Have your say, and the like. The table of contents is categorized into articles and clippings. Articles titles are listed with author names stipulated clippings are without author names but described as comment, news, etc. Both articles and clippings are compiled according to the date of issue.

### **3. Access to cited newspapers**

Newspapers that are referred to as sources of information are located as bound newspaper volumes in the University Archives at Thomas Mofolo Library – National University of Lesotho, Roma. Soft copies of this publication are for sale and obtainable at the Library.



**“TOP COP ‘SENT’ ON LEAVE”** by B. Zihlangu and K. Mohloboli. *(Full story: Lesotho Times, January 30 – February 5, 2014 p.1-2.)*

Deputy Commissioner of Police Keketso Monaheng says he had been forced to go on leave following the attacks on the homes of his new boss, Khothatso Tšooana and prominent member of the ruling ABC (All Basotho Convention) Liabiloe Ramoholi.

Monaheng said the fact that he was sent on leave during the time when his experience and talent would be required to assist investigations, could reasonably be interpreted to mean that he was being suspected of being involved in planning the attacks. However, Monaheng said he was querying the leave as he did not apply to go on leave.

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**“SA TO ASSIST WITH PROBE ...as investigations into bombings widen”** B. Zihlangu and K. Mohloboli. *(Full story: Lesotho Times, January 30 – February 5, 2014 p.1&6.)*

Lesotho Mounted Police Service (LMPS) has solicited the help of experts from the South African Police Service (SAPS) to unearth those behind the attacks on the homes of the new police commissioner Khothatso Tšooana and the ABC activist Liabiloe Ramoholi.

LMPS spokesperson, Senior Inspector Lebona Mohloboli, said police were still inspecting the shrapnel from the attacks to ascertain its origins. He confirmed that SAPS experts had been brought in “to improve our team’s capacity”. He said their SAPS colleagues would assist in establishing the nature of the devices used to build the explosives.

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**“ARMY DEFENDS RAID ON MAKORO”** by Boitumelo Kolo. *(Full story: Sunday Express February 23 – March 1 2014, vol.5. Issue 45, p.2.)*

The Lesotho Defence Force Public Relations Officer, Major Ntlele Ntoi clarified in the paper that soldiers who raided the home of the Retired Major General Sam Makoro searched for weapons and military uniform.

Ntoi confirmed the raid on Makoro’s residence: “Yes, soldiers were sent to his residence to search for weapons as well as military uniform. We had received news that he had been spotted at a political rally wearing our uniform”.

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**“I WILL NOT BE INTIMIDATED”** by Boitumelo Kolo. *(Full story: Sunday Express February 23 – March 1 2014, vol.5. Issue 45, p.2.)*

Makoro left the army in 2011 when he had risen up the ranks to become the LDF Deputy Commander and is now the Maseru District Administrator (DA). Soldiers had reportedly told him they had come to search for weapons and army uniforms. “They surrounded my house as if they were attacking a terrorist. Their leader, a second lieutenant said he was under instruction to search for weapons and army uniforms in my house”. Although they did not have any legal documents to justify their search and were infringing on my rights, I let them proceed because I have nothing to hide” said Makoro.

Makoro said the soldiers searched his entire house – “obviously their search turned up nothing”. He said given his military background, such operations would not intimidate him. “Personally, I am not intimidated, but this raid has traumatized my family”.

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**“MOLELEKI’S TRIAL POSTPONED AGAIN” by Billy Ntaote & Sentle Rathebe. (Full story: Lesotho Times February 20 – 26 2014 p.3.)**

Moleleki failed to appear in court due to illness and the court postponed the case to May 7, 2014.

According to Acting Chief Justice Tšeliso Monaphathi the case had to be postponed because the crown, represented by Advocate Siphon Mdluli and Advocate Khotso Nthotho, failed to provide any evidence disputing Moleleki’s illness.

The prosecution criticized the medical reports and contested that there were discrepancies and inconsistencies regarding the treatment dates and also wondered why the treatment coincided with the corruption trial.

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**“SOULO, MONYAKE TO FORM A PARTY” by Keiso Mohloboli. (Full story: Lesotho Times February 20 – 26 2014, p.2.)**

Two ABC former ministers dumped from cabinet last week by PM Thomas Thabane are allegedly planning to break away and form a political party.

The former minister in the Prime Minister’s Office Molobeli Soulo and former Justice and Correctional Services Minister Mophato Monyake were “plotting to form a splinter party of the ABC”

Soulo denied the allegations, he said “I just don’t have the energy for that ... I am in my old

age and no longer have the energy and time to form a new political party”.

Monyake also disproved allegations that he was part of underground meetings held at Soulo’s place. “I have never been to Ntate Soulo’s home and I do not even know where he stays ... if only people could just leave us alone and stop spreading malicious and misleading allegations against us”

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**“COLONEL DISAPPEARS.. LDF LAUNCHES MANHUNT” by Bongiwé Zihlangu and Letuka Chafotsa. (Full Story: Lesotho Times March 6-12 2014 p.1.)**

Colonel Matela Matobakele has been reported disappeared, prompting a manhunt by the Lesotho Defence Force (LDF). Colonel Matobakele was president of court martial that was trying renegade soldier, second Lieutenant Thabang Phaila.

The Colonel was believed to have absented himself from work without official leave; since he had not reported for work after his sick leave ended on February 13, 2014. The LDF was looking for him because he breached the provision of the Lesotho Defence Force Act 1996.

According to Lesotho Times source; Matobakele was believed to be hiding at Makoro’s residence.

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# "SOLDIER BACKS KAMOLI .. COMMANDER CAN'T BE REMOVED 'AS LONG AS I'M ALIVE'."

by B. Zihlangu & N. Molomo. (Full story: Lesotho Times February 20 – 26, 2014 p.1.)

Lesotho Defence Force (LDF) Special Forces Commando Captain Tefo Hashatsi, told the Court Martial that army commander Lieutenant-General Tlali Kamoli would not be removed through a dismissal letter "as long as I'm alive".

Hashatsi was testifying before a military court trying suspended Brigadier Maaparankoe

Mahao for "behaving in an unbecoming character of an officer, contrary to section 75 of the Lesotho Defense Force Act 4, 1996".

Hashatsi said he told the meeting that he was against the alleged plan to serve Lt. General Kamoli with a letter of expulsion. He stated that "the issue of handing a letter to the Commander, which appeared to be instigated by some of the soldiers in the army, cannot happen while I am still alive".

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**National** 4 Lesotho Times | January 16 - 22 2014

## DF brigadier suspended

By Bongiwé Zihlangu

MASERU — Brigadier Maaparankoe Mahao was yesterday suspended for instigating a mutiny against the Special Forces.

According to highly placed military sources, Mahao was suspended by Major General Khosale Motomotome, who made the announcement through a press conference. The suspension was announced through a press conference at the Rajabane Military Barracks that started just after 2 pm yesterday and continued until early evening.

The meeting was very long and continued until early evening. Major General Motomotome announced that Brigadier Mahao had been suspended. The suspension and charges instigated against him.

However, the source also questioned Motomotome's line of thinking saying Mahao was within his rights to institute disciplinary measures against the captain of the Special Forces "because he is his senior".

"This is why I strongly believe that Mahao is going to win that case fair and square because he was only doing his job," the source said.

Mahao last night in a telephone interview with this paper confirmed his suspension saying he was served with the letter yesterday afternoon and told he "charged to go to the Times".

"I was suspended with full pay but also told to leave the office with immediate effect and return my service gun," Mahao said last night.

Mahao said in the charge sheet it was stipulated that on Monday January 13-2014, he threatened one Captain Hashatsi of the Special Forces at the Makozane Military Barracks about "issues surrounding the contemporary change of command".

Mahao said in the charge sheet he is said to have confronted the Special Forces Company Hashatsi and reprimanded him about elements of subversion in a meeting with the company.

He said the charge sheet states that he

**Phaila case continues to divide cabinet**

By Nat Molomo

MASERU — Second Lieutenant Thabang Phaila, currently on trial for court-martial on mutiny and desertion charges, wants the proceedings nullified at the High Court.

On behalf of the accused, Advocate Sakone Sakone KC told the acting judge, Justice Molefi Makare, on Tuesday that the application seeks a review and an order declaring and nullifying the convening of the Court Martial by the Minister of Defence.

The Minister of Defence, Prosecutor Court and the Attorney-General are the respondents in the case.

Sakone contended that the High Court, according to the Constitution, has jurisdiction in terms of the sections 119 subsection 1 (2) read with subsection 2 (1) of the High Court Rules Amendment Act 1984.

He further submitted that in terms of that section, the High Court has jurisdiction to review the decisions and proceedings of any courts, including Court Martial.

Sakone quoted the High Court Rules Amendment Act of 1984 as providing that "The High Court of Lesotho shall continue to exist and shall have unlimited jurisdiction to hear and determine any criminal and civil proceedings under any law in force in Lesotho".

"Our submission is that section 119 of the Constitution and the High Court Rules unambiguously confer original jurisdiction to this court to grant the relief that we sought in our notice of motion," Sakone said.

He wants the High Court to declare that his prosecution at the court is "unfair, discriminatory and abuse of process".

Phaila is asking the court to interdict the Minister of Defence from prosecuting him on the charges on which he stands arraigned before the court martial, as well as any other charges which might emanate from the same facts.

Phaila, who left Lesotho for South Africa at the height of the 1998 disturbances, returned to Lesotho last year and has since been slapped with charges for allegedly contravening sections 49 (2) and 49 (a) and 54 (a) of the Lesotho Defence Force (LDF) Act No. 4 of 1996.

In his court papers filed by his lawyer, Advocate Sakone Sakone KC, Phaila seeks an order declaring and nullifying an order convening the Court Martial by the Minister of Defence.

Phaila, who returned to Lesotho last September and was arrested in October, seeks to benefit from the amnesty policy in which all Basotho, who left the country during the political unrest before the May 2012 general elections could return home on the assurance that they would not be arrested.

When the court addressed Phaila's lawyer was to provide the court with more heads of argument.

Meanwhile, Phaila's Court Martial trial continued yesterday at Makozane Barracks.

"There is no such policy. The government of Lesotho does not have what the applicant said is a policy proclamation on amnesty as I have already indicated above," Thabane says. "I must say I find a choice of words by his application a bit inappropriate in the context of this case particularly because there's no such thing as a Government Amnesty Policy in place."

However, Monyake says Phaila's return to Lesotho is in line with government's desire and directive that all those Basotho who left the country due to political and private reasons return home.

As a result of this "directive", in a letter dated September 16, 2012, the Director of the National Security (NSD) and copied to the Government Secretary and Phaila himself, Monyake said that he was glad that Phaila returned to Lesotho after leaving the country in September.

"Mr Phaila came to my office and I assured him that the government would do all for him and request in line with government's directive that you return home," Monyake said in the letter.

"I therefore introduce Mr Phaila to your office and request in line with government's directive that you return home on the assurance of the protection, rights and freedoms enjoyed by every law-abiding citizen of this country."

"Before I even venture into the merits of this case or otherwise... I want to categorically place it on record that there is no such thing as a policy proclamation by government to grant amnesty to any category of persons," Soole said.

"Granted, the government of Lesotho would like to see those who fled the country come back to their country but that cannot be equated to an amnesty of some sort."

Soole added: "I deny that there exists a government policy of encouraging exiles to return home without fear of arrest and prosecution for any politically connected offence allegedly committed before the coming into power of the present administration."

He also maintains that Monyake's letter constitutes inadmissible hearsay "and cannot be relied upon by applicants."

"What surprises me is the opening paragraph in the Honorable minister's letter that this applicant left Lesotho due to political unrest. I deny that and put applicants to proof the said," Soole said.

In his affidavit, Thabane also counters Monyake's claim saying his government does not have a policy in place which says those people who fled the country for political or any reason for that matter "will be given any kind of amnesty."



LIEUTENANT General Tlali Kamoli



BRIGADIER Maaparankoe Mahao

(Mahao) said to Hashatsi, who was seemingly against the controversial change of command, "I want to tell you that the issue of the level not only in Lesotho but in many other countries across the world and that military officers should be loyal to the state and not any one particular individual".

The charge sheet also adds that Mahao said to Hashatsi: "If you feel like the issue of the change of command will affect you personally, resign."

"The accused did not follow the proper chain of command in addressing his concerns and that neither was he granted permission by his superiors to utter such views which sought to influence/destabilise the victim," Mahao said reading from the charge sheet.

Furthermore, Mahao said, the charge sheet also stipulated that he was in contravention

## News

# Still no move on army fracas

TEBOHO KHATEBE MOLEFI

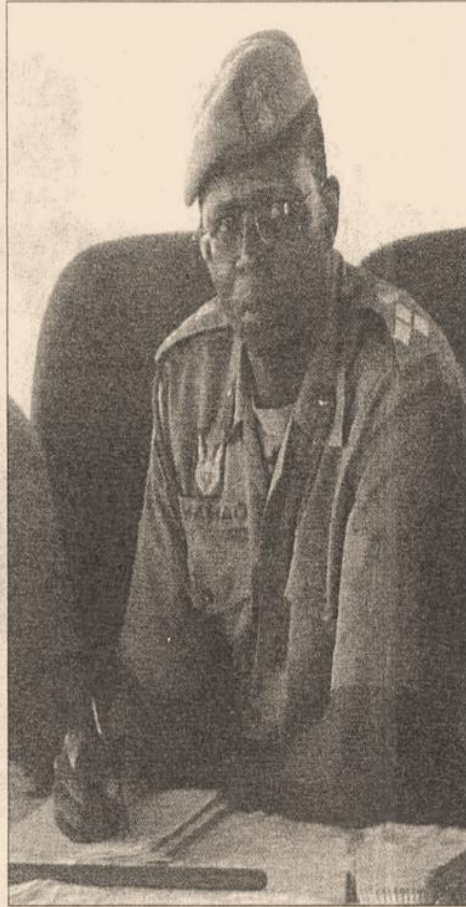
**M**ASERU—It is nearly a month now since the jolting developments of physical confrontation and abrupt suspension in the top command of the army, and the cloud of uncertainty continues to linger over the nation.

In an interview with *Public Eye* on Wednesday January 29, Brigadier Maaparankoe Mahao, who has been kept out of office since January 15, said no action had since been taken on his case by the command or the defence ministry authorities.

He indicated this was despite his request for intervention and the authorities undertaking they would look into the matter.

Mahao had earlier approached the Defence Council in writing, lodging a complaint against his suspension for reprimanding an officer junior to him, and specifying what request he was seeking in line with requirements of the law.

In the same week of the suspension, the principal secretary in the ministry of defence and national security, Mr Moshoeshoe Sehloho, had told *Public Eye* the processes for convening the Defence Council



Brigadier Maaparankoe Mahao

were afoot, while at the same time Mahao had also approached the courts of law on the matter.

The case has since been set for hearing on February 17 in the Maseru Magistrate Court.

The application, according to Mahao, seeks to restrain the Commander of Lesotho Defence Force (LDF) Lieutenant General Tlali Kennedy Kamoli from instituting a court-martial against him.

Mahao further cites Kamoli is an interested party in the matter, and that at least one member of the same court martial assembled by Kamoli, should not be on the panel as he had been thickly involved in the developments that have culminated in the current standoff.

"It is not my contention that I am untouchable. I am subject to military discipline like anyone else, and the commander has powers to establish a court martial on any subject except mutiny as that (mutiny) is assumed to be against his own person," said Mahao.

He contended the defence minister was the one to

discharge that function in the circumstances.

But in this present attrition, Mahao is charged with improperly rebuking a captain that told the LDF Special Forces he would rather die than see the government replace Kamoli as commander.

Kamoli had in the week of Mahao's suspension told *Public Eye* the court martial was in place, while Sehloho pleaded ignorance about the same.

Mahao claims that in accordance with the Lesotho Defence Force Act No.4 of 1996, Section 90 (2), his suspension ought to have been communicated in writing to the ministry, which step Sehloho had said was omitted in an earlier interview.

Efforts to contact Sehloho yesterday were unsuccessful as he was said to be walking into an urgent meeting.

# Will the new cabinet deliver?

By Sechaba Mokhehi

MASERU—The cabinet reshuffle announced this week by Prime Minister Dr Motsoahae Thabane is not likely going to improve service delivery as it was not performance-based, a local political analyst has said.

Tsikoane Peshoane, who is Democracy Education Programme Officer for the Transformation Resource Centre, a local ecumenical non-governmental organisation, told *Public Eye* on Wednesday there is no correlation between the reshuffle and service delivery. He further indicated an agreement between the coalition government says partners should not interfere with matters under the supervision of other parties.

The All Basotho Convention (ABC), Lesotho Congress for Democracy (LCD) and Basotho National Party (BNP) formed a coalition government after the May 26, 2012 general election.

Peshoane pointed the reshuffle could have been triggered by the need to fill the vacancy left by former Energy, Meteorology and Water Affairs minister, Dr Timothy Thabane, who was fired last month.

His departure could have given the LCD leadership a chance to reshuffle its quota of ministerial posts in the coalition government.

However, Professor Kopano Makoa, a lecturer in the Department of Political Science and Administrative studies at National University of Lesotho said it was not easy to draw conclusions on whether the reshuffle was necessitated by the need to improve services as the reasons were not communicated.

He however told *Public Eye* on Wednesday this week any improvement in service delivery would be determined by ministers' capabilities, suitable technocrats to advise them, as well as the availability of resources.

"We are not in a position to say whether the reshuffle will bring positive or negative results because we did not know why it was carried out in the first place. The best way

to understand the reshuffle of ministers is to first understand the nature of the coalition government we have," Makoa said.

He indicated the coalition government had created semi-autonomous blocs that to some extent share equal powers and exercise authority within themselves.

Makoa said the Prime Minister has the right to shuffle ministers, adding there were however, some limitations imposed by the boundaries drawn by the tripartite partners.

Although the reshuffle was formally announced by the Prime Minister, Dr Motsoahae Thabane, "it is also visible it was done only on LCD ministers and this clearly reflects the nature of the coalition partners' memorandum of understanding, either well expressed or implied."

Makoa also said the vacancy left by former Thabane had greatly influenced the reshuffle.

He added the coalition partners may have agreed on the need for a reshuffle and decided to give Mothetjoa Metsing, the LCD leader, autonomy to decide on how it should be carried out within his party's ministerial confines.

Makoa further said the taxi-owners' grievances against former Public Works and Transport minister Keketso Rantšo and the issue of factory workers' calls for a salary increase could have also led to the reshuffle, although this would be difficult to conclude.

## The new cabinet:

**Keketso Rantšo (Employment and Labour)**

**Lebesa Maloi (Public Works and Transport)**

**Tšeliso Mokhosi (Energy, Meteorology and Water Affairs)**

**Selibe Mochoboroane (Communications, Science and Technology)**

**Apesi Ratšele (Deputy Minister of Local Government and Chieftainship Affairs)**

**Liteboho Kompi (Deputy Minister of Education and Training)**

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# Ramodibedi fights on

## ... Judge contests application

By Nat Molomo

MASERU — Suspended Court of Appeal President Justice Michael Ramodibedi has intensified his spirited battle to avoid getting fired from his venerable post.

In a recent notice of appeal against a court judgment allowing the government to pursue his impeachment, Ramodibedi fires a broadside against Prime Minister Thomas Thabane whom he accuses of "interfering" with the independence of the judiciary. By initiating a process to have him impeached, Ramodibedi also accuses Thabane of "offending" the cardinal principle of separation of powers between the judiciary, the legislature and the executive entrenched in the constitution of Lesotho.

Ramodibedi argues in his latest court papers that Thabane's bid to advise King Letsie III to initiate a process to have him impeached should never have been launched without him being heard first.

The Court of Appeal President suffered a major setback last November when the High Court, sitting as a Constitutional Court, dismissed his application contesting Thabane's bid to have him impeached.

This after the King, on the advice of Thabane, had set up a three judge tribunal to probe Ramodibedi over allegations of judicial misconduct, leading to his possible impeachment.

Ramodibedi had sought to halt the entire process, arguing that his side of the story should have been heard first before the process of establishing the tribunal to probe him had been started.

South African judges, Judge John Musi, Judge Omtheletse Moshidi and Judge Shuled Potterill, hired to hear the case, dismissed Ramodibedi's application to interdict the entire process of investigating his alleged misconduct in a ruling delivered on November 22 2013.

The three judges ruled that Ramodibedi was not entitled to be heard prior to the decision to appoint the tribunal to investigate him.

They insisted that the Appeal Court President would receive a fair hearing in the course of the tribunal's probe into his alleged misconduct.

But Ramodibedi has begged to differ.

He is now appealing against the entire judgment of the three imported High Court judges, who sat as a Constitutional Court.

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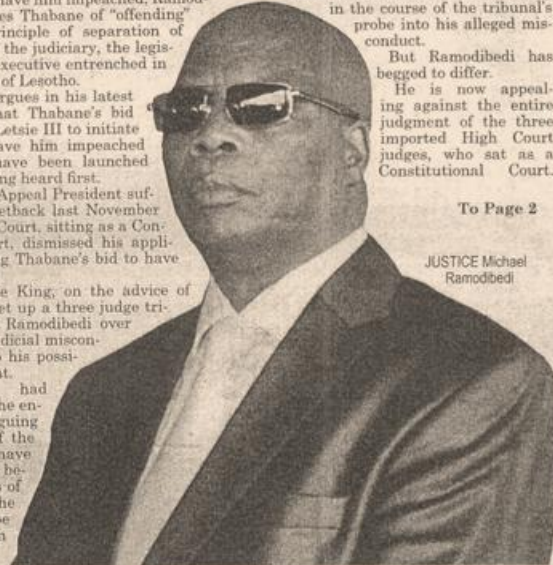
JUSTICE Michael Ramodibedi



Commission chairperson Mahapela Lehohla, left, during the swearing ceremony. High Court registrar Lesitsi Mokeke, centre, looks on as he presides.



Chairperson Mahapela Lehohla after taking the oath of allegiance with Justice Ramodibedi.



From Page 1

His appeal to the Court of Appeal, of which he is leader, is now set to delay the tribunal's misconduct investigation against him.

In his appeal, Ramodibedi cites Thabane, the attorney-general and the three South African judges who were appointed to the tribunal to probe him as respondents.

The three tribunal judges are Justices Zachy Yacoub, Yvonne Mokgoro and M Joffe. Ramodibedi's appeal escalates a feud that has rocked the Kingdom's judiciary in the last several years and left its reputation on the brink.

The quarrel has its roots in a long-running battle between Ramodibedi and former Chief Justice Mahapela Lehohla over seniority on the bench.

When Thabane took office, he reportedly asked the two senior judges to quit because their seniority quarrels threatened to plunge the judiciary into disrepute.

Lehohla, who is now the new chairman of the Independent Electoral Commission (IEC), duly obliged and quit his post. But Ramod-

# Ramodibedi fights on

ibedi, who also serves as the chief justice of Swaziland, dug in his heels, and refused to comply with Thabane's order.

The Prime Minister then initiated the process to have Ramodibedi impeached, a move that the Court of Appeal President now appears set to fight to the very bitter end.

Ramodibedi argues that the Prime Minister's move to have him impeached is unconstitutional and remains at odds with the doctrine of separation of powers.

Ramodibedi's lawyers, Advocates Salemane Phafane KC, Zwelakhe Mda KC and Sakoane Sakoane KC, lists several other grounds for his appeal.

But they particularly argue that the failure to afford Justice Ramodibedi a hearing before the initiation of the impeachment process against him had "resulted in the failure of justice".

They say the court ought to have held that Justice Ramodibedi was entitled to be heard before Thabane made representations to the King under section 125 (5) of the Constitution.

Failure to do so effectively infringed on Justice Ramodibedi's fundamental right to procedural fairness, equality before the law and equal protection of the law, thus putting into question the entire process of law, the lawyers argue.

They also say the court erred and misdirected itself in awarding costs against Ramodibedi, thus effectively punishing him for attempting to vindicate his constitutional rights to be heard.

Ramodibedi's lawyers say the costs order is at odds with the court's own finding that this was a matter of "national interest."



**“VALIDITY OF SCOTT’S ARREST QUESTIONED”**  
by Billy Ntaote. *(Full story: Lesotho Times, February, 20-26 2014 p.3.)*

The ritual murder suspect, Lehlohonolo Scott has been arrested in South Africa and was awaiting extradition to Lesotho.

Advocate Thulo Hoeane, questioned the legitimacy of Scott’s arrest and even asked for documentation proving Scott’s arrest.

The prosecution however informed High Court Judge, Justice Teboho Moiloa that Scott has since been apprehended in South Africa and the government of Lesotho had already filed its papers seeking his extradition.

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**“ANGER OVER PARLY CLOSURE”** by Billy Ntaote. *(Full story: Lesotho Times March 27 – April 2 2014, p.1.)*

Parliament adjourned indefinitely. This move was criticized by opposition legislators as a strategy to dodge a proposed **no-confidence** motion against Prime Minister Thomas Thabane.

Opposition legislators argued that “the tradition is for parliament to be suspended for the winter vacation, but such an adjournment is not done without setting a specific date to resume sittings”. The Deputy Prime Minister Mothejoa Metsing, who is the leader of the House, responded that “adjourning the House sine die is nothing new”.

**“BATTLE LINES DRAWN ... MPs FIGHT BID TO BLOCK NO-CONFIDENCE MOTION”** - by Tefo Tefo. *(Full story: Lesotho Times March 27 – April 2. 2014, p.1-2.)*

Advocate Salemane Phafane filed a notice in the High Court of Lesotho opposing an application seeking to block a **no-confidence** motion in the government. He filed this notice on behalf of Ramathebane, Lehata and former Prime Minister Pakalitha Mosisili.

The application seeking an order to block the planned motion of **no-confidence** was filed in the High Court by three members of Parliament Chalane Phori, Matšelis Tuaoane and Tšepo Monethi.

A notice was earlier presented to the Clerk of Parliament by the Basotho Batho Democratic Party (BBDP) leader Jeremane Ramathebane who spearheaded a bid to move a **no-confidence** motion in the Thomas Thabane-led government. The motion was seconded by the Democratic Congress (DC) legislator Mootsi Lehata.

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By Billy Ntsoe

MASERU – Despite their loss to the Democratic Congress (DC), the decision by parties in the coalition government not to contest the weekend polls as a united front was wise since doing so would have seen one of the three parties “cannibalising the other two”, analysts told the *Lesotho Times* this week.

The February 15 showdown comprising two parliamentary and 27 local government by-elections, saw the country’s four major parties — the Lesotho Congress for Democracy (LCD), All Basotho Convention (ABC), Basotho National Party (BNP) and DC — pulling out all the stops to attract votes.

However, it was the DC which romped home to retain the Thaba-Moea and Thaba-Phechela parliamentary constituencies, while also winning 14 of the 27 council seats.

The LCD came second after winning six of the council seats, while the ABC and BNP were third and fourth on five and two seats, respectively.

According to analysts who spoke to the *Lesotho Times*, the decision by the coalition partners to contest the elections separately not only ensured a spirit of competition but also the survival of individual parties.

The analysts said although the coalition partners, namely the ABC, LCD and BNP, would have been a formidable force that could have won the by-elections, it would have resulted in one of them “devouring” the other two.

Dr Motlamelle Kapa, Head of the Department of Political and Administrative Studies at the National University of Lesotho, said if the partners had merged to contest the by-elections as a single entity, the decision would have been “dangerous if not suicidal”.

Kapa said it is always important to remember “Basotho never voted for a coalition government but voted for individual parties”, and talking about a merger would be bringing a scenario of the Alliance of Congress Parties that was formed before the 2007 general elections but failed to achieve much.

“I wonder how easy it would be to vote for one party for the three sets of supporters. Imagine a party telling its supporters to vote the ABC, LCD or the BNP. It would be a very hard decision to agree to and tantamount to selling their parties,” Kapa said.

Kapa argues the coalition trio’s preoccupation should be providing quality services and not defeating the DC in elections.

Kapa adds the parties need not compromise democratic competition and end up with a scenario similar to “what was seen when the LCD cannibalised the NIP (National Independent Party)”.

Kapa said if the coalition parties were to contest elections as a collective, LCD members would definitely be lost to the DC and ABC supporters would defy such an order and the same goes for the BNP. The opposition, he said, would take advantage of such a scenario.

“The coalition parties would do so if their prime objective was to defeat the DC, but their mandate is to grow their parties,” Kapa

# By-elections: Analysts commend coalition parties

Lesotho Times | February 20 - 26 2014 P 6

said.

He argues in Africa, rural voters generally vote for governing parties “but in our case, it was difficult to say who is government and former Prime Minister Pakalitha Mosisili is still in the memories of the people, hence the DC victory”.

Kapa also said it would be interesting to compare the 26 May, 2012 parliamentary poll-statistics to those of the weekend by-elections.

“There is surely a reduction in the number of votes the DC garnered in the by-elections compared to the past general elections which is indicative of growth of the coalition parties,” Kapa said.

Kapa adds the by-elections were also characterised by a fierce contest between the LCD and the DC for the rural vote, while the ABC also showed signs of growth in the rural constituencies.

He said government actions are felt mostly in urban areas compared to the rural areas and rural voters are trustworthy but warned: “If the ABC does not deliver on promises and improve services, it risks losing its urban voters”.

Kapa further said it was hard to predict the outcome of the 2017 general elections based on the weekend by-elections “as human behaviour is hard to predict”.

“If they were to give services to the people and go beyond what the Mosisili administration delivered to the people in the past, the coalition parties would be stronger than they are growing to be in the eyes of the electorate,” Kapa said.

Seabata Motsamai of the Lesotho Council of Non-Governmental Organisations also said the coalition parties were spot-on in contesting the by-elections as individual parties.

“If they had contested the by-elections as one united front, they would have defeated the DC. But they are only governing as a coalition and remain individual parties.”

Motsamai also points out the alliance’s memorandum of understanding is clear that there would not be any party cannibalising another party”.

He however, said statistics indicate there has been growth in the support-base of the governing parties although none of them won the by-election.

Motsamai said although the DC won the by-elections, “it is evident its support base has dwindled slightly when compared to its past general election victory”.

According to Motsamai, it would be impossible for the coalition parties to contest the by-elections as a single unit as spreading



PAKALITHA Mosisili

messages in the post-election period would not guarantee that all voters would still wish to return to their original parties after voting another party.

“Some would cease to exist, especially because voters are not like one’s children who obey orders without asking any questions,” Motsamai said.

Motsamai also questioned the parties’ strategies in the by-elections, which he said were “narrow”.

“The ABC neglected its stronghold, which is urban areas, and tried getting votes through rigorous campaigns in the rural areas, while the DC was gunning for the

urban voters.

“It is important for a party to consolidate its following in its stronghold before looking for new constituencies which have always belonged to other parties,” Motsamai said.

He however, said Saturday’s by-election results were not indicative of what the future holds for the four main political parties wrestling for power.

“We have a coalition government that, of course, should ensure that it delivers on promises made to the people, and the opposition should continue its campaigns which means anything is possible with time,” Motsamai said.

# Mosisili taunts government after DC victory

Lesotho Times | February 20 - 26 2014 p 7

By Motsamai Mokojo

MASERU — The Democratic Congress (DC) on Sunday held a "thanksgiving" ceremony in Kaitsheng to celebrate the party's victory in the weekend national and local government by-elections.

The DC won both the Thabo-Phechela and Thabo-Mosa parliamentary polls and 14 out of the 27 local government electoral divisions.

Supporters held onto every word uttered by their leader, former Prime Minister Pakaitha Mosisili, whose speech was peppered with victory slogans such as "shupa DC, shupa" and "hoi puto" implying the DC had convincingly beaten the competition.

The wordsmith, as the former premier is known, announced that he received a phone-call from Deputy Prime Minister and leader of the ruling Lesotho Congress for Democracy (LCD), Molebetsu Metsing, endorsing defeat, sending the frenzied crowd into overdrive.

Metsing's LCD is a partner with Prime Minister Thomas Thabane's All Basotho Convention (ABC) and senior minister Thabane Maseribane's Basotho National Party (BNP), in a coalition government.

The coalition government was established after the May 2012 poll produced a hung parliament thus leading to the three parties cobbling up their numbers to come with the 61 seats required by the Constitution to form a government, effectively ending Mosisili's tenure as Lesotho's premier.

Speaking on what he said was the incompetence of the coalition government, the former premier referred to the recent abolition of the Distance Teaching Education Programme (DTEP) by the education ministry, on the basis that there were no funds to sustain it as one example of bungling, to cheers and whistles by DC supporters clad in their red party gear.

The DTEP was an initiative of the Irish Aid and the Ministry of Education to train teachers in a bid to repatriate schools after the introduction of Free Primary Education



THE new member of Parliament for Thabo-Phechela Wangiso Molebetsu, left, with DC leader Pakaitha Mosisili

in 2009.

Mosisili also criticised the coalition government for attempting to disown the government gazette published by the Ministry of Home Affairs in September 2013, increasing the price of the local passport from M100 to M400.

The gazette also states that applicants will be required to pay an extra M150 if they require an emergency passport and M800 to replace a lost passport.

According to the Tsoelike MP, the coalition administration was liable for the aforesaid and many other "failures", a statement to which the crowd cheered and jeered wildly.

"In the fourteen years I was in government, I worked with Thomas Maseribane Thabane for eight of those," Mosisili said adding that it was just a matter of time before the leopard revealed his true spots.

He concluded by declaring now that Thabane, after 18 months as prime minister,

qualified for 'The Prime Minister and Deputy Prime Minister (Retirement and Spouse) Bill 2010', to receive generous perks, his true intentions or rather failures have been revealed.

With the crowd in stitches, Mosisili thundered: 'Ho lema Lekhoatho', which when loosely translated means 'Go on Thabane, bend your supporters', implying government supporters had brought the "misfortune" upon themselves.



# Let's defend our young democracy



PRIME Minister Thomas Thabane, the writer opines, should ensure whatever differences within government departments are ironed out.

**R**ECENT seemingly co-ordinated attacks and threats on prominent citizens, as well as the alleged threats of dismissal of high-profile personnel in the public service, private sector, army and the police deserve outright condemnation from all sectors of society.

At the same time, the selective use of public funds to beef-up security on a few individuals, no matter their political connections, to the exclusion of the rest of this threatened citizenry, should be abhorred without reservation.

The present coalition government came to power through the collective efforts of all Basotho who were disillusioned with the Lesotho Congress for Democracy, latter Democratic Congress administration of the previous years.

The current government is in power because of the collective effort of every well-intended Basotho from across the political spectrum.

We collectively voted it into power because it promised hope, accountability, dedication to our developmental needs, security and above all else, service to every Mosotho, irrespective of political affiliation.

That is why we condemn, in the strongest possible terms, the wanton attacks on the homes of high-ranking public officials and private citizens.

In the same vein, we cannot hide our displeasure at the alleged threats made against some prominent individuals, merely because of what they are doing or perceived to be doing.

Even more disturbing and deserving outright condemnation are the rumours of impending dismissals of high-ranking public officials in the army, police and parastatals — because the people concerned are perceived not to belong to any of the three coalition partners in government.

If these officials are incompetent, corrupt or undeserving of their positions, surely the state has endless legal resources to have them removed from office and not in the cavalier fashion they are being treated.

On the issue of the attacks on homes of private citizens, the government is right to enlist the expertise of detectives from our neighbour, South Africa.

However, as it emerged through the media that some of suspects are connected to very high-profile politicians, these investigations should not be selective and limited to certain individuals.

This nation deserves tangible and noticeable increased security for all its citizens.

Indeed, the authorities have warned that more such attacks are planned in the future. Every Mosotho has a right to enjoy the benefits, freedoms and security that go hand-in-hand with our democratic values.

Every Mosotho, even foreigners who live in this country, deserve to move and sleep freely without fear of some diabolical attacks by people who want to sabotage our democracy and freedoms.

Every individual within Lesotho's boundaries is entitled to a dignified life. The sooner the security forces get to the bottom of these "dastardly deeds and bring the culprits before the Courts to have their dues, the better.

Similarly, the threats made telephonically to one high-ranking state official on his life, property and children, should be thoroughly investigated and punishment meted out to the perpetrators.

Lesotho is not a police state where threats and intimidation are the order of the day. Such cowardly actions should not see the light of day in our democracy.

The authorities should leave no stone unturned in getting to the bottom of these despicable acts. The culprits should face the full might of law.

However, the beefing-up of security and investigations should not be selective but should apply across the board.

Surely, there are conventional well-known means, forums and procedures of expressing discontent with the *status quo* in this country.

There are courts of law, the Directorate of Dispute Prevention and Resolution, the Police Complaints Authority, the Ombudsman, liaising with the constituency Member of Parliament and many others, for lodging complaints.

Above all else, arguably the most important one is the secret ballot in 2017.

Another notable threat to our democracy are the politicians themselves. From the 1970's till now, our politicians seem hellbent on meddling in the affairs of the police, army and all the uniformed forces.

All these institutions are there to serve this nation irrespective of political affiliation. Their constitutional mandate is to protect our democracy, sovereignty, territory, property and the people of Lesotho without fear or favour.

