

**Church and State Relations in Lesotho: A Theological Reflection  
on Catholic and Reformed contributions 1833-2007**

**by**

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## Abstract

The relationship between church and state in the history of the Kingdom of Lesotho is an important yet neglected study. This thesis explores how this relationship has played itself out with particular interest in contributions made by Catholic and Reformed traditions.

These particular approaches to Church and State relations are of particular interest because of the closeness of both churches to the state in Lesotho during different eras and how they influenced the politics and shaped the history of Lesotho as a country. Sesotho culture and tradition versus western tradition and Christianity also comes under the microscope as investigation into the effects of Christianity and Culture.

To accomplish the aims of the thesis, viz. a survey of the history of church and state from the time of King Moshoeshoe until the newest situation of an emerging democracy under the monarchy, with conclusions about the road into the future, a literature survey of Lesotho's history from 1833-2007 has been used. The thesis also places the history of the church in Lesotho within the "mainstream history" of Lesotho as a country.

A comparison of traditional approaches to church and state relationships from leading Catholic and Reformed theologians and an assessment of how they played out in the history of Lesotho if they were applied at all. Furthermore, the thesis suggests a new way in which the Church and State can work together in the future so that mistakes of the past do not hinder either party from actively staying relevant and unhindered by the other in carrying out its duties.

## Key Words

Church/State Relationship

Politics

Separation

History

Lesotho

Governance

Civil Society

Catholic

Reformed

## DECLARATION

This thesis is a presentation of my original research work. Wherever contributions of others are involved, every effort is made to indicate this clearly, with due reference to the literature, and acknowledgement of collaborative research and discussions. The work was done under the guidance of Professor Christoffel Lombard, at the University of Western Cape, Bellville Cape Town.

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In my capacity as supervisor of the candidate's thesis, I certify that the above statements are true to the best of my knowledge.

Professor Christoffel Lombard.....

Date:.....

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## List of abbreviations

ABC	All Basotho Convention
AME	African Methodist Episcopal
ANC	African National Congress
BCP	Basutoland Congress Party/ Basotho Congress Party
BFP	Basutoland Freedom Party
BNP	Basutoland National Party/ Basotho National Party
CCL	Church Council of Lesotho
HOC	Heads of Churches
IEC	Independent Electoral Commission
LCD	Lesotho Congress for Democracy
LEA	Lesotho Ecumenical Association
LEC	Lesotho Evangelical Church
LLA	Lesotho Liberation Army
LPC	Lesotho People's Congress
MFP	Marematlou Freedom Party
NUL	National University of Lesotho
OAU	Organisation of African Unity
PEMS	Paris Evangelical Mission Society
PMU	Police Mobile Unit
RCC	Roman Catholic Church
RLDF	Royal Lesotho Defence Force
SADC	Southern African Development Community

# Chapter 1

## Introduction: Relevance, Context, Focus and

### Method of the Study

The research project focuses on the relationship between church and state in Lesotho and reviews what role the church has played in different eras of Lesotho's history.<sup>1</sup> The church appears to have at times been very strong and vibrant while at other times to have been found wanting in terms of how it relates to the state and what its boundaries are<sup>2</sup>. The relationship between Church and State has been a matter of debate since the early days of Christianity. Roman Catholic and Reformed approaches towards defining the church/state relationship are relevant in the Lesotho context, and have in fact played a major role in shaping ecumenical thinking and action within this field in the history of the country. In this study, principled views on church, state and civil society, especially from these two major traditions (Catholic and Reformed), are used as a theoretical framework within the fluctuating relations between church, state and civil society, in different periods in Lesotho's history.

#### 1.1 Background

Lesotho's history of the work of the church has not been an area of intensive focus or reflection; the only major work specifically focused on the church in Lesotho was the 2009 publication of *Quest for Peace* by Hincks. The relationship of church-state as an area of focus and in-depth study is currently basically non-existent, yet the church in Lesotho has played a major role politically, socially and even economically to some extent. It is mostly in oral history or in passing that the work of the church especially its involvement with state, is mentioned. In Lesotho, there is a saying "*Baruti ba Moshoeshoe*" which means Moshoeshoe's pastors/ministers of the gospel, which signifies the importance of the gospel, the church and missionaries,

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<sup>1</sup> In this thesis, I consistently use abbreviations e.g. BNP, BCP, LEC, RCC; please see list of abbreviations on page V.

<sup>2</sup> Hinks 2009:664-666 notes that the Roman Catholic Church became too close to a government that was persecuting the people and blinded to the fact that Jonathan's government was using the church to accumulate votes of which they would get an estimated 40% of the population from Catholic voters alone. Furthermore, the Catholic Church and Catholics benefited from the BNP government; e.g. Catholics got first preference in civil service and high profile posts.

yet very little about the work that these people achieved while living in Lesotho and preaching the gospel to Basotho is recorded.

Since the return to democratic rule in 1993, Lesotho has faced and is still facing many political problems. In my view, the church seems to be a key to finding a solution as it did during the days of the founder of Basotho, hence I undertook investigate how the church has engaged with the state in order to make recommendations that can help Lesotho, Basotho and even neighbouring countries in the region. The specific focus on the Catholic Church and the Protestant Church is mainly due to the fact that these two are the biggest churches in Lesotho and the ones that have played a major role in Lesotho's political history.

The major problem that I faced in this thesis is the general lack of literature focusing on specific periods in History. For instance, there is only one book that captures the era 1986-1993 when the military government was in power.<sup>3</sup> From 1993-2007, not one major work is dedicated to providing a general history of events, not to mention the work of the church or church-state relations. I have also found archives hard to access especially those held by the Christian Council of Lesotho. In search of church archived documents I have time and again been referred to *Quest for Peace*. This is why it is one of the major references of this thesis. My intention at the start of this thesis was not to work with interviews or questionnaires because I did not anticipate the lack of literature that I encountered. The sensitive and even dangerous nature of the political side of church-state relations would also influence the reliability of such an approach, apart from the problematic aspects of funding, infrastructure and field work support.

It is with all these in mind that I set out to investigate the relationship and influences of the two traditions and the contributions they made vis-à-vis the state, while also seeking to write a history of the significance of the church in Lesotho's history. Furthermore, I believe that it is only in visiting, evaluating and properly recording my own history that I can propose ways not to repeat the mistakes of my ancestors, but rather to learn from their mistakes so that they do not repeat themselves in the present and future, while also building on their successes to see my country prosper and live in peace.

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<sup>3</sup> *King's Knights* by Machobane.

## 1.2 Context and Relevance

For Lesotho, church and state relations are almost as old as the country itself, with the first encounters occurring soon after the Thaba-Bosiu<sup>4</sup> event, with the arrival of the missionaries and the influence they had on the governance style and “foreign policy” adopted by King Moshoeshoe I. This relationship has continued through to the 21<sup>st</sup> century with many different developments due to the arrival of different denominations such as the Roman Catholics and the Anglicans who at different times sought acceptance and showed willingness to demonstrate relevance not only to the native people but also to those governing. Gill suggests that unlike most rulers in Southern Africa, Moshoeshoe accepted the request of the Roman Catholic missionaries, firstly because after the departure of the highly influential European counsellor Eugene Casalis, relations with the Protestant missionaries were poor, and secondly because Moshoeshoe was toying with the idea of having a state church like the British to whom he looked up to.<sup>5</sup> The reason for this was that tension between church and state and the rivalry between the Protestants and the Catholics could be better controlled in a state church setup.

A major thesis driving this study is that different views of how the church and state should relate have been very influential in shaping Lesotho’s history, and the relevance of the church in different eras can only be formulated contextually, i.e. in terms of the churches’ prophetic voice, its independent stand on economic, social and political issues, and its participation in bringing about a vibrant civil society. In this thesis, missionary history of the Catholics and Protestants and their relative influences are traced carefully and the dominant paradigms concerning state and church applied. Furthermore, I make an attempt to suggest Catholic and Reformed ways for assessing the complex history with the focus on Lesotho.

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<sup>4</sup> The Thaba-Bosiu event is also known as the formation of the Basotho Nation by King Moshoeshoe I of the Bakoena-ba Mokoteli who welcomed any and every refugee of the Lifaqane war who sought peace and a safe haven. Lifaqane, this was started by Shaka, who after taking over as chief of the amaZulu, had quickly made a name for himself as a very powerful, innovative and popular king. His armies were mighty and raided everything in their path (Hamnett 1975: 24). As Shaka’s empire grew, more and more people were displaced and sort refuge elsewhere. These Lifaqane, for the Sotho people began in 1822 according to Hincks (2009:31-33).

<sup>5</sup> Gill 1993:102.

The thesis is hopefully relevant as a first exploratory study because Lesotho's history has not been well documented and there are not many sources of proper academic standards that can be used. However, as the thesis develops, specific sources presented themselves as the major references for a specific period.<sup>6</sup>

### 1.3 Focus

The focus of this thesis is to show how the relationship between Church and State in Lesotho's history has played itself out. The particular interest will be on the contributions of the two major denominations being the Roman Catholic Church and the Protestant/Reformed Lesotho Evangelical Church. As this thesis shall show, these two churches together with the Anglican Church and the African Methodist Episcopal Church started an Ecumenical body now known as the Christian Council of Lesotho, which also played an important role in the development of an approach of the Lesotho Church to state relations. Through its Heads of Churches, the main organizational link between the Church and State, the church played and continues to play both a prophetic and pastoral role in Lesotho and this is also considered within the broader scope of Church and State relations.

Having been raised in a Protestant family, the interest for me is to see whether my tradition has had any relevance and significance to the development of Lesotho as my country of origin, and if so how? Furthermore, because of the "animosity" that has existed between Catholics and Protestants, it is interesting to see if the two can indeed work together towards a common goal despite differences that can be traced to the Reformation period. It is also of interest to a neutral reader to evaluate whether the church as an institution is a relevant stake holder in national affairs not just of Lesotho, but whether it could be applicable in other countries especially in Southern Africa where SADC has for years been mediating in the national affairs of countries facing conflict. Is the church an alternative answer to helping unite Africans and building peace and political stability?

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<sup>6</sup> Chapter 3 uses Hincks, Gill, Beck and Ellenberger as the main sources. However, Chapter 4 uses Khaketla as the main source with contributions from Gill and Hincks being minimal. Chapter 5 uses Machobane as the main source with supporting sources found in Hinks' work *Quest for Peace*. The challenge of the thesis becomes most apparent in chapters 5 and 6 where there is hardly any well researched historical record of the history between 1993 and 2007 (the date at which the thesis will come to a conclusion).

## **1.4 Theoretical framework**

This thesis is framed within Lesotho's history, where I have divided the historical periods by the regime that ruled at the time. From 1833 when the missionaries arrived in Lesotho up until 1965-66 when independence came, the King and Chiefs were the ruling elite. Between 1970 and 1986, the BNP government under Chief Leabua Jonathan ruled and it was followed by the Military government between 1986-1993 where it gave over power to a democratically elected government. These major periods provide a frame within which I look at the contributions of Catholic and Protestant churches to Lesotho socially and politically. My expectations had been that I would find a clear theology of church and state and how it was applied by missionaries first and then by the local churches after the missionaries left. However, it is clear that influences such as that of the royal family, who are predominantly Catholic, the political tensions during various eras, the tradition and culture of Basotho which are at times religious in themselves posed a major challenge for the church to assert itself to a point where it seems a new theology especially on church and state may emerge. Tradition and culture form an important part of the history because for Basotho, separating one's self from culture and the ways of our forefathers in favour of Christianity seems to deny the very fact that one is a Mosotho.

## **1.5 Methodology**

In order to properly undertake this research, I have extensively looked at literature on Lesotho's history from 1833 up until 2007. The time frame is large and therefore divided into different time periods in which Basotho culture and tradition are engaged with relations to the church and its work in the specific time periods. The different shifts of power between King and Chiefs, the BNP government, the Military government and the Congress government (democratic rule) and how church-state relations play themselves out, are considered in order to define and assess contributions made by both the Catholics and the Protestants. I have come to the conclusion that there is a scarcity of properly researched literature on the work done by the church in Lesotho with the exception of *Quest for Peace*. There is even less on Lesotho's history since independence in 1966, something which became a major challenge for me as the research is historical and therefore literature based.

## 1.6 Literature Survey

### 1.6.1 Theological views on Church/State

Since the focus of the thesis is on church/state relations, a survey of definitions and approaches vis-à-vis the church, especially in Catholic and Protestant literature, has been done.

There are many definitions of what the church is. Dulles, a Catholic theologian suggests that these include *Servant, Herald, Institution, Mystical Communion, or People of God* (Dulles 1985: 59-90). These notions of being church in the Lesotho context and history have been studied and conclusions drawn regarding their applicability and relevance.

Smit, a Reformed South African theologian, sees the church in five perspectives: as a *place of worship, local congregation*, but also in terms of *denominations, ecumenical bodies* and also the global *body of Christ* in the world<sup>7</sup>. There are clearly many definitions for what the church is and what it is not, so for the purpose of this thesis I have investigated specifically two of the church definitions, crucial in what has developed as “public theology”<sup>8</sup>: the church as an *Ecumenical body* and as a *Prophetic Voice*.<sup>9</sup> In church-state relations these two aspects prominently represent the churches’ critical role in society and vis-à-vis “the powers”. Theologically defined, the state acts as God’s agent of justice and peace, and the church acts as the servant-herald, the mystical (ecumenical) communion of God’s people, hearing the prophetic Word, embodying that Word, and implementing the Word in the world.

Calvin (1956), Charles Villa-Vicencio (1986), Neuhaus (1977), Van Ruler (1989), Pope Leo (1881-1901), Smit (2007), and Rahner (1975) are a few examples of theologians whose works on church/state I have used to build a theoretical framework on both traditions’ stand points to determine the best one in the case of Lesotho. Contributions of theologians such as Calvin on the separation of church and state and Van Ruler on theocracy, and other views emphasise the prophetic role of the church in society and are therefore also considered. Because the thesis is not

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<sup>7</sup> Smit 2007:61-69.

<sup>8</sup> “Public theology is a Christian interpretation, informed by scripture and tradition and theological commitments to a particular faith perspective. Public theology offers a way of thinking about life and events that is informed by Christian faith”. (Bond 2009:3).

<sup>9</sup> See also Rikof 1981.

only theological but historical also, I have used sources such as Machobane (2013), Gill (1993), Khaketla (2000) and Hincks (2009) with other supporting articles to draw out a history of Lesotho because they focus on specific periods of history. It has been a process to identify trustworthy historical sources for this study.

### **1.6.2 Historical Church/State relations in Lesotho**

Lesotho is a country in the southern region of Africa landlocked within the Republic of South Africa. It has a population of about 1.8-2 million people. Lesotho is a kingdom where the King, Letsie III is a constitutional monarch and Head of State with a Prime Minister Motsoahae Tom Thabane running the country under a new coalition government as of June 2012 following the national elections of May 26 where no political party won a majority to rule on its own. This small country has two official languages, Sesotho and English. It is also a former protectorate of Britain.

In Lesotho, there are two main ecumenical bodies called Heads of Churches (HOC) which is the heads of the mainline churches in Lesotho, and the Christian Council of Lesotho (CCL) which is an umbrella organization for churches. However, only the Roman Catholic Church, the Lesotho Evangelical Church, the African Methodist Episcopal Church, the Methodist Church of Southern Africa and the Anglican Church are represented by this umbrella organisation - even though it is seen as representing all churches. The other major churches are the Charismatic/Pentecostal churches which remain independent of this body for their own reasons. According to a pamphlet of the Christian Council of Lesotho, of 2010, Lesotho's population is estimated to be around 1,800,000 with 91% of the population being Christians while 8% is estimated to be African traditional and 1% is unaccounted for. Of this 91% Christians, the estimate is that 900,000 belong to the Roman Catholic Church while 302,560 are Protestant, popularly known as the Lesotho Evangelical Church, with 110,000 being Anglicans while 254,060 are from independent churches which are mainly Pentecostal.

Since the inception of the CCL and the HOC, they have been the main representatives of the church in affairs that involve the state, hence they form a large part of the focus of this thesis. This however does not negate the fact that even with



the CCL and HOC in place, churches have acted outside these bodies to engage with the government in different eras.

Now that Lesotho is entering into a new era, the role the church is going to play is not particularly clear; however, it can be assumed that it will continue to engage and work with the state to better the lives of Basotho. Currently, the CCL holds meetings with people in the rural areas through its office of Good Governance whereby people, particularly the illiterate are taught about their rights as citizens and their responsibilities regarding events such as voting.<sup>10</sup> The HOC, under the directive of the CCL has been involved with the Southern African Development Community SADC in conflict resolution and will hopefully continue in the same vein going forward.<sup>11</sup>

## 1.7 Problem and Objectives

Lesotho's historical literature tends to point quite narrowly at the church and its extraordinary activities such as its interventions during political distress and the work it has done to reunite Basotho after man-made catastrophes such as the 1970 *Qomatsi*.<sup>12</sup> Yet the church has always played a pivotal role in history, also during "normal" times<sup>13</sup>. There are fairly clear accounts of the arrival of the missionaries in Thaba-Bosiu and Roma in the early and late 1800s. A history of the relationship between church and state has however never really been explored in detail, which is

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<sup>10</sup> I quote voting particularly because in Lesotho the norm has not been that people especially in the rural areas vote for a political party because of what it proposes to do if it wins elections, rather it has been based on which party parents and ancestors have followed hence it is potentially dangerous as it may put people in power whose agenda is not for the good of the people but for the enrichment of a few individuals.

<sup>11</sup> Hegel's dialectic of history shows that in history, there is always a thesis and an antithesis and with time the two drive towards a synthesis. In Lesotho, the same is true regarding history, and specifically in reference to Church/State history, one could view the *thesis* being the return of the Royal family to the church and specifically to the Roman Catholic Church, this started a chain of events that ultimately led to the rule of Chief Leabua Jonathan with the support of the RCC and an *antithesis* in the church realising that its support for a government of dictatorship is wrong, followed by a subsequent withdrawal and a *synthesis* in the church actively raising its voice in support of the oppressed and suffering. This dialectic continues to develop as history is in a sense, a collection of events in the past which are determined by what one chooses to do today. See Taylor 1975:389-461 and O'Brien 1985:174-198.

<sup>12</sup> *Qomatsi* refers to the 1970 state of emergency where Chief Leabua illegally seized power after losing the elections to the Ntsu Mokhehle led Basotho Congress Party (BCP). This resulted in looting and people being imprisoned, tortured and even murdered in cold blood because of suspicion of political affiliation and whether one lived in a village or area predominantly Roman Catholic or Protestant. However most of the victims of the *Qomatsi* were protestant believers and villages as they were seen to be supporters of the BCP.

<sup>13</sup> Gill (1993), Hincks (2009), and Elphick and Davenport (1997) all trace the pivotal role the church has played in Southern African history.

why it is of the utmost importance to investigate, recall and write this history parallel to the “mainstream” history such as the lineage of Paramount Chiefs and Kings in Lesotho.

Like Elphick, I am concerned that although Christian ideals and institutions were and still are prominent in the political history of Southern Africa, starting with the missionary campaign to Christianize African societies to the establishment of church and mission controlled schools, hospitals and even printing works, the history of the church and Christianity is poorly reflected in historical literature.<sup>14</sup> Furthermore, he also mentions the fact that even on a political level it was the church that started movements such as the African National Congress in South Africa which is currently the most influential political party in South Africa, yet most historical literature fails to situate Christianity on the broad political, social and economic context of South African history. This is also applicable to the Lesotho context, which is why my problem runs parallel to his.

Elphick also says “Christianity is only given a marginal role or no role at all” in mainstream Marxist or liberal history accounts of Southern Africa.<sup>15</sup> This is why it is important for me to place within the “mainstream” history of Lesotho, a history of the relationship of church/state and locate the role that Christianity has played within the historical context of Lesotho politics.

Given this definition of the problem investigated, this study has the following **objectives:**

- To evaluate the church/state relationship in Lesotho’s history
- To identify different trends of the above mentioned relationship during different eras
- To formulate lessons that can help improve the church/state duality in Lesotho and elsewhere

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<sup>14</sup> Elphick 1997:2.

<sup>15</sup> Elphick 1997:2.

## 1.8 Procedure

This study gives attention to a number of aspects which shall be highlighted in the following provisional chapters.

In chapter 1, an introductory chapter, the nature of the problem that will be investigated in this study will be discussed and clarified, as well as its relevance and the appropriate methodology.

Chapter 2 focuses on Roman Catholic and Reformed views on how the relationship between church and state should be carried out, focusing on differences, similarities, advantages and disadvantages. I use the work of theologians such as Calvin, Van Ruler and Villa-Vicencio amongst others, because of their major contributions in this field of theology. The main reason for choosing these specific traditions is because Lesotho is predominantly either Roman Catholic or Protestant (which in Lesotho's history tends to be very "Reformed" in nature). Hincks says that even though the Paris Evangelical Mission Society (PEMS), which gave birth to the Lesotho Evangelical Church (LEC), was not primarily a Reformed or Calvinist agency, it was founded on the same principles; hence for the purposes of this thesis it shall be referred to as "Reformed"<sup>16</sup>.

Chapter 3 looks at the relationship between King Moshoeshoe I and the missionaries who came to Lesotho as this is where the relationship between church and state starts from, i.e. from 1883 right up to 1965 with the formation of the Christian Council of Lesotho. Hincks says that after the 1960 elections, the Catholic missionary priests intensified their campaign against the Basotho Congress Party (BCP), because they alleged that the party was a communist threat.<sup>17</sup> So instead they gave their support to the Basotho National Party (BNP) both financially and materially even going to the extent of allowing the party to use the church's infrastructure whenever it was required. Ellenberger (1912), Hincks (2009), Gill (1993) all note that Eugene Casalis, one of the first three missionaries who arrived in Lesotho was a close advisor of Moshoeshoe when it came to international relations; he was even suggesting that Moshoeshoe seek protection from the British. These relationships are evaluated in

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<sup>16</sup> Hincks 2009:604.

<sup>17</sup> Hincks 2009:585.

light of classic church /state debates which also led to the formation of the CCL in 1965.

Chapter 4 evaluates the period from 1966 to 1986 when Chief Leabua Jonathan was in power. During this period, the Christian Council of Lesotho as well as the Head of Churches were very strong in their addressing of national issues pertaining to justice, human rights and freedom, especially when Chief Jonathan (after losing the 1970 elections) hijacked the government and declared a state of emergency. It was, for instance, recorded by B.M. Khaketla that when people were imprisoned and tortured under the regime of Chief Leabua Jonathan, Prime Minister of Lesotho in the period 1966-1986, church leaders were vocal in response to crimes against humanity and they rebuked the government fearlessly.

Khaketla notes a statement from the Church which reads:

“We, the undersigned, Heads of Churches in Lesotho, hereby wish to express our grave concern over certain events and attitudes which have repeatedly come to our notice over the months. We have no intention of taking part in party politics; but we have a sacred duty to proclaim the Gospel Message of justice and charity; we have to uphold the dignity of the human person created in the image and likeness of God, and redeemed by the precious Blood of Jesus Christ our Lord. It is an injustice to deprive man of his liberty indefinitely, without charging him with a specific crime that could warrant his imprisonment, and without hearing such cases as may be brought against him. Until proven guilty a man is presumed innocent. Physical and psychological violence and torture are signs of barbarism which should have no place in a Christian country”.<sup>18</sup>

In view of this markedly prophetic stance of the churches, it is important to look back at the nature of the relationship between church and state in that era. Clearly during this era, the church as the Body of Christ was very vocal and courageous to confront, plead with and rebuke the state for its tyrannical ways, and in so doing proving its relevance.

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<sup>18</sup> Khaketla 2000:337.

Chapter 5 focuses on the period from 1986 to 1993 where there was a military coup to oust Jonathan from power. During this time, once again, the church was invited to become involved in the running of state affairs. The HOC pressed the Military government on several key issues, these being:

- Opening talks with the BCP and enabling Basotho exiles to return home safely with proper mechanisms and assistance.
- Releasing all political prisoners.
- Lifting Order No.4 which had prohibited political party activity.
- Initiating dialogue with political parties.
- Restoring the 1966 constitution.
- Calling for multi-party elections.<sup>19</sup>

Apart from these strong actions, the HOC was also part of the King's Council. Developments during this period of dialogue however saw relations with the HOC cut very short in 1988 with the Military Council insisting that the church was in itself too divided and should go and "fix its own house before engaging in national affairs".<sup>20</sup> Clearly the church had gone through difficult and testing situations during this period, and even though it still had a voice, there were forces trying to silence the church. These shall also be reviewed as I try to find the voice of the church during this era and how it faced the challenges that were now forcing it to re-evaluate itself in order to stay relevant at national level.

Chapter 6 looks at the era of the Congress parties from 1993 to 2007. Here the relationship of the church and state entered into a new yet trying time as the new government had historically been linked with the LEC church. The dynamics of the relationship of church and state during this period are of particular interest because of the political events of this time which include the BCP splitting into different parties such as Lesotho Congress for Democracy (LCD) and Democratic Congress (DC) which went on to rule until the 2012 elections where no outright winner of elections came through, resulting in a new coalition government with old foes coming together to fight a new one. The historical developments have also seen a detachment of both

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<sup>19</sup> Hincks. 2009:699.

<sup>20</sup> Hincks, 2009:740.

the Catholic and LEC churches with particular political parties and playing a much more “neutral” role, which shall be looked at also.

Chapter 7 forms the concluding chapter of this thesis. It recommends ways in which church and state relations in Lesotho can be enhanced while reminding both church and state of the errors of the past in order not to repeat them. Possibilities such as the total separation of church and state, or perhaps a union whereby Lesotho might adopt the idea of a state church are explored. Another option is that of both church and state working together and yet having clear boundaries. But the idea that is most appealing to me, particularly for Lesotho, is one that would see the King as a constitutional monarch, being given certain constitutional powers together with the church, so that the two can become custodians of democracy in a country that has since independence had many problems with governance.

## Chapter 2

# An evaluation of the Catholic and Reformed Traditions on Church-State Relations

In this chapter, which shall form a theological basis of this thesis, an evaluation of different theologians from Catholic and Reformed traditions shall be considered. It shall look at the different approaches to Church and State relations (e.g. where they are similar, where they disagree), which will then form the basis of evaluation on how they played out in different eras of Lesotho's history, as well as the influence, if any, that they have had on the current Church-State relationship in Lesotho.

### 2.1 Reformed Tradition on Church-State relations

It is important to note from the beginning that when it comes to the Protestant view on church and state relations, there is no clear singular view. Within the Protestant tradition, the view on church/state relations has two stand points, the first of which was started by the early reformers such as Martin Luther, Zwingli and others and further developed by John Calvin, and finding more recent expression in contemporary theologians like Arnold van Ruler. The second is expressed in the Anabaptism view, with a radical expectation of God's justice; thus, with too little patience and love to deal with history bit by bit.

To be able to discern what kind of Protestantism was in play in Lesotho's quest for its own church-state relation, various of these Protestant approaches will briefly be investigated and then compared with Catholic approaches that were brought by especially French missionaries in their contact with the king and people of Lesotho.

#### 2.1.1 Martin Luther on Church and State

Martin Luther<sup>21</sup>, the author of the Reformation, on the topic of church and state starts off with the realisation that in the world there are "Two Kingdoms".<sup>22</sup> He makes this

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<sup>21</sup> Martin Luther is a German Theologian, who was a monk in the Roman Catholic Church. He also became the "author" of the Protestant Reformation after strong contention that the church cannot sell the forgiveness of sins, but rather that forgiveness was a gift only attainable by the grace of God. He is also the founder of what has today evolved into the Lutheran Church, a major denomination in Christianity.

distinction by saying that the children of Adam must be divided into two classes, the first being those who belong to the Kingdom of God and the second, those belonging to the kingdom of the world. Those who belong to the Kingdom of God are the “true believers”, who are in Christ and declare the Lordship of Christ in the Kingdom of God (true Christians). By deduction then, all who are not Christians belong to the kingdom of the world and hence falls under the law.<sup>23</sup> Luther probably did not intend his doctrine to work with such a rigid logic, since, according to him Christians are members of *both* these kingdoms, and he had a high regard for the “wordly kingdom” as also resorting “under God”. Nevertheless, his theory could never escape such “dualist” interpretations.

