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Perspectives on the 2002 elections

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The Electoral Institute of Southern Africa

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EISA is a non-partisan organisation which seeks to promote democratic principles, free and fair elections, a strong civil society and good governance at all levels of Southern African society.

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ABBREVIATIONS

AU	African Union
BAC	Basutoland African Congress
BCP	Basutoland Congress Party
BNP	Basotho National Party
BPFA	Beijing Platform for Action
CDP	Christian Democratic Party
CEDAW	Convention on the Elimination of all forms of Discrimination Against Women
CRC	Convention on the Rights of the Child EISA Electoral Institute of Southern Africa
FPTP	First-past-the-post
ICCPR	International Covenant on Civil and Political Rights
IEC	Independent Electoral Commission
IPA	Interim Political Authority
KBP	Kopanang Basotho Party
LCD	Lesotho Congress for Democracy
LCN	Lesotho Council of Non-Governmental Organisations
LLP	Lesotho Labour Party
LPC	Lesotho People's Congress
LWP	Lesotho Workers' Party
MFP	Marematlou Freedom Party
MGYSR	Ministry of Gender, Youth, Sports and Recreation
MMP	Mixed-member proportional
MP	Member of parliament
NEPAD	New Partnership for Africa's Development
NERC	National Election Results Centre
NGO	Non-governmental organisation
NIP	National Independent Party
NLFP	New Lesotho Freedom Party
NPP	National Progressive Party
PFD	Popular Front for Democracy
PR	Proportional representation
SADC	Southern African Development Community
SDP	Social Democratic Party
SDU	Sefate Democratic Union
UN	United Nations
UP	United Party
WLSA	Women and Law in Southern Africa Research and Education Trust

ACKNOWLEDGEMENTS

EXECUTIVE SUMMARY

This report presents the findings of a study commissioned by the Electoral Institute of Southern Africa (EISA) on *Gender and Elections in Lesotho.* This is a pilot study carried out over a period of four months as part of a regional initiative. It is a retrospective assessment of the 2002 elections from a gender perspective. The focus of the study is on issues of access and participation of women in elections. It discusses the legal and policy framework, starting from international and regional instruments to which Lesotho is a party.

The objectives of this study are primarily to examine the experiences of multiparty democracy and how it has affected women's participation in elections. It evaluates the performance of political parties and how they deal with the issue of women in relation to men's representation internally, the constitution and legal framework, the enabling environment, experiences of the mixed-member proportional (MMP) model and its implications for the inclusion of women, as well as the election results.

The approach adopted by the study was the use of secondary data, which was supplemented by interviews with strategic informants. There was also an interrogation of key concepts. The report is structured according to broad thematic areas, starting with the historical evolution of gender equality and the history of elections in Lesotho. The report sets out: the legal, constitutional and policy development framework; the institutional and administrative framework; gender perspectives of Lesotho's 2002 elections and its aftermath; and challenges and opportunities. The report also presents recommendations that must be taken up in order to ensure women's access to electoral processes and, ultimately, to political power.

KEY STUDY FINDINGS

Legal framework
The 2002 elections were conducted within an enabling legal framework. First are the major international, continental and regional instruments that Lesotho is signatory to that promote gender equality and equal participation in politics and decision making. Second, the Lesotho constitution provides for equality of all before the law, and equality of participation to public office and to elect and be elected.

Third is the 2001 National Assembly Elections Amendment Act, which under section 36A provided for the inclusion of gender in elections.

The study has revealed that despite these provisions, implementation shortcomings did exist in the 2002 elections. This was due to the absence of mechanisms which political parties had to follow in their nomination of candidates for first-past-the-post (FPTP) and submission of their proportional representation (PR) lists. Political parties could therefore not be blamed for failing to comply. Second, the institution responsible for administering this law had not prepared the ground for implementation of the gender requirement. Third, other laws which provide for registration of political parties did not have provisions on gender requirements. It emerged from this study that there was general unawareness that the election law provided for gender equality. The explanation given was that the structures over-concentrated and over-emphasised peace building and coming up with a model that would bring peace, allay suspicion and lessen conflict.

Policy development
During the 2002 elections, there was no policy to guide the inclusion of gender. The government of Lesotho adopted the Gender and Development Policy only in March 2003. This policy provides for, among others, political participation and the empowerment of women. This development has given impetus to institutions such as the Independent Electoral Commission (IEC) to develop their own gender policies.

Institutional framework
The 2002 elections took place after the 1998 turmoil, which resulted in the establishment of the Interim Political Authority (IPA). This body was mandated to come up with a forum for consensus building, which would enable Lesotho to return to multiparty democratic rule. The IPA succeeded in coming up with an alternative MMP electoral model. Even though this body was meant to discuss inclusion, this was confined to political parties and did not extend to issues of gender equality.

The IEC, which was established in 1997, is primarily responsible for regulating, managing and maintaining free and fair elections at both national and local levels. It established a number of mechanisms intended to ensure the promotion of inclusive democracy through access and participation of political parties. However, the findings show that the IEC does not have mechanisms to include issues of gender, such as gender disaggregated data and a gender policy. In addition, the gender bias

among senior IEC management lacks compliance with the Southern African Development Community (SADC) Gender and Development Declaration. Findings show, however, that efforts are being made to address issues of gender equality and awareness within the IEC.

Gender perspectives of the 2002 elections
The 2002 elections were the first elections held under the new MMP model, and issues of gender equality therefore have to be understood within this context. The new model raised expectations from different marginalised social groups, including women. The findings show that the process of these elections was to some extent gender neutral in relation to registration, polling and voter education. Disparities were noted in respect of the drawing up of party lists submitted to the IEC, where more men than women were nominated and listed by political parties for both constituency-based and PR systems. Party lists reflect that prerogative was given to party leadership, which is predominantly male; women therefore generally appeared lower down on the lists. This is an indication that unless clear measures are taken to ensure gender equality in access and participation, inclusive democracy will remain a myth.

Nineteen political parties registered for the 2002 general elections. All the parties but one – namely, New Lesotho Freedom Party (NLFP) – were led by men. About 69% of the estimated voting population (847,525 voters) registered to vote for the elections: 57% of these were women and 43% men. The study found there was no gender differentiation in campaigning strategies adopted by the parties and their candidates. It came out that in the campaigning process women experienced more challenges than men associated with socialisation, lack of control of resources and gender roles. According to observer reports, no violence was observed during the elections. Voter education was conducted by the IEC and non-governmental organisations (NGOs), and while this education ably covered most topics, it did not, however, contain anything on gender issues.

Legal provisions existed for absent electors and special arrangements were made for them (Section 61 of the National Assembly Election Order, 1992). The IEC went further and made special administrative arrangements for some social groups, for example, herdboys at cattle posts, boys at initiation schools, and factory workers, most of whom are women. There was a gender imbalance in the composition of observer groups and the guidelines they had to use did not take gender issues into

consideration. The results of these elections indicate that nine political parties made it to parliament. Out of the 80 candidates who came through the FPTP system, 10 seats were won by women. Of the 40 PR-based seats, four were allocated to women. This is an increase in the number of women in parliament from two in the 1998 elections to 14 in 2002.

Challenges emerging from the study are: an inadequate understanding of the concept of gender equality and therefore a failure to link it to inclusive democracy; the decision to stand for elections; getting nominated by the political party; the absence of affirmative action and a commitment to quotas; intra–political party conflicts; a lack of commitment by party instruments to gender; resources; and safety and security.

RECOMMENDATIONS

Legal and policy

- In order for maximum benefit to be derived from ratified international and regional instruments, these have to be domesticated through constitutional and legal reforms.
- There is a need to develop specific statutory conditions relating to gender which a party must satisfy in order to qualify for registration with the IEC. The current provision on gender is not specific enough and therefore presents problems of implementation.
- Lesotho needs to withdraw the reservations it has made on the United Nations (UN) Convention on the Elimination of all Forms of Discrimination Against Women, as they relate to an area that weakens the impact of the convention and thereby the progress of women in participation in public life.
- The constitutional provision relating to non-discrimination has to be amended by removing the proviso that excludes customary law from the application of the non-discrimination clause.
- Gender equality and access by women to political participation should be constitutionalised, as in Tanzania where a quota for the inclusion of marginalised groups is entrenched in the constitution.
- Parliament must enact the Married Persons Equality Bill into law, thereby removing the minority status of married women. This would not only remove legal inequality between men and women, but would also be a confidence booster for women to participate in politics.

- The Gender and Development Policy should be widely disseminated to the public and to political parties, and the policy should be used as a lobbying tool by parties to include more women in their power structures.

Institutions

- Responsive and visionary institutions that advance the multifaceted principle of inclusive democracy are needed.
- There is a need for institutional transformation of the IEC and for political parties to adopt structures and mechanisms for the inclusion of gender issues, to ensure free and fair elections.
- Inclusive democracy and governance has to be understood from a broader perspective rather than from the apparent approach of limiting it to political parties and confining its application to undefined majority rule.
- Affirmative action measures need to be adopted to ensure equal representation of men and women in influential and powerful positions, such as party executive committees and the cabinet.
- Strategic use of women's leagues is required to raise gender issues in the mainstream political party agenda.
- A change of mindset is needed which sees political party forums and structures as a space for self-reflection on concepts such as democracy, gender and inclusive governance.
- The image of women as leaders should be positively portrayed within political parties and their structures.
- Advocacy work and the translation of policy commitments into action have to be undertaken by civil society, the Ministry of Gender and political parties.

Electoral process

- There is a need for gender disaggregated information for all the processes, which should be easily accessible.
- Special arrangements – e.g. mobile facilities for people with special needs such as the infirm, the elderly, pregnant and confined women – are required to maximise access and participation of different groups.
- A standardised format for the drawing up of party lists needs to be developed. It should be a requirement that political party lists alternate men and women.
- The law catering for absentee voters should be extended to include migrant labourers.

- Voter education has to be targeted at different groups and should raise issues of gender equality in electoral processes.
- Gender manifestos need to be developed by NGOs and women politicians, and these should be used in campaign strategies.
- More women should be included in observer missions, and observer guidelines must include issues of gender.

There is a need to optimise existing opportunities to ensure inclusive democracy. These opportunities include the legal and policy environment, the already existing critical mass of women politicians and the availability of external support and initiatives committed to issues of gender and elections. However, the challenges brought out in the study – namely, those relating to the male-dominated nature of politics, the social portrayal of women, cultural ideology, economy and social attitudes towards politics, gender and elections – must be addressed.

INTRODUCTION

This report presents the findings of a study commissioned by EISA on *Gender and Elections in Lesotho.* This is a pilot study carried out over a period of four months as part of a regional initiative. It is a retrospective assessment of Lesotho's 2002 elections from a gender perspective. The focus of the study is on issues of access and participation of women in elections.

The objectives of this study are primarily to examine the experiences of multiparty democracy and how it has affected women's participation in elections. It evaluates the performance of political parties and how they deal with the issue of women representation internally, the constitution and legal framework, the enabling environment, experiences of the MMP model and its implications for the inclusion of women, as well as the election results and representation in parliament.

The study approach was qualitative and quantitative with reliance on secondary data, supplemented by interviews with strategic informants. Key concepts were interrogated using gender as an analytical tool. The report is structured according to broad thematic areas starting with the historical evolution of gender equality and the history of elections in Lesotho. The report also sets out: the legal, constitutional and policy development framework; institutional and administrative framework; gender perspectives of the Lesotho 2002 elections and its aftermath; and challenges and opportunities. The report further presents recommendations that must be taken up in order to ensure women's access to electoral processes and, ultimately, to political power.

OBJECTIVES OF THE STUDY

The objectives of the study are to:

- analyse, review and assess women's access to elections through the legal and administrative framework;
- assess the extent to which women participated freely, fairly and successfully in the whole election process from pre- to post-election phases;
- document the gender perspectives of the Lesotho 2002 elections and their outcome;

- outline challenges that affect women's effective participation in elections and parliament in Lesotho; and
- recommend reforms for enhanced participation of women in elections in line with the SADC Gender and Development Declaration.

BACKGROUND

Lesotho seems to be attaining democratic stability after much political turmoil that has left the county economically vulnerable. Despite the positive picture of multiparty democracy, women – who comprise the majority of the population (52%) – constitute a small percentage compared to men in these political structures, especially in the National Assembly. This could be attributed to a strong patriarchal ideology embedded in the Basotho culture that defines the space and role of women as being in the background. Culturally, women are confined to the home as household managers, consistent with their cultural position of being in the margins of decision-making structures, such as village courts (*khotla*) (Makoa, 1995).

Lesotho's culture and socio-legal system perpetuates gender inequalities by embracing male supremacy. For instance, under the customary law a woman before marriage is under the guardianship of her father, transferred to that of her husband on marriage and upon his death to that of her husband's heir. In politics, even though women make up the majority of party supporters, they are not represented in the party leadership structures.

Since the 1993 democratic dispensation, Lesotho has increased its female representation in the General Assembly from four members out of 80 seats, to 15 out of 120 seats. There has been a shift of mindset since 1993 and deliberate, albeit slow, moves have been made to include women in governance.

GENDER EQUALITY IN LESOTHO

This section provides a history of gender equality in Lesotho as a context for the study. The subject of gender equality has been on the global agenda for almost three decades. It has formed the crux of global initiatives and blueprints for action, as evidenced by Mexico 1975, Nairobi's 1985 forward-looking strategies and the 1995 Beijing Platform for Action (BPFA) agenda.

Notwithstanding the emergence of multiparty democracies and institutional transformation in the SADC countries – and in Lesotho in particular – during the 1990s, gender inequality remains a critical concern.

Unequal power sharing and representation of men and women in public life, including politics, is one of the critical areas of concern articulated in the BPFA. Lesotho also identified the lack of equality in this area as a priority. Gender inequality regarding participation in political affairs is located in the gender system of the Basotho society. This is entrenched in the country's patriarchal ideology, discriminatory legal system and the state's marginalisation of the gender issue in political discourses, as asserted by political and gender analysts (see, for example, Makoa, 1997; Motebang, 1997; Mapetla, 2000; Matlosa, 2003; and WLSA, 2003).

The gender system of the Basotho patriarchal society confers family control and decision-making powers in the hands of male persons. Traditional beliefs and cultural attitudes – especially as regards women's roles and status in society – remain strong, particularly in the rural areas where most Basotho still reside. Traditional roles and the division of labour are clearly gendered. The man is regarded as the breadwinner and is in charge of family decision making, and has a right to public life, including political affairs. Makoa (1997) and Motebang (1997) note that traditionally, politics was conducted through the *pitso* and/or *khotla* (public gatherings assembled by a chief) systems. Only men attended because they are household heads. Despite the discriminatory nature of these structures they were regarded as the most democratic institutions where a wide range of national affairs are discussed and decided, and where male political socialisation is reinforced (ibid).