Yet sadly, our politicians want to meddle in the affairs of the disciplined forces.

In both the army and the police, there are endless suspensions, courts marshal and impending changes of the High Command and police top hierarchy.

An unstable army and police is sure to affect every facet of Basotho's lives. It is the source of all instability, divisions, and animosity. It scares away investors, creates an unstable economy thereby limiting already limited job opportunities for this impoverished nation.

We look apprehensively and with bewilderment as the government and opposition politicians stand idly by or actively participate in sowing conflict in these the most sacred of our national institutions.

If the security sector is unstable, then the whole country, in all spheres of life, is bound to be brought to a standstill.

The consequences of internal strife are too ghastly to contemplate. These institutions need to be handled with the sensitivity and caution they deserve. Anything overboard, will spell untold harm and disaster for this nation.

It is therefore imperative for the Prime Minister Thomas Thabane, his close associates and the opposition, to call for an indaba of the top brass of these two institutions and iron out whatever differences that seemingly divide the members

of these institutions.

It is no secret that as experience has taught us in the past, involvement of religious leaders will come in handy in this regard.

After all, we are a nation founded on Christian values and principles. We are a God-fearing nation. No political leader should feel that he has a divine right to single-handedly solve the apparent discord in the army and the police.

This should not be interpreted to imply that the recent attacks involve the army and police but rather there are too many suspensions, court marshalls and changing of the top brass to warrant suspicions of discord within their ranks.

It does not require a rocket scientist to fathom that there are a lot of murmurings of discontent and disagreements in these institutions. Otherwise, why the chopping and changing?

In recent weeks, the main opposition Democratic Congress was protesting loudly over the rumoured impending dismissals of leaders and high-ranking executives of strategic parastatals such as the Central Bank of Lesotho, Lesotho Revenue Authority, Lesotho Communications Authority and similar institutions.

To an extent, their protests were justified in so far as these executives were appointed to those positions on merit.

However, their tenure in office has to be counter-balanced against considerations such as competency, national interest (albeit sometimes politicians abuse the phrase), performance and their agendas as individuals, which may be to sabotage the present coalition government's goals and objectives.

This is because some of them are eavesdropping, literally, on the good intentions of this government to disclose and accordingly advise opponents of the government so as to defeat its policies.

They disclose confidential information and strategies of this government to its opponents with the outright intention of defeating it.

Government has to tread very carefully when dealing with such individuals.

The incumbent Prime Minister knows this experience first hand. He, himself, was retained as a Principal Secretary, under the late Chief Leabua Jonathan's nationalist government when it was known that he was a "le-congress". That is, he belonged to the opposition, Basutoland Congress Party.

Therefore, for purposes of continuity and fostering investor-confidence, these high-ranking individuals should not be dismissed across-the-board.

A trigger-happy approach would be ill-advised. Government should remove the wheat from the chaff, as some of them surely do not deserve the high positions they occupy.

Some of the appointments were unashamedly political with no regard to merit, performance and integrity. This also should be balanced against the right of these officials to work in the country of their birth.

Therefore, a lot soul-searching, analysis and self-introspection has to be undertaken by government in these choppy waters.

The nation therefore, has to give this coalition government a chance to chart the way forward for the betterment of this country.

Inevitably, serious and intractable challenges lie ahead. We, therefore, all need to put our shoulders to the wheel in driving this nation to a better future. It is not only government that is obligated to safeguard our democracy. The citizenry has an equally critical role to play in protecting and promoting our democracy and ensure its safety and that of individual citizens and its institutions of democratic governance.

OTLOANG KAJENE,  
MASERU

**“COPS THREATEN JOURNALIST OVER MOLELEKI COVERAGE”** by Billy Ntaote. *(Full story: Lesotho Times March 13 – 19, 2014 p.2.)*

Members of the Police Special Unit (SOU) threatened Lesotho Times photo-journalist Motsamai Mokotjo for taking the pictures of lawyers who were trying to secure the release of Democratic Congress deputy leader Monyane Moleleki.

Mokotjo was busy taking pictures of Advocate Phafane, Moleleki’s wife and other DC leaders who had come to offer support. Mokotjo was ordered to surrender his cameras and later when the cameras were inspected, he was instructed to delete the photos he had taken.

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**“DC LEADERS FUME AT COPS OVER MOLELEKI”** by Billy Ntaote. *(Full story: Lesotho Times March 13 – 19, 2014 p.1.)*

Democratic Congress (DC) officials were left fuming after they were denied entry into the Police Headquarters where the party’s deputy leader was being detained.

The officials encompassing party secretary general Ralechate ‘Mokose, Youth League chairman Thuso Litjobo, and members of parliament Lineo Molise-Mabusela, Retšelisitsoe Masenyese and Tjoetsane Seoka could not believe it that the police barred them from entering the police station.

Police would still not be moved despite the anger of DC leaders even when Moleleki’s lawyer, Salemane Phafane arrived with Assistant Registrar of the High Court, Staffod Sharite showing a court order for the release of the former Natural Resources Minister.

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**“DC YOUTH LEADER ARRESTED”** by Keiso Mohloboli. *(Full story: Lesotho Times March 27 – April 2, 2014 p.4.)*

The DC youth is reported to have been arrested for allegedly announcing on a certain local radio station that “the coalition government had collapsed”.

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**“M500, 000 CAMELS BILL FOR MOSISILI”** by Billy Ntaote. *(Full story: Lesotho Times March 27 – April 2, 2014 p.2.)*

Parliament’s Public Accounts Committee wants the former Prime Minister Pakalitha Mosisili to repay the M569, 315.00 which the government spent on the maintenance of his five camels over a period of five years.

The former Prime Minister repossessed the camels from the Ministry of Agriculture, taking them as a personal gift from one African head of state.

A comparison was made that Dr. Leabua Jonathan was presented with a bulletproof Mercedes Benz during 1970s, he never considered it his personal gift but a state property since it was given to him in his capacity as prime minister.

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**“MAHAO EXPRESSED SURPRISE AT COURT MARTIAL”** by Tefo Tefo. *(Full story: Lesotho Times March 13 – 19, 2014 p.3.)*

The Lesotho Defence Force (LDF)’s Bragadier Maaparankoe Mahao has been court-martialed for allegedly confronting Captain Hashatsi about

his reaction regarding the anticipated change of leadership in the LDF. Mahao is on trial for 'behaving in a manner unbecoming of an army officer'.

Mahao expressed surprise in that he has served the army and the entire country with loyalty but it is now that he has to face the court being accused of what he said: "I just said to the captain that we should not be loyal to individuals, but the state".

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**"MAHAO TRIAL CONTINUES DESPITE THABANE'S ORDER"** by Bongiwe Zihlangu and Tefo Tefo. *(Full Story: Lesotho Times, March 6 – 12 2014 p.2.*

A military court which was dissolved last week following a directive from Defense Minister and Prime Minister Thomas Thabane, was reinstated the following week.

Thabane had reportedly dissolved the court on the basis that it was incapable of giving Brigadier Maaparankoe Mahao, who was accused of misconduct, a fair trial.

Mahao confirmed the case still continued before the military court despite Thabane's dissolution order. "Indeed, I was supposed to go to the court on the 27<sup>th</sup> of February but did not do so. One of the reasons why I did not attend was I was aware that the Minister of Defense (Thabane) had issued an order dissolving the court. I happened to see the dissolution order and also established that the same order was served to the office of the commander (Lieutenant General Tlali Kamoli). Nevertheless, the court convened and only my lawyer was present on my behalf."

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**"MOLELEKI DETAINED"** by Keiso Mohloboli & Billy Ntaote. *(Full story: Lesotho Times March 13 – 19, 2014 p.1.)*

The Deputy leader of the Democratic Congress (DC) Monyane Moleleki who was arrested, was finally released following the intervention of Police Commissioner Khothatso Tšooana.

Moleleki was escorted to his home by a police convoy and his lawyer Advocate Salemane Phafane.

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**"NTHANE BROTHERS UNDER FIRE"- PARLY WANTS COMPANY TO RETURN M36 MILLION"** by Billy Ntaote. *(Full story: Lesotho Times March 27 – April 2. 2014 p.4.)*

Parliament's Public Accounts Committee (PAC) wants the Nthane Brothers to refund government a whopping M36 million and be blacklisted from state construction jobs as punishment for substandard work.

The Ministry of Public Works has ordered the Lesotho Consolidated Civil Construction (LCCC) to stop the road-works after accusing the company of failing to meet conditions of the contract.

The PAC has recommended the Ministry of Public Works principal secretary Lebohang Phooko to "institute recovery processes through legal means", and for the LCCC not to be awarded government contracts for a certain period as punishment for shoddy work.

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By Jim Solo

A YEAR and a half, almost two, have passed since the coming into power of the colourful coalition government.

Somehow, the bitter tastes in the mouths of some politicians have mellowed.

A new page has been turned, though in a short space of time it seems to be yellowing with age.

Three years before the next elections, the political landscape continuously changes colour, as though the seasons are a toy owned by a psychedelic brat.

Imagine a typical Lesotho summer where we would have early rains at the end of spring. Meanwhile, autumn is at its peak, and the leaves fall in earnest as the showers insist on the green.

Thus, we are trapped in a stagnant time warp. At the helm of government, Prime Minister Thomas Thabane has a ray of hope for some.

To others, however, the government has become a hindrance to the political and economic progress that was realised in the previous regime.

Some civil servants, ministers, principal secretaries, army officers and politicians await their fate as the prime minister goes on a rampage to clean the "dirty quarters".

It is poignant, therefore, to echo the words of writer LBBJ Machobane when he says about Thabane that he has "traversed the ranks of the civil service, with a personality that swung from genuine mirth to friends and to utter fury against perceived enemies".

Thabane's supposed "reign of fury" has cast him in a grim light and as an antonym to a democracy, according to his detractors. In a country riddled with corruption and political maneuvers, however, Thabane has established a new dialogue; that of transparency.

Even when he is accused of settling old scores, many who may have amassed wealth through ill-gain are now at pains to explain the origins of their fortune.

As Minister of Home Affairs during former Prime Minister Pakalitha Mosisili's reign, and at that time with the Police Service under his control, Thabane became the Robin Hood of Lesotho, dealing with villains.

The notorious "stock thief" Makhoathi

# Thabane's Kaleidoscope: Analysis of Lesotho politics

Lesotho Times | March 27 - April 2 2014 p 3



PRIME Minister Thomas Thabane

in the past government facing serious allegations.

Added to this, a senior judge's legitimacy is questioned; former ministers are charged with fraud, and so many other cases emerge.

I wonder if Thabane's partners in the coalition government in tandem with him on this quest to wipe out what he terms corrupt elements in the echelons of government?

The Lesotho Congress for Democracy (LCD), which is the second largest partner in the coalition, and also the former ruling party, entered gingerly in this partnership to unseat Mosisili.

One of its ministers has been charged with corruption, and even removed from office. Interestingly enough, even with its status as the former ruling party, they make no statements for or against the erstwhile rulers.

Meanwhile, clear tensions have emerged between the army and the high office. The Prime Minister has given instructions for the dispersal of a court martial.

In his capacity as a senior member of the army's command, he has apparently threatened a junior captain over an alleged ouster

of the army commander.

The courts of law seem vulnerable to oppressive powers, while in the cracks of this broken wall we see the need to save a failing justice system?

All these occur while an observant audience reserves its criticisms.

After many years trying to reform the police into a service and not a force, new reports are emerging of the harassment of journalists.

The principles of free operating media are left with a few favourites. Certain radio outlets that seem to promote particular political interests are given mileage, while all others remain constrained.

As power is being manipulated for the interests of the ruling few, and scores settled with old enemies, we the ordinary citizens are left to our opinions. The Prime Minister has reshuffled cabinet, fired ministers, and in the eyes of some, abused and harassed his opponents.

The former Minister of Natural Resources was arrested again, this time an ailing man who is unfit for such treatment.

It begs the question: What has happened to our growing democracy?

Is it a fallacy in which we live? Three parties are part of the coalition. The largest party of these, that is led by the Prime Minister, is suffering internal strife. Two ministers were recently fired from office without explanation.

The army has continued with its court martial despite the Prime Minister's command that it disperse.

The nation swells in this tension and the high office dispels the concerns as what some might call hogwash. And the place of the electorate remains with the ballot box, while they manufacture consent.

# Open letter to Prime Minister Thabane

I WISH to voice my humble opinion to you, honourable Prime Minister, as I have given a lot of thought to this matter for a long time.

My issue is influenced by the positive and radical changes the government is taking to instil good governance. The strides that the government is taking require robust and credible support structures in order to facilitate a transparent and accountable government.

The first line of support structures are the ministers and the parliamentarians.

My opinion is that in future, ministers should not be Members of Parliament.

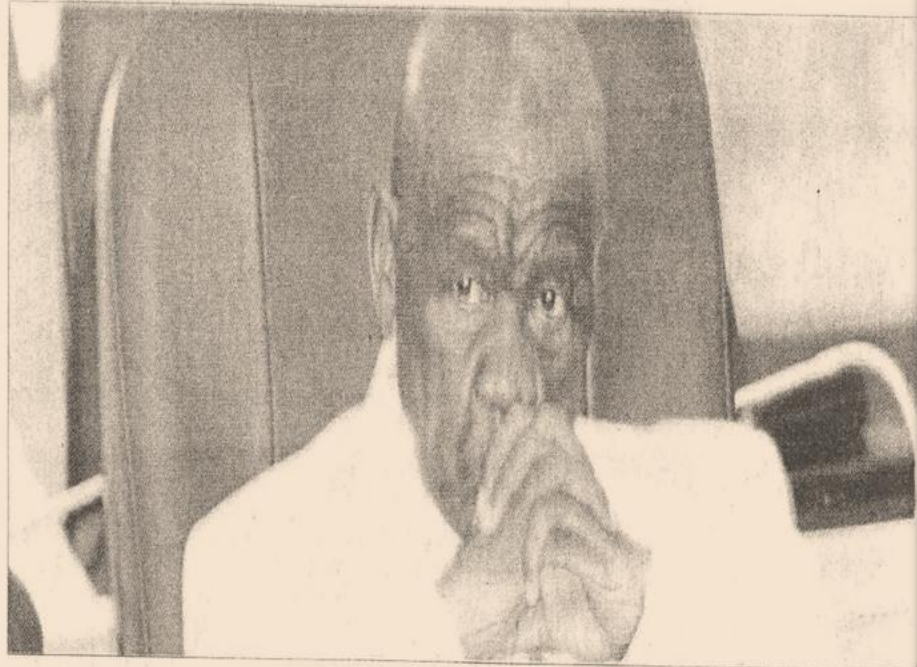
Their appointment must be either by the public service or be nominated by MPs. Secondly, all MPs should only be confined to their duties in parliament.

This proposal is brought about by my observation that some MPs, who are also holding ministerial posts, effectively assume two important positions; a ministerial post and a parliamentary post.

These two important posts demand a lot of expertise to ensure satisfactory service delivery.

My take is, these two posts could be separated and handled by different individuals, so as to ensure productivity, efficiency and — at the same time — create more jobs for other people.

I am aware that Lesotho is not practicing this kind of system and that it is not even enshrined in the Constitution of the



PRIME Minister Thomas Thabane

land.

The Constitution supports a different type of model, whereby ministers are recruited from the two houses of parliament.

Personally, I feel the model or system is functionally dormant. Parliament has the prerogative to summon any organ or body of government and even individuals, includ-

ing ministers, to clarify any matter they deem necessary and make serious follow-ups to the effect.

Therefore it is my humble opinion to request you and your kind office to scrutinise this suggestion seriously, with a view to tabling it in parliament for debate.

The sole purpose of my suggestion is to

encourage speedy and vigorous service delivery, separation of powers and also distribution of resources equitably for economic growth in our beloved mother country Lesotho.

**Makotoko Makotoko  
Leribe**

**“PLOT TO OUST THABANE”** - by Billy Ntaote. *(Full story: Lesotho Times March 13 – 19. 2014, p.2.)*

The paper reports that the Alliance comprising the Democratic Congress (DC) MPs, some disgruntled All Basotho Convention (ABC) and Lesotho Congress for Democracy (LCD) legislators is finalizing a grand coalition to oust Prime Minister Thomas Thabane through a **no-confidence** vote.

The Marematlou Freedom Party (MFP), Popular Front for Democracy (PFD), National Independent Party (NIP), Basotho Democratic National Party (BDNP), Lesotho Workers’ Party (LWP), Basotho Congress Party (BCP) and Basotho Batho Democratic Party (BBDP) are also said to be part of the plot which has reportedly gathered momentum over the past weeks.

MPs want Thabane removed for his alleged failure to maintain stability in the armed forces, arbitrary sacking of ministers, failure to deliver on his election promises and dissatisfaction over powers given to a team known as the ‘resource group’, which reportedly controls ministries under the ABC.

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**“RAMATHEBANE RELEASED ON BAIL”** by Keiso Mohloboli. *(Full story: Lesotho Times March 27 – April 2 2014, p.2.)*

Jeremane Ramathebane the leader of Basotho Batho Democratic Party (BBDP) was released on M1, 000.00 bail and M50, 000.00 surety, following his arrest over suspected fraud and false representation of members of his political party established in December 2006.

On leaving the court yesterday, a defiant Ramathebane told the huge crowd which had turned up for his court appearance that his arrest had nothing to do with the alleged fraud but retaliation for spear-heading a **no-confidence** motion in parliament against Prime Minister Thomas Thabane. He further told the crowd that he was going to be cleared of whatever he was accused of, and that his supporters should “get ready because this is the start of a political war”.

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**“RAMODIBELI AWAITS FATE”** by Tefo Tefo. *(Full story Lesotho Times March 27 – April 2 2014, p.4.)*

The appeal Court president is challenging government’s decision to suspend him while it institutes impeachment-proceedings against him.

Ramodibedi’s argument, as presented before court by his South African lawyer, Peter Hodes, was Prime Minister Thomas Thabane did not afford him a hearing before advising the King last year to set up a tribunal to investigate allegations of misconduct against him.

Justice Michael Ramodibedi is anxiously awaiting his fate after the Court of Appeal has announced on Monday that it would be making its ruling in due course.

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**“THERE IS ROOM FOR ANOTHER PARTY: MONYAKE”** by Boitumelo Koloji. *(Full story: Sunday Express March 2 – 8 2014, vol.5. Issue 46, p.2.)*

Stadium Area Member of Parliament (MP) Mophato Monyake told the All Basotho Convention (ABC) rally held in his constituency

that Lesotho has room for a new political party. He told the gathering that the Government had failed to deliver services, therefore leaving room for a new political voice.

Mophato accused the administration of the coalition government for failing to fulfill its promise of improving the lives of the people.

However, Monyake dismissed the “rumours” about the alleged intention to form a political party on “divisions” within the party – “I want to openly state that such allegations are untrue. They are like utterances from someone who has not taken his mental illness medication”, he said.

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**“FUGITIVE ASSUMES NEW NAME”** by Keiso Mohloboli. *(Full story: Lesotho Times, April 10 – 16, 2014 p.1-2.)*

According to a source who attended the brief trial in Durban, Advocate Shamir told the court his client was a South African named Joseph Mokhele and not Lehlohonolo Scott as alleged and produced a South African identity document and passport to back his argument.

Shamir reportedly said he was surprised that his client was being “accused” of being a Lesotho citizen, and that he had murdered two people in 2012.

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**“GS FIRED: THABANE TERMINATES RAMAFOLE’S CONTRACT AS GOVERNMENT SECRETARY WITH IMMEDIATE EFFECT”** by Keiso Mohloboli. *(Full story: Lesotho Times, April 24-30 2014, vol.7 Issue 4 . p.1.)*

Prime Minister Thomas Thabane fired Government Secretary Motlatsi Ramafole.

Lesotho Times is in possession of a copy the brief dismissal letter stating that he will be paid three months’ salary and his full terminal benefits.

The paper explains that the letter does not give reasons for the dismissal, but its sources said the former diplomat who was appointed Government Secretary in late 2011, was sacked for alleged incompetence. The paper further reports that, Ramafole was immediately replaced in an acting capacity, by the Ministry of Trade and Industry, Cooperatives and Marketing principal secretary Moahloli Mphaka.

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**“MOTANYANE SPEAKS ON NO-CONFIDENCE MOTION”** by Boitumelo Koloi. *(Full story: Lesotho Times 27 – April 2, 2014, p.4.)*

The speaker of parliament Sefhiri Motanyane said he could not make a decision regarding an application by a group of legislators seeking to pass a **no-confidence** vote on the coalition government.

The speaker said he needed to know the numbers and Memorandum of Understanding (MoU), of the group because that would determine the seating allocation in parliament. It would also help him notify His Majesty of the latest numbers in the House. He said in the absence of MoU, he is not in a position to make a precise ruling on the application.

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**“PM FIRES ADVISOR”** - by Bongiwe Zihlangu. *(Full story: Lesotho Times April 3-9, 2014, p.1.)*

The Lesotho Times Newspaper reports that the Prime Minister Dr. Motsoahae Thabane has fired his Political and Economic Advisor Sekhonyana Bereng. It goes further to report

that Bereng's contract was terminated through a letter dated March 31 2014 and signed by government secretary Motlatsi Ramafole.

The reason behind the firing of PM's Advisor is; he is accused of failing to warn premier of **no-confidence** motion. The paper states that Bereng is also alleged to have failed to advise the PM on whom to appoint for the position of Senior Personal Secretary, who would travel with the Premier abroad; leaving Ramafole to do the work of monitoring the performance of Principal Secretaries in government ministries.

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**"RAMODIBELI RESIGNS"** by Keiso Mohloboli. (Full story: *Lesotho Times*, April 24 - 30 2014, vol.7 Issue 4, page 1.)

Court of Appeal President Justice Michael Ramodibedi, who early this month lost a court bid to stop impeachment proceedings against him instituted by Prime Minister Thomas Thabane is reported to have submitted his resignation to King Letsie III's office. The Prime Minister had advised King Letsie III to establish a tribunal to investigate him for alleged misconduct on July 23, 2013.

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**"SCOTT BACK IN DURBAN COURT TODAY"** by Tefo Tefo . (Full story: *Lesotho Times*, April 24-30 2014, vol.7 Issue 4 . page 2.)

Ritual murder suspect, Lehlohonolo Scott, who escaped from the Maseru Central Prison almost two years ago, appeared before the Durban North Magistrate's Court to fight his extradition from South Africa.

Lehlohonolo's lawyer, Advocate Thulo Hoane, reports that his South African counterpart Advocate Shabir will appear before the Durban

North Magistrate's Court to make an application for bail, particularly because his client has committed no offence in South Africa. He will also oppose Lehlohonolo's extradition application to get him back to Lesotho. Advocate Shabir is opposing the extradition application because he knows of no Lehlohonolo Scott but that, he is representing Joseph Mokhele.

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**"SCOTT FINALLY ARRESTED....ritual murder suspect appears in SA court"** by Billy Ntaote. (Full Story: *Lesotho Times*, April 10 – 16, 2014, p.1.)

Lehlohonolo Scott, the double ritual murder suspect was finally arrested in Durban's Rockville suburb after his mysterious escape from the Maseru Central Prison.

Scott's lawyer Advocate Shamir sought the release of his client on bail in vain, but the court postponed the case to April 24, 2014.

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**"SECURITY BOSSES SUMMONED ...as turf war escalates"** by Billy Ntaote. (Full story: *Lesotho Times*, April 24-30 2014, vol.7 Issue 4 . p.2.)

The Lesotho Defence Force (LDF) Commander Lieutenant General Tlali Kamoli and Lesotho Mounted Police Service (LMPS) Commissioner Khothatso Tšooana appeared before the Security Committee over alleged hostilities between the army and police.

The simmering tension came to the boil when Tšooana requested Kamoli to release eight soldiers the police needed to interview in relation to the bombings at his Ha Abia residence, as well as the Moshoeshe II homes of Liabiloe Ramoholi – Prime Minister Thomas



Thabane's partner, and her neighbour, 'Mamoletsane Moletsane.

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**"THABANE APPOINTS NEW POLITICAL ADVISOR... TŠEHLANA ASSUMES NEW ROLE ..."** by Keiso Mohloboli. (*Full story: Sunday Express April 27 – May 3 2014, vol.6. issue 4, p.2.*)

Lehlohonolo Tšehlana the leader of Sankatana Social Democratic Party has been appointed political advisor to the Prime Minister Thomas Thabane. Tšehlana replaces Sekhonyana Bereng who was sacked three weeks ago. This has been confirmed by Tšehlana, also informing Sunday Express that he had been offered the post and awaiting a letter of appointment and his contract.

Tšehlana told the paper that working with the PM will not make him change his political stance in any way and neither to desert his political party.

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**"WHY WE FLED LESOTHO .. ABC MPs MONYAKE AND LITŠIBA SPEAK OUT"** by Billy Ntaote (*Full story Lesotho Times April 10 – 16 2014 p.4.*)

Two ABC members of Parliament (MP), Mophato Monyake and Thabiso Litšiba fled to South Africa after receiving death threats. Monyake was fired as Justice and Correctional Services minister in February 2014 he is an MP for the Stadium Area Constituency. Litšiba represents Koro-Koro in the National Assembly.

Explaining why they fled Lesotho,

- (1) Litšiba said: "what happened was in 10 March, I left to attend a parliamentary workshop in Gaudeng, and I was shocked to learn that; two days later,

on March 12, my wife had found two bullets on our doorstep. The bullets were in an envelope, and after that incident, I realized that my life was in danger".

- (2) Monyake said: "... I was then approached by an informant who told me about the death threats made against me. I took that tip-off seriously and reported it to the police. ... after signing that I was now part of the grand coalition, I also learned that a lot of people were angry with that decision, and even wanted to force me to resign my position as an MP. I reported this again to the police and then decided I should leave the country and assess the situation from a secure location".

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**"MONYAKE, LITŠIBA REPORT BACK TO PARLIAMENT"** by Majara Molupe (*Full story: Informative May 13 -19 2014 p.2.*)

Member of Parliament Mophato Monyake for Stadium Area Constituency also former Minister of Correctional Services, and the MP for Koro-Koro Constituency Thabiso Litšiba, have reported to the Parliament after they fled the country in March 2014.

MP Litšiba told the paper that he and Monyake are currently drafting letters to the Parliament Speaker that they want to cross to opposition parties in Parliament.

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**"COALITION PACT COLLAPSES ... as LCD leader breaths fire"** by Bongiwe Zihlangu/Billy Ntaote (*Full story: Lesotho Times, June 12 – 18 2014 p.2.*)

The coalition government has effectively collapsed, plunging the Kingdom into a new era of political uncertainty.

The Deputy Prime Minister Mothejoa Metsing, at the press conference held at Black Swan Lodge in Maseru, blamed the failure of the political agreement on Prime Minister Thomas Thabane for making unilateral decisions to the exclusion of his coalition partners.

He said “We have decided that we can no longer endure the humiliation that the Honourable Dr Thabane is inflicting upon the LCD by his unilateral and undemocratic conduct” he went further to say the LCD had decided to accept the move the Prime Minister has taken – “Today we declare that we have accepted that the person we had appointed as our coalition government leader has never, does not, and never will embrace a coalition government.”

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**“LCS COMMISSIONER SUSPENDED”** by Keiso Mohloboli *(Full story: Lesotho Times June 12 – 18 2014 p.4.)*

The Lesotho Correctional Services (LCS) Commissioner, Napo Sefali was suspended for alleged corruption, incompetence and insubordination.

Commissioner Sefali is being accused of failing to obey orders from his superior, the Minister of Justice and Correctional Services, Motlohi Maliehe.

Commissioner Sefali was ordered not to transfer officers but he still went ahead and did the opposite. For example, he promoted a certain Assistant Superintendent even though the officer was implicated in the escape of

double ritual murder suspect, Lehlohonolo Scott, from the Maseru Maximum Prison in 2012.

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**“LEKHANYA SPEAKS OUT ON ARMY, POLICE FALLOUT – Security bosses need to meet and talk, says retired major general”.** by Billy Ntaote. *(Full story: Sunday Express, June 8 – 14, 2014 p.4.)*

The former Lesotho Defence Force (LDF) Commander Metsing Lekhanya, has spoken out on the on-going row between the army and the Lesotho Mounted Police Service (LMPS). The row was sparked by the bombing of the Ha Abia residence of LMPS Commissioner Khothatso Tšooana and the Moshoeshe-II homes of Liabiloe Ramoholi and ‘Mamoletsane Moletsane on 27 January 2014 by unknown assailants.

The retired Major General Lekhanya considered it right for Lt. Gen Kamoli in calling for an independent inquiry into the bombings but wrong to say he would not cooperate with the police. “I would agree to all remedies that would ensure there are no conflicts between the police and the army, especially because the approach taken has already bungled the investigations – Yes, I’d accept an independent commission as the best approach to diffuse what is already a volatile situation. Such a commission would make recommendations and if need be, criminal charges laid against the assailants”.

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**“LWP, PLC DEFY BLOC OVER NO-CONFIDENCE MOTION”** by Bongwiwe Zihlangu. *(Full story: Sunday Express, June 8 – 14, 2014 p.6.)*

The Lesotho Workers' Party (LWP) and Lesotho People's congress (LPC) have distanced themselves from a resolution made by the Bloc of Political Parties in Parliament to withdraw from the proposed no-confidence vote in the coalition government.

The LWP leader, Macaefa Billy explained that for as long as the coalition government does not express the will to improve the working conditions and secure a minimum monthly wage of M2, 000.00 for textile factory workers, "We will support any movement that promises a better alternative".

The LPC spokesperson Bokang Ramatšella, said the Bloc was not formed to solely support government, that being part of the group did not mean "We're compelled to support the coalition government".

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***"METSING CONDEMNS THABANE OVER PARLY – DC members attend LCD press conference in solidarity"*** by Billy Ntaote ***(Full story: Lesotho Times June 12 – 18 2014 p.6.)***

Metsing, who is leader of the Lesotho Congress for Democracy (LCD) said the Prime Minister Thomas Thabane's decision to prorogue parliament for nine months will adversely affect the approval of laws currently before the august house.

Deputy Prime Minister Metsing, who is also government partner to Thabane, said the parliament would have to "start afresh" discussing all the laws that had not been passed when it finally reassembles in 2015.

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***"NO CONFIDENCE CASE POSTPONED"*** by Billy Ntaote ***(Full story: Lesotho Times June 12 – 18 2014 p.6.)***

The High Court postponed to August 5, a case in which three members of Parliament are seeking to stop a proposed no-confidence motion against Prime Minister Thomas Thabane and his government for alleged incompetence.

Mr. Phori and his co-applicants are challenging the legality of Mr. Ramathabane's motion initiated in March 2014, and want it barred from being discussed in parliament.

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***"PARTY LEADERS TO HOLD CRISIS INDABA : ABC, LCD AND BNP LEADERSHIP MEETS TOMORROW IN LAST-DITCH EFFORT TO SAVE CALITION GOVERNMENT"*** by Billy Ntaote. ***(Full story: Sunday Express, June 8 – 14, 2014 p.2.)***

Last week the LCD accused ABC leader and Prime Minister Thomas Thabane of making 'unilateral governance decisions'. LCD had also announced that the party had asked the Christian Council of Lesotho (CCL) to mediate in the dispute.

The LCD's spokesperson, Selibe Mochoboroane told this paper that "We wanted the Christian Council of Lesotho to mediate over our problems but instead, the ABC wrote to us seeking a meeting for all the leaders of the three parties in government. It came as a brief letter asking that we meet as government and party leaders first, and we are going to have the meeting on Monday".

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DEPUTY Speaker Lekheho Rakooana



PRIME Minister Thomas Thabane



DEPUTY Prime Minister Mofego Metsing

# Is there peace in parliament?

By Sofonea Shale

ALTHOUGH the recent adjournment of Parliament in sine die was reported as a ploy by the government to avert the imminent no-confidence motion, what boosts elections, activists and keen observers of Lesotho politics is the support of opposition to the motion on recess.

Though the heated discussion in parliament over the suspension of debate on the budgetary allocations in favour of the no-confidence motion and the manner in which the Deputy Speaker, Honourable Lekheho Rakooana, dealt with members of opposition, particularly the Democratic Congress (DC) left the impression among the populace that government has lost both the majority of the House and the cooperation of opposition members, the post-parliamentary drama developments point to the contrary and the questions are how and why?

When it was reported that Deputy Speaker refused opposition members right to introduce an urgent matter on March 26 and overruled 16 members who by law had right to challenge his initial refusal decision, analysts saw democracy under threat.

The reported dismissal of MPs who made a scene in the house in resistance to the Rakooana's act, raised eyebrows whether this was not the setup for autocracy.

Before drawing any conclusion about the otherwise politically volatile situation,

key questions beg a response which are; what exactly happened and what does the law say?

In line with the National Assembly Standing Order (29) a member who wishes to raise an urgent matter to suspend the business that the House is seized with has a right to give notice to the Speaker before the sitting begins.

Upon satisfaction that the matter is urgent and is of public importance, the Speaker shall request the house to allow the suspension of the current business.

If the house does not approve but at least 15 members rise in support of the request, the Speaker shall overrule the House and the business that the house is handling will be adjourned at 3:30pm of the same day to allow the House to deliberate on the urgent matter.

Though Mofego Metsing MP notified the Speaker of his intention to move that the House adjourns budgetary allocation debate to allow a no-confidence motion on Prime Minister Thomas Thabane, he did not satisfy the Speaker who turned down the request.

Instead of admitting that the Speaker was not satisfied as the law requests, the opposition members rose against the final decision of the Speaker and claimed that as long as they are 15 or more, they have the right to overrule the Speaker.

Following their singing of the national anthem in protest, Rakooana, named them which meant that they were sus-

pending from the House for the rest of the day as the Standing Order 60(2) provides.

Though it may not be ascertained whether opposition members acted in ignorance or as a tactfully-calculated move, Rakooana, upheld the parliamentary rule.

Since this is a political game, the question could as well be what informed Rakooana's decision to disallow the urgency of the matter. Was it purely objective or politically motivated?

Since the popularly held view has been that government is seeking ways of preventing the motion of no-confidence to be tabled in the House, it was expected that the opposition would reject any move to send parliament to recess.

To the surprise of many when the Leader of the House deputy Prime Minister Mofego Metsing tabled the motion on Adjournment of Parliament sine die meaning parliamentary break without notice of when it shall resume, was seconded by a member of the opposition.

Although all the other eight members who stood up to speak on the motion were opposition MPs, they raised issues which sought clarity with only Seretse Goo MP not supporting the motion. At voting, the majority in the House accepted and it was duly passed.

This softened stance by the opposition towards government has been earlier observed when the House passed the National Assembly Electoral (Amendment) Bill 2014.

Of the total of 10 MPs who spoke on this

short bill, seven were the opposition taking into account the members of the new alliance.

In both instances, the opposition has cooperated well with government and the passage of the voted resolutions.

The bill and the motion to adjourn could simply mean that while it might be true that the no-confidence war is not yet over, at least questions of majority and cooperation are no longer as sensitive as they were reported to be two weeks ago.

What would be interesting though is what the two sides will do during the break in terms of ensuring majority of the House.

Though the opposition claim they command the majority of the House although there is no evidence to that effect, it is the coalition government which remains an endangered species in the whole equation. It is a known fact that the DC has been able to win to the working alliance with four members from the BCP and one BCP.

This plus two ABC members demonstrates a considerable shift of loyalty which, though not adequate to send Honourable Pataletsa Moseki back to Qhoboshano, should worry the coalition government.

If the coalition government still has 50 MPs and five MPs of BCP thus commanding the majority, why does the motion of no-confidence scare them? It is the suspicion that does not only haunt the government but even the opposition that makes the whole game cumbersome.

# No-confidence vote: Where are the electorate's interests



ZIMBABWEAN President Robert Mugaba, centre, who in February turned 90, is inspiring some African leaders to cling to power, opines the writer.



FORMER premier Pakalitha Mosisili



JEREMANE Ramathebane

RECENT developments in the country, following the much-publicised attempt of a vote of no-confidence against Prime Minister Thomas Thabane have highlighted, yet again, the disturbing tendency by some African leaders to desire more time in power no matter how long they have been in the saddle. More about this later as I would like to start with the character who has been at the centre of this so-called vote of no-confidence.

I am not sure how many people in this country take Jeremane Ramathebane seriously except of course those who joined his march prior to the 2007 national elections where he promised widows of mineworkers the cash that is still supposedly held by the mining companies their husbands had tolled for. In hindsight, many of the visibly frail widows could be regretting their decision to join the ill-fated march.

Still, he has been able to garner enough votes to become an MP by proportional representation on two occasions. That should give you all the information you need about some of the voters Lesotho richly possesses. In my view, prying on the vulnerability of un-

As the nation wonders how Ramathebane has become the ring leader in the attempt to turn the tables against the coalition government, many of us cannot help but think he is just a front for certain individuals in the august house.

Those who harbour the real interests in the government's collapse appear to be taking the back seat, yet the spoils will be theirs should the dream become a reality. It is public knowledge that a plan for a new cabinet was already being hatched. The old scars of the opposition failing to form a government, despite being the majority party, were about to receive a fresh coat of dressing.