According to Luther, believers do not need temporal laws or swords, kings or princes, because in their hearts they have the Holy Spirit who “teaches and makes them do injustice to no one, to love everyone and to suffer injustice cheerfully at the hands of anyone”. He further realises that true believers are very few, not to speak of those who actually actively practice the Christian life on a daily basis. For them, the governance of the Kingdom of God is enough. All others however, God has subjected to the sword so that even though they act wickedly, there are limits to what is punishable on earth to deter and restrain their evil actions.<sup>24</sup> Luther uses the analogy of a wild and a domestic animal to illustrate this form of reasoning. He says that a wild beast needs to be restrained, otherwise it causes mayhem. On the other hand, there is no need to restrain a domestic animal, as it poses no threat to anyone. It is for this reason that he asserts that God ordained two governments; the spiritual one by which “the Holy Spirit produces Christians and righteous people under Christ and the temporal which restrains the ‘un-Christian’ and wicked so that they are obliged to keep still and maintain an outward peace”.<sup>25</sup> So for Luther both are necessary in order to keep peace, however, this also implies that if the whole world were Christian, there would be no need for laws or rulers, as the whole world would be under a Theocracy.

After making the distinction between the heavenly and earthly kingdoms, Luther further develops his theology on church and state by demarcating lines between the

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<sup>22</sup> Villa-Vicencio 1986:49; see also Beeke 2011, Bornkamn 1966, Lohse 1999 and Slenczka 2012.

<sup>23</sup> Villa-Vicencio 1986:49-50; see also , Bornkamn 1966 and Lohse 1999.

<sup>24</sup> Villa-Vicencio 1986:50, Bornkamn 1966 and Lohse 1999.

<sup>25</sup> Villa-Vicencio 1986:50, Bornkamn 1966 and Lohse 1999.



two with regard to the exercise of powers. In his mind, as mentioned previously, both kingdoms are necessary for order. The power of the earthly kingdom, however, is only limited to the rule of law, while the heavenly kingdom is concerned with the things of God and in particular, the salvation of the soul. Hence, there must be a balance between the two powers, because he says that “every government must have its own laws and statutes; without law no kingdom or government can survive”.<sup>26</sup>

The earthly or temporal government’s authority, however, extends no further than to ‘life, property and external earthly affairs’, while the heavenly kingdom is concerned with the soul of humanity. He further warns that where the earthly kingdom prescribes for the citizen with regard to their faith, it oversteps its boundaries and encroaches upon God’s government to mislead and destroy souls.<sup>27</sup> Luther further asserts that no one shall command the soul unless he is able to show it the way to heaven, which he realizes human beings are not capable of doing and is only possible with God. Hence, he says that when it comes to “matters concerning the salvation of souls nothing but God’s word shall be taught and accepted”.<sup>28</sup> In this demarcation, both powers can work together without one encroaching on the other.

Luther also goes back to the scriptures to validate his assertions. He quotes the Apostle Paul’s letter to the Romans from chapter 3:1: “Let everyone be subject to the governing authorities,” and 1 Peter 2:13: “Submit yourselves for the Lord’s sake to every human authority: whether to the emperor, as the supreme authority.”<sup>29</sup> Luther says that these passages confirm what he asserts, because Paul is speaking of obeying governing authorities in as much as they do not interfere with the kingdom of God. Hence, what he means is that Paul is saying “external things should be ordered of the earthly kingdom”. In dealing with Peter, Luther again says that where Peter talks of human authority, it is only limited to things concerning the earthly kingdom, concerned with the external dealings of humanity. He goes further to say that Christ

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<sup>26</sup> Villa-Vicencio 1986:51, Bornkamn 1966, Lohse 1999 and Luther 1959.

<sup>27</sup> Villa-Vicencio 1986:51, Bornkamn 1966, Lohse 1999 and Luther 1959.

<sup>28</sup> Villa-Vicencio 1986:51, Bornkamn 1966, Lohse 1999 and Luther 1959.

<sup>29</sup> King James Bible. <http://www.biblegateway.com/> [28/08/13]

summed it up when he said: “Render to Caesar the things that are Caesar’s and to God the things that are God’s”, taken from the Gospel of Matthew 22:21.<sup>30</sup>

Luther continues with his strict approach and says that there are situations in which the citizen as a Christian can and should disobey civil authority. In his opinion, if a ruler is going to war unjustly, not having offered peace, the Christian should disobey any order to take arms and go to fight, as his first responsibility is towards the obedience of God, not human beings. If the ruler tries to stamp his authority on the spiritual life of the believer, however, the believer must disobey, as the ruler’s authority is only limited to life on earth and the spiritual life is governed by the kingdom of God.<sup>31</sup>

For Luther, obeying the ruler because of fear of persecution is denying God and therefore, a grave sin. He would rather the Christian suffer persecution than to give in to the demands of an unjust ruler.

### **2.1.2 Zwingli on Church and State**

The theology of Zwingli, like many of the early reformers, is shaped by the socio-political climate within which he lived in Zurich. The circumstances under which his theology of church and state arise are different from the circumstances and situation under which Luther was living, so it should be expected that they would differ in opinion. He stays close to Luther’s ideology of two distinct governments that are separate, however. His is a theology whereby the government is seen not as an enemy of religion or the church, but rather as an institution set up by God himself.<sup>32</sup>

According to Zwingli, the gospel is not opposed to government, but it rather supports government. Unlike the Lutheran view of the *two kingdoms*, Zwingli sees the issues of church/state in light of *human and divine righteousness*<sup>33</sup>. His definition of divine righteousness is that it is “perfect conformity with the will of God”, and as such, should be left up to God alone to judge. Human righteousness on the other hand, has little to do with faith in God but rather doing good to fellow man<sup>34</sup>. Hence, like Luther, Zwingli is of the opinion that if man was not sinful, there would be no need for

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<sup>30</sup> Villa-Vicencio 1986:51-52, Bornkamn 1966, Lohse 1999 and Luther 1959.

<sup>31</sup> Villa-Vicencio 1986:52.

<sup>32</sup> Stephens 1988:297-298.

<sup>33</sup> Stephens 1988:298.

<sup>34</sup> Stephens 1988:298.

government<sup>35</sup>. He sees the government however, as God's tool in maintaining order, precisely because not all people possess divine righteousness. Therefore, God gives laws like 'do not kill/steal', so that in the event that they are broken, the government acts as the punisher and maintainer of order for the good of all society<sup>36</sup>.

Zwingli asserts that government is truly instituted and sustained by God and says that the confirmation for him is in the affirmation of Christ that all should give to Caesar what is due to him and to God what is due to God<sup>37</sup>. He goes further to say that the ruler or anyone who is in a position of authority is not only ordained to that office by God, but he sees them as "servants of God". God rules in the world especially through them when dealing with sin through the sword<sup>38</sup>. Zwingli here makes it clear that God deals with sin first through the word and the cross of Christ, which leads man to repentance and salvation, the government however, is instituted to restrain selfishness and violence by punishment/chastisement.<sup>39</sup>

In Zwingli's thought, because the government is instituted by God, there is need for a ruler who is a Christian, a clear deviation from the Anabaptist view. Furthermore, the government should make sure that its law does not deviate from, but is constant with the law of God.<sup>40</sup> This line of thought, however relevant it may have been then, is troublesome in today's world where there is a plurality of religions and human rights are at the forefront. In a theocratic state however, Zwingli is on point.

Like Luther, when it comes to civil disobedience, Zwingli says that the Christian is "obligated to disobey authority" when the authority sets itself against God. So the obedience of the Christian is first to God, because a ruler is not lord over the soul and conscience of human beings.<sup>41</sup> In this case, in another departure from Luther, Zwingli asserts that civil disobedience against a tyrant can lead to the taking up of arms to indeed overthrow the tyrant.<sup>42</sup>

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<sup>35</sup> Stephens 1988:289.

<sup>36</sup> Stephens 1988:298.

<sup>37</sup> Stephens 1988:298.

<sup>38</sup> Stephens 1988:298-299.

<sup>39</sup> Stephens 1988:299.

<sup>40</sup> Stephens 1988:299.

<sup>41</sup> Stephens 1988:303.

<sup>42</sup> Stephens 1988:303.

In considering the best form of government, Zwingli recognised three types that were plausible; “monarchy, aristocracy and democracy”.<sup>43</sup> He realises that all of these can be corrupt. If executive power is vested in one person in the form of a monarch, it is easy for power to corrupt him and for him to end up becoming a tyrant. Similarly, if power is to be placed in the hands of the aristocrats, it is possible for it to end up as an oligarchy. Democracy can also turn to sedition in Zwingli’s view. His preferred form of government however, is that of an aristocracy.<sup>44</sup> Stephens (1988:308) says that it is understandable that aristocracy would be his preference, considering his experience of aristocracy in Zurich and other surrounding cities, but also the difficulty of removing a tyrant who has inherited power rather than a few (oligarchs).

### **2.1.3 John Calvin on Church and State**

Calvin starts his theology on Church and State by correcting the earlier notion of Luther. As mentioned previously, Luther's idea of “two regiments” draws the lines between the kingdom of God and the earthly kingdoms too harshly, resulting in a dualistic mode of thinking. Calvin corrected this by putting both church and state in service of God's kingdom.

For Calvin, both the church and the state are seen as serving God, even though they serve two different purposes<sup>45</sup>. According to Gatis, the responsibility of the state is seen as setting the stage for the church and the church does not obstruct the state. He goes on to say that in Calvin’s mind the “state and church are mutually religious, because the state adjudicates temporal matters under God and the church adjudicates spiritual matters under God, with both opposing evil. Evil—spiritual, social, doctrinal, moral, temporal—is seen as the common enemy that unifies the two divinely instituted bodies”.<sup>46</sup> Villa-Vicencio, in agreement with both Gatis (1996) and Höpfl (1985), says that for Calvin, the state is not opposed to the church, but rather begins the “heavenly kingdom to foster and maintain the external worship of God”.<sup>47</sup> So the work of the state in Calvin’s thought is to oversee and protect the church from any forms of perversion and to make an environment whereby it is possible for the

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<sup>43</sup> Stephens 1988:308.

<sup>44</sup> Stephens 1988:208.

<sup>45</sup> Gatis 1996:450 see also Calvin 2002.

<sup>46</sup> Gatis 1996:451.

<sup>47</sup> Villa-Vicencio 1986:55 and Calvin 2002.

church to function properly. In return, the church makes model citizens who do not trouble the state or cause chaos. Hence, the two work together.

Calvin leans towards a theocratic stance in his theology, because for him God rules over both the church and the state.<sup>48</sup> He further suggests that monarchy, aristocracy and democracy are equally acceptable before God.<sup>49</sup> Furthermore, Calvin distrusts monarchy partly because of experience, but also because he saw the age of the Judges in Israel as the “perfect and golden era”.<sup>50</sup> Hunt also says that Calvin “sharply criticizes the demand for a king by the children of Israel”. Furthermore, he says that although Calvin should not be seen as a democrat, Calvinistic aristocracy rests upon a democratic basis.<sup>51</sup>

Calvin firmly holds the idea that the state is a creation of God. Even so, the relationship between the ruler and God is another case on its own. As much as the state is an institution created by God, because of the persecution of Christians by “Bloody Mary” in England and Henry II in France, Calvin distrusts monarchy and evens says that it is “derogatory to the divine sovereignty” of God.<sup>52</sup> For Calvin, the highest form of political development is representative democracy, modeled on the biblical example. “In this consists the best condition of the people, when they can choose, by common consent, their own shepherds; for when any one by force usurps the supreme power, it is tyranny, and when men become kings by hereditary right, it seems not consistent with liberty”<sup>53</sup>.

Calvin stresses the legitimacy of the state by saying that those in authority are approved by God and act in the office as direct representatives of God in a way. He continues to warn that as such, they should honor their appointment by being impartial and they should seek always to be just and pronounce just judgments since they are representatives of God.

For Keddie, the civil power is seen to glorify Christ when the magistracy rules according to the mandate/instruction given by God. He further assert that for Calvin,

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<sup>48</sup> Gatis 1996:452 and Calvin 2002.

<sup>49</sup> Hunt 1992:63.

<sup>50</sup> Hunt 1992:64 and Calvin 2002.

<sup>51</sup> Hunt 1992:65.

<sup>52</sup> Hunt 1992:64 and Calvin 2002.

<sup>53</sup> Gatis 1996:454.

when the ruler is evil or seen as opposing the faith, God will destroy the kingdom and take for himself the glory, as he even did with the children of Israel in the Old Testament. Hence, it is important for the ruler to follow the will of God and rule with justice.<sup>54</sup>

#### **2.1.4 Van Ruler on Church and State**

Van Ruler (1908-1970), whose theology has its context in the post-war period of reconstruction in Europe, was a Dutch theologian and a minister in the Dutch Reformed Church. I will show in the assessment of the church-state history in Lesotho, in chapter 7, that various perspectives of his “theocracy” within a democratic system, investigated in 2.1.4 (such as church and state in service of the kingdom and the common good, respect, tolerance, freedom etc.) can be used fruitfully to give substance to the specific arrangement of the church, state, monarchy, and the people in Lesotho, in the future. The reason I specifically chose to use Van Ruler is because his theology reflects on that of Calvin which I see as “complete”. He also translates this theology into the post-modern era that is complicated and multi-religious, and where tolerance and the like become critical in proposing a church-state relation that is considerate of all humanity.<sup>55</sup>

He says that when we talk of church and state, first of all, there are a few questions that we should consider, as this is a very complex issue to talk about. Coming from a Protestant perspective, he tries to bring forth a “Protestant view” on the issue and starts off by stating that there is no clear stand that has been agreed upon as the stance of Protestant Christianity on the issue. He further goes on to say that before we can answer the question of the relationship between church and state, it is critical that we should look into history. He starts off by considering the Reformation of the sixteenth century and in particular, the “Reformed view” and its original formulation before he poses his new formulation.<sup>56</sup>

He says that the first thing that must be observed is that the question came about because of Christianity. He expands this line of thought, saying that every society

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<sup>54</sup> Keddie 1993:44.

<sup>55</sup> In this thesis reference is made to two articles of Van Ruler, the one on “Church and State” (1989:149-166) and the other on “Theocracy and Toleration” (1989:167-198), taken in up in the 1989 publication (by Bolt) of 8 of his seminal articles, from different periods in his oeuvre.

<sup>56</sup> Van Ruler 1989:149.

struggles with the question of the relation between throne and altar, king and priest, state and cult. An important aspect of this dilemma for Van Ruler, is the fact that in pagan culture and philosophy, the duality is never genuine; it is only in Christianity however, that a genuine duality was achieved both theoretically and practically.<sup>57</sup> He goes on to give five reasons for this. He says that these reasons are the fact that in the first place, in Christianity the altar does not rest on the same root as the throne. The throne is rooted in creation and the altar is rooted in the special revelation given to Israel through Jesus Christ.<sup>58</sup>

Second on the agenda is the fact that Christianity thinks and lives bodily. He qualifies this by saying that God has placed the body of the church as the body of Christ in the world. That added-on, disturbing factor which comes from the outside is not merely an idea, a thought-image, but a concrete reality with its own social forms and its own law, which is church law. This, he indicates, creates a plastic duality.<sup>59</sup>

Thirdly, he says Christianity is interested in what happens in the world and in history; that it is in this world where the kingdom of God needs to be established. For this reason, he states that the church keeps the state under close scrutiny and constantly asks it whether it is what it was intended to be. Van Ruler also importantly notes that in this way, Christianity also creates a problematic relation between church and state in its duality.<sup>60</sup>

Fourthly, Van Ruler avers that the church always stands in a critical relation with the state; that it can never be fully satisfied with nor assent to what happens to the state in society and culture. He goes on to say that the church, unlike in the case of pagan religions and philosophy, is not simply a symbol of the state's self-deification. It (the church) has a critical posture which shatters this monism and replaces it with an "ineradicable duality".<sup>61</sup>

Last but not least, Van Ruler postulates that on the one hand, God in his particular form in Israel and in Jesus Christ aggressively penetrates paganism. On the other, he (God) to the utmost synthetically respects human beings as his image-bearers

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<sup>57</sup> Van Ruler 1989:151.

<sup>58</sup> Van Ruler 1989:152.

<sup>59</sup> Van Ruler 1989:152.

<sup>60</sup> Van Ruler 1989:152.

<sup>61</sup> Van Ruler 1989:152.

and the world as his creation. It is not his intention that the church that he has established in the world replaces the state. Alternatively, it is his desire that the state become what he intends it to be. The dilemma comes because for the state to achieve this, the church is essential. Van Ruler further notes that in this way, the relation between state and church becomes a Christian problem only, as pagans could not be bothered by Yahweh.<sup>62</sup>

After posing these problems, Van Ruler realises that a question arises now; what does the state do with the church that has been established in the world? He further goes on to say that there are many options that are possible; to name a few, he says that one option is for the state to persecute the church. Furthermore, he adds that throughout history, when things have gotten tense in the world, the state has repeatedly persecuted the church.<sup>63</sup> Another option is for the state to leave the church alone, to ignore the church and conduct itself apart from the church as if it does not exist.

On the other hand however, Van Ruler proposes that the state can also respond in a positive way towards the church and he gives a few examples of how this can happen. He says that the state can attempt to allow or even create room for the church to work for the fellowship of believers or for humanity. Furthermore, it (the state) can protect the church from external opposition and animosity. Not only this, but the state can also take on itself the responsibility of providing material and spiritual resources for the church as a kind of “foster parent”. The state can also take the bold step of supporting the church and its spiritual message from a legal perspective. He also recommends that this could be done by a tribunal created to discover and suppress heresy (*ketterstraf*), when the state punishes heretics and when it prohibits and roots out all that is non-church.<sup>64</sup>

Van Ruler continues to say that between these two extremes, there are many possibilities that are still practiced in different ways. In our time, Van Ruler says that the state seems to be “sleep-walking”, without an awareness of what it is doing. He also does not contend with the fact that in earlier times this did not take place; the church has always remained an erratic and incomprehensible reality for the state, as

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<sup>62</sup> Van Ruler 1989:153.

<sup>63</sup> Van Ruler 1989:153.

<sup>64</sup> Van Ruler 1989:154.



Jesus was to Pilate.<sup>65</sup> He further goes on to show that even though one would have thought that with the Enlightenment era things would become more clear, the opposite has been the case, as the relationship between state and church lies now in the rags and tatters of tradition and experiment.

For Van Ruler, the state “must give the church a place but in such a way that does justice to the church’s nature and essence” to declare constitutionally what the church is. Again, Van Ruler encounters two problems here; he says that it is easy to simply define the church as a moral community. This is not satisfactory however, as he considers the church to be the body of Christ and therefore a messianic community; thus, it is to be understood as an act of God. The second problem is the conviction of the church that it cannot allow itself to be ranked amongst the many free human organisations under the state. That as the body of Christ and the new act of God in the world, the church carries with it the unavoidable claim that it operates in the world as God’s instrument, that it addresses the state as God’s instrument and must be seen on the same level as the state.<sup>66</sup> He continues to ask whether the state can tolerate this appearance of what looks like a “counter-state”.

Van Ruler develops his theory further to say that the church claims to be the representation of God in the world and is led to claim that it represents the truth and authority of God in his revelation. This means for Van Ruler that the claim of the church impinges on the state as well. This then means that the state is under obligation to be ruled and directed by the church with its truth and authority.<sup>67</sup> On the other side of the coin, Van Ruler also realises that it is not only the church that presses the matter of truth, authority and salvation upon the state; that within itself, the state requires truth, authority and salvation. He continues to elaborate on this saying that: “It is necessary for the state to be guided in its policy making in parliament, when it creates laws, makes judgements, uses coercive power, initiates policing, and makes fiscal policy.” Furthermore, he says that it is necessary in governing the social and individual lives of people. Owing to that, in order to

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<sup>65</sup> Van Ruler 1989:154.

<sup>66</sup> Van Ruler 1989:155.

<sup>67</sup> Van Ruler 1989:157.

accomplish all these duties, the state should have an idea of what authority, law, community, history, marriage and childhood really are in the totality of being.<sup>68</sup>

Another difficulty that Van Ruler realises is that modernity has brought with it a new “phenomena” of political parties, which seem to have created a greater rift between church and state. He says that these organisations (political parties) are based on the notion that truth is not only given of the past reflected in the interplay of church and state and now find themselves in the middle between church and state. This, he indicates, has made a difficult situation worse. Unfortunately, the church still does not know how to handle this “new” problem, so much so that for both the Reformed and Catholic Churches the question arises whether the church should now just leave public prophecy, proclamation of truth, the task of Christianizing, sanctifying political, socio-economic and cultural life to these organisations? A further question, whether the church can maintain direct relation to the state, is also asked.<sup>69</sup>

Van Ruler also warns that when organisations and political parties come into the equation, we run a great risk of leaving out the dimension of God, and gradually this leads towards anarchy. Democracy, he says, as much as it ideologically sounds superb, has problems of its own. Because it is based on a system of numbers, whoever is most charismatic, or can pull the most numbers can come into a position of power that can ultimately lead into dictatorship. For this reason, it is crucial for the church and state to both on their own and together try to strive for and retain their independence in the midst of political parties and organisations.<sup>70</sup>

Van Ruler goes on to attack philosophy, saying that even though it is a fine subject, on earth it harbours within it immeasurable dangers because of its “fatal attraction” for the absolute. Owing to that he mentions Plato, Spinoza and Hegel, who are three philosophers that brought philosophy and politics the closest and he states that all ended up with a totalitarian state, something Van Ruler clearly opposes.

Consequently, the solution to this great problem is found for Van Ruler in the relativizing of all existence that is brought about in the relation of church and state. He continues to say that he believes that the Reformation’s vision of a state with the

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<sup>68</sup> Van Ruler 1989:157.

<sup>69</sup> Van Ruler 1989:163.

<sup>70</sup> Van Ruler 1989:164.

Bible is still the best guarantee of the greatest tolerance and freedom, especially in our modern situation.

Van Ruler says that the distinction between church and state, and consequently between political tolerance and ecclesiastical forbearance is significant to this clarification of theocracy and tolerance.<sup>71</sup> He goes on to indicate that there are three types of toleration that must be considered; the first being personal tolerance, which is closely followed by ecclesiastical and political tolerance. Owing to that, he says that toleration is not only a question that concerns the institutions in which human beings concretize their life together. He states that it is also a matter of individual persons in their relation to fellow human beings.

In his problematizing, he says that we must first ask ourselves whether, why, how and to what extent individuals must be tolerant of the thoughts, acts, attitudes and concerns of all people. He also says that the individual person is not to be regarded in total isolation because we are always at the same time members of the church and citizens. In the same way that we cannot totally separate church and state, the same applies to the matter of toleration.<sup>72</sup>

Van Ruler says that the term 'theocracy' is generally understood to be an exclusively political notion, and expanding on this, particularly as a political ideal or even a specific program. His concern here is whether such a theocratic program leaves any room for tolerance.<sup>73</sup> Therefore, he suggests that theocracy is not in the first place a political ideal, but rather a personal and then most clearly an ecclesiastical matter. He goes on to say that theocracy arises from the simple fact that one exists as an image bearer and co-worker of God, and above all from the fact that the living God has placed the church in the world.

If we are going to be tolerant towards others, we can not only see ourselves and our own truth while ignoring others and their truth. This also means that we do not forcefully insist upon our own truth and having our own way, even though we take ourselves and our own truth seriously. Van Ruler says that we should rather be fully

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<sup>71</sup> Van Ruler 1989:167.

<sup>72</sup> Van Ruler 1989:167.

<sup>73</sup> Van Ruler 1989:168.

prepared to discuss, reflect and accept for ourselves what is expressed by others.<sup>74</sup> Van Ruler is basically saying that toleration as an inner personal disposition is a fundamental requirement of being human and for living together in society.<sup>75</sup>

Another issue that Van Ruler wrestles with is the notion of respect. He says that it is often argued that one must respect the other person, and the state must respect minorities. Van Ruler critically asks whether this “respect” means to allow everybody to think what they like without critical dialogue. He concludes that it practically implies overlooking, which is the exact opposite of what should take place in genuine toleration. Furthermore, he says that to respect, literally means to look at in such a way that one gives thought to it, that one considers with care (Van Ruler 1989:170).<sup>76</sup> He continues to state that toleration is then clearly not to be understood as allowing each individual to look after their own salvation. In that case, he says toleration becomes indifference in a threefold sense:

1. In the first place, it becomes indifferent towards others. Here, Van Ruler says that whether the other is saved or lost, lives a life of truth or a lie, seeks common good or tears it down, is all a matter of indifference. He goes on to indicate that we may not simply leave the other totally free to make all these choices. We must respect others, look out for them and step into dialogue with them. Furthermore, we are and remain each other’s keeper, keeper of each other’s eternal and temporal salvation.<sup>77</sup>
2. In the second place, he says that indifference threatens us when we simply conclude that the other thinks one way and we another; things are at an impasse and we won’t discuss who is right, we will simply respect one another. For Van Ruler, this means that the individual does not take their own views seriously.<sup>78</sup>
3. The third matter is directly linked to the second; he says that one no longer struggles to find the truth. The inclination is to leave the latest and highest viewpoints in the darkness of agnosticism, scepticism or nihilism. The

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<sup>74</sup> Van Ruler 1989:169.

<sup>75</sup> Van Ruler 1989:169.

<sup>76</sup> Van Ruler 1989:170.

<sup>77</sup> Van Ruler 1989:170.

<sup>78</sup> Van Ruler 1989:171.

question of eternal salvation is no longer put forward, which leads one to an existence in which the wings of reason or truth-knowledge have been clipped.<sup>79</sup>

All in all, a conclusion can be made here that once toleration becomes indifference, it is ruined.

Van Ruler also recognises four motivations for toleration, which are important in the description of genuine toleration as an inner disposition of the individual person.

1. The first one is the awareness of our limited sight. Here, Van Ruler emphasises the fact that none of us experience the totality of reality. Furthermore, no one is able to have an overview of all vintage points. Therefore, each one of us is only able to grasp a part of reality. The realization that each one of us only has a fragment, and is therefore limited is what ultimately makes us tolerant of others.<sup>80</sup>
2. In the second place, the root of toleration is the awareness that the other is an enormous mystery. The other is more than a thing and for that reason, more than a small piece of the world. Consequently, there must be dialogue between one and one's neighbour, as it is in communication that there is an interchange of truth possessed by both parties which often make one aware of their own truth.<sup>81</sup>
3. In the third place, which according to Van Ruler is the most important, significant motivation for toleration lies in the fact that the living God also deals with human children in this way, according to the witness of the Bible and daily experience itself. God has given humans free will. It is in this human freedom of free will that he (God) rules. For Van Ruler, then: "Theocracy, the genuine biblical and Reformed theocracy, the theocracy of this particular God, thus leads us directly to toleration."<sup>82</sup> He also says that toleration, if it is to be grounded on the firmest foundation and be toleration that endures, needs the Reformed idea of theocracy.

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<sup>79</sup> Van Ruler 1989:171.

<sup>80</sup> Van Ruler 1989:171-172.

<sup>81</sup> Van Ruler 1989:172.

<sup>82</sup> Van Ruler 1989:172-173.