The woman's role is typically that of homemaker, performing reproductive functions of family procreation and general household and community maintenance. In line with these expectations the women's movement in Lesotho has since the pre-independence period involved women organising themselves into charity, home-care and improvement societies. Since the country's independence (1966) almost 40 years ago and with the advent of the 'Women in Development' approach in the 1970s, women's community groups have burgeoned and diversified into income-generating activities. The late 1980s and early 1990s saw a rise in women's social and economic networks and cooperatives in the form of burial societies and savings/

revolving clubs. (These initiatives have become popular and are a way of life. They afford women the opportunity to meet both their own practical gender needs and the needs of their communities.) This role of women within their communities has gone unrecognised in the public sphere. Kabi (1995) notes:

> Women are very strong and influential in families, communities and in the country at large, through their development projects. However, when it comes to reaping and enjoying the fruits of their labour, women often withdraw and allow men to enjoy.

The 1993 Constitution of Lesotho's Bill of Rights guarantees women and men equal rights and obligations. However, the retention of a dual legal system based on both Basotho customary law and the imported common law, considers women as legal minors in society and reinforces the socially constructed ideology of male supremacy. It allows men's, but inhibits women's, access to economic resources, legal entitlement and their involvement in politics and in the national legislature, even though they represent the majority of political party supporters (WLSA, 2003). This status of women effectively undermines the efficient allocation and use of this human capital, which ultimately slows down development (Mapetla, 2001).

Traditional gender roles and status seem to be changing gradually as a result of socio-economic developments in the country. Basotho men are finding that their traditional status is affected as a result of their generally low literacy levels, retrenchments and rising unemployment. They can no longer provide for their families as expected by society. Despite this shift they are still customarily and legally entrusted with decision-making powers. Women's relatively better exposure to education and the influences of the migrant labour system, which made them *de jure* heads of households, has enabled women to challenge the status quo and to take up tasks at household and national levels, previously regarded as the sole preserve of men.

Framed by the BPFA, which set the gender agenda, and the advent of multiparty democracy, the women's movement – though small and incoherent – is shifting towards a strategic needs paradigm (Mapetla, 2002). Women's organisations are advocating for women's full participation in party

politics and for legal reforms to address issues of rights of women for achieving gender equality.

As a result of these changes, Basotho women are increasingly taking up employment outside the home, as well as effectively participating in the public sphere. They are shifting from a position of passiveness to political consciousness and activity (op cit), making inroads into politics. However, their participation and representation in power structures and electoral processes remain low. As interviews for this study have confirmed, contesting elections remains a dominant activity for men and it is a struggle for women. This is exacerbated by the cultural ideology and the legal status of women as minors, as well as by the male-dominated nature of politics, and political structures and processes.

Gender disparities in the lives of the Basotho necessitate a demand for gender equality in politics. According to the 1996 population census report, the gender structure of the Lesotho population has in the past two decades remained constant, with women constituting 51% and men 49% of the total population. These percentages are reversed in the case of the economically active population. The report also indicates that 71% of household heads are men, against 29% headed by women. Women generally possess higher literacy levels than their male counterparts, although in 2002 the gender gap was found to be narrowing (Mapetla, 2001). The neglect of gender inequality in political processes such as elections therefore adversely affects representation in politics and institutions of governance. This in turn results in unequal representation of the voices of women's issues, thereby undermining democracy and the legitimisation of governments.

Promoting gender equality and improving the status of women remains an area of concern for the government of Lesotho as well as for non-state actors. Some good points have been noted in this regard. First, is the reform of gender discriminatory laws. To this end is the 2001 amendment of the National Assembly Electoral Act of 1992 to provide for gender considerations in election processes. The Sexual Offences Act was passed in 2003 to offer protection and to consolidate all laws of a sexual nature. A draft Married Persons Equality Bill (2000), which seeks to remove all restrictions on the legal capacity of married women, has been produced by the Law Reform

Commission, which is responsible for reviewing all laws, including those that discriminate against women. Furthermore, political parties included gender issues in their party manifestos for the 2002 elections, albeit with the support of development partners. The development of the Gender and Development Policy by stakeholders and its approval by cabinet in March 2003 is another positive move. The policy provides a framework within which government addresses politics and decision making as a key area in line with national critical areas. Elections have remained a gendered process in Lesotho. The electoral system favours men against women, who have engaged in a long struggle for emancipation in electoral matters, as indicated in the following account of the history of gender and elections in Lesotho.

THE HISTORY OF ELECTIONS AND GENDER IN LESOTHO

The history of elections in Lesotho dates back four decades. Starting with the first self-government pre-independence elections of 1960, the country has undergone seven terms of national general elections. Subsequent to the district council elections in 1960, there were independence elections in 1965 and post-independence elections in 1970, 1985, 1993, 1998 and 2002. Except for the last round in 2002, general elections in Lesotho were based on the Westminster FPTP system to direct the country towards liberal democracy (Matlosa, 2003).

The aftermath of general elections in Lesotho have been characterised by turmoil and conflict. Additionally, elections have been a highly gendered process, biased in favour of male domination of political power, as summarised in Table 1. This is despite women's equal right to vote since the advent of universal suffrage in Lesotho in 1965.

The 1960 elections were Lesotho's first experience of the election process. The elections were contested by the Basotuland Congress Party (BCP), the Marematlou Freedom Party (MFP), the Basotho National Party (BNP), as well as a good number of independent candidates, paving the way for independence from colonial rule. Only men were allowed by law to vote. Women were almost universally disenfranchised by the restriction of the vote to taxpayers. However, the BCP women's league made a difference at political gatherings through heated speeches, singing and praise.

Table 1: Number of male and female election candidates, 1965–2002

Year of election	Gender disaggregation	
	Men	Women
1965	202	1
1970	148	1
1985	–	–
1993	125	23
1998	481	56
2002	605	125
Total	**1,561**	**206**

Source: Southall and Petlane, 1995:161-18); Ambrose, 2002

The significance of these elections was in bringing the Basotho nation closer to democratic self-rule. The National Council became a legislative council comprising 40 members elected through the district councils and another 40 appointed by the paramount chief. This legislative council negotiated for independence with the British and developed Lesotho's first constitution (*Work for Justice*, 1999).

The 1965 elections were the second election experience for Lesotho. They were also the first national elections held in preparation for Lesotho's independence in 1966. The elections were held under universal adult franchise, which gave men and women equal voting rights, although this did not guarantee equal access to political power. Epprecht (2000) notes that as the election campaign went ahead, the BCP women took front position and campaigned radically in both rural and urban areas. However, the party did not recognise their efforts to the extent of including women to compete for power. Epprecht asserts that the BCP underplayed recognition of the importance of women's emancipation in favour of respect for tradition. The party spoke of equal rights for women, but left this vague enough so as to be essentially meaningless.

The leadership of the BCP pretended to support the universal franchise publicly, even though behind the scenes they opposed it: '… they feared

that the BNP enjoyed overwhelming support from women, and to enfranchise them would make it impossible for the BCP to win the elections' (Khaketla, 1970:55). This fear was so much so that when the Constitutional Commission toured the country to collect evidence from people on the form of the new constitution, the BCP leadership rounded all party branches '… to the effect that all those who give evidence from the party should oppose any suggestion that women should be enfranchised' (ibid). The BCP lost the election to the BNP, which won 31 seats to 25 seats of the BCP. The MFP obtained only three seats. The BCP refused to accept the results and sought to destabilise the elected government.

– Women breaking into guarded male space –

The initial participation of Basotho women in elections was with the 1965 general elections, when Agatha Griffiths, one of the wives of Chief Seeiso Griffiths (the late Paramount Chief of Basotuland) became the first woman to contest elections. She stood as a candidate for the BNP in the Thabana-Nt™onyana constituency. Her political involvement was motivated by the BNP party leader's encouragement and nomination of her to represent the party in an area dominated by the MFP. Griffiths lost the election, receiving only 24% of the vote against 45% won by the MFP, and 30% by the BCP. Her performance is, however, considered to have been impressive by some interviewees since these were first national elections and it was the first experience for the BNP which, unlike the BCP, did not participate in the previous district council elections. Also, given that Griffiths was the pioneering woman to stand for elections, she did well.

The explanation for this case is that her nomination was not so much a gender empowerment strategy on the side of the party or the woman herself, as it was a political tactic. She was instrumental for the BNP to make inroads into the constituency. She was therefore considered the best candidate given the politics involved. She had a royal background and was the best candidate from the royal family to challenge the MFP, which was perceived as a royalist party with a stronghold in that

constituency. Second, given her status, Griffiths was popular amongst women in that constituency and the BNP enjoyed much support from women. Third, her choice was a move to protect chieftainship since she was a *Mofumahali*, or a wife of a paramount chief.

The significance of Agatha Griffiths to the history of gender and elections is of a woman who was bold enough to break into the traditionally male political space by seizing the opportunity to participate in elections when it presented itself. She symbolises emancipation.

The 1965 elections were significant for both women and for Lesotho as a country. First, taking advantage of the enfranchisement, Agatha Griffith of the BNP became the first and only woman to contest elections. Second, and most importantly, these elections freed Lesotho from colonial rule and ushered in self-government, which would constitutionally run for five years before another election was held in 1970.

The 1970 elections were the first post-independence elections. These elections were, however, marred with controversy as they were annulled by the ruling party when it became apparent that the BNP had lost to its archrival, the BCP. Both men and women had voted convincingly to eject the BNP from power (Epprecht, 2000). In his analysis Weisfelder (1999) notes that:

> Rather unexpectedly, the constituency level correlations between voting behaviour and proportion of women … failed to support the common place presumption that women constituted a major bulwark of the BNP (Weisfelder ,1974:341, in Gill, 1993:216).

Chief Jonathan of the BNP refused to accept defeat, suspended the constitution, annulled the elections and exiled many of his BCP opponents. A state of emergency was declared. The ruling party perpetuated its rule under these circumstances even though it made attempts to legitimise its rule – or to make it less unacceptable – by constituting a National Assembly

of appointed 'representatives' in 1974 and ruling by decree. As could be expected, this pacification was short-lived and calls for democracy and proper elections soon mounted. This pressure was later to be increased by the international (donor) community who urged the government to legitimise its rule by holding an election. The government finally relented and called an election for 1985.

The 1985 elections were a fuss. They were not conducted under the constitution and did not allow for opposition parties to participate. The opposition boycotted these elections on the grounds that the ruling BNP was using every means possible – including state resources, intimidation and 'cooked' voters' lists – to ensure its victory. In the event, only the ruling BNP stood for the elections and, of course, won them unopposed.

Given the difficult circumstances under which the 1970 and 1985 elections were held and the nature of the elections themselves, not much progress was made in advancing democracy – much less the role of women.

The bliss of BNP rule was, however, shortened by a military coup in January 1986. The military government was not to enjoy a long rule as the nation clamoured for the restoration of democracy. As a result, several efforts to restore democracy ensued, including the Declaration of Amnesty for political dissidents in 1989. Despite these efforts at restoring democracy, issues of gender equality were not considered. The military, by it very nature, is a male institution and its government had not been elected. This military rule had at its apex the military council and then the council of ministers, both of which were exclusively male. On the other hand, military rule provided the first government in which a woman was appointed as a minister. The woman in question was, however, an assistant minister and therefore did not sit in the cabinet.

A process to return the country to democratic civilian government began in 1990. The military government issued an order for the creation of a National Constituent Assembly, the main functions of which would be the drafting of a new constitution. The new constitution did not feature any substantial changes from the first one. Democratic elections were held in 1993 when the new constitution was finally approved and an electoral officer appointed.

The 1993 general elections were based on the FPTP system and were held in March 1993, with 12 political parties participating. Not unexpectedly, the BCP won all the 65 constituencies – a phenomenon that ushered in a one-party government through free and fair elections. It was the BNP that once again refused to accept defeat. It charged the winning party with election rigging and accused it of using 'magic paper' that caused votes cast for the BNP to show up in the BCP column. The elections were, however, declared free and fair by international observers.

In terms of gender, these elections were eventful. As Mapetla (2000) noted, they occurred at a time of the restoration of multiparty democracy in the country. There was the formation of a woman-led political party advocating the advancement of women's issues. This coincided with preparations for the fourth World Conference on Women in Beijing, which was to take place two years later. This had increased women's political awareness and involvement, both internationally and in Lesotho.

Inspired by these events, and probably also by the South African women's movement's fight for inclusion in the political processes in preparation for that country's first democratic elections, local NGOs in Lesotho formed a coalition and campaigned for women's full inclusion in political party structures and processes in their own country. Their strategies involved the holding of national seminars for women to identify and discuss women's issues for the attention of politicians. The latter were invited to address women's groups, to debate publicly the issues and to commit themselves to ensuring women's representation in their party structures and as electoral candidates. Women were called out to contest the elections, and political parties were threatened with not receiving women's votes unless they had a clear manifesto showing their commitment to women's issues. Women's groups regarded the issues so seriously that in 1992, prior to the elections, they held a national women's conference which proposed affirmative action in electoral and parliamentary representation. The proposal was that a certain number of constituencies be reserved or designated and contested by women only, and that seven seats in the legislature be reserved for women candidates. However, parties – including some women politicians – objected. According to Makabi Kabi (in an interview with *Work for Justice*, No. 44, August 1995:2), this was because:

> … leadership and the ability to encourage loyalty is something inherent in a person or one has to work hard to earn it. I know they can do it. Women have brains … they welcome challenges and take initiatives to embrace challenges.

However, the conscientisation paid off when a total of 23 women against 125 men stood for elections (Motebang, 1995). The BCP won all 65 seats, with 62 (98.5%) men compared to three (1.5%) women getting into the National Assembly. Although there was no compliance with the request for a quota system, it is maintained that the process was successful in raising the consciousness of women and men about gender equality in politics (Mapetla, 2000).

This gross under-representation of women compared to men's high representation is a result of a number of factors. In Kabi's (*Work for Justice*, 1995) opinion, the fact that the 1993 elections followed the repeal of Order No. 4 banning political parties, and granting freedom to political parties to canvass, meant that many people, especially women, still had fears from the past about contesting. Studies (Mapetla, 2000; Lowe Morna [ed], 2003) focusing on gender and politics list other reasons for women's under-representation as, *inter alia*, lack of empowerment, no follow-up support from communities, the risk of humiliation by women who voted for others, and time and energy necessary in addition to running the home and caring for children.

The 1998 elections were the fifth general elections and were held five years after the 1993 elections, as required by the constitution. These were the first elections to be managed by a specially established non-partisan IEC, and within the context of international, regional and national commitments by the Lesotho government to advancing the goals of gender, development and peace. All these developments provide for gender equality through, *inter alia,* the promotion of men's and women's participation and representation in political decision-making. The political consciousness of Basotho women had been raised by repeating the campaigning and sensitisation activities of 1993. Some believed that parties should have been required by law to put forward a minimum number of women electoral candidates (*Work for Justice*, 1999). A total of 56 (12%) women across all eight parties in the election race,

and independents, stood as candidates, compared to 481 men (Ambrose, 2002). Most women candidates were fielded by the MFP (11) and the Sefate Democratic Union (SDU) party (8). The Lesotho Congress for Democracy (LCD), the Popular Front for Democracy (PFD) and the Kopanang Basotho Party (KBP) each had three candidates.