The name of former Premier Pakalitha Mosisili has of course been forwarded as the one to take over in case the Ramathebane-led motion succeeds. Reading one of the local newspapers recently where Mosisili was interviewed, he stated he would not mind taking over again as Prime Minister and even cited examples of those who left office but later made a return. While he may claim that other parliamentarians approached him before handing his name around, the fact that they are not signi-

shows the man from Tseelike is still hungry for more. If I had been Prime Minister for 14 years, I am not sure what would prompt me to want to extend this period. We are talking almost three terms at the helm in our five-year term system. No leader, no matter how long they stay in power, can accomplish everything. In fact the longer they stay, the less they normally achieve as some tend to become complacent, knowing they will probably get a fresh mandate no matter how inefficient their governments may be. Meanwhile the hapless masses would be watching helplessly as their so-called leaders loot public resources with absolute impunity.

If Mosisili thinks he did a good job leading His Majesty's government for so long, why can't he just protect his legacy and stay out of the murky waters of politics? Could it be that he reflects he hasn't left a proud record and wants to make amends? What exactly does he want? Even my retired mother was befuddled when I visited home recently. I am trying to get into his mind; something obviously extremely hard to do as I am certain he also cannot get into mine.

Mosisili missed Leabua Jonathan's record twenty-year rule by just six years. Could he be driven by the desire to beat that record?

Unfortunately, we in southern Africa live relatively close to a 90-year-old president in the name of Robert Gabriel Mugabe who, despite hobbling towards his 100<sup>th</sup> birthday, may be an inspiration to many of his counterparts that as long as they feel healthy and strong, they can cling on despite the many howls of protest to clear the way for young blood or fresh ideas. Such apparent hunger for more is often justified by the "my-people-still-need-me" mantra; the syndrome (a curse even) which afflicts many leaders on this continent.

When Mosisili passed on the symbolic torch to Thabane in the cold Setsoto Stadium almost two years ago, he received local and international accolades for being an exception to some of the African leaders who would rather witness bloodshed than handover power.

That his name is now part of the move to unseat Thabane will not gain him many friends and he risks shedding a lot of the respect he had earned. The agitation of the youth from the three coalition partners at the grounds of parliament during the time when this pot was simmering does not augur well for peace.

Many of those who dipped their fingers in ink with the idea of a change in government may feel unrest, and the volatility and explosiveness of 1998 still remains fresh in some people's memories. I wish some of these parliamentarians could project their outlook further than the tips of their noses or they may wake up to discover that Maseru has once again been razed to ashes. We surely don't want this.

We might justifiably then ask in whose interest this vote of no confidence should be entertained. While parliament statutes allow it, I am not sure it really has anything to do with the general public. If we dig deeper we shall discover that many of those behind it simply have their eyes widely fixed on the many government positions that will be available, inclusive of the lucrative perks, should it be successful.

It is a scramble for the self and nothing else; very much driven by individualism and self-interest, as opposed to the public goods. Ask how the supposed change will not breed



## National Agenda

By Mahao Mahao

on the tables of many in this country; how it will create employment for those hopeless citizens whose certificates have turned into mere decorations in fancy wooden frames; how it will help the child who daily walks a return trip of over 10 kilometres to access a school; how it will help that remote villager finally see a road reach their village and put a stop to the humiliating desperation of transporting the deceased on horseback; and how it will fight corruption.

We had beamed with satisfaction upon noting that our Directorate on Corruption and Economic Offences had been given back its teeth and had started his biting spree in earnest. These are the real issues which affect the general public and I am yet to hear any of them mentioned as catalysts to the groundless vote of no-confidence.

Perhaps some of those in the opposition benches also harbour the hope to embarrass Thabane as the Prime Minister whose term never lasted even more than two years. That, as well, has nothing to do with me or the ordinary citizen trying to make a living out of nothing. The citizen who would rather look forward to their cows' dung since at least it offers hope that there will be free fuel to cook the same unchanged diet their children are daily subjected to.

Yes, the real voter has no stake in this no-confidence vote which some parliamentarians seem to regard as a matter of life and death. With a totally passing their votes, parliamentarians who

***“PM SUBMITS LETTER TO PROROGUE PARLIAMENT”*** by Majara Molupe ***(Full story: INFORMATIVE, 10 – 16 June, 2014, p.1.)***

The Prime Minister Motsoahae Thomas Thabane has submitted a letter to His Majesty King Letsie III for the prorogation of parliament for an indefinite period.

According to the Press Secretary to the PM, Thabo Thakalekoala, the Prime Minister proposed for the prorogation of Parliament so that the differences amongst the coalition parties in government All Basotho Convention (ABC), Lesotho Congress for Democracy (LCD) and Basotho National Party (BNP) can be ironed out.

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***“PM’s ALLEGED WRONGDOINGS AS CLAIMED BY THE LCD AT LAST WEEK’S PRESS CONFERENCE”*** ***(Full story: Sunday Express, June 8 – 14, 2014 p.2.)***

- Transfer of Lesotho Highlands Water Project
- Firing of finance Principal Secretary
- Removal of Government Secretary
- Attempt to prorogue parliament
- Attorney General and Director of Public Prosecutions given letters for them to show cause why they cannot vacate office
- DPM summoned the Commissioner of Police and other Lesotho Mounted Police Service officers two weeks ago to his office. The summon was not honoured.

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***“PM REASSURES POLICE ON SALARIES”*** by Keiso Mohloboli ***(Full story: Lesotho Times June 12 – 18 2014 p.7.)***

Prime Minister Thomas Thabane has reiterated his commitment to implement new salary structure for the Lesotho Mounted Police Service (LMPS).

Dr. Thabane said government would increase the police pay and reinstate the 2% deducted from constables’ salaries previous month with immediate effect.

Dr. Thabane stated that “I am aware of the confusion that has been brought about by this rank-structure and deduction, and would like to appeal to the police to be calm and commit to their everyday work because this issue is controversial and my office is taking it very seriously.”

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***“EXPLOSIVE START TO PEACE TALKS ... as LCD delegates refuse to back down over demands to end prorogation of parliament”.*** By Billy Ntaote. ***(Full Story: Lesotho Times July 24 – 30 2014 p.2.)***

The coalition government began peace-talks on a bitter note when the three ruling parties could not agree on a number of issues, top of which was the current nine-month suspension of parliament.

The National Executive Committee (NEC) meeting held at the State House was scheduled to discuss the proposed amendments to the original Coalition Agreement (CA) and the report prepared by New Zealand Member of Parliament (MP) Rajen Prasad.

The paper reports that ABC and BNP delegates “reacted angrily to the LCD’s suggestion that parliament should re-open in September and not 27 February 2015 when the prorogation is supposed to end”, and that both ABC and BNP further argued that parliament’s suspension was not the reason why the three parties fell-out.

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**“SCOTT’S LAWYER QUILTS”** by Lekhetho Ntsukunyane. *(Full story: Public Eye July 25 – 31, 2014, p.6.)*

Scott’s lawyer, advocate Shameer Goolabjith told the Durban Court that he was resigning from Scott’s case.

The public prosecutor in the case, Mr. Blackie Swart said “we gathered from his chamber” that he (Goolabjith) quit because he was not paid the legal fees as promised by the client.

Swart said one Advocate Mazebugo was eventually introduced before the court as Scott’s new lawyer. Mr Mazebugo was hence “presented by the extradition documents to study merits of his client’s deportation to Lesotho”.

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**“SCOTT’S CASE CANNOT PROCEED, SAYS THETSANE”** by Limpho Sello. *(Full story: Lesotho Times, August, 22 – 28, 2013 p.4.)*

Malehlohonolo’s son Lehlohonolo, escaped from Maseru Central Prison in October 2012. Both mother and son are accused of killing two people for alleged ritual purposes. Malehlohonolo was released on M500.00 bail after spending fifteen (15) months in remand prison.

The Director of Public Prosecution (DPP), Leaba Thetsane said the murder trial of ‘Malehlohonolo Scott cannot proceed since the main suspect is still at large. He told the media that the prosecution could not proceed with the case in the absence of the main accused as that would be detrimental to the crown’s case.

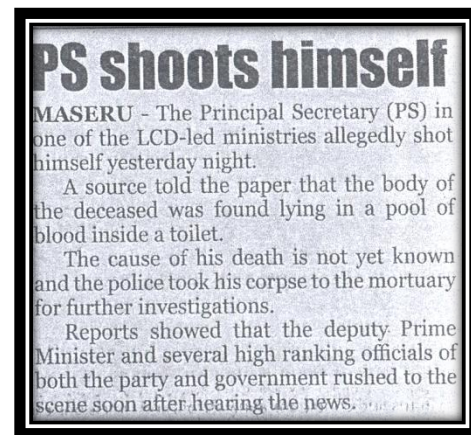
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**“METSING JUSTIFIES PROTEST”** by Bongiwe Zihlangu. *(Full story: Lesotho Times, August, 28 – September 3, 2013 p.9.)*

Deputy Prime Minister (DPM) Mothejoa Metsing will lead a “peaceful march” against the prorogation of parliament on Monday 1<sup>st</sup> September, 2014. He is hopeful that this would “finally drive the message home” to the Prime Minister (PM) Dr. Thomas Thabane.

At the press conference held at LCD Headquarters in Maseru, Mr. Metsing urged Basotho to “join the march in your numbers” for the Prime Minister to see why the prorogation should be lifted.

The LCD Leader states that Dr. Thabane failed to take steps to ensure that parliament’s prorogation was lifted by the agreed date as per the Windhoek.



*Informative May 13-19 2014 p2*

## News

# No-confidence case suffers setback

*Phafane pulls out of case*

NAT MOLIMO AND  
SETHABA MOKHEITHI

**M**ASERU—The case of the motion of no-confidence against Prime Minister Motsoahae Thomas Thabane and government suffered a setback this week when counsel for the respondents, Salemane Phafane Chambers, filed a notice of withdrawal from the matter.

High Court judge Semapo Peete postponed to June 8 after advising the applicants to seek new legal representation.

Advocate Rehabile Setlojane from Phafane Chambers confirmed to *Public Eye* that his office has withdrawn from the case, although he could not furnish reasons for the move.

The applicants in the matter are legislators Chelane Phori of the All Basotho Convention, proportional representation MPs Tšepo Monethi and Matšelisio Tuoane of the Basotho National Party and the Lesotho Congress for Democracy, respectively.

The Speaker of the National Assembly Sephiri Motanyane, the Clerk of the House Plae

Maema, chairman of the Business Committee Mothetjoi Metsing, Basotho-Batho Democratic Party leader Jeremane Ramathebane, Democratic Congress legislators Mootsi Lehata and Pakalitha Mosisili as well as the Attorney General Tšello Makhetho are cited as the respondents.

The first applicant, Phori, told *Public Eye* in an interview following Phafane's withdrawal that the move was advantageous to them as it derailed the no-confidence motion, which he said was motivated by personal interests rather than national needs.

He added the movers of the motion should let the sitting government complete its five-year term and be ousted through elections in 2017, if that would be the case.

The Qoaling MP said the respondents should not allow their personal interests to take priority over the wishes of the public.

"Lawful as it may be, the success of the motion would destabilise the country as change of government would be understood to have come through tricks, and not the ballot box,"

Phori indicated.

The applicants had challenged the no-confidence motion on the grounds that it was a drastic procedure with dire consequences, and that should it succeed, it would result in the change of government or dissolution of parliament.

They further submitted the move could not be lightly resorted to, considering the serious consequences it may lead to in the country's political landscape.

"We submit that a motion of no-confidence could only be resorted to where there are valid grounds substantiating lack of confidence in the government, otherwise if the procedure were to be invoked at a whim, that would make a mockery of the entire institution of government", the application said.

In his affidavit, Phori sought an order declaring that the motion of no-confidence delivered by Ramathebane and Lehata in the National Assembly on March 18, was ineffective, frivolous and vexatious.

He indicated that on or around March 18, 2014, Ramathebane and Mootsi filed the motion in the



Basotho-Batho Democratic Party leader Jeremane Ramathebane

National Assembly, proposing the name of the 6<sup>th</sup> respondent (Mosisili) for the position of prime minister, should the motion succeed.

Justice Peete ordered that before the case resumes on June 8, the defendants should have filed their answering affidavits, failing which the applicants shall be at the stage to move their application in terms of rule 41 of the High Court rules.

Rule 41 (1) states, among others, that when a trial is called and the plaintiff appears while the defendants do not, the plaintiff may prove his claim so far as the burden of proof is upon him and the judgement shall be given accordingly.

The rule further provides that when the claim is for a liquidated demand, no evidence shall be necessary unless the court otherwise orders.



FOLLOWING the announcement that Prime Minister Thomas Thabane has advised His Majesty to prorogue parliament, the public sphere was abuzz with fears and assertions over the issue.

The issues raised include the claim that the premier has no right to advise King Letsie III without cabinet approval and that there are no conditions in Lesotho warranting prorogation.

Though the prevailing question is not necessarily what than how appropriate the prorogation of Parliament is, the debate will remain elitist, exclusionist and to some extent misleading unless the first question is addressed.

In fact, the majority of voters would be rendered a mere audience rather than debaters, on whether this is the end of road for the coalition government?

Prorogation is a parliamentary break which marks the end of a parliamentary session.

In terms of the Lesotho constitution, it is done by the king acting on the advice of the premier.

Section 83 (1) and (4) of the constitution stipulates that the king may prorogue parliament at any time as advised by the prime minister.

By law, prorogation can take any period of time as long as it does not exceed 12 months.

When parliament is prorogued, all the business before the House lapses but it can be introduced in the next session.

Prorogation does not lead to elections; it is a break, what leads to elections is a dissolution.

Given this explanation, the begging question, therefore, would be why there is a fuss about the parliamentary break?

Politics is the response!

In Lesotho, the prime minister is the head of government as per Section 87 (2) which indicates that such shall be a person commanding the majority of the National Assembly.

In other words the premier can only legitimately hold office so long as he/she enjoys the confidence of the National Assembly.

The incumbent premier derives that majority from the parliamentary collaboration of the ABC, LCD and BNP on the one hand and the parties of the Bloc, albeit their fragmentation, on the other.

In recent history, one of the parties in the coalition, the Lesotho Congress for Democracy, expressed its discontent on the non-consultative modus operandi of the premier.

There was also a sharp turnaround in the political posture of the parties of congress orientation in not only echoing LCD discontent

# Prorogation of parliament What's next for Lesotho?

but expressing sympathy for the fellow congress party.

Beyond the simple mathematics that LCD and Democratic Congress (DC) can form government and therefore replace the present coalition government, for those who read and write politics, such back love was not only imminent but fast approaching.

In a desperate bid to consolidate his position, All Basotho Convention (ABC) leader Dr Thabane acted swiftly to advise the king to prorogue.

Why was prorogation so important to the prime minister?

This ensure that for the time being Parliament would not resume soon, thus delaying the dreaded consummation of the dreaded LCD-DC re-marriage either by floor crossing or any other way which would give the speaker legitimate indication that the sitting premier has lost legitimacy in terms of Section 87(2) of the Constitution.

This would create a situation where the prime minister would be logically compelled to resign as he would have clearly lost control of the majority of the House.

This technical knockout would have constitutionally by-passed the motion of no-confidence barred by the courts.

The current recess of parliament *sina die* can, at any time, be revoked by the speaker in consultation with the leader of the house, Deputy Prime Minister and leader of the LCD Mothejoa Metsing. The next logical question would be whether this prorogation can be used to consolidate or dismantle the coalition?

It could be used either way except that it has provided opportunity for talks.

Although the LCD has registered the unilateral modus operandi as yet another pointer of

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the undesirable conduct, its net effect is that they will have opportunity to talk.

What is clear is that there are some issues and tensions within the coalition.

The rank and file of the coalition parties may not be aware of them. Even part of the leadership of these parties may not be privy to some of the contested issues.

Normally, political party leaders package and classify information so that what is disseminated to the followers is controlled.

It is this controlled and measured information that disadvantages followers yet benefits leaders most in terms of sides and positions followers take.

This means that over and above what is available in the public domain, leaders may engage in discussions, negotiate, make trade-offs and re-invent the coalition government.

Whether the LCD discontent has degenerated into an irreparable rupture of the coalition or things could be corrected would be a determination of the leadership forum.

During the negotiations, a lot of give and take will be expected.

The nature of the contentious issues at stake normally determines whether parties in dialogue may need a mediator or they can handle on their own.

In the case of parties negotiating on their own, they would have to apply high levels of discipline and restraint in terms of emotions and arguments otherwise a deadlock can be easily reached. In the event of a mediator coming in, a few considerations are necessary.

Success in mediation depends on a number of issues inclusive of but not limited to consent to the process of mediation and acceptance of the mediator, respect of the Parties to the me-

diator thus addressing the authority of the mediator.

The combination of skills and authority is normally the secret for success of many mediatory efforts.

The mediator is neither expected to be authoritarian nor is he/she supposed to be punitive. In the absence of skill, the mediator is likely to become punitive and judgmental which will result in failure.

The second observation is that the agreement guiding the coalition government is threadbare and may need to be improved.

This process may end up benefiting this arrangement. Parties may, after discussion, agree that the coalition has to be terminated in which case they will return to parliament which would result in a change of government.

Otherwise the king may be advised by the Prime Minister to take the dissolution route.

If the king is advised by the Council of State to take the advice then Basotho would go for elections.

If the Council of State advises the king to refuse the premier's advice on dissolution, he will lose the majority in parliament, resign or be removed. This engagement and peaceful handling of prorogation could as well be used as an opportunity to talk about possibilities of legislating for the coalition government.

On the other hand, this prorogation could be used to avoid the parliamentary test of support while the premier goes on executing his functions as head of the executive arm of government.

This could include exercising the powers of the prime minister and going ahead to do what his counterparts may have complained about thereby leaving them with no option but to desert the coalition government or even removing them from cabinet.

Clearly, this route would lead to a political legitimacy crisis.

Sofonea Shale

# COMMENT

## Lesotho on knife edge

THE 2012 Coalition Agreement between Thomas Thabane, Mothetjoa Metsing and Thesele Maseribane has effectively collapsed. To try and pretend otherwise would be disingenuous.

The proverbial final nail in the coffin of the two year coalition pact came in the words of Mr Metsing when he declared at yesterday's press conference that "the Prime Minister (Thabane) has cancelled and rendered nugatory the strength and existence of the coalition by refusing to observe and adhere to the 'good faith' (sic) and democratic principles." Pay particular attention to his use of the word "cancelled". Mr Metsing used the word to entirely seek to blame his party's clear withdrawal from the Coalition Agreement on Dr Thabane.

The LCD has been vociferous about what it calls persistent violations of the Coalition Agreement by Dr Thabane. It cites many unilateral decisions allegedly taken by the Premier without consultations.

If it's the LCD's view that Dr Thabane has effectively cancelled the coalition agreement, then one would have expected Mr Metsing to have also announced his entourage's complete withdrawal from the government. But instead, Mr Metsing said his ministers would stay put in government, despite the "cancellation" of the Coalition Agreement, ostensibly to try and negotiate with other parties and form a new coalition.

But the window of that possibility seems to have been shut by Dr Thabane's pre-emptive strike to prorogue Parliament. Prorogation means the meetings of parliament are discontinued even though the House is not dissolved. Thabane prorogued Parliament to avoid being toppled by any new coalition which the LCD could have formed with other parties, mainly the Democratic Congress.

How our politicians proceed in dealing with this uncomfortable impasse is now important for the future of this country. Lesotho simply cannot afford a prolonged stalemate in which politicians bicker to protect their personal benefits at the expense of the national interest.

It is within Dr Thabane's constitutional right to prorogue Parliament for as long as nine months as he has done. The prorogation has been signed by King Letsie III and has effectively become law. Mr Metsing and his allies think they can also go back to the Council of the State and ask the King to overturn the prorogation order and allow them to form a new government with new coalition partners. It is difficult to see how that is legally possible.

With everyone digging in their heels, the prospects for this nation are looking increasingly bleak.

While Dr Thabane has the legal right to suspend parliament, the question is; is it morally right for him to rule for such a long time without a Parliament?

Parliament is one of the three key pillars of the state which provides checks and balances mechanism on the executive. The other one being the judiciary. To have no parliamentary sittings to pass or amend important laws might prove problematic. Already, there are important bills pending. Those who say ruling without a Parliament can breed a dictatorial posture may not be far off the mark.

From where we sit, and judging by the rancour likely to succeed the current political stalemate, fresh elections in the short-term to produce a government with a clear mandate may be the only best solution.

Yet Mr Metsing and his party have squandered an opportunity to pile pressure on Dr Thabane for fresh elections by withdrawing from the Coalition Agreement while clinging to their ministerial positions. The LCD cannot simply have their pie and eat it. They cannot be ready to trash a political agreement that brought them into the government while at the same time clinging to their ministerial perks. A clear and unequivocal statement that they are withdrawing from the government as a result of all the allegations they raise against Dr Thabane would probably have helped in piling pressure on the Premier to call fresh elections sooner.

# Mosisili calls govt 'absolute joke'

Lesotho Times | June 12 - 18 2014 p 9



DC leader Pakalitha Mosisili

Keiso Mohloboli

QUTHING — Democratic Congress (DC) leader, Pakalitha Mosisili, has described the coalition government led by Prime Minister Thomas Thabane "an absolute joke".

Addressing a DC rally in Quthing on Sunday, Dr Mosisili — who was succeeded by Dr Thabane on 8 June 2012 after 15 years in power — said the current government was a "playhouse" that had failed to fulfil many of its promises.

Dr Thabane's All Basotho Convention (ABC), Lesotho Congress for Democracy (LCD) and Basotho National Party (BNP) formed a coalition government after the 26 May 2012 general election had failed to produce a single party with a majority seats in parliament.

"This coalition government announced that after 100 days in power, it would have solved all the challenges facing this country. I was surprised because I knew from experience that it was not going to be easy," said Dr Mosisili.

"The coalition administration has turned two years old today, and all I see is poor administration and assassination of good governance.

"Thabane is not governing this country in a democratic manner; he has failed Basotho through his empty promises.

"Where is the M2 020 minimum wage that he promised textile factory workers? He also said he was going to resolve the MKM saga (Basotho lost thousands of maloti after the Central Bank of Lesotho closed the company in 2007 for operating illegal funeral and banking schemes) in a month's time, but this has not happened to this day.

Where is the M800 quarterly allowance that he promised the elderly?"

He also alleged Dr Thabane had claimed his friendship with South African President, Jacob Zuma, would enable him to ensure relaxed immigration regulations for Basotho within one week of taking over government.

"But the situation is worsening and I am wondering, where is Thabane's friendship with Msholozzi?"

"In my 20-year journey as a Member of Parliament (MP), I have built good governance and democracy in Lesotho, which Thabane has killed in two years.

"In addition, this man has crippled the country's courts of law by firing Chief Justice Mahapela Lehohla and he recently pushed Michael Ramodibedi to resign as Court of Appeal President".

Dr Mosisili also called his successor "a two-tongued individual because after Lehohla's removal, he felt bad about it and offered him to chair the Independent Electoral Commission."

He added: "Thabane has so many shortcomings; for instance, when he fired the government secretary last month, the letter of dismissal was all over the radios and social networks.

"Now he wants the Director of Public Prosecutions and Attorney General to give him reasons why they cannot be dismissed from work. Those positions are within the constitution of this country but 'Lekhoakhoa' does not care about the law and continues to make illegal decisions."

Dr Mosisili also called upon the prime minister to intervene in the on-going dispute between the Le-

sotho Defence Force and Lesotho Mounted Police Service.

"If the two security institutions are not at peace with each other, the whole country cannot be stable, so the prime minister must make sure whatever differences might exist between the two are resolved as a matter of urgency".

Dr Mosisili also spoke about the no-confidence vote the opposition in parliament wanted to pass on the coalition government in March this year.

"We wanted to move a vote-of-no-confidence motion against Thabane, but it was stopped by a court order. What a calamity! It was a lawful act that is in our constitution. The court's duty is to implement and interpret the law, not to stop parliament from exercising its rights.

"In a democracy, there should be separation of powers where the courts should be clear that they implement the law while parliament is the maker of the law."

The DC leader also accused the Minister of Health, Pinkie Manamolela, of misleading the nation by saying "our government was wrong to build Queen 'Mamohato Memorial Hospital'".

"That hospital meets international standards and we are also proud that it is named after our Queen Mother, not that crumbling hospital (Queen Elizabeth II Hospital) that the government of England donated and named after their own queen," he said.

"Dr Manamolela must stop saying the establishment of the hospital came at the wrong time and address the issue of staff salaries."

**Bongwe Zihlangu**

THIS week's nine-month prorogation of parliament by Prime Minister Thomas Thabane is a constitutional prerogative although one used to 'avoid a political problem', analysts say.

Last Friday, Dr Thabane wrote a letter to His Majesty King Letsame III, requesting that the 8th Parliament of Lesotho be suspended or prorogued for a period of nine months.

According to Dr Thabane's spokesperson, Thabo Thakalekoala, the prorogation would give the leaders of the three parties in government the opportunity to sit down and iron out their differences.

Mr Thakalekoala added the prorogation would also enable the premier to engage the leaders of the opposition parties, whom the government believes are using parliament to destabilise it.

The All Basotho Convention (ABC) led by Dr Thabane, Deputy Prime Minister Molebetsa Metsing's Lesotho Congress for Democracy (LCD) and Sports Minister Tsehele Maseribane's Basotho National Party (BNP) formed a coalition government after the 2012 general election resulted in a hung parliament.

But after a series of unsavoury events — which included an attempt in March this year by the main opposition Democratic Congress (DC) and some members of the Bloc of Political Parties in Parliament, to pass a no confidence vote against the government — Dr

# 'Thabane feeling threatened'

Thabane made the request for the prorogation, which was granted on Tuesday this week.

In recent weeks, the LCD has also gone public to attack Dr Thabane for not consulting with his coalition partners when making major decisions, which the party said included last month's sacking of Government Secretary Motlatsi Ramafole and the current attempt to expel Attorney General Tlokolo Makhele and Director of Public Prosecutions Leaha Thetsane.

Ngoas Mahao, former Dean of the Faculty of Commerce, Law and Management at South Africa's Wits University, says the law does not impose any conditions as to when a prorogation of parliament can take effect.

According to Professor Mahao, one of the founding fathers of the constitution of Lesotho, the prime minister does not need to consult with the Council of State when requesting the prorogation of parliament or justify such a move.

However, Prof Mahao suggests the prorogation was sought because Dr Thabane 'feels threatened'.

'Prorogation of parliament can be sought when the PM suspects that his position is compromised,' Prof Mahao said.

'It happened in 1985 when the then ruling BNP lost one constitu-

ency after one of the party's MPs was challenged in court and lost, thus losing the majority in parliament. Government had to prorogue parliament while a by-election was organised.'

Prof Mahao goes on to describe prorogation as 'a tunnel in which a sitting PM can hide while trying to find a solution to a problem.'

Quite obviously when you're a

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"For a prime minister to shut down parliament when he is about to lose a confidence vote is unacceptable from a democratic perspective but understandable from a political one."

ruler, you will not go out and tell the public that you have a problem and that you feel compromised," Prof Mahao said.

"Even if the PM provides reasons, they can never be challenged in a court of law because he is acting within his rights."

The advantage of the prorogation, Prof Mahao adds, is that it will give the coalition government leaders

"an opportunity and a bit of time to sort themselves out".

"It will also help government to stabilise while the leaders engage each other in talks."

However, Prof Mahao is quick to add the downside of prorogation is all the business that the 8th Parliament was working on is "cancelled".

"All the Bills that are before parliament, both in the National Assembly and Senate, will be cancelled and introduced anew when parliament resumes," Prof Mahao said.

It is expected that parliament will resume in March 2015, with a Speech from the Throne by the King, which will be giving parliament a new mandate.

"But things could also go terribly wrong because it's like being at a crossroads."

"There are risks involved which ever direction you turn," Prof Mahao says.

According to renowned lawyer, Advocate Tekane Maqakachane, prorogation effectively means the termination of a session of parliament. He quickly adds it is a "prerogative given to the crown by law, to be exercised whenever".

"This is derived from the Westminster Model of parliament used in Lesotho and the PM does not have to have a reason to exercise this pre-

rogative," Adv Maqakachane says.

"England, Canada and Australia are some of the states using a similar parliamentary model and there's absolutely no reason to justify prorogation."

But, he adds, in most cases, the prerogative to exercise prorogation applies where there is a political stalemate or situation "which the executive wants to avoid".

"There should not be a reason but in most cases, it is exercised where there's a political reason," Adv Maqakachane said.

"A political problem will be avoided and normalcy restored as a result of exercising this prerogative."

He also echoes Prof Mahao's sentiments that all business before parliament will be written off while a new mandate will be given by the King, during the Speech from the Throne, when parliament resumes in March.

On the advantages, Adv Maqakachane says the prorogation will provide "a cooling off space", to allow for the coalition leaders to "address any existing political problems".

"During that period, people come to their senses although it does not mean what is being avoided will not persist," Adv Maqakachane said.

He also warns that if the political stalemate persists beyond the current prorogation "it can be repeated until the country goes for elections in 2017".

Asked to comment on the consequences of prorogation in the context of Lesotho, Adv Maqakachane says the situation, which is prevalent in the country currently "tells you there are reasons behind the prorogation".

"The situation tells you the PM had to exercise this prerogative," Adv Maqakachane said.

He added once parliament is prorogued "there's no supervisory body to the executive".

"In any democratic dispensation, the executive must account to parliament. In the absence of parliament, there's no supervisor and no business of parliament will be in place," Adv Maqakachane noted.

Meanwhile, Dr Motlamselle Kapa of the Department of Political and Administrative Studies at the National University of Lesotho (NUL), describes the prorogation as an advantage for the coalition government leaders to "act more seriously on national issues".

"It's an advantage for the coalition government leaders to reflect on their agreement based on the experience they have had so far, as well as other issues," Dr Kapa says.

Based on the prevalent situation currently, prorogation helps avert the cost of a fresh election and is also a constitutional mechanism which helps people to cool off and avoid making hasty decisions, which could have undesirable consequences.

A concerned Dr Kapa also maintains that what remains the biggest challenge now is to "amend the constitution" to allow more time for political parties to "negotiate the formation of coalition governments in Lesotho".

"Conditions appear to be the only option after the introduction of the Mixed Member Proportion (MMP) model and we should get it right as a country, to set an example for other African states," Dr Kapa says.

In December 2008, Canadian Prime Minister Stephen Harper prorogued parliament in a move widely described in the media as "an act of clever desperation on the part of a minority government, caught off-guard by opposition parties' united stance against its plans to eliminate public subsidies for political parties (among other things)".

"For a prime minister to shut down parliament when he is about to lose a confidence vote is unacceptable from a democratic perspective but understandable from a political one," the media reports said.

# Nip army, police impasse in the bud

ON 27 January, the Maseru homes of Lesotho Mounted Police Service (LMPS) Commissioner Khotatsa Tsosona, Prime Minister Thomas Thabane's partner, Liwolshe Ramoholi and her neighbour were simultaneously attacked, prompting the LMPS, with the aid of South African security agencies, to launch an investigation into the incidents.

As a result of those investigations, the LMPS requested the Lesotho Defence Force (LDF) to release eight officers into their custody for questioning. However, the LDF ignored this request, prompting the LMPS to apply for a warrant of arrest from the courts to question the army officers. The application was granted. However, the LDF did not execute the order for reasons best known to them.

Following the aforementioned developments, tensions began to mount between the two security agencies. Incidentally, these two agencies fall under the purview of Dr Thabane since he is prime minister as well as Minister of Defence, Police and National Security. Another important aspect is that these two agencies, together with the National Security Service (NSS), which later unsuccessfully tried to mediate in this impasse, are mandated with investigating criminal conduct, nipping it in the bud and above everything else, to protect law and order as well as ensuring the stability and territorial integrity of Lesotho.

In this regard, it behoves all of them to collaborate with each other. They are supposed to uphold the constitution and other laws of the Kingdom. They are further enjoined to protect life and property in this Kingdom. As a corollary duty, they are expected to protect the property and life of senior state functionaries as well. While they execute this important mandate, they should act within the confines of the law.

However, what is disturbing is that the LDF, despite the civil manner in which the LMPS approached them to release the officers to assist them with investigations into these attacks, has simply ignored this request. It should be borne in mind that one of the core businesses of the police is to prevent and investigate conduct, with a view to possible prosecution, if need be.



In order to press home the importance of their investigations, the police sought and obtained a court order, which however, to date has not been heeded. It is thus disconcerting to see the army — a key security agency in the maintenance of law and order as well as Lesotho's territorial sovereignty and stability of Lesotho — decides to ignore lawful court orders. If they have difficulty with abiding with a court order, there are legal avenues in which the legitimacy of such orders can be challenged.

No single institution of state and not even the Prime Minister, the holder of the highest political post in this kingdom, is above the law. Only the King is above the law. It is a fallacy for the army to think they are above the law. Even if they thought the way the LMPS approached the investigations was wrong, they should have asked the Minister of Defence, to mediate. To make matters worse, the army has not even been forthcoming in regard to providing information on the acquisition and issuance of certain types of weaponry. Clearly the army's non-cooperation is impeding the police and the courts in the execution of their constitutional mandate.

Without jeopardising police investigations, compare this scenario with the following incidents.

Some three weeks back members of the army who were involved in the alleged fatal shooting and injury of a young girl and her boyfriend, presented themselves to the police and made statements, voluntarily, and similarly, years back, members of the army were convicted by the courts of murdering the late Deputy Prime Minister.

Further, other members of the LMPS were convicted of involvement in the

1986 political disturbances. None of the members of these security agencies felt they were above the law. They presented themselves before police investigators and had their day in court. However, in an alarming development, some members of the army, an agency charged with upholding the Constitution and other laws, are ignoring calls by the police to help them in their investigations.

A couple of weeks ago, we bemoaned the fact that there appear to be two centres of power in this country, a scenario that we cannot, as a young democracy, allow to persist. This was in relation to the dissolution of a court martial by the Dr Thabane. To our collective disbelief and horror, a few days later, the army proceeded with the court martial. It begs the question of who really holds the reins of power in this Kingdom. Or worse still, are there some sections of the army who are a law unto themselves.

These are indeed worrying days for our democratic institutions if some sections of the law cannot obey lawful orders or at least, challenge their legitimacy at the appropriate for. All institutions of state are run at the taxpayers' expense. This country can ill-afford any institution that is the law unto itself and not subject to any authority. We should jealously protect the rule of law.

The fact that a Southern African Development Community (SADC) delegation had to come to mediate between the two agencies that are supposed to complement each other is a shame. It is not a legacy that this nation can be proud of. This is purely an internal issue which should be settled by a sovereign state. However, because there are some intransigent people in these institutions, SADC mediation was necessary. Whoever undertook or proposed this mediation deserves acclaim.

The security agencies should not only uphold these core responsibilities but should be seen to promote them. The police and the army authorities, as well as the NSS and the Cabinet Security Portfolio Committee deserve commendation for the judicious manner in which they are handling this potentially explosive situation. We can only hope and pray as a nation, that an amicable solution will be arrived at soon.

Billy Ntaote

THE Commonwealth Expert Adviser to Lesotho, Rajen Prasad, has warned the coalition government against failing to adopt the raft of changes recommended in the report prepared after the recent study tour of New Zealand by a 25-member delegation from Lesotho.

A high-powered delegation of politicians, senior civil servants and civil society representatives visited New Zealand from June 28 to July 5, with a view to study the country's governance system.

After the tour, the Commonwealth was supposed to make recommendations on how Lesotho's three feuding ruling political parties — the All Basotho Convention (ABC), Lesotho Congress for Democracy (LCD) and Basotho National Party (BNP) — could improve their working relationship, which has soured over recent months over Prime Minister Thomas Thabane's alleged lack of consultation when making key governance decisions.

Dr Prasad submitted the report to the coalition partners last week and Dr Thabane is expected to release it to the public tomorrow at a press conference scheduled for the Ministry of Health Auditorium.

It is expected the three ruling parties will use the recommendations to amend their original Coalition Agreement, on which the current government was founded after the 26 May 2012 general election had resulted in a hung parliament.

The report, titled "Governance in Lesotho: Re-positioning for success" makes several recommendations, and also warns of the consequences of failing to adopt them in their entirety.

Reads the abridged version of the report: "The major recommendations were developed by the delegation and represent the consensus that was reached on the final day of the New Zealand visit.

"Suggestions on how to progress the recommendations were developed by the Commonwealth Advisers and represent suggestions to the Government of Lesotho and any future implementation team.

"The recommendations are informed by the extensive consultations conducted with a wide cross-section of interests in Lesotho since the May 2012 election by the Commonwealth team and their knowledge of workings of the New Zealand governance system."

According to Dr Prasad, "the recommendations and proposed reform programme represent a set of interrelated changes that is advisable for deepening democracy and enhancing development."

"It is the Commonwealth Expert Adviser's view that addressing only some of the recommended changes will not produce the sustainable change that various stakeholders have informed the Commonwealth team is required in Lesotho.