4. Last but not least, Van Ruler concludes that we must also consider the notion of development of truth. He says that genuine truth reality and all reality has an essential historical character. We should also realize that historical reality is a fully divine reality. This brings Van Ruler to the thought that we must be tolerant with respect to God, recognising that he is always doing a new and unthought-of thing. This means that we can hardly then claim that we possess the entire truth. He says that until the final judgement takes place, even while all human beings are not yet born, the truth is incomplete.<sup>83</sup>

## 2.2 The Anabaptist view of church and state

The “left wing of the Reformation”<sup>84</sup> has had many differences in their theology of church and state; they are bound by the agreement and stance on their rejection of any alliance between church and state however. According to Villa-Vicencio, the ultimate distinctions of the left wing are found therein that: “the Anabaptists organised themselves in strict following of the New Testament, the Spiritualists in submission to the guidance of the Holy Spirit and the Evangelical Rationalists in response to a form of natural piety related to intuitive and speculative reason as a form of authority alongside the Scriptures.”<sup>85</sup>

Anabaptism rejects any form of integration between church and state because the view they hold is that the earthly kingdom is dominated by the rule of Satan. From sixteenth century Anabaptism onwards, the view has always been that the “true church is a concrete expression of the present kingdom of Christ which is being established alongside the kingdom of the world and not deferred to the millennial future”.<sup>86</sup>

A helpful understanding of the difference of the Anabaptist theology and the magisterial Protestant treatise is expressed by Robert Kreider, when he says that for the Anabaptist, “the Christian, it is argued, is a citizen of the kingdom of Christ, which is sharply separated from the kingdoms of this world. Such citizenship demands

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<sup>83</sup> Van Ruler 1989:173.

<sup>84</sup> The left wing, which includes Anabaptists, Spiritualists and the Evangelical Rationalists, shall here be viewed under the umbrella of the Anabaptists, as they all hold a different view from the “right wing”, which comprises of Luther, Calvin, Zwingli and others.

<sup>85</sup> Villa-Vicencio 1986:61.

<sup>86</sup> Villa-Vicencio 1986:61.

radical obedience to God alone and willingly accepts the persecution of this world.”<sup>87</sup> He continues to state that this was interpreted by most Anabaptists to mean that a Christian cannot hold magisterial office, because that would be a “violation of the precepts of Scripture”.

Literature on Anabaptism<sup>88</sup> clearly distinguishes two (opposing and extreme) strands in the movement: those who took the Sermon on the Mount on face value and who radically resisted violence or involvement in the affairs of the world (like eventually reflected in practices of the Amish, the Mennonites and Hutterites), and on the other extreme, those who believed that they were baptised “directly” into the kingdom of God, which had to be brought about by all means, even by taking up arms against the “worldly authorities”, such as Thomas Muntzer and the champions of the Peasants’ War in Luther’s time.

Although Lesotho does not have any significant representation of either of these extremes, main line Reformed theology frequently harbours these “heresies” in disguise. It is thus important to at least mention such possibilities within the Protestant tradition, when one studies historical instances of church and state relations. In Lesotho’s history there have been various situations in which force has been used with religious sanction.<sup>89</sup>

### **2.3 Catholic Theology on Church and State Relations**

In this section, I use Paul Mikat for the reason that Karl Rahner, the German theologian and Jesuit priest who is also considered to be one of the most influential Catholic theologians, uses Mikat’s work on Church and State in his Encyclopaedia of Theology and also because it offers a broad history of the development and changes of the Catholic view/theology on Church and State.

Paul Mikat<sup>90</sup> notices that because the church and the state are different institutes, the relationship between them is always a dialectical one. He adds to this that when

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<sup>87</sup> Kreider 2010.

<sup>88</sup> See Estep 1963, Snyder 1997 and Stayer 1976.

<sup>89</sup> See for instance 4.5 where Leabua Jonathan’s forceful clampdown on any opposition (with religious sanction from the Catholic side), specifically aimed at Protestants, depicted as “communists”, is discussed.

<sup>90</sup> Paul Mikat was a German scholar and professor of Civil Law, Legal History and Canon Law and also a politician.

considering church and state, it is important to note that even though the two have different purposes and functions, both require the allegiance of the same person.<sup>91</sup> For Mikat, the responsibility of the state is to “defend and promote the natural goods of the citizen on earth”, while the church’s responsibility is seen as “continuing the redemptive work of Jesus Christ on earth, this being to lead man by word and sacrament to eternal salvation.”<sup>92</sup> This analysis perfectly fits the Catholic scheme of grace supplementing nature.

His realization that both the church and the state are composed of the same members, leads him to the conclusion that the relationship between the two must always be regulated within historical evolution and a concrete situation at a particular time.<sup>93</sup> In evaluating history, Mikat goes back to the New Testament, where he says no clear doctrine on church and state is given. The New Testament gives clues regarding the relationship between church and state however, as there are particular scriptures that put both in their rightful place. The first of these is that the Christian is not exempt from obeying civil authority and the New Testament sets forth the “measure and meaning” of this obedience.<sup>94</sup>

Mikat avers that the biblical view of the Christian’s position vis-à-vis civil authority such as those found in Mark 12:13-17 where Jesus speaks about giving tax to Caesar, Romans 13:1 that says that governing authorities that exist have been established by God, as well as 1 Peter 2:13;1 and Timothy 2:2; must be “compared with what natural law and natural theology that talk about church and state, before the catholic church can find a basis for its relationship with any state”.<sup>95</sup> Mikat also notes that “there is a variety of statements in the New Testament that “show a dialectical position of the Christian and Church vis-à-vis secular rulers.” Here, he says that the attitude of the Church toward the state must be not only be governed by the possible abuse of power, but also by the dignity of the state, which the Church recognises as a power that is different and completely independent from the Church.<sup>96</sup> Mikat also realises however, that the New Testament reminds the Church

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<sup>91</sup> Mikat 1975:225.

<sup>92</sup> Mikat 1975:225.

<sup>93</sup> Mikat 1975:225.

<sup>94</sup> Mikat 1975:225.

<sup>95</sup> Mikat 1975:228.

<sup>96</sup> Mikat 1975:228.



that it should not always expect “peace and tranquillity” because persecution is also a cup from which the Church must drink. In reference to persecution he speaks not only about attacks on the church, but also the temptation especially in a state sympathetic to the Church, where the Church finds itself trying to do its work through the state and also in the interests of the state.<sup>97</sup> Mikat emphasizes the fact that the New Testament has two themes that govern the relationship between church and state; that it affirms civil authority “because it comes from God,” and on the other hand, the rejection of the state’s claim for total dominion over the church. He asserts that “the state is not the supreme and ultimate value; being an element of order in this aeon, it is finite and provisional and its business differs from the business of the Church.”<sup>98</sup>

Because both the Church and State are creations of God, Mikat sees no reason why the two cannot cooperate with each other while they both retain their independence, nature and identity. This is brought about by the fact that both are created to serve man. He goes further to say that a good scriptural ideal of Church and State is one that does not ignore the “institutions and affairs of the world but rather one which moves all to play a responsible and serviceable part in both; because the New Testament calls Christians to pray for and to obey their rulers regardless of whether they are Christians or not”<sup>99</sup>. Here, Mikat refers back to Romans 13:1, which speaks about obedience to authority because it is instituted by God and says that the scripture was written around the time when Nero<sup>100</sup> governed the Roman Empire<sup>101</sup>.

In addressing the matter of autonomy, Mikat corrects the medieval approach that was taken by the Church (Catholic), which was “supremacy over the state and an attempt to enforce the papal institution and deposition princes and attempts to subject the state to canon law”.<sup>102</sup> Here, he brings forth a modern Catholic view of the autonomy of the Church and State, which he says “reflects the notion of a state which has developed in modern times and also the a new self-consciousness of the Church as totally different from the State, which the Church has acquired by

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<sup>97</sup> Mikat 1975:228.

<sup>98</sup> Mikat 1975:228.

<sup>99</sup> Mikat 1975:228.

<sup>100</sup> Nero was the Roman Emperor around 54-68 AD and he was a persecutor of Christians. He was known for having captured Christians to burn them in his garden at night for a source of light.

<sup>101</sup> Mikat 1975:228.

<sup>102</sup> Mikat 1975:229.

meditating on its nature as the 'mystical body', the 'people of God', the 'primordial sacrament' and its mission of ministering to human society."<sup>103</sup> Mikat expands this by saying that "since the later antiquity, the Church has stressed its independence of the State; since the competence of the Church derives from the authority of God, not that of the State, and the competence of the State likewise derives not from the authority of the Church but that of God because it is independent in its own temporal, political domain, in pursuing its natural end which is the defence and promotion of its citizens' temporal wellbeing; and the Church is independent in performing its supernatural tasks of teaching, preaching, administering sacraments in all that concern the structure and administration of the Church."<sup>104</sup>

On the subject of medieval theories of Church and State, Mikat notes that the doctrine of *two swords*, which was set forth by Pope Gelasius against Byzantium was, at times, very extreme, like the hierocratic doctrine of the *potestas ecclesiae directa in temporalibus* ("the power of the church in temporal affairs"). He also reminds us that in evaluation, it must be remembered that the historical background and philosophic-theological idea of a single Christendom embracing both crown and clergy, the spiritual and temporal, in one metaphysical sweep, meant that the Church and State were closely interwoven.<sup>105</sup> Adding to this is the fact that, according to Mikat, society pursues a nobler end and in doing so, a comparison is made such as that of 'gold and lead or sun and moon'. This meant that the Church was regarded as superior to the State.<sup>106</sup>

Furthermore, he avers that Gregory VII fought for this freedom of the Church (*libertas ecclesiae*) and also for the supremacy within the total *Corpus Christianum*, which embraced both the Church and State; and his attitude was developed logically through Innocent III and Innocent IV to Boniface VIII and the bill *Unam Sanctam* of 18 November 1302.<sup>107</sup> This bill presents the Pope as the source of powers of both the Church and State, although it recognises that the Church and State are different in nature.<sup>108</sup> The hierocratic theory, Mikat says, affirmed the autonomous jurisdiction

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<sup>103</sup> Mikat 1975:229.

<sup>104</sup> Mikat 1975:229.

<sup>105</sup> Mikat 1975:229.

<sup>106</sup> Mikat 1975:229.

<sup>107</sup> Mikat 1975:229.

<sup>108</sup> Mikat 1975:299-230.

of the state and the Pope's duty to pass on the temporal sword. This intervention by the Pope in temporal matters was only considered legitimate however, if the salvation of souls was at stake<sup>109</sup>. The problem posed here is the fact that the Pope, being the sole judge as to whether a particular case involves the salvation of souls, left a big gap that could be used to justify the Pope's involvement in political affairs.<sup>110</sup>

For his own appropriation of the original Catholic view, Mikat goes back to the figure of Thomas Aquinas, who he says considered the state as an institution of natural law and therefore, part of the natural order, while the Church belongs to the supernatural order of revelation and grace.<sup>111</sup> Aquinas' doctrine combines scriptural and Augustinian thought with Aristotle and stresses the origin of both powers in God. Aquinas<sup>112</sup> says that "both powers derive from God, the spiritual and the temporal. Temporal authority, therefore, is subject to the spiritual insofar as God has subordinated it, namely in matters concerning the salvation of souls; so in these matters man must obey the spiritual power rather than the temporal".<sup>113</sup>

It is from this foundation laid by Thomas Aquinas that Pope Leo XIII constructed the Catholic doctrine on Church and State, which has prevailed through the ages. Leo also assumes that "the state, being an institution of natural right, comes directly from God". Furthermore, civil power like civil society derives its power from nature and therefore, from God himself.<sup>114</sup> Leo XIII adds to this that both the Church and State are autonomous and each is sovereign in its own sphere. He avers that in God's master plan, He devised the two powers to care for the human race; one concerned with divine matters, while the other is in charge of human concerns. In this manner, just as the Church recognises the authority of the State in earthly matters, the State must do the same for the Church regarding spiritual matters<sup>115</sup>.

On the cooperation of Church and State, Mikat says that the two pursue different ends, even though they are made up of the same members. He also hints at the fact

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<sup>109</sup> Mikat 1975:230.

<sup>110</sup> Mikat 1975:230.

<sup>111</sup> Mikat 1975:230.

<sup>112</sup> See also *The Cambridge Companion to Aquinas* 1993:210.

<sup>113</sup> See also *The Cambridge Companion to Aquinas* 1993:210-211.

<sup>114</sup> Leo XIII 1885.

<sup>115</sup> Leo XIII 1885 and Mikat 1975:230.

that the citizen, if he or she is a Christian, is expected to satisfy the requirements of both powers, meaning that these requirements should as far as possible be in harmony.<sup>116</sup> On matters where both the Church and the State overlap, his opinion is that the two parties must reach a compromise and “accept a solution that takes account of all citizens, not only of the Church’s members”. Here, he also warns that the Catholic Church must be careful not to enter into agreements with the state that are biased towards other citizens who may be non-Catholic.<sup>117</sup> This is because the Church’s main objective is always for the state to allow it to carry on with its mission of supernatural duties without any resistance or hindrance.<sup>118</sup>

In considering the separation of Church and State, Mikat realises first that rising liberal and socialist ideologies seek to deprive the Church of any influence in public life. He views this as an attack to completely destroy the church and as such, it is something the Church cannot accept.<sup>119</sup> It is in this light that many of the Popes<sup>120</sup> condemned the notion of a total separation of Church and State. It is therefore the opinion of Mikat that the separation of Church and state is designed to “treat the church as though it were non-existent or a mere private concern of citizens, who are denied the right to organise as a religious body, then the modern state is simply not affirming its neutrality towards all religions, it is attacking the very existence of religion”.<sup>121</sup> It is with these considerations that Mikat advocates for a “constitutional separation/partnership”, whereby none of the two institutions interferes with the work of the other; that the Church has freedom to grow in social life and the state becomes a guarantor of it’s (the Church) freedom that is necessary for carrying out its saving mission.<sup>122</sup> Hence, he concludes that the Church, being independent of the State, must stay critical and take a much closer interest in the world and state.<sup>123</sup>

In today’s age, the state has definitely become more secular with religious liberty as a civil right. This means that the Roman Catholic Church “can no longer identify its own work wholly or in part with the work of the state and it acknowledges the State’s

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<sup>116</sup> Mikat 1975:231.

<sup>117</sup> Mikat 1975:231.

<sup>118</sup> Mikat 1975:232.

<sup>119</sup> Mikat 1975:232.

<sup>120</sup> See the Popes’ Encyclicals: Gregory XVI (Gregory XVI 1832), Pius IX (Pius IX 1864), and Leo XIII (Leo XIII 1885 and 1888).

<sup>121</sup> Mikat 1975:232.

<sup>122</sup> Mikat 1975:232.

<sup>123</sup> Mikat 1975:233.

autonomy in secular affairs.”<sup>124</sup> The state, as Mikat says, also gives the Church free room to carry out its mission in the world.<sup>125</sup>

## **2.4 A Comparison of Catholic and Reformed Views on Church and State**

The Reformed view of Church and State is not easy to evaluate, due to the differences of opinion between many of the theologians within the Reformed tradition. On the other hand, the Catholic version has undergone some changes as a result of the progress of human life, the Enlightenment period, democracy, civil rights and the like. Both theologies are similar, because they realise that God is the one who puts both the church and the state in the world, even though the two are there for different purposes. The Church facilitates over spiritual matters such as doctrine and salvation, while the state is concerned with natural concerns such as the safety of citizens, the collecting of tax etc. In the past however, the Catholic Church was interested in having more power than kings and princes, because the thought was that the church is superior to the state. With time however, this stance has changed, as the Catholic Church presently affirms the separateness of the two powers. This is one area where Reformed theology has been firm to outline that even though both come from God, their authorities are different. Luther’s idea of Two Kingdoms was too strict however, because it separated the church too far from the state, almost to a point where the church couldn’t care about what the state is doing or to challenge tyranny, because for Luther, that is God’s way of punishing sin.

## **2.5 Conclusion**

These perspectives on church and state, especially those brought up by Van Ruler on theocracy and tolerance, and also the Kingdom of God, become questions of reflection that the church in Lesotho should question itself about if it is going to become an effective prophetic voice. The lust for power, as is shown in chapter five, is addressed via these perspectives, which (if applied) can remind the ruler and the church that they are instituted by God and should therefore be in service of God and not the interests of self. This is a normative perspective that also runs through Catholic theology on church and state.

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<sup>124</sup> Mikat 1975:233.

<sup>125</sup> Mikat 1972:233.

## Chapter 3

### Church and State in Lesotho: 1833 to 1965

#### Introduction

This chapter focuses on the period from 1833 to 1965, starting with the initial invitation of missionaries by King Moshoeshoe I to the inception of the Christian Counsel of Lesotho in 1965. The main aim of this chapter is to trace and formulate the relationship between the church and state<sup>126</sup> up until the stage when a more “organised ecumenical body” representing the Church as a body was formed. The challenges faced by the church in these developmental years shall also be highlighted however, as they have played a major role in the formation and relationship, particularly between the Roman Catholic Church and the Protestant Lesotho Evangelical Church. It is vital to also note that unlike in present day Lesotho, 18<sup>th</sup> and 19<sup>th</sup> century Basotho was a community that lived based on cultural practices such as Sethepu<sup>127</sup> and Bohali<sup>128</sup>, as core parts of everyday life. This will become relevant later in this chapter, as we look at the influences of the church on Sotho culture, lifestyle and most importantly, the politics of the time.

#### 3.1 The Sesotho world view

The Basotho have always been a religious people, who believed in one God (Molimo) who is unknowable and distant from humanity. According to Basotho belief, this God was reachable only through the ancestors (balimo), who acted as mediators between the living and this God; however, only those who were presumed good while living were generally considered fit to intercede for a family or the nation when the need arose. They could intercede with God in order to provide rain, good harvests, children, victory in war, good fortune and health and so forth.<sup>129</sup>

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<sup>126</sup> In this case, the relationship between Moshoeshoe (State) and the Missionaries (Church).

<sup>127</sup> Sethepu is a Sesotho word for polygamy, a practice that was popular amongst chiefs and the rich in Sesotho culture and also used to form alliances between different clans, as a way to make peace and allies.

<sup>128</sup> Bohali refers to the exchange of cattle as a bride price.

<sup>129</sup> Gill 1993:50.

According to Gill, there is evidence that Sotho religion was never monotheistic and that the Sotho people “never had a conception of the Creator or any other distant and mysterious spiritual power. Rather, molimo was probably the oldest known ancestor of any particular extended family or clan, and thus there were many melimo (gods).”<sup>130</sup> In the same vein, Ellenberger says that “all African savages have almost completely forgotten the promise of the Saviour”. He goes on to quote Fred De Rougemont, who says that “by losing this promise, the Blacks have lost the hope of some day seeing their miseries end; with that last hope disappears faith in the goodness and mercy of God; and with the loss of faith ceased also the moral energy necessary to change their way of living. This is the distinctive trait of the savage’s religious life.”<sup>131</sup>

However this differs from oral tradition and the Sesotho prayer that has survived throughout the ages to this day which says “molimo o mocha rapela oa khale”, that is to say, “new god pray to the god of old”. This prayer continues in metaphors to show how soft the hands of God are and that they are so because He creates children. According to oral tradition, the God of old is the creator and sustainer of life and the new god is the ancestor who acts as mediator between the living and the God of old. It is questionable how accurate the early white commentators are about the Sotho religion.

In response to Moffat and Ellenberger, as well as others who hold the idea that the Basotho had a religion that died out at some point in their history, Setiloane responds in saying that the missionaries were hasty to draw such a conclusion, even though they did not fully understand the Basotho people<sup>132</sup>. Setiloane goes on to show that the missionaries were “culture-bound Victorians” and that they had no doubt about their ‘superior culture’. Any and every cultural difference was to them mere evidence of how “depraved and uncivilised” the “lower races” (non-european Blacks/ Africans) were.<sup>133</sup> Later in this chapter, I shall deal more with Setiloane, his critique of the early missionaries, and his attempt to correct the misleading interpretations they sometimes give.

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<sup>130</sup> Gill 1993:51.

<sup>131</sup> Ellenberger 1912:238.

<sup>132</sup> Setiloane 1975:105.

<sup>133</sup> Setiloane 1975:89.

The structure of Sesotho society, like many others from the surrounding regions, was similar in that the elders in society, both male and female, were responsible to see that “every generation learned to live socially, morally and ritually in tune with the philosophy of the society”.<sup>134</sup> This philosophy entailed respect for and obedience to elders, self control, bravery and courage, responsibility to maintain one’s dependents, generosity towards strangers, etc. Consequently, theft, murder, laziness, carelessness, uncontrolled sexual appetites, jealousy, anger, stinginess, lack of respect and the like, were discouraged and heavily punished.<sup>135</sup>

### **3.1.1 Initiation or lebollo**

Lebollo is another core part of the Sesotho culture, whereby a chief would call for boys around the ages of 16-20 years to go to initiation as the passage to manhood. They would go periodically when any one of the chief’s sons had come of age and the rest of his peers would accompany him (the prince) to the initiation school and forge strong bonds. There are many vital reasons why boys in particular had to undergo initiation that are central to the structure of Sesotho society. Even though most of the things that happen are kept secret, especially from the uncircumcised, there are a few that are known. Firstly, for the chief’s son, the peers that undergo the 4-6 months of initiation with him would eventually become his advisors and generals in his armies. They would be able to sit with the chief in khotla<sup>136</sup> and act on his behalf when he could not be present. Lebollo is also a place where boys were educated on sexuality, family life, and giving praise to the chief. They also learned how to plunder cattle and the art of warfare and went for serious training, so that once they become mature men, they can be incorporated into the army and be allowed to marry (Gill 1993:54-55).<sup>137</sup>

### **3.1.2 Marriage or lenyalo**

Marriage is another fundamental ceremony of the Basotho, as in any other nation on earth. For the Basotho people, marriage was a way of not only bringing two families together, but it was also a way of keeping peace and forging allies for troubled times.

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<sup>134</sup> Gill 1993:51.

<sup>135</sup> Ellenberger 1912:238-303 and Gill 1993:51.

<sup>136</sup> A place where the issues of the village are discussed, where planning, judgement on cases and war were discussed by the chief and his initiated mates.

<sup>137</sup> Gill 1993:54-55.



Chiefs in particular, would marry the daughters of other chiefs to build friendship and bonds that were close to ensure peace and military backup during times of war. This was even the case for King Moshoeshoe I, as he married many wives from different clans, mostly those of the Bafokeng clan, who was well established. Polygamy was therefore well accepted and encouraged. The choosing of a marriage partner was not left to the people who were going to be married, as is the case in the Western tradition most of the time.

The elders in the family were the ones responsible for choosing which family they will marry into, based on the behaviour, work ethic and the general status in society of the particular family they want to marry into. If the negotiations were accepted by both families, the bridegroom's family would send bohali to the girl's family. Unlike Western culture, for the Basotho the marriage could only be firmly established with the birth of a child. Furthermore, a wife who had children was the "boss" of the household and gave counsel to her husband. This is referred to as sesali.<sup>138</sup>

Basotho women would also not remarry if their husband happened to die either in battle or as a result of disease. The family would rather appoint one of the late husband's brothers or relatives with the responsibility of taking care of the widow and her children, to make sure that no woman was without a protector. Divorce was not an option in Sesotho culture, unless it was as a result of sterility. It could not be justified on the basis of a loss of romance or incompatibility, as that would have appeared to be ridiculous.<sup>139</sup>

### **3.1.3 The living dead or Balimo**

For the Basotho, there were criteria for who could become Balimo. All those who had gone to initiation school, at death became Balimo.<sup>140</sup> As mentioned earlier, from a Sotho perspective the Balimo were seen as those who have transcended the natural into the spirit world or those who have gone to be with God, and for whom it was therefore easy to pray on behalf of those still living for essentials such as rain, peace and a good harvest etc. For the missionaries, however, the view was that the balimo were false deities being worshiped by "heathens who did not know God". The balimo

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<sup>138</sup> This almost means "woman of virtue and strength", and more. There is no direct translation to sufficiently capture what it means.

<sup>139</sup> Gill 1993:56-57.

<sup>140</sup> Setiloane 1975:64.

were also believed to have certain powers that could bring about misfortune and disease when the people or a household was not following the “essence of humanity captured in the word Botho/Ubuntu.” The ancestors could bring calamity as punishment, but at the end of the day it is only intended to have a positive social intent.<sup>141</sup>

## **3.2 The Protestant Missionaries**

### **3.2.1 The need for Missionaries**

As a result of persistent harassment by the Kora, Moshoeshoe gave serious consideration to the invitation of missionaries, as he had heard from visitors and the personal testimonies of other people that the presence of missionaries brought about political stability. Therefore, in 1832 King Moshoeshoe extended an invitation to missionaries. This he did by asking Krotz, an emancipated slave who had visited Thaba-Bosiu as an invited guest of Moshoeshoe. After Krotz left, Moshoeshoe sent 200 cattle as an incentive for Krotz to procure at least one missionary for him.

In 1833, on the 28<sup>th</sup> of June, the first missionaries who came from the Paris Evangelical Missionary Society (PEMS) arrived in Lesotho. Prior to their arrival however, Moshoeshoe had sent his 1<sup>st</sup> son and heir, Letsie, to go and welcome the missionaries and to report back. Upon his (Letsie’s) arrival back in Thaba Bosiu, and with a positive report of the approach of the missionaries, Moshoeshoe gave orders that the missionaries be received with demonstrations of joy and warriors who had guns were ordered to fire them in salute.<sup>142</sup> These were Eugène Casalis, Thomas Arbousset and their aide, the non-ordained artisan/missionary Constant Gosselin.<sup>143</sup>

Moshoeshoe gave the missionaries a site to settle in about twenty five miles southwest of Thaba-Bosiu, as they needed more space for their missionary station. This place is called Morija and soon there was a church and a school built. In 1837 however, Casalis moved back to the foot of Thaba-Bosiu and so became the “king’s closest European adviser and confidant”.<sup>144</sup>

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<sup>141</sup> Setiloane 1975:106.

<sup>142</sup> Ellenberger 1912:236.

<sup>143</sup> Beck 1997:110.

<sup>144</sup> Beck 1997:110.

For Moshoeshoe, putting the missionaries in Morija was a strategic move, as it meant the mission would be an outpost against the attacks of the Koras. The missionary presence in the region would be a symbol of his authority in the southern part of his kingdom. “The PEMS missionaries initially found the Sotho people to be very receptive to Christian teachings, and Moshoeshoe as a brilliant and thoughtful leader who enjoyed conversing and debating with them”.

The missionaries criticised Sotho customs such as ‘polygamy, social stratification between chiefs and commoners, dress, architecture, circumcision and rituals’, however, and this in turn angered many of Moshoeshoe’s people, so much so that by the late 1830s, they were warning against public Christian ceremonies that ignored or opposed traditional practices. The Basotho believed that they would anger the ancestors, who would wreck vengeance on their entire society.<sup>145</sup>

Some Boers started to settle in the rich Caledon River valley, where the Sotho and Tswana farmers had settled around mission stations. This led to disputes over land and forced the missionaries into political roles that they had sought to avoid. Because of these events, Moshoeshoe called upon British authorities in the Cape Colony in 1843 to help block the Boers from seizing anymore of his territory.<sup>146</sup>

With the help and advice of Casalis and Philip, Moshoeshoe went on to sign a treaty with the Cape governor, Sir George Napier, that recognised Moshoeshoe’s sovereignty over all the lands between the Orange and Caledon River and a strip of land west of the Caledon in 1843, where Sir Napier himself admitted that Moshoeshoe is “a friend and ally of the Cape Colony”.<sup>147</sup> Stevens agrees with Beck, but also goes further to say that the missionaries were not always heedful of the consequences in political matters and their attempts to influence the paramount chief brought considerable criticism from both Boers and British administration.<sup>148</sup>

Beck also notes that two days after the treaty was signed, Wesleyan missionaries protested to the colonial officials on behalf of other chiefs in the Caledon valley, most of who lived on Wesleyan missions. By 1849 however, Moshoeshoe would lose some of his land, as captain H.D. Warden made boundaries between the Vaal and

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<sup>145</sup> Beck 1997:111.