The newly formed and ruling party, the LCD,[1] won all but one of the 80 constituencies, or 60% of the total votes, much to the surprise of the opposition parties. However, only three women from the LCD made it to the National Assembly.

This time both the BNP and BCP refused to accept defeat at the polls. They rejected the vote as rigged, and the ensuing tension led to the 1998 political riots in September of that year. This resulted in SADC intervention and in an amendment of the constitution to make it possible for all parties to be represented in parliament, as well as the establishment of an interim body, the IPA, to prepare for subsequent general elections that were held on 25 May 2002.

The history of elections in Lesotho shows that women and gender concerns have been at the margins of democracy. Gender equality or the inclusion of women did not feature in electoral processes or in any of the political power structures. It was not until the 1990s, with the return to multiparty democracy, that it was consciously considered important by women who demanded representation. Each election has been characterised by non-acceptance of the results by the defeated parties, as well as by high male and low female representation. All the elections have ignited various forms of conflict in the country. As a result, the legitimacy of rule and the credibility of government have been severely undermined (Matlosa, 1996b).

2. METHODOLOGICAL AND CONCEPTUAL FRAMEWORK

METHODOLOGY
This study was largely a desk research exercise; however, primary information was sought to address the gaps that were encountered, as well as obtaining information relating to issues of equal access to elections by

men and women, practices that explain the current prevailing unequal gender representation and challenges facing the institutions and structures that play a role in elections. The structures visited in the study were the IEC, development partners and different political parties. Researchers used purposive sampling in their selection of political parties, and in this regard took into account a number of factors. The first consideration that guided the choice was political parties' representation in parliament. The second was whether the party had women representation in parliament, and in this respect the LCD, BNP and Basutoland African Congress (BAC) were selected. The third criterion was to ensure representation of the ruling party in the sample because of its majority representation in the National Assembly. The other consideration was inclusion of political parties which had the next biggest representation. Selection was also guided by political parties that had nominated comparatively higher numbers of women, such as the Lesotho People's Congress (LPC) and the MFP.

Information was obtained by way of reviewing published and unpublished reports, archival material, party manifestos, books, journals and newspapers. Where information gaps were identified they were supplemented with data from strategic informants, including IEC officials, party officials, members of parliament (MPs), NGO representatives and ordinary Basotho.

CONCEPTUAL FRAMEWORK

On researching this topic, consultants were tasked with determining the extent to which the 2002 elections in Lesotho allowed for the free and fair participation of women in terms of legal and administrative arrangements. Researchers went beyond the confines of the law and administrative processes to interrogate the understanding, perception and application of related concepts. These were concepts of *elections*, *electoral systems*, *inclusive democracy* and *gender equality.* This was to determine the extent to which different institutions provided for inclusivity of both men and women in the electoral process, without compromising the spirit of democracy and respect for human rights. The researchers embraced the argument by different scholars (Reynolds & Reilly, 1997; Lodge & Pottie, 2002; and Matlosa, 2002) that elections are an important ingredient of democracy and continue to play an integral role in deepening and sustaining it.

Elections are defined by Matlosa (2003b) as a process whereby citizens in a country choose their leaders to form a government, which manages the affairs of the country on their behalf. The method of choosing these leaders is performed through a voting system based on the principles of universal suffrage and secret ballot. Voting takes place within regulated procedures that are governed by electoral laws and the constitution. Jackson & Jackson (1997) outline functions of elections as providing, among others, a routine mechanism for recruiting and selecting representation, the orderly succession of governments, a routine opportunity for people to review government's performance and its mandate, and ensuring an elected government with a moral title to rule. While researchers conceptualise elections in a similar way to Jackson et al (ibid), there is a constant and conscious effort made in this study to highlight the male-dominated and non-inclusive nature of this process. The overall management, agitation and direction of this process is firmly retained and mono-gendered.

Another important concept used in this study is the *electoral system*, which has been adopted as defined by the Reynolds & Reilly (2002). They define an electoral system as a method of selecting these candidates and translating votes into parliamentary seats. They further argue that an electoral system encompasses procedures, rules and regulations for the electorate to exercise their right to vote and determine how elected members occupy their allocated seats in the national legislature. Researchers' application of this concept took into account the history of elections in Lesotho and how they have been conducted over the years, in a way that did not adequately address gender inequality. The way in which Lesotho's electoral system was historically designed tended to define political power and its dynamics as a site and space for men only. The history also points to the competitive nature of the constituency-based model, which defined politics in a way that tended to exclude women. The change of the electoral model from constituency-based to mixed member has attempted to transform the elections as a solely competitive site into one in which entry into parliament is based on other considerations, such as the inclusion of other political parties. However, the model in its design has not totally addressed gender inequalities.

Researchers argued against pursuing this study with a clinical legal understanding of *free and fair access,* but expanded understanding of the

concepts to generate debate around strategies that could have been followed to ensure equitable and increased representation of women in governance. As far as the electoral legal framework in Lesotho is concerned, the notions of *free and fair access* to governance by citizens has been underlined, as provided for in the constitution and the electoral laws. However, since history bears testimony to the nature and culture of politics in Lesotho being male-dominated and largely exclusive of women, to argue that women are operating within a *'free and fair'* environment would be narrow-minded and would defeat the principles of inclusive governance.

A perusal of the legal instruments indeed showed that the state remains committed to ensuring free and fair elections. The laws and administrative arrangements to date fail, however, to make concrete and measurable provisions that seek to address an existing scenario of unequal and dominant patronage of political leadership by one sex, and to address hidden barriers that deter the promotion and advancement of gender equality around governance. Free and fair access as is currently provided for by the legal and constitutional framework therefore remains an illusive and empty right to women.

Other related concepts that were considered by the researchers when researching this topic were the link between *inclusive democracy* and *gender equality*, and the latter as a promotion of human rights. Gender equality as used in the study is a state whereby equal rights, status and responsibilities are afforded to both men and women. It denotes their equal access to and control over resources and opportunities, as well as equal participation in politics and decision making. Democracy is about fair representation and the participation of all interest groups in society, which gives people a say in their lives. If men and women are not equally included in the processes in which decisions about citizens' lives are made, then that process is not inclusive.

3. LEGAL AND INSTITUTIONAL FRAMEWORK

This section sets out the legal and institutional framework within which gender plays itself out in the access to power and decision making through

elections in Lesotho. It begins with an outline of international, continental and regional instruments to which Lesotho is a party, and that are relevant to gender and elections in Lesotho. It assesses the extent to which these instruments have helped in broadening democracy to include both men and women. It also looks at relevant laws, policies and available institutions and at how these contribute, or can contribute, to women's presence in politics.

Lesotho is a constitutional monarchy with the king as head of state and a democratically elected prime minister as head of government. Law making is vested in parliament, which consists of the king, the National Assembly (Lower House) and the Senate (Upper House) (s. 54 of the Constitution). Members of the National Assembly are democratically elected. Senate representation is drawn from all 22 principal chiefs of Lesotho, and a further 11 members are nominated by the king on the advice of the prime minister. Of the 22 principal chiefs from whom Senate members are drawn, seven are women. These women are acting for either husbands (who for various reasons are not exercising chieftaincy functions) or their minor sons.

INTERNATIONAL AND REGIONAL FRAMEWORK

Lesotho is signatory to, and has ratified, major international, continental and regional instruments that promote and protect women's human rights. The signing of these instruments has been done in a spirit of advancing respect for human rights for all, and abiding by democratic principles of open and inclusive governance. Progress towards translating these international and regional commitments into *real* and *meaningful* action has, however, been slow. The international and regional instruments signed by Lesotho that promote equal rights for women to participate in public life, including politics, include the:

- Convention on the Political Rights of Women (1952);
- International Covenant on Civil and Political Rights (1966);
- Convention on the Elimination of all forms of Discrimination Against Women (1980);
- Beijing Declaration and the Platform for Action (1995);
- SADC Declaration on Gender and Development (1997); and
- Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (2003);

Convention on the Political Rights of Women (CPRW): Lesotho is a party to the Convention on the Political Rights of Women (1952), under which women are recognised as having as much right as men to vote and be elected into public office. This convention is therefore one of the earliest international instruments granting women the power to participate in the public and political life of a country, without any discrimination.

International Covenant on Civil and Political Rights (ICCPR): Lesotho is a party to the ICCPR (1966). By ratifying this instrument Lesotho has undertaken to respect the civil and political rights of all individuals, without discrimination on any basis, including gender. In this regard, the state is to ensure equal rights to men and women to enjoy all civil and political rights. The rights provided for in this covenant are to be given effect by the adoption of legislative and other measures. The covenant in article 25 provides for the right by all citizens to take part in the conduct of public affairs directly or through freely chosen representatives, to vote and to be elected at elections. Lesotho has domesticated this article in section 20 of its constitution, which appears under the Bill of Rights, and is therefore an entrenched part of the constitution.

Domestication of international instruments has presented a challenge for Lesotho, owing to the absence of constitutional provisions on automatic domestication. Domestication has thus had to be piecemeal by way of amendments to various scattered laws. This process is uncoordinated and takes a long time because of the prolonged process of law reform in Lesotho. However, in respect of the rights provided for in this covenant, many of them form part of the Bill of Rights in the constitution and have hence been domesticated. The article relating to freedom from discrimination has, however, been domesticated with a proviso that has the effect of watering down this right. The proviso discriminates on the basis of customary law, which is not to be subject to the non-discrimination clause.

Convention on the Elimination of all forms of Discrimination Against Women (CEDAW): This convention is one of the most important international treaties protecting the rights of women. Lesotho ratified the United Nations (UN) Women's Convention (CEDAW) in August 1995. Article 7 of this convention states: 'States Parties shall take all appropriate measures to eliminate

discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men the right', among others, to vote and be elected into public office.

A distinctive feature of Lesotho's ratification of this convention is the reservation attached to it by which the convention will only be applicable if it is not inconsistent with the constitution. The constitution itself has a distinctive non-discrimination clause, but a proviso to this clause excludes the customary law from the application of the non-discrimination provision. When the reservation is read in conjunction with the constitution, there is a clear indication that Lesotho is not ready to remove all discrimination against women and to create equality for women (Karam, 1998:207). The reservation is also sadly in respect of the monarchy, chieftainship and religion, all of which are important public spheres in which women do not participate on an equal footing with men. The inequality in participation between women and men in these spheres is condoned either by law or the culture of these institutions.

Discrimination against women in these public spheres makes the provisions of article 7 of CEDAW particularly relevant to these institutions. Excluding these institutions from the application of the convention has the effect of perpetuating inequalities between men and women, and is a missed opportunity for rectifying the situation. More effort is needed by Lesotho to reconsider these reservations and to ratify CEDAW unconditionally. In addition, there needs to be constitutional reforms that provide for domestication of these ratified provisions into national laws. NGOs and human rights activists are pushing for constitutional reform to remove this proviso to the non-discrimination clause. In addition, they are working hard for the withdrawal of the reservations on CEDAW.

Beijing Declaration and the Platform for Action (BPFA): Lesotho is a signatory to the Beijing Declaration and the Platform for Action adopted at the Fourth World Conference on Women held in Beijing in 1995. The instruments enjoin states to take measures to eliminate discrimination against women and to remove obstacles to equality between men and women. States are also obligated to ensure women's equal participation in, and access to, decision making by: creating a gender balance in government and administration;

integrating women into political parties; and increasing women's participation in electoral processes and political activities (Lowe-Morna, 2003). In addition, states were to establish machinery to promote gender equality in their countries.

Lesotho committed itself to addressing the 'Twelve Global Critical Areas of Concern' identified by the platform as representing the main obstacles to women's advancement. Among the areas it has prioritised is inequality between men and women in the sharing of power and decision making at all levels. It also gave an undertaking to address the invasive problem of insufficient mechanisms at all levels to promote the advancement of women.

The BPFA is cognisant of the fact that government is not the only player that needs to take measures in order for gender equality in politics and decision making to become a reality. Political parties play an important role in this regard, and they are therefore also required by the BPFA to take action. The action to be taken by political parties includes the examination of party structures and processes to address all discriminatory aspects that in any way bar women from participation. Parties are also to incorporate gender issues into their agendas and to take measures which ensure that women and men participate on an equal footing in the party leadership.

The measures provided for by this instrument are some of the most progressive, because the inclusion of women in decision making is not left to government and the women themselves. This is in recognition of the fact that the challenges that face women in trying to access decision making lie not just with women themselves and with society, but also with the institutions they are trying to access, such as political parties. It therefore became important to impress upon these political parties the need to join government in driving the gender agenda by including marginalised groups. Political parties can, for instance, use their structures, such as women's leagues and executive committees, to push for issues such as quotas and affirmative action for women to be adopted as part of their parties' policies.

If political party leadership is committed to the responsibility placed on them by the BPFA, they will be in a better position to facilitate women's access to decision-making structures, such as parliament. It is, however, critical for

political parties to be aware of the provisions of this instrument and of what is expected of them. Government, through the Department of Gender, and women's NGOs can play a role in making political parties aware of these commitments. In addition, women should be made aware of these commitments so that they can lobby their parties to implement the BPFA provisions.

SADC Declaration on Gender and Development (1997): Lesotho further reaffirmed its commitment to addressing gender equality by signing this declaration, under which Lesotho and other SADC states pledge to repeal and reform all laws, to amend constitutions and to change social practices which still subject women to discrimination. By signing the SADC Declaration, Lesotho has also committed itself to attaining a minimum 30% representation of women in political leadership and decision making by 2005.

This is an important undertaking and a clear commitment by Lesotho that is both time bound and has a specified minimum figure. However, for the target to be realised, Lesotho has to intensify its efforts and hold different structures and stakeholders accountable to this commitment. These efforts have to be amplified by tangible work plans and indicators that would provide roadmaps for a way forward. Routine reporting of SADC commitments by member states would be a useful strategy to ensure compliance.

When preparations for the 2002 elections were made, NGOs and the Department of Gender were aware of the existence of the SADC Gender and Development Declaration and its potential as a strong lobbying tool for the inclusion of women in elections. There were therefore campaigns by NGOs, the Department of Gender and other women's groups that called for the inclusion of more women in politics and decision making in the then forthcoming elections. The Department of Gender, in collaboration with NGOs, translated, mass produced, publicised and distributed this declaration. For instance, NGOs such as Women and Law in Southern Africa (WLSA) used the declaration in its address to the IPA, pointing to the need to include women in the forthcoming elections, especially under the electoral model that was then being discussed. These NGOs pointed out to IPA members that the signing of the document by the prime minister placed obligations on everyone, not just the government, because the prime minister

had signed on behalf of the state. While these efforts did not succeed in achieving the desired 30% representation, they did help to raise awareness and to ignite an interest in having more women in politics and in parliament.

Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa:
At an African Union (AU) meeting in Maputo, Mozambique in July 2003, African leaders met to discuss and sign the Protocol to the African Charter on Human and People's Rights on the Rights of Women. Lesotho is one of the countries that signed and later (February 2004) ratified this protocol. Even though signed and ratified after the 2002 elections, the protocol is a victory for African women because it is part of the African Charter. The protocol provides for the respect and promotion of women's rights on a continent where respect for women's rights have presented challenges. By ratifying this protocol, Lesotho has committed itself to ensuring that its constitution, laws and policies are non-discriminatory to women. Under this instrument, African leaders commit themselves to having equal representation of women in positions of power, politics and all electoral processes. States are to achieve this through affirmative action, reforming laws and other measures.

The undertaking for equal representation of women was done in recognition of the fact that the majority of the African population are women. Striving to include them in power and decision making in equal proportions with men therefore serves the interests of inclusive democracy and promotes participative governance. The standard set in the protocol is an improvement on the SADC minimum standard of 30%. To get maximum benefit from this instrument, it would have been beneficial to have set a time limit within which the leaders are to achieve the undertaking. The SADC Declaration serves as a good example in this regard. This measure would ensure that member states expedite implementation efforts. The protocol has a monitoring and implementation provision under which member states are to report on progress made in implementing measures to realise the rights recognised in the protocol.

On the whole, Lesotho has a good track record in terms of signing and even ratifying international, continental and regional commitments that address

gender equality. However, the challenge of implementing these undertakings still remains. There is a need to translate the commitment shown by government in signing the different conventions and declarations into concrete and measurable action. Currently, these instruments mostly remain obligations at international level; however, they are not part of the domestic law and therefore cannot be used, for instance, in the courts to assert the rights they are giving. In addition, there is a need for vigilance and activism on the part of Lesotho's judiciary to develop judicial precedents that advance gender equality. By so doing, Lesotho would be ensuring a broader stakeholder involvement in this area, rather than confining it to fulfilment of the obligation by government and activism by the women's movement.

On the other hand, while laws could be amended in order to infuse the provisions of these instruments into Lesotho's legislation, this has still not been done effectively. More could be done to exploit the benefits of being a signatory to the above instruments by:

- making constitutional and other legal reforms to remove conditions embedded in cultural discrimination that make women's participation difficult;
- creating a constitutional and legal environment that would ensure that women participate in the minimum percentages undertaken in these international instruments; and
- paving the way for domestication of these instruments into national laws.

CONSTITUTIONAL FRAMEWORK

Important provisions are those relating to rights and elections.

Bill of Rights
Lesotho's constitution has a Bill of Rights. Among its key provisions is the equality clause, according to which everyone is equal before the law (s.19). For purposes of political representation, one of the critical rights provided for in the constitution is the right of every citizen to participate in government (s.20). According to this provision, every citizen has the right to take part in public affairs, whether directly or through a representative, and the right to vote or to stand for elections. Further, in the principles of state policy, 'the

state is to take appropriate measures … to promote equality of opportunity for disadvantaged groups in society to enable them to participate fully in all spheres of public life' (s.26(2)). This provision appears under a chapter of the constitution that forms part of public policy in Lesotho and is therefore non-justiciable. It is clear that there is a recognition that special measures have to be adopted to promote the participation of disadvantaged groups (women form part of these groups) in public life, including politics.

Another important provision for the purposes of gender and elections, is the right not to be discriminated against on the basis of sex, religion, race or other status (s.18). While discrimination is prohibited, a distinctive feature of this provision is that there is a proviso that the customary law of Lesotho will not be subject to this non-discrimination clause. This proviso is not in tandem with the undertaking that Lesotho has made in the various instruments discussed above, according to which gender equality should be promoted. Condoning discrimination in the name of customary law is failing to tackle one of the critical areas of gender inequality, and is the major reason why women do not participate in politics and decision making.

This is an unfortunate proviso given the fact that culture is the very area that needs to be targeted with human rights provisions. It is in culture and customary law that the challenges of inequality between men and women are most rife, and yet condoned. Excluding customary law from the non-discrimination clause is tantamount to excusing inequality as long as it is done under the pretext of culture. This is giving rights with one hand and taking them away with the other. Participation of women in politics is strongly tied to their cultural position of being viewed as minors. Failure by the constitution to protect women from this discrimination is a missed opportunity. Constitutional reform of this provision would help advance gender equality, and therefore the ideal of having women participate in the political and public life of the country on the same footing as men. As long as women are discriminated against in some area of the law, it would be hard to believe that they can participate in political life equally with men.

Legal minority status of women
The other factor that limits women's participation in politics is the legal minority status of married women. Lesotho's culture and socio-legal system

perpetuates gender inequalities by embracing male supremacy. For instance, under the customary law, unless emancipated, a woman is a perpetual minor who before marriage is under the guardianship of her father, transferred to that of her husband on marriage, and upon his death to that of her husband's heir. Under the common law, a single woman attains majority at the age of 21. A woman who is married in community of property, irrespective of age, is a legal minor. This minority status of women negatively affects their chances of full participation in politics and other spheres of public life, as they are viewed socially as falling into the same category as children. Legal minority is one of the factors that might account for women's invisibility in the party leadership structures, even though they make up the majority of party supporters.

Legal minority status also excludes women from economic participation and is therefore not conducive to addressing women's poverty situation. Poverty is one of the obstacles to women's attainment of equality and development. It came out in this study that participation in politics requires financial resources. If women do not have legal capacity, their chances of access to financial resources, such as bank loans, are negatively affected and their options to run for elections are therefore limited – unlike those of their male counterparts.

Removing women's legal incapacity by recognising them as persons in law will have the positive effect of boosting their social image as they will not need to be assisted (like children) in conducting legal transactions. The Lesotho Law Reform Commission drafted the Married Persons Equality Bill, 2000, that is meant to change this legal minority. The bill is still to be presented to parliament for debate and approval into law.

When elections were held in 2002, the legal minority status of women had not been changed. Women therefore voted in an environment where the law still regarded them as 'children'. This reinforces the social stereotype which regards men as superior to women. The law has to be an instrument of change, granting legal capacity to women. This will not only benefit the principle of equality, but will ensure that the uneven playing field between the sexes is levelled for the local government elections which may be held in 2004, as well as for the general elections scheduled for 2007.

Sexual Offences Act

The study brought out the issue of safety and security as a barrier that needed to be addressed in order to ensure the meaningful and effective participation of women in positions of political power. Parliament passed the Sexual Offences Act in 2003. Even though it was passed after the 2002 elections, it is an important move which addresses concerns about gender violence. Gender violence has been mentioned as one of the factors that discourages the effective participation of women in politics. It was mentioned by both male and female respondents in this study that women are in constant fear of travelling to remote areas and of moving about campaigning at night because of fear of rape – one of the endemic forms of gender violence in Lesotho (Letuka et al, 2002).

It came out in the focus group discussions with representatives of NGOs that: '… this unsafe environment puts a woman's safety at risk, and automatically excludes her from competing on an equal footing with her male counterparts.' The issue of safety therefore contributes to women being considered as unpopular choices for political leadership, as people would doubt their ability to travel to all the villages and too represent their needs.

The passing of the Sexual Offences Act therefore helps create an enabling and safe environment where sexual violence is not tolerated and its perpetrators are given heavy sentences. For instance, the minimum sentence for rape is 10 years. This is one of the moves that can help to create a safer environment for women so that they too can freely campaign like men. It is, however, important that this law be coupled with intensive community awareness campaigns about the ills of sexual violence. It is also critical to sensitise those who administer this law so that they are aware of it and apply it in a way that will make victims benefit from its protective intentions, and that discourages would-be perpetrators from committing such offences.

CONSTITUTIONAL FRAMEWORK ON ELECTIONS

Other than regulating the rights framework to gender and democracy, the constitution also provides a regulatory framework within which elections are to take place in Lesotho. The current constitution has been amended several times since its inception in 1993. The amendments were an effort to

build political processes and national institutions that would help construct a dynamic democracy and ensure good governance. The most significant amendments relating to elections are the second and fourth amendments, made in 1997 and 2001 respectively. The amendments increased the membership of the National Assembly from 65 to 80 in 1997 and to the current 120 in 2001.

Under the Fourth Amendment to the Constitution Act 2001, Lesotho adopted an MMP system whereby 80 MPs enter the National Assembly through the FPTP system, and the other 40 through the PR system, whereby parties submit lists. The formula for allocating seats in the National Assembly under this MMP system is set out in the National Assembly Election Amendment Act 2001 (Schedule 5). The inclusion of members from political parties that did not win through the FPTP method was an important move to achieve inclusive democracy and build national reconciliation. The move did not, however, go far enough. It failed to broaden the concept of inclusive democracy to include marginalised groups, such as women, who have had difficulty getting into parliament through the constituency-based model. This problem could be addressed by the exploration and adoption of an electoral system that would make it more likely for women to be represented in larger numbers than the current model that has proved not to be so inclusive of women, but has mostly benefited men.

The amendments to the constitution also established the IEC; an autonomous statutory body responsible for the conduct of elections (s.66 as amended). The IEC has three members who are appointed by the king, acting on the advice of the council of state. In the interests of transparency and inclusion, political parties jointly propose five names, from which the council of state selects the three to be submitted to the king. Commissioners hold office for a period of three years, which may be renewed for another maximum of three years. The powers, duties and functions of the IEC are contained in section 66A.

These are:
- constituency delimitation;
- the regular holding of elections for the National Assembly and local government, ensuring that they, and any referendum that may be held, are free and fair;

- the organisation, conduct and supervision of elections in an impartial manner, in accordance with the constitution and any other law;
- supervision and control of the registration of electors; and
- the registration and regulation of political parties operating in the country.

STATUTORY FRAMEWORK ON ELECTIONS

Other than the constitution, there is the National Assembly Election Act which is a statutory instrument streamlining the legal framework for elections in Lesotho. The act was amended twice, in 2001 and 2002, in preparation for the 2002 elections. The amendments catered for a dispute resolution mechanism and introduced a new electoral code of conduct. The act contains 1998 regulations that regulate issues such as proof of registration and of identity for electors, the procedure for the inclusion of omitted electors, the purchase of electoral lists, party registration fees and notification of a party dissolution.

One of the distinctive provisions of the National Assembly Election Amendment Act 2001 is its S.3, which amends section 36 of the principal law by inserting a section 36A. This new section makes provision for gender, disability and youth. Under this provision, registered parties are to facilitate the full participation of women in all political activities on the basis of equality, to ensure them access to public political meetings and facilities, respect their right to communicate with political parties and to refrain from in any way forcing women to take a particular political position or to engage in any political activity against their will.

It has been observed that amendments to the National Assembly Election Act have been piecemeal. As a result there are inconsistencies and a lack of cohesion, and issues have been left out or inadequately developed (IEC, 2002). There is therefore a need to review comprehensively the law relating to elections and to consolidate it as a way of addressing the observed problems of the piecemeal approach to reform. There is, for instance, a need for the development of comprehensive provisions relating to gender. Currently, the provisions are couched in a language that leaves it up to political parties to

take gender into account 'as far as is practicable'. In addition, there are no penalties or consequences set out for failing to adhere to the stipulations of the provision. This provides leeway for parties to comply or not to comply, with the easy excuse that it was not practicable.

Gender requirements are issues of equality and are too important to be left to the choice of political parties. There is a need for clear steps or measures that a political party must fulfil or take in order to be regarded as having complied with the gender requirements in elections. These measures or provisions must be couched in mandatory tones that carry penalties for non-compliance.

POLICY FRAMEWORK

The framework within which gender equity, equality and empowerment are pursued, is guided by two policies: the National Population Policy for Sustainable Development (2003), which was under review at the time of the 2002 elections; and the Gender and Development Policy (2003) adopted after the elections. The Population Policy charts out measures and strategies that the Lesotho government is to adopt in order to attain sustainable development. These will be aimed at shaping the size, composition and rates of growth for the population. Among its strategies for implementation are issues of gender equality, equity and women's empowerment.

The policy provides for support of activities intended to promote gender equality and access to and control over productive resources. In the same breath, it undertakes to support activities aimed at review and enactment of gender-sensitive laws. Among the critical strategies to attain gender equality is the promotion of 'women's full contribution to development by encouraging them to increase their participation in politics and decision-making structures and processes to meet the 30% target of SADC' (National Population Policy, 7.3:24).

The Gender and Development Policy, on the other hand, has been developed by the Ministry of Gender, Youth, Sports and Recreation (MGYSR), in collaboration with other government ministries and NGOs. Development of this policy was prompted by several factors, namely:

- a need to create a basis for an environment of gender equity and equality;
- the establishment of institutions, structures and mechanisms for implementation of gender equality; and
- fulfilment of commitments made at national, regional and international levels to address gender inequality and to promote the empowerment of women.

This policy was approved by cabinet in 2003. Its purpose is to provide guidelines to policymakers and stakeholders on how to remove gender inequalities and to ensure that gender concerns are taken into account in all national and sectoral development plans and programmes. It also aims to promote equality of opportunities between men and women so that they benefit equally from development efforts. It takes cognisance of the fact that larger sections of the population do not participate fully in, and benefit equally from, development because of socio-cultural impediments.

The development of the 2003 Gender and Development Policy dates as far back as 1994 when the government set in motion a consultative process, out of which the first draft gender policy was developed. This was to be used as a starting point for later initiatives, which culminated in the setting up of the Gender and Development Policy Task Force made up of civil society organisations and government ministries, and mandated with formulating the policy. In doing so the task force took into account the 12 critical areas of concern that were adopted as part of the BPFA. The draft developed by the task force was circulated to a wider representation of stakeholders, including development partners, traditional authorities and civil society organisations, as well as the general public through consultative meetings. After this process, the policy was presented to cabinet for approval.

The policy provides an enabling environment by outlining strategies to address its objective 'to promote and facilitate equal representation of women and men in politics and at all levels of decision-making structures' (Gender and Development Policy, 2003:10).

This policy is an instrument by which gender will be mainstreamed into the public and private sectors through the setting up of gender focal points in

all government ministries, NGOs, parastatals and the business sector. Priority areas identified by the policy are: poverty and economic empowerment; education and training; addressing the issues of gender and the youth; health; gender-based violence,; the media; civil society organisations; science and technology; and, most importantly, gender and power, politics and decision making. The policy outlines a framework within which issues of gender and development will be tackled. Section 5.4 specifically provides for strategies to promote gender equality in power, leadership, politics and decision making. The government of Lesotho commits itself to undertaking a rights-based approach that involves strengthening institutions to promote and protect the universal rights of women, men, boys and girls. The Gender and Development Policy articulates strategies that are to be adopted in promoting gender equality in power, politics and decision making. These include:

– Strategies to facilitate equal gender representation in politics and decision-making levels –

- Adopting affirmative action procedures in the form of quotas for women.
- Putting in place measures that will encourage women to run for political office.
- Providing women with training on leadership skills.
- Establishing and sustaining support systems for women in high political and leadership positions.
- Eliminating all gender discriminatory (direct and indirect) laws and employment policies.
- Implementing UN conventions – especially ICCPR, ICESCR, CEDAW and CRC – through appropriate legislative, administrative and all other measures that shall ensure the fostering of an enabling environment which will encourage respect for human rights.