"Together, there is every chance that sufficient momentum will be gained to give citizens confidence in their governments and will enable governments to focus on those things that could lift Lesotho from the group of least-developed nations.

"The programme suggested here depends on strong leadership that is focused on doing what is best for the country and nothing else.

The Commonwealth Advisers believe that Lesotho has the potential to become a leading example of participatory democracy in Africa, and through this, progress prosperity for its two million citizens."

Dr Prasad lists the following in the recommendations and why the changes are necessary:

- Establishing an independent public service. The Lesotho pub-

# Commonwealth warns coalition government

... ignore recommendations at your own peril



COMMONWEALTH Expert Adviser to Lesotho Dr Rajen Prasad (front, second from left) and Deputy Prime Minister Mofetja Moleja (front, third from left) pose for a photo with MPs and other senior officials during the one week trip hosted by the New Zealand Parliament in association with the Commonwealth Secretariat.

lic service should be reshaped as an independent, non-politicised, professional service delivering the policies set by Ministers and approved by Cabinet.

It has also been accepted that processes should be enhanced so that Principal Secretaries are more accountable to their Ministers and that Parliament should be further enhanced to hold both Ministers and Principal Secretaries accountable through its various procedures.

"The international standard is for public servants to be appointed on the basis of their competence and experience, and that their political views will be kept private.

- Role of the State Services Commissioner: In New Zealand, there is a tripartite relationship between the State Services Commissioner, Minister of the Crown and Chief Executives of Ministries who are responsible for the hiring of all staff.

- Process for major appointments in New Zealand: New Zealand has well-established processes for major appointments in constitutional and senior public service roles, some of which are described below: *Governor-General*: The Governor-General is appointed by the Queen on advice from the Prime Minister.

The Prime Minister consults with senior Members of the Opposition to make sure they agree with the appointment.

This allows for stability if the government changes. Individuals who have been politically active or stated publicly their political affiliation are not likely to be appointed as Governor-General.

*Chief Executives (called Principal Secretaries in Lesotho)*: Appointment is the responsibility of the State Services Commissioner.

All vacancies are publicly advertised and applicants are assessed on their experience and competence. Once shortlisted, applicants usually undertake two interviews

by Recruitment consultants, sit an IQ and psychometric test, and attend a panel interview.

The panel then makes a recommendation to the Commissioner, who appoints the Chief Executive after consulting the Minister and Cabinet.

Chief Executives are appointed for a period of up to eight years, and may be

Reappointed depending on their performance. However, the usual period of appointment is five years.

The process for appointing the Chief of Defence and Police Commissioner is roughly the same as appointing a Chief Executive.

### Recommendations for the reform of parliament and its procedure

1. That the Government appoint a Parliamentary Reform Committee (the Committee) to undertake a review of Lesotho's parliamentary processes and institutions, and recommend changes, guided by the contents of this report and international best practice, to make them fit for purpose in a MMP environment.
2. That all political parties or block of parties be represented on the Committee.
3. That the Committee ensures its recommendations are suited to the cultural traditions of Lesotho.
4. That the Committee examines the impact of floor-crossing on proportionality which frustrates the results of Election Day, and suggest rules that will give parliament stability.
5. That the Committee review the portfolio committees with a view to increasing the number of committees, reducing their size and circumscribing their areas of focus.
6. That the Committee examines ways of increasing the participation of citizens in the portfolio committees.

7. That the Committee reviews the regularity with which parliament meets for the best fit with its law making and monitoring roles, and for providing citizens with adequate access.

8. That the Committee considers the need for community education on the role of parliament and how citizens can access it.

9. That the Committee review the method by which votes are cast in parliament and to consider the merits of introducing the casting of party votes, as used in the New Zealand Parliament, in order to increase the efficiency of parliament.

10. That the Committee recommend any changes to relevant legislation, the constitution, standing orders or other rules governing parliament.

11. That the committee progress the establishment of a Commission to oversee parliament and the separation of parliamentary operations from House business.

12. That the Committee report to parliament within three months of being established.

**Coalition negotiations:** During the coalition negotiation phase, different parties identify specific policies from their election manifesto that they want to see implemented by a coalition government.

Parties are willing to enter into these negotiations because they want to influence the direction of the country in particular areas in order to build a better society.

Coalitions always require compromise and negotiation to steer a successful pathway that meets the aspirations of the electorate which did not give any one party the mandate to rule on its own.

All parties that agree to join in coalition need to have an agreement on where they are heading. It is acceptable for the parties to have different ways to reach the same destination, but there must

be agreement on the destination.

The coalition agreement usually includes provisions designed to ensure open communication in advance, including a 'no surprises' clause.

The agreements also always include a statement on consultation requirements.

These statements are not intended to be onerous, and usually require conversations between the leaders of the coalition parties in advance of public disclosure of information.

These meetings are important as they keep the relationships between the different parties fresh.

**Allocation of Cabinet positions:** The accepted practice is that the head of the largest coalition party will become the Prime Minister.

Where the second largest coalition party is a similar size, the leader of that party may become Deputy Prime Minister.

The only other positions that are determined during the coalition negotiations are Cabinet ministers, deputy ministers, and committee chairpersons.

The decisions determining which ministerial portfolios are held by which party are influenced by the relative strength of the parties that make up the coalition.

**Maintaining separate identities:** After parties have agreed to enter into a coalition government, many experience consistent tension between trying to maintain their separate identities while simultaneously trying to create and maintain a strong coalition identity.

No individual party would want to give up their identity as they will need to campaign on it at the next election.

However, coalition partners must also have a joint identity, so that the electorate knows what to expect from their government.

**Summary and Conclusion:** When the Kingdom of Lesotho adopted the Mixed Member Proportion (MMP) system of government it did not undertake a parallel process to reform its governance system.

For as long as it produced one party government this did not matter.

However with the dawn of coalition politics the inadequacies of the current system have become apparent.

This makes the reform programme urgent as future governments will also get trapped into difficulties that result from the mismatch between the current system of governance and what is actually required for an MMP parliament.

Each of the four matters that have been the focus of the study visit is critical to the future of Lesotho's parliamentary democracy.

They all require reform. The visit to New Zealand has shown the delegation what is possible and what will be the positive spinoff for Lesotho if the reforms could be implemented.

This report shows a way forward.

It now requires political will to make it happen.

## News

# Report recommends restructuring of party

SECHABA MOKHETHI

**M**ASERU - Commonwealth expert adviser to Lesotho, Dr Rajen Prasad has recommended the restructuring of the country's parliament and the establishment of an independent public service.

The recommendations are contained in a report to be tabled today by Prime Minister Mosisoahe Thabane along with his coalition partners.

The report titled "Governance in Lesotho: repositioning for success" follows a study visit to New Zealand by a delegation led by deputy prime minister and Lesotho Congress for Democracy leader, Mr Mothetjho Metsing.

Prasad had in April 2013 recommended a number of reforms to the public service, parliamentary processes, coalition formation and operation for the coalition government of Lesotho to consider.

The Lesotho team went to New Zealand to observe operation of a Mixed Member Proportional (MMP) electoral system, the nature of a non-political public service, the mechanics of managing a successful coalition and procedures for government formation in response to last year's recommendations.

In reforming parliament and its procedure, Prasad recommends that government should appoint a Parliamentary Reform Committee to undertake a review of Lesotho's parliamentary processes and institutions.

He also recommended changes guided by the contents of this report and international best practice, to make them fit in an MMP environment.

Prasad further advised all political parties or block of parties should be represented in the Parliamentary Reform Committee, which should ensure its recommendations are suited to the cultural traditions of Lesotho.

"...the Committee examines the impact of floor-crossing on proportionality which frustrates the results of Election Day, and suggests rules that will give parliament stability," he noted.

He also underlined the committee should review portfolio committees with a view to increasing the number of



Tripartite coalition government leaders Mothetjho Metsing (LCD), Theshe Masiribane (BNP) and Thomas Thabane (ABC)

committees, reducing their size and circumscribing their areas of focus.

"The committee examines ways of increasing the participation of citizens in the portfolio committees, reviews the regularity with which parliament meets for the best fit with its law-making and monitoring roles, and for providing citizens with adequate access."

According to Prasad, the committee should consider the need for community education on the role of parliament and how citizens can access it, and review the method by which votes are cast in parliament, as well as consider the merits of introducing the casting of party votes. Such a system is used in the New Zealand parliament to increase its efficiency, his report indicated.

Prasad also proposed that the Parliamentary Reform Committee should also recommend any changes to relevant legislation, the constitution, standing orders or other rules governing parliament.

The committee should further push for the establishment of a commission to oversee parliament and the separation of its operations from House business.

Such a committee should report to parliament within three months of its establishment, the Prasad report said.

In forming and sustaining successful coalitions, Prasad noted the government should ask the Council of State to commission the preparation of a handbook on the nature of coalition governments and the

process of coalition formation.

He added that the council should consider appointing a suitable senior lawyer to manage the process.

"The handbook should be used as a major instrument for enhancing the awareness of citizens of the MMP system and how governments will be formed after an election.

The handbook, according to Prasad, should underscore the message that successful coalitions depend on a relationship of trust and respect amongst partners and that successful coalitions rely on their discipline to deliver on what has been agreed upon.

He added: "All coalition agreements should include policy agreements and the relationship management role of leaders of political parties to the agreement. Sufficient time should be allowed for coalition negotiations."

Agreements should be based on the clear understanding that the public service is non-political and independent and all negotiations should be managed by political leaders, in consultation with their political parties. Prasad also embraced the notion that all coalition agreements should be made public and parties should commit to respecting the spirit as well as the provisions of the coalition agreement. He recommended that the handbook be presented within three months of commissioning and that in time, it should include the relevant laws and conventions relating to coalition formation.

Prasad further suggested the establishment of an independent public service where appointments are based on merit

and made by an independent authority at arm's length from the executive.

He added: "The government should appoint a Public Service Reform Design Team (the Design Team) with appropriate technical assistance, to begin the design of the new public service of Lesotho.

The team, according to Prasad, proposes a detailed change management plan for

repositioning the public service as non-political and independent.

It should also consider rationalising the roles of the Ministry of Public Services and the Public Service Commission into one body responsible for the appointment of principal secretaries, he further noted.

He also highlighted that the design team's first task should be to recommend interim measures to stop any further political appointments to the public service.

"The design team will prepare interim guidelines to ensure all appointments to the public service will be non-political. ... in association with the Public Service Commission, the design team prepare interim guidelines on how public servants are to be non-political and independent."

Prasad pointed out that the team should report its detailed proposals to Cabinet through the minister of public services within three months of being appointed.

## Prorogation stalls coalition talks

SECHABA MOKHETHI

**MASERU** - The New Zealand report to be tabled by the prime minister might not be discussed anytime soon as consultations are still going on within the coalition governing parties, *Public Eye* has learnt.

BNP spokesperson Machesetsa Mofomobe yesterday indicated national executive committees of the three parties started talks on Friday last week, which continued on Monday and yesterday (Thurs).

Sources said the prorogation of parliament by Thabane until next March posed a threat to the resumption of talks between the party leaders.

Metsing has insisted parliament should be opened to allow the House to continue with its normal business, while Thabane is reportedly against the proposal.

Mofomobe disclosed the prorogation issue topped the agenda and was passed by after the parties "agreed to disagree" on the matter.

Mofomobe said ironing out the grievances of all the three

parties was their priority, not the report "as it paves way for the country not the parties".

During discussions by the parties' committees, some people suggested the formation of an Interim Political Authority, while others called for laws to govern floor-crossing in parliament.

"So we still have a long way to go, we are not in a haste to discuss the report. It will take us about four to six months to discuss the whole package, until nine months of prorogation elapse and everything smoothed," Mofomobe highlighted.

A source privy to the talks told *Public Eye* that although the parties deliberated peacefully, the reopening of parliament remained a contentious issue.

The source said the LCD stance was that government is complete only when its parliament is working, and the problem was that the other partners feared it's re-opening.

"If we can agree to govern out of the parliament, that will be very dangerous to us when time for elections come and it will be used as a tool against us," the source noted.

# COMMENT

## Decisive moment for Lesotho

THE Commonwealth Expert Adviser to Lesotho, Dr Rajen Prasad, has submitted his recommendations to the coalition government, which he believes can take Lesotho out of its current predicament.

Government's three parties, namely the All Basotho Convention (ABC), Lesotho Congress for Democracy (LCD) and Basotho National Party (BNP), have declared a truce while various stakeholders seek a permanent solution to their impasse, which almost saw Thomas Thabane's premiership come to a premature end last month.

It has since emerged that the LCD is the black sheep in the tripartite alliance after the party openly challenged ABC leader, Thomas Thabane's leadership style, particularly his alleged failure to consult his fellow principals when making crucial decisions with a bearing on good governance. The LCD, which is led by Deputy Prime Minister Mphetso Metsing, showed its determination to ensure the party receives equal recognition in government with a spirited defence of its stance during a meeting of the alliance's National Executive Committees held at State House on Monday this week, as reported elsewhere in this issue.

However, the Commonwealth report submitted to the three ruling parties by Dr Prasad last week, present the feuding partners with an opportunity to iron out their differences once and for all, and without any of the leaders losing face.

In addition, Dr Prasad's recommendations provide guidelines for future coalition governments, which would ensure Lesotho does not find herself in a similar, power-struggle predicament ever again.

According to the report, the recommendations are the result of New Zealand's own experience under very successful coalition governments, as well as input from various Lesotho stakeholders.

What probably makes the recommendations even more suited to the Lesotho situation is the fact that the 25-member delegation of local politicians, senior civil servants and civil society representatives, as well as a member of the clergy, which visited New Zealand early this month, made valuable contributions in the compilation of the report.

In his recommendations, Dr Prasad makes it clear that selectively adopting the report when amending the Coalition Agreement on which the coalition government was founded in June 2012, would be folly for the alliance.

"It is the Commonwealth Expert Adviser's view that addressing only some of the recommended changes will not produce the sustainable change that various stakeholders have informed the Commonwealth team is required in Lesotho. Together, there is every chance that sufficient momentum will be gained to give citizens confidence in their governments and will enable governments to focus on those things that could lift Lesotho from the group of least-developed nations. The programme suggested here depends on strong leadership that is focused on doing what is best for the country and nothing else. The Commonwealth Advisers believe that Lesotho has the potential to become a leading example of participatory democracy in Africa, and through this, progress prosperity for its two million citizens," reads an excerpt from the report.

It is this reminder that the report is not for the benefit of the leaders of the BNP, LCD and ABC but the whole country as only a functional democracy can ensure the economic wellbeing of the entire Basotho nation.

The report also makes it clear that it would be the guiding document for coalition governments that will come well after the current ABC/LCD/BNP alliance is but a distant memory.

It is this larger picture that the leadership of these three parties should consider as they enter this decisive phase of their negotiations for reconciliation talks, which would involve amending their original Coalition Agreement, as well as setting the ground rules for the establishment of multiparty governments in future.

Lesotho's future lies in the hands of the leaders of these three parties, which is why we urge them to remember that theirs is a big responsibility which calls for a sober, selfless and mature leadership.

PUTIN'S IDEA OF HITTING THE "RESET BUTTON"



## Coalition government should justify existence

RIGHT at the time when Basotho were anxiously awaiting government's word on how it plans to move forward with the New Zealand report, Prime Minister Thomas Thabane officially launched the national status report on the Millennium Development Goals. It was revealed that of the eight goals the nation has set, Lesotho is on track on education, and gender equality while doing fairly well in the fight against HIV and AIDS. It was also revealed that the country is doing relatively well on the environment, particularly the target on water, while off track on maternal health, child mortality and poverty eradication. Following the announcement, the New Zealand report immediately came to mind with the question of what coalition governments serve in Lesotho begged for a response.

The Millennium Development Goals Report has been launched at a time when Lesotho and the rest of the international community are preparing for the strategic continuity of the commitment beyond the year 2015. The process referred to as Post 2015 Development Agenda is supposed to be an extension of the global leadership's commitment to the development of humanity beyond 2015 which marks the deadline for nationally-led and people-owned processes.

Lesotho started the consultation process for Post 2015 Development Agenda where community voices were heard in the 10 administrative districts of the country. In light of the country's unimpressive performance in respect to the MDGs and perhaps many other development policies and commitments, governance becomes a key concern in attaining development. The weak governance structure in this country has been identified as one of the challenges for development.

On many occasions, Basotho complain of poor service delivery and told to make peace with the fact that resources are scarce. Given Lesotho's resource base and economy this is an undeniable fact but what politicians should be compelled to respond to is why not less than



Sofonea Shale

30 percent of the development budget returns unused every other year?

This is clearly a governance issue. The report by the auditor-general is every other year qualified and the Parliamentary Public Accounts Committee report which is informed by the auditor-general is equally full of irregularities identifying officials by name and the wrongdoings committed. The government that Basotho need is one that will be able to overcome the institutional capacity limitations and ensure that resources are properly channelled to reverse the trend exposed by the Millennium Development Goals Report.

Now that Basotho are ready to hear from government on how it wants to handle the advice given on managing coalition governments, we should consider that coalition governments are not as effective in service delivery.

Our civil service should be built on the competences of Basotho and which should be reflected in the use of the Post 2015 Development Agenda to reverse the challenges highlighted situation in the Millennium Development Goals Report.

It would be nonsensical, if not downright unfair, to his nation if our leaders invest become comfortable in a coalition setup merely for the sake of it and not to ensure that mothers do not lose life when they deliver.

If Basotho need a stable government, that stability should not be limited to who remains in power and how that power is brokered and shared among the elites. It should be stability that en-

ures that no children below five years of age die of preventable diseases.

Coalition governments should be made functional not only to provide security of tenure to the politicians who lead such governments but assurance that poverty is eradicated, capacity is enhanced, systems and procedures introduced and adhered to.

The commitments made by principal secretaries to serve to the best of their ability to uplift the lives of Basotho should be understood in the context of ensuring service delivery to the people.

What should Basotho take this commitment to mean? It should be a commitment to use the Post 2015 Development Agenda to ensure the unimplemented policies are implemented. It should be understood by the nation to mean a dedication to ensure that what Vision 2020 provides as a blue print for development is followed. This new commitment by the principal secretaries should not be viewed as just another drama in the public sphere. Basotho expect the principal secretaries to revisit the Vision 2020 document and facilitate its fulfillment. What exactly should the elevation of Rejun Prasad to the level of Commonwealth Special Envoy to Lesotho read with the launch of the Millennium Development Goals Report, coinciding with civil society dialogue around Post 2015 Development Agenda mean to Basotho? It should not be another window dressing session but a real new start and commitment that all those who are entrusted with the responsibility to serve the nation do so with diligence to make the Millennium Development Goals a reality.

The best gift that our leaders, both in government and in opposition, can give to Basotho is to ensure reforms in governance, repositioning of parliamentary and governance processes to the requirements of Mixed Member Proportional have, as their base, a desire to turn the Post 2015 Development Agenda into a momentous process for the realisation of the goals and targets of the national designed development policies.

# Opinion & Analysis

August 28 - September 3 2014 p13

## SADC just bullying Lesotho



PRIME Minister Thomas Thabane

THE Constitution of Lesotho, 1993, reads, and I will quote extensively:

Section 1 (1) — "Lesotho shall be a sovereign democratic kingdom".

Section 82 (1) — "Each session of Parliament shall be held at such place within Lesotho and shall begin at such time as the King shall appoint".

Provided that—  
(a) The time appointed for the meeting of Parliament after Parliament has been prorogued shall not be later than 12 months from the end of the preceding session; Section 83 (1) provides, "The King may at any time prorogue or dissolve Parliament".

The Concise Oxford English dictionary defines the word "sovereign" as (of a nation or its affairs) acting or done independently and without outside interference. I am quoting these sections of our Constitution, the Supreme Law, and the word "sovereign" advisedly because some politicians in Lesotho, and leaders of the Lesotho Council of Non-Governmental Organisations (LCN), if they had the LCN mandate and the Southern African Development Community (SADC) leaders, want to conveniently ignore the fact that Lesotho is a sovereign country with a constitution, that, like in all states, is the Supreme Law.

SADC, in its founding principles and instruments, emphasises and jealously protects the sovereignty and non-interference in the affairs of all its members. The principle of non-interference and sovereignty in the affairs of states can be tampered with, among others, when fundamental human rights are violated, the rule of law is being undermined or a state is aggressive or threatening war against another state.

That Lesotho was denied the chairmanship of the SADC Organ on Politics, Defence and Security Co-operation, last week, is disturbing. It smacks of double standards. In its 34th SADC Heads of State and Government Summit held in the Zimbabwean resort town of Victoria Falls, SADC handed the chairmanship of the Organ to South Africa, instead of Lesotho, until the next summit in Botswana, in August 2015, due to the country's alleged political instability.

For the record, the Lesotho Congress for Democracy (LCD) leadership has, itself, suspended its Youth and Women's Leagues yet the party is at the forefront of calls to re-open parliament, which the prime minister prorogued for nine months in June this year. If we cast our minds a few years back and consider the present, it will make for an astounding number of countries within SADC that have political instability equal to Lesotho's, or even worse.

SADC, like most international organisations, has unexpectedly succumbed to the pressure of the big power-brokers in the sub-continent. Let's take a cursory look at some of these countries within the SADC region, including the major power-brokers. Swaziland has not been having a multi-

party system of democratic governance for many years.

Democratic ideals and principles in that country were long done away with by the kingdom's absolute monarch. There is no rule of law in Swaziland as lawyers, civic organisations and opposition groups in that country are incarcerated, fleeing the country and FUDEMO, the country's main opposition, operates from underground and from neighbouring South Africa.

Journalists in that country are also being intimidated and incarcerated. In Malawi, the recent general election's results were hotly disputed as not being transparent, free and fair, and needed SADC's intervention to resolve the impasse.

Our giant neighbour, South Africa, has a myriad of challenges to its political stability.

Just last week, there was a massive walkout in Parliament as one of the opposition parties, the Economic Freedom Fighters, called on President Jacob Zuma to repay funds the State paid in the development of his Nkandla homestead, running into millions of maloti.

Parliament was thereby rendered dysfunctional. This was preceded by the heckling of the president about the multi-billion-maloti upgrade. Just prior to the general election in that country, a multiparty parliamentary sub-committee to look into the "Nkandlagate" scandal was dissolved as the entire Parliament was

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Mark my words, I am not saying Lesotho does not have domestic political problems. If SADC is to use Lesotho's political problems as a yardstick, then no country would be eligible for the chairmanship of any Organ

dissolved, thus rendering this committee a non-starter.

The fact is, even in South Africa, provincial as well as national parliaments are disrupted routinely. At the Parliament Commission of Inquiry into the Marikana deaths, South Africa's deputy president, Cyril Ramaphosa, was heckled by families of the deceased amid allegations that he orchestrated the killings by unduly influencing ministers and the police, while he was at the head of a major mining house.

Again in South Africa, during then President Thabo Mbeki's term, a number of his own cabinet ministers were accused of trying to topple him by the country's intelligence chief, and were eventually removed from office. Subsequent to that at the ruling party's elective leadership conference, after the president was recalled and re-employed, a new party leadership was elected.

During this period, there were the so-called two centres of power in South Africa — one based at the country's seat of government, the Union Buildings in Pretoria, and the other at the ruling party's headquarters at Luthuli House.

If these examples are not manifestations of political instability, then tell me what they are. Still in South Africa, security agency, the Scorpions, were disbanded in favour of the Hawks, precisely because the country's police service could not allow the Scorpions to encroach into what they considered their territory.

Conversely in Lesotho, there are palpable tensions between the various role players. But tensions between different security formations is not unique to Lesotho.

Further north in Zimbabwe, during the

### NATIONAL AGENDA

#### Utloang Kajeno

government of national unity, the sitting president, Robert Mugabe, was from a different political party to the then prime minister, Morgan Tsvangirai.

The two could hardly agree on anything to the extent that during one of his rallies, Tsvangirai was severely assaulted. Now if these examples are not manifestations of political instability, then tell me what they are. Mark my words, I am not saying Lesotho does not have domestic political problems. If SADC is to use Lesotho's political problems as a yardstick, then no country would be eligible for the chairmanship of any Organ.

There are many examples of SADC member-states that have politicians jockeying for positions and outright backstabbing to the extent that their infighting borders on political instability, and Lesotho is no exception in this regard. That is why none of these countries was sidelined by SADC.

Political infighting and disagreements between the disciplined forces is not a problem that is unique to Lesotho. Lesotho, like all the countries around the world, including in SADC, is not, and shall never be a Utopia. The bottom line is Lesotho is a vibrant, at times robust, sovereign democratic kingdom that observes democratic values and principles.

One would understand if the prorogation of Parliament was done in violation of the Constitution of Lesotho, then SADC intervention would be understandable.

However, as I pointed out before, indeed there are political disagreements in Lesotho but to escalate them to the level of political instability is being myopic, disingenuous and setting a bad precedent, which at any rate, was never followed or will never be followed in the rest of SADC.

It cannot be overemphasised that the Constitution empowers His Majesty to prorogue parliament on the advice of the prime minister, for not more than nine months. Anything to the contrary would be unconstitutional.

In a similar vein, it cannot be convincingly argued that Lesotho is not a sovereign democratic kingdom. As I pointed out before, international law only allows interference in the domestic affairs of another country if certain standards, conventions and principles have been violated.

In Lesotho's case, none have been violated, and neither has the Constitution, the Supreme Law. However, this is not to argue that outside interventions and mediations, like those by Namibia and South Africa, are not welcome.

These well-intentioned measures should be done within the parameters of our laws and customs as a sovereign nation. No international organisation or individual state should dictate to any independent sovereign country how it should run its affairs, for as long as it does not violate the above-mentioned principles.

For instance, the rule of law, good governance, and human rights as well as non-aggression, among others, should be observed by such a state, to ensure non-interference in its affairs. Turning to the LCN delegation's alleged gate-crashing of the SADC summit, the jury is still out. We are yet to know what really transpired there and the circumstances surrounding their presence at the summit.

However, a few pertinent questions need to be answered. Whose is it that neither SADC, nor the Lesotho and Zimbabwe gov-

ernments, appeared to know of their venture and message to the summit? Did they have the mandate of the LCN or was there some motive behind this visit, which will come out at some stage, in our country's political history?

Is it proper to steal the thunder, so to speak, of the democratically elected prime minister of His Majesty's government, in far-away foreign lands and at such an august summit? One wonders whether their actions have not done the LCN immeasurable damage in the public domain as a credible and impartial organisation. Had all the local remedies been exhausted? Is it proper to attend a summit without any accreditation? Is it not proper to overtly act for a particular political party or parties, rather than masquerade under the guise of the LCN? Were they acting in their personal capacities or for the LCN, as a collective? These are salient questions that cry out for answers so that this nation and its government can be put in a clear picture.

As for the SADC summit's action, the bloc has set a precedent that I honestly doubt it will follow. History and future events shall judge them. They are not far away, I know.

### Feedback

## LCN now a political outfit



LCN Executive Director Seabata Moshama

The LCN leadership have a lot to answer for. In my view, LCN has turned into an opposition movement. Whether they are intimidated or not, we've lost faith in civic organisations because it looks like they are entrenched in political Ping-Pong.

IT is time Prime Minister Thomas Thabane brings finality to the wrangles currently bedeviling the coalition government. The recent snub Lesotho was subjected to at the recent Southern African Development Community (SADC) summit held in Zimbabwe should serve as a wakeup call to our leaders that these shenanigans have got to end.

Dr Thabane should just honour his end of the bargain with Deputy Prime Minister Mothoajoa Metsing's Lesotho Congress for Democracy (LCD). He is yet to deliver on his promise to end the prorogation of parliament while Mr Metsing honoured his promise to terminate his alliance with the Democratic Congress.

As they say, one good turn deserves another and Dr Thabane should reciprocate to ensure that this country goes back on the path of political and social development. Frank.

The Lesotho Times welcomes readers' feedback on topical issues. The e-mail address is: editor@lestimes.co.ls  
Letters may be addressed to: The Editor, Lesotho Times, A2300 Lower Thabane, Maseru 100.



THIS week I will dedicate this column to a full and heartfelt apology to Acting Chief Justice Tseliso Monaphathi over our monumental goofing with his picture last week.

I sincerely hope the good judge will find it in him to accept this apology and allow us to move on without any further ruckus.

Followers of this column will have noticed a huge error on this page last week in which the good acting chief justice's photograph was published under the wrong caption of one Retselisitsoe Khetsi. The photograph of Deputy Prime Minister Mothetjoa Metsing, aka Mr Marmallow, was mistakenly captioned "Zimbabwean opposition leader Morgan Tsvangirai".

These two tragic errors were not Scrutator's attempt at crude humour. Not at all. These were legitimate errors by a wretched sub editor who slept on the job. I will proceed to explain why I extend a full apology to Ntante Monaphathi and a half apology to Metsing.

Ntante Monaphathi deserves a full apology because, of all bad things that anyone can endure in their lifetime, nothing is bad as being confused with Retselisitsoe Khetsi.

Here is a man who occupied the apex of administrative power at the Ministry of Home Affairs as principal secretary. Here is a man who sold our impoverished Kingdom for a song to that gluttonous group of Israelis who pass under the name of Nikuv International Projects.

Those who care to keep themselves current with the news will know that Khetsi is now in court over allegations that he received a \$5 million bribe in exchange of giving Nikuv a contract worth more than M300 million to print our electronic passports and identity documents without a competitive bidding process as required by law.

The contract is so open ended that Nikuv's executives can wake up on any day and claim more millions for all manner of unverifiable work under their Khetsi inspired contract.

Nikuv has already been lavished with \$300 million of taxpayers but wants more. A few weeks back, the company was in the news for demanding M38 million more for some vague work failing which they would stop printing passports.

The coalition government, that inherited its stinking contract from the previous regime of Mr Size Two, had to go to court to stop Nikuv from implementing its threat.

Scrutator cannot predict the verdict on Khetsi's bribery case. But even if he is acquitted, he will remain guilty in the court of public opinion.

He will particularly be guilty in Scrutator's baria court. He will then have his hands and legs chopped off. Why a man would pass all tender proceedings to land us a deal with a dubious company not known for its best practices in its claimed area of expertise shall forever astonish history.

Because of Khetsi's eagerness to trash any pretense at transparency, already emaciated Lesotho taxpayers are now lumbered with a defective contract that will see them being liked further. All thanks to Khetsi and his love for Israeli chocolates and strawberries.

It is against this backdrop that Scrutator believes that mistaking Ntante Monaphathi to Khetsi is unforgivable. The sub editor responsible for this era deserves his Sharia punishment. Scrutator can confidently assure Ntante Monaphathi that Sharia disciplinary proceedings are underway against the culprit.

You can be rest assured Ntante Monaphathi that Scrutator did not contribute in any way to this error and I absolve myself of any blame. A newsroom pretty much works like airtight with its many players competing for one issue. The judge sits in his chair to hear the case of litigants. After the litigants' lawyers have pulled each other's throats, the judge will consider their arguments and then his judgment.

In the same way, Scrutator's role is only

# Full apology to Monaphathi, half apology to Metsing



DEPUTY Prime Minister Mothetjoa Metsing



PRIME Minister Thomas Thabane



ACTING Chief Justice Tseliso Monaphathi

limited to supplying the article to the production desk. After the editor has approved the article, it's passed on to the production desk where a sub editor must re-read it again and place it appropriately on the page while choosing the right pictures to accompany it.

The page is then PDFed and sent to the printers for printing alongside other pages constituting the newspaper. So there are certainly many players involved. If one of those players turns out to be as wretched as Khetsi, then mistakes will ensue.

This of course does not justify the horrendous mistake of last week. Which is why a full apology to you Ntante is in order.

Another reason why the Acting Chief Justice deserves a full apology is that he is generally a good man. Like our Prime Minister Thomas Thabane, Ntante Monaphathi is immensely handsome.

In fact, Scrutator has heard that whenever Thabane and Monaphathi officiate at the same function, the ladies battle to get either man's attention.

It becomes a real contest of who will probably land the prettiest of them all. Ntante Monaphathi is also a "tell it like it is" gentleman. His condemnation of the many so called lawyers who have proliferated in Lesotho over the years and who operate their practices "from the boots of their second hand car vehicles" was spot on. It's refreshing to have such a candid jurist at the apex of our judiciary.

Despite his admirable record, it's regrettable that Monaphathi will not land the post of chief justice in a permanent capacity.

A previous press report suggested that a South African judge will be imported by Thabane to be substantive chief justice. One can only hope that this is not a result of Thabane's sour grapes over the handsome stakes.

While Scrutator considers it just to grant Monaphathi a full apology, I am not inclined to be so generous to Metsing.

Metsing's photograph was mistakenly published under the name of Zimbabwean opposition leader Morgan Tsvangirai.

Scrutator will only extend a half-hearted apology to Metsing over this error. Confusing Metsing to Tsvangirai should be regarded as an excusable and forgivable error.

You see, Metsing and Tsvangirai have a lot in common. Both gentlemen are immensely out of their depth as politicians.

Tsvangirai won the 2008 presidential elections but ended up as junior partner in a coalition government led by Mugabe.

The 90 year old Mugabe ran rounds and rings over Tsvangirai during the tenure of the entire so called coalition government.

In fact, by the end of the coalition regime in Zimbabwe, Tsvangirai had been proven to be a weak willed, incompetent politician who, just like Metsing, equally deserved the epithet Mr Marshmallow.

In fact Tsvangirai got so enthralled with the trappings of power that he forgot that new elections would follow. Instead of using his position in the coalition government to try and even out the political playing field which had been so much skewed against him in previous elections, Tsvangirai concentrated on bedding one woman after another.

His detractors ended up accusing him of being an "open zip and shut mind" politician. He was consequently trounced by Mugabe in elections last year.

Scrutator sees a lot of Tsvangirai's traits in Metsing. There is of course no suggestion that Metsing has been keeping his pants down for most of his time in the coalition government.

However, it's self-evident that as a politician, Metsing is as weak-willed as Tsvangirai.

Thabane has thus deservedly ran rounds over the deputy prime minister who seems at sea about how to respond to the shrewd and wily ABC leader.

Today Metsing is entering into a marriage with the DC, tomorrow he is renouncing the same to go back to Thabane. Such indecisiveness is the hallmark of Tsvangirai. It's clear that Metsing does not want to call Thabane's bluff.

The DPM is so scared that if he does the right thing; that is completely pull out of the coalition and compel Thabane to call for fresh elections, then his career might be over. So he will whine and whimper in the hope that some miracle will happen and Thabane will start respecting him. That won't happen. Metsing is doomed to remain a junior partner for as long as the coalition exists.

Then there is the issue of Metsing going to court to try and block efforts to have him explain the steady flow of huge amounts into his bank account. As Scrutator said last week, this is one of the most laughable court cases to grace our judiciary since the invention of formal rules of law.

Is Metsing suggesting that it's good for our politicians to amass as much wealth as possible and not be compelled to justify how and why when their conduct inevitably raises eyebrows about the legitimacy of their wealth?

In fact, civilized democracies elsewhere make it compulsory for politicians to declare their wealth before assuming high office. If a politician has earned their wealth honestly and through hard work, then why not just say so and declare the source. Why go to great lengths to try and avoid answering simple and straight forward questions.

Coincidentally, the so called Bib Bravo Construction company, which won lucrative tenders to build roads, and which has been linked to Metsing in past press reports, has reportedly abandoned its projects while running away with our moolah.

One would think that this is more of a reason why Metsing should declare his bonafides and disclose the sources of his wealth as well as explain his alleged connections to this company. But alas, accountability and transparency seem not to exist in the lexicon of Lesotho politicians.

By seeking constitutional legal cover on questions to which he should provide simple and straight forward answers, Metsing has opened himself and his party to speculation and conjecture that may well hurt and haunt them for the unforeseeable future.

Moreso if he loses his case to hide the sources of his wealth as Scrutator, in her wisdom, can predict he certainly will.

Ache!!!

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COMMENT

# SADC has let Lesotho down

THE Southern African Development Community (SADC) and its so-called Organ on Politics Defence and Security have once again proven what ineffectual, inconsequential and comatose institutions they are.

In fact, SADC has taken two fatal decisions in the last two weeks that have proven beyond doubt that the regional body is out of sync with reality and cannot be trusted to act as a custodian of regional peace, security and democracy.

Firstly after a long spell, SADC decided to elevate Zimbabwean President Robert Mugabe to become its chairman. Here is a brutal, murderous dictator who has clung to power through systematic murder, torture and destruction of his once prosperous country. The mayhem Mr Mugabe has inflicted on his own country has made him an international pariah. He is one of only a few African leaders omitted from President Barack Obama's recent venerable US-Africa summit.

But despite Mr Mugabe's ignoble record, SADC saw it fit to elevate him to the bloc's leadership. In fact, if it were not for South Africa and SADC's support, Mr Mugabe would long have been history. The 90-year old dictator, who has made it clear he wants to rule till he is 100, is in line to become the next chairman of the African Union (AU).