<sup>146</sup> Beck 1997:112.

<sup>147</sup> Beck 1997:112; Stevens 1967:31.

<sup>148</sup> Stevens 1967:19.

Orange Rivers and laid down fixed boundaries between the claimants in the Caledon valley, alienating some of the territory that had been claimed by Moshoeshoe earlier.<sup>149</sup>

Like Becks, Ellenberger notes that when Moshoeshoe was about fifty years of age, he longed for rest and peace in order to “establish such order and public safety around him as would enable exiles to return, found villages and resume their normal occupations”, however this was not going to be possible as the Korannas continued their depredations on all sides.<sup>150</sup>

Hincks further says that as much as the missionaries and mission stations played a role towards peace, it was greatly exaggerated. He indicates that when the Kora attacks subsided significantly from the mid-1830s, missionaries from the PEMS and WMMS, as well as Afrikaners who had entered the country by that time claimed credit. Furthermore, all three groups were anxious to gain Moshoeshoe’s approval; “the Paris missionaries to demonstrate their commitment to the Basotho and the Wesleyans and Afrikaners to secure the land.”

Hincks suggests however, that facts indicate that it was the Basotho themselves who brought an end to Kora aggression, far more than the missionaries or the Afrikaners. Furthermore, he says that Moshoeshoe humoured all three groups by expressing his gratitude in his characteristic way.<sup>151</sup>

### **3.2.2 The teachings of early Protestant Missionaries**

Instead of focusing on preaching the Good News of Jesus Christ, the missionaries strongly and arrogantly started to criticize the way of life of the Basotho, without even understanding why the Basotho had adopted certain practices as part of their culture and belief. Instead, for the missionaries, Christianisation of the Basotho was seen in light of European culture and tradition. Beck (1997:111) states that they criticized Sotho customs such as “polygamy, social stratification between chiefs and commoners, dress, architecture, circumcision and rituals”.<sup>152</sup> In addition, Gill says that the missionaries also vigorously opposed the practice of marriage by cattle

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<sup>149</sup> Beck 1997:112

<sup>150</sup> Ellenberger 1912:234.

<sup>151</sup> Hincks 2009:88-89.

<sup>152</sup> Beck 1997:111.

*bohali* and going to war.<sup>153</sup> It was not only negative however; they also introduced horses, carts, peach trees and sugar, which Mokhachane (Moshoeshoe's father) remarked were the "only good things brought by the Europeans." The missionaries also taught that Jesus was not just the God of the French, but that He was the Lord of all nations and all history.<sup>154</sup>

The Protestant missionaries continued to play a role in the politics of Lesotho in mediating when there were problems. At some point however, they were met with great resistance from the Basotho. In 1849, when the Basotho launched a major cattle raid against the Batlokoa, the missionaries stepped in and tried to intervene. This was met with strong resistance from the Basotho, given that the missionaries expected all the Christians converts to return the spoils they had acquired because "it was against the principles of Christianity to retain the booty they had captured."<sup>155</sup> This resulted in many of Moshoeshoe's sons and brothers leaving the church and taking with them a lot of the converts, many of whom never returned to the church, but rather revived the Sotho culture and traditional practices.<sup>156</sup> Another problem with the Protestant missionaries was the fact that it seemed that every time they got involved in the affairs of the Basotho, with all their good intentions, the Basotho kept on losing their most fertile land.

### **3.2.3 The Roman Catholic Missionaries**

In January 1862, the first Roman Catholic Church (RCC) missionaries arrived in Lesotho and were received by Molapo, a son of Moshoeshoe and Chief in the northern part of Lesotho. Because he did not have a final say on whether the missionaries could stay or not, he referred them to Thaba-Bosiu to go and meet King Moshoeshoe and obtain his permission for them to live amongst his people.<sup>157</sup> Upon their arrival at Thaba- Bosiu, the missionaries received a warm welcome by the king and he sat down with them to inquire about their faith. The missionaries, Bishop Allard and Fr Gerard then explained to Moshoeshoe how only 300 years earlier the Protestants had separated themselves from the RCC, calling themselves Reformed and that the "Protestant faith was too young to be the religion of Jesus Christ". The

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<sup>153</sup> Gill 1993:82.

<sup>154</sup> Gill 1993:82.

<sup>155</sup> Hincks 2009:195.

<sup>156</sup> Hincks 2009:196.

<sup>157</sup> Hincks 2009:229.

Protestant missionaries had also already given a bad impression of the RCC missionaries and theology, according to Hincks.<sup>158</sup>

The Catholic missionaries were not involved at all in the political arena and it appears as though Moshoeshoe did not expect it to be so. This was unlike the Protestant missionaries, who had played a major role in negotiations and on an advisory capacity to Moshoeshoe.<sup>159</sup> As Sanders puts it:<sup>160</sup> “From the Roman Catholics Moshoeshoe appears to have expected nothing. He seldom discussed politics with them, and their writings suggest that they were disinterested in the subject. Indeed they were men of such simple devotion that their most urgent advice as danger threatened was that Moshoeshoe should entrust himself to the protection of the Virgin Mary. From the Protestants however he expected more”.<sup>161</sup>

### **3.2.4 Tensions between Catholic and Protestant Missionaries**

It was not long after Moshoeshoe had allowed the Catholic missionaries into Lesotho that the tensions from the bitter history of the Catholic and Reformed church began to come to the fore and cause tension and confusion.

The Protestant missionaries accused the Roman Catholic missionaries of having come to reinforce paganism; that they prayed to idols and statues; that they “practically worshipped the Virgin Mary”; that they did not allow their converts to read the Bible; that they falsely taught that the priests could forgive sins; that they RCC missionaries made money out of confessionals and that their celibacy was a “cover for their debauchery.”<sup>162</sup>

On the other hand, the RCC missionaries called the Protestants “heretics, false missionaries and vipers”. Furthermore, they alleged that the wives of the PEMS missionaries behaved in “an unseemly fashion for African society”. Not only did the RCC missionaries also make much of the fact that Protestantism was a breakaway religion, but they also called the Protestants rebels with a 300 year old religion, while

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<sup>158</sup> Hincks 2009:230.

<sup>159</sup> Hincks 2009 and Sanders 1975. See also Beck 1997:115.

<sup>160</sup> Sanders 1975:277.

<sup>161</sup> Moshoeshoe expected advice and help in negotiating for the English to aid the Basotho because they seem to have played the role well.

<sup>162</sup> Hincks 2009:240-241.

the RCC had a history, having been established by Christ himself from the very beginning.<sup>163</sup>

### **3.3 The death of King Moshoeshoe I and its aftermath**

Before his death, Moshoeshoe had two problematic situations that he needed to resolve with urgency, as they threatened all that he had fought for over the many years, namely national unity. The first was the issue of who would succeed him. The second had to do with the church. Moshoeshoe took steps towards conversion under the supervision of the PEMS. Moshoeshoe wanted to be baptised by the PEMS, the RCC and the Anglican Church in one ceremony, because since the departure of Casalis, he had become close to Father Gerard of the Roman Catholic Church and he had also been dealing with the Anglicans through their hierarchy at the Cape and in Bloemfontein since 1850.<sup>164</sup> Gill further notes that this was not possible because of “the jealousy and divisions within the Church of Christ which, he (Moshoeshoe) correctly feared, would also divide the Basotho nation after his death.”

Unfortunately, Moshoeshoe died just two days before the public baptismal ceremony that was going to be held at Thaba-Bosiu under the supervision of the PEMS missionaries in 1870.

#### **3.3.1 The Reign of Letsie I**

After the death of Moshoeshoe I, he was succeeded by his son Letsie I as Paramount Chief of Lesotho. He ruled Lesotho from 1870-1891. During this period, there were a lot of changes in Lesotho, both politically and from an ecumenical point of view. The first of which started with the tension and struggle for power by Moshoeshoe’s sons and also the Cape administration. Influential members of the royal family returned to the church, most of whom were previously Protestant, finding their way into the Roman Catholic Church.

In 1871, Basutoland was placed under the Cape Colony administration by Britain in what came to be known as “Direct Rule”. The Cape sought to undermine the power of the Paramount Chief and all junior chiefs by taking away most of the power that they had over the people as they tried to “introduce Christianity and civilization”. This

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<sup>163</sup> Hincks 2009:241.

<sup>164</sup> Gill 1993:111-114 and Hincks 2009:216-217.

rule legitimized marriage without bohali (cattle), a chief's word could no longer be final in khotla (chief's court) and if one felt they had been judged unfairly, they could take up the matter with the magistrate. In matters where one held "Christian or civilized" standards, the magistrate would most certainly judge in their favour, disregarding the culture and traditions of Basotho completely.<sup>165</sup>

### **3.3.2 Basotho rebellion against the Cape**

The first of these came when a Magistrate was put in the Quthing district where Moorosi of the Baphuthing was Chief. Already in his old age and holding on to the ideology of Moshoeshoe, Moorosi was not about to concede power to a magistrate and a rebellion soon ensued. After months of fighting, Moorosi lost the battle, was decapitated and his head was sent to King Williams Town. This act shocked the Paramount Chief and all Basotho and they were astonished by the brutality of the Cape Colony.<sup>166</sup>

Following the Moorosi rebellion, the Cape Colony's Prime Minister, Sir Gordon Sprigg, announced that all Basotho would be disarmed in order to "protect the peace". Missionaries once again came to the defence of the Basotho in this unfair request and even sent a delegation to the Cape that included a well known Christian, Nathanael Makotoko and PEMS missionary Irenée Cochet.<sup>167</sup> Consequently, in 1880 the Gun War started at great cost to the Cape government, as the Basotho refused to give back the weapons they had worked for. This war put Letsie in an awkward situation; outwardly he showed support for the Cape Prime Minister, yet secretly he incited the rebellion. The war was led by Lerotholi, the son of Paramount Chief Letsie I with assistance from his uncle and younger brother of Letsie, Chief Masopha and Joel, a son of Chief Molapo. By April 1881, the Cape Colony accepted a peace settlement that would see the Basotho keep their weapons, even though they refused to adhere to other conditions of the treaty, as they had the upper hand.<sup>168</sup>

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<sup>165</sup> Gill 1993:116-117.

<sup>166</sup> Gill 1993:127-128 and Hincks 2009:269-270.

<sup>167</sup> Hincks 2009:271-272.

<sup>168</sup> Hincks 2009:272-273. Conditions of the peace included that the Basotho would register their guns and pay an annual levy. Those that had been loyal and handed over their guns had had their cattle raided and were to be compensated by 5000 cattle, but only got 3000 cattle from the "rebels".



Following the Gun War, peace did not return, as the Basotho made themselves deliberately ungovernable. One of the major obstacles to peace came from the North and was between the sons of Chief Molapo, Jonathan and Joel, over who would succeed him as Principle Chief in the North. This was also incited by the fact that they had been on different sides during the Gun War, as one had handed over his guns with his followers, while the other decided to rebel. In 1882, civil war broke out between the two brothers, but Joel was finally defeated in 1885.<sup>169</sup>

Some good came of the defiance of the Basotho, as the Cape could no longer exert power over the Basotho and chose to hand them back over to the British directly. In 1884, the harsh features of the “Direct Rule” were done away with and replaced with what eventually came to be known as “Indirect Rule”, where the colonial authorities, instead of undermining chiefs, would work hand-in-hand with them.<sup>170</sup>

During the reign of Letsie I and especially after the Gun War, the role that the missionaries had so long been involved in changed. Their role as advisors and diplomats on behalf of the Basotho changed as the new government took over from the Cape. The main focus, especially for the PEMS missionaries under the supervision of Adolphe Mabilie, became development. The Protestants began training large numbers of teachers, as well as missionaries. Furthermore, they founded a newspaper *Leselinyana* (Little Light) and the *Morija Printing Works*, which would be instrumental in the publishing of a wide range of literature, including the translated Sesotho Bible. A girls’ school and a technical school were also funded by the church and supported financially by the new government.<sup>171</sup>

The RCC at this time also focused more on the expansion of missions and became a very attractive alternative to most of the chiefs, who viewed the Protestants as more democratic and opposed to Sotho culture and traditions, while the RCC was more welcoming in this regard.<sup>172</sup>

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<sup>169</sup> Hincks 2009:273 and Gill 1993:129-130.

<sup>170</sup> Gill 1993:130.

<sup>171</sup> Gill 1993:138-140.

<sup>172</sup> Gill 1993:141.

### 3.3.3 Paramount Chiefs and the church

Letsie I died in 1891 and was succeeded by his son Lerotholi. Lerotholi became famous for the Customary Law, which even though was never officially recognised by the Resident High Commission, has survived and is still practiced as Law in Lesotho to this day, parallel to the constitution. From the time of Lerotholi the church took a back seat in terms of church-state involvement and focused rather on evangelism, education and development.

What follows is a summary of the succession of Paramount Chiefs in Lesotho and the eras in which they reigned.

Reign	Paramount chiefs	Date	External/National government of Lesotho
-1820	No paramount chief	-1820	Various chiefs for different clans
1820-1870	Moshoeshoe I	1820-1868	Incorporation of smaller clans
		1868	British annexation
1870-1891	Letsie I	1872-1884	Rule of the Cape colony
1891-1905	Lerotholi	1884-1966	Direct British rule
1905-1913	Letsie II		
1913-1939	Griffith Lerotholi		
1940	Seeiso		

1941-1960	Regent Mantsebo		
1960-1990	Moshoeshoe II (Bereng Seeiso)	1966- 1986	Independence
		1986- 1993	Military rule
1990-1994	Letsie III (Mohato)		
1994-1996	Moshoeshoe II	1994-	Democratically elected government
1996-	Letsie III		

<http://www.sesotho.web.za/lesotho.htm>

Lerotholi was succeeded by Letsie II, who is said to have been less concerned with the matters of state and more of a concubine's man and a heavy drinker. Letsie II would be succeeded by his younger brother Griffith Lerotholi, because the only son he had from a legal wife died soon after him. Hence, from 1913-1939, Griffith Lerotholi would become the Paramount Chief and perhaps the most significant of the paramouncy as he would be the first to be baptised.

Growing up, Griffith was a staunch traditionalist who wanted nothing to do with Western ways. He dropped out of a formal education school at Masite, preferring rather to go for Lebollo. He looked after animals and learned the skills of his people. Furthermore, like his father and grandfather, he had a liking for brandy. He was also a polygamist, with 28 wives.<sup>173</sup> Around 1909, Griffith is said to have had a dream in which Moshoeshoe I, Letsie I and Masupha appeared to him. It is said that in the dream all three were angry and asked him why he was not willing to convert. Following the dream, Griffith sought counsel with the Anglican Church, as he had been familiar with it and the Anglican priest instructed and baptised him.<sup>174</sup> Even after the baptism by the Anglican priest, he did not change his ways. He got ill and

<sup>173</sup> Gill 1933:161-162.

<sup>174</sup> Gill 1993:162-163.

further instruction was given to him, this time by the Catholic Church. Even so, he kept on living in his own way.<sup>175</sup>

Gill says that “according to tradition, another dream from his ancestors demanded that he convert specifically to the Catholic Church. This time he took the dream more seriously and began visiting the priest regularly”.<sup>176</sup> It was during these meetings that he received detailed instructions regarding the church’s attitude towards his polygamy and drinking and the steps he must take to qualify for baptism.<sup>177</sup> The result of his conversion to the RCC also made Griffith recommend that other chiefs follow in his footsteps, as the RCC was more accommodating to the culture of the Basotho, unlike the Protestants who at times fiercely opposed Sotho culture as barbaric. Furthermore, the RCC were inclined to support hierarchical structures like those found in their own church, thus they were supportive of the chieftainship.<sup>178</sup>

The main problem with the conversion of Griffith, especially to the RCC, had many consequences, some of which, as history has shown, have been quite bitter especially for the Protestants. Most of the educated people in Griffith’s reign were Protestant or products of the Protestant education. They were also mostly commoners who were looking forward increasingly to the Westminster style of democracy, while the RCC advocated the retention of “chiefly privilege”, thus dividing Basotho into two camps.<sup>179</sup>

With Griffith now a member of the RCC, many developments came as he gave support to the endeavours of the church, giving it land for the building of new schools. In 1910, the RCC only had 10 schools, but between then and 1922, the number of Catholic schools had increased to 100. These were followed by numerous other developments<sup>180</sup>. The headway made by the RCC also resulted in a spirit of competition with the Protestants, who had established themselves as “the national church.”<sup>181</sup>

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<sup>175</sup> Gill 1993:163.

<sup>176</sup> Gill 1993:163.

<sup>177</sup> Gill 1993:163.

<sup>178</sup> Gill 1993:163-164.

<sup>179</sup> Gill 1993:164.

<sup>180</sup> For more information on the development of Catholic schools and resources, see Gill 1993:173; Hincks 2009:510ff.

<sup>181</sup> Gill 1993:174.

Griffith died in 1939 and was succeeded by his son, Seeiso Griffith, who ruled for just one year (1939-1940) and died under suspicious circumstances. Because his heir was far too young to assume power, however, 'Mant'sebo, the most senior wife of Seeiso, became Regent in place of the young Bereng. Chieftainess 'Mant'sebo ruled from 1941-1960 as regent.

### **3.3.4 Changes in Church-State monopoly**

Lesotho's history has shown that the PEMS missionaries had a monopoly with regards to their relationship with the throne in the 18<sup>th</sup> and early 19<sup>th</sup> centuries. As mentioned previously however, the conversion of Griffith Lerotholi, especially to the RCC, has been of great significance to the developments of history, and indeed, church-state relations. None became more explicit than during the reigns of Regent Queen 'Mant'sebo and the Premier Leabua Jonathan.

By the reign of 'Mant'sebo, the RCC had become very close to the paramountcy, so much so that some of the Catholic missionaries had also assumed the role of "de facto advisors to the Regent 'Mant'sebo Seeiso".<sup>182</sup> Furthermore, because the RCC is a traditional institution, it allied itself with the traditional elements in Basotho society.<sup>183</sup> This was most probably due to the fact that all signs were that the Protestant educated leaders were prominent and the RCC viewed them as supporters of communism. Hincks also says that Catholic Basotho's political vision was one of a united, independent and prosperous country with a significant role for political institutions including the chieftaincy, while in contrast the primary political vision of the Catholic missionaries was for a strong, predominantly Catholic country whose leaders would support the church and its programmes.<sup>184</sup>

### **3.3.5 Changes in the Ecumenical world**

Lesotho as a country was rapidly changing and so did its people. The formation of an ecumenical body would have been unheard of in the 18<sup>th</sup> century, but the 1960s with light towards independence and elections brought about changes in the church. Most of the churches were also now headed by the natives, while missionaries from abroad were no longer as heavily involved. This was especially the case with the

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<sup>182</sup> Hincks 2009:552.

<sup>183</sup> Hincks 2009:552.

<sup>184</sup> Hincks 2009:552.

(PEMS) Protestant church, which had come to be known as the Lesotho Evangelical Church (LEC). The RCC, while keeping its hierarchical structure, was also changing with the times.

**(a) The Lesotho Ecumenical Association (LEA)**

The LEA was formed because students from different denominational backgrounds who studied together at the Pius XII University College wanted to bridge the gap between denominations. The first meeting of this organisation was held on the 7<sup>th</sup> of September 1963, with representation from the Lesotho Evangelical, the Roman Catholic, Methodist and Anglican Churches, which were all represented by 20 delegates.<sup>185</sup> The objectives of the LEA was to have a mutual understanding and unity between the churches in Lesotho, as well as to discuss issues such as traditional theology, including baptism, eschatology etc. The association also delved into issues of justice, church-state relation, peace etc.<sup>186</sup>

**(b) The Heads of Churches (HOC)**

The Heads of Churches came into being in 1964, when the leaders of the big churches came together as a result of influences of the LEA, to issue a joint statement to all the Christians in Lesotho concerning the upcoming elections. This statement would be known as “The Voice of the Church Concerning Elections”.

**(c) The Christian Council of Lesotho (CCL)**

According to Hincks (2009:620), the council was formed amongst local churches that wanted “an ecumenical council that will deal with local agendas and also address local needs while at the same time being integrated within regional and global for the purpose of wider communication and solidarity.”<sup>187</sup> Therefore, on the 7<sup>th</sup> of August 1965, the CCL was established.

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<sup>185</sup> Hincks 2009:616-617.

<sup>186</sup> Hincks 2009:616-617. Hincks also goes into much detail about the work of the LEA.

<sup>187</sup> Hincks 2009:620.

### 3.4 Conclusion

Between 1833 and 1965, the introduction of Christianity had a very big impact on Lesotho and the Basotho. It is clear that without the invitation of missionaries by King Moshoeshoe I, Lesotho would most probably have been the tenth province of the Republic of South Africa today. The institute of the monarch could have also vanished had the missionaries not advised Moshoeshoe to seek protection from Queen Victoria. The advice and friendship that Moshoeshoe had, especially with the French Protestant Missionary Eugene Casalis, is of particular interest, as he acted not only in the pastoral office, but also as an advisor and representative of Basotho interests, particularly the retaining of land and establishing of peace in the region. The rise to prominence of the Roman Catholic Church, especially within the Royal family, also helped the church to grow faster, as it was relaxed and did not interfere much with the traditions of the Basotho people, rather it seems to have been content with the association it had with the ruling elite. There were basically no contributions of any kind from the Roman Catholic Missionaries regarding state affairs. The Protestants on the other hand, were at times indispensable to the cause, yet they were sometimes treated with mistrust by the same people whose interests they were trying to protect.

A bigger problem for the Protestant missionaries in particular, but also faced by the Catholic missionaries, is the fact that the kind of monarchy found amongst Basotho is married with very deep roots to culture. Hence, in preaching the gospel, the missionaries seemed at most times to be fighting against and wanting to erode the culture of the Basotho. This brought about tensions between the church and the state. The mission of the Protestant Missionaries shows that in the early introductory years of Christianity to Basotho, no form of church-state theology could be applied, because of the nature of Sesotho culture. The conflicts, such as the one that caused a mass exodus from the PEMS missions by Basotho chiefs after the missionaries had instructed converts to return booty they had acquired, just goes to show how ignorant the missionaries were of the region they were in.<sup>188</sup> Clearly, the Protestant missionaries did not always follow their own doctrine in Lesotho, as events such as this show how the church encroached on the state, trying to coerce and influence

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<sup>188</sup> Some commenters even argue that missionaries did not try to only preach the gospel, but rather to “Europeanize” the Basotho under the blanket of what they termed as “civilization”.

Basotho leaders.<sup>189</sup> Hence, to a large extent, Protestant theology of church and state was irrelevant to the Basotho and could not be applied by the missionaries, except when dealing with the British or the Boers.

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<sup>189</sup> There is not much to say here about the Roman Catholics and their involvement in the early years of Christianity in Lesotho. As mentioned earlier in the chapter, their only advice to Moshoeshe was to trust in the Virgin Mary. The events of 3.3.4 shall be discussed in chapter 4.



## Chapter 4

### Independence and the State of Emergency: 1965-1985

B.M Khaketla, the main source used in this chapter, is the most trusted historian who lived in this era and was active in Lesotho's politics. His representation of the events of this crucial part of Lesotho's history is without any bias or ill intent. The work of Khaketla has been used as reference by the few who engage in the history of Lesotho after him. Khaketla lived in 1913-2001 and was the leader of Basutoland Freedom Party (BFP), which later became Marematlou Freedom Party (MFP). He was also an advisor to King Moshoeshoe II. As stated in the first chapter, a major challenge of this thesis is finding good academic sources that focus on Lesotho's history, however, Khaketla's work stands out and has been referred to by other historians such as Gill (1993) and Hincks (2009), who are counted amongst the few trusted sources with regards to Lesotho's history.

#### 4.1 Lesotho pre-1970

Prior to 1970 and Lesotho's independence, there are a few factors that are relevant and should not be overlooked in the build up to the crisis of 1970, the State of Emergence that rocked the country and its people. During the preparations for independence, Chief Leabua Jonathan anticipated the fact that the opposition of his party, the BCP, would win the elections and thus sought that the Paramount Chief and soon to be King Moshoeshoe II be given power over the police and armed forces, to ensure that democracy would be maintained. There were threats by the leaders of the BCP to do away with the monarchy and he feared that because of the fact that they were rivals, his situation would have been worse if the BNP lost the elections. To the surprise of many however, the BNP won the elections and circumstances immediately changed. Khaketla notes that Chief Leabua Jonathan was an advisor to the Regent Queen `Mants`ebo, and also that he did not favour Moshoeshoe II to become king.

This was as a result of the fact that Moshoeshoe II's mother was not of royal blood and he was younger than Leshoboro, the son of the third wife of Chief Seeiso. Because of the customs and traditions of Lesotho and Basotho, however,

Moshoeshoe II, the rightful heir to the throne, became Paramount Chief, much to the dismay of Chief Jonathan, who in turn developed hostility and hatred towards the young chief.<sup>190</sup>

Chief Leabua now wanted to make the king a constitutional monarch, citing that the king wanted executive power and sought dictatorship. This was not true however, and he did this because of his disapproval of the king in favour of his brother Chief Leshoboro. Moshoeshoe II wanted a state that would have the King as Head of State, who and would be advised by a government that is responsive to the desires of his people.<sup>191</sup>

Chief Leabua Jonathan then went on to include various very controversial Bills within the new constitution of Basutoland: “The Emergency Powers Bill, The Internal Security (Public Meetings and Procession) Bill, The Printing and Publishing Bill and The Societies Bill”. These Bills evoked a storm of protests from members of the opposition, so much so that people came from most of the country’s districts to protest and petition to both the King and to the British Government Representative against this proposed Bill, twenty two days before the day of independence.<sup>192</sup>

The Emergency Bill empowered the Prime Minister to declare a State of Emergency whenever he thought there was such a need and it also allowed him to arrest, remove or exclude anyone he chooses from Lesotho. The worst danger of this Bill was that it made provision for the Prime Minister to suspend the Rule of Law without the approval of parliament.

The Internal Security Bill was a direct infringement on the individual’s right to assembly. It left it to the discretion of the Prime Minister to decide whether or not a public meeting or a procession could be held.

The Printing and Publishing Bill empowered the police to intercept, open, examine or confiscate any mail passing through the post office.

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<sup>190</sup> Khaketla 2000:63-73.

<sup>191</sup> Khaketla 2000:73.

<sup>192</sup> Khaketla 2000:142.

The Societies Bill is described as a “brand new model of the notorious Unlawful Organisation Act of the Republic of South Africa”.<sup>193</sup>

As if things would not get worse, the Prime Minister decided that the King could not hold public gatherings on his own and without the approval of the government. He (Leabua Jonathan) and his cabinet passed laws that were literally unconstitutional and to the disapproval of the opposition parties. The King however, went on to Thaba-Bosiu to hold a mass prayer meeting. Prior to this meeting however, Leabua wanted to have some of these bills cancelled. The only way the King was going to agree to this was if certain parts of the constitution, which the people clearly rejected, were going to be repealed.<sup>194</sup>

The King consequently signed a new document, as negotiations were ongoing which the Prime Minister failed to sign, but which would indeed cancel the controversial aspects of the constitution. Oblivious to this, the King went on to Thaba-Bosiu to inform the masses that he and the Prime Minister had reached an agreement. At the same time, Leabua was mobilising the police to go and stop the meeting by all means necessary. All roads leading to Thaba-Bosiu were blocked and even though many people were stopped before they got there, many had already gotten there on foot and horseback and some were on the mountain top already.<sup>195</sup>

The police ordered the people to disperse, which they did not do and within a short period of time, about 10 people had been shot dead and many more seriously wounded. The people therefore quickly scattered, as the situation had become chaotic and the King returned to his Maseru Palace with a heavy heart. Immediately, Leabua put him under house arrest and he could not even see his advisors. Leabua went on national radio to broadcast to the nation that the King had been put under house arrest because he (Leabua) had evidence that the King was involved in a plot to overthrow his government.<sup>196</sup>

Chief Leabua then went on to summon the College of Chiefs, with the intention to “discipline” the King for his “wayward” ways. The College of Chiefs, together with the Cabinet, “compelled the King to sign an agreement whose provisions, the opposition

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<sup>193</sup> Khaketla 2000:142-143.