Source: Gender and Development Policy, 2003.

The implementation of the policy in respect of power politics and decision making is driven by the Political Empowerment Programme, established within the Department of Gender in the MGYSR. Under this programme, mechanisms have been set up to further support implementation in the form of advisory sub-committees and task forces. The currently operative sub-committee is the Political Empowerment sub-committee, which comprises both government and non-governmental stakeholders. This sub-committee remains vigilant regarding issues of elections and political decision-making. The implementation gaps that exist in this area are to fine-tune the implementation plan and to put it into operation.

The major achievement of the policy in this area is the visible and conscious effort on the part of government to balance gender gaps in the appointment of senior officials. An example in this regard is the appointment of a woman commissioner in the IEC. There is, however, a need for a more aggressive approach to extend the same drive in the area of women in politics. This could be achieved by continuing the consultative approach that was adopted when the policy was formulated, including consultations with political parties.

INSTITUTIONAL AND ADMINISTRATIVE FRAMEWORK

This section presents an overview of the past and current institutional framework for the electoral processes in Lesotho, with a focus on issues of gender equality, access and representation. It is particularly important in this regard to recall the history of the system of politics in Lesotho, which has for a long time been characterised by instability and mistrust of public institutions by the general populace, as well as by gender inequality that negates social equality as a principle of democracy. The examined institutions include the IPA, the IEC, political parties and government structures.

Interim Political Authority (IPA)

The IPA was established in November 1998 by Act of Parliament No. 16 of 1998. This followed political disputes concerning the legitimacy of the electoral results of the same year which, as mentioned in an earlier section, has been a perennial problem in the history of Lesotho's elections. The

institution was set up with a mandate to establish a forum for consensus building, to enable Lesotho to return to multiparty democratic rule. It was also intended to provide all political stakeholders equal opportunity to reach consensus on a more democratic and inclusive electoral model, as well as to re-examine the structure and functions of the IEC in preparation for new general elections. (For specific objectives of the IPA, refer to Section 4 of the Act.)[2]

The IPA is an institution comprising 24 representatives from the 12 political parties that contested the May 1998 elections. Entry into the IPA is the decision of the parties, which each sent two members. The study found that the concept of 'inclusiveness' was confined to political parties and electoral concerns, and issues of gender did not feature anywhere in the IPA, in terms of being a criterion for its composition or regarding the issues it focused on.

Despite the limited definition of inclusiveness, the initial composition of the IPA indicates a gender representation of 83% men and 17% women. The four females had gained access into this institution not on the basis of their sex, but on the basis of their political status as a party leader; a deputy leader; a spokesperson for the 1998 Political Alliance; and a professional – the latter being a woman lawyer who brought in professional expertise. Her expertise was put to use when she chaired the committee examining possible new electoral models. The co-chair of the IPA was one of the women.

Being an all-inclusive institution, the IPA could have provided an opportunity for the inclusion of gender concerns in its framework of scope. The researchers conclude from this study that there are indications of a lost opportunity because of the narrowly defined constitutional mandate.

Interviews reveal that during the IPA deliberations, members, NGOs and other stakeholders attempted to bring gender on to the IPA's agenda for consideration. This was not successful because, in the opinion of some respondents, it was not part of the national agenda. The IPA therefore did not see the issue as an important factor in the electoral process. This meant that political parties treated gender concerns as being of less interest and priority: 'It was not a burning issue', a respondent quipped.

Another opinion of respondents is that political parties represented in the IPA spent too long debating the electoral model and lobbying for it, but did not address the issue of the model as a tool for gender equity because 'they did not have sufficient time to consider other issues'.

Independent Electoral Commission (IEC)
This is the body primarily responsible for regulating, managing and maintaining free and fair elections at both national and local levels, and in cooperation with other bodies. An Act of Parliament – as shown in the section on 'Legal and policy framework' – establishes the IEC. The current commissioners are the second set that Lesotho has had, having assumed office in 2002.

The establishment of the IEC should be understood in this context as part of the effort to provide mechanisms and structures that would inspire the confidence and trust of all contending political forces in the country, while at the same time acquiring the requisite capacity to be able to deal with all the technical requirements for running free and fair democratic polls.

The study findings reveal that the IEC has adopted a number of mechanisms intended to ensure access and participation for the promotion of inclusive democracy. These include:

- the establishment of a regular consultation forum for political parties, known as the Party Delegates' Forum, chaired by a commissioner. This forum meets regularly (twice a month) to discuss issues relating to the electoral process and other issues that may be raised; and

- the establishment of standing committees to bolster the confidence of the community and close stakeholders in the IEC, and to ensure that their input and opinions are taken into consideration on various issues. Table 2 provides a summary of these committees and their functions. The table shows that there is no committee on gender to look at issues relating to elections.

Table 2: Independent Electoral Commission's liaison committees

Committee	Area/s of responsibility
Election Coordination Committee	General election matters as from other committees or as identified by the committee for action of other committees, the commission or staff
Civic and Voter Education Committee	Civic and voter education
Logistics Committee	Electoral and referendum logistics
Law Committee	Legal and statutory matters
Data Management Committee	Voter registration data, information technology matters
Security Liaison Committee	Security matters
Conflict Management Committee	Control and management of electoral/ referenda conflict, management and observance of the code of conduct
Media Liaison Committee	Dealings with information, media and communication with stakeholders

Source: IEC, 2002

The committees above are made up of the IEC, government, experts in the specific fields, as well as stakeholders (including civic organisations). Their function is to provide a communication link between the commission and the wider society, and to serve as forums for open, positive input in the activities of the IEC.

THE IEC AND GENDER

The findings indicate that the IEC has no policy on gender necessary to guide its operations. During the course of this study, however, the IEC was in the process of developing a gender policy.

Looking at the staff complement, there is almost equal representation of the sexes. Men comprise 51% and women 49%. Men are predominantly represented at senior levels as commissioners, senior administrators, and at lower levels as drivers and registration assistants. They also dominate in the

information technology area. Women are visible in the clerical cadre as office assistants and storekeepers. There is gender equality in the position of district election officers.

The IEC is currently made up two male commissioners and one female commissioner. The gender composition of the commission seems to reflect sensitivity on the part of the government that decision-making bodies have to have at least 30% women as an undertaking under the SADC Declaration on Gender and Development, as well as under the national Gender and Development Policy. This is a positive development. Appointment of the woman commissioner happened within a year after the 2002 elections. If the electoral commission had had the current gender composition earlier, gender issues would perhaps have been taken on board more significantly in the 2002 election preparations.

This suggests that the IEC needs an institutional transformation to mainstream gender in its structures and operations. Interviews with IEC officials revealed that deliberate efforts are being made to have the IEC drive issues of gender and HIV / AIDS in elections and in its everyday operations. There is commitment at the top to publicise these issues at all public gatherings where commissioners make presentations. The challenge is to pass on the idea to the other structures and stakeholders in the area of elections.

Ministry of Gender, Youth, Sports and Recreation
The vision of the MGYSR is its contribution towards the socio-economic and political development of the country – which is to achieve gender equity and equality. Lesotho aspires to become a nation that perceives women, men, girls and boys at all levels and in all spheres of life as equal partners, who act in concert to attain social transformation towards gender equality in all development processes. It perceives gender equality as a fundamental human right (Lesotho Review, 2003).

In pursuit of its vision and fulfilment of its mission, the overall goal of the Department of Gender is stated as: 'To mainstream gender concerns into account in all national and sectoral policies, programmes, budgets and plans

in order to achieve gender equality in the development process' (ibid). Its objectives as stated in the National Gender Policy are, *inter alia*: 'To promote equal opportunities and participation in politics and decision-making' (ibid). The ministry has established a Political Empowerment programme within the Department of Gender, whose responsibility is to initiate and coordinate relevant activities for stakeholders. Although the programme is in its infancy, it has the potential to carry on board issues of gender and elections in Lesotho, in partnership with other relevant bodies. The department has initiated consultations with the Ministry of Local Government to enable mainstreaming of gender into local government elections. In this regard, a measure of success has been achieved through a quota of 30%, which has been passed by the National Assembly but still awaits debate and assent by the Senate.

Parliament

Parliament is the highest legislative body in modern democracy. In Lesotho, which operates a bicameral legislature, parliament is constituted by the Senate as the Upper House and the National Assembly as the Lower House. Gender representation in parliament is one indicator of the general participation of women relative to men in politics, and their decision-making role in the shaping of the social organisation and culture. As in other countries, Lesotho stands to benefit from women's participation in parliament, because parliament is the highest decision-making body.

As Table 3 shows, in the history of parliaments in Lesotho, this institution has been a male-dominated power organ, and women have generally remained a negligible force.

Table 3: Gender representation in Lesotho's National Assembly

Year	Men	%	Women	%
1966	65	100	0	0
1970	65	100	0	0
1993	62	97	3	4.9
1998	77	66.3	3	3.7
2002	105	87.5	15*	12.5

* *The 15th female member came through the 2004 Thaba-Putsoa by-election.*

Table 3 also indicates that women's inroads into this institution did not come about until the country's return to multiparty democratic rule in 1993, when women made up about 5% of the total MP population. The percentage figure declined to 3.7% in 1998, although the actual number stayed constant. In 2002, more women entered parliament; eight belonging to the ruling LCD through constituency elections, and four through PR.

Political parties
Political parties are the necessary vehicle for the election of men and women to political decision-making and executive power. These structures have in terms of numbers multiplied from two/three at the first independence elections in 1966 to 19 parties registered at the last elections in 2002. Historically, most parties are remnants of the BCP and the BNP, which suggests that ideologically there is no significant difference in what they stand for.

The two parties were founded to lead the country to independence. Other progressive parties have since emerged with different ideologies, namely: the PFD; the Lesotho Worker's Party (LWP), which stands to promote and protect workers' interests and rights; the KBP and the NLFP, both of which were founded by women. Rebecca Ntakatsane, a former teacher, founded the KBP in 1991 with a focus on women's issues. In this regard, the party's constitution and manifesto have entrenched the participation of women at all party levels. The KBP has performed poorly in all election periods since its inception, including the 2002 election, to the extent that it could not secure a seat in parliament.

Generally, party leadership is selected through a number of ways. Other than the leaders being founding members, party leadership is democratically selected at a party's annual/biannual conference. Taking the 'congress' parties (the BCP, LCD, LPC [Lesotho People's Congress] and BAC) as an example, the procedure is for the lower levels to nominate names to the constituency level from which three representatives (usually the chairperson, treasurer and secretary) represent the constituency at the annual conference. This is where an ad hoc committee is elected to conduct the election. Names are nominated for the various positions, and those who get the most votes become the leaders for a period of five years.

This study reveals that access to and mobility within party structures – from the base to the highest body (the executive) – is achieved through procedures that are generally democratic, as outlined in the party constitutions. Practically, it seems the more power wielded by the leader, the less democratic the procedures become. For example, in Lesotho experience has shown that the party leader has influence in the identification of the members of the executive and in the nomination and acceptance of names of election candidates. This was the case in the 1998 elections when the executive committee of the then ruling party accepted by consensus the names nominated by the party leader.

Access to political party structures is traditionally a male preserve. However, the research revealed that a degree of transformation is occurring at lower levels of some political parties. It was found from the interviews that, generally, both men and women get elected into committees at the primary or village, polling or branch level committees, with women dominating in some cases. For example, the BNP estimates over 75% female membership in village and polling level committees. The facilitators for women to get elected include women's higher literacy levels, writing and book-keeping skills. Across political parties, however, it was found that the visibility of women tapers off as one moves up the party hierarchy to party leadership structures. Except for the newly formed BAC and NLFP, all political parties in Lesotho are led by men. This included the KBP which, since the death of its founder woman, has been led by a man. Male leadership also extends to party executive committees. A survey of the current situation of parties, following the election of new executive committees at the annual conferences that occurred during the course of this research (December 2003–March 2004), is presented in the table below.

The results in Table 4 indicate that in almost all the sampled parties, executive committees are predominantly male, except in the MFP, PFD and KBP. This confirms findings from secondary sources that relative to women, men have better access to party leadership positions. Only the BAC has a woman as party leader; the PFD has a female vice-chairperson; and the position of treasurer is held by women in the BCP, MFP and PFD because, according to one interviewee, women are better trusted with money than are men. Looking at this small political party survey, the BNP, MFP, KBP and LWP

display best practice if judged by the SADC benchmark of 30% women's participation in political decision-making by 2005.

In the other parties this participation is far too low, which calls for drastic measures in order to live up to the expectations of the SADC Declaration. This is not achievable even in the woman-led political party, the BAC. However, in the opinion of the researchers, as a party leader she is powerful and strategically placed to influence decisions in order to embrace inclusive democracy.

Table 4: Membership of selected political parties' executive committees by gender

Party	Executive Committee members	Gender	
		Males	Female
BNP	18	13 (61.6%)	5 (38.4%)
MFP	18	8 (44%)	10 (66%)
BCP	13	12 (2.3%)	1 (7.6%)
LCD	15	13 (6.6%)	2 (15.3%)
LPC	9	9 (100%)	– –
BAC	11	9 (81.8%)	2 (18%)
KBP	9	4 (45%)	5 (55%)
LWP	9	5 55%)	4 (45%)
PFD	9	7 (77.8%)	2 (22.2%)

Compiled from research information.

The researchers' analysis is that, on the one hand, this picture reflects the role of women in these parties. The BNP is perceived to draw its support mostly from women and has hence been referred to in the past as a 'women's party'. The MFP fielded mostly women in the past elections, the KBP is a women's party, and the LWP represents mostly industrial workers, the

majority of whom are women. On the other hand, the picture is deceptive as the interviews revealed that in the BNP, four of the women were co-opted after the election of the executive to make up the numbers, and for political correctness, eight of the women in the MFP are district chairpersons. Even though they are said to be in the leadership, these women are located away from the real power. The KBP was one party which was found to have women in its executive. However, its executive was not active due, in part, to the multitasking required of the women. Researchers argue that this demonstrates that if party structures and processes do not transform to accommodate the gender needs of women, their participation will not be guaranteed.

In terms of participation in the executive committees, both men and women take part. A closer look, however, reveals that gender equality through this mechanism is limited by the notion of *ex officio* membership in the executive committees by chairpersons of the women's leagues who, as can be seen in Table 4 above, are represented in almost all the parties. Their lack of voting rights does not give them a voice to present women's concerns, and accordingly influence decisions at the highest levels.

It was found that some of the women are merely tokens or window dressing and that their participation is not effective. This finding confirms the observation made by a female politician warning that the participation of women in these structures should not be viewed by their numbers, but instead in terms of their effectiveness. She noted that some of the major parties in Lesotho boast a number of women in their executive committees, but that the women's effectiveness is in serious doubt. Invariably, the parties' choices do not provide the calibre of women whose participation enhances gender, rather than reducing it to mockery.[3]

One of the factors responsible for this situation is the tendency for men and women to elect men, even in situations where women are the majority. This behaviour is not only observed in political parties but in development and local government structures too. Furthermore, women let opportunities pass them by as they tend to withdraw when it comes to elections, allowing men to dominate and influence decision making. This dents the positive picture presented by women at lower levels. However, this behaviour is not peculiar

to party elections, but prevails even in committees in other sectors, such as the church and grassroots-based organisations.