Wind back to 1975 when the AU's forerunner, the Organisation of Africa Unity (OAU), saw it fit to award its chairmanship to the buffoonish Ugandan butcher, Idi Dada Amin, whilst he was on a killing spree of thousands of his people and expelling successful Asian business people. What does this all make of Africa's regional and continental bodies? Ordinary Africans cannot look up to them as custodians of their much elusive prosperity and democracy.

Enter Lesotho this week with its coup problems, and we again see evidence of

SADC's fashionable languid approach and persistent fumbling.

Here is a small country with an army commander who has made it clear, in both words and actions, that he will not hesitate to kill to secure his seat. The army commander's dismissal has been gazetted in line with the law but he has made it clear that he will not go. Here is an army commander who brazenly led a putsch, attacking and causing bloodshed in a counterpart security cluster, with whom he should be working to foster peace and security in the country. Here is a commander who has basically evolved into a law unto himself and is effectively holding this country to ransom. "Fire me and I will cause unprecedented bloodshed," is the message Lieutenant General Tlali Kamoli is essentially sending out to King Letsie III, Prime Minister Thomas Thabane, and the whole world.

Sensational danger. The Americans have closed their embassy in Maseru and associated American agencies. They have also sent their citizens into South Africa and let their local workers work from home. When the Americans take such drastic steps, inevitably informed by their excellent and unparalleled intelligence networks, then it's ample evidence that they know something the rest of us don't. The National University of Lesotho has equally taken precautionary measures and shut down indefinitely. Many Basotho remain with either both or one leg in South Africa, unsure whether they should return or not.

While the situation on the surface in the streets appears calm and normal, the actions of many, including the Americans, rightly suggest that trouble is in the air.

We cannot fathom any other scenario that justifies a peacekeeping force than the one we face in Lesotho. Yet SADC refused outright Dr Thabane's request for troops, pre-

ferring to assist him only with his private security arrangements.

In a nutshell, SADC's decision is daft and unacceptable. We are not at all suggesting that SADC should have authorised a wholesale military intervention to engage militarily against Lieutenant General Kamoli and secure Dr Thabane's position. No. But it should be obvious to even the dumbest SADC leader, and the body has quite a few of them, that Lt General Kamoli has effectively created a security vacuum by his attacks and disarming of the police force, many of whose officers have fled the country. It should also be clear that Lt General Kamoli's declaration that "I am not going anywhere" is a recipe for major disaster.

Will King Letsie III, on the advice of Mr Thabane, have to endure the humiliation of rescinding the notice in the Government Gazette and officially reinstate Lt General Kamoli for the sake of peace in the country? If that happens, what precedent will it set? What will happen if any future commander after Lt General Kamoli takes a similar route and refuses to go upon being fired. The only reasonable and logical step is for the King, on the advice of Dr Thabane, to stick to his guns and to fire Lt General Kamoli.

We couldn't agree more with Home Affairs Minister Joang Molapo and Mines Minister Tlali Khasu that the legal notice No. 64 of 2014, appointing Brigadier Masparankoe Mahao, must be respected and Lt General Kamoli must vacate his seat.

While it can be debated on the appropriateness or otherwise of Brigadier Mahao's appointment in light of his court martial. But the fact that King Letsie has the right to make the appointment, on the advice of the Prime Minister, remains unimpeachable. Lesotho Congress for Democracy (LCD) leader, Mothetjoe Metsing, has every right to complain that he was not consulted by Dr

Thabane. But the fact that he was not consulted, again, does not impede the King's right to make the appointment on the advice of the premier. We have repeatedly said Mr Metsing's Coalition Agreement with Dr Thabane is not a legally binding or constitutionally enforceable document. Their Coalition Agreement is a gentlemen's understanding between them. If Mr Metsing is aggrieved at not being consulted, he must take on Dr Thabane and withdraw from the coalition.

It's Mr Metsing's legal right to seek a new partner and form a new coalition toppling Dr Thabane from power if he so wishes. But Mr Metsing cannot stop legal appointments simply because he was not consulted and his party is wrong in saying Brigadier Mahao's appointment is null and void for lack of consultation. This problem in persistently mixing legal and political issues is not taking us anywhere.

The lame SADC brokered agreement, reported elsewhere in this newspaper, does not resolve the core of the crisis here. We have any army commander who has mobilised the army to fight if he is fired. We have an army commander who has no respect for the rule of law as evidenced by many of his recent actions, not least his refusal to handover suspects implicated in the attempted murders of innocent people. We have an army commander prepared to kill anyone who disagrees with him.

Because of all this and a number of other factors, the appropriate way for SADC to deal with the crisis here would have been to at least authorise a peacekeeping force to, among other things, facilitate the return of police officers to their stations and ensure they resume operations, to guarantee the security of all those vulnerable to Lt General Kamoli, and to protect ordinary citizens should he unleash his army for yet another round of bloodshed.

EVERY Mosotho citizen is wondering whether the political bigotry is ever going to stop. We have witnessed an excess of amazing incidents in the legislative assembly such as sit-ins, walk-outs when profound matters such as the amendments to the constitution are being tabled, members sleeping in the legislative assembly and being forcefully hauled out of the house, singing, chanting, and this has bred mistrust of the politicians and what they purport to stand for.

The transformation of our current parliamentary model is not the intellectual property of any political party leader, be it the prime minister and his coalition partners, the speaker of the legislative assembly and opposition parties.

No person acting alone in his/her official capacity should ever imagine in his/her wildest dreams that they can make parliamentary decisions his/her sole responsibility.

Invariably, relationships amongst parliamentarians of the same party, relationships between different parties, relationships between parties with an election pact and coalition partners will have differences, but political relationships defined by differences should not empower people whose sole intention is to

## Is the bigotry ever going to stop?

sow hatred rather than peace and a stable democracy embraced by all Basotho citizens.

In his speech at the Cairo University, in Egypt, the first black president of the United States of America President Barack Obama said it's easier to start wars than to end them, and it's also easier to blame others than to look inward.

President Obama further said it's easier to see what is different about others than what they share and urged people to choose the right path, not just the easy path.

President Obama's sentiments should apply to all peace loving parliamentarians in the legislative assembly and must prevail amongst political parties in our country. The sentiments should also not be seen as an opinion to be debated but rather a fact to be realised and accepted by all politicians.

One of the most common points of contention in the political arena is the commonly used word of an impasse in our politics. Perhaps we need to define and/or identify what a political impasse is basing our arguments and debates on the pro-



### Concerned citizen

visions of the supreme law of the country, our constitution, and the intention of people who drafted it.

Our constitution contains a bill of rights and everybody knows that Lesotho is a free and democratic country governed under or by the provisions of the constitution. People enjoy the right to agree and disagree to things and issues they feel comfortable and not comfortable with, as long as the acquiescence or disapproval is within the confines of the law. We have in the past seen people hurling insults and abuse at each other simply because their friendship or political marriage is over. This has been happening inside political parties on the verge

of a split and after a split. Now, the question that comes to people's minds is whether such an act is tantamount to a political impasse of that particular marriage, pact or coalition or whether it is only a vote of no confidence of the leadership or a divorce.

Be that as it may, political parties are equally expected to follow certain procedures if they suspect and are convinced that other parties are not playing according to the rules.

This country has experienced a series of disagreements between political parties immediately before and after local and general elections, and calling for intervention of the judiciary and/or mediation and conciliation by external parties, and this has been going on since the first democratic elections of this country.

As a matter of fact, disagreements between political parties before and after elections is not unique to Lesotho, it happens all over the world, but the unique feature of our disagreements is that political parties sow hatred

amongst the citizens.

This country may have had a political impasse in 1970 when the then prime minister suspended the constitution, which action consequently led to a civil war, in 1998 when some towns were torched, and the establishment of the Independent Political Authority (IPA) which introduced the current parliamentary model to complement the first-past-the-post model, which was also hotly disputed by opposition parties because of the allocation of parliamentary seats following election pacts.

Be the judge, is the current political impasse a myth perpetuated by opposition to unilateral governance decisions by one coalition partner under the guise of executive authority conferred by the constitution, absence of good faith amongst the government coalition partners, fear of floor crossing or phobia of a motion of no-confidence against the Prime Minister in parliament?

A local pastor of one Pentecostal church says emotions are dangerous if they are not managed, and that emotions are to human beings what traffic signs are to a driver. Emotions, pain, and suffering are the signs of a need to improve and build one's direction.

# Thabane to dissolve parliament

## ... after SADC brokers deal to reopen it on 19 September 2014

Staff Reporters

PRIME Minister Thomas Thabane returned late morning yesterday under heavy South African guard after surviving last Friday's attempted coup led by Lesotho Defence Force (LDF) Commander Tlali Kamoli.

Dr Thabane and his coalition government partners were due to begin implementing a SADC-brokered agreement that compels the PM to re-open Parliament on 19 September 2014 and face a possible no-confidence vote. The Democratic Congress (DC) and Lesotho Congress for Democracy (LCD) remain adamant that they want him out. LCD leader Mofhotso Metsing told the SABC upon his return from Pretoria on Tuesday that he cannot guarantee that Dr Thabane would not face a no-confidence motion as "I am not responsible for parliamentary processes and that all MPs want".

The DC, which was celebrating "victory" after the PM fled to South Africa on Friday, has stated that its first business will be to push for the no-confidence vote as soon as the National Assembly opens.

But instead of facing the certain no-confidence vote, the *Lesotho Times* has been authoritatively informed that Dr Thabane will instead opt to dissolve Parliament soon after a re-opening and order fresh elections. This is realistically the only way Dr Thabane can avoid a no-confidence motion.

Section 83 (1) of the constitution empowers the King, on the advice of the Prime Minister, "at any time, prorogue or dissolve Parliament".

This technically empowers the PM to order the dissolution of Parliament before it considers any motions against him.

Section 83 (b) of the Constitution, also empowers Dr Thabane to advise the King to dissolve Parliament within three days after it passes a no-confidence vote against the government.

But the option of dissolving Parliament under Section 83 (1) presents less legal hurdles for the PM than doing it after the passing of a no-confidence vote in terms of Section 83 (4).

With no money to conduct elections within the three months designated by the Constitution, after the dissolution of Parliament, Dr Thabane would probably attain more time to prolong his stay in power and re-align his strategies before facing a fresh national vote.

But Dr Thabane would also have to clear the hurdle presented by Section 83 (a), which empowers the King to refuse to dissolve Parliament if he considers that such a dissolution would not be in the interests of Lesotho, on the advice of the Council of State.

However, with the Council of State seemingly having more Prime Ministerial sympathisers or appointees, Dr Thabane could easily overcome that hurdle.

Sources say it is now impossible to avoid a dissolution of Parliament in as much as it is possible to avoid its re-opening on 19 September 2014.

The PM and his coalition partners, Mr Metsing of the LCD, and Thesele Maseribane of the Basotho National Party (BNP), signed a confidential declaration in Pretoria at the weekend, witnessed by President Jacob Zuma and SADC executive secretary, Stergomena Mafema, in which they agreed on the steps leading to the re-opening of Parliament (see the confidential agreement below).

The declaration compels the three coalition parties to hold a joint meeting of their executive committees on 3 September, meet with King Letsie on 5 September "to advise him in lifting the prorogation of Parliament" and to ensure the re-opening of Parliament on 19 September 2014.

The meeting of the executive committees took place as scheduled yesterday and its spokesman,

Home Affairs Minister Joang Molapo, described it as an important "confidence building measure".

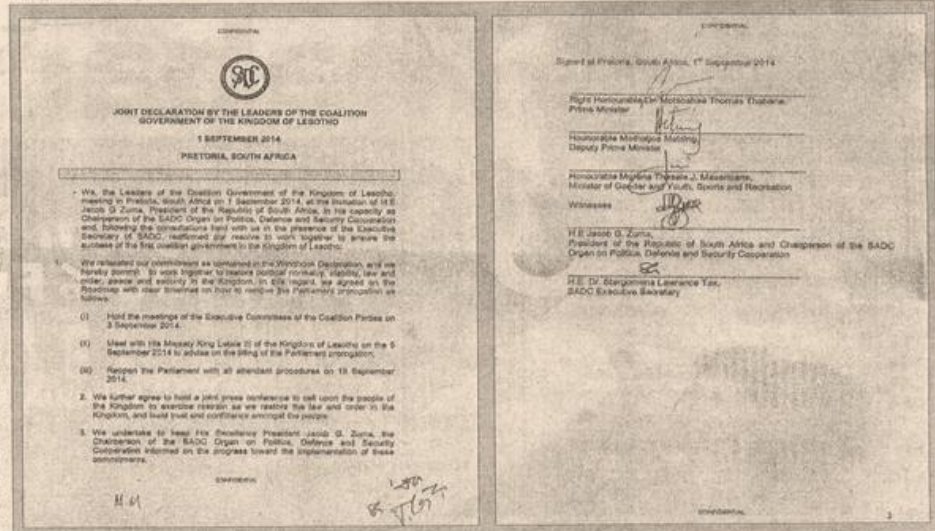
However, the animosity between the LCD and ABC remains palpable and it seems clear that Dr Thabane cannot believe any promises not to pass a vote-of-no-confidence against him, effectively making dissolution just after Parliament re-opens, inevitable.

A huge contingent of South African Police Service (SAPS) and South African National Defence Force (SANDF) members helped Dr Thabane return and are now securing his official residence and office.

In fact, uniformed, heavily armed SAPS officers stood guard at the entrance of State



FROM left Mcho Malie, Mofhotso Metsing, Thomas Thabane, Jacob Zuma, Thesele Maseribane, Mofhotso Metsing and Mofhotso Malie in Pretoria at the signing of the declaration (below) to re-open parliament.



### House yesterday.

There was a mini-scuffle earlier when the South African police and army tried to remove all Lesotho Defence Force (LDF) soldiers from State House and the latter tried to resist but gave in afterwards, presumably because of the sheer sizeable numbers of the South African security contingent.

The significant presence of the South African security personnel will most likely guarantee Dr Thabane peaceful nights, for now and possibly deter LDF Commander Kamoli from taking any further military action against the PM.

Kamoli attempted a coup last Friday when he deployed the army to disarm the police, who are loyal to Dr Thabane, and tried to seize the PM from State House to frog-march him to the main Radio Lesotho station to force him to announce that he had quit.

However, Dr Thabane, whose bodyguards had been on alert for trouble ahead of an announcement to fire Kamoli and had been tipped by their friends within the LDF who knew of Kamoli's plan, and not by SA special forces as some media reports have claimed,

managed to flee to safety in Ladybrand, South Africa, before the soldiers pounced.

While Dr Thabane is now under heavy SA guard, SADC has also deployed a "technical unit" that is assessing the situation to report back to the mother-body.

Dr Thabane managed to secure good SA security for himself after failing to get the military intervention he wanted to stabilise his impoverished kingdom.

Still the visible presence of SA security personnel is not mollifying Basotho, with many still expecting trouble if Dr Thabane insists on firing Kamoli, as his aides say he will.

The LDF commander has said he will fight to the last man despite reportedly planning to also lodge a court challenge against his dismissal.

The National University of Lesotho (NUL) has been shut indefinitely and the US closed its embassy and associated agencies and deported citizens to SA while locals are working from home.

Dr Thabane was whisked through the border in two discreet ordinary Lesotho government bakkies late yesterday morning.

When his official long motorcade of black limousines passed through the border and caught everyone's attention, the premier was already at his official residence.

Several SAPS and SANDF members, some in vehicles marked VIP Protection Unit, had arrived late on Thursday to prepare for Dr Thabane's arrival.

Commissioner of Police Khothatsa Thosana also returned under heavy SA police guard.

He addressed a press conference late yesterday, guarded by uniformed SA soldiers, and called all police officers, who had abandoned their stations, to return to work (see story on Page 4).

Maserrankoe Mahao, who was appointed new LDF commander on Friday but survived an attack on his house during Kamoli's coup bid, insisted that he was now commander and talks were underway between Dr Thabane and the SADC delegation in Maseru for a "roadmap leading to a change of command" (see story on Page 10).

Kamoli has nonetheless vowed to fight to the last man and the nation awaits his next actions with much anxiety.

# Tšooana implicates Metsing in army attack



COMMISSIONER of Police Khothato Tšooana speaks during a press conference at Police Headquarters yesterday

## Keiso Mohloboli

Lesotho Mounted Police Service (LMPS) Commissioner, Khothato Tšooana, says members of the Lesotho Defence Force (LDF), who raided three Maseru police stations at the weekend, had demanded dockets relating to the on-going corruption investigations against Deputy Prime Minister Mothetjoa Metsing.

Commissioner Tšooana also told the *Lesotho Times* that the soldiers had asked for information about police investigations into the bombings of his Ha Abia home and those of two Moshoeshe II families on 27 January this year.

The Commissioner—who fled to South Africa alongside fellow senior police officers soon after the army stormed Maseru Central, Police Headquarters and Ha-Mabote Police Station on Saturday morning—further said the soldiers demanded dockets regarding investigations into the shooting of Lisebo Tang and Tšepo Jane near LDF Commander Lieutenant General Thali Kamoli's Ha Leqele residence on 10 May this year.

Tang died on the scene of shooting, while her friend, Jane was injured and taken to the Makoanyane Military Hospital. Police reports suggest the vehicle in which they were sitting, was shot 123 times by soldiers guarding Lieutenant General Kamoli's home.

Commissioner Tšooana insists the LDF's claims that Saturday's raid was to confiscate firearms the police were about to give to All Basotho Convention (ABC) youths, which go by the name Under The Tree Army (UTTA), were "completely untrue".

According to the LDF, UTTA wanted to use the arms to confront protesters taking part in a Lesotho Congress for Democracy (LCD)-organised march, which had been scheduled for Monday this week in Maseru.

The protest was meant to put pressure on Prime Minister Thomas Thabane to lift the nine-month suspension of parliament, the ABC leader asked King Letsie III to effect on 10 June this year. Dr Thabane decided to suspend parliament at the height of his dispute with LCD leader, Deputy Prime Minister Mothetjoa Metsing, who accused him of

not consulting him and fellow coalition government leader, Theleso Maseribane of the Basotho National Party (BNP).

"The LDF's claims are completely unfounded; there is no way that a national security institution such as the LMPS can support a political party with government arms. We know and respect the law and the principles which rule this institution. There is no way that the police can compromise their integrity and professionalism by giving away arms to untrained political groups," Commissioner Tšooana said.

The "real" reason why the LDF members raided the three nerve-centres of police operations was to take away evidence which implicated them and Mr Metsing, Commissioner Tšooana said.

"When they came at around 3am on Saturday, the soldiers smashed a radio-room at Police Headquarters, and took away keys which then allowed them access into the whole facility, and also police vehicles and motor-bikes.

"They didn't even bother to disguise themselves during these attacks, and right now, they are driving branded police vehicles and motor-bikes, while wearing their army

uniform," he said.

Giving a detailed account of the attack, which the prime minister has since called a coup attempt, Commissioner Tšooana said: "The report I received from the officers who were on duty at the Police Headquarters, was that when the soldiers swarmed in, they ordered them to get the criminal dockets of Deputy Prime Minister Mothetjoa Metsing, as well as those of eight LDF suspects, who the police have been trying to interview but without success, on the bombing of my home and those of two Moshoeshe II families. The soldiers also wanted the dockets we have on the shooting of Lisebo Tang and Tšepo Jane, who were attacked near Kamoli's Ha Leqele residence early this year.

"I was also told that in addition, the soldiers were looking for me personally, and searched all over the place after noticing my Lexus vehicle, which was parked on the premises. Fortunately, I wasn't on the premises, which I believe is the reason why I am alive today."

Commissioner Tšooana said he had been trying to contact Lt Gen Kamoli "for almost a month" regarding the handover of soldiers

who were on duty when Tang and Jane's vehicle was sprayed with bullets, resulting in the death of the former.

"I had been contacting him for about a month, asking him to handover the soldiers who were on duty at his home on the night Lisebo Tang and Tšepo Jane, were shot.

"He never responded, although I had also made him aware that the office of the Director of Public Prosecutions (DPP) had given us a directive to arrest those suspects.

"Again, when conducting an operation the way the army said it was doing, why kill people? One police officer was killed during Saturday's raid at Police Headquarters, and scores of others injured.

"The soldiers also then put the body of the dead police officer in my Lexus, and then left him there. Is that how you conduct an operation?"

Commissioner Tšooana accused Lt Gen Kamoli of being "disrespectful because on Saturday morning, his soldiers were also seen at State House looking for the prime minister, and also at Chief Theleso Maseribane's home. This clearly shows he was unhappy that he had been fired as LDF Commander the previous day, and was looking for revenge.

"This man has no respect for the law and His Majesty because the legal notice published in the Government Gazette on 29 August 2014, which appointed Lieutenant General Manparankoe Mahao as the new LDF Commander, was approved by His Majesty King Letsie III himself."

Commissioner Tšooana also alleged there are continuing raids on LMPS members' homes and the Police Training College by the LDF "where soldiers stole police uniform".

"We don't really know where they are taking our uniform to and I would like to urge Basotho that the police are currently not in uniform until an official announcement has been made about the issue."

"If you see anyone in LMPS uniform before the announcement, just know that person is not a police officer. These soldiers want to use our uniform to commit crime, and then accuse our members of that criminal act."

Asked if the LMPS was siding with the ABC in the party's dispute with its coalition government partner, the LCD, Commissioner Tšooana said: "Police officers or authorities don't attend ABC secret meetings and never drive vehicles belonging to ABC-led ministries.

"But Basotho have witnessed soldiers driving Ministry of Local Government and Chief-tainship and Ministry of Communications, Science and Technology vehicles.

"This nation should make its own judgement as to which security agency is indeed politically being used."

Commissioner Tšooana further indicated it was "disappointing" to hear some government ministers "spreading propaganda" that the police authorities attend ABC secret meetings "while suspects of the three bombings which happened in January were the ones who have been seen with Metsing."

Commissioner Tšooana said he would only come to Lesotho, and that the police return to duty, once the security and political situation returned to normal.

"We cannot secure people's lives when we are not secure ourselves. It is our great hope that SADC (Southern African Development Community) and all stakeholders will intervene and bring the state back to normality."

# Majara appointed new chief justice

## Tefo Tefo

JUSTICE Nthomeng Majara has been appointed Lesotho's new chief justice.

Justice Majara (51) takes over from Justice Tšeliso Monaphathi, who has been acting chief justice since April 2013.

Justice Majara's appointment as the head of the country's judiciary is with effect from 28 August, 2014, according to a Government Gazette Legal Notice No 59 of 2014.

Asked for more information on this development yesterday, High Court and Court of Appeal Registrar, Lesitsi Mokeke said he was not aware of the appointment.

"This is news to me because I have just come out of a meeting with Justice Monaphathi, where we were discussing administrative issues in his capacity as the Acting Chief Justice."

"I think he is also not aware of this development. If he had known, I don't think he would have called me for the meeting.

"I am really not aware of the new developments; it's news to me."

Meanwhile, the Office of the Chief Justice, on Tuesday issued a statement lifting the suspension of all court operations, which had been indefinitely stopped the previous day due to the country's political unrest.

Part of the statement reads: "All Honourable Judges, Magistrates and Court Presidents shall continue to discharge their judicial functions in accordance with Section 118 of the Constitution of Lesotho 1993 and in accordance with their judicial oath of office despite the circumstances prevailing in the country.

"Stern action shall be taken against anyone who disrupts or in-

terferes with the administration of justice in the Kingdom of Lesotho."

However, some High Court and Maseru Magistrate's Court staff left before midday yesterday, saying they feared for their lives due to the absence of the police, who normally provide these institutions with security. Members of the Lesotho Mounted Police Service suspended their operations last Saturday after three police stations in Maseru had been attacked by Lesotho Defence Force personnel, who claimed they were on a special operation to confiscate firearms the police allegedly wanted to illegally give to members of the All Basotho Convention (ABC).

"It is not safe here; we are aware that there is an instruction to come to work, but there is no assurance that we will be safe," said some of the workers, but they left the premises "going home".



Bongwe Zihlangu

# Metsing behind coup attempt: 'Maseribane

**BASOTHO National Party (BNP) leader, Thesele Maseribane, has accused Deputy Prime Minister (DPM) Mofeteng Metsing, of being behind Lesotho's current turmoil "to cover up his acts of corruption and avoid accounting for his actions".**

Chief Maseribane — whose party and Mr Metsing's Lesotho Congress for Democracy (LCD) and the All Basotho Convention (ABC) led by Prime Minister Thomas Thabane, formed a coalition government after the 26 May 2012 general election had produced a hung parliament — told the *Lesotho Times* this week that the country would not be in its current political and security instability had it not been for the DPM.

According to Chief Maseribane, who is also the Minister of Gender, Youth, Sports and Recreation, Mr Metsing was allegedly on a mission to destabilise the coalition government to avoid being hauled before the courts of law to answer for his corruption charges.

Mr Metsing briefly appeared before the Maseru Magistrate's Court last month, alongside five others, charged with defrauding Maseru City Council of M53 million, but the case was immediately withdrawn. He later said this was to conduct further investigations. The LCD leader is also locked in a legal battle with the Directorate on Corruption and Economic Offences (DCEO), over its acquisition of his banking details from Standard Lesotho Bank and Nedbank Lesotho, as part of the corruption investigations against him. The DCEO has demanded that Mr Metsing explain the source of funds, amounting to M440 000, deposited into the two accounts between April 2013 and January 2014 but the premier has refused, preferring to petition the courts over the matter.

In papers filed before the Constitutional Court on 11 August 2014, Mr Metsing wants the acquisition of his private banking details declared illegal and a violation of his family and private life. The DCEO has since filed its intention to oppose Mr Metsing's application.

According to Chief Maseribane, last week-end's invasion of Maseru Central, Police Headquarters and Ha-Mabotho Police Station by members of the Lesotho Defence Force (LDF), which Dr Thabane has since described as a coup attempt, was allegedly orchestrated by Mr Metsing to derail the investigations and also to ensure the removal of the coalition government, which has vowed to fight corruption regardless of who might be caught in the anti-graft crusade.

Speaking to the *Lesotho Times* from South Africa, where he and Dr Thabane fled to on Saturday morning soon after the army's invasion of the three police stations, Chief Maseribane said Mr Metsing had "plunged Lesotho into instability and uncertainty by masquerading as an advocate of democracy and insisting that Dr Thabane should lift the prorogation of parliament, when in actual fact, he is avoiding to be exposed".

"Metsing would rather plunge this country into uncertainty, in order to avoid answering his corruption cases," Mr Maseribane charged on Monday, telling the *Lesotho Times* he was still in hiding in South Africa as he feared for his life. He has since returned home under heavy South African police guard alongside Dr Thabane and others.

The LDF plan, according to Chief Maseribane, was to abduct him and Dr Thabane, and



LESOTHO'S coalition government leaders flanked by SADC member state representatives.

then announce the dissolution of the two-year coalition government.

"The intelligence we received was that the soldiers wanted to abduct me and the prime minister, together with Metsing. Only in Metsing's case, it was going to be a ruse because he was part of the plan. They wanted to kill us, but by the time they came looking for us on Saturday morning, we had already gone, and we were now in South Africa," Chief Maseribane said.

According to the BNP leader, Mr Metsing had allegedly pleaded with him and the premier to stop any investigations against him in exchange for cancelling a demonstration Mr Metsing's party had planned to stage earlier this week to pressure Dr Thabane to lift the prorogation of parliament.

The demo, which had been scheduled for Monday, was subsequently cancelled after the police refused to sanction it for fear it would spark violence. Dr Thabane requested King Letsie III to prorogue Parliament on 10 June 2014. This was at the height of Dr Thabane's dispute with Mr Metsing, who accused the premier of failing to consult him and Chief Maseribane when making key decisions pertaining to government, in the consultative spirit of their alliance.

"Metsing came to us last week, saying he was appealing to us to withdraw the cases

against him and that in exchange, his political party would drop the march," Chief Maseribane said.

"However, we were shocked when we learnt of the plans by the military and that he was part of it."

Chief Maseribane also told the *Lesotho Times* that last week, Mr Metsing visited him at his Maseru West home, where they had a bitter exchange over the issue.

"He swore to me that by this week, Thabane would no longer be prime minister. He looked me in the eye and told me point-blank that in a week's time, Thabane would no longer be prime minister and I was shocked," Chief Maseribane said.

The BNP leader added instead of "lying to the public", Mr Metsing should be honest about his reasons for pushing for the lifting of parliament's prorogation because as far as he and the BNP and ABC were concerned "he is not genuine".

"This whole mess revolves around Metsing's corruption cases but he's now hiding behind the issue of a prorogued parliament. Why can't he just tell people the truth?"

"Tell me: why is he not telling the public what we discuss behind closed doors? Why does he also not speak openly about his corruption cases, in a similar manner he does with the prorogation issue?"

Meanwhile, Chief Maseribane also revealed during a meeting he, Mr Metsing, Dr Thabane, and South Africa's President Jacob Zuma held in Pretoria on Sunday, the LCD leader was asked why soldiers who raided the three Maseru police stations demanded dockets relating to his corruption cases.

"After being asked that simple question, he looked at the floor, and could not even stroke his eyebrows. The man could not even defend himself on this."

"He was also asked that in light of the current military takeover of police institutions, and the subsequent escape of his coalition partners into South Africa, if he had expressed any concern for their security, but he could not say much on this one either."

"I, Thesele Maseribane, told the meeting that since the PM and I fled the country on Saturday, Metsing had never called to check on us, an indication that he knew everything about what was happening," Chief Maseribane said.

"I also told the meeting that his silence was weird because under normal circumstances, he is such a humble, sweet and generous person, who cares about other people's welfare. But not this time."

Repeated efforts to get Mr Metsing's side of the story were fruitless until the time of going to print late last night.

## It's all over for coalition govt: analysts

Bongwe Zihlangu

THE alliance between the All Basotho Convention (ABC), Lesotho Congress for Democracy (LCD) and Basotho National Party (BNP), which saw the three parties forming a government in June 2012, is all-but over.

This is according to analysts who spoke to the *Lesotho Times* this week, in the wake of a bitter fallout between the LCD and ABC leadership over the weekend raid of three Maseru police stations by members of the Lesotho Defence Force, which led to Prime Minister Thomas Thabane fleeing the country and seeking refuge in South Africa.

Both the ABC and BNP leaders, Dr Thabane and Thesele Maseribane respectively, claim the LCD was behind the raids and have since called the army's actions a coup attempt.

According to the analysts, the fact that the Southern African De-

velopment Community (SADC) has recommended that Dr Thabane should, on 19 September, lift the nine-month suspension of parliament he implement on 10 June, spells the end of the ABC/LCD/BNP government.

Dr Thabane decided to suspend parliament to forestall an attempt by the main opposition Democratic Congress (DC) and other opposition parties in parliament to pass a vote-of-no-confidence in his leadership and government.

However, the prorogation of parliament angered the LCD leaders, who accused the premier of not consulting his fellow principals when making key decisions and relations between the two parties have continued to sour ever since.

The LCD has since made it clear it would be joining the DC and other opposition parties in calling for the premier to step down when parliament resumes on 19 September, hence the analysts' suggestions that the end is nigh for the coal-

ition government.

The National University of Lesotho (NUL) political science lecturer, Dr Motlamele Kapa, yesterday told the *Lesotho Times* he was not sure if the parties were still in alliance, considering events of the past few days.

"I'm not sure if we still have a coalition government, as we speak. The only thing that can be done now, is to implement all the agreements and recommendations and enact laws," Dr Kapa said.

"What remains thereafter, is to dissolve parliament and call for a fresh election that will give birth to a new government."

However, according to Dr Kapa, as things stand, "Lesotho is a country that holds no guarantees for anyone".

"Nobody's position is guaranteed, nothing is guaranteed. Unless agreements are implemented, there are no guarantees."

Dr Kapa added although the cur-

rent tension and instability were not "ideal for democracy to thrive", the environment, however, serves as "a fertile ground for processes to be speeded up".

"Maybe this crisis is the catalyst we need. As things stand now, this atmosphere is conducive for agreements to be implemented," Dr Kapa said.

An analyst from the NUL department of social sciences, Mr Tlohang Letsie, reiterates Dr Kapa's sentiments, but puts it more bluntly.

"This is the beginning of the end for the coalition government. The opening of parliament, in my view, only paves the way for a new coalition government between the LCD and the Democratic Congress (DC). Parliament's reopening on 19 September will only serve the sole purpose of removing Thabane (through a no-confidence vote)," Mr Letsie said.

"But again, that coalition government between the LCD and DC might not even last more than

three months, which will then possibly lead to a fresh election.

"We shouldn't even talk about constitutional reforms at the moment, but think about the possibility of a new coalition government being formed when parliament resumes."

Asked if the LCD, ABC and BNP leaders could still work together following this chain of events and war of words, Mr Letsie said: "Although the assumption is that they might try to work together, I don't see it happening."

However, Tshepo Peshoane of the Transformation Resource Centre (TRC) differs in opinion, saying the current coalition government leaders can still work together because "where there is a will, there's always a way".

"The TRC believes that the current govern leaders can work together, but with the facilitation of a mediator. Without the aid of a mediator, they will not make it," Mr Peshoane said.

# Cops come out of hiding

Lekhetho Ntsukunyane

**STAPLER**  
The Lesotho Mounted Police Service (LMPS) resumed operations late yesterday after having been suspended on Saturday following violent clashes between its officers and members of the Lesotho Defence Force (LDF).

Addressing a press conference in Maseru yesterday afternoon, LMPS Commissioner Khothatsao Tšooana, said officers would resume duty with immediate effect.

Commissioner Tšooana — who arrived in the country at around midday yesterday from South Africa, where he and fellow senior police officers had fled following Saturday's attacks on Maseru Central Police Station, Police Headquarters and Ha-Mabote Police Station by LDF personnel — further said an inquest into the assaults would be launched, and those responsible held to account.

One police officer was killed at Police Headquarters during Saturday's attacks, which began simultaneously at the three police stations at around 3am.

Prime Minister Thomas Thabane, who fled to South Africa on Saturday morning to seek help, has since called the LDF attacks an attempted coup.

Commissioner Tšooana further said members of the South African Police Service (SAPS) and South African National Defence Force (SANDF) who accompanied him, fellow senior LMPS officers, Dr Thabane and Sports Minister Thesele Maseribane from Pretoria yesterday, would provide additional security in Lesotho until the situation stabilised.

"We are calling on all police officers to return to work with immediate effect. As soon as we settle down in our respective offices, our investigations into what transpired on Saturday will begin," he said.

Commissioner Tšooana revealed police firearms and those being kept as exhibits for pending court cases, were taken during the LDF attack, which saw the army personnel occupy the three police stations until around 10:15am on Saturday.

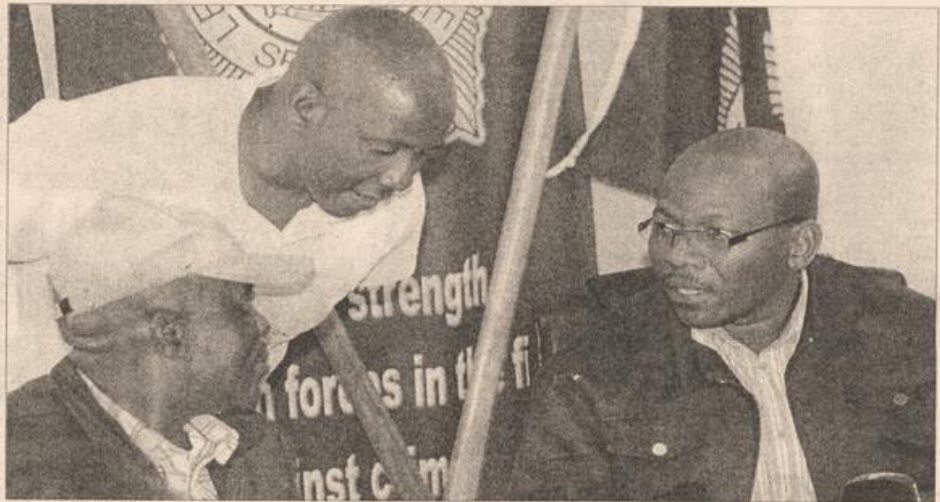
"We have since noticed that the army confiscated 44 assault rifles belonging to the police, and many other weapons which were to be used as evidence before the courts of law.

"The army also took away cases of Savannah (cider) and Coca Cola (soft drink) and four cell-phones, which were also exhibits.

"They took some keys to our offices, cars and motorbikes and further drove away in police vehicles, including the one I normally use."

Commissioner Tšooana further said the soldiers demanded docket and files pertaining to high-profile cases the police are currently investigating.

## South African army and police to provide Tšooana additional security until the situation 'normalises'



FROM left DPC Masupha Masupha, Police PRO Lebona Molebosi and Compol Khothatsao Tšooana yesterday during a Press Briefing at Police Headquarters.

"The dockets included those pertaining to Deputy Prime Minister Mothejosa Metsing's corruption cases, and others which involve some senior-ranking members of the LDF.

"They managed to get some of the dockets, but not all of them."

The police chief further said during Saturday's attack, nine police officers were badly injured, while one sub-inspector, Mokheseng Ramahloko, was shot dead at Police Headquarters.