<sup>194</sup> Khaketla 2000:143-144.

<sup>195</sup> Khaketla 2000:144-146.

<sup>196</sup> Khaketla 2000:147.

felt, could not have been signed voluntarily as Chief Leabua alleged”.<sup>197</sup> The provisions of this document, which was later termed the Suicide Clause, had the following provisions amongst them:

1. The king undertook to abide by the Constitution.
2. Chief Reentseng Griffith Lerotholi would be dismissed from his post as Principal Chief of Matsieng because, so the College of Chiefs and the Cabinet alleged, it had been found that he had been responsible for the disturbances that resulted in the death of ten people at Thaba-Bosiu.
3. The king was to receive no visitors without permission from the government, and this included his own mother, Queen `Mabereng and his sister, Princess `Mampoi.
4. The King would not be allowed to take part in politics, and should he contravene any of these provisions, he would be taken to have abdicated automatically.
5. It was left to the Government to decide if and when the provisions had been violated.

Khaketla notes that this clause was “ludicrous to say the least”, because the power to discipline Chiefs is vested in the King, and it is one of the few things in which he can exercise his own discretion.<sup>198</sup> Furthermore, the College of Chiefs had no power under the Constitution or under Customary Law to discipline the King or to dictate to him what he can and cannot do. Khaketla further notes that around the same time, the King was being pressured to do one of four things, these being:

1. either the king supports the Government by addressing the National Party’s rallies;
2. he voluntarily goes back to school abroad;
3. he goes into voluntary exile;
4. or he voluntarily abdicates.

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<sup>197</sup> Khaketla 2000:152.

<sup>198</sup> Khaketla 2000:153.

If the King failed to voluntarily take any of these steps, the Government would take appropriate steps against him.<sup>199</sup> The Basutoland Congress Party, through its leader Dr Ntsu Mokhehle, tried in vain to bring this matter up before the National Assembly under Standing Order No. 29, but the motion was not discussed as a result of the reply of the Speaker of the National Assembly, Mr Walter Stanford, who said that the motion could not be accepted, based on the fact that there was no official information from the Prime Minister or any government information on the matter.

#### **4.2 Preparations for the 1970 Elections**

Prior to the 1970 elections, Khaketla indicates that the BNP realised that they would need to form an alliance with the MFP if they were going to win the elections.<sup>200</sup> The alliance failed however, probably due to the fact that the BNP could not assure the MFP of ministerial positions in the case that the alliance wins the elections. Chief Leabua tried and had some success to intimidate people to vote for him and his National Party.

Contrary to his previous speeches where Chief Leabua Jonathan had told civil servants not to become involved with party politics, it became mandatory for civil servants to be present at his public speeches. Failure to do so meant that one is of the opposition and therefore against the government, which could result in the loss of a job. Furthermore, Leabua told civil servants in a change of tune to “support the ruling party.”<sup>201</sup>

Khaketla asserts that during this time, the B.N.P ceased to exist as a party, as all the campaigning was done by Chief Leabua Jonathan and his Cabinet of ministers.<sup>202</sup> He used government resources such as transport to campaign for his party. He also used Radio Lesotho, the state owned radio station to campaign for his party with his speeches and those of his ministers being repeated daily until newer versions came out, while denying the opposition parties the same opportunity. Not only that, he also used a state owned paper, *Lesotho Times*, to preach his propaganda.

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<sup>199</sup> Khaketla 2000:163-164.

<sup>200</sup> Khaketla 2000:171-172.

<sup>201</sup> Khaketla 2000:177.

<sup>202</sup> Khaketla 2000:174.

As if this was not enough, Chief Leabua Jonathan and his cabinet called National Party rallies, which were “erroneously called National pitsos” (gatherings), where Ministers would address not only supporters of the BNP, but also those of the opposition, as a way to gain the upper hand on the opposition.<sup>203</sup> Furthermore, Leabua warned chiefs not to meddle or to stop meddling in politics. Ironically, however, he himself was a chief heavily involved in politics and seemingly did not have a problem with several chiefs who were staunch supporters of the BNP. For Leabua, their support for the BNP was not playing politics.<sup>204</sup>

To coerce more people to join the BNP, Jonathan made clear statements that if one was not a supporter, they should join or go hungry. An explicit example of this is during the construction of the tar road from Maseru to Leribe whereby only people who could produce proof that they were card-holding members of the ruling party were given jobs. Jonathan’s justification of this matter was that he gives jobs to those people who support his government, but actually what he meant was that he would not give jobs to those who oppose his party and what it stood for.<sup>205</sup>

Because of all these threats, Chief Leabua Jonathan’s popularity waned and people stopped attending his meetings in their masses. His party’s newspaper continually reported the attendance in terms of thousands however. *Radio Lesotho* would also not be undone, as they broadcast that thousands were in attendance, when in actual fact it was at times just hundreds.<sup>206</sup> This led Jonathan to believe that he could win the elections of 1970, however, to make absolutely sure beyond a shadow of doubt, some drastic steps were taken to put the opposition at a disadvantage.

Khaketla avers that Jonathan brought in a South African, Johannes L. Pretorius, who came highly recommended by the Apartheid government of South Africa. He was said to be an “expert in the conduct of elections”. Pretorius recommended that the electoral law of 1965 be scrapped and he drafted a new bill, which later became the “Electoral Act of Lesotho”. According to Khaketla, this was a “carbon copy” of the South African Electoral Act. The only major difference, which was opposed

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<sup>203</sup> Khaketla 2000:179.

<sup>204</sup> Khaketla 2000:180.

<sup>205</sup> Khaketla 2000:184.

<sup>206</sup> Khaketla 2000:185.

vigorously by the opposition, although in vain, was the fact that according to the new act, the candidate deposit fee was raised from R50 to R200.<sup>207</sup> This was inconsiderate, the opposition argued, because it did not consider the general economic level of Lesotho. The main implications of such a move on the part of the government was to make sure that some constituencies would be won unchallenged as a result of the lack of funds from opposition candidates.

Other examples of foul-play documented by Khaketla are that enumerators did not warn or inform chiefs as to when they would be coming to which village in order for the chiefs to inform the people so that they could be registered to vote. Loyal supporters of Chief Leabua Jonathan's government however, were given "privileged information" on when the enumerators would be present and subsequently they were registered. Other tactics used by the government were refusing outright the registration of some citizens because they were said to be born in South Africa, even though they had lived and gotten married in Lesotho and had voted in the previous elections.<sup>208</sup>

The government also held nomination forms until the last possible time that they could be released, which gave only a week for them to be posted by parties to their representatives to be filled in correctly and returned in time. Considering the lack of infrastructure at the time, it was an impossible task, as the post office could not deliver the forms on time to be submitted before the deadline.<sup>209</sup>

### **4.3 State of Emergency**

On Wednesday the 28<sup>th</sup> and Thursday the 29<sup>th</sup> January 1970, Prime Minister Leabua Jonathan went on *Radio Lesotho* and spoke of the conduct of the elections. According to his statement, the elections had been "conducted in an atmosphere of peace and quiet throughout the country". Khaketla states that Jonathan was very happy with the process.<sup>210</sup>

On Friday the 30<sup>th</sup> January, the results were being broadcast on *Radio Lesotho* as they came in. They showed that BCP and BNP were neck at neck, with one

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<sup>207</sup> Khaketla 2000:193-194.

<sup>208</sup> Khaketla 2000:195-198.

<sup>209</sup> Khaketla 2000:202.

<sup>210</sup> Khaketla 2000:207.

surpassing the other by a narrow margin, or the other way round. When the results were tied at 23 constituencies each, an order was given to the announcers to hold the results to see who would get the upper hand before they were released to the public. Unfortunately, all the results that followed were in favour of the BCP which meant that they would win the election by 35 seats to the 23 of the BNP and 1 for the MFP.<sup>211</sup> Consequently, there was a blackout and no more results were broadcast.

Khaketla alleges that after the results, Leabua went through the preparations of handing power to Mokhehle and the BCP. Jonathan is said to have summoned all his permanent secretaries to an urgent meeting where he told them that there was going to be a change of power and that they should prepare themselves for a peaceful hand-over to the new rulers. Embassies in Maseru were also alerted to these developments.<sup>212</sup>

Before handing in his resignation to the King however, Leabua also summoned a meeting with his cabinet ministers whereby J.H. Hindmarch, Commissioner of Police and Fred Roach, Officer in charge of the Police Mobile Unit (PMU) were informed that the BNP had lost the elections and he (Leabua) was handing over power to Mokhehle and his party.

Chief Sekhonyana 'Maseribane, the Deputy Prime Minister and Minister of Interior, strongly supported by Chief Peete. Peete, the Minister of Finance, strongly opposed the handing over of power. They are said to have felt that they would "rather die" than to hand power to Mokhehle.<sup>213</sup>

Khaketla says that "unfortunately for Basotho and Lesotho, the two white police officers who commanded the police gave their support to 'Maseribane and were prepared to stand behind Chief Leabua Jonathan if he seized power", which he did.<sup>214</sup> Khaketla is of the strongest opinion that without the support of these "white men"<sup>215</sup>, Leabua wouldn't have dared to seize power.

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<sup>211</sup> Khaketla 2000:211.

<sup>212</sup> Khaketla 2000:212.

<sup>213</sup> Khaketla 2000:212.

<sup>214</sup> Khaketla 2000:212.

<sup>215</sup> Hincks 2009:654 suggests that Leabua was encouraged by the Whites, who had their own interests in him retaining power, further that it was not just the police officers, but also the Presiding Justice of the High Court and Johannes Pretorius the Chief Electoral Officer. Khaketla is used as the main source, as the few authors who write about the 1970 events all quote him.



Following these meetings mentioned previously, Chief Leabua went on *Radio Lesotho* for his long awaited speech, which went as follows:

“I the Prime Minister of Lesotho, in terms of the Constitution, hereby declare Lesotho to be in a State of Emergency. The decision I and my Ministers have just made is taken in full consideration of the best interests of the nation. This drastic step has been taken in order to protect not only the liberty of the individual but also law and order.

An atmosphere of fear and threats of violence was spread throughout the country by the Opposition on the eve of the election. On Election Day, the elections were marred by actual acts of violence all over the country.

Now I have declared a State of Emergency, I hereby suspend the constitution pending the drafting of a new one, I call upon you to remain quiet and go about your daily duties in a normal manner. Wait for further instructions.”<sup>216</sup>

What is even more surprising, is the fact that just before the elections, Chief Leabua had made a statement saying that as “we face the General Election in 1970, my appeal to you is that we should support whichever party wins the elections, so long as it serves the nation. We must realise our first loyalty is to Lesotho and not to political parties.”<sup>217</sup>

#### **4.4 Fruits of the State of Emergency**

The implications of the declaration of the State of Emergency in Lesotho were so bad that they seem to have defeated the purpose for which it was supposedly instigated. Chief Leabua had claimed that the State of Emergency was to “protect the country’s Christian heritage, nip in the bud an attempt by the opposition to overthrow the government by force and throw the country into chaos and bloodshed.”<sup>218</sup> In the two weeks that followed the announcement of the State of Emergency, however, the people remained calm and there was no violence. This meant that Leabua had been a liar. Like the depiction of Napoleon in George Orwell’s

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<sup>216</sup> Khaketla 2000:208.

<sup>217</sup> Khaketla 2000:213.

<sup>218</sup> Khaketla 2000:262.

Animal Farm, Leabua had been training the youth of the National Party known as the “Young Pioneers” in what was said to be a “farming training camp”.

This group organised themselves into armed gangs and visited the homes of people known to be of the opposition parties. They lured people out of their homes in the middle of the night and took them out into the fields, beat them up and left them for dead. Khaketla gives examples of such people, who were sometimes humiliated in front of their families.

Khaketla also notes that despite the police being given detailed reports on these incidences, nothing was done to put a stop to the assaults on innocent people.<sup>219</sup>

The BNP was made aware of these incidents; however, they were downplayed by Leabua, claiming that the opposition was greatly exaggerating the situation to discredit his government and party. He did admit to have investigated the situation however, and further said that he had reprimanded the youth league and that an end had been put to these incidents.<sup>220</sup> As if the mishaps of the youth league were not enough, the government also went on a violent raid against the people it claimed it was protecting.

Not long after Chief Leabua Jonathan had “reprimanded” the youth of his party, their brutality increased tremendously, to the point where the victims started organising themselves in order to protect themselves. Khaketla says that they played the ball into Chief Leabua Jonathan’s court, as this was exactly what he had been hoping for in order to justify his seizure of power. He continues to state that when people began to resist, “the stage was then set for enacting a Reign of Terror”.<sup>221</sup> This reign of terror lead to many people being detained. Nkherepe Molefe was one such victim; he had been a Deputy Commissioner of Police under British rule. The reason for his arrest was the fact that “because he was a former high ranking police officer and a member of the MFP, he had a large following in the police force and therefore a security risk.”<sup>222</sup>

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<sup>219</sup> Khaketla 2000:262.

<sup>220</sup> Khaketla 2000:263.

<sup>221</sup> Khaketla 2000:267.

<sup>222</sup> Khaketla 2000:268-269.

Highly placed civil servants who were suspected of being members of the opposition were detained. Khaketla notes that amongst these were Laura Mokhehle, sister to Ntsu, who was leader of the BCP. Leabua also wrote a circular letter to Permanent Secretaries and Heads of Departments that gave a “general ultimatum to all civil servants who knew that they were supporters of the opposition to resign voluntarily, failing which the government would take immediate steps to remove them from public service”.

Because none of them resigned, as promised, the government acted swiftly. Several of the detainees were released and immediately dismissed. They lost all their benefits, pensions, gratuities and anything else due to them. It was further rumoured that about 800 civil servants had been dismissed, and a further 400 had been blacklisted. Amongst these were high administrative, professional, executive and technical officers, right down to the office sweeper. The vacancies created were therefore filled with “raw recruits whose only qualification was membership of the National Party.”<sup>223</sup>

As if the firing of qualified people was not enough, the government also saw it fit to put people under house arrest. Amongst them were Khaketla, who was also an advisor to the king. The terms however, were that he was allowed to go to his office during office hours, and yet he was not allowed going to church. This was surprising and ironic, given that Chief Leabua Jonathan claimed to be protecting “Christian heritage” but barred people from going to church.

Things also got worse in Maseru; Khaketla enunciates that several people were arrested and sent to the Deputy Prime Minister’s house for “interrogation”. They were mostly civil servants employed at the Government printing works. The detainees were given papers and pen to write down in details all that they knew about the malpractices of the BCP to win the elections. If what they wrote was satisfactory to the powers that be, then they were let go, but if not, they were subjected to inhuman torture and even threatened with a gun, which would be pointed in their mouths.<sup>224</sup> This was both surprising and ridiculous, because the ballot papers were not printed by the government printing; they had been printed in South Africa and the staff from

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<sup>223</sup> Khaketla 2000:263-264.

<sup>224</sup> Khaketla 2000:271.

the Government Printing could have only seen them on the polling day like all other voters.<sup>225</sup>

#### **4.5 The Church response to the State of Emergency**

It was because of these circumstances that the church ended up with no choice but to speak out against the atrocities that were being committed by the government under Leabua and the government. As noted in chapter 1, the HOC wrote a letter expressing their concern over the events that were taking place, some of which were said to be in the name of protecting “Christian heritage”. Following that letter sent to Chief Leabua Jonathan, the CCL also wrote a letter to Chief Leabua Jonathan after the state of emergency had been declared and it reads as follows:

“We, the leaders of the church in Lesotho, respectfully greet you in the Name of our Lord and Saviour Jesus Christ. Although the proclamation of the state of emergency is, according to your radio message, calculated to maintain peace and order, it is in our considered view that unless the people are fully informed, it may defeat its own ends. We urge, with all the power at our command, that the emergency be lifted as soon as possible in order to help restore the rule of law.

We are convinced that the state of emergency is likely to encroach upon the fundamental rights of the individual.

In view of the urgency of the situation, it is our strong desire to see you personally and to discuss these issues with you today.”<sup>226</sup>

Following that letter, the HOC was granted an audience by the Prime Minister, where the following points were raised:

1. That Chief Leabua should take the nation into his confidence and give them detailed reasons for the steps he had taken.

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<sup>225</sup> Other people were asked to produce guns that they had allegedly possessed in order to start a rebellion against the government. Another painful story is of a Mafeteng business man, Mr Malahlela, who was arrested together with his daughter and made to strip naked in her presence, so that she could see where she came from. He was asked to have sex with his own daughter, which he refused and consequently, had to watch his daughter being raped. The brutalities of the Youth League was supported by the police, who would also avenge them if they ran into resistance and lost their lives.

<sup>226</sup> Hincks 2009:659.

2. That a meeting between His Majesty the King and Chief Leabua be arranged at once, in order to iron out any differences that might exist between them.
3. That a meeting between himself and the leaders of the Opposition be called to try to work out a compromise solution to the crisis.
4. That the country's Constitution be re-instated, and the courts be allowed to function normally.
5. That any people who were suspected of misbehaviour at the time of elections be brought before the courts and charges preferred against them.<sup>227</sup>

Despite the attempts of the church leaders to bring mediation, none of these five major recommendations were taken up by the government to try and bring back peace. Chief Leabua disregarded the attempts of the church leaders to help organise and facilitate the required meetings.<sup>228</sup> Seeing that their attempts with the rulers were to no avail, the HOC released their first major statement concerning the crisis that was in Lesotho. Chief Leabua would not have it read on *Radio Lesotho* however. He wanted it to be edited, a compromise the church leaders were not willing to make. The statement was therefore read in churches on the Sunday services, even though Hincks says that it did not reach the vast majority of Basotho. It read as follows:

“We, who officially represent a great multitude of Christian believers in Lesotho, greet the people of the nation.

We are deeply aware of the fears and the sufferings of many of our people at this time. We feel the deepest pain and grief, and have a sense of great shame on account of all the forms of brutality and cruelty which, in recent days, have scarred the good name of the Basotho nation.

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<sup>227</sup> Hincks 2009:659 and Khaketla 2000:295.

<sup>228</sup> Hincks 2009:659.

We appeal to all concerned, in Christ's Name, to bring to an end all such forms of cruel and violent handling of our fellow human beings. We beg all Christian people to pray earnestly that this will be done."<sup>229</sup>

As this was happening and the HOC realised that the end was not in sight, Hincks says that ecumenical groups and individual churches had also been responding to the crisis. He notes that the Anglican Church Bishops wrote pastoral letters that were read in their congregations. The LEC published a statement in the Church's newspaper *Leselinyana*. The RCC spoke out against the government in a statement intended for *Radio Lesotho*, which was disallowed as a result of censorship however and therefore read in the church's pulpits.<sup>230</sup>

Hincks asserts that the exchange between church and state in the crisis of 1970 was both complex and intense: Whilst the "Church played a prophetic and sometimes pastoral role, vis-à-vis the government, the government pursued and intimidate or co-opt policy vis-à-vis the church."<sup>231</sup>

Furthermore, that Chief Leabua Jonathan's government sought not only to weaken the church's influence through direct persecution of those seeking justice and basic human rights, but also to divide it through the more invidious strategy of playing one part against the other and awakening old suspicions and reopening old wounds.

Hincks supposes that besides the initial letter sent to the Prime Minister by the CCL, it was "not very active at this time, except through its Sodepax Commission. The Commission became involved on several fronts however". These included drought relief, Walks for Development, the provision of building materials to victims whose homes were destroyed and assistance to families of detainees. Furthermore, he says that it was the most effective Christian agency in the immediate aftermath of the crisis.<sup>232</sup>

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<sup>229</sup> Hincks 2009:659 and Khaketla 2000:296-297.

<sup>230</sup> It is interesting that neither Khaketla nor Hincks mention any activity of the Pentecostal / Charismatic churches, nor any other churches that are not part of the CCL. The reasons could be that because of their independence, and the fact that they were mainly in a formative stage, the government would have just run them over without second thought, as the mainline churches were the more established and dominant.

<sup>231</sup> Hincks 2009:658-659.

<sup>232</sup> Hincks 2009:660.

The Lesotho Ecumenical Association (LEA) is said to have been arguably the most consistent prophetic voice amongst the ecumenical groups, as it was discussing issues such as “ Peace, Justice, Our History and Church and State Relationship”<sup>233</sup>. He further avers that these discussions also involved some of the most gifted Christian leaders in the country at that time. The members of the LEA that were most enthusiastic however, were either Anglican or Roman Catholic, which brought about suspicion from the Protestant LEC.

The suspicion was not without cause, as even earlier, when the state of emergency known to Basotho as Qomatsi started, the majority of those who were harassed, detained, tortured, killed, who’s houses were burned down, looted or destroyed, were Protestant LEC members.<sup>234</sup> Furthermore, most of the civil servants who had lost their jobs, including some of “Lesotho’s best educated and most capable citizens”, the majority were opposition supporters and members of the LEC. To make things gravely worse, the LEC’s paper, *Leselinyana la Lesotho*, was banned, while the RCC produced paper *Moeletsi oa Basotho* not only continued publication, but also printed highly controversial articles like “Crisis in Lesotho”, which was written by a visiting Jesuit priest published in the 23 and 30 May issues of the same paper<sup>235</sup>. Hincks also mentions that the ecumenical bodies like the LEA and CCL were also victims of harassment and intimidation by the government, as well as Protestant ministers. When ministers of the RCC, who came from abroad, visited Lesotho however, they were given free movement, while Protestant ministers were sometimes even detained.<sup>236</sup>

Mohapeloa said that from that time on, strained relations existed between the government and the Lesotho Evangelical church<sup>237</sup>. Hincks, in his assessment of the situation, says that the starting point should be to distinguish between the motives of political leaders and church leaders, whether or not the individuals in question were

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<sup>233</sup> Hincks 2009:660.

<sup>234</sup> Hincks 2009:662.

<sup>235</sup> Hincks 2009:622.

<sup>236</sup> These division could also have been seen geographically, in that places that were predominantly Roman Catholic had the most supporters of the BNP; it is the same with members of the Lesotho Evangelical church and the BCP. It was hard to separate the BNP and the government in those days, as the two seem too close.

<sup>237</sup> Mohapeloa 1985:59.

members of the same denomination or appeared to share similar politics.<sup>238</sup> He goes on to further suggest that failure to distinguish between the two actually exacerbated divisions and arguably prolonged the regime of Leabua, which most of the Basotho wanted to remove. Also, Hincks recognises that the government of 1970 was not the political dispensation desired by leaders of the RCC. Furthermore, even though it is true that RCC leaders may have preferred the BNP over the BCP, mainly because of their fears of what the BCP could do, that does not mean that they approved of what the BNP was doing or shared in their ideology. He adds also that the motive for the seizure of power by Leabua and his co-conspirators was retaining power and all the comforts that came with it, not promoting the welfare of the church.

Hincks continues his assessment of the situation by saying that no political purpose could be served by appealing to all Christians in Lesotho. The history of the BNP closed out the possibility of gaining votes from the Protestants.<sup>239</sup> Also, because the BNP had lost support from many Catholics in the 1970 election, regaining that support was the only viable option and several factors worked in the favour of the BNP in this regard.<sup>240</sup>

The first of these was that statistically, it was possible because Catholics were at the time around 40% of the population and the fact that most traditionalists were supporters of the BNP. Also, the fact that the opposition was divided into several parties made it possible for the BNP to attain a majority of support.

Secondly, “most of the BNP leaders were catholic. This meant they could exploit on of the oldest and most effective political strategies”, which he says is “to divide and rule”. A clear example of this is the fact that Chief Leabua refused when the leaders of the churches wanted to visit the king, yet he granted such permission to the RCC’s Archbishop Morapeli.<sup>241</sup>

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<sup>238</sup> Hincks 2009:663.

<sup>239</sup> It is for reasons like this of the church getting too close to the state that the Anabaptist view is that of staying away, however, I do not find it helpful especially in a politically charged atmosphere. The other side of the Reformation however, would agree that rule by aristocracy which Calvin especially advocates for, does not always benefit the masses as even democracy can be tainted by a few. As for the involvement of the Catholics with the BNP and their support for Chief Leabua, the question rises, how do politics which of unfairness benefit the soul and lead it to salvation? Why in the first place were the Catholics in support of a regime that brutally murdered God’s people?

<sup>240</sup> Hincks 2009:664.

<sup>241</sup> Hincks 2009:664.



Hincks states that human rights abuses and attacks on the opposition continued throughout Chief Leabua Jonathan's 16 year illegal government. Two periods following the events of 1970 were particularly harsh, however; 1974 after a failed BCP coup in response to attacks by the Lesotho Liberation Army, and guerrilla militia of the BCP between 1980 and 1983. (Hincks 2009:667).<sup>242</sup>

Following the coup attempt in early 1974, the government of Lesotho responded with measures that included detention, torture, rape, the killing of dozens of people, the burning of about 160 houses and the destruction of crops. Even though the intensity somewhat subsided, this was after more civil servants had been fired and key figures in the BCP forced into exile. The BNP youth and PMU also continued with their assaults, targeting members of the LEC and their properties, as well as other non-Catholic citizens who were suspected to be in support of the BCP and anyone who would become vocal in condemning the government for its human rights violations.<sup>243</sup>

Hincks says that ecumenical groups were not immune to the government's crackdown. He indicates that in June of 1975, the police closed down the Sodepax General Conference, which was held at Lesotho High School and ordered its office bearers to report to the police station. Furthermore, in the same year the CCL could not send a young student to Nairobi for training in broadcasting and communications, even though they had attained a scholarship for him; the government refused him a passport for what they termed "security reasons."<sup>244</sup>

As mentioned earlier, the LEA was the prophetic voice of the church that was in the forefront, however, after the attempted coup of 1974, Hincks says that the CCL and HOC came to the fore.<sup>245</sup> The CCL expressed concern for the plight of the families of those who had been killed, detained or exiled, or those <sup>246</sup>whose houses had been burn down. Furthermore, the CCL sought proper counsel for the first 32 people who were standing trial for high treason.

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<sup>242</sup> Hincks 2009:667.

<sup>243</sup> Hincks 2009:667. Also in the Statement by the Executive of the Christian Council of Lesotho, 2 January 1975.

<sup>244</sup> Hincks 2009:667:668.

<sup>245</sup> Hincks 2009:668.

<sup>246</sup> Lesotho Sodepax Conference 1975:1, also in Hincks 2009:668.