Women's leagues

Women's and youth leagues are found to be common political party structures intended to advance the interests of specific groups. The research results reveal that women's leagues are failing to be vehicles for gender equality in their respective parties, and are not a means to access power. Rather, they are perceived as a way to exclude women from the mainstream of party decision-making (Lowe-Morna, 2003).

The findings reveal that these structures are weak because of their traditional role of profiling the party's image, and maintaining the party and its leadership by carrying out fundraising activities and singing.

According to Sen and Grown (1987), the problem with these structures lies in their being unable to influence party decisions because the women themselves often find it difficult to address directly gender issues for fear of being labelled divisive. The WLSA (2003:7) reports that this problem exists in Lesotho as well. The study also points to the problem that the leagues are not sufficiently influential to ensure that women get into party leadership. Also, their lack of power is exacerbated by their *ex officio* status in party executives. They do not bring out women's issues that should be considered in their parties' election campaigns.

The leagues are not strategic in their actions. This has come out very clearly from interviews, as well as from the documents consulted on the issue of party lists. The leagues did not seem to have strategised on who would be included on the list, nor did they influence the ranking. Where they did, for example in the BCP, they failed. As a result, women are lower down on the lists. This is because 'they do not pursue issues of inclusive democracy and women's representation in leadership' (op cit).

ENABLING ENVIRONMENT

An enabling environment is a prerequisite in a democracy for ensuring the fair participation of all social groups, including women. It provides the

context necessary to support gender equality in political processes, including elections. This section examines the conditions and instruments that create the environment in terms of the political commitments and instruments which facilitate access and participation in elections, namely: national policy; party manifestos; and the electoral system. In addition to the legal, institutional and policy environment already alluded to, the enabling environment is made up of political commitments in the form of party manifesto undertakings and the electoral system.

Party manifesto undertakings on gender issues
In the run-up to the 2002 general elections of 25 May, political parties had published their election campaign manifestos, setting out their aims and positions. Party manifestos are not only campaigning mechanisms for parties; they also serve as the basis for government policies and programmes should the party become a government, and are a means for accountability in the next election campaign.

For purposes of this study a purposively selected sample of party manifestos for the 2002 elections was looked at. Table 5 provides an overview of the undertakings of these parties. Scholarly authorities on gender and politics, such as Motebang (1995), argue that national politics is marked by the under-representation of women in the national decision-making machinery and state structures (1995:55). The analysis of the parties' proposals as presented in Table 5 shows that, generally, all the parties have committed to reducing gender inequality through the elimination of gender-based discrimination, but that they make differing proposals and emphasise varying aspects in realising this aim. They would eliminate discrimination in governance sectors (LCD, Section 2 (h)); encourage women to contest positions of power and their participation in parliament (BNP); support gender equality in decision making and in fielding election candidates; observe the ratio of one woman to two men (MFP); and the LPC is committed to giving women majority status.

These look impressive, but the follow-up with political parties for the study revealed that parties pay lip service, as they do not even show any practical strategies to carry forward their promises. Some of the parties do not display any sense of owning the manifestos. For example, a respondent in the party leadership denied knowledge of any reference to gender in his party's

Table 5: Party manifestos on gender undertakings for the 2002 elections

Name of party	Gender undertaking
BNP	• To respect the human rights of women and abolish all forms of discrimination intended to discredit their dignity. • To review all laws that hinder participation of women or their involvement in national politics and affairs.
LCD	• To eliminate gender discrimination in governance, the economy, and land allocation by reforming discriminatory laws.
LPC	• To pass a law that allows women to have full rights to stand before the courts of law. • To enact a law that gives women rights and freedom to enter into contracts with others
MFP	• To eliminate the abuse of women by men in the promotion of their political and manly interests. • To encourage women to demand their participation in national leadership in accordance with fundamental rights, as provided for in the constitution. • By all means, to eliminate discriminatory practices that hinder gender equality in national development; and those excluded from the constitution. • To promote the status of women to equal that of men at decision-making levels. • To abolish laws that discriminate against women because of their sex. • To comply with the international commitments to ensure gender balance in the nomination of electoral candidates.
KBP	• To ensure gender equality at all levels of party governance, including representation in parliament. • The women's committee will conduct an awareness campaign to sensitise Basotho women on their needs. • To fight for gender equality.

manifesto, confessing that he '… never even referred to it during [his] campaigning'. This statement is a clear indication that political parties have not internalised what appears in their manifestos with regard to gender and/ or women. It also substantiates admission by some political parties that these gender undertakings were inserted hurriedly to satisfy donor requirements for funding. Whatever the case, it is recommended that political parties revisit their statements and practise what they have committed to undertake.

As a mechanism for promoting gender equality in access and participation in elections, these provisions within the manifestos are not effective. Political parties and stakeholders therefore have a challenge to develop ways in which gender issues can best be presented in manifestos, and how the provisions can be translated into practice. One way would be to have a women's manifesto, which would cut across party lines. Tanzania and Botswana could provide lessons on the experience of this. The challenge is for the IEC to engage political parties and other stakeholders to develop ways in which to translate their manifestos into practical tools.

The new electoral system
It was due to the work of the IPA, in close collaboration with the Lesotho government, that a decision was taken to reform the country's electoral system away from the FPTP model towards adoption of the MMP system. In the literature dealing with female representation, the electoral system is considered to be an important institutional arrangement, even for ensuring that quotas are met. Wide (2002) considers it central for understanding the variation in female representation, stating that female representation is, on average, much higher in countries using a proportional list system or mixed electoral system than in countries with single-member constituencies.

> One reason for these patterns is that in plural and majority systems each party nominates only one candidate in each constituency and female candidates are often seen as more 'risky' choices. It is often assumed as less likely that the electorate would vote for a woman than a man. In proportional systems the parties instead try to compose a list that attracts as many voters as possible. The electorate could see a list without any women being listed as a negative thing (2002:14).

This is corroborated by Matlosa (2003) who notes that one of the basic features of the MMP model is that it 'opens avenues for gender balance in the legislature'. Whereas the inclusive nature of the MMP model was similarly expected by gender activists in Lesotho and in SADC to give women opportunity to better access the National Assembly, the results have not been impressive. In fact, representation in terms of percentages is no different from the past.

This outcome was predicted by a former female IPA member when she agreed with the two scholars on the gender benefits of the model, but cautioned that 'the MMP is a double-edged sword as well, for dictatorial leaders will use the same model to hand-pick henchmen and women to dominate the party list. If political parties find it difficult to accommodate women in their Executive Committees, how can we hope that women will find political space on the party list?' (cited in Mapetla, 2000:49). However, in the opinion of some respondents, if strategically used the model has the potential to increase women's chances of getting into parliament.

The above research findings show that the legal, policy and institutional frameworks are in place in Lesotho to enable and provide for gender equality in elections. The missing link, however, seems to be the absence of mechanisms – both at political and national levels – to translate policy undertakings into action. The other challenge that remains is the need to change attitudes to facilitate equal access and representation of men and women in political decision-making. Institutional transformation is also vital for this purpose.

4. GENDER PERSPECTIVES OF LESOTHO'S 2002 ELECTIONS

The 2002 electoral process took place in the context of apathy, whereby many Basotho showed reluctance to participate in voter registration due to the 1998 political disturbances as well as the situation of extreme poverty[4] that faces the people of Lesotho (LCN report). Suspicion existed among stakeholders and conflicts within parties led to court litigations and/or party splits. There was also pessimism created by the IPA consultations on revision of the

electoral law and consensus on the adoption of the new MMP electoral model intended to provide for the inclusivity of all political actors.

PRE-ELECTION PROCESSES

The pre-election phase consists of the delimitation process of polling stations, party registration, voter registration, the nomination process and party lists, the campaign process, political violence and conflict management, voter information and civic education, and intra-party democracy.

Delimitation

Delimitation of polling boundaries for the 2002 elections remained the same as those used for the 1998 elections. Each polling station was to serve a population of no more than 500 voters, so as to avoid long queues and excessive waiting periods. The IEC in consultation with political party agents used schools, government buildings, private buildings and tents as both registration and polling centres. This delimitation catered for the needs of women as the centres were closer to their homes and hence addressed their issues of time, safety and convenience. This equally benefited both men and women.

Party registration

Section 35(1) of the Election Act stipulates that in order to endorse a candidate for election, a political party must first be registered with the IEC. This application must be done by the chairperson, president or secretary, supported by a declaration by at least 500 party members whose names appear on the voters' list. Section 36(1) of the National Assembly Election Order No. 10 of 1992 provides that political parties will be denied registration unless its membership is voluntary and open to all Basotho, without discrimination on the grounds of, among others, sex.

This 1992 Order has been amended by section 36(A) of the National Assembly Election Amendment Act No. 1 of 2001. According to this amendment, every party and every candidate must: facilitate participation of women in all political activities on the basis of equality; ensure their free access to meetings; respect their rights to communicate freely; and desist from forcing them to adopt a particular political stance. The findings show that political party

registration did not take this provision into account, nor was it used by the IEC as a condition for party registration.

Altogether, 19 parties registered for the 2002 elections. Eighteen of these were led by men and only one, namely the NLFP, was led by a woman. The list below shows the parties that registered for the 2002 elections:

- Basotho National Party
- Basotuland African Congress
- Basotuland Congress Party
- Christian Democratic Party
- Kopanang Basotho Party
- Lesotho Congress for Democracy
- Lesotho Education Party
- Lesotho Labour Party/United Democratic Alliance
- Lesotho People's Congress
- Lesotho Workers' Party
- Marematlou Freedom Party
- National Democratic Party
- National Independent Party
- National Progressive Party
- New Lesotho Freedom Party
- Popular Front for Democracy
- Sefate Democratic Union
- Social Demicratic Party
- United Party

Voter registration
Voter registration was carried out from 13 August to 9 September 2001, in compliance with the legal requirement; however, it had to be extended until 30 September in order to give people more time to register, as well as to accord the predominantly male migrant mineworkers in South Africa a chance to register (IEC, 2002).

According to IEC information, in order to ensure that different categories of men and women were accorded equal opportunity to register for the 2002 elections, the commission established as many registration posts as possible.

In addition, a number of mobile posts were set-up in the urban and rural areas. These enabled voters working in industries, the majority of whom are women, to register. It also facilitated registration for prisoners, Basotho men and women who live in remote and sparsely populated rural areas, and even men at initiation schools – for this latter purpose, the IEC sent its own staff of men who, as tradition requires, have attended the initiation schools.

At the end of this process a total of 847,525 eligible Basotho – or 69% of the estimated voting-age population – had registered. Of this total, 43% (or 365,492) were men and the majority of 57% (or 482,033) were women. This gender parity is not surprising given the demographic structure of Lesotho's population,[5] as already noted in an earlier section of this report.

Nomination process and party lists
The nomination process for constituency-based candidates entailed the signing of nomination forms by the candidate and the witnessing of the same by two persons whose names appear on the voters' list in that constituency. Party candidates must be furnished with party certificates showing that they are the party's candidate in the specified constituency. Independent candidates are to sign certificates attesting to this fact.

Despite the option of standing as an independent candidate, women do not seem to have taken up this opportunity, as there was only one woman out of 40 independent candidates. All candidates were to pay a cash deposit of M200, which is returned after the elections to candidates who received at least 10% of the constituency votes. The amount of the deposit might have been unaffordable for poor women, and hence disqualified them from being nominated or standing as independents.

The first-past-the-post (FPTP) system
FPTP system candidate nominations for the 2002 general elections attracted 125 women compared to 605 men, as illustrated in Table 6.

The table shows that women stood for constituency elections and thus competed with men. Of the 15 parties fielding candidates in the constituencies, only the National Independent Party (NIP) had 100% male candidacy. On the whole, women were under-represented as constituency

candidates, while men were over-represented. Only five parties reached the SADC threshold of 30%, with the Lesotho Labour Party (LLP) being the highest at 47%.

The procedure for the election of candidates for the FPTP system is through competition, starting at the lower structures of the party, going through to constituency level. Interviews with members of party executive committees indicated that women tend to do well at the lower levels, but taper off as the competition goes higher to constituency level. This might explain why fewer women appear on the parties' FPTP lists.

Table 6: Nominated political party candidates by gender

Party	Women		Men		Total
LCD	10	(13%)	70	(87%)	80
BNP	7	(9%)	73	(91%)	80
BAC	6	(8%)	69	(92%)	75
LPC	4	(5%)	75	(95%)	79
BCP	3	(5%)	59	(95%)	62
LWP	12	(31%)	27	(69%)	39
MFP	24	(32%)	50	(68%)	74
NPP	9	(19%)	39	(81%)	48
PFD	12	(17%)	58	(83%)	70
LEP	3	(21%)	11	(79%)	14
NLFP	12	(8%)	24	(92%)	26
SDU	6	(30%)	14	(70%)	20
LLP	8	(47%)	9	(53%)	17
CDP	9	(35%)	17	(65%)	26
NIP	0		10	(100%)	10
	125		**605**		**730**

Source: IEC 2002

The proportional representation (PR) system

After the IPA reached consensus on the electoral model, the issue of standardising guidelines was tabled. Consensus was, however, not reached on the issue and it was left to the individual parties to devise their own formulae. Another reason why the motion was not entertained was the fact that gender issues were not a priority. It was argued that the MMP model was meant to provide for the inclusion of political parties, not of marginalised social groups.

The study looked at candidature lists submitted by political parties to determine the number and proportion of women included for PR. In the absence of general guidelines from the IPA, each political party was left to develop its own guidelines in submitting the list of names of those who were going to be on the PR list. Parties devised different strategies in the submission of their lists. Most parties gave first preference to the party leader and to the executive committee members. The LCD, on the other hand, devised a point system which was based on factors such as gender, disability and education. This system provided better opportunities for women, as indicated by the LCD party list.

The PR list shows that a total of 437 women and 547 men were listed. The numbers of men and women per political party are shown in Table 7.

Table 7 shows that 11 out of 16 political parties managed to list more women candidates, thereby exceeding the SADC minimum target of 30%. Of these political parties, six had listed more women than men. Best practices were noted in respect of the LPC, which had 88%, and the SDU with 78%. The worst performers were the BAC, with 17%, and the BNP and NIP, with 20% each. The performance of a political party, as reflected in the table, was not necessarily an indicator of the number of women who eventually went into parliament under the banner of a party. For instance, even though the LPC had only five men against 36 women, four of the five men went into parliament, while none of the women made it in. The BNP presents another dimension because even though it had the smallest number of women positioned on its list of 118 names (at 8th, 22nd and 23rd place), the party managed to contribute the majority (three out of four) of PR elected women in parliament.