Commissioner Tšooana further explained the presence of the South African police and army at Police Headquarters and the streets of Maseru yesterday.

"The decision that the SAPS and SANDF

members should be here was taken at the highest level during a meeting held in South Africa on Monday this week.

"They are here for security purposes, and we will not reveal more regarding their presence and when they are leaving. Let's just say they are here on a mission."

However, police sources told the *Lesotho Times* that the South Africans had come to replace members of the LDF, who normally guard the premier's official residence, State House, as well as his office at the Government Complex.

The sources further said the South African forces were also here to ensure the safety of Southern African Development Community

(SADC) delegates who arrived in Lesotho yesterday to monitor the country's political and security situation.

"Some of the South African police and soldiers were assigned to keep an eye on some ministers and government officials who just came back from South Africa where they had sought refuge after Saturday's raid by the LDF.

SADC, which sanctioned the coming of South African soldiers and police here, want to make sure the politicians and our senior officers are safe because there is no guarantee at the moment, that the soldiers will not repeat the same attacks again," added the source.

# Religious leaders call for 'peaceful' dialogue

Lcutka Chafotsa

The Lesotho Catholic Bishops Conference (LCBC) has called for peaceful dialogue between the country's feuding parties, and also urged the international community to ensure stability returns to the troubled kingdom.

Addressing a media conference in Maseru yesterday, Bishop Augustinus Tumaole Bane urged the three political parties in government and security agencies to resolve their differences without resorting to violence, emphasising the need to exercise "restraint" in their actions.

The ruling All Basotho Convention (ABC), Lesotho Congress for Democracy (LCD) and Basotho National Party (BNP) are fighting to keep their two-year-old coalition government intact, while the Lesotho Defence Force (LDF) and Lesotho Mounted Police Service (LMPS) are also locked in a fierce struggle which has resulted in the death of one police officer.

Bishop Bane, who was flanked by Bishop Joseph Mopeli Sephamola, Archbishop Tlali Gerard Lerotholi, Archbishop Emeritus Bernard Mohlalasi, Bishop Emeritus Sebastian Khorai, and Bishop John Thibomola at the press briefing, said it was possible for the feuding parties to live in harmony once again.

"The Lesotho Catholic Bishops Conference has learnt, with the greatest dismay and shock, that there were military op-

erations in the early hours of 30 August, which seized several key police stations in Maseru.

"One police officer was brutally killed and several others injured in the operations.

"We are also aware of the latest political developments and political impasse in Lesotho; the escape on Saturday of Prime Minister Thomas Thabane and his partner in the coalition government, Thesele Maseribane, as well as other citizens due to the military operations; the state of anarchy and lawlessness resulting from the shutting down of police services, and the shutting down of the judiciary and other public services," Bishop Bane said.

"The LCBC has also followed very closely, exchanges in the public domain between and among parties involved in the impasse.

"These exchanges do not inspire hope among Basotho, so we call on the national leadership to exercise restraint as the country goes through this difficult time.

"We call upon all the parties to respect their commitment to work together to restore security and political stability in the Kingdom," said Bishop Bane.

Bishop Bane it was not too late for the feuding parties to find each other once again.

"Lasting peace is still possible, only if justice is done to the legitimate concerns and expectations of all the parties in-



ARCH Bishop Tlali Lerotholi

volved. "This is why dialogue is so important in the process of peace-making," Bishop Bane said,

adding the international community and civil society also had a duty to ensure there is peace and stability in Lesotho.

# Opinion & Analysis

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## Army 'coup' was politically-inspired

AS our tiny democratic kingdom of just two million citizens bade farewell to a usually cold winter season, and in the wee hours of Saturday morning, something unusual happened.

To be precise, it was at 3am, with the usually serene nation preparing to usher in the season of spring, after the previous three days' biting cold front from the Cape.

An yet to be verified number of Lesotho army soldiers staged an utterly unprovoked attack on fellow citizens, the police barracks and other targets.

Ostensibly, the soldiers were displeased with the fact their erstwhile commander, Lieutenant General Tlali Kamoli, who has for months been in a silent cold war with Prime Minister Thomas Thabane, his boss, was about to be served with a dismissal letter and in fact, a government gazette had been issued the previous day, Friday, appointing his foe to become the new army commander, thereby terminating the former's time at the helm of the kingdom's army.

By the crack of dawn, all police stations in the capital including the prime minister's official residence, had been entirely surrounded by soldiers armed to the teeth and with their armoured vehicles.

Saturday morning's silence was disrupted by the eerie ringing of multiple gunshots with early risers forced to take cover in their houses from the heavy gunfire, and afraid to venture outside.

For many, efforts to establish the reason for the sudden attacks among the various local stations was to no avail.

My little transistor radio could locate some of the local radio stations except the Roman Catholic Church Radio Station.

My sixth sense told me the army had staged a coup d'etat, thereby overthrowing a democratically-elected coalition government.

I am fortified in my view that it was a coup because there had been palpable tensions between the army and the police, read government, for months.

For some time now, soldiers been seen driving around town heavily armed after sight of their fellow officers were summoned by Lesotho Mounted Police Service Commissioner Khotsoiso Tsoana, through the courts, to assist in investigations surrounding attacks on three Maseru homes.

One of the homes attacked belongs to Commissioner Tsoana and the other to Dr Thabane's partner.

Months prior to this Saturday's development, I had expressed disquiet with the conduct of the erstwhile army commander who, in blatant insubordination, continued with the court martial of a fellow army officer yet Dr Thabane had dissolved it.

I lamented that this was a symptom of two centres of power or shall I say, too many chefs in the kitchen.

Furthermore, Lieutenant General Kamoli had publicly defied the arrest warrants for eight of his officers issued by the country's courts.

It was during these months, and amid palpable tensions, that the Lesotho Congress for Democracy (LCD) made several of many attempts to destabilise the government that it is strangely a part of.

Despite being part of the governing coalition, in June the LCD formed an alliance with its erstwhile enemy, the Democratic Congress (DC).

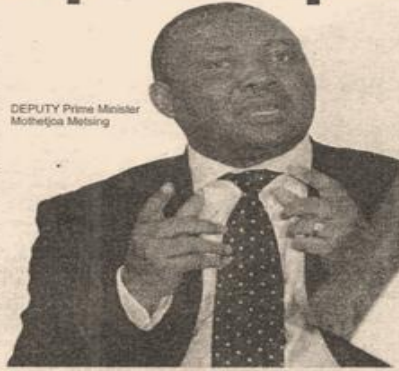
The LCD protested strongly that the main partner in their governing coalition, Dr Thabane, made critical governance decisions without consulting them such as hiring and firing people in strategic positions and the prorogation of Parliament.

This column had stated that Dr Thabane and his all Basotho Convention (ABC) should be wary of Deputy Prime Minister Mofetjha Metsing and the LCD as a reliable partner.

Below are some of Mr Metsing's prevarications to show his political immaturity and unreliability as a political partner.

Months prior to the 2012 general elec-

DEPUTY Prime Minister Mofetjha Metsing



### Utloang Kajeno

tions, Parliament was on the verge of installing him as the interim prime minister to oust then Prime Minister Pakalitha Mosisili, the man chickened-out on the day a no-confidence vote was to be passed.

MPs were left with egg on their faces by Mr Metsing's sudden change of stance, at the eleventh hour, without any notice.

After the May 2012 general elections and still smarting from Dr Mosisili's ousting him from cabinet, Mr Metsing, agreed to form a coalition government with Dr Thabane. Rumour has it that despite having agreed to the deal, Mr Metsing again at the eleventh hour, considered reverting to Dr Mosisili and dump the ABC and Basotho National Party.

“

Dr Thabane stressed that he had never ordered the army to seize the police bases and his official residence. And Ditto Mr Metsing who disputed the ABC and BNP's leaders' view and the rest of the world's view that this was a coup. Instead, Mr Metsing insisted there was no coup

If it were not for the timely intervention of some LCD heavyweights, the man would possibly have forsaken the coalition.

It was sheer pressure from party stalwarts that made Mr Metsing honour his end of the deal.

And as testament again to the man's fickleness, as a politician at least, in Windhoek, Namibia, in July, Mr Metsing again pledged his allegiance to the ABC-BNP alliance, this time again dumping Dr Mosisili.

However, upon his return from Windhoek, Mr Metsing announced to the world the best partner was the DC.

This he said whilst still having his hopes in the ABC-BNP camp. In all honesty, I

have lost count of the number of times the LCD has changed loyalties in the past two years.

Getting back to the political inspiration behind Saturday's coup, one needs to look no further than the utterances of the two main coalition partners, ABC and LCD.

Foreign television and radio stations quoted Dr Thabane and BNP leader, Thesela Maseribane, from their hiding place in South Africa saying there had been a coup because the army acted on their own without the premier's command as the commander in chief.

Dr Thabane stressed that he had never ordered the army to seize the police bases and his official residence.

And Ditto Mr Metsing who disputed the ABC and BNP's leaders' view and the rest of the world's view that this was a coup. Instead, Mr Metsing insisted there was no coup.

How he plays his cards and forms his opinion and therefore makes statements on behalf of his party, only he knows.

To have Mr. Metsing for a partner is risky. That is why Dr Mosisili never seems to take him seriously, never mind anybody. I would be doing Ntate Metsing an injustice if I do not illustrate his fickleness, as a politician, by relating this anecdote.

A man escapes to a quite and peaceful island with his family on a boat to evade wars on the mainland.

When he reaches the island of paradise, he sets alight the boat, so that it may not fetch the rest of his followers, as he had promised.

However, immediately before the slowly burning boat burns to ashes thereby being immobilised, to his utter chagrin, absolute peace returns to the mainland and inter-ethnic wars start on the island that he has since sought refuge.

He therefore and his family have no means of returning to the tranquil of his former home.

He is therefore caught in the wars. In my book that is Ntate Metsing. He will forever remain a fickle politician.

By this illustration I am not saying he is responsible for stimulating the coup. Far from it!

But his utterances and at times, utter animosity to the coalition government of which he is a senior partner, coupled with the endless court cases against the coalition may have emboldened the coup plotters to see a friend in him and the hugely discredited congress movement.

Remember he and the congress movement were at the forefront of calls for mass demonstrations to re-open Parliament and push for a no-confidence vote in the coalition government.

A coup d'etat in common parlance across world, save for Ntate Metsing and a few like-minded people, is a forceful usurpation of government by the military with a view to taking-over majestas, that is control, of a country.

Mr Metsing is being overtly and dangerously disingenuous in saying this was not a military coup. How else does he explain the fact that the military were all over the capital fully armed on the day.

There were also no radio stations on air. Dr Thabane, Chief Maseribane and other senior government officials had all skipped the country except only for guess who?

Mr Metsing was the only one in town. If it was not a coup why was the new army commander's home attacked and the prime minister's official residence besieged by heavily armed soldiers?

It does not need a rocket scientist to discern that the coup, flopped only because

His Majesty signed the gazette dismissing the army commander. In fact, the dismissal on the recommendation of the Prime Minister, might have strongly stimulated the coup.

Secondly, the entire world, Southern African Development Community (SADC) and, particularly, South Africa came out strongly against the overthrow of a democratically-elected government.

SADC can come down harshly within hours, with their overwhelming military might on the Kingdom's tiny army of probably a few thousand, who however, have a false sense of belief of self-importance.

The majority of the Basotho nation are heavily against the staging of a coup, considering that the coalition government had, in every step it had taken, been following the letter of the law and the Constitution.

It is also noteworthy that not everyone in the army was for the coup. It was in effect a small section that was for it.

Future coup leaders be warned! Never in future take power by the barrel of the gun. The consequences are too ghastly to contemplate. It will fail.

# Does Lesotho really need an army?

**T**HE events in this country since last Friday are indeed tragic. Yet another innocent person has lost a life to Commander Tlali Kamoli's prosaic mindlessness. This time, it is Sub Inspector Ramahloko Mokheseng, an innocent policeman who was just performing his national duty when Kamoli's men were let loose. Only a few weeks back, it was Lisebo Tang, a 20 year old, with a whole future and world ahead of her. Her only crime was to be in the company of her boyfriend who mistaken with members of the police force, purportedly on the hunt for Kamoli.

How long will it take for all this madness to stop? Regardless of where one stands politically, all Basotho must of necessity agree on one thing: Kamoli attempted a *coup d'état* last Friday.

**W**hen soldiers leave their barracks and force the leader of a country to flee, when soldiers attack any security cluster perceived as supporting the same leader who has been forced to flee and disarm the cluster's members, there is simply no way of describing it all than calling it a straight forward coup.

Yes Kamoli did not intend to implement a 100 percent coup, but he got what he wanted; humiliate the prime minister into seeking refuge in a foreign land, disarm those members of the security forces loyal to him and of course kill an innocent man in line with what is fast becoming his hallmark.

Thabane might be back and pretend to be in charge. But with Kamoli's guns threatening to blaze over him, the PM will remain ineffectual and inconsequential. He will have to spend most of his time looking over his shoulder.

**T**his is not Lesotho's first attempted coup. It probably won't be the last. Hence my question; do we really need an army in this country? If so, what for? Does a country which lives in the womb of another deserve to have an army? If so for what purpose?

Who is ever going to come and want to invade Lesotho? Even if any other country invaded, how will it bypass South Africa to reach us and evade the mighty South African National Defence Force (SANDF)? The answer to all these questions is zilch. Lesotho does not need an army but an effective police force to oversee internal policing arrangements?

National armies primarily exist to protect their countries and citizens against external threats. Lesotho faces no external threat. The only country that can invade us is South Africa, the neighbour that wholly surrounds us.

If that where to ever happen, then we stand a chance even if every Basotho of fighting age were to be given a fire arm. Lesotho simply does not have the financial wherewithal to build an effective army as only an eighth of the SANDF. If South Africa invaded us, we simply have to throw our hands in the air.

So I again ask the question, do we really need an army? Another possibility of Lesotho justifying any army is in the event of us having to invade another country? But again, for what reason? We could never invade South Africa for instance. Neither could we march through South Africa to reach any target of invasion furthest.

**K**amoli would also never dare invade any other country, lest he be exposed for what he is; a small time terrorist with requisite experience or military firepower to defeat any other country. You see, killing your own countrymen and causing unnecessary bloodshed among your own is much easier than tackling a foreign enemy no matter how weak.



PRIME Minister Thomas Thabane (left) with Lt General Tlali Kamoli (centre) in this file picture.

Ask Idi Amin, Uganda's former butcher. It was easy to kill 300 000 plus of his civilians than face a few hundred troops from Tanzania's Julius Nyerere who then forced Amin to flee Kampala in humiliation.

The fact remains that we have no cause, reason or capacity to invade another country. We have no cause, reason or capacity to be invaded. We therefore simply don't need any army.

There is nothing for anyone to seize power here for yet we have had more coups or coup attempts than Nigeria. At least in Nigeria they have the petro dollars and the generals there have always regarded coups as the easiest way to access the national cookie jar. But still, coups have long stopped in Nigeria. The world has changed. One of its achievements, despite its perennial ineffectiveness, is the African Union's blanket refusal to tolerate coups.

**L**esotho's army has a propensity for coups simply because it has nothing else to do. We don't need this army but an effective police force to ensure peace and tranquility? We only need any intelligence service insofar as it should try to sniff out criminals before they commit their acts. But such a service should fall squarely as a department within the police force.

With nothing else to do and with no external threats to face, our trigger happy soldiers can only kill their fellow citizens. How tragic.

**W**hy not emulate the only other country, San Marino, who just like us, is wholly surrounded by another, Italy. San Marino has no regular army. It occasionally assembles voluntary military corps to perform only ceremonial duties and to offer the police limited support. The only other country (though not in the correct sense of the word) wholly surrounded by the other is the Vatican, also in Italy. No prizes for guessing why it does not need an army.

Few other countries don't have active armies in the world but small effective police

forces, the Alpan enclave of Liechtenstein being the other good example. All these small countries have one thing in common, they are very small and very rich. Their citizens are happy because they never have to endure trigger-happy soldiers.

**T**he Lesotho Congress for Democracy (LCD) and the Democratic Congress (DC) are being shortsighted in their defence of Kamoli. Yes he may assist them in their short-term ambition to topple Thabane from power, but the question they should ask themselves is; What happens afterwards? They must always know that if you create a monster, that monster will eat you one day.

As we have seen in the entire Thabane, Metsing, Maseribane matrix, political relations can sour very easily. The head of any army is a political appointee. What if it becomes Metsing or Mosisili's future turn (whoever becomes prime minister) to fire Kamoli and the latter refuses with the threat to cause mayhem.

The DC and LCD's defence of Kamoli are simply childish and unfortunate. Pakalitha Mosisili, as the leader of the official opposition

is wrong in maintaining a callous silence over the weekend atrocities.

What Kamoli did at the weekend was evil. What authority does he have to disarm

tions to save his job. His coup attempt is as bad as the prorogation that the DC and LCD so much loath. But while Kamoli's actions are plain illegal and he one day shall have to be held accountable, the prorogation of parliament is a perfectly legal move allowed by the constitution.

**Y**es we may not like it. I personally don't like it as it is too draconian. But the correct course of action for all those who don't want it is to use channels of legal law making in Parliament (when it finally reopens) to ensure the repealing of the law allowing prorogation.

No words can perfectly describe the LDF's dastardly weekend actions. Scrutator sees no difference between what the LDF soldiers did and what the barbaric terrorists of the so called Islamic State (ISIS) are doing in beheading innocent civilians in Iraq and Syria.

It is the constitutional prerogative of any sitting Prime Minister to replace the head of army or police.

It's Thabane's right to appoint whomever he deems fit as army commander. If Kamoli is aggrieved by his firing, he ought to, at least use the legal process to challenge his dismissal just like Attorney-General Tsokolo Makhetha and Director of Public Prosecutions Leaba Thetsane have done, even though he stands no prospects of success. Using the courts will show that he can use brains than brawn, albeit infrequently.

**T**o resort to strong arm tactics to save his job is taking barbarism to Boko Haram levels. Yes, Parliament will ultimately re-open. Thabane may be toppled. Kamoli may secure his job in an LCD/DC alliance. But that will never justify his actions.

All the people he has killed in his manoeuvres, will not have died in vain. They were not killed in any noble mission to protect this country. They died because one man has elevated his ego and ambition to above the national interest.

Their souls will not rest in peace. They will seek justice. One day, they will indeed get it. You can get away with anything Commander Kamoli, but you cannot get away with murder done under your wasteful command.

Ache!!!

scrutator266@gmail.com



the police?

His parading of arms seized from the police, to justify his actions on the pretext that these feeble arms were going to be used against LCD protestors is as equally feeble as it is shabby. It is a pathetic self-serving attempt to defend the indefensible.

**I**n any event, how were the police going to use these arms on a protest that they had refused to authorise. The fact is Kamoli created this excuse to justify his coup attempt and avoid being fired.

The fact is he wanted to create an excuse to kill the man who had been gazetted to replace him. The fact is an innocent policeman has been killed in pursuit of Kamoli's ambi-



# Why government is in such a mess

## Communications Minister and Lesotho Congress for Democracy (LCD) Deputy Spokesperson Selibe Mochoboroane speaks out on the fallout from the leadership of the LCD, Basotho National Party (BNP) and All Basotho Convention (ABC), who formed a coalition government in June 2012

LESOTHO is in turmoil after members of the Lesotho Defence Force (LDF) started three key police stations in Maseru, and also allegedly tried to kidnap ABC leader, Prime Minister Thomas Thabane and BNP leader, Thabane Maseru, on Saturday morning.

In Thabane and Chief Maseru's bid to South Africa on Saturday following the army's move, where they sought the Southern African Development Community (SADC)'s intervention to restore order in the country.

Dr Thabane only returned to Lesotho yesterday at around 11am, after appearing to a number of engagements by the SADC aimed at resolving the crisis, among them opening parliament on 19 September, which he suspended for nine months on 10 June this year.

The protagonists were covering one of the many issues that had impeded the LCD leadership.

In this wide-ranging interview with the Lesotho Times (LT) reporter Lechebo Mochoboroane, Mr Mochoboroane, who is also the Deputy Spokesperson of the LCD, sheds more light on how the tripartite partnership fell apart in such spectacular fashion.

**LT: Could you please take us back to where and how Lesotho's current political crisis started.**

**Mochoboroane:** Basically, the present situation in the country was caused by the type of government we have today.

You will notice that this is the first time, not only in Lesotho, but the entire SADC (Southern African Development Community) region that we are having a tripartite coalition government.

This simply highlights that we should have had a solid foundation before we engaged in it. Instead, we should have prepared laws and streamlined out agreements in place between the three parties from the onset.

But that also would not have been enough if the three leaders (Thabane of the ABC, Maseru of the BNP and Mochoboroane of the LCD) would not commit themselves to abiding by the set principles.

This, in a nutshell, is what I believe went wrong with our coalition government, and why we find ourselves in our current situation.

**LT: Could you explain how the three leaders violated the terms of their Coalition Agreement, which they signed in June 2012.**

**Mochoboroane:** The prime minister was the one who first showed deviation, remaining on many issues the three partners had agreed on at the beginning.

When Thabane broke his word just two days after the coalition partners had not for the first time to agree on how they were going to administer this country.

They had agreed from the onset that the cabinet would comprise of 11 ABC members, 10 from the LCD and two from the BNP, adding up to 23, but Ntse Thabane, just two days later, submitted 14 names from the ABC, six from the LCD and three from the BNP.

I will tell you that we, the LCD, were so angry we even recalled our members from duty abroad.

We sat Ntse Thabane down to ask why he had gone behind our backs. The entire Principled Chief and a prominent businessman I won't mention by name, were inter-



WRITER of Communications, Science and Technology Selibe Mochoboroane

vised to advise Ntse Thabane.

He then understood, regretted and reversed his decision.

**LT: What other promises did the partners make?**

**Mochoboroane:** Just as we thought Ntse Thabane had heard our word, he went on to renege over the agreed proposition of the three parties' members in the Senate.

It had initially been agreed that out of 11 Senate he should submit to be sworn into the Senate, five would be from the ABC, four from the LCD and two from the BNP.

He agreed to submit our bills and submitted only one name from the LCD.

And that, you will notice from the current composition of members, we only have the Minister of Foreign Affairs and International Relations, Mphahle Kenneth Tshole.

On this one, he was not even allowed to reverse his decision.

And while all this happened, we thought the PM would eventually come to his senses and at least communicate with his supposedly right-hand man, the Deputy Prime Minister (DPM), but things went from bad to worse.

**LT: What happened next?**

**Mochoboroane:** You will recall from media reports that the PM, all of a sudden, made a shocking unilateral decision to take the Lesotho Highlands Water Project away from the control of the Ministry of Energy, Manufacturing and Water Affairs, with help from the LCD.

He wanted to take the project, together with the PS (Principal Secretary) under our ministry — how wrong!

He intended to surround himself with his PS under his ministry because he already has four principal secretaries.

We then wrote him a very strong letter giving him an ultimatum of 14 days to reverse that decision or face the consequences. And he did

turn to the DC for partnership!

And still, what Ntse Masing did was to let go of the project and left it under the control of his other two partners.

But that did not mean he was happy, neither were the LCD executive members.

And unfortunately, what eventually happened was that the project, which could have improved the country's economy, stopped simply because things did not go according to plan.

**LT: You once mentioned some disagreement between the LCD and the PM over the allocation of staff at Lesotho's embassies.**

**Mochoboroane:** Exactly. Again, against the coalition partners' agreement, Ntse Thabane wanted to employ the entire work force at embassies on his own, and along political party lines.

This was despite the fact that the partners had agreed that the only political appointments would be ambassadors, DAs (District Administrators) and principal secretaries.

But he insisted that other embassy positions, like consuls, must be appointed based on political affiliation. Look at what has just happened in Durban.

Our consulate there, although currently still under investigation for corruption, disrespects any other Lesotho authority, save for the man who put her there, and that is Ntse Thabane.

She doesn't even comply with instructions from Ntse Thabane, the minister (if through official requests).

If it was not for Ntse Thabane's persistence, things would have been much worse.

He advised the PM against the unilateral decision to make political appointments at the embassies, alerting them the consequences, and Ntse Thabane would like listen.

**LT: So is this the reason why the LCD then decided to form an alliance with the main opposition Democratic Congress (DC) in June this year, with the aim of forming yet another coalition government?**

**Mochoboroane:** Before I answer your question, I would like to explain exactly that eventually led to our agreement with the DC.

You will recall that there was a big issue over a no-confidence motion against the PM in the National Assembly (NA) in March this year.

That motion was clearly filed by the leader of the Basotho-Batho Democratic Party (BBDP), Jeremane Ramathobane.

The DC later advised it had voted in support of the motion. We saw again, that some ABC members were behind the motion, as they eventually crossed the floor in parliament and quit the party.

You know what the ABC did? They shifted the blame on us. They accused the LCD of being behind the motion, in support of the DC, when in actual fact, none of our members in parliament supported the motion but they use us.

Media houses will bear witness how I went around condemning the motion.

The LCD worked so hard to save the coalition government at that time, but what we get in return were accusations from the very people we had saved.

**LT: So when did you actually**

turn to the DC for partnership?

**Mochoboroane:** Around the time of the motion, the PM again, with the advice of the Basotho Congress group of ABC supporters that allegedly advised Dr Thabane and without consulting with the DPM, secretly approached the King and recommended the prorogation of parliament (for nine months from 10 June 2014 to 27 February 2015).

But the King was quick to ask him where his partners in the coalition were.

The King had rejected that recommendation after consulting the other partners didn't know about it.

Through frustration, the PM was the one to approach the DC first and tried to court them into forming government and replace us, but he was rejected.

**LT: How did you know the PM was courting the DC?**

**Mochoboroane:** We actually saw him meeting with DC leader Palesa Mphahle, in the office of Mphahle Mphahle (DC deputy leader).

Ntse Masing was present when we observed the meeting, although we did not know that what they were discussing.

But it later emerged in a DC press release that Ntse Thabane had tried to make a deal with them. However, Ntse Masing refused to form any partnership with the ABC.

This was when we realized how bad the situation was. It was now clear to us that Ntse Thabane no longer wanted to partner with the LCD.

And we approached the DC as well to attempt a partnership, that under Ntse Thabane, we didn't hide that we intended to form an alliance with the DC.

We wrote to all relevant stakeholders to inform them of our intention. We even wrote to the SADC to notify them.

And just a day before we had intended to sign a coalition agreement, Ntse Masing, President Mphahle and Ntse Masing arrived in Lesotho and advised us to go back to the negotiating table and discuss our failed with our coalition partners.

We headed for table and negotiated our new relationship.

**LT: What happened next?**

**Mochoboroane:** The PM again went back to the King to advise him to prorogue parliament.

This time, the King complied because based on the law, he should prorogue the parliament with the advice of the PM.

If he had refused, it would have appeared like he had wavered before.

But that didn't mean we were satisfied because he had again, not complied with us.

Following this, President Palesa had invited the coalition leaders of Ntse Masing as he tried to mediate over the fallout.

And there was a document the leaders signed on 31 July 2014 in Windhoek to try to end this whole fiasco.

The PM signed that he was going to let parliament's prorogation within 14 days. The DPM, on the other hand, understood he was giving us a chance to re-engage, which Chief Justice Mphahle signed that he would make sure the other two partners abide by their commitments.

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**LT: So when did you actually**

... continued on page 21.

# Why government is in such a mess

From page 16

They came back and while the LCD announced in public it had cancelled its partnership with DC, the PM could not open the parliament.

And the consequence of refusing to open the parliament was that Lesotho failed to get the chairmanship of the SADC Organ on Politics, Defence and Security Cooperation.

It was made clear even prior to the SADC summit in Victoria Falls (last month) that if the Lesotho parliament was still prorogued, we would not be awarded the chairmanship.

This was discussed at the Council of Foreign Affairs Ministers a day before the summit.

**LT: Is this the reason why the LCD had planned a street demonstration on Monday this week?**

**Mochoboroane:** Yes. We now had to put pressure on the PM to reopen the parliament. It should be emphasised that even at the SADC summit, the PM was instructed to lift the prorogation.

But he said, in his own words at ABC rallies, that he would not reopen it.

These words were echoed by Chief Maseribane at his rally in Maseru constituency

that parliament would not be reopened.

The then made a decision to embark on the demonstration on Monday this week, to show our displeasure at the prorogation.

**LT: Following Saturday's events, which saw the army clash with the police, the LCD now stands accused of using the military to stage a coup d'état against the government. The LCD is also being accused of behind the army raids on the three Maseru police stations on Saturday in order to frustrate police investigations into Mr Metsing, who is being investigated for possible corruption. What is your take on these allegations?**

**Mochoboroane:** People are entitled to their own opinions; it is their democratic right. But the fact of the matter is the army conducted an exercise they said was an operation to disarm the police, following allegations that the police were going to issue their weapons to some people so that these individuals would cause chaos at our demonstration.

Maybe the fact that the demonstration was going to be led by the LCD, made some people suspicious, and when it was called off,

some people thought, we had now decided to use the military to stage this so-called coup.

I refuse to accept that it is a fallacy. And coming to cases of corruption you said Ntate

Metsing is facing... I recall just one where the DPM himself filed a constitutional matter against the DCEO (Directorate on Corruption and Economic Offences) and others.

The other case you might be referring to, which I was also cited as a respondent, was cancelled before the Maseru Magistrate's Court.

However, we maintain we are not afraid of any case we are accused of.

We are not afraid of the courts of law, we have been there before. And what shocks us is that the people are made to believe that the DPM is corrupt, while in fact, there is documentary proof that Ntate Thabane's estranged wife is being paid a total of M656,646.00 (a year) from his office.

You should bear in mind we are talking about a lady who is not even part of the civil service.

**LT: On the issue of the LDF, who is the commander as far as the LCD is concerned?**

The reason why I am asking you this is that last week, there was a gazette issued, which indicated that Lieutenant General Tlali Kennedy Kamoli had been fired and replaced by Lieutenant General Maaparankoe Mahao.

This issue has created a lot of confusion and generated intense debate

among Basotho. So as the LCD, what is your take on this?

**Mochoboroane:** Lieutenant General Tlali Kennedy Kamoli remains in charge of the Lesotho Defence Force.

And we won't let anyone else occupy that position unless it is through proper channels.

We will not let Ntate Thabane go behind our backs again and, from outside the country, nominate someone to become the commander without cabinet's approval.

We have now come to a no-go area. It is time the PM learns how to consult with us for the betterment of this nation.

**LT: So what is the way forward? Where to now for Lesotho?**

**Mochoboroane:** It was agreed during the weekend meeting in South Africa, where the three leaders, Ntate Thabane, Ntate Metsing and Ntate Maseribane, met with President Jacob Zuma and others that parliament will be reopened on 19 September 2014.

The three leaders also agreed to meet the King on 5 September 2014, and advise him to lift the prorogation and reopen parliament on 19 September 2014. Let's stick to that roadmap and see what happens.

## News

# LCD no-show delays roadmap

SECHABA MOKHETHI

**M**ASERU – Efforts to draw a roadmap that will help pave way for the re-opening of parliament were dealt a devastating blow yesterday after the Lesotho Congress for Democracy (LCD) excused itself from talks by the coalition parties in government.

The LCD leader Mothetjoa Metsing, the All Basotho Convention (ABC)'s Dr Motsoahae Thomas Thabane and Basotho National Party (BNP) leader Chief Thesele Maseribane agreed during a meeting in Pretoria, South Africa, on a roadmap with clear timelines on how to remove the prorogation of parliament.

Speaking to *Public Eye* yesterday, the ABC spokesperson Tefo Mapesela said the executives of the three parties in government were supposed to meet to prepare for the re-opening of parliament but the LCD did not show up.

He indicated, "They only sent their chairman, Thabang Pheko to deliver a message excusing themselves from the meeting."

Although Mapesela was not sure whether the LCD's absence

was motivated by good or bad faith, he emphasised the dire importance of the talks.

He stressed the crucial talks could not be missed for individuals' engagements as "... those who attended also had engagements but had to leave them behind".

Mapesela further outlined that after the meeting, the partakers were supposed to release a joint statement disclosing their stance to the public, but this also failed.

According to Mapesela, all the coalition parties do not have a problem with the re-opening of parliament, but before this happens, a way should be paved to ensure its sustainability.

He added all the partners also agreed to look into measures that would sustain the coalition government until 2017 when the next general election is held and also to restore national security.

There was also need to address complaints by the LCD that Prime Minister Thabane was not consulting the other coalition government partners when making decisions of national importance.

"We have to review the coalition agreement and see

issues that can be included in the national constitution, issues that can facilitate and ensure the success of coalition governance in Lesotho," Mapesela indicated.

"Opening of parliament should well be planned for, so that we don't open it this week and dissolve it the next week," he noted.

Mapesela also acknowledged there were still misunderstandings on how the coalition should be run as this was not catered for in constitution, adding parliamentary standing orders also did not talk to the issue of coalition governance.

"We find some of the partners talking of the coalition agreement while others talk of the constitution, so these should be harmonised for the sustainability of this government."

Asked to comment last night, the LCD deputy secretary general Tšelisio Mokhosi told *Public Eye* his party's absence from yesterday's talks was a result of engagements by some members of their executive.

"We do not have a problem with the talks. In fact, they are what we want, it's only that some of our members could not make it," he said.

"We are five and four of us

inclusive of myself who were engaged in some other issues during the time which the talks were supposed to carry on. There is no problem as they have decided to adjourn the meeting to Monday next week at 2pm," Mokhosi explained.

"Even as we are speaking, I am still busy in office and I maintain we do not have problems with the talks. According to yesterday's meeting, we have one voice with our partners that the parliament should be opened."

According to the joint statement made by the leaders in Pretoria, the coalition leader will meet His Majesty today to advise him on the lifting of parliament prorogation. This means if this is done, the decision to re-open parliament will be made before the roadmap is drawn.

However, the BNP spokesperson Machesetsa Mofomobe speaking to *Public Eye* on Wednesday this week said if the parties agree on the roadmap, then parliament would be re-opened, "but if they don't agree, parliament will not open on that date".

"We as BNP already have many question marks. Why should we open the parliament yet the most important issue



ABC spokesperson Tefo Mapesela

that caused the current situation has not been addressed, being an attempted coup, with suspects also not apprehended?" questioned Mofomobe.

"So we are saying these issues must first be addressed – the attempted coup de tat, the chasing of the prime minister, LDF command, police security. They must all be addressed before the issue of re-opening of parliament."

# Leader

## Limbo in Lesotho: Actually it's personal

A swift and stern SADC reaction looks to have calmed the political stand-off in Lesotho, although the real test will come now that Prime Minister Thomas Thabane is at home. But what's to stop another crisis in the Mountain Kingdom, especially when all its leaders are desperately trying to save their own skins?

By SIMON ALLISON

The exile of Lesotho's Prime Minister Thomas Thabane did not last very long. On Saturday, Thabane fled Lesotho to Ladybrand, a quiet *dorpje* in the Free State. A few days later he went back home.

That was the plan, at least, following Monday's emergency talks led by South African President Jacob Zuma, in his new role as chairperson of the SADC Organ on Politics, Defence and Security Cooperation. Held in Pretoria, the talks brought together the three leaders of Lesotho's bickering ruling coalition, including the PM and his troublemaking deputy, Mothetjoa Metsing.

In a statement released after the talks, SADC said that all three leaders had agreed "to restore political normalcy, stability, law and order, peace and security in the Kingdom", and to issue a joint statement appealing for calm. They also agreed to come up with a timeline to get the country's Parliament up and running again.

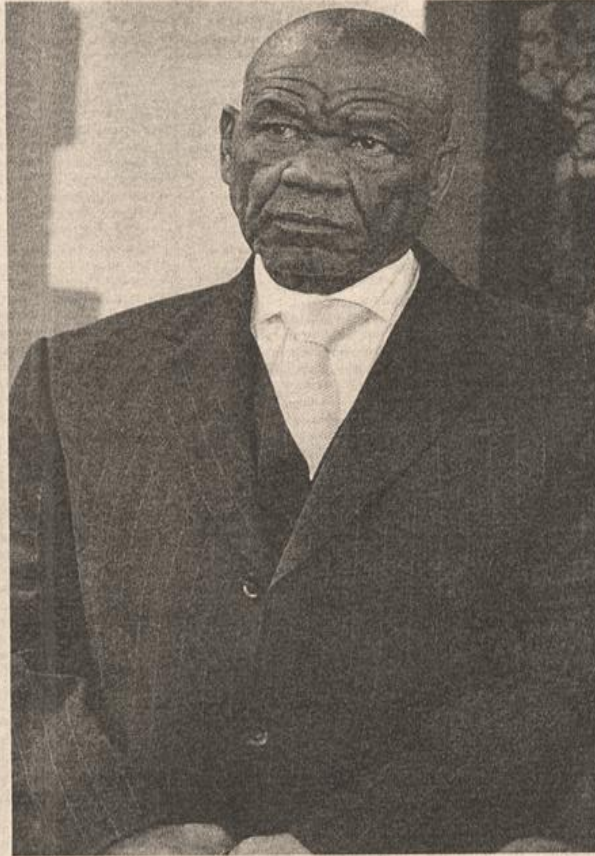
But even as Thabane made it home – just ask Madagascar's still-exiled-in-Joburg Marc Ravalomanana – Lesotho is still left in a seemingly intractable political crisis, with no easy way out. Someone is going to have to compromise.