The CCL also established a Relief and Rehabilitation programme, which received funding and support from Amnesty International, the South African Council of Churches and overseas church partners. It was with these funds that the CCL organised experienced lawyers for the 32 accused of high treason, as well as to assist the families that had been affected with blankets, clothing, and school fees. Some of the funds also went to the rebuilding of the houses that had been burned down. Hincks also says that when the same project got to Peka and Mapoteng, the areas that had been the worst affected, the government decided to stop it.<sup>247</sup>

In 1978, Rev John Osmer, under a directive of the CCL through its Social Services Commission, went to Botswana to see Basotho refugees. The objective of the visit was to get the government to declare general amnesty for political refugees in exile and broker a deal that would see them come back home safely. Furthermore, it was the objective of this commission to promote reconciliation and unity amongst the people, who differed in terms of preference of political parties.<sup>248</sup> When Leabua agreed to a meeting with the BCP leadership that was in exile, a few countries which were seen as mutual ground were brought up, these being Zimbabwe, Malawi and Swaziland, from the side of the BCP, and although Leabua had agreed in the preliminary preparations, he insisted later that the meeting be held in Lesotho. He failed however, to give assurance and safeguards that no harm would come to the exiled BCP leaders if they came back home.<sup>249</sup> Consequently, the meeting did not take place.<sup>250</sup>

The church, through the HOC, renewed its call for Christians, politicians, government and chiefs to pray for peace. The King was also invited and participated. On 11 March 1982, the HOC sponsored a “Day of Recollection and Prayer for Peace”, where the above mentioned people, including cabinet ministers and clergy from different denominations, came together to pray for peace and unity. The prayers were lead by Rev Stan Nussbaum, a Mennonite missionary working with the African

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<sup>247</sup> Hincks 2009:668.

<sup>248</sup> Hincks 2009:668.

<sup>249</sup> Hincks 2000:696.

<sup>250</sup> In the early 1980s, the Church was still had at work trying to restore democracy, law and order. The church leaders also realized that a “spirit of anger, mutual fear, and lack of trust” between the BCP and BNP created a deep gulf that a non-partisan third party would be required to bring them together. This is why they offered themselves as a bridge.

Independent Churches. Two years later, another prayer meeting was held and it was significantly larger.<sup>251</sup>

The efforts of the church however, did not stop here. In 1985 the HOC began to sponsor ecumenical peacemaker seminars which were primarily for clergy but also included lay leaders as well. These seminars which were focused on reconciliation were facilitated by the Transformation Resource Centre. Hincks says that the people involved shared problems and solutions from their experiences, education on social issues from the experience of others, joint worship and bible study and planning for continued contact and joint actions through ministers' fraternals or local CCL projects.<sup>252</sup>

#### **4.6 Conclusion**

As mentioned in chapter 3, the Roman Catholic Church's prominence started with the conversion of Griffith Lerotholi. It was only during the reign of the Regent Queen 'Mants'ebo and Premier Chief Leabua Jonathan however, that the Roman Catholic Church became actively involved in Lesotho's political affairs. The long history of hostility between the Roman Catholic Church and the Reformed Church also affected the two churches in Lesotho. From the time that Moshoeshoe agreed to have the RCC missionaries come and evangelise and set up missions amongst his people, there came tensions and animosity, as mentioned already in chapter 3; however, the climax of these tensions would come between the periods 1970-1986. In the early 1960s, most of the educated members of society belonged to the LEC church, which had made great strides in educating the Basotho. History has proved that this came at a great price. The early 1960s was a time when the Basotho wanted independence from the British. At the forefront of this push towards independence were many Basotho who were predominantly from the LEC church and very educated. Whether it was a matter of rivalry between the two churches remains a question to be answered, but the Roman Catholic Church came out with incendiary and provocative statements, calling these LEC members, who were also mostly part of the BCP, communists.<sup>253</sup> During the same era, the Catholic Church

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<sup>251</sup> Hincks 2009:698.

<sup>252</sup> Hincks 2009:698.

<sup>253</sup> For a definition of Communism that the Roman Catholic Church was so opposed to, the Catholic Dictionary (1951) is a most useful tool.

aligned itself with the BNP, which was led by Chief Leabua Jonathan, who was also a Roman Catholic, as is the case with most members of the royal family in Lesotho.<sup>254</sup> This became an unholy marriage whereby the Roman Catholic Church, whether willingly or manipulated, supported the Chief Jonathan regime in its unlawful reign of terror, murder and the persecution of the LEC, which firmly stood against the tyranny of the Premier by its white foreign missionaries.<sup>255</sup> The Catholic Church seems to have taken Pope Pius XII's Decree against Communism to an extreme here, because in doing so and actively supporting a political party, the church encroached in a territory where it had no jurisdiction. Catholic theology clearly demarcates the boundaries of both the church and the state. Only when salvation is at stake can the Catholic Church intervene. What happened in Lesotho in this era however is that the church actively supported a political party because the Premier was a member of the church. Even worse is the fact that, in hindsight, the Catholic Church let itself be manipulated, on the one hand, but on the other hand also used Chief Jonathan and his government, instead of rebuking its high profile member when he hijacked the government after the 1970 general elections.

It is only within the structures of the CCL that the Catholic Church reviewed its support for Chief Jonathan. The intervention by the HOC and CCL, which clearly disassociated the church<sup>256</sup> with any political party, was the start of a new approach for the Catholic Church, as the country was now in a hostile state. It is members of the Protestant LEC Church who suffered the most however. The LEC on the other hand, were seen also to support the BCP, mainly because most of the BCP members were also LEC professing members. A close evaluation shows that the LEC church also had interests in lending its support to the BCP. Hence, both Churches should be held partly responsible for the divisions found amongst the Basotho during this era.

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<sup>254</sup> Khaketla 2000:269ff.

<sup>255</sup> The main stance of the Catholic Church is that the BCP, which was led by Mokhehle, was communist in nature. Nowhere has history proved this to have actually been true however. Hence, my suspicion is that the Roman Catholic Church did not want to be left behind and wanted its members in top positions in government to continue to enjoy their new found favour amongst the ruling elite. This is plausible because with self-rule, the Basotho were already campaigning against an absolute monarch which would mean democratic rule and therefore position by merit.

<sup>256</sup> The church as an ecumenical body consisting of the main line churches.

## Chapter 5

### The fall of Leabua, Military Coups and transition to

#### Democratic Government: 1986-1993

As mentioned earlier in this thesis, the main challenge is the lack of sources with regards to Lesotho's history. In this chapter, the main source that shall be used is Professor Machobane's chronicle "King's Knights".<sup>257</sup>

##### 5.1 A New Regime

Early in 1986, Pretoria tightened its blockade of Lesotho, which caused a fear of economic strangulation, mixed with the army's growing concern about the growing power of the BNP's militant youth wing. These two were the triggers for the Lesotho Defence Force to intervene in the political arena on the 20<sup>th</sup> of January 1986.<sup>258</sup> Some people however, say that the coup was instigated by apartheid South Africa to oust Jonathan, as under his regime the two countries had not come to an agreement on what would later be known as the Lesotho Highland Water Project. This was as a result of the fact that South Africa's Transvaal region was extremely short of water that Lesotho could provide<sup>259</sup>.

Major General Metsing Lekhanya was propelled into leadership by his colleagues, who were more involved in the coup<sup>260</sup>. These senior officers, Sekhobe Letsie and Thaabe Letsie, were also close relatives of the King. The other members of the Military Council were Colonels Elias Ramaema, Khethang Mosoeunyana and Michael T'sotetsi. Soon after being put into power, Lekhanya's regime signed the LHWP agreement with South Africa and all political refugees from South Africa were deported to Zambia.

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<sup>257</sup> *King's Knights* by Machobane is one book that is dedicated to the accounts between 1986 and 1993 and it gives insight in the form of documented accounts, interviews and un-biased history of the period. Hincks and Gill shall also be used in this chapter, as their work confirms and give insight into what Machobane has documented in this crucial contribution to Lesotho's history.

<sup>258</sup> Cited in *Encyclopaedia of the Nations* (2005) and *Institute of Security Studies* (2003). For more information on the events within the military that lead to the Coup, see also Machobane 2013, as he gives accounts of interviews with some of the planners and executors of the coup.

<sup>259</sup> Matlosa and Pule 2001.

<sup>260</sup> Interesting also is the fact that the Major General, Metsing Lekhanya, heard on national radio, *Radio Lesotho* that the Military had taken over power from the government, yet he agreed to lead the Military Government.

The army also gave the King executive and legislative powers, although these were to be exercised in consultation with a six man Military Council, which retained an effective veto power. The King also had a Council of Ministers, amongst which E.R Sekhonyana, B.M Khaketla and M.T Thabane were part. According to Hincks, this Council was made up of “qualified persons from a cross-section of political persuasions and religious denominations.”<sup>261</sup> Furthermore, that the duty of the king and his ministers were more on civil service and government aspects, while real power stayed with the Military Council.<sup>262</sup>

After the passing of Chief Leabua Jonathan and with Chief E.R Sekhonyana, a minister within the King’s Council, taking over the leadership of the BNP, the Military Council disbanded the Basuto National Party Youth League, which had been accused of numerous atrocities against civilians.<sup>263</sup>

## **5.2 The death of Chief Leabua Jonathan**

Soon after the military took power, the former Prime Minister Chief Leabua Jonathan was placed under house arrest, after being accused of forming a rebellion from within and outside the country.<sup>264</sup> Furthermore, when the ailing chief needed a passport to go seek help for his cancer in the United Kingdom, the new government refused him a passport until his death on the 5<sup>th</sup> of April 1987. He was laid to rest on the 20<sup>th</sup> of April of the same year. Pherudi also says that King Moshoeshoe II and his Council of Ministers did not attend the funeral of the former Prime Minister, with the exception of those loyal to the former Premier.<sup>265</sup>

At this time, Lekhanya also seemed to want what was best for the country. He talked the language of peace and reconciliation to undo past injustices and to fight corruption. He is even said to have initiated a prayer with the nation at Thaba-Bosiu and encouraged village-level leadership of development initiatives<sup>266</sup>. It was at this time the HOC visited the King again. From their various visits, it became clear that

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<sup>261</sup> Hincks 2009:739.

<sup>262</sup> Other ministers included Mathealira Seeiso, younger brother of the King and Principal Chief of Mokhotlong, Vincent Malebo, Michael Sefali, Moeketsi Tiheli, Strong Makenete and Khalaki Sello, who were all “unflinching royalists” according to Machobane 2013:68.

<sup>263</sup> Pherudi 2004:68.

<sup>264</sup> Pherudi 2004:68.

<sup>265</sup> Pherudi 2004:68.

<sup>266</sup> Hincks 2009:740.

the king was enjoying his new found power and had no intention of engaging the BCP in dialogue; something the HOC believed was essential, for as long as the LLA existed, they believed there could be no peace.<sup>267</sup>

### **5.3 Solidification of Power by the Military Government**

After the death of Chief Leabua Jonathan, the new government sought to solidify itself and in doing so, several Orders were published. The most interesting of these is Order No. 4, which had the following stipulations:

“3. No person shall,

- a) manage, take part in collect subscriptions for, raise funds for or otherwise encourage the management of any political party,
  - b) organise or take part in public meeting or procession organised for propagating or imparting political ideas
  - c) publish or propagate any political ideas or information in furtherance of aims and objectives of any political party or organisation
4. a) display in a public place or advertise in any form whatever, signs, symbols, flags, insignia or emblems of any political party
- b) whether by spoken words, or in writing or other form whatsoever, utter in a public meeting, or at a public place any political slogan or name of any political party or
  - c) wear in any public place or at any public meeting, any uniform signifying his association with any political party”<sup>268</sup>

Effectively, the new government banned all political activity and all political parties, partly because of the threat that the BNP Youth League, which was armed, and most probably because absolute power corrupts absolutely. A two to five year sentence also went with the contravention of Order No. 4.

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<sup>267</sup> Hincks 2009:699.

<sup>268</sup> Pherudi 2004:68-69.

#### 5.4 The Church gets involved

According to Gay, before the democratic elections of 1993, even going back to the oppressive era of Chief Leabua Jonathan, there were Christians in all denominations, even in the dominant Roman Catholic Church, who sought to find a way toward fair elections and democratic rule.<sup>269</sup>

“Politics? Oh no! I don’t want to have anything to do with politics this time. Some of us suffered too much in the past, with killings and burning of houses just because we belong to a particular political party (BCP or MFP) or a particular church (most probably the Lesotho Evangelical church)”. This is a statement from an un-named Mosotho in September of 1991, which goes to show the suffering that the Basotho had gone through during the days of Leabua and the fear they still had during the rule of the Military Government, even though it seemed that things were getting better and a way forward towards reconciliation was being achieved.<sup>270</sup>

For Archbishop Morapeli of the RCC, the concern was that if Lesotho was indeed to return to democracy, such fears must be buried. Furthermore, the churches should rather set an example of reconciliation for political parties that had for so long fought each other, so that they follow suit. He perceived that in this way, “churches could make a positive contribution to a new and democratic Lesotho”. The archbishop went on to further confirm that sadly, for about the past forty years, Lesotho had had a “painful history of divisions along both political and democratic lines”.<sup>271</sup>

The HOC met with the Military Council about engaging the BCP, but to no avail. Hincks says that the LLA and BCP leaders were willing to meet, but the new government, similar to the Jonathan regime, wanted the meeting held in Lesotho. The government also said that the exiles are free to come back under the amnesty order that it had given, but again failed to provide safeguards or any kind of reintegration programme.<sup>272</sup>

Furthermore, in the months and years that followed, “the HOC continued to press the Military government on several key issues, these being:

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<sup>269</sup> Gay 2006:29.

<sup>270</sup> Gay 2006:30.

<sup>271</sup> Hincks 2009:747.

<sup>272</sup> Hincks 2009:699.



- Opening talks with the BCP and enabling Basotho exiles to return home safely with proper mechanisms and assistance
- Releasing all political prisoners
- Lifting Order No.4 which had prohibited political party activity
- Initiating dialogue with political parties
- Restoring the 1966 constitution
- Calling for multi-party elections.”<sup>273</sup>

Hincks says that as time went on, the seemingly good intentions of the new government that had brought hope to the Basotho began to show signs of cracks. Cracks that indicate the promises of a better hope could still be just a dream. One of the earliest signs, he says, was the “disregard for human rights and rule of law”. He substantiates this by saying that anti-ANC campaigns were undertaken in Lesotho with the government’s consent and sometimes even its actual participation. Not only this, but also the fact that the BNP youth league was suppressed.<sup>274</sup>

Hincks says that as much as some of the youth were guilty of human rights violations, they were tortured and killed under the new regime, which goes against forgiveness and reconciliation and even nation building after such a tragic past. This was also followed by the killings of two former government ministers, Vincent Makhele and Desmond Sixishe, who were murdered with their wives under orders of the new regime, which apparently came from Military Councillor Sekhobe Letsie and Sergeant Ngoanantloana Lerotholi. As if this was not enough, dialogue with the HOC was cut very short in 1988, with the Military Council insisting that the church was too divided in itself and should go and fix its own house before engaging in national affairs.<sup>275</sup>

In April 1988, the main opposition appealed to the Organisation of African Unity to end military rule. In May of the same year, Ntsu Mokhehle, leader of the BCP, returned from exile and the factions of the BCP were reunited under his leadership

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<sup>273</sup> Hincks 2009:699.

<sup>274</sup> Hincks 2009:699-700.

<sup>275</sup> Hincks 2009:740.

while the Lesotho Liberation Army was disbanded by 1990.<sup>276</sup> Saunders continues to say that in 1990, power struggles began to rage within the Military Council when the king refused to sign the dismissal of high ranking army officials and subsequently, the king was stripped off his power by Lekhanya, who also sent the king into exile for the second time. Some of the scandals are said to have been the murder of two army colonels after the coup and the hostile nature in which the new regime treated the strike of the teachers' trade union.<sup>277</sup> At this time, Matlosa and Pule (2001) say that although the military government had promised to pave a way for democracy after the coup, they had not given a time frame or stated how they were going to achieve this.<sup>278</sup>

Contrary to Matlosa and Pule, Hincks says that the rift between the king and Lekhanya was brought about by the fact that King Moshoeshe II and his supporters, which included his high ranking army cousins, wanted "a new form of indigenous model of government based on the chieftainship and an executive monarch." Furthermore, he postulates that this group of monarchists argued that the Westminster style of parliamentary democracy, which was in the 1966 constitution, was "foreign" to the Basotho and when it was tried it was found wanting.<sup>279</sup> Gill, in agreement with Matlosa and Pule, avers that trouble was knocking at the door with the new "union" of a government lead by the king and military.<sup>280</sup>

He (Gill) makes mention the fact that within the government/military council at the time, there grew two factions, one that was "monarchist" in nature and had the vision that "only a strong executive style monarchy could save Lesotho from the divisive nature of party politics", because party politics had at this point been tried and found wanting. On the other hand, there arose an "anti-monarchist" faction that was unclear about their ideology however. Even so, they were "unhappy with the increasing emphasis on 'royal' prerogative and the implicit threat to their own positions".<sup>281</sup> Gill also notes that during this time, no efforts were made to return to

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<sup>276</sup> Saunders 2002:524.

<sup>277</sup> Matlosa and Pule 2001:2.

<sup>278</sup> Matlosa and Pule 2001:3

<sup>279</sup> Hincks 2009:741.

<sup>280</sup> Gill 1993:241.

<sup>281</sup> Gill 1993:241-242.

the proposed idea of a constitutional monarch with certain executive power, as had been suggested in 1960s.

## **5.5 Divisions in the Military Structure**

In 1988, clear divisions and mistrust began to show up in the military council. This was fuelled by the placing of one military councillor also as minister under another military councillor, especially because those who were senior in military rank now answered to those below them in the same military.<sup>282</sup> Machobane says that this set in motion an “ignoble struggle for power amongst the councillors and between the King and Lekhanya’s faction of the military councillors”. He also states that the Lekhanya faction was made up of commoners, who outnumbered the opposing royalist faction made up of the sons of Moshoeshoe, which included Lerotholi, Letsie, Thaabe and others.<sup>283</sup> These divisions show a clear lack of a “theocratic” perspective that Calvin and Van Ruler allude to and instead show a lust for power and ambition by man.

During this time, as Machobane further avers, “a serious case of paranoia engulfed the military council. The fear of mutual assassination pervaded the corridors of power and crept through military ranks. Hence an armed that had, up to 1988, appeared mild and reasonable in comparison with those of the majority of African states, rapidly became agitated and intimidating. Even soldiers of the junior rank became jittery and trigger happy”.<sup>284</sup> Furthermore, it is Machobane’s view that by the end of 1989, the military had run out of plausible justifications for the coup against Chief Leabua Jonathan’s government because the peace that had reigned for about three years was now being overtaken by nervousness and fear, and the loss of human rights were returning to haunt the nation.

### **5.5.1 The Lekhanya Scandal**

Major-General Lekhanya found himself in a compromised position and a potentially scandalous one in the December of 1988, when he shot a student named George Ramone dead at the Lesotho Agricultural College (LAC).<sup>285</sup> Not only were the facts

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<sup>282</sup> Machobane 2013:107.

<sup>283</sup> Machobane 2013:107.

<sup>284</sup> Machobane 2013:107.

<sup>285</sup> Machobane 2013:108.

surrounding this shooting ubiquitous, but also embarrassing to the Major-General, who admitted to fatally shooting the student while rescuing a rape victim. It is said that the Lekhanya was in the company of a Sergeant in the army when they heard someone screaming and rushed to the scene. Catching the deceased in the commission of the crime, Lekhanya fired a warning shot, which did not deter the suspect and then the Major-General shot him dead.<sup>286</sup>

There were too many questions surrounding this scandal. Why did he not order the Sergeant to catch the suspect? Did he have to fire a fatal shot? Would the suspect have continued in his act after hearing a warning shot?<sup>287</sup>

As if the scandal on its own was not enough, Lekhanya saw it as an attack formulated by the King and Joshua Letsie.

### **5.5.2 King on the attack**

King Moshoeshoe II saw the Major-General's scandal as an opportunity to attack him in his quest for power and in a letter dated 26 June 1989, which was given to one of his cousins and a member of the Military Council, Thaabe Letsie, he tabled a motion before the Military Council that "with immediate effect His Excellency the Major-General should be given 'rest/leave' from government responsibilities". The King further said that the Major-General's presence in the government placed the country, the nation and all concerned in jeopardy.<sup>288</sup>

Machobane also realises that the situation was becoming quite dangerous, even for Lekhanya; both for Lekhanya as an individual, because if he relinquished his position he would have no security and could be hung, and also because it could place the King in a position of absolute power. Hence, after meeting with his faction of the Military Council, the Major-General responded to the King's letter by telling him that the Military Council had not "advised the King to propose a motion for the 'rest/leave' of the Major-General".<sup>289</sup>

Pherudi adds that, because this was a very serious matter, it led to an inquest and went to the courts of law, as it seemed the royalists had got Lekhanya exactly where

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<sup>286</sup> Machobane 2013:108.

<sup>287</sup> Machobane 2013:108.

<sup>288</sup> Machobane 2013:109.

<sup>289</sup> Machobane 2013:109.

they wanted him and his downfall was eminent. Furthermore, he says that during the court sessions, the royalist faction distanced themselves from claims made by the Major-General that he had informed the Military Council of the shooting. Pherudi also suggests that the royal faction led a conspiracy against the Maj.-General Lekhanya because with his downfall, the next in line to chair the Military Council would have been the then Foreign Affairs Minister and Military Council member, Colonel Thaabe Letsie, who was also a staunch royalist, therefore giving the royal house the power they so desperately seemed to crave.<sup>290</sup> Chief Magistrate Letsela Mapetla accepted Lekhanya's version of events and ruled that the shooting was "justifiable homicide". This was just what Lekhanya needed to maintain power and it dealt a blow in the faction of the royalists, above all, it fuelled the rift and tension that already existed within the factions in the Military Council and the palace.<sup>291</sup>

### **5.5.3 Lekhanya's offensive, the Bushman's Pass murders**

In early 1990, Major General Lekhanya went on the offensive as his position was being continually threatened by the royalist faction of the military by arresting Colonels Joshua Letsie, Thaabe Letsie with two other Colonels, Khethang Mosoeunyane and Monyane Mokhant'so for three year old murders of former ministers in Chief Leabua's Government. The four were charged with the murders of Vincent Makhele, Sixishe and their wives. Machobane sees these arrests as having set up Joshua Letsie for the gallows, as the matter continued to trail before a court of law. He further treats the fact that the all of the accused were arrested by the military and not the police, who were concerned and that Joshua Letsie was personally charged with the murders long after he had been arrested with suspect.<sup>292</sup>

Machobane further asserts that the military government as a whole had clear motives for the murders of the two former ministers, because they were seen as "enemies who might, even imminently, overthrow the government. They both had a history of solving problems through violence, including abductions."<sup>293</sup>

The charges developed into a court case, where Joshua Sekhobe Letsie was found guilty and sentenced to 15 years for the concealment of the crime, thereby making

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<sup>290</sup> Pherudi 2004:78-79.

<sup>291</sup> Machobane 2013:109 and Pherudi 2004:79.

<sup>292</sup> Machobane 2013:110.

<sup>293</sup> Machobane 2013:111.

him an accessory, as he was also military councillor in charge of defense<sup>294</sup>. Selala Lerotholi, another one of the king's cousins, turned state witness against Sekhobe Letsie and Ngoanantloana Lerotholi. These two faced 12 charges, which comprised of 4 charges of murder involving Makhele, Sixishe and their 2 wives, 2 attempted murders and 6 other charges also related to murder.<sup>295</sup> Ngoanantloana was given the death sentence; however, it was later reduced to life imprisonment.<sup>296</sup>

## **5.6 Military-Palace alliance dilapidates**

According to both Machobane (2013) and Pherudi (2004), the relations between the king and the military crumbled to the point where mediation became impossible. Pherudi notes that Moshoeshoe II and Maj.-Gen Lekhanya clashed with regards to Lesotho's foreign policy, specifically on the relationship between Lesotho and the Republic of South Africa. The reason for this was that the Major General favoured a "close, almost collaborative relationship with South Africa, while King Moshoeshoe II was more sensitive to an African and International perception which aimed at a pragmatic relationship in which Lesotho retained room to conduct an independent foreign policy and also being sympathetic to the South African Liberation Movements like the ANC".<sup>297</sup>

Furthermore, there became a clear tug of war for power. With the king empowered to choose individuals and appoint them into the Council of Ministers, the military went on to replace several of those appointed by the king, including the Minister of Foreign Affairs, Thaabe Letsie, from their ministerial posts.<sup>298</sup> This was a calculated move on Lekhanya's side, because he had now gotten rid of all the monarchists from the Military Council and this left the King with no ears, while at the same time, he surrounded himself with allies.

Machobane says that with the king pushed to the corner, he made a "valiant effort to stand up for his fallen heroes". This he did by writing a letter to Major General Lekhanya, which was also leaked to journalists, saying:

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<sup>294</sup> Machobane 2013:111.

<sup>295</sup> Pherudi 2004:80.

<sup>296</sup> Pherudi 2004:81 and Machobane 2013:111-112.

<sup>297</sup> Pherudi 2004:81.

<sup>298</sup> Pherudi 2004:81.

“We take up our jobs, and later when it is deemed appropriate, we are removed from such jobs. However, in this particular case, I am legally entitled to a clear-a coherent explanation of the reasons of the removal [of Joshua and company] so that I can, in turn, air my opinions and give my advice accordingly-assuming that such opinions and advice would be heeded.”<sup>299</sup>

On 21 February 1990, Major General Lekhanya shocked the nation when he made an announcement that “the powers of the Head of State, King Moshoeshoe II would ‘for the time being’ be vested in himself. Other members of the Military Council would assist him although King Moshoeshoe II remained as the titular head of state.”<sup>300</sup> Furthermore, the Major General Lekhanya further stunned the nation when he said:

“In the past four years during which the Royal Lesotho Defence Force has assisted in the running of this country after the ousting of Chief Leabua Jonathan from power, the military has endeavoured to take measures towards democratizing the administration of the country, but His Majesty, and his relatives in the Military Council, as well as other members of the Council of Ministers, have insisted that His Majesty should govern and rule without advice or hindrance from whomsoever”.<sup>301</sup>

It seems obvious at this stage that the two leaders both wanted power for themselves, because they could not seem to find a way to work together. At the end of the day, one would lose and the other wins. With the power of the military behind him, there is no question that Lekhanya was always going to win. The problem with this alliance is that neither the King nor the General realised that they are not in positions of power for themselves, God may have been making them a kind of “Moses” to lead His people out of the wilderness and pain of the Leabua era, yet they just saw power.

## **5.7 King Moshoeshoe II: Exile and dethronement**

On 10 March 1990, King Moshoeshoe II left Lesotho for England “allegedly by his own volition”. The decision to leave however, had been forced upon the king by the

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<sup>299</sup> Machobane 2013:112 and Pherudi 2004:82.

<sup>300</sup> Pherudi 2004:83.

<sup>301</sup> Pherudi 2004:83.

Military Council.<sup>302</sup> According to Machobane, on his way to the Moshoeshoe I international airport, where some chiefs were waiting to see the king before he left, he (Moshoeshoe II) met members of the military who did not allow him to proceed. Consequently, he was escorted to the Maseru border post. Machobane further suggests that the reason for this seemingly harsh treatment of the king was because of the fear that he could “surprise them by moving the national airport audience to frenzy”.<sup>303</sup>

Pherudi says that His Majesty, King Moshoeshoe II was forced out of Lesotho by the barrel of the gun and basically had no choice but to go. Machobane paints a picture that the Major General assumed that the Ward Chiefs would quietly accept the exile of the King, because this would not have been the first time such an exile had been forced upon Moshoeshoe II. Chief Leabua Jonathan did it in 1970 and got away with it. Furthermore, he adds that indeed this forced sabbatical, which also lacked the protocol of the 1970 exile, became a “belligerent and politically costly manoeuvre for the military regime”.<sup>304</sup>

Lekhanya also saw great danger in the form of government the King was aspiring for, as he had moved away from his initial requests of the 1966 constitution and believed that it would lead to the “Swazification of Lesotho”. That the monarchy would become absolute, like that of Swaziland, with no real democracy.<sup>305</sup> Hence, when the power struggle reached a climax, the king was sent into exile.