Table 7: 2002 Elections PR list by party and gender

Party	Total	Male		Female	
		Number	%	Number	%
BAC	42	35	83	7	17
BCP	41	27	66	14	34
BNP	118	94	80	24	20
CDP	40	19	48	21	52
KBP	40	21	53	19	47
LCD	58	26	45	32	55
LPC	41	5	12	36	88
LWP	46	26	57	20	43
MFP	85	55	67	30	33
NLFP	46	20	43	26	57
NIP	40	32	80	8	20
NPP	61	47	77	14	23
PFD	90	58	64	32	36
SDP	40	31	78	9	22
SDU	114	25	22	89	78
UP	82	37	45	56	55
	984	**547**		**437**	

Source: Modification from IEC lists, 2002

These differing dimensions are an indication that parties used various approaches in drawing up their lists, and that this created different results in terms of gender representation from the political parties. This is an illustration that PR on its own does not guarantee inclusion unless it is based on a system of alternating men and women on the list. The study found that although approached differently, preference was given to the party leader and members of the executive, who in almost all cases were male.

Electoral campaign process

The election campaign took place with political parties and independent candidates waging vigorous campaigns. Their campaign strategies included party songs, door-to-door visits, rallies and processions to improve party visibility. Women voters were at the forefront of these activities. Other low-key conduits for campaigning were utilised, including posters (of party leaders), the print media and national radio, which featured mostly men as party leaders.

From the research it was noted that there was no uniformity on campaign issues – these ranged from the HIV/AIDS pandemic, the promise of employment, education, roads, etc. Gender equality did not feature despite the fact that it was an undertaking in many of the parties' manifestos. Literature suggests that, generally, women do not have campaigning means and strategies. On the question of how political parties assisted women candidates, the research has found that in general there were no guidelines or policies in this regard. However, there does appear to have been some effort made by the different political parties. Their campaign support strategies involved:

- the presentation of a candidate to a constituency so that she gets known;
- providing women candidates with younger or experienced assistants to carry out door-to-door campaigns;
- providing the necessary equipment, e.g loud speakers; and attending each others' rallies.

In terms of financial resources, the M20,000 allocated to each party for the purpose of campaigning was a facilitator to all candidates, regardless of sex. According to parties interviewed, the allocation of these funds among candidates was determined by campaign plans and budgets that they submitted to the executive committees, as required. In some instances funds were utilised collectively to buy equipment, pay for transport for members to attend rallies, etc.

Some parties and their women missed an opportunity to fully utilise the funds as they lacked capacity due to their membership being small. In this

regard the experiences of the KBP present some of the problems experienced by parties in the process of campaigning. These are the main reasons why the KBP performed so poorly in the 2002 elections. For example, the KBP reported that it was unable to request the second half of funds from the IEC because its candidates, who were mostly women, had not campaigned for a number of reasons, including failure to submit action and financial plans, lack of confidence to canvass, reluctance to walk long distances, and secret defections to more promising parties.

The findings indicate that during campaigning women face more challenges than men, some of which are related to their socialisation, their lack of control of resources and their gender roles. These include the following realities:

- Women lack the confidence to address people/crowds at political rallies, as well as the confidence to be interviewed by the media.
- They do not read widely and are therefore not fully aware of the changing political realities and quickly lose interest in political matters.
- Women often lack the resources to cover campaigns.
- Women's family responsibilities make it difficult for them to engage actively in political affairs 'especially because the campaigning process is demanding', a male respondent admitted.
- They respect and fear leadership, and are hence followers and not leaders.

Political violence and conflict management strategy
According to observer mission reports, the 2002 election was characterised by a peaceful environment devoid of violence. The IEC designed and adopted a conflict prevention and management strategy to minimise conflict between parties during the election cycle. The IEC trained a broad spectrum of society – such its staff, NGOs, chiefs, teachers, street vendors, people with disabilities, church leaders, political party representatives and youth – as conflict managers. A pact was entered into between the IEC and these groups wherein all the stakeholders in the training committed themselves to the holding of free, fair, transparent and accessible elections (IEC, 2002). The participants

in this training included men and women; however, the pact did not feature conflict management from a gender perspective.

The strategy did not extend to intra-party conflicts. Intra-party conflicts arose with regard to issues such as the nomination of candidates, and these were in some cases settled in the courts of law. However, those who could not afford legal costs were left helpless or resorted to being independent candidates. In other situations political compromises had to be reached, including the party leader's word taking precedence. These conflicts are some of the factors that discourage women from entering into politics because they would not have the resources to challenge some of these decisions and might not be willing to challenge leaders, who are mostly men.

The political landscape of Lesotho is characterised by continuous intra-party conflicts resulting in internal party divisions. These conflicts affect the support base of political parties, of which women form the majority, thus risking loss of the better part of their supporters. They also negatively affect women's participation in politics in general, and in elections in particular. As conflicts intensify, women are the first to withdraw – and this goes against the spirit of gender equality and participation in politics. The study findings reveal that, generally, parties do not have a conflict resolution mechanism to deal with intra-party conflicts themselves.

Voter information and civic education
The work of the voter education campaigns in the past two elections has been extensive, and has been conducted with the collaboration of other civic organisations (such as churches and the NGO community). In the past year, the IEC has also received assistance from the donor community in the form, among others, of a civic and voter education programme aimed at enhancing the capacity of the IEC in this area.

Voter education conducted by the IEC covered many aspects other than gender issues. The electorate were informed of the roles of the IEC and political parties, the code of conduct, the nomination of candidates, the role of the media and the campaigning period. They were also educated on the new electoral model and how the PR system was calculated, types and use of ballot papers and the significance of ballots, special provisions for disabled

persons, as well as on voting procedures and on the roles and functions of polling personnel.

As it emerges from the literature and interviews with electoral officials, the voter education exercise carried out by the IEC was the most resourceful and had reached the largest number of people. It was, however, limited to teaching people about issues relating to polling and did not include gender issues, which were largely left as the responsibility of the NGOs, whose resources were limited. Even resources that the IEC made available came at the last minute, which did not allow sufficient time for the inclusion of gender issues, among other things. As a response to the observed limitations, the IEC is developing a civic education programme that will be an all-encompassing programme dealing with various issues, including gender. However, the IEC does not yet have the financial resources to support the start of such a programme.

NGOs in Lesotho have played a vital role in influencing the increasing number of women legislators in these elections. They engaged in a candidate education process, held workshops to instruct women candidates about the issues, and also gave tips on how to impress the voters and run successful campaigns. As noted by the WLSA director in Swaziland: 'The time for an education campaign is before the MP enters office, even before she is elected. Once they are in the House of Assembly, it is almost too late to ground them in an understanding of basic issues, because of their work duties' (Jackie Kalley, Swaziland Election Dossier 2003, No.2, December 2003:34). Participants were also introduced to a wide range of social issues, as well as information on gender empowerment and the specific legislation required to elevate the status of women, such as property ownership permission for women.

The LCN report indicates that although the majority of voters were aware of the election dates for registration and polling, many still had difficulty following the voting procedures, and did not fully understand the meaning of elections in the national political system and the newly introduced electoral model.

It is believed that the involvement of NGOs in voter education over a longer period could serve to popularise many aspects of the electoral process, such

as the procedures of registration and voting. There is still much to do regarding IEC and NGO involvement in voter education to ensure that such work is more effective, efficient and lasting.

Intra-party democracy

Intra-party democratic values are entrenched in democratic constitutions which inform all the activities and operations of political parties in Lesotho. In some political parties, however, decision making on issues lies with party leaders, thereby undermining the principle that power lies with the people. For instance, conflicts have arisen in some parties between party executives and constituency choices over who is the party candidate in the elections. This is an indication that despite these entrenched democratic principles, the practise of intra-party democracy still remains a challenge. These challenges are the major factor behind splits within parties.

As a way of ensuring intra-party democracy, the LWP has established a 20-member central executive committee that functions as a watchdog over the national executive committee. Its role is to take up disciplinary action, with powers to suspend the members of the executive, including the party leader. In addition to the 20 members, there are four members from constituencies who attend as *ex officio* members to ensure transparency and to inform the general party membership of what is happening.

ELECTION PROCESS

Polling

Polling is the ultimate activity in the election process as it is the physical expression of the electorates' exercise of their right to determine their rulers for the subsequent five years. Polling for the Lesotho 2002 general elections occurred in 2,308 polling stations on 25 May, which was declared a public holiday to give every Mosotho the opportunity to exercise his/her right to vote. Each polling station was meant to cater for 500 voters. This served to avoid long queues and reduced long waiting periods. Polling was held in local buildings, such as schools, government buildings, private buildings and tents, which served as both registration and polling centres. These arrangements catered for the needs of women as the centres were closer to

their homes and hence addressed their issues of time, safety and convenience. Both men and women benefited.

Basotho men and women, representing a heavy turnout of about 70% of the 831,315 registered voters, went to the polls to cast their ballots in the constituency and party elections around the country. Statistical information on those who came to the polls was not gender disaggregated.

The polling exercise was a collaborative effort between the IEC, local NGOs, international observer missions, party leaders and agents, and media groups. According to
election observer reports on polling day, voters turned out in large numbers – some having arrived as early as 4 am – and waited patiently in queues. The environment was described as '… extremely lively, peaceful and conducive' (*Work for Justice*, 2002:4), and the Commonwealth Observer Group reported a high level of participation of Basotho women in both the conduct of the poll and in exercising their rights, and that party agents attended the poll in significant numbers.

To maximise access to polling, the IEC made special arrangements, as provided for by law. The law provides for special polling arrangements only for public officers. Section 61 of the National Assembly Election Order 1992 on Absent Electors states that public officers employed in the service of Lesotho in other countries, their dependants and employees, police and defence officers, candidates and their agents and IEC officials are regarded as absent electors. Electoral staff who had not been posted to their own registration station were allowed to leave their posts to cast their votes.

Special administrative arrangements were made for some not covered by law. Provisions were made for the disabled and the aged, both men and women, to exercise their democratic right to cast their votes in secrecy. No gender-specific arrangements were made, but the IEC tried as much as possible to set up many polling stations and to let these open for an extended period, even beyond the legally stipulated time of 5 pm. This undoubtedly gave women and men equal time to attend to their family and community responsibilities; for example, attending funerals, which has become a serious Saturday pastime for Basotho.

In situations of identity change as a result of marriage between registration and polling periods, there was provision for affected women to change their names on time in order to allow them to vote. They could also cast their ballot at their changed abodes. The latter provision further enabled those men and women who could not travel back to their initial place of registration due to work commitments, to cast their votes. It therefore accommodated workers from the industrial firms, who are predominantly female. Although no special polling arrangements had been made for mine workers, the elections were held on a Saturday, which suited these men in terms of their being able to travel home for voting. Lack of formal arrangements undoubtedly denied those who did have to go to work, a chance to come home for the elections. Although there is no statistical evidence, the researchers believe that this affected only a small percentage, since there was no outcry whatsoever.

Without a national policy on gender and no provision for gender by the IEC, gender issues during polling appear not to have been a concern in electoral observers' guidelines or checklists and operations. Hence, researchers did not find any reference to the issue of gender, including its implications, in any of the IEC and observer reports on the overall assessment of the elections. It is, however, understood from the interviews that the personnel engaged in the electoral process, including polling, were largely female.

Counting of votes
The process of counting of ballots began in each polling station at the close of the poll. Both male and female presiding officers and polling staff carried out the counting, which was confirmed with party agents. The pace of the counting process was, however, reported to have been slow due to a lack of sufficient lighting and cold weather. The safety and security of the officers around the stations was guaranteed by the presence of police officers, but they did not move beyond the premises of the polling centres. As a result, the safety of polling officers after leaving the polling stations was not guaranteed. However, IEC reports indicate no incidents of harassment or violence to these officers.

Secrecy of the ballot
Actions that compromise the secrecy of the ballot are of particular concern in the election process. The presence of party agents at voting stations has the

potential to intimidate voters, especially if the agents in question have a history of involvement in abuse of power or intimidation. Findings in Lesotho reveal that there were no cases of intimidation of voters, especially women, at the polling stations across the country. To a certain extent, however, the secrecy of the vote may have been compromised by polling procedures which make blind, illiterate and elderly voters – amongst whom are both men and women – dependent on someone else to mark their votes. Evidence shows that although the IEC went out of its way to ensure secrecy of the ballot, it could not guarantee total security. Visually impaired voters were provided with Braille ballots. Voters would indicate their party of choice to the electoral officer by stopping their fingers against the relevant party; the electoral officer would then tick accordingly. This may have affected both men and women as the voter depends on the trustworthiness of the assisting officer. Others, such as the elderly, brought along people of their choice to assist them, for example, their children or other relatives.

In addition, complex ballot marking requirements and strict rules for the validity of ballots can cause votes to be discarded even when the voter has attempted to indicate a clear intention. This is likely to impact on the less educated and less literate voters; a group in which men in Lesotho may well be over-represented. This is clearly demonstrated by widespread speculation following a surprise performance in the 2002 elections by the NIP, which used a similar emblem to that of the LCD.

Election observation
Election observation by local and international observers and political parties started with the registration exercise and continued up to polling day. Available records indicate that there were over 20 different observer missions representing various countries, as well as international, regional and local organisations. As with other aspects of election processes, the study findings indicate gender parity in the composition of observer missions. International observer teams are usually predominantly male, both in terms of overall numbers and as team heads. In this regard the observer missions for the 2002 elections in Lesotho were no exception. Of the total of 252 international and regional mission observers, 192 or 76% were men and 60 or 34% were women. This gender imbalance was worse in the case of media personnel from Lesotho and South Africa accredited with the IEC, where females

comprised a low 12.5% relative to 87.5% males. Another related finding was ignorance of gender issues by election observers. This is not of concern in the observers' guidelines or checklists and operations, as is concluded from the lack of evidence from the overall election assessment by the observer mission reports reviewed for this study. The omission of the aspect of gender equality in election observation limits the value of this exercise in recognising specific obstacles or needs of women voters, and therefore does not ensure that elections are truly free and fair to all. This calls for the inclusion of women's organisations and/or gender activists in the observer missions.

ELECTION AFTERMATH

Election results

The election results, as presented in Table 8, show that the ruling LCD won all but one of the 80 constituency-based seats. The remaining seat was won by the LPC. Only 10 out of 79 LCD seats are held by women. The other political parties obtained sufficient votes to get parliamentary seats through the PR system. Allocation of the 40 PR seats can be seen in Table 8.

Table 8: Allocation of party seats by electoral model and gender

Political Party	No. of FPTP seats	No of PR seats	Total seats by gender	
			Men	Women
Lesotho Congress for Democracy (LCD)	79	–	69	10
Basotho National Party (BNP)	–	21	18	3
National Independent Party (NIP)	–	5	5	–
Lesotho Peoples' Congress (LPC)	1	4	5	–
Basutoland African Congress (BAC)	–	3	3	–
Basutoland Congress Party (BCP)	–	3	3	–
Lesotho Workers Party (LWP)	–	1	2	–
Marematlou Freedom Party (MFP)	–	1	1	–
National Progressive Party (NPP)	–	1	1	–
Popular Front for Democracy (PFD)	–	1	1	–

Source: IEC Election Report

The total number of women elected to parliament increased from two in the 1998 election to 14 in 2002. However, these results show an under-representation of women regardless of the electoral model used, and the percentages attained are still far below the SADC 30% target.