Compromise, however, is an unfamiliar concept to the key powerbrokers in Lesotho's fractured polity. Instead, they're all looking to save their own skins, regardless of the consequences for the country they profess to love.

Take the Prime Minister himself, whose decision to suspend Parliament in June infuriated his political opponents. And fair enough too – they were about to propose a vote of no-confidence against him, a vote which Thabane knew he would lose. Rather than accept that his days in office may now be numbered, Thabane opted to shut down his country's entire legislative wing.

Or take Deputy Prime Minister Metsing, who wasted no time in declaring himself in charge following Thabane's escape on Saturday. Metsing leads the third-largest party in Parliament, and it's only with his support that Thabane's ruling coalition has enough seats to govern. But Metsing isn't content to play second fiddle – he's been agitating for more power within the coalition, and when that was not forthcoming began to flirt with the major opposition party. And his motivations might run even deeper than that. Metsing is facing major corruption charges over dodgy tenders and mysterious deposits in his bank account, with his trial due to begin in a week.

Then there's army commander Lieutenant-General Tlali Kamoli, who led Saturday raids on police stations and Thabane's house. He denies that



he staged a coup, arguing that he was doing his duty in preventing the police from arming a radical new political group. But it just so happens that Thabane was planning to sack Kamoli, and the Lieutenant-General got word of his impending dismissal the night before. Regardless of Kamoli's political affiliations, the timing indicates that his primary motivation may simply have been to cling on to his job.

So far, so predictable. Politicians aren't exactly renowned for their selflessness. But something will have to give if Lesotho is to fix this mess. There are short-term solutions, but all involve someone losing power.

One option is for Thabane to recall parliament. He is reluctant, because he knows that vote of no confidence will be the first order of business. This would force him out of office and instigate a new round of coalition-building. Another option is for the government to be dissolved and snap elections called. Thabane's not too keen on this either – the last few months have not been good for his popularity. But neither is Metsing, who knows that the biggest winner in any new election will be former Prime Minister Pakalitha Mosisili, who is now leader of the official opposition.

While the politicians have been

quabbling, one curiously quiet figure has been King Letsie III. Lesotho is a constitutional monarchy where the king is head of state. Like the British Queen, however, this position is largely ceremonial. He doesn't have much legal power – but that doesn't mean he doesn't have a role to play.

"He's the hidden force that no one's talking about," said John Aerni-Flessner, an assistant professor of African History at Michigan State University, and a specialist on Lesotho. "It's hard to disentangle where the King sits. Legally he doesn't really have much to do with the day to day running of things. But in reality the King holds a far more important position than the Queen does in England. Lesotho really is a small place...the King is certainly meeting with people and talking with people and backing who knows who."

For now, SADC and South Africa's swift and stern response to the crisis in Lesotho looks to have contained it. Talk of a coup is receding as it becomes clear that the army did not intend to seize control entirely, and there is hope for a negotiated solution. This relies, however, on compromise coming from somewhere. Can Lesotho's leaders put their country's interests before their own? Or will quiet King Letsie III have the final say? DM

### VERBATIM



"We have not yet finished the compilation of guns stolen during the LDF attack. It is also of importance to announce that suspects were released from holding cells during the attack." - Deputy Police Commissioner Masupha Masupha



"Lieutenant General Mahao has been appointed as the commander of the armed forces and we expect the army to comply with this decision, irrespective of the current situation where he is not in office." - Home Affairs Minister Chief Joang Molapo



"The commanders' team went to Lesotho to talk to Lt Gen Kamoli about the situation in Lesotho. And it's clear that the LDF released the statement raising issues that were not part of those that were discussed in this meeting." - SADC Organ on Politics, Defence and Security director, Lieutenant Colonel (Lt Col) Tanki Mthae

"Likuena have left for Burkina Faso today (Thursday) at 9:30am and will arrive there on Saturday, the very same day the match takes place. And again the fact that we are travelling with passenger's flight will see the team arriving home on Wednesday, the very same day their match against Gabon takes place at Setsoto Stadium." - LeFA executive committee member Thabo Pule

"Parliament prorogation is a constitutional tool and it can't just be suspended by a declaration, that's more like paralling our Constitution to an agreement. That is degrading this country." - The Basotho National Party (BNP) secretary general, Lesojane Leuta

"Thorisso was killed like a dog. The most painful thing about this whole issue is that the suspect was never arrested nor questioned because the police are not working." - Mathakane Sentšo, a villager from Sekoting, Ha Lebele

## News

# Zuma imposed re-opening of parliament: BNP official

KANANELO BOLOETSE

**M**ASERU - The Basotho National Party (BNP) secretary general, Mr Lesojane Leuta, has said the re-opening of parliament has been imposed on the coalition government by President of South Africa and chairperson of the SADC's Organ on Politics, Defence and Security, Mr Jacob Zuma.

This comes after Zuma met with a delegation of the coalition government that included prime minister Dr Thomas Mosisoahe Thabane, deputy prime minister Mr Mofemotse Metsing and gender, youth, sports and recreation minister, Chief Thebele Maseribane following the recent political and security developments in the country.

The leaders have released a joint statement pledging to work together to remove the parliament prorogation and re-open the august house on September 19.

"The meeting reiterated the commitment contained in the Windhoek Declaration,

in which the leaders of the coalition government committed to working together to restore political normalcy, stability, law and order, peace and security in the Kingdom. In that regard, the leaders of the coalition government agreed to expeditiously implement the declaration, by removing the parliament prorogation, in particular," the statement read.

But speaking to *Public Eye* in an interview on Wednesday this week, Lesojane indicated that the BNP has always had reservations on the Windhoek Declaration as it did not reflect the mandate of the party.

He indicated he was disturbed that Zuma had reviewed the Declaration and imposed it on the tripartite government leaders.

"We have always been clear that the Declaration was signed on behalf of the BNP without proper consultation with the party's national executive committee. We still maintain that it is not consistent with the policy position of our party," Leuta said.

The Windhoek Declaration was signed by BNP's deputy leader, Chief Joang Molapo, representing the party on July 30 prior to the SADC Summit in Zimbabwe on August 17.

It was signed before the then chairman of the SADC Organ on Politics Defence and Security, Namibian President Hifikepunye Pohamba, who was mediating in political problems within Lesotho's coalition government.

The signature by Molapo gave rise to public spats from some party members who contend that he acted outside party policy and mandate.

Lesojane noted, "It is quite irritating that the Declaration which was ignored and duly superseded by the SADC Summit has been brought to life again. It must be clear the Summit is superior to the Organ."

He added: "Parliament prorogation is a constitutional tool and it can't just be suspended by a declaration, that's more like parading our Constitution to an agreement. That is degrading this country."

According to Leuta, Thabane

was in the first place cheated into signing the agreement in Namibia.

"We as the BNP had meetings where we tried to bring different heads to map a way out of the current coalition problems that would be taken as the party's standpoint. Our leader, Ntate Maseribane had chaired those meetings twice, and then amidst all these, somebody cheats all our efforts and sneaks to Windhoek to sign a declaration," he said.

"When we requested the minutes of that meeting with President Pohamba, we were asked what we were going to do with such minutes because the Declaration has already been signed. The Prime Minister was cheated into signing that declaration."

In an earlier interview with *Public Eye*, Chief Molapo had indicated, "I have tried to stay true to the principles of 'Mosheshoism', which is the founding philosophy of our party."

He noted, "We sometimes take long-term decisions when people might like us to take a

short-term view. The BNP fully supported the reason for the Prime Minister's prorogation of parliament. We also as the BNP know the vital role that parliament plays in legislating and overseeing the work of the executive branch. We therefore want to see parliament restored to its proper status."

Meanwhile, the BNP spokesperson Mr Machesetsa Mofomobe told *Public Eye* in Wednesday this week there are things that need to be addressed before parliament can be re-opened.

"The people that tried to overthrow the government must be dealt with first. First things first; why must we be hurried into re-opening parliament?" Mofomobe charged.

"It has also been agreed that the executives of the coalition meet today (Wednesday), and that means we are at liberty as the executives to decide our own way out of the current situation. What will be the importance of today's meeting if it is not meant to give us a platform to decide for ourselves our own future?" he quizzed.

A fuming Mofomobe indicated they cannot allow to be stereotyped and be made to think 'the Pohamba and Zuma way'.

The coalition leaders are today expected to meet with His Majesty King Letsie III to advise him on the lifting of the parliament prorogation.

Parliament is expected to re-open with all attendant procedures on September 19.

## Police resume work as situation calms

PASCALINAH KABI

**M**ASERU - The Lesotho Mounted Police Service (LMPS) has gone back to work after suspending operations following a raid on three stations by the army on Saturday morning.

The army attacked police headquarters, Special Unit at Ha Mabote and Maseru Central stations at around 3am and confiscated some firearms.

One police officer was shot dead while nine others were injured during the attack.

The LDF says the raid on police stations followed a tip-off that some members of police were planning to arm some "undesirable elements" during a protest march led by the Lesotho Congress for Democracy (LCD) which was scheduled to take place on Monday this week.

The march was intended to ask Prime Minister Dr Thomas Mosisoahe Thabane to re-open parliament after it was prorogued in June and failed to re-open on August 14 as was stipulated in the Windhoek Declaration.

The LCD, however, called it off given the volatile political situation in the country early this week.

Police commissioner Khotlatsa Tsoana told a press conference

in Maseru on Wednesday this week that his officers, who had abandoned their duties following the attacks, were now ready to return to work.

He instructed officers to report to their respective stations and advised members of the public to demand identification cards from anyone claiming to be part of police.

Tsoana further revealed the army had seized a total of 44 rifles belonging to the police and many other weapons which were to be used in court as exhibits.

Addressing the media on Wednesday this week, Deputy Police Commissioner Masupha Masupha said, "We have not yet finished the compilation of guns stolen during the attack. It is also of importance to announce that suspects were released from holding cells during the attack."

He pleaded with members of the public to be patient as police would soon start re-arresting them to ensure they appear before court.

He further acknowledged police could encounter problems during this exercise after police uniform was stolen during the army attacks.

"We are instructing all police officers to show their identification cards when they go about doing their duties."

Masupha also begged counsellors to help police officers who witnessed the army attacks as they have been affected mentally.

Meanwhile, police have accused a clique of Lesotho Defence Force (LDF) members of stealing an assortment of alcohol beverages during the army's raids.

Masupha said five cases of ciders (Savanna) that were going to be used in the courts of law as exhibits were taken by the army.

"Five cases of Savanna, two cases of Coca-Cola soft drinks and four cell phones that were going to be used in court as exhibits were stolen during the attack," he said.

LDF public affairs officer Major Ntsele Ntsele could not be reached for comment yesterday to respond to allegations some LDF members had stolen beverages from police.



Khotlatsa Tsoana, Police commissioner

## News

SECHARA MOKHETHI

**M**ASERU - Lesotho Defence Force (LDF) commander Lieutenant General (Lt Gen) Tlali Kennedy Kamoli was left with egg on his face after the SADC Organ on Politics, Defence and Security distanced itself from a statement made by his office on Tuesday this week following the Troika's military chiefs' meeting at Moshoeshe I International Airport.

The meeting, held on Monday and called by the SADC Organ on Politics, Defence and Security Chairman, President Jacob Zuma of South Africa, was attended by Lt Gen Kamoli, senior LDF officers, as well as commanders of the South African, Namibian and Zimbabwean armies.

In an interview with Public Eye, the Secretariat's director, Lieutenant Colonel (Lt Col) Tanki Mothae, said he had a copy of the LDF statement to the nation, which he emphasised should not be associated with his office as it did not contain issues discussed by the commanders at the Moshoeshe I meeting.

In the statement by the LDF, spokesperson Major Ntsele Ntsele indicated the commanders had pledged to warn their respective leaders that Lesotho's coalition government faced challenges that had unfortunately aggravated to a political impasse.

The statement also noted the commanders held a view that the political leaders should be careful not to derail their problems, turning them into the army's problems.

"It is on this condition that the commanders emphasised they would not encourage the leaders of their countries to consider military intervention in Lesotho," it further showed.

Lt Col Mothae insisted in an interview with Public Eye on Wednesday this week the Troika-commanders' meeting had nothing to do with the issues raised in the statement by the LDF.

"What should be clear to everyone is that SADC wants to see a democratic Lesotho, which is under the rule of law, and anything outside that is against the SADC regulations and democratic principles," he stressed.

Mothae indicated the commanders were in Lesotho in line with meetings that were held

# SADC warns Kamoli

## Disowns LDF statement

across the region to deliberate on mechanisms that could calm the country's upheavals and bring lasting peace to the Kingdom.

"The commanders' team went to Lesotho to talk to Lt Gen Kamoli about the situation in Lesotho. And it's clear that the LDF released the statement raising issues that were not part of those that were discussed in this meeting," he said.

He added the Troika would issue a report of the meeting, citing: "...those issues that were discussed will be released jointly by those who took part in that meeting."

If there was any statement that needed publicity about the SADC Troika, it had to be released legally by the responsible office, "and the office that is responsible is the one I am occupying together with the South African leadership that chairs the SADC Organ on Politics, Defence and Security."

Mothae emphasised any statement that did not go through the given channels was invalid and should not be attributed to the Troika.

He highlighted the Moshoeshe I International Airport meeting mainly focused on Lt Gen Kamoli as he ought to ensure the situation in the country calmed and went back to normality.

"If one changes the country's situation, it's also his responsibility to normalise it so that usual business can be done as expected."

As for other issues that were discussed, Mothae said, "I won't be able to reveal the details as I was not directly part of the meeting; I was only briefed on what had transpired."

However, Mothae noted he was clear the mission was to meet Kamoli and warn him on the prevailing situation in Lesotho and that it should be calmed for governance to take its course.

Asked to react to the current command issue within the LDF, Mothae said the commander of the LDF was appointed based on provisions of the law by King Letsie III.



Lieutenant General Tlali Kennedy Kamoli, Lesotho Defence Force (LDF) commander

"As we are speaking, we have been sent the gazette that appointed Lt Gen Maaparankoe Mahao, thus removing Lt Gen Kamoli from office.

"We are only waiting for Lesotho to write us a letter through its Foreign Affairs ministry, but we already know that the command of LDF is legal according to the gazette given to us and the commander is Lt Gen Mahao," he explained.

According to the LDF statement, the other conclusions that were reached at Moshoeshe I are that all the soldiers should return to their barracks.

It further indicated the foreign commanders also appealed to the LDF to undertake regular patrols around places of national significance to ensure their security.

The LDF further said they also agreed that Lt Gen Kamoli should accept that the political refugees who fled the country should come back unconditionally.

Prime Minister Dr Motsoahae

Thabane who is the leader of the All Basotho Convention and coalition partner, Mr Thesele Maseribane, police commissioner Khothatso Tsooana and newly-appointed LDF commander Lt Gen. Maaparankoe Mahao and other senior police officers fled the country into South Africa fearing for their lives after the army raided three police stations in Maseru and confiscated ammunition.

"The police commissioner (Khothatso Tsooana) and police who fled should also come back to the country to resume their duties. They should also draw a roadmap that would clearly show mechanisms that would be employed to peacefully bring a solution to police-army standoff.

"In relation to the above mentioned conclusions, expectation is that all should comply and come to resume their responsibilities of serving the public," the LDF statement further noted.

Meanwhile, Tsooana, who

had been exiled since the August 30, on Wednesday this week ordered police officers across the country to resume their duties in their uniforms and deliver to the public as usual.

This follows a statement he made on Monday morning on local radios that the police should stop wearing their uniforms and discontinue serving the public until further notice for safety of their lives.

Tsooana's order was echoed by his deputy, Masupha Masupha who said the police had learnt problems could be encountered when undertaking police operations as some of their uniforms was in wrong hands.

Masupha warned Basotho to consider police identification cards that bore the face of the holder to prove that one was really a police officer.

He added: "We have to continue under this situation and we will continue updating the public on changes that may occur."

Tsooana also revealed the army had also impounded keys of the police officers, motorbikes and vehicles, including his official service vehicle.

"The raid continued at the residences of police officers where the army was looking for those who are responsible for particular cases they were interested in, searching also for those who guarded the commissioner in an attempt to find his whereabouts."

As the police, Tsooana said, they were shocked when they heard that upon arrival of the army during the raid, they asked about dockets of the corruption case against the Deputy Prime Minister Mr Mothetjoa Metsing and other top ranking government officials.

The army was also seeking dockets of cases against some military members, he disclosed, adding: "Fortunately, they did not manage to find those dockets. They then seized police guns."

Tsooana assured the public that measures have been undertaken to see to it that the situation in the country calms down.

"The law that was high-jacked by a group of soldiers is getting back to work for the protection and safety of the public," he concluded.

Efforts to get a comment from the LDF spokesperson Major Ntsele Ntsele proved fruitless yesterday.

**D-DAY FOR LESOTHO .. as SADC leaders meet over political and security crises.** By Bongwiwe Zihlangu **(Full story: Sunday Express September 14 -20, 2014 p.2.)**

President Jacob Zuma invited regional leaders to an urgent meeting in Pretoria to discuss Lesotho's political and security crises. In his capacity as the Chairperson of Southern African Development Community (SADC) organ on Politics, Security and Defence, President Zuma was to mediate in the dispute between the coalition government partners over the re-opening of parliament.

The coalition leaders were expected to have discussed the issue earlier and announced Parliament's reopening date, as recommended by Mr. Zuma. In contrary, the parliament did not open on the scheduled date, due to issues that concerned the security in the country. Chief Maseribane stated that the government had no intention to open the Parliament "until certain conditions regarding security are met". He further said "Issues concerning security are not negotiable at all. We need to thrash them out thoroughly before we can even consider opening Parliament".

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**LCD REMAINS FIRM ON REOPENING OF PARLIAMENT.** By Bongwiwe Zihlangu. **(Full story: Sunday Express September 14 -20, 2014 p.2.)**

The LCD party Secretary General Tšeliso Mokhosi said the Lesotho Congress for

Democracy will not succumb to the pressure from ABC and BNP, it reconsiders its stance that Parliament must reconvene on Friday 19<sup>th</sup> September, 2014 as recommended by SADC.

After the three parties had been expected to announce the re-opening date, the ABC and BNP wrote a letter to the regional bloc insisting the country's security issue had to be resolved first before the National Assembly could reconvene.

The LCD denounced the letter, insisting the party would stand firm on the agreement brokered by SADC in Pretoria. "Our position is firm; Parliament should open on 19 September and there's no turning back. We will not compromise on that one at all" said Mar Mokhosi, who is also the Minister of Energy, Meteorology and Water Affairs".

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**"DC PLANS MASS DEMO"** by Lekhetho Ntsukunyane. **(Full story: Sunday Express September 14 -20, 2014 p.4.)**

Democratic Congress (DC) – the main opposition party, is planning to hold a "massive" demonstration if Prime Minister Thomas Thabane reneges on his promise to re-open Parliament on 19 September, 2014. The party spokesman Mr. Serialong Qoo, said "It is true that we would want to stage a massive demonstration on 24 September. However the protest will only take place if Ntate Thabane maintains that he will not open Parliament on 19 September in line with the declaration he, and his fellow government leaders, signed in Pretoria on 1 September, 2014"

## News

LEBOELA MOTOPI

**M**ASERU — The Constitutional Court on Monday next week is expected to hear a matter in which Deputy Prime Minister, Mothetjoa Metsing wants it to pronounce the seizure of his banking particulars by authorities as illegal.

Metsing, who is also leader of the Lesotho Congress for Democracy, has cited the director general of the Directorate on Corruption and Economic Offences (DCEO), justice minister, minister of human rights, rehabilitation, law and constitutional affairs, attorney general, Standard Lesotho Bank and Nedbank Lesotho, as respondents.

In his papers filed before the court on August 11, the deputy prime minister has given all respondents 10 days to oppose the application if they so wish.

The court on Thursday last week postponed the matter after the respondents had filed their answering papers earlier that week.

Metsing has accused the DCEO of violating his right to private and family life, by seizing his banking particulars without his consent in their investigations to probe corruption charges against him.

He also slammed both the Standard Lesotho Bank and Nedbank Lesotho for releasing his banking details to the DCEO.

The respondents in their papers show that what transpired was in line with the law, adding due process was followed when Metsing's banking particulars were seized.

Metsing wants the DCEO to return all his seized particulars or destroy them.

He further wants the body to be interdicted from further violating his rights.

According to his papers, the DCEO on July 10 this year

# Metsing corruption trial continues



Mothetjoa Metsing, Deputy Prime Minister

wrote him a letter requesting information in respect of the monies deposited in his two bank accounts between April 2013 and January 2014.

"It will immediately emerge *ex facie*, that the (DCEO) was in possession of information about not just my bank accounts, but also had intimate knowledge of the cash deposits and dates of such deposits.

"I declare that I never gave the DCEO this information nor did I authorise anyone to disclose this information. This was given in stark violation of my rights to privacy guaranteed by the

constitution," the papers also show.

According to the papers, Metsing's defence team perceive the move on the part of the DCEO as unconstitutional and has since advised him not to comply with the body's request.

"I do not intend complying with the unconstitutional and unlawful demand (of the DCEO) based on the law.

"It follows therefore, that unless this court entertains this application and strikes the said law as unconstitutional, I stand the risk of criminal prosecution and sentencing," Metsing says in

his papers.

He adds: "As recently as August 1 2014, I was summoned to appear before the Maseru Magistrate's Court on ill-prepared charges which were withdrawn on the same day, and I have no doubt that those were connected to what I am being subjected to by the first (DCEO Director General) and second (DCEO) respondents, herein."

He further charges that both banks ought to have known that obtaining his private banking details was a violation of his right to private and family life.

## Monday power cut not politically connected

LERATO MATHEKA

**MASERU** — A large part of Maseru and surrounding areas were plunged into total darkness for approximately an hour on Monday evening following a power outage.

Explaining the blackout, acting public relations manager with the Lesotho Electricity Company, Tsepang Ledia said a switch tripped at one of their sub-stations and affecting other sub-stations.

"At the moment we don't have reports as to which plant triggered the problem but a switch tripped which affected other plants," he said. He added, "With electricity one can never be too sure because switches go off and on before being attended to, but like we have said in a statement, that is what happened on Monday."

Ledia said there are two types of power outage - planned and unplanned - and they address them differently.

"Unplanned power cuts happen when we least expect due to different things including bad weather, which goes on to trip switches like what happened on Monday. Other cuts are planned and notices are made for the public to know well in time," he explained.

He rubbished allegations that the power cuts were connected to the current political instability in the country.

"I would like to emphasise that LEC and politics don't go together. What happened on Monday this week was purely a power cut triggered by a faulty switch, nothing more nothing less."

Places affected by the power cut included some parts of Ha-Mabote, Tsosane, Koalabats, Thuathe, Tsenola, Motimposo, Maqalika, Temong, Moshoshoe II, Sea Point, Ha-Tsiu, Lagaie, Ha-Feko, Maseru East, Maseru West, Maseru CBD, Thatsane, and more, the LEC noted.



# ...But Minister won't budge, stands his ground



Ts'eiso Mokhosi

Selibe Mochoboroane's statements for the government to the public.

"Last week we called upon Honourable Mochoboroane and Honourable Mokhosi to take ease in their public statements," Molapo indicated.

He said the current spate of events called for a calm and mature approach especially by leaders of the public.

In that, Molapo said they cannot accept Mochoboroane's behavior of denouncing the Prime Minister's decisions to the public. "We as Ministers, are expected to support the Prime Minister 100% while on public still knowing that he will be given a platform."

"If he disagree with what the Prime Minister has taken as the decision, he knows exactly where to complain, rather than opposing that to the public. In the public arena, you are expected to stand on what the PM has said, whether you like it or not," Molapo said.

He mentioned that they had kept quiet for a long time trying to respect other Ministers particularly the Minister of Local government who is also the Deputy Prime Minister but who has come out openly against the Prime Minister's decisions.

"The notice for appointment of the new LDF commander was issued by the Prime Minister advising King Letsie III to appoint Lt-Gen Maaparankoe Mahao as the new LDF commander, therefore were surprised to hear other Ministers saying the King was not properly advised."

"The language tells us that we have half or quarter Prime Minister, such manner is not good at all," he said, adding: "The final

word in Cabinet is the Prime Minister's, and nobody else."

"We are in a coalition government but have only one Prime Minister who can make decisions empowered by the Constitution, consultation is an important tool but that does not mean the cabinet is not bound by the decisions made by the Prime Minister."

Molapo said BNP does support the Prime Minister as well as the government of Lesotho.

He further pointed that they were surprised to hear Mochoboroane again saying where the former LDF commander was.

"How did he know where Lieutenant General Kamoli was, unless he enjoys the relationship with LDF?" he quipped "And how did he know about the number of guns Kamoli has?"

Meanwhile in an interview with the Informative last night, Mokhosi would not change goal posts saying that there is not even a single person who can say he or she had seen the members of the LDF at any point where ever they are being claimed to be way laying:

"This is just black mail on Kamoli," Mokhosi said.

He strongly emphasized this as not reality.

He further added that what has been said does not exist. "It was confirmed and well said By SADC that there is no war in Lesotho. All these people want to see is lawlessness and bloodshed in this country," he added.

Attempts to get Mochoboroane's comment proofed futile as his mobile phone rang unanswered.

Meanwhile, Molapo said as a partner in the coalition government, they are also rebuffed at the Minister of Communication, Science and Technology.

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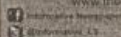
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# "More blood will be shed" - DC

Main opposition fears for the change of LDF command



Tlohang Sekhamane

By Keletso Leotia

**MASERU-** The main opposition party the Democratic Congress (DC) says that more blood will be shed if government persists with its initiative to remove Lieutenant General (Lt-Gen) Tlali Kamoli and substitute him with newly appointed army chief Lieutenant General (Lt-Gen) Maaparankoe Mahao would only result in more blood shed for Basotho.

Addressing a media briefing in Maseru yesterday, Tlohang Sekhamane who is Member of Parliament (MP) for Mokhotlong #79 constituency, said the move to demote Kamoli in favour of Mahao was a politically motivated one which carries nothing but woes for the mountain Kingdom.

According to Sekhamane, as a party they had since noticed that the tiff between the army and police service was divided along political affiliation lines.

In recent days following last week's invasion of the police posts by members of the armed forces in an alleged operation

property including house and cars as well as killing one of his dogs.

The military operation on police stations including the police headquarters had resulted in the injury of a number of police officers and death of one Sub Inspector.

Sekhamane said the ploy to change the command of the Lesotho Defence Force (LDF) was just a delay tactic also meant at removing people's focus on the main issue which is the opening of parliament which was prorogued for nine months in June.

According to the DC's investigations, Sekhamane said, Kamoli had since received his marching orders from the premier's office a move which has been said by the former ruling party as very unfair since Kamoli was never afforded a chance to clear his name.

He also pointed out that in today's meeting with South African president Jacob Zuma, they were going to make their point clear on what they feel be the result of the change of command in the country.

The South African president who is also chairman of the SADC (Southern African Development Community) Troika is expected to jet into the country today where he will meet some of the political leaders in the coalition pact and opposition for a lasting way forward to the country's political turbulences.

Apart from meeting Zuma, the DC will also meet the Commonwealth of Nations as well as the United Nations leadership to make their submissions.

Meanwhile speaking at the same media briefing fellow party member Retselisiso Masenyetse who is MP for Mochales' Hoek #58 Mahao has made a declaration of war against his predecessor albeit in the media.

He added by saying that Mahao, as a commander has to control LDF by making sure that there is peace and stability in the country not to be see fuelling it.

# MPs give Thabane ultimatum

## ... open Parliament by 26 September or face mass action

Billy Ntaote

A GROUP of 73 Members of Parliament (MPs) have given Prime Minister Thomas Thabane an ultimatum to either open Parliament by tomorrow, 26 September, or face mass protests.

The MPs are mostly from the main opposition Democratic Congress (DC), and have accused the All Basotho Convention (ABC) leader of not taking mediation by several stakeholders, among them the Southern African Development Community (SADC), seriously in trying to resolve the country's political challenges.

Dr Thabane suspended Parliament for nine months on 10 June 2014 to avoid a no-confidence vote and has continually refused to have it reconvened despite committing to do so on at least three occasions before SADC mediators.

The premier cites the country's current insecurity for refusing to open the Parliament, and has vowed not to do so until the country is completely safe.

Top among the security threats, the premier says, is Lieutenant General Tlali Kamoli who remains in office despite being fired as Lesotho Defence Force (LDF) commander by Dr Thabane on 29 August 2014.

"If the Prime Minister continues to refuse to open Parliament, we will return to our voters and he will understand the people are really powerful. They will hold protest marches to demand he opens their Parliament."

"We have also told Cyril Ramaphosa, as the SADC facilitator, that we suggest Parliament should be opened by 26 September 2014, now that the prime minister has already missed the 19 September deadline he had agreed to in Pretoria, early this month," said the spokesperson of the MPs, Tlohang Sekhamane, soon after meeting with South African Deputy President Cyril Ramaphosa on Tuesday this week.

Mr Sekhamane, who is also the Mokhotlong constituency MP for the DC, said the legislators would want to see Mr Ramapho-



DC MP Tlohang Sekhamane

sa facilitate the opening of Parliament as agreed during the 1 September 2014 mediation, and then ensure the political parties agree on a date for an early election, also as recommended by SADC last week.

SADC recommended the only way Lesotho's political instability could be resolved was by holding a fresh election before the original date of 2017 as the current coalition government of the Lesotho Congress for Democracy (LCD), All Basotho Convention (ABC) and Basotho National Party (BNP) had failed to work together due to irreconcilable differences.

The three parties formed a coalition government after the 26 May 2012 election had failed to produce an outright majority winner.

Meanwhile, Mr Sekhamane said after sending Mr Ramaphosa a letter of complaint seeking to be given "a fair hearing" during the mediation, the MPs finally met the SA Deputy President on Tuesday this week.

"It was in this meeting that we told Mr Ramaphosa of the need to reopen Parliament by 26 September."

"We submitted to Ntate Ramaphosa that he had been given terms of reference to work with in ensuring the restoration of political and security stability in our country but the problem he is faced with is that the coalition government, he is supposed to be dealing with in finding a solution to the impasse, has collapsed."

"It is not only Parliament that has not been meeting since Thabane prorogued Parliament on 10 June; the Executive has also not had cabinet meetings for more than a month now."

"Even the coalition parties' Parliamentary caucus has not been meeting for a very long time, as we speak."

"So what we have today, we emphasised to Ntate Ramaphosa, is not government as we know it; we told him it is currently difficult to classify it."

"However, we made him aware that if Parliament was to be opened urgently, it would deal with all these problems," Mr Sekhamane

said.

"If Thabane fails to open Parliament as we are demanding now, he would have to deal with the people directly."

"I was voted into Parliament by the people of Mokhotlong and I represent them in the National Assembly. All these other MPs also want to see Parliament opened without further delay."

"So if Ntate Thabane does not listen to these demands, he would be forcing us to go back to the electorate and they would be the ones to show him the powers vested in the people."

"The people would take him to task for failure to open their Parliament."

Mr Sekhamane further said the MPs had informed Mr Ramaphosa that the prime minister had options to dissolve Parliament after opening it tomorrow, and then either call for an election or resign.

"We also made it clear to the deputy president that there are no security problems that Parliament could not handle, which is why we have always advocated for the House to be reopened."

"We also showed him that his terms of reference would be easily implemented when the Parliament is opened as everything would then fall into place without any challenges," he said.

"We emphasised to Ntate Ramaphosa that if he really wants to help Basotho, he should pay more attention to those who constitute the majority and this majority can only be proven in Parliament."

"It is evident that the coalition government parties (LCD, ABC and BNP) are divided and we, as MPs, should be given a chance to test who really constitutes the majority. But that can only be done when Parliament is opened," Sekhamane said.

However, with the MPs making it clear they would pass a vote-of-no-confidence in his premiership, Dr Thabane looks unlikely to be swayed by the MPs demands to open the House by tomorrow, and would wait for Mr Ramaphosa to facilitate an early election before 2017, as recommended by SADC.

# Opinion & Analysis

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IN recent months, following the ongoing fall-out between the three coalition government partners, I have watched closely the role the national television broadcaster, Lesotho Television (LTV), has played in informing, as required by its mandate, the public and the world, about the political developments in the country.

This is largely because media outlets, including television, play a very pivotal role in creating certain perceptions among consumers of their output.

I will just highlight the Lesotho Telecommunications Authority Act (LTA Act) No. 5, of 2000 and the Media Institute of Southern Africa (MISA Lesotho) as the relevant legislation and the Lesotho Chapter, regulating, among others, but not limited to, media outlets and their conduct in regard to the general public.

The LTA Act states its objective as: "An Act to provide for the restructuring and the development of telecommunications; to establish an autonomous and independent regulatory authority; license the providers of telecommunications services having regard to fairness, transparency, universal service, accountability to the general public; and for related matters".

MISA Lesotho, according to their website, "is a non-governmental, non-profit making, member-driven organisation, which is associated with institutions and individuals with specific interest in media issues, with the exception of members of the disciplined forces and political party agents".

The body also says it seeks to promote freedom of expression, media freedom, media diversity, independence and pluralism in conformity with the 1991 Windhoek Declaration, which saw the birth of MISA and subsequently the MISA chapter in Lesotho. MISA Lesotho further endeavours to uplift the standards of journalism in Lesotho and intends to facilitate the economic self-sufficiency of the independent media operating in Lesotho.

It promotes and defends media freedom and freedom of expression, takes appropriate steps where such freedoms are violated and, more importantly for this column, removes obstacles and impediments to the free flow of information in Lesotho.

It is quite clear from the foregoing that one of the key objectives of these two interventions is to promote and protect free flow of information to the general public in Lesotho in an unbiased and balanced manner.

Indeed it goes without saying that one of the key mandates of media outlets is to provide measured and balanced reporting to the public.

Other key responsibilities of the media are to educate, provide support and entertain and advertise.

However, for purposes of this column, I will only concentrate on the responsibility of media outlets to provide measured and balanced reporting to the public on matters of national importance.

Sadly, in recent months LTV has failed in that regard dismally. And I have a feeling the powers that be at the national broadcaster failed dismally on purpose.

Else they do not deserve to be at the helm of this important state institution. I will highlight two events of national importance that LTV deliberately failed to air in recent weeks.

However, there are countless other events the national broadcaster has deliberately failed to inform this nation about.

A couple of weeks ago Prime Minister Thomas Thabane and a number of his ministers and senior state officials attended a mass burial ceremony of close to 100 unclaimed bodies in Lepereg on the outskirts of Maseru.

As if that was an inconsequential event, both Radio Lesotho and LTV never reported on the event.

Instead, excuse my comparison, they reported on the activities of herd boys up in the mountains tending their flock.

I am not for one moment suggesting that the activities of herd boys are not of national importance.

However, your guess is as good as mine, that the premier and his entourage's attendance to this solemn ceremony is equally, if not more important.

Yet not even a snippet of this ceremony

## LTV has an obligation to inform Basotho



SOUTH African Deputy President Cyril Ramaphosa's mediation efforts were not covered by LTV, the writer concedes.

of importance. On that very Monday, well into the night, a five-hour drive from Maseru, where LTV is based, in Pretoria, South Africa, locked in tough talks, that would determine the future of Lesotho and of course, Basotho as well as Southern African Development Community, there was a meeting between Presidents, Jacob Zuma, Ian Khama and Robert Mugabe of South Africa, Botswana and Zimbabwe respectively on the one hand, and Prime Minister Thomas Thabane, his deputy Mothejane Metseng and their coalition partner Chief Theshele Masheane on the other.

The talks were aimed at finding ways to a 'viable solution to the two-year old coalition government's many problems and possibly save it from collapse. Viewers had to hastily switch-over to television stations of other countries, mainly South Africa, to get a sniff of what was transpiring at the talks. Instead, LTV turned its attention elsewhere, thereby denying this nation the free flow of balanced and unbiased reporting and information. On the flip-side, LTV for its worst record, always sends, and appropriately so, blue-ribbon reporters to accompany Lesotho's head of state and government across the world to report on their activities therefrom.

Even if to its credit, LTV does not at the time of reporting have visuals, they make sure that at least, the audio of the activities is reported daily, on time and as the first item on the news.

On 17 September, because they were apparently mortified at not reporting on an issue of national importance, which was covered extensively by the foreign media, LTV ran a half-baked, half-truth story on the Pretoria talks. What a national shame!

It is high time those responsible for this unashamedly biased reporting are reined in. The state media should be the epitome of unbiased, responsible and balanced reporting.

It should not, under any circumstances, serve or even be perceived to serve a particular political master or agenda.

State media is funded, more than any other media outlet, from the funds of this information-starved and impoverished nation.

This nation deserves fruitful and quantifiable returns on their hard-earned cash and not half-baked truths, and one-sided propaganda designed merely to sow confusion and even out rightly impede the free flow of information.