On 6 November 1990, the Military Council issued a legal Order stripping King Moshoeshoe II of his powers and title. This was as a result of the fact that the Military Government had not anticipated that sending the King into exile would only give him an even greater platform from which to embarrass and humiliate the government. Machobane suspects that this is the reason the government did not try to force the Moshoeshoe II into abdication of his throne like Chief Leabua had done in the 1970s to control the then young king.<sup>306</sup>

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<sup>302</sup> Machobane 2013:114.

<sup>303</sup> Machobane 2013:114.

<sup>304</sup> Machobane 2013:114-115.

<sup>305</sup> Hincks 2009:741.

<sup>306</sup> Machobane 2013: 122.



With King Moshoeshoe II dethroned, The College of Chiefs, which is made up of the 22 Ward and Principal Chiefs, were called to a meeting to decide on who should ascend the throne as the new king. The Chiefs were caught in a catch 22 situation, also because in as much as their refusal to appoint a new king would be helping the dethroned Moshoeshoe II, they were also gambling with the fact that the military could do away with the institution of the monarchy. As things stood, Lekhanya had already shown that he means business.<sup>307</sup>

It was with these considerations that the College of Chiefs named Prince Mohato, the first son of Moshoeshoe, to become King. He is said to have been unwilling to ascend the throne while his father was still alive, as it is taboo. To preserve the institution of the monarchy however, and with coercion from his father Moshoeshoe II, Prince Mohato assumed the title of King Letsie III.<sup>308</sup> The military government formed The National Constituent Assembly by the Gazette Extraordinary of May 1990. Section 9 (4) of the Order stated that “executive authority in Lesotho was vested in the Military Council and no longer in the King.” This meant that Maj.-Gen Lekhanya now had unchallenged control of all aspects of government.<sup>309</sup>

## **5.8 The fall of Major General Lekhanya**

The fall of Major General Metsing Justin Lekhanya was the second military coup in six years. Machobane believes that the Major General was ousted because the junior soldiers believed that E.R Sekhonyana and Thomas Motsoahae Thabane were bad influences that Lekhanya refused to fire.<sup>310</sup> These two held high positions during the Chief Jonathan regime and had survived to serve in the new government, which could have led to suspicion as to their intents and motives, as Lekhanya relied heavily upon them.

On 30 April 1991, Major General Lekhanya was marched to *Radio Lesotho*, the national broadcaster, by junior officers where he was given his resignation speech to read to the public live on air while facing the barrel of a loaded gun.<sup>311</sup> Perhaps the most disturbing aspect of this time in history is that since Colonel Sekhobe Letsie

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<sup>307</sup> Machobane 2013:122-123.

<sup>308</sup> Machobane 2013, Gill 1993, and Pherudi 2004.

<sup>309</sup> Machobane 2013:124.

<sup>310</sup> Machobane 2013:124-125.

<sup>311</sup> Machobane 2013, Pherudi 2004, Hincks 2009, and Gill 1993.

had told the church that it is too “divided” and that before it comes to mediate on a national level it should go back and fix its own house, the church went into hibernation.<sup>312</sup>

## 5.9 Transition to Democratic Rule

After the ousting of Major General Lekhanya, both E.R Sekhonyana and Thomas Thabane fled the country, because they were in fear for their lives. Furthermore, Colonel Phisoane Ramaema, who was second in command, took over power and later became Major General of the RLDF.<sup>313</sup>

After Ramaema took over power, his greatest challenge and objective was to first and foremost see through the restoration of the government to a democratically elected government. He became famous for saying that he “drives a lorry that does not have a reverse gear”, meaning that he was not going backward under any circumstances. His vision was forward. Furthermore, he was not prepared to deal with the issue of the dethroned King, as he saw it as a stumbling block towards democracy, or as Machobane and Gill infer, that he preferred that the next government should deal with it, because the King was seen from the military point of view as wanting too much power.<sup>314</sup>

Under Ramaema’s stewardship, Moshoeshoe II was welcome to come back home from exile, provided he came back as an ordinary citizen. In 1992, King Letsie III hit the government with a bombshell when he wrote a circular letter to the Heads of Churches and ministers of the Gospel generally. In his letter, the King accused the government of persecuting his father by initially sending him into exile and eventually deposing him.<sup>315</sup> Furthermore, he accused the military government of “taking the unusual step in Sesotho tradition of installing him as King while his father was alive and of sound mind”. Not only that, but he also invited the nation, under the care of

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<sup>312</sup> Not Machobane, Pherudi, Hincks or Gill say anything further about what the church did/said to address the situations that unfolded. If any trace of the work that the church did at this time is available, not even Hincks, who spent close to 20 years working on the church in Lesotho, says a thing, which leads to the conclusion that the church was indeed silent.

<sup>313</sup> Gill 1993, Hincks 2009, Pherudi 2004 and Machobane 2013.

<sup>314</sup> Machobane 2013 and Gill 1993.

<sup>315</sup> Machobane 2013:127.

the church, to take appropriate action to return to normality in Sesotho tradition by reinstalling his father as King.<sup>316</sup>

On 27 March 1993, Lesotho went to the polls to vote for a civilian government, as Order 4 prohibiting political parties had been lifted. The BCP won the election by an astounding 75%, while the BNP only got 23%, with the monarchist MFP getting just 2% of the vote. Consequently, a new government of the BCP took over power from the military regime that had taken power by overthrowing Chief Leabua Jonathan in 1986.

### **5.10 Conclusion**

From the end of 1992 to the beginning of 1993, the church in Lesotho had been through a series of trials. It had definitely matured and with the inception of the CCL and the HOC, the church grew into an organised ecumenical body that was ready to fight on behalf of society to see the return of democracy and responsible statesmanship that would bring peace and stability back to Lesotho. The lessons of the previous era of Chief Leabua Jonathan had caused much mistrust amongst the members of the CCL, even though they continued to stand with one voice; a pastoral and prophetic voice. The era of the Military Regime under Major Generals Lekhanya and Ramaema was not particularly easy for the church, even though they brought glimmers of hope for change. The close relationships that went on to sour between the palace and the military barracks also compounded to the problems that the church was faced with in its quest for peace and a return to civil democratic governance. Another major obstacle for the church came from the pronouncement from the military council that the church was in itself too divided and that before it engages in national affairs, it should first go and sort out its own problems.

This brought about a realization that perhaps Lesotho needs more than just a government to rule. It is worth considering that the King be given some executive and constitutional power to remain the guardian of democracy. This is brought about by the fact that when the military started having problems with the King, they followed the footsteps of Chief Jonathan by sending the King into exile. This is an insult in Sesotho that a commoner banishes his king. Furthermore, with the church

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<sup>316</sup> Machobane 2013:12.

being silenced, the military was left with no checks and did as it pleased. It was a true form of dictatorship. The church refused to be silenced indefinitely as it realized that the orders from the government to remove itself from pushing towards democracy was an unjust request and definitely one that sort to stop the church from performing its role as a shepherd of the people.

Tolerance and mutual respect, which Van Ruler emphasised consistently, seem to have been lacking in the minds of the King and Major-General. Their lack of a theocratic vision almost cost the country because it seemed that after God delivers the people from the “Leabua’s Egypt” the two in their quest for power where heading back in the same direction. This scenario makes clear that Van Ruler is on point regarding tolerance. Had the two realised that they are where they are because they are in service of God, maybe the outcome would have been different and a lot of embarrassments avoided. It is therefore the responsibility of the church to remind the state also that it too is an institution created by God for the people and not the leaders, hence it should serve the people. Of course, for Van Ruler real tolerance can only flourish when people share a common vision for their “commonwealth”: that of all serving God and each other equally, in service of an authority that guarantees love, justice, dignity for all in a kingdom of love and peace.

## **Chapter 6**

### **The Era of Democracy under Congress Parties: 1993-2007**

As has been the challenge in most chapters of this thesis, chapter 6 is no exception to the unavailability of sources. In this chapter, Hincks will be once more the major source of information and history especially, specifically because it is too recent and no one has undertaken to chronicle the events past 1993 except in a few articles that are not specifically focused on history. Articles that comment on the contemporary history of Lesotho by academics such as Matlosa and Machobane who write from a more political perspective however, shall be used as supporting texts of reference.

#### **6.1 A New Era of Democracy**

In 1993, when the Basotho went to the polls, there was an atmosphere of hope that a new government would bring true democracy and peace to a nation that had for so long been ruled by dictatorship and the military since it gained democracy in 1966. The challenge would be to truly reconcile those who had been hurt over the previous decades. Furthermore, the BCP seemed to be the favourites to win the elections, as they had since 1970 been denied the right to govern, when they had in fact won that election. The BCP faced challenges however that were not going to be easy to navigate through. Gill (1993) alludes to some of these, being the fact that they were now going to work hand in hand with the military, which had for years persecuted the BCP and its leaders. Another big question was that of incorporation into the Republic of South Africa, which was also headed for democracy with the apartheid regime crumbling. Would the BCP relinquish power so soon or cling to it? These were some of the pressing matters that needed to be addressed. Perhaps the biggest problem was that of King Letsie III being crowned King of Lesotho while his father Moshoeshoe II was still alive, having been dethroned by the previous military government. Under Major General Ramaema, the military government preferred to let a new democratically elected government deal with this issue, and post 1993, the time had come.

## 6.2 New Challenges for a New Government

It is not the norm in any kingdom that a son can be installed as king while his father is alive and in good health. As the circumstances described previously show, however, Letsie III was made king while his father was in exile. Upon Moshoeshoe II's return, Letsie III tried but in vain to get the government to reinstate his father as King and Head of State. When the BCP took over power, they came up with a new constitution, which left the king without any executive power or authority and which also barred him from engaging in political matters. The new government would have its own challenges however, as it was faced with mutinies; the first coming from the army, who were demanding increases in their salaries across the board. They were followed also by the police and prison services.<sup>317</sup>

Makoa's further analysis of the situations is that the Ntsu Mokhehle led BCP government did not properly deal with the issue of the military. He alludes to the fact that since the military took power, it granted "unconditional amnesty" to all members of the BCP, even appointing high ranking BCP members into government. One such example being Kelebone Mape, who became both Attorney-General and Minister of Justice under the military regime, who later became Deputy Prime-Minister under the BCP government.<sup>318</sup> Yet, it seems the BCP government treated the military with suspicion and contempt. This is substantiated by the fact that "Mokhehle's regime sent conflicting signals to the army. Among these were the BCP government's statements about the fate of the LLA and the Prime Minister's public condemnation of the LDF as 'Jonathan's army'. The Prime Minister and his cabinet ministers declared that the LLA had been disbanded while simultaneously alluding to their plans to use it as a countervailing force to the national army. Not surprisingly, the LLA has been glibly flaunted as a bulwark against the LDF by some of the cabinet ministers".<sup>319</sup>

Furthermore, reporting after their peace mission to Lesotho in January 1994, the presidents of Botswana and Zimbabwe said: "*It was and remains our very clear impression that, notwithstanding a recognised need for national reconciliation, little if*

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<sup>317</sup> Makoa 1996:2.

<sup>318</sup> Makoa 1996:2

<sup>319</sup> Makoa 1996:3.

*any progress has been made towards the implementation of such policy or towards the promotion of a truly national dialogue.*"<sup>320</sup>

Hence, it is not surprising that the military, which was made up mostly by supporters of the BNP, were refusing to take orders from a BCP government. Hincks says that the force was prepared to back their demands from the government by use of force and also that the government, because of its weaknesses, was unable to incorporate the LLA into the army, which would later come back to haunt them.<sup>321</sup>

Early January 1994, the so called "Sunday war" broke out when two factions of the army both based in Maseru started fighting. The Ratjomose branch, which was more sympathetic towards the government, wanted to bring the Mokoanyane faction that was firmly against the government into order. Very few deaths of soldiers and no civilian casualties were reported. At this point, the international community intervened, with South Africa sending its foreign affairs minister, the United Nations, Organisation of African Unity and the Commonwealth sending special envoys to support the government and attempt negotiations. Throughout this time, the HOC were also actively involved in the negotiations.<sup>322</sup>

The Deputy Prime Minister, Selometsi Baholo, was soon abducted about four months following these Sunday war. He was assassinated and even though it is not clear why, speculations is that he was killed by soldiers because he was also the Finance Minister and was seen as the one who had directly refused the soldiers their required pay increase. Four more ministers were also abducted and later released.<sup>323</sup>

On 16 August, members of the BNP and MFP delivered a petition to King Letsie III requesting the dissolution of government and the restoration of his father, Moshoeshoe II, to the throne. The next day, Letsie issued a decree suspending certain provisions of the constitution, dissolved parliament and deposed Mokhehle's democratically elected government<sup>324</sup>. King Letsie III also staged a coup, which was supported by members of the LDF, and suspended parliament. During this time, the

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<sup>320</sup> Makoia 1996.

<sup>321</sup> Hincks 2009:747.

<sup>322</sup> Hincks 2009:747-748.

<sup>323</sup> Hincks 2009:748.

<sup>324</sup> Swatuk 1995:1.

king also resigned and his father came back into power, however, the coup only lasted for about a month with pressure from SADC and South Africa before it collapsed.<sup>325</sup> This time however, the people of Lesotho took to the streets in protest, wanting the monarchy to be abolished. Again, outside help was required to maintain peace and order and to reinstate the government, as the government was clearly not powerful.

A memorandum of understanding would however be signed before the King reinstated the government. This memorandum was summarised as follows:

1. Foreign guarantors will remain directly involved.
2. Non-governmental, religious and traditional bodies will be consulted
3. The Commission of inquiry into the monarchy will be cancelled and Moshoeshoe II reinstalled.
4. The 1993 Constitution will be observed, especially in relation to human rights
5. No action will be taken against Letsie III.
6. Members of the August Provisional Council will be indemnified.
7. Laws and constitutional provisions on the Public and Security Services will be respected.
8. All parties will respect the political neutrality and loyalty of Security Services and Judiciary.<sup>326</sup>

The HOC and the CCL tried in vain to promote national dialogue and a spirit of reconciliation following the events of 1994 that brought instability. This could mainly be attributed to mistrust, divisions and unwillingness to compromise.<sup>327</sup> Furthermore, the military remained “divided and disloyal” and the main opposition, the BNP,

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<sup>325</sup> John Gay, Debbie Gill and David Hall, eds. *Lesotho's Long Journey: Hard Choices at crossroads* 1995:24.

<sup>326</sup> John Gay, Debbie Gill and David Hall, eds. 1995:24-25.

<sup>327</sup> Hincks 2009:749.



remained “hardhearted” and unwilling to participate in the political structures of the nation, while the royal family also showed its differing agenda and discord.<sup>328</sup>

Hincks<sup>329</sup> also alludes to the fact that both the HOC and CCL made efforts to promote national dialogue and a spirit of reconciliation following the 1994 events with the shocked Basotho. Mistrust and divisions were evident within the church itself however, as both the HOC and CCL struggled to agree on a way forward.<sup>330</sup>

On the 25<sup>th</sup> of January 1995, King Moshoeshoe II was reinstalled as King of Lesotho after the BCP government had agreed to reinstall him with Letsie III stepping down.<sup>331</sup> Sadly, for Lesotho and all the Basotho, the reign of Moshoeshoe II was short-lived and almost a year later, he died in a car accident while on his way to *meraka/metebong*<sup>332</sup> in the mountains of Lesotho. The death of the King is seen as an event that brought all Basotho together, as for the first time in a long time there were clear signs of unity and national mourning.<sup>333</sup>

### 6.3 Party Troubles and splits

In 1996, Prime Minister Ntsu Mokhehle’s health started to deteriorate, causing power struggles within the BCP. There were two main factions, the *Majela-thoko* (*those who eat apart from the rest*) and the *Maporesha* (*Pressure Group*). The *Majela-thoko* were the faction supporting Mokhehle’s leadership of the BCP, while the *Pressure Group* was in support of the then Deputy Leader Molapo Qhobela, who was more progressive and opposed to the seemingly undemocratic nature of the party in dealing with the election of office bearers.<sup>334</sup>

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<sup>328</sup> The Royal family was discontent with the new constitution that had relegated the position of the King to that of a constitutional monarch, however, with the events that had just taken place, they were justifiable in this cause of action, not forgetting the events of the previous regime where under the military government clashes had risen as a result of the separate powers with each struggling to become supreme. See Hincks 2009:749.

<sup>329</sup> Hincks 2009:749.

<sup>330</sup> No information is given on what the disagreements were; however, it is most likely a matter of approach and methodology in going forward.

<sup>331</sup> Hincks 2009 and Makoa 1996.

<sup>332</sup> Meraka/Metebo refers to places in the highlands of Lesotho where livestock is kept in the summer because of rich pastures and fertile land.

<sup>333</sup> It is also important to note that unlike during the military government era, the BCP government decided to take away all legislative and executive power from the king, making the office of the King that of Constitutional Monarch, which has not changed since then.

<sup>334</sup> Likoti 2005.

This ultimately led to the expulsion of all Pressure Group members within cabinet and culminated in the formation of a new party by Mokhehle after the realization that he would most likely lose at the NEC elections<sup>335</sup>. Between 1995 and 1997, the struggle for power within the BCP became so rife that the courts of law had to intervene about three times with regards to the elections of the NEC. At the third NEC election meeting, it became clear that Mokhehle himself was not going to be toppled from his position as the leader of the party; however, the voting delegates were clearly on Qhobela's side. When the voting started, the first vote went to the Maporesha, leading the Majelathoko faction to walk out.<sup>336</sup>

In June 1997, Mokhehle announced the formation of a new political party, the Lesotho Congress for Democracy (LCD). The LCD became a splinter of the BCP and it is at the same press conference where the formation of the new party was announced that Mokhehle went on to further state that, "because we have support of the majority of parliamentarians, there will be no change of government."<sup>337</sup> Matlosa further observes that "although, both the constitution and the Westminster parliamentary system does not explicitly debar this political manoeuvring, this development triggered a profound sense of bitterness among the political elite in Lesotho and it further deepened the already existing political polarisation of the homogenous Basotho nation."<sup>338</sup>

After Mokhehle had crossed the floor in parliament with a lot of support from those that had been allies in the BCP, there was a lot of discontentment, both in parliament and with the general public. It was at this time that the HOC released a statement saying that even though Mokhehle's move was not legally wrong, it was "politically and morally wrong".<sup>339</sup> The new LCD government stayed in power despite criticism and lived to contest the 1998 general elections.

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<sup>335</sup> Hincks 2009:749-750 and Likoti 2005.

<sup>336</sup> Southall and Fox 1999. They further mention that "despite his confirmation by the Assembly, Mokhehle still lacked control over the party machinery. Consequently, after a series of violent clashes between supporters of the rival factions, he opted for the unconventional device of leaving the party he had founded".

<sup>337</sup> Pule 1999:22

<sup>338</sup> Matlosa 1999.

<sup>339</sup> Hincks 2009:749-750.

## 6.4 The 1998 elections and crisis

In 1998, Basotho went to the polls once more. Before the elections, there was calm and anticipation for the coming elections. The CCL organised an ecumenical monitoring team in conjunction with the different denominations to help in the monitoring of the election. There were irregularities pre-elections, but this did not deter the May 23 elections from taking place. The elections were further declared to have been free and fair by both local and international observers.<sup>340</sup> There was some disagreement between the different observer groups about the use of the words 'free and fair' according to Southall and Fox.<sup>341</sup> Unexpectedly however, and mainly to the surprise of many Basotho, the LCD won the election by a landslide majority.<sup>342</sup> The LCD won the elections by capturing over 60 percent of the popular vote and all but one constituency. The BNP won 24.4 percent of the vote and the Mokhotlong constituency, while the BCP only managed to capture 10.4 percent of the vote and the MFP got 1 percent.<sup>343</sup>

Mokhele appointed Pakalitha Mosisili, whom he hand-picked to succeed him, both as leader of the LCD and Prime Minister of Lesotho and he was sworn into office on the 28<sup>th</sup> of May 1998. From the onset, the three parties, BNP, BCP and MFP disputed the results of the election, crying foul play and that the LCD had rigged the elections. The three parties went on to form what would be known as the *Setlamo Alliance*.<sup>344</sup> The alliance was claiming "serious irregularities in the registration process and also disputing the results in some of the constituencies" where they were known to yield a lot of support but had lost.

They took the matter before the IEC and the king<sup>345</sup> demanding new elections. The letter to the King stated that within the findings of the Setlamo alliance, there was report of destroyed "electoral outcome documents at the dump near the Caledon

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<sup>340</sup> Hincks 2009:749-750.

<sup>341</sup> Southall and Fox 1999:10.

<sup>342</sup> This was mainly due to the fact that the LCD had just split from the BCP and not many people thought that the LCD could appeal to a majority under the circumstances of its formulation. Secondly, the BNP was still a force to be reckoned with under the new leadership of E.R Sekhonyana. There were also smaller parties like the vocal MFP.

<sup>343</sup> Hincks 2009:750 and Southall and Fox 1999:12.

<sup>344</sup> Hincks 2009:750.

<sup>345</sup> As a constitutional monarch, the king could only listen to the outcry of the parties but his hands were tied, as he had and still has no power of any kind to this day. The move to the palace showed just how highly the Basotho still regard their king and his importance when national issues are at stake however.

River adjacent to the Maseru Sewer Dams.” The appeal to the King also stated that by law, electoral documents cannot be disposed off that quick after an election had been held. Furthermore, the alliance had also done an election audit through OF&A Consultants, a South African company, which reported a manipulation of the elections.<sup>346</sup> The parties also took the matter to the High Court and the Court of Appeal to try force new elections. This was denied however.<sup>347</sup>

The three opposition parties may have had a strong case in their claims that the election was rigged. This is as a result of the fact that just before the elections the common opinion amongst Basotho was that the BNP would win the election, with the LCD and BCP fighting for a close second and third. According to Justice and Peace published 1998, Dr Khabele Matlosa, head of the faculty of Public Administration and Political Science in the National University of Lesotho (NUL), unlike the 1993 election where people voted for Mokhehle because of sympathies to the fact that he had been denied the right to rule since 1970, the 1998 election would be based on issues and facts and not on emotions.<sup>348</sup> Furthermore, in the poll opinion undertaken the *Public Eye*, an emerging and independent newspaper, of three different polls undertaken just before the elections, the BNP emerged the winner on all. Also, just a week before the 1998 general elections, the BCP, BNP and LCD all held rallies in the capital, Maseru.

The observation made by Sehoai Santho, a Senior Research Fellow at the Institute of Labour Studies of NUL, was that the BNP stood a better chance of winning the elections because it had managed to appeal to a lot of youth, something the other parties had failed to do. This was seen as critical, given that the voter’s age had been reduced from 21years of age to just 18.<sup>349</sup> As if these were not the only signposts, the National Democratic Institute produced a study that revealed that most Basotho were not satisfied with the performance of the government that Mokhehle had led from 1993, the split of the BCP from which LCD was formed and

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<sup>346</sup> Mats’asa (1998:2.

<sup>347</sup> Hincks 2009:750-751.

<sup>348</sup> Mats’asa 1998:2.

<sup>349</sup> Mats’asa 1998:2.

an evident recovery of the BNP<sup>350</sup>. It is against the backdrop of these events of the election that surprisingly, the LCD won by a landslide.

Tensions started rising in the capital and the three parties rallied their supporters from all over the country to come to the capital Maseru and march to the palace to cry out to the King. “BNP youth league members, discontent former LLA members who had been dumped by the now ruling leadership of the LCD, BCP youth, intellectuals and some chiefs” were amongst those who heeded the call of the alliance and made their way to the palace, blocking the streets and rendering the capital ungovernable.<sup>351</sup> An all-night vigil was held at the palace gate, with the protesters refusing to move. According to Southall and Fox (1999), “in a radio broadcast that night, army chief Makhula Mosakeng ordered the crowds to disperse. When they refused, teargas was used against them by soldiers reportedly following orders, but a second contingent of troops aimed their weapons at their colleagues, who then backed off.”

The then Deputy President of South Africa, Thabo Mbeki, came to Lesotho to try and mediate between the LCD government, which had by then lost control and the opposition Setlamo alliance. Members of the public/protesters had by then barricaded the whole of Maseru, forcing businesses to close down and rendering the capital ungovernable. The police and army were seemingly not interested in taking any action, as they refused to remove protesters from the palace gates amongst other orders that they refused to obey.<sup>352</sup>

Mbeki arrived with a delegation of senior South African officials and met with both the Setlamo alliance leaders and the LCD leaders. From the meeting, Mbeki reported first to the King and then to the media that all parties involved in the talks had agreed to consult a team of election experts from South Africa, Zimbabwe and Botswana to work with the IEC in examining the legitimacy of the election results. That same night however, the leaders of the opposition alliance told their followers

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<sup>350</sup> Mats’asa 1998:3.

<sup>351</sup> Hincks 2009:750-751.

<sup>352</sup> Some people held the view that the military would try to overthrow the LCD government, however, it seems they were protecting the people, who by right could go to the king with their grievances and wait at his gate until he is able to deal with their matter. As a result of the 1986, 1990 and 1994 coups, however, it is reasonable that some people, especially members of the LCD and its leadership, would fear the threat of a coup.

that no agreement had been reached. They went on to say that “a suggestion of a team of experts was made by Mbeki” to which they did not agree, as they had clear demands that they wanted met.<sup>353</sup> The refusal was because of the fact that they had already sanctioned an audit that showed manipulation, if not clear rigging, of the elections.<sup>354</sup>

The commission of inquiry however, would continue under the leadership of Justice Pius Langa of South Africa. The Langa commission was expected to give a report of its findings within two weeks from the time that it started its work.<sup>355</sup>

#### **6.4.1 The Voice of the Church in troubled times**

It was around the same time that the LEC released a statement warning politicians that in the past, the blood of many Basotho had been spilled as a result of politics. The church went on to remind the Basotho that King Moshoeshoe I had established the nation on the basis of peace, even going to the extent of calling peace his sister. Furthermore, the statement reminded both political leaders and the nation that God commands that people should not kill each other, but rather that they should love their neighbours as they love themselves.<sup>356</sup>

The church went on to state that it does not support the participation of the church in party politics and further stated that the people of Lesotho want “Justice, Peace, Freedom and Reconciliation”. The church also warned politicians on all sides that their continued disagreement with regards to the elections is undermining the people’s fundamental right by causing them to live in fear and that the church could not stay silent within such a charged political atmosphere, where the property of people was being destroyed because of their political affiliation, or lack thereof.<sup>357</sup>

The statement further told politicians that they need to “learn to agree to disagree” and that even when they fight for their rights, it is wrong to infringe on the rights of others. The church also pointed out that peace will be the end of the political instability and that all Basotho should strive for peace during the trying times and it

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<sup>353</sup> Mats’asa 1998:7.

<sup>354</sup> Mats’asa 1998:7.

<sup>355</sup> Mats’asa 1998:7 and Hincks 2009:749.

<sup>356</sup> Moholi 1998.

<sup>357</sup> Moholi 1998.

should be “like a blanket that covers all”.<sup>358</sup> A message of thanks was conveyed for the interventions by the SADC task force and it stated that the church hopes that the investigation into the results of the election would be forthcoming quickly, so as to avoid any more destruction and to quickly find a solution, in order for things to go back to normal.

The CCL, following the example of the LEC, also made a statement, saying that it was the right for negotiations which would lead to the “truth of God because the political problems faced by Lesotho are not yet as bad as those in other African countries.” The CCL also expressed its expectation that the ongoing investigation would confirm or dismiss the allegations of bad administration of the elections by the IEC and provide recommendations that would satisfy all parties concerned.<sup>359</sup>

#### **6.4.2 The Langa report and aftermath**

Langa started work immediately, but unfortunately, the report of his commission’s findings was held back on several occasions, leading the public and political leaders to believe that it had been altered. According to Mats’asa (1998), the report revealed that about 98 percent of the IEC’s work was full of mistakes, but the report failed to establish whether or not those mistakes could affect the ballot.<sup>360</sup> A further cause of suspicion that fueled the already tense situation is the fact that the report was “ambiguous” in its language.<sup>361</sup> This was further perpetuated by reports in the *Mail and Guardian* Newspaper that there were two versions of the report; one that found that the LCD had rigged elections and a refined version that would be more acceptable to all parties involved in the dispute.