It is high time the Nazi-style *modus operandi* and the iron-grip control of state media come to an end.

They should know that each and every Mosotho, viewer and listener is entitled to responsible reporting.

They want to run the state media like a fiefdom. They are better advised to pursue their political agendas elsewhere and not use the public purse.

It seems they conveniently ignore the fact that the national broadcaster is funded from the public purse. It has been established precisely to inform this nation about matters of national importance.

In my book, they are no different from

the Nazi and apartheid-era propaganda machines that broadcast the news selectively to brainwash and misinform their audience.

Broadcasting history throughout the world is full of such control freaks who ultimately failed dismally in their mission.

It is the right of every Mosotho to know what all their leaders are doing and saying. Yet LTV is relentlessly and unashamedly pursuing propagating the political views of the Lesotho Congress for Democracy-Democratic Congress axis.

The damage that they are doing to the integrity of the national broadcaster will be very difficult to reverse.

If anything, and to their detriment, this nation is aware of this gross manipulation of the national broadcaster.

### NATIONAL AGENDA

#### Utloang Kajeno

was covered by the state broadcaster.

The second incident, worryingly and perhaps more ominously for this information-starved nation, is the one that unfolded before thousands of viewers, on 15 September.

The 7.30pm and 9pm news bulletins were deliberately devoid of news that were of national importance to the public and the world.

The main news item on the bulletin was the meeting of seemingly irate congress Members of Parliament and their allies, at Lesotho Sun Hotel, berating the coalition government and calling for the re-opening of Parliament.

As a footnote and equally important, on 15 September South African Deputy President Cyril Ramaphosa visited Lesotho, the coalition government leaders and the Democratic Congress' Monyane Moleleki.

LTV elected not to report on this effort to resolve Lesotho's political crisis.

The next item fittingly, was that of the Principal Chief of Matsieng joining a certain religious order of the Catholic Church.

It was then followed by a High School Music competition and the Ministry of Local Government conference.

Guests who were the main speakers at these last two events. They were the honourable ministers of communications and local government.

These two ministers, it will be recalled, are at the forefront, both in the media and elsewhere, of the congress brigade that is verbally attacking the coalition government at every opportunity.

There were of course other news items that were reported in this bulletin which I, however, for purposes of this column, will not write on, save to observe that what the bulletin conveniently ignored and deliberately failed to report was of a major national

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# Thabane bares all in Zuma letters

● Premier highlights danger posed by Lt Gen Tlali Kamoli and the connection between the army commander and Deputy Prime Minister Mothetjoa Metsing

Bongiwé Zihlangu

PRIME Minister Thomas Thabane knew removing Lieutenant General Tlali Kamoli as Lesotho Defence Force (LDF) Commander would not be easy and had requested military support from South Africa a day before announcing the dismissal through a government gazette.

According to a letter Dr Thabane wrote to South African President Jacob Zuma on 27 August 2014 — a day before Lt Gen Kamoli's dismissal — the premier highlighted the potential difficulties in removing the army chief, hence his request for intervention "as a neighbour and Chair of the Southern African Development Community (SADC) Organ on Politics, Defence, and Security Cooperation".

In the letter, a copy of which the *Lesotho Times* has obtained, Dr Thabane chronicled why he believed the army chief would not accept his dismissal, hence his fears that the country's security situation was not conducive for the reopening of Parliament.

The premier had suspended Parliament for nine months on 10 June 2014 to avoid a no-confidence vote in his leadership, and at the time he wrote the letter to Mr Zuma, was under pressure to lift the prorogation.

Among those calling for the lifting of the prorogation was Lesotho Congress for Democracy (LCD) leader, Deputy Prime Minister Mothetjoa Metsing, whose party formed a coalition government with Dr Thabane's All Basotho Convention (ABC) and Basotho National Party (BNP) after the 20 May 2012 general election had resulted in a hung parliament.

However, Dr Thabane is yet to reconvene Parliament despite lifting its prorogation on 5 September as per SADC recommendations towards bringing stability to the troubled kingdom.

The premier explains, in the letter to Mr Zuma, why he has not adhered completely to the SADC recommendations: "I write... to provide you with progress on the measures that are being taken in Lesotho in our endeavor to find a lasting solution to the current political situation in Lesotho, per the decision of the 34th SADC Summit taken in Victoria Falls, Zimbabwe, during 17-18 August 2014."

"May I record that consultations have begun in earnest towards the reopening of Parliament. This exercise involves the Office of His Majesty the King, Speaker of the National Assembly and the coalition political parties."

"In this regard, meetings of political parties have begun to take place to draw a roadmap towards the reopening of Parliament. "Discussions on the roadmap are focusing mainly on the issues that have throttled the smooth management of the coalition government, with a view to finding a lasting solution to them."

Dr Thabane then reminds Mr Zuma of the meeting the two leaders held on 28 July 2014 in Maseru regarding the country's security — a situation he pointed out had not improved.

"In that meeting, I highlighted some of the underlying factors that inhibit the smooth-running of government in Lesotho, namely the worrying security situation and



LESOTHO Prime Minister Thomas Thabane arrives at the Maseru border gate under heavy security on 18 September 2014. AFP Photo Hironori Ueki



LIEUTENANT General Tlali Kamoli



DEPUTY Prime Minister Mothetjoa Metsing

Defence Force with immediate effect and to be replaced by Brigadier Masaparankoe Mahao.

Dr Thabane adds, in the same letter, that corruption had also become a factor in the country's political instability.

"On the issue of corruption, Your Excellency will recall that I sought your assistance to provide us with technical expertise in investigating some of these highly complex commercial crimes."

"The issue of corruption has also now become a matter in the way of the challenges on the political situation."

"This is especially so because even the Deputy Prime Minister has been implicated in these corrupt activities involving public funds. He is due to appear in court to answer allegations, based on evidence, that he is involved in malpractices and abuse of power, leading to huge losses of public funds, possibly for personal gain and this is demonstrated by large amounts of money that are being deposited into his bank accounts over some time now."

"I have provided these details purposely because they have a connection."

As mentioned earlier, the Commander of the Lesotho Defence Force is reported to be attending secret meetings with members of the opposition who are planning to overthrow the government.

"These meetings include members of the Deputy Prime Minister's party who were instrumental in forging links with the opposition Democratic Congress Party led by former Prime Minister Pakalitha Mosisile."

"Interestingly, these days, at his rallies, the Deputy Prime Minister openly prides himself with the firm support that he enjoys from our military and his comfort that it will protect him against any action by law-enforcement agencies regarding his legal woes," Dr Thabane says.

"Based on the above scenario, we have reasonable apprehension to anticipate that the removal of General Kamoli from the Office of the Commander of the LDF, might receive negative and potentially violent reaction from, especially the criminal element from within the Defence Force, whom he has harboured from the arm of the law."

"Accordingly, I request military support, both as a neighbour and Chair of the Organ on Politics, Defence and Security of SADC, in the event that the situation escalates to unnecessary violence and instability."

Meanwhile, in a subsequent letter dated 5 September, also addressed to President Zuma, Dr Thabane indicates the security situation in Lesotho remained unstable "even as calm prevails on the surface", because Lt Gen Kamoli "remains encoined within our army's headquarters".

The letter was written two days after Dr Thabane had returned, under South African police guard, from South Africa where he had fled after some members of the LDF had stormed three key Maseru police stations, in what the premier later said was an attempted coup.

"The attacks had resulted in the death of one police officer. The prime minister noted in his letter to Mr Zuma: "Kamoli is unwilling to report for a meeting with me, as also the Minister of Defence and National Security, to receive the formal letter of dismissal that already has legal sanction of the Commander-in-Chief of the LDF,

being His Majesty King Letsie III, through a gazette notification of 29 August, 2014."

"Efforts to get the SADC team that is in Maseru to get Lt Gen Kamoli to see reason and accept the legal dismissal order, have not fruited and obduracy shown by him is causing deep concern in Lesotho."

Dr Thabane also reminds President Zuma that since January 2014, Lt Gen Kamoli had "acted outside the laws of Lesotho" and "shown defiance towards clear directives from me as Prime Minister and Minister of Defence".

"These have led to the decision to give him a letter of dismissal as is mandated in Lesotho's constitution."

The premier also highlights Lt Gen Kamoli's refusal to vacate office, and "threatening to unleash further violence with troops under his illegal command", which he says also confirms why Parliament should not be opened under such an insecure environment.

"As a result, we are unable to get the new Commander, Lt Gen Masaparankoe Mahao to assume charge of the LDF and ensure that the writ of the duly constituted Government of Lesotho is strictly followed by all personnel donning military uniform in Lesotho."

Dr Thabane also informs President Zuma that due to the prevailing security situation, government could not implement the declarations he committed to, such as the opening of Parliament on 19 September 2014, "because Lt Gen Kamoli and his cohorts make it impossible for government to operate".

"The entire security stock is under unlawful control. Needless to mention, the country faces a high possibility of being in flames, as the renegade General Kamoli is effectively rendering it ungovernable, and holding it to ransom."

Contacted for comment yesterday, LDF spokesperson, Major Ntsele Ntsoi said he could not respond to the letters as he had not seen them.

"I can only give a conclusive response to the letters you're talking about once I've seen them. Even then, I would still first have to establish if I should respond to them," Major Ntsoi said.

Repeated efforts to get a comment from Mr Metsing failed until the time of going to Press last night.

However, Mr Metsing has previously rubbished claims he was running away from charges of corruption and that the LCD was enjoying military support.

During a recent media briefing held at the LCD headquarters, Mr Metsing was adamant the divide between the coalition government partners was not due to his pending corruption cases, but Dr Thabane's failure to consult his fellow principals when making key government decisions, such as the prorogation of Parliament.

"When I was charged, I had long called for the opening of Parliament; the reopening of Parliament has nothing to do with it and whoever wants to sue must go ahead," Mr Metsing said.

"We've never, at any given point, called for those instituting charges against me to drop them."

"We cannot suspend democracy just because some people are saying they are investigating acts of corruption."

# Opinion & Analysis

October 2 - 8 2014

## LCD to lose most from broken marriage



DC MP for Mokhotlong  
Utloang Sekhamane

### NATIONAL AGENDA

#### Utloang Kajeno

tially penciled for 2017.

I'd bet my last penny that, in his wildest dreams, Mr Metsing never foresaw that he would bring his party and himself to the doldrums. Ominously for him and his party, the ABC and BNP seem to hold all the aces.

That is why the LCD, and the main opposition Democracy Congress (DC), its offshoot, are fighting a losing battle in holding onto the military insignias of the erstwhile discredited former commander of the Lesotho Defence Force (LDF).

DESPIITE my best wishes and, at times, solemn prayers, the first-ever coalition marriage that was to benefit not only Basotho but the entire African continent has irretrievably broken down.

This is also despite countless attempts to reconcile the coalition parties by both the international community, most notably Southern African Development Community (SADC) and local mediators.

To a large extent, the Lesotho Congress for Democracy (LCD) is to blame for the political mess and the fall-out this country finds itself in.

However, I am not for one moment suggesting the All Basotho Convention (ABC) and the Basotho National Party (BNP) are exempt from blame for the acrimony in the coalition government.

What I am saying is their blameworthiness pales into insignificance when judged against that of their (erstwhile) coalition partner.

In law if I were a judge, I would order that the guilty party, LCD, forfeit the benefits of the marriage owing to their adulterous affair with the Democratic Congress (DC). If only you forgive my analogy, for argument sake.

However, as fate would have it, the party that has suffered the most damage in the fall-out and subsequent break-up of the marriage is inevitably the LCD.

I will be vindicated in my view when the following scenarios unfold, in the aftermath of the inevitable dissolution of Parliament after it is reconvened and when there is stability and peace, throughout the country. The LCD is going to suffer irreparable harm both financially and among the voters.

My forecast is that even if the LCD elects a new leadership (which seems unlikely) largely because under its leader, Deputy Prime Minister Mofeteng Metsing, it has been dealt a hammer blow, it is likely to slowly cascade down the political abyss. Mr Metsing has done the party he was entrusted to lead to mortal blow from which it is unlikely to recover.

In plain language, he has written his own political epitaph. What a sad end to a promising political career. Frankly, I do not see him reviving his career.

If he has enough foresight, he should have seen the writing on the wall when SADC, after several attempts to reconcile the parties failed, advised the coalition government to advise His Majesty King Letseja to bring forward the general election ini-

ate with a renegade general who is on the prowl, heavily-armed, and terrorizing and attacking at will, an innocent nation that he is supposed to protect and indeed, as is his calling, die for.

To make matters worse for the recent LCD-DC alliance, the Minister of Communications, Science and Technology, Selibe Mochoboroane, even when he is espousing a position that borders on insubordination of His Majesty and his boss, Dr Thabane, professes to speak on behalf of the government and not only the LCD.

This inevitably drags the King's revered office into this political mess and creates further confusion in the nation, which is unacceptable.

He better be warned that you don't defy His Majesty and get away with it. You will inevitably incur the wrath of this nation at the polls. They will give you a kick in the teeth, metaphorically speaking, that will send you to permanent political slumberland never to rise again.

If early snap elections are called, as seems inevitable at this stage, I bet Dr Thabane will ask the King to dissolve Parliament. Whereupon the Council of State will advise His Majesty to ask Dr Thabane to form the interim government in the run-up to the election.

Dr Thabane, an astute politician that he is and to ensure a smoothly-run government that was previously so many times frustrated by the LCD, will sack some LCD Ministers and appoint his own people to cabinet posts.

For starters, let us not lose sight of the fact that the LCD will have no say at all in the affairs of state. They will join the opposition, together with the DC, holding a megaphone to protest decisions of the interim government.

Sadly, this time they will be on the other side of government and their voices will hardly ever be heard.

Ominously again, the top echelons of their leadership are facing numerous charges of corruption. Let's suppose the unlikely happens and they get convicted of these offences. This will almost certainly decimate the entire leadership of these parties.

My advise to the LCD would be to negotiate a withdrawal of these charges and turn a new page, then perhaps, maybe, all will be forgotten. However, seriously for them, they always seem to go against common sense and want to play into the hands of the ABC.

This is precisely where the ABC wanted them. To sign their own political death warrant. Once they get convicted they will not contest any election even if they would wish.

On the financial front, the LCD leaders will have suffered irreparably, moreover those who will be asked by Dr Thabane to vacate their cabinet portfolios. We all know it is a sad reality that most politicians in this country go into politics to gain wealth expeditiously.

In cabinet positions, the perks are even more handsome and the salary is attractive. This explains why our politicians fight so eagerly for constituencies, let alone cabinet posts.

Further, if you are an MP you are entitled to a daily allowance for attending each session coupled with a handsome monthly salary. To crown it all, MP's are entitled to a M500 000 interest-free loan. Their projection, I bet, is that they will have serviced the debt by the end of the five-year term, which sadly in this case, seems highly unlikely.

In all probability, as happened to one MP previously, the legal juggernaut of writs and sale in execution of judgment to satisfy these massive debts will be set in motion.

This sad scenario will apply in equal measure to all MP's, irrespective of their political affiliation, save those who will remain or be appointed to interim cabinet positions.

I bet even though Ntate Metsing never saw this scenario unfolding, he and his ilk, are kicking themselves. I would advise him, as politicians are never ashamed to do, to the chagrin of this impoverished nation, to legislate or force the interim government to act as their guarantor.

Remember the Fekalitha Mosisili-led government and his infamous block-farming scheme; that is the notorious scheme implemented by government to ostensibly benefit the poor rural farmers. It ultimately benefited the ruling LCD-DC elite. To this day, they have not repaid the loans.

If the interim government takes this route, owing to its massive financial magnitude and because some dumb politician decided to, excuse the hyperbole, kill the goose that lays the golden eggs, then this nation will wallow in a huge debt.

This, coupled with the huge unbridged expenditure on a snap election is a terrain that even angels fear to tread. In Lesotho, there is a saying which loosely translated says: you cannot expect to reap corn when you planted thorns.

We can only hope that LCD politicians who have seemingly lost integrity can only take into cognisance this sad scenario that will ruin, not only them but this country as well.

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## Analysis

# The fall of the Lesotho government

PASCALINAH KABI

**M**ASERU – On 26 May 2012, Basotho went to the polls to elect a government of their choice, but no outright winner with the required numbers to form government emerged.

Party leaders entered into negotiations to strike alliances that allowed them to form a coalition government, the first in the political history of Lesotho. The All Basotho Convention (ABC), the Lesotho Congress for Democracy (LCD) and the Basotho National Party (BNP) struck a deal and partnered to form government.

ABC leader and subsequent Prime Minister, Motsotsoane Thabane, led the coalition government while LCD leader Mofeteng Metsing deputised him, with BNP frontliner Chief Theseie Maseribane given a ministerial post at the gender, youth, sports and recreation ministry.

Although the three parties went into the general elections with their different manifestos, the coalition government's top agenda was rooting out corruption, alleviating poverty and creating jobs, amongst others.

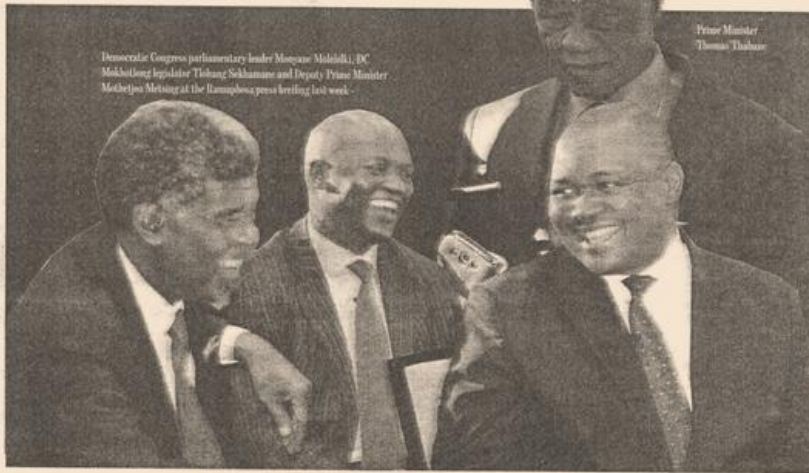
Two years down the line, the coalition government was hit by internal squabbles and cracks were there for all to see that all was not well, with Metsing accusing the prime minister of running the tripartite coalition government like a one-man's show. A no-confidence motion against the prime minister was fought in parliament and Thabane advised His Majesty King III to prorogue parliament for nine months.

The move fuelled divisions in the already fragile alliance and it soon became clear that there were two fronts in government - one seeking justice on government officials fingered in corruption, past and present, while the other felt the project should be abandoned for the sake of government's stability. Battle lines had been drawn.

In a bid to save the already fragile government, the three leaders entered into talks and when all had failed they sought the Southern African Development (SADC)'s intervention. Several declarations by the coalition partners to end the impasse were signed but not adhered to.

Thabane, Maseribane and other senior officials fled the country on August 30 at the height of a Lesotho Defence Force raid of several police stations in the capital, Maseru - attacks that saw the army's presence at the State House and residences of Maseribane and other senior ABC and BNP officials. The move was branded an attempted coup. SADC mandated facilitator

## Stability vs Justice



to Lesotho, Cyril Ramaphosa, brokered peace between the feuding coalition partners, leading to the signature of the Maseru Facilitation Declaration which will see Lesotho going into an early election set for end of February, 2015.

With the collapsed coalition partnership, Public Eye sought opinions what could have led to the collapse of the partnership.

**National University of Lesotho (NUL) Public Administration and Political Science lecturer, Tloang Letsie.**

"Thabane was within his rights as prime minister to ensure that justice was not only said to be done, but to also be seen to be done; seeing to it that justice was served at all costs and bring those alleged to be involved in corrupt deeds to book."

Letsie argued that "stable" governments have come and gone in Lesotho yet the ordinary Basotho never benefitted from such leadership.

"The democracy that people seem to be preaching about never yielded any positive results for the ordinary Basotho. The political problems that we faced have always been centred on our weak economy and the few resources left in the hands of a privileged minority," Letsie stated.

He said that the country's already meagre resources, which are not evenly distributed amongst the Basotho, have in most cases fallen prey to politicians and those in government's top

echelons; and that it was only proper for Thabane to fight for the marginalised by seeking justice.

"Fighting and rooting out corruption was only going to benefit Basotho as the already limited resources would be distributed evenly among the nation, not the current scenario where resources are only for selected individuals.

Secondly, if Thabane was allowed to fight corruption and seek justice on behalf of the nation, the court's convictions and judgements would deter those contemplating involvement in corruption while punishing those found guilty," he charged.

Letsie further explained that in his opinion there was no reason to compromise justice by arguing for government's stability as "...the so-called government stability was only for a short run."

He said that ABC made it clear in its 2012 general elections manifesto that it planned to fight corruption should it be elected into power, and it would have been suicidal if Thabane ignored that for government stability.

"He wasn't going to have a leg to stand on come 2017 as he would have failed his electorate, whom he promised to fight corruption at all costs.

"So, I strongly believe it was absolutely right to seek justice even if it meant compromising government stability," he concluded.

**Politics and economics commentator, Arthur Majara.**

Majara believes government

stability should have topped Thabane's agenda, and that he should have known that he was heading for disaster by dragging big names to court for alleged corrupt practices.

He, however, charged that it was important for people to understand the difference between maladministration and corruption as he believed that Lesotho does not have the capacity to be riddled with corrupt practises.

"Corruption practises need well-established syndicates with well-educated individuals like IT specialists, accountants, engineers and gurus in various professions imaginable to carry out corruption activities," he said, adding that maladministration was an act where officials fail to carry out given assignments as expected or divert money for other purposes they were not meant for.

However, Majara is adamant that no government has successfully rooted out corruption, and that Thabane should have known better based on the fragility of the government he is leading.

"Coalition governments are very fragile partnerships, and even though fighting corruption is more appealing to the people and closer to their hearts, I believe the prime minister shouldn't have compromised government stability on the pretence that he is fighting corruption.

"If he was genuinely fighting corruption, why is it that only Democratic Congress (DC) members were in the line of fire when it came to arrests and court appearances?"

"It was clearly stated in the coalition government that they would fight corruption, and taking the most controversial corruption case of Ntate Metsing, should we believe he (Metsing) would undermine the same agreement?"

"I don't believe that the alleged corruption cases, from which no one has been convicted to this day, were much more important than the government stability," he explained.

To show that the corruption cases were not genuine, Majara argued, no BNP or ABC officials were ever dragged to court.

"Ntate Thabane is very sympathetic to the BNP given his background, and compromising government stability has resuscitated the old rivalry between the nationalist and congress leaning groupings - that thanks to him."

Majara argued that Thabane's past experiences in different governments should have been reason enough for him to tread cautiously.

"He should have known that coalition governments were a fragile set-up and he ought to have treaded cautiously if he truly wanted his government to last for five years," Majara said.

He stressed that Thabane should have tried every trick in the book to nurse the historically fragile government and avoid anything that posed a threat.

"Government stability was far more important than pretending that one is fighting corruption while he overlooked certain things that would have amounted to corrupt activities in the eyes of some people."



## LESOTHO, its DEFENCE FORCE and DEMOCRACY

By Thato Mohasoa

"Whether—and how—a society controls those who possess the ultimate power of physical coercion, and ensures their loyalty both to the particular government in power and to the regime in general, is basic to democratic governance." Professor Richard H. Kohn



Government of Lesotho

Our Nation is going through a crisis; a political crisis that is for our elected leaders to resolve through "constitutional and peaceful democratic" means of a return to the hustings in which Basotho are the final arbiters of who should "democratically" govern our Kingdom. The emphasis being on democracy and the rule of law, as enshrined in our Constitution of 1993, in which the role of the Lesotho Defence Force (LDF) and its command and control is circumscribed in the Lesotho Defence Force Act No.4 of 1996. A legal instrument that definitely does not give sanction to such actions by the LDF, or by units within it, as those witnessed on 30 August 2014 that have challenged the very notion of the military being subordinate and answerable to His Majesty the King, who is its Commander-in-Chief.

The LDF is sworn to uphold Lesotho's Constitution and remain under civilian control, in which the chain of command descends from the Prime Minister in his capacity as the Head of Government and as the Minister of Defence and National Security all the way down to the lowest private in the Force. He is assisted in this by the Ministry of Defence and National Security which is responsible for the provision of wherewithal to the LDF; defence policy formulation and promulgation, as well as for financial accountability to the parliament for monies budgeted for the nation's defence and well being of its military.

The question that has never received an answer is: how is it that 21 years after we cast aside undemocratic rule, giving our Nation a democratic constitution, we still have the military playing a role in politics, albeit under the garb of removing threats to security. Why do military officers refuse to adhere to any of the laid down norms and channels of command in Lesotho? The answer may partly lie in our politicians' penchant to use the military for their own narrow political purposes that propels the military, in specific its senior hierarchy, to openly support a given political party or parties as is happening at the moment, and which has unfortunately tipped the circumstances in the political arena from being within the capability of our politicians to resolve, to one requiring external intervention and inviting upon our peaceful Nation the opprobrium of the international community and uncomfortable spotlight of world media.

I shall not delve into the causes that have led to the current deadlock between our political leaders over parliament being prorogued for a certain length of time. Democratic functioning can be slow, cumbersome and at times to the political advantage (or disadvantage) of one party or another - such is its nature. I shall restrict myself to the aforementioned breakdown of a lawful chain of command by the LDF in pursuance of a high risk politico-military strategy for personal gain, which is fraught with danger and poses a serious threat to the future of genuine participative democracy and civil-military relations in Lesotho. Let me explain through a quote from a book that our brothers in uniform are fond of expounding in their press releases from time to time. Samuel P. Huntington's "The Soldier and the State" is a seminal book that is still requires reading for leaders, be they civilian or in uniform, in liberal "western" democracies. Mr. Huntington describes the necessity of objective civilian control over the military, or the lack thereof, and I quote:

**"Objective civilian control achieves its end by militarizing the military, making them the tool of the state. Subjective civilian control exists in a variety of forms, objective civilian control in only one. The antithesis of objective civilian control is military participation in politics: civilian control decreases as the military become progressively involved in institutional, class, and constitutional politics."**

Unfortunately what we are witness to, and continue to rue the implications of, is a military in Lesotho that is unable or unwilling to distinguish between lawful civilian control and its almost compulsive desire, driven by its senior leadership's DNA so to speak, to remain at the centre of Lesotho's politics. This is the crux of the present problem as well, despite the considerable time and effort spent since 1998 to be rid of such undemocratic thinking within an apolitical military class in the LDF and inculcate true professionalism and accountability by the Force's hierarchy to Lesotho's political leadership. Countries such as the US, India, South Africa, Botswana, and China, have been offering us technical help and sending personnel of the LDF to their schools of professional training so as to inculcate in them genuine professional capabilities that allows the LDF to fulfill its mandate of ensuring peace and security in Lesotho so that all Basotho can get on with their livelihoods in an atmosphere of calm and stability. That there is much that we take back from these invaluable exposure programmes is yet to be tested.

Accountability does not imply subservience nor does it mean that the Force is a tool to be used for partisan political gains. We must also remember that while it is in the nature of politicians to use such means as necessary to gain political advantage, our history shows that no politician has ever been punished for using the security cluster to his advantage whereas military leaders (be they at the very top or even middle rung officers) have seen the inside of prisons and even been exiled in the past in our Nation for intruding in the political arena. Today, within the Southern Africa region, there is very little tolerance for the meddling by the military in political affairs and thus actions by military commanders that are not within the ambit of national security will not go unnoticed or unpunished, however long winded and tedious the process may be.

In the end, and against the backdrop of the long history of the Lesotho Defence Force's entrapment in the political space, it seems only evident that the issue of civil-military relations in Lesotho is yet to be exhausted, including the issue of the future role of the army in socio-economic development. A Commission of Inquiry was established to inquire into the events that took place in November 1993 and April 1994. Its report of January 1995 made some compelling recommendations, *inter alia*, (i) the defence force should be employed in civil works, and that this role should be emphasized more than the defence role, (ii) Lesotho must maintain a unified and effective defence force that will be professional and well-equipped to effectively discharge its roles by emphasizing the recruitment of technical and professional personnel at the expense of the non-technical and non-professional personnel, (iii) the non-professional component of the defence force should be gradually downsized, and (iv) the quality of command and leadership in the LDF will be improved by retraining the leadership of the LDF and creating a separate officer training programme from that of the other ranks.

These reform processes involving the LDF are necessary for the stability of the country. They will involve expeditious steps to ensure *esprit de corps* within the force; provision of capacity for the Ministry of Defence to effectively play a role of shaping the defence and security policy and ensuring compliance therewith by the force. Parliamentary oversight will also have to be straightened to cap military subservience to democratic civilian role. These interventions are essential to help turn the fortunes of the LDF and its personnel, who have always ended up as losers/victims at the end of any of the incessant political crises that have characterized Lesotho's political history. Khabele Matlosa's observation on this dark history of the Lesotho Defence Force is apt, "No other institution of state has been more beset by political controversy than the military in Lesotho."

About the author: Mr. Thato Mohasoa is the Principal Secretary in the Ministry of Defence and National Security in the Kingdom of Lesotho.

# Opinion & Analysis

October 9 - 15 2014

THE Maseru Facilitation Declaration, facilitated by South African Deputy President Cyril Ramaphosa is a welcome development, since the coalition government has, for all practical reasons, ceased to exist. The key components of the Declaration are that Parliament will be reconvened for the business of preparing the way for the general elections around February 2015 and passing the budget. There will not be a no-confidence vote and floor-crossing by members of the august house.

However, much as this is truly commendable, Lesotho's political problems are far too deep-seated and need to be addressed at some stage in the not too distant future else they will recur with disastrous consequences for Basotho and Southern African Development Community (SADC).

Granted, Mr Ramaphosa's mandate was only to prepare a roadmap for early elections which he commendably has achieved. However, these agreements are not a panacea for all the country's ills. There are far deeper underlying problems that need to be addressed at a larger forum and at a later stage in our political history. Unfortunately, all the symptoms and not the causes have been addressed. The solution has been rather superficial, I reckon.

For instance, does Lesotho really need an army? Secondly, how best can Basotho, SADC in general and South Africa, in particular, help this country out of the corruption and economic quagmire it is still wallowing in?

Thirdly, how do we, with the assistance of SADC, find a lasting and viable solution to Lesotho's myriad political problems?

Fourthly, what role does the institution of the monarchy play in the future political landscape of Lesotho? Fifthly, do we continue with the present political dispensation where even small role players, who garnered inconsequential votes in the general election, play a pivotal role in the affairs of state?

These are some of the salient questions that need to be addressed if we are to find a lasting solution to our many problems as a nation going forward.

I will, in this column, endeavor to suggest ways of solving these problems. Firstly, the army needs to be dissolved or demobilised completely from our security landscape.

So that you the reader may well understand my argument on this one, let me make this example. A corn farmer, in this case, Basotho or government, rears a lion as a pet, then this lion kills the farmers' dogs as a result his whole harvest gets stolen by thieves.

This is exactly the scenario that obtains in Lesotho, whereby the army that is financed by the taxpayer and government regularly kills and attacks police, who are there to keep away criminals and ensure equality and stability, thereby ensuring foreign direct investment.

By the same analogy, the farmer's family starves because there is a pet lion on the loose, harassing and even devouring the very family. This is exactly what the Lesotho army is doing to this traumatised nation and the police. They are even a threat to foreign investors, and as a result government is short of revenue for developmental purposes.

I will again use an unfortunately violent but appropriate analogy to describe the reign of fired Lesotho Defence Force (LDF) commander, Lieutenant General! Tlali Kamoli. It is like putting a hammer in someone's hand. It can be used in accordance with its purpose to knock-in nails or to bash-in skulls. Unfortunately, throughout its history in Lesotho, barring a few negligible months when it did its job, the army has been the source of all our political woes. It has been misused by politicians to suppress and even kill the citizenry.

All the previous regimes or political formations in Lesotho have unfortunately misused the army. Previous attempts to demobilise the army have all come to naught. Presently, it is being misused by the Democratic Congress - Lesotho Congress for Democracy axis to good effect. All because one renegade general is pandering to the whims of a political formation.

A cursory look at Lesotho's annual budget will reflect that the army gets allocated a huge percentage of the national budget yet ministries that are mandated for the

## Ramaphosa has barely scratched the surface



developmental needs of Lesotho operate on a meagre allocation.

SOUTH African Deputy President Cyril Ramaphosa

In all fairness to them, we do not need an army. We are wholly surrounded by giant South Africa, which is not a threat to us at all. Anybody who wants to attack us first has to go through South Africa.

In effect, South Africa takes care of all our security needs. The huge finances that are unfortunately being expended on the army could profitably and meaningfully be diverted to developmental needs where they are needed most. Now, ironically, this country lacks stability because of the army that is bankrolled and manned by the very people it is supposed to protect.

What this country needs is an efficient, well-equipped, apolitical police force.

Owing to the historic and economic reality of Lesotho, this country was designed as a labour reservoir for South Africa, with no viable economy to speak of. Getting into the few government jobs, available particularly cabinet positions is unfortunately the only way of getting wealthy. The economic cake is too small to share equally amongst ourselves and this, coupled with corruption and sheer greed force some unscrupulous politicians to cling to power or better still orchestrate means to unseat governments so they may get all these meagre resources all to themselves alone.

Coupled with the joint Lesotho High-lands project and its many investments in Lesotho, big brother South Africa has a huge role to play in Lesotho. If only also to extend its inevitable leverage on Lesotho's affairs. Else if South Africa does not help we will forever remain that restive kingdom in its womb.

In all fairness to Lesotho, we are wholly and entirely dependent on South Africa. We have got no economy that we can call our own let alone sustain us. All our skilled manpower have left this land for the greener pastures of mostly South Africa. So I would urge South Africa to come up with a Marshall Plan for Lesotho, akin to the United States' plan for Europe after the Second World War.

Thirdly, SADC, particularly South Africa, as they have shown have a huge role to play in Lesotho's political and economic affairs, whether we like it or not. South Africa and SADC should however, blend their suggestions to the solution of our problems, having regard and taking on board, our history, culture, institutions and power brokers as well as local stakeholders.

South Africa, to its credit, is arguably the only country on earth, blessed with so many Nobel Peace Laureates in Messrs Albert Lutuli, Nelson Mandela, Archbishop Emeritus Desmond Tutu and FW de Klerk. Add to the repertoire Mr Ramaphosa.

Lesotho's political and economic history, coupled with its unique geographical position is inextricably linked and influenced by South Africa. Therefore, either by design or default, South Africa has a major and influential role to play in our future. After all, it is also in South Africa's long-term interests to have a stable and eco-

nomically strong state in its belly.

On the institution of the monarchy, owing to our culture, traditions and history, it has to play a pivotal role in our political landscape. However, kings are only human and susceptible to ordinary human influences.

It is therefore, critically important that the monarchy plays a unifying role that is reflective of our sovereignty and uniqueness but must, at all times, be above party politics. The monarchy must always be our collective political home. The monarchy should be the custodian of our values, heritage, constitution and founding principles. However, the powers of the monarchy must be circumscribed because too much power vested in one institution does not augur well for any nation.

None of us is infallible. That is why we have checks and balances and the oversight role of some institutions as well as appeal and review procedures.

Last but not least, is the current political dispensation whereby even small parties that have garnered inconsequential votes in the general election have sadly contributed negatively to the current political impasse that this country finds itself in. Because they did not make their way to Parliament by way of any considerable support, and because in the larger scheme of things and in true reflection of their popularity, they are not accountable to anyone nor are they interested in galvanizing enough support, they have been allowed to punch far beyond their weight. This is a flawed legacy that we have got to address in the future. In the larger scheme of things, they deserve minimal mention on the political landscape our nation that is proportionate to their share of the vote. If they are given a disproportionate amount of power they frustrate the smooth running of democracy.

After all, the underpinning rationale behind democracy is that the voice of the majority should see the light of day. However, this is not to say the minority voice are completely muted. Herein lies the critical component of an inclusive democracy: striking the balance between divergent views including a least, listening to those of the majority.

However, even well-established, traditional democracies like India, the United States, United Kingdom and France do have minorities, which because of their negligible percentage at national polls play an equally negligible role. In the UK and France, they have the Scottish National Party and the French National Party, which have been given their equally small role in the national spends proportionate to the amount of votes they command.

It is only human nature that much as we disagree on our daily discourse, our views might not carry much favour on the national popularity stakes. Such parties must therefore be duly consigned to their place on the national stage. It goes without saying that many faces that we are now seeing

in Parliament do not deserve to be there in the first place. Now look at the political mess this country finds itself in because they are in fact the most vociferous in their bellicose utterances. I bet that is not what the forefathers of democracy had in mind when they coined the phrase.

In conclusion, therefore, these are the seminal issues that have to be addressed in order for our democracy to take root and be strengthened. The only caveat is that of course, with the South Africa, the latter is a sovereign country that has to consider the interests of its citizens first but I bet, Lesotho is inextricably linked to South Africa.

However, like I argued, Mr Ramaphosa deserves a huge applause for coming-up with something tangible.

I rest my case.

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A researcher working with delicate material in the Archives

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