Hincks also says that following the release of the report, violent incidences continued within the capital Maseru and specifically at the palace gates, which involved the Lesotho Mounted Police forcing the palace guards to open the gates for the protesters to take refuge within the palace grounds. Following this incident, on 11 September of 1998, junior army officers took the then Major General Mosakeng to the national radio station *Radio Lesotho*, where they forced him to resign and also to fire some high ranking army officers who they saw as puppets of the LCD

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<sup>358</sup> Moholi 1998.

<sup>359</sup> Moholi 1998.

<sup>360</sup> Mats’asa 1998:9.

<sup>361</sup> Hincks 2009:751.

government. The action by the junior officers came after they had refused to take orders from the Major General in a letter that read: “As some members of the Lesotho Defense Force, we are sorry to inform you that, despite your attempts to make us believe that the general elections’ results were true, we do not believe you at all”.<sup>362</sup>

On 22 September, South African troops entered Lesotho on a “peace keeping mission” after appeals from Lesotho’s Prime Minister Pakalitha Mosisili, whose government had clearly lost control of all that was happening. The South African troops were later joined by the Botswana Defense Force under a mandate from SADC.<sup>363</sup> When the Basotho heard of the invasion of South Africa, they took to the streets and started burning business and looting, especially from shops known to belong to South African nationals or companies and also targeting South African registered vehicles. Soon there was peace however, and the Botswana and South African forces stayed in Lesotho for a while. An Interim Political Authority (IPA), which consisted of representatives from different political parties was also established to work with the IEC for the next election and to bring reforms to the electoral law that would see all parties represented in parliament.

The IPA was mandated to review the electoral law of Lesotho and take the country back to elections within two years of its inception in December 1998. This did not happen however, as the IPA took two more years of working out any agreements on the electoral system that should be adopted. Eventually an agreement was reached that the new electoral system that would be adopted would be a combination of the Westminster first past the post system with a proportional system.<sup>364</sup> With the agreement in place, Lesotho was again bound for elections in 2002.

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<sup>362</sup> Mats’asa 1998:6.

<sup>363</sup> There are many questions regarding the use of military action in Lesotho by South Africa especially. This is as a result of the fact that many believed that South Africa’s stake in the matter was to secure its own interests, mainly the Lesotho Highlands Water Project that supplies the Gauteng Province with water. Furthermore, the massacre of sleeping soldiers who were stationed at the Katse Dam was unwarranted, as they posed no threat to the stability of Lesotho. There were also ongoing conflicts within the SADC region that warranted military action and yet South Africa refused to intervene through the use of armed forces, yet in the Lesotho case a decision to use military action was quickly reached and conveniently, neither President Nelson Mandela nor Deputy President Thabo Mbeki were in South Africa at the time.

<sup>364</sup> Hincks 2009:895.



### 6.4.3 The church gives warning

As a result of the harsh lessons of the 1998 elections, the church was better prepared to start its work early. Both the RCC and the LEC made strong statements, which were read in the congregational churches and indeed to all who were stakeholders in the approaching elections.

In August 2001, through its Justice and Peace Department of the Lesotho Catholic Bishops' Conference, the RCC released a four page statement addressing the approaching elections. The statement observed that the registration of voters was very slow, also that the time given for registration was too short. Hence, the church encouraged the Basotho to go and register before the time expires, so that they can elect leaders that they are confident can lead Lesotho out of the many troubles that she was facing; this included problems such as famine and the scarcity of jobs.<sup>365</sup>

Second on the agenda was the message specifically to members of the RCC, saying that it is the responsibility of every member of the church to strive and work towards peace and justice. This, the statement said, could only be reached through good governance that is accepted by the masses. Furthermore, in addressing the youth, who would be first time voters, it was the opinion of the church that the election would give them a chance to vote for a government which would play a significant role in their development into adulthood.<sup>366</sup>

The RCC further implored all political parties to adhere to the new electoral system that the IPA had worked on for about four years. It also appealed to the IEC to work hand in hand with both the IPA and the political parties, so that the events of 1998 do not repeat themselves.<sup>367</sup>

The Heads of Churches also held a prayer of peace with the leaders of all political parties that was led by the LEC's Reverend JR Mokhahlane. In his speech, Mokhahlane reminded the leaders of the political parties that the church is mandated by Jesus Christ to facilitate and build peace on earth and therefore, in Lesotho also. He also went on to remind the leaders that the presence of the church in Lesotho was because of an invitation by King Moshoeshoe, the founder of the nation who

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<sup>365</sup> Justice and Peace 2001.

<sup>366</sup> Justice and Peace 2001.

<sup>367</sup> Justice and Peace 2001.

even went to the extent of paying 200 cattle to procure at least one missionary in his quest for peace. Mokhahlane said that the leaders must remember that Moshoeshe referred to peace as his sister and in order to obtain peace, he put the lives of his heirs at risk. The reverend also told the leaders that peace is the foundation on which the country was built; hence, it is still relevant to bring unity amongst the Basotho who had been divided and shocked by the 1998 events. Mokhahlane further stressed that peace should be for all and that the church expects that no one's rights will be infringed upon, as this could lead to disaster, as in the case of 1998.<sup>368</sup> Also, for a stable economy and to attract investors, Lesotho has to show that it is a stable country.

Adding to this, he reminded the leaders that because Lesotho is very poor, and the fact that poverty is an enemy of the nation, it was the responsibility of the leaders to lead the masses with grace and to refrain from bickering about each other in their rallies, as their party manifestos were not based on opposition leaders, but on empowering and making the lives of all Basotho better<sup>369</sup>.

The HOC remained heavily involved in the preparations of the elections, with Bishop Paul Khoarai of the RCC and Bishop Mokuku of the Anglican Church steadily creating a conducive and peaceful atmosphere as the race towards the elections gained momentum.

## **6.5 The 2002 elections**

The 2002 elections were held on 25 May, where the LCD won 54 percent of the general vote. The BNP came second, winning just over 22 percent of the vote. As in the three previous elections, the BNP alleged that the elections had not been free and fair. The BNP went to court in vain, as their case was thrown out because they did not have a leg to stand on.

SADC Troika Observers, who were amongst many local and international observers reported that the Lesotho 2002 general elections were "transparent, free, fair, peaceful, orderly and reflected the will of the Basotho voters".<sup>370</sup> Other observers, which included delegations from the Commonwealth, Organization of African Unity

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<sup>368</sup> Mokhahlane 2002.

<sup>369</sup> Mokhahlane 2002.

<sup>370</sup> Hincks 2009:895.

(OAU), the Lesotho Catholic Bishops Conference and the Lesotho Council of NGOs, all gave similar reports.<sup>371</sup>

## 6.6 Further Splits within the Congress Party

As mentioned earlier, the BCP, which was the only Congress Party in Lesotho since its inception, underwent the very first split in 1997 when Mokhehle, the then leader and Prime Minister formed the LCD in parliament and took over the government by being followed by members of parliament in crossing the floor. In 2001, the then Deputy Prime Minister, Kelebone Maope, decided to form his own party, which was a further split from the ruling LCD because of power struggles and a lot of infighting within the party. Maope formed the Lesotho People's Congress (LPC) in 2001.<sup>372</sup> This was not the most damaging split however, as the 2002 elections showed that Mosisili still had a lot of support from within the LCD. This would later change as a result of the corrupt tendencies of the Prime Minister and his administration.

One of the worst forms of corruption by senior government officials was the controversial option given to ministers and deputy ministers to buy luxury vehicles that were acquired for them at the ridiculous price of just M4000, for cars that were at the time valued at around M350 000. These vehicles were all Mercedes Benz E class models, which were acquired at the cost of around M8.6 million.<sup>373</sup>

With the Basotho very discontent with the Mosisili regime, and widespread power struggles within the LCD for who should succeed Mosisili, there came an opportunity for yet another split within the Congress. The then Minister of Foreign Affairs, Tom Thabane<sup>374</sup> took this opportunity to break away after many years of service. He left the LCD in October 2006 to form the All Basotho Convention, a move away from all the other congress splits. Because of his reputation build over a long career in

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<sup>371</sup> Hincks 2009:895.

<sup>372</sup> Hincks 2009:896.

<sup>373</sup> Thakalekoala 2003. The obtaining of these luxury cars has been a very controversial issue for the Basotho and it became even more painful when it was discovered that Mosisili's government also bought Toyota Land Cruisers, which had been acquired for ministers in the event that they need to go into the mountains at the price of around M2500.00. This matter has been discussed on internet forums such as Topix: <http://www.topix.com/forum/world/lesotho>.

<sup>374</sup> Thabane is perhaps the only leader in Lesotho's politics to have served in all government regimes since independence. Under Chief Leabua Jonathan's regime he was Principal Secretary in the Ministries of Health and the Interior, under the military government he served as Minister of Foreign Affairs. Under Mokhehle's government he was appointed Special Advisor to the Prime Minister. Under Mosisili's government he served as Foreign Affairs Minister, Minister of Home Affairs and Public Safety, as well as Minister of Communications, Science and Technology.

service, Thabane gave the Basotho hope for a better future and he was followed by 17 other Members of Parliament as he crossed the floor.<sup>375</sup>

The floor crossing had a major impact on the LCD, because it now had a majority of just 61 seats against an opposition of 59 seats in Parliament. With rumors that more members of parliament were going to cross the floor and leave the LCD, Mosisli had two options; either he could wait and see if more of his followers would indeed cross the floor or he had to call for early election. He chose the latter.<sup>376</sup> The election date was set for 17 February 2007 and the elections went on as planned, despite the fact that the opposition was unhappy that it was not given enough time to campaign for the elections.

## **6.7 The 2007 elections**

Before the 2007 elections, the church was once again involved in mediating between the different political parties to encourage all the leaders to keep peace after the elections, regardless of the outcome. The 1998 elections were a major wake up call to the church, as it seems that post 1998 the church took preventative measures to peace and order, instead of fixing an already broken vessel.

Rev J.R Mokhahlane led a prayer of peace under the hospice of the CCL. In the sermon, taken from Mathew 5:21-26, Mokhahlane reminded political leaders that they were meeting to ask for the guidance and involvement of God in the elections and that God should help all stakeholders not to fall into temptations that could be brought about by those who do not want to see Lesotho as a country progressing. The major temptation he was referring to was the instability as a result of unsatisfied politicians.<sup>377</sup>

One of the reasons that Mokhahlane gave for the prayer meeting was the fact that it had come to the attention of the church that there were certain statements made by politicians that included derogatory/hostile language towards fellow politicians, which could incite their followers into illegal activities, putting peace and stability at risk. Hence, the church saw it as its responsibility to bring mediation before the elections once again, as was the case in the 2002 elections. The church saw it as vital to

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<sup>375</sup> Hincks 2009 893

<sup>376</sup> Hincks 2009:896.

<sup>377</sup> Mokhahlane 2007:1.

intervene before chaos strikes and to build, reconcile and plead with all stakeholders to keep peace, stop badmouthing each other and to become guardians and keepers of peace.<sup>378</sup> Mokhahlane emphasized this by saying that the church is mandated by Christ himself to stop those things that bring about disaster, the only way in which this could be achieved is by forgiving each other. Furthermore, he said that forgiving is not forgetting the evils of the past, but rather putting them aside, swallowing pride and moving on, which if the political leaders do, will have good implications for the nation as a whole, given that they are leaders and the nation will follow in their footsteps.<sup>379</sup>

On 17 February 2006, the elections went ahead as planned. The LCD once again won the elections, taking 61 constituencies out of a possible 120 under the new electoral law. Local and international observers declared the election free and fair. As is the trend in Lesotho elections, the ABC came out saying that even though the elections were free; they were not fair because of the fact that the government had not given other parties enough time to prepare for the elections.<sup>380</sup> Furthermore, the LCD had strengthened its position through an alliance with the National Independence Party (NIP), which had been allocated 21 of the proportional seats.<sup>381</sup> Following the dissatisfaction of the elections and the “underhand tactics” of the LCD, the ABC organized protests and a successful one day stay-away.<sup>382</sup> There was a bit of tension for a little while but there was no actual violence that erupted as was the case in the aftermath of the 1998 elections. Consequently, Lesotho has had fairly free elections over the period from 2002-2006, which also translated to 2012, when a new form of government was seen as no party won a majority and a coalition government took power.

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<sup>378</sup> Mokhahlane 2007:2.

<sup>379</sup> Mokhahlane 2007:3-5.

<sup>380</sup> Hincks 2009:896.

<sup>381</sup> Hincks 2009:896. The ABC had initially thought that the elections had been rigged, as they expected a massive exodus from the LCD to join. Even though the strength of the ABC was visible in the lowlands, winning most of the constituencies in urban areas and the Mokhotlong constituency far north in the highlands, the truth was that because of the short campaigning time, the ABC had failed to reach the majority of voters in the southern and rural areas of the country. Another big area of contention was that of the alliance made by the LCD with NIP, which gave the LCD a comfortable majority, even though it undermined the spirit of the agreement made with the IPA for a mixed member proportional system. It is odd that the ABC would accuse the LCD of such a move because it was involved in a similar relationship with the Lesotho Workers Party (LWP), which had 10 proportional seats.

<sup>382</sup> Hincks 2009:896-897.

The work of the church, as shall be discussed in the conclusion, has been immense and definitely needed. This has not only translated to the church's involvement in church and state relations, but also in education, social and economic development of the Basotho and Lesotho.

## **6.8 Conclusion**

In the post 1993 era, the Catholic Church has tried and continues to correct its mistakes of the past. There are clear signs that the church is no longer a pet of the state but has rather taken a pastoral role for Basotho and a prophetic stance towards the state. In my opinion and from experience, the Catholics stand true to their traditional stance on church and state, that the church deals with spiritual matters while the state deals with temporal matters. However, where the state oversteps its boundaries, the church is quick to respond. The Protestants on the other hand seem to have become more and more quiet as now the government they have sentimentally supported sits in power. More of this I discuss in chapter 7.

# Chapter 7

## Summary, Conclusion and Recommendations

### 7.1 Summary

Chapter one of this thesis has given an introduction where the context, relevance, focus and methodology was given. Chapter two looked at Catholic and Reformed views towards Church and State relationships and their development within the respective traditions, where it becomes clear that for the Reformers, the best stance is found in putting both the church and the state as establishments of God created to serve man. One facilitates over temporal matters of this world such as governance, while the other is a signpost towards God and focuses on spiritual matters such as the salvation of humanity. The Catholic Church would rather have had a scenario where the Church/Pope is seen as superior to the State/Kings and princes.

The focus of Chapter three was on the culture and traditions of how the Basotho lived before the gospel came to Moshoeshoe's land. It also evaluates the relationship that he forged with missionaries, as well as the work that they carried out with regards to church state relations in an effort to analyze if and how the missionaries implemented their different traditions in the context of Lesotho between 1833, when the first missionaries arrived, and 1965, when the Christian Council of Lesotho was formally formed as an ecumenical body.

Chapter four set its sights on the relationship of both Catholic and Reformed theology to church and state from the time period of 1966, when Lesotho obtained its independence, to 1986, when the Chief Leabua Jonathan regime came to an end after a military coup. Here, the work also done by the Christian Council is highlighted, as these two denominations have also been (and still are) the major players within the ecumenical structure.

Chapter five continued from 1986 to 1993 and focused on the relationship of the church and state during the military government regime under both Major Generals Metsing Lekhanya and Phisoane Ramaema.

From 1993 to 2007, chapter six looked at the work of the churches during the BCP and LCD or Congress party regime. In all of these chapters, the history of Lesotho is considered and the role played by the church in every era is strongly highlighted.

## **7.2 Conclusion**

In this thesis, I have traced the involvement of the church in Lesotho, both as an ecumenical body and the role played by the two major churches in Lesotho, the Roman Catholic Church and the Protestant/ Reformed Lesotho Evangelical Church within the broader history of Lesotho's history as a country and specifically focusing on the issue of church and state.

The PEMS missionaries seemed not to subscribe to the Anabaptist theology, but rather to that of the "right wing of the reformation" started by Luther and developed by Calvin.

It is clear from this work that the presence of the church in Lesotho has had major implications on the history of the country, mostly positive. There were times however, when the church was found wanting. From this analysis of history, it is my conclusion that the missionaries who came to Lesotho to preach the gospel, left behind their doctrine, particularly that which focuses on the relationship between church and state, throne and altar. The PEMS missionaries, who were the first to preach the gospel in Lesotho, seem to have been more concerned with "Europeanizing/civilizing" Basotho, so much so that their efforts at times went against their own traditions and theology with regards to church and state. Their criticism of Basotho culture and practices such as marriage by the paying of cows (*Bohali*), for which there is no opposition in scripture and does not in any way affect the kingdom of heaven is a clear example. Hence, it is my opinion that sometimes the missionaries overlooked their traditions and teachings to create a new type of theology based on Western culture.

From Luther to Calvin, on the one side of the Reformation theology, there is no hint that culture, especially where it does not interfere with the things of God, should be opposed as unchristian.

The "right wing" of the Reformation clearly indicates that if a ruler goes to war for the right reasons, then it is the duty of the people, including Christians, to follow their



leader; this view, held more by Luther and Zwingli, seems to have vanished in the case of the missionaries. So much so that after Basotho had raided the Batlokoa in 1849, the missionaries would not allow their converts to keep their booty, an event that marked a mass exodus from the PEMS missions by the sons of Moshoeshoe and the people under them. Considering the times and way of life, it is no secret that Moshoeshoe was a man of peace, but if he could sanction such an attack/raid, there must have been cause. On the other hand, however, the role played by the missionaries is immense. The missionaries helped Moshoeshoe retain part of his land and his sovereignty. The contributions they made in advising and standing in as ambassadors for the Basotho while also fostering peace in the region shows how relevant and indispensable the missionaries were at times.

My conclusion of the PEMS missionaries is that they created their own theology of church and state, which was minimally influenced by the Reformation and more by European culture and its “civilization”. On the other hand, the early Catholic missionaries seem to have had no particular interest in state affairs. Not much is written about them; in fact, the only thing that can be said of them is that they advised Moshoeshoe to “trust in the Virgin Mary”.

The period from 1965-1986 proved to be one in which the church as an ecumenical body united the two oldest churches and aspects of their traditions of church and state. It is important to note here that there were clear ambiguities with regards to how the Catholic Church carried itself in supporting the BNP and Chief Leabua. As already mentioned, the Catholic Church became engaged in an unholy union with the state. “The vision of Catholic missionaries was for a strong, predominantly Catholic country whose leaders would support the church and its programmes.”<sup>383</sup> This statement is particularly disturbing, seeing that the missionaries who heeded the call of the Pope were actually pushing for a “Catholic state church”. This led the Roman Catholic Church, which at the time was under the supervision of foreigners, to form this unholy union with the state. It is even more troubling that this happened post Vatican II, which, although vague about church and state relationships, had clearly demarcated the lines that should not have been crossed. The assumption that the BCP was full of communists, hence the decision to align the church with the

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<sup>383</sup> Hincks 2009:552.

BNP was and is false. There is no proof within the memorandums of the BCP to suggest this. This leads to the conclusion that the Catholic missionaries could have been jealous of the products of LEC education initiatives. Within the same era however, this was corrected and the vision of Catholic Basotho, which was a political vision of a united, independent and prosperous country with a significant role for political institutions including the chieftaincy would be realised within the work of the HOC and the CCL.

The Christian Council seems to have developed its own stance on church and state that was influenced by both the Reformed and Catholic traditions of church and state. The first step was for the Catholic Church to distance itself from the ruling BNP and also to stop using its resources to support Chief Leabua's government. Even though the Catholic Church still enjoyed some privileges that were not afforded to the LEC church, such as offices being raided, there was a clear shift in the mentality of Basotho Catholic Bishops, which was different to that of the missionaries that preceded them.<sup>384</sup>

Realising that the Basotho are both members of the Church and citizens, the church had no other option but to speak out regarding the political situation that was affecting its members and society in general. So the church took both a pastoral and prophetic stance in engaging with the government and actually working towards finding peace and stability<sup>385</sup>. The Church became concerned because the state was inconsiderate of the rights of people, some of whom were put in prison for two years without being charged for any particular crime, while their properties were being plundered. It is my assumption that in the Reformed Tradition, Chief Leabua's unjust acts are considered as punishment from God, for it is He who initiate and eventually governs both the Church and the State. On the other hand, however, it is difficult to place the response of the church to his regime because he was not opposed to the

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<sup>384</sup> Unlike the foreign missionaries, the Basotho Bishops wanted to unite the people who were now separated by church politics and fight the injustices of the Leabua Jonathan regime, which were resulting in the deaths and suffering on many Basotho. Pages 59-60 gives a clear picture of the position and general feeling of most Basotho, regardless of denomination, and also an evaluation of the circumstances at the time of how the Catholic Church and its members were treated better than the members of the Anglican and Protestant LEC Churches.

<sup>385</sup> It is interesting that Chief Leabua Jonathan was a professing member of the Catholic church and yet they church, which seems "strict" with it members, the rejection of communism as an example, did not rebuke him as a member of the church, nor did they threaten or actually excommunicate the Premier, yet he could be found guilty of numerous crimes and atrocities against humanity had he stood before a court of law.

cult *per se*. His interests were in comfort and the luxuries that come with power. The suffering of the people came as a result of this thirst for power. Having said this, Van Ruler's idea of tolerance and particularly where he calls for dialogue between two parties seems to be the route that was taken by the church to try and convince Chief Leabua to return the country to democratic rule. As history has shown, the efforts of the church were not heeded; however, the church cannot be faulted in this regard, as the onus was on the Premier to change.

Under the Lekhanya regime, the church was given a position and platform that was high, as it had proved itself to want the best for the Basotho, however, this quickly changed when the relations between the two powers, the King and Military Council changed for the worse. Because the church had been closer to the King, it became an inconvenience to the Military Council because it stood for the truth and always tried to bring resolution between the two parties and find solutions to the problems which they had, which evidently neither wanted to solve because both wanted power. It is here that I find it necessary for Lesotho to take another look at its constitution and particularly the role of the King.

For the Basotho, the King represents the last hope for a solution of peace and justice, both culturally and historically. Hence, for me the fact that the King has been limited to a "powerless puppet" under a Western form of governance seems inappropriate. It is for this reason that I believe that some power should be given to the King to work together with both parliament and the senate, especially in cases where it becomes clear that a Prime Minister and his government seek to oppress or make decisions that are to the detriment of most Basotho. A good point of reflection here is the decision in 1970 by Chief Leabua Jonathan to call a state of emergency, knowing well that he had lost the elections to the opposition. Furthermore, the breakdown of the relationship between the King and the Military Council which subsequently lead to the second exile of the King, clearly show that some preventative measures for democracy should be taken. The most critical event that should have forced government to reconsider the position of the King should have been that of mass rioting and political instability after the 1998 elections, whereby many Basotho went to the palace gate to plead with the King to intervene on behalf

of the people. Had the King at that time had some form of power, the 1998 tragedy that befell Basotho could have possibly been averted.

Between 1993- 2007, the work of the church has been immense (even though still under-researched). Mostly prophetic in nature, the church has formed a working relationship with the state where the two remain independent, yet it seems the job of the church is always to remind the state of its duties and to avert disasters caused by politicians and their parties. The 1998 elections marked a sour turn of events, whereby the church seemed helpless and only acted too late. It is in this consciousness that the church has made it a 'culture' to hold meetings and prayers with the leaders of political parties and senior members of government to remind them of why elections are held in Lesotho, how the country and the nation is built on the principles of peace, forgiveness and tolerance and how it is the duty of the politicians not to incite violence. The church also holds prayer meetings to ask God for His peace to reign, especially during election periods, through the HOC. This is because even though Lesotho is a democratic state with many people who subscribe to different religions, the majority of the Basotho are professing Christians and Lesotho's history tells of how King Moshoeshoe I invited the Church to bring peace. Through its office of Good Governance, the CCL has also taken it upon itself to educate most Basotho who live in the rural areas, especially of why, who and how to vote. This is a step taken to make sure that all Basotho are satisfied with the kind of government they have. It is true that the Church and State are separated; however, this relationship in Lesotho has evolved to one where the two work together for the good of the nation. The church is not there to convert the state into a Christian state, and the state does not interfere in matters of doctrine; the two meet because they realise that they want what is best for the citizens, who are also members of both powers.

There is one problem however; history has taught that when the State aligns itself with the church, and particularly on a denominational level, the church seems to get drawn in and blinded by its comfort and therefore becomes incapable of carrying out its call to the world. This happened in Lesotho with the Roman Catholic Church between the 1960s and 1970s and also in neighbouring Republic of South Africa with one denomination firmly supporting the Apartheid regime. Like the Catholic

Church, the Lesotho Evangelical Church has been involved in a similar marriage with the State since the return to democratic rule in 1993. Unlike the Catholics however, the Protestant Evangelical Church has found itself having to keep quiet and not become a voice to the voiceless. Since 1993, the LEC has been at its most quiet with the exception of the 1998 riots, where it broke its silence too late. Under the series of Congress parties that have ruled since 1993, and all stemming from a place of sentiment within the LEC, the church has failed to raise its voice, not only on a political but also on a social level about daily plagues that affect Basotho such as drought in a country that is famous for its water infrastructure and selling of the same water to neighbouring South Africa. The Protestants are also quiet about problems such as the raising of awareness and measures to prevent the transmission of HIV/AIDS pandemic (one the government is doing very little in addressing).

Hence, the relationship between church and state in Lesotho has been far from the theology that these two traditions of the major denominations profess, or they are just not applicable in the case of Lesotho. Therefore, both churches should take a step back and re-evaluate their theology of church and state or come up with a model that will see the church and state work together, where pressures of past history and sentiments do not affect in a negative way or hinder them from carrying out their vocation. It is for this reason that the church in Lesotho must reform itself and separate itself from the state, going forward to learn from its mistakes of the past in order to stay independent in the future.

### **7.3 Recommendations**

With all this in mind, it is therefore my recommendation that individual churches in Lesotho should totally separate themselves from the state and rather engage the state through ecumenical bodies such as the Christian Council of Lesotho and the Heads of Churches, as well as other ecumenical bodies. This is so that no church can be seen as belonging to a certain government, as was illustrated in Hincks' interview with Rev Ishmael Mqathazane, who said "the BNP under Jonathan was a Catholic Party, the Military government was the chiefs' party and the BCP and LCD governments are LEC parties".<sup>386</sup>

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<sup>386</sup> Hincks 2009:904.

Because of the nature of Lesotho's political history, together with experiences such as that of Swaziland which has an absolute monarchy, Lesotho cannot afford to give the King, on his own, executive powers, but should opt for the strengthening rather than of the State Council, which is made up of people from different fields such as academics, politicians, etc which should be protected constitutionally in which the Church as an ecumenical body can have strong representation advising the King.

The idea of a state church is one which Lesotho cannot and should not attempt to enter into as a result of the various beliefs that the Basotho have, as some still stick exclusively to old traditions and culture. Furthermore, the fact that there are other religions that some Basotho, even though they are in the minority, have embraced, such as Islam would encroach upon their right to religious freedom in this era where human rights dictate that everyone has freedom of religious beliefs. This is a human right that should be respected regardless of whether one is in the minority or majority.

If the churches learn from their own theologies on church and state and from their own successes and failures, separately and jointly, in the history of Lesotho, they should be in a position to work together ecumenically to strengthen a state council where the church and state, and King, and people respect God's rule; the shepherding and prophetic role of the church (and other religions), as well as democratic principles of fairness, tolerance and freedom on which the modern state has been built.

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