Formation of parliament

Compared to the 1998 elections, the number of women candidates who stood for election in 2002 more than trebled (*The Monitor*, September 2002). In terms of the number of women who made it to parliament, the LCD secured for women 10 out of 79 seats through the FPTP system, while the BNP and the BAC managed to secure three and one seat respectively. All in all, the total number of women in parliament is 15 out of a total of 120 seats (13% representation). The allocation of power by the ruling party is outlined in Table 9.

Table 9: Gender pattern in parliament and cabinet

Political structure	No. of men	No. of women	Total
National Assembly	105	15	120
Senate	22	11	33
Cabinet ministers	13	4	17
Assistant ministers	4	2	6

Even though women form only 13% of parliamentarians, a positive factor is that the Speaker of the National Assembly is a woman. The Speaker was re-elected to the position after the 2002 elections. She was initially promoted to the position in 1999, after serving as deputy speaker for four years. She is deputised by a man. When she became Speaker there were only three female MPs. Despite women's numerical minority she has over time managed to bring about an environment in parliament that is not as hostile to woman as when she first became Speaker. This fact augurs well for women as leaders as she is regarded as an efficient Speaker who has handled capably the challenges of heading a parliament in a turbulent political environment. This is a pointer that women can do as well as men in decision-making positions.

This change is confirmed by the consensus by parliamentarians to send a mixed gender delegation (two women and three men) to the AU Pan African Parliament. The delegation comprises both ruling party and opposition members.

Selection of the prime minister and formation of government
The government is formed by the party that received the majority of electoral votes. Following an election, a stipulated procedure is to swear in as MPs all candidates who have won seats, including the leader of the winning party. This precedes the appointment of the prime minister from among them. As is provided for in the 1993 Constitution of Lesotho (Section 87 (1&2), the king, on the advice of the council of state, appoints the prime minister and head of government. The appointee is the leader of the party in the National Assembly that has received the majority of the votes. Given the procedure and the fact that the leader of the party becomes prime minister, women do not have a good chance of becoming a head of government.

Accordingly, following the 2002 results the leader of the LCD – which had won the elections – Bethuel Mosisili, was appointed as prime minister and head of government for a five-year term. However, this appointment did not follow the above procedure and contravened the law, as the prime minister was appointed by the king prior to his taking an oath as an MP.

The opposition parties objected strongly to this and the anomaly was rectified by swearing in Mosisili as an MP, and then making him take the oath as prime minister afterwards. Interviews indicate that this practice had been followed in 1993 when the military government made the then Prime Minister, Ntsu Mokhehle, take an oath outside the National Assembly at the Setsoto Stadium, prior to his being officially made an MP.

The prime minister appointed his cabinet to form the new government. Altogether, he appointed 18 ministers and six assistant ministers from among the MPs, as well as the Senate. There are 14 men and four women ministers, and four men and two women assistant ministers. This has been seen as a positive move towards compliance with international and regional commitments, although it is still far below the 30% required by 2005.

Parliamentary committees

According to the Standing Orders of the National Assembly No. 75, parliament is supposed to have six select portfolio committees. These are the business committee, house committee, standing orders committee, public accounts committee, staff committee and the privileges committee. The findings indicate that since the 2002 elections, not all of these committees have been established, the main reason being that of lack of resources. Currently, only two committees are operational. The public accounts committee, which is headed by a man but has a woman among its members, has the mandate of examining public accounts, showing the appropriation of moneys granted to government ministries by parliament and how they are used. It decides issues such as the audit of public accounts and the time frame for the auditor-general to audit public books. The other committee in operation is the select committee on HIV/AIDS, which is the first parliamentary committee to be chaired by a woman. It oversees public programmes on HIV/AIDS and public expenditure in relation to these programmes, as a way of holding government accountable. The presence of women on these committees gives them the opportunity to make a contribution *vis-à-vis* gender issues.

Women's Parliamentary Caucus

The presence of women in parliament has raised some issues which were not relevant before the 2002 elections. One such important initiative is the establishment of the Women's Parliamentary Caucus launched in December 2003. This body is helping to facilitate the empowerment of women parliamentarians. The caucus has brought together all women parliamentarians across political parties to discuss and address issues of common interest. The caucus has an executive committee whose membership comes from both the ruling and opposition parties. The chairperson of the caucus is Assistant Minister in the Ministry of Justice, Human Rights, Law and Constitutional Affairs, Mpeo Mahase from the ruling party. The Deputy Chairperson is a woman from the opposition, Makhopotso Lebona. The main objective of the women's caucus is to build the capacity of women parliamentarians on a broad spectrum of issues such as gender, confidence building and international instruments including CEDAW and the SADC Declaration on Gender and Development. The caucus also aspires to equip the members on emerging and priority issues such as HIV/AIDS, the New

Partnership for Africa's Development (NEPAD), etc. The caucus has brought together women from across political parties in parliament to discuss the issues that affect them.

Female members mentioned that even though they might want to come together on gender issues as women MPs, across party lines, a major frustration they face is that their parties take stands on issues that all party members must obey. A point was made that if a member took a different line from that of her party, she runs the risk of being regarded as having challenged the leader and may face disciplinary proceedings.

Environment in parliament
One of the issues raised about women parliamentarians in Lesotho is that they are not very vocal in parliament. This means their presence is not felt as they are said not to ask questions or submit motions. They are also said to be complacent and timid, and failed to offer their comments and support when the 2003 Sexual Offences Act was being debated in parliament. When asked about the above accusations, the female MPs denied that they were silent or not supportive, but reiterated the fact that they made their submissions in a different tone and manner than those of men. Their claim is supported by the reading of the Parliament Hansards, which indicated that women made lively contributions to the debates on the Sexual Offences Bill. Women specifically mentioned the fact that proceedings in parliament are carried out in a manner that appears to be undisciplined and playful, but is nonetheless confrontational.

Demands made on women parliamentarians
Demands made on women MPs were found to be multiple and diverse, and no different from those made on women in general. Women MPs disclosed that during parliamentary sessions they would spend the whole day in parliament like their male counterparts, but at the end of the day they were still expected to undertake family chores and responsibilities. These responsibilities often leave very little time for the women MPs to attend after-hours meetings and activities, such as capacity-building initiatives and constituency business, including party committee meetings. Women's multiple roles result in their being regarded as disinterested or not adequately committed to constituency and party issues. Women MPs also mentioned

that they are expected to provide knowledge on a broad spectrum of issues to their communities. Public expectations from their villages put pressure on them as they are expected to provide leadership and assistance, sometimes even on matters they are not fully conversant with. At times, expectations even extend to the provision of economic resources to their communities.

In many ways the 2002 elections provided Lesotho the opportunity to re-establish stable democracy, and to erase from its history the endemic instability that has characterised political life since independence. The general acceptance of the new electoral model as inclusive and representative of all shades of political opinion has been one of the main achievements of the past five years. Among the features that have contributed to the acceptance of election results, thereby enhancing ownership and credibility, has been the direct reflection and proportionality of votes to seats in parliament under the PR portion of seat allocation. In the same manner, acceptance has been due to the transparency of the vote counting process, which utilised the newly established National Election Results Centre (NERC) facility.

5. CHALLENGES AND OPPORTUNITIES

The 2002 general elections presented a number of opportunities, as well as challenges, for Lesotho to translate a much debated, negotiated and consultative electoral process into an all-embracing democratic dispensation. Had issues of inclusiveness been broadened to include gender equality, Lesotho could have seized the 2002 elections as an opportunity to deepen a sustainable democracy, as well as to ensure its political maturity. Some of the challenges emerged as a result of efforts taken by Lesotho to reform the electoral process. One of the reforms is the new MMP model that, on the surface, can be argued to have presented opportunities for women to be represented in the National Assembly. While this fact will not be denied – as evidenced by the increased number of women in the National Assembly compared with the 1998, 1993 and all previous elections – Lesotho could have fared better had it taken deliberate steps to address the gender disparity which characterises political power-sharing. The challenges of gender and

elections in Lesotho are not confined to the electioneering process *per se*, but are related to the general socio-cultural position of women.

CHALLENGES

The 2002 elections presented a number of challenges around issues of gender equality in Lesotho. These challenges warrant attention and strategic action by different stakeholders so that elections do not become a means to define exclusive democracy, but are a process that serves to evenly and equitably distribute power and representation between men and women. The challenges were numerous and were found to be structural, administrative and ideological.

The findings point to challenges emanating largely from a narrow understanding of the concept of gender and the rationale behind it. Conceptual understanding of the principle of gender in Lesotho is minimal and is regarded with disinterest, resentment, fatigue and concealed hostility. By and large, gender is still regarded to mean women's issues, as opposed to a broader understanding of addressing inequalities between men and women resulting from the different socialisation of the sexes. The inequalities extend into the formal administrative and institutional structures. In this scenario, the link between gender equality, human rights and democracy is overlooked, underplayed and treated with sceptical politeness. These challenges are also influenced by the societal environment in which gender stereotypes define women's space and confine it to the background, while at the same time reaffirming political leadership as a space for men. The following is an outline of challenges facing women in elections and in entering political decision-making in general.

Decision to stand for elections
Karam and others (1998) outline three important barriers that confront women who want to get elected into parliament. The first barrier is that of women *selecting themselves* to stand for election, the second is their selection by the party, and the third is their election by the public. A woman's decision to stand for election or selecting herself entails her making a decision to become a politician. Most women do not get past this stage because of factors related to self-esteem, socialisation and self-doubt. Socialisation, to a large

extent, prepares men for public speaking and public appearances (public image) and does not do the same for women. Most women would be unwilling to enter this arena, which is unfamiliar, intimidating and regarded as a space for 'others'. Interviews with women parliamentarians (members of the General Assembly) confirmed that challenges that confront women who would like to enter politics begin with the decision to stand for election.

Karam (ibid) further argues that the decision to aspire for office is generally seen as being influenced by two factors: personal ambition; and opportunities to run for office. This was further reaffirmed in a workshop hosted by the WLSA (August 2003), at which it was pointed out that while Basotho women might have the personal ambition to stand for election, they are, however, confronted by numerous challenges. These have to do with upbringing, financial security, local understanding of politics as a 'dirty game' and the current structure of political parties, which is characterised by conflict, confrontation and division.

For women to get past this stage, it was argued that it is critical for them to be psychologically prepared and to have the necessary support from family and the community. Karam suggests that in a situation like this, it is helpful to have a strong women's movement or organisations focusing on women's issues, to offer support to women who want to run for public office. Women's organisations would be particularly helpful in building women's self-confidence and providing a support base for resources. The women's movement could perhaps prepare and document (for easier reference) women's issues and also offer moral and practical support. The current absence of a vibrant women's movement in Lesotho therefore leaves women who aspire to be politicians isolated, despondent and unsure of what issues to take up.

While Lesotho does have a number of organisations that would offer a support base, the organisations are themselves faced with organisational problems, such as a lack of human and financial resources as a result of dwindling donor support. Consequently, their readiness and continued support to women candidates cannot always be guaranteed. Owing to these financial challenges, the operations of these organisations often have to be suspended and their voice will not be strong to react to issues as they develop.

This contributes to the non-vibrancy of these organisations, as their major challenge becomes survival.

In addition, Lesotho does not have an organised and thriving women's movement that could offer support to women who are willing to stand for election across political parties. The history of the women's movement in Lesotho can be traced to women's organisations which were organised around income generation and food security. In a way, their mandate tends to be confined to home-making and income generation, rather than women's rights. Unlike in neighbouring countries, the women's movement in Lesotho did not evolve out of a revolutionary liberation struggle and, as a result, it lacks vibrancy, strong activism and militancy. Presently, women's rights organisations such as the WLSA, Selibeng (Sanctuary of Abused Women), the Lesotho Society of Visually Impaired Women, and the Federation of Women Lawyers (FIDA) are specialised professional groups whose mandates are to promote defined women's rights. Despite the limited mandate of these groups and the challenges that face them, there are high public expectations of them to pick up on all the issues that confront women. These organisations are few and their mandate is too narrow to be adequately referred to as a women's movement.

In order to fill the gap in the absence of a women's movement, there is a need for the women's organisations currently existing in the country to widen their mandate so that they can legitimately respond to wider issues relating to gender. These organisations have to be assisted with financial resources so that they can effectively contribute to a livelier civil society, which would create a positive environment for governance and human rights. The government could play a role in this area by providing some resources (subvention funds) to these organisations. Development partners could also contribute by diverting some resources to these organisations rather than funding only the government, as most of them are currently doing.

Getting selected by the party
The process of nominating candidates is one of the crucial roles played by political parties. The process of nomination for constituency candidacy in Lesotho starts at primary levels or at the decentralised levels of the party. This is where party leadership and party officials were found to exercise

control and to play a gatekeeping role. The result is that, irrespective of how popular a candidate is and her potential to bring victory to the party, if the party leadership do not approve of her, she is unlikely to represent that party. Her nomination will depend on the leadership's assessment of how loyal and obedient she is to the party and its principles. This issue was found to discourage women who were willing to be nominated as candidates, but who chose to retain principles which differed from those of party leadership members.

Other issues that were mentioned as challenges that affected women and lowered their chances of getting nominated by their parties, had to do with the construction of women's profile and their image as leaders. Their image tended to be collapsed with their ability to inspire confidence among themselves and in the rest of the community. This made it difficult for the community to have confidence in women and their capacity to tackle national issues.

The profiling of women as people who do not support each other and are given to backbiting, was said to cast doubt on women's credibility. Women were said to be 'notorious' for overlooking each other and would rather readily nominate some nondescript man who may not be half as intelligent as themselves. Other than not supporting each other, women are perceived as and referred to as being unsupportive of each other, troublesome, gossipmongers, weak and therefore not competent to hold leadership positions. This perception is one of the major hurdles faced by women who wish to enter parliament through constituency elections. This makes their challenge not just winning the competition, but also having to contend with social attitudes that are much harder to change.

Once they have won an election, the other challenge that women parliamentarians pointed out was that people seem to have comparatively higher expectations of them and set higher standards for them than for their male counterparts. They are therefore set up for failure right from the start. A party's decision to nominate women was said to be at times clouded by stereotypical images of women as people who are troublesome and lacking in leadership skills. This issue was mentioned as a means adopted by some political parties to justify their exclusion of women in leadership positions.

Nomination of women by political parties was found to be problematic and also depended on whether a candidate (irrespective of gender) satisfied the nomination criteria laid down by a particular political party. The criteria were said to differ from party to party; however, they take into account issues such as loyalty, dedication and duration of membership. Nomination of candidates by political parties is an important step that demonstrates whether a party, through its leadership, is committed to promoting gender equality.

In this study, it was found that one of the problems confronting women who wish to be elected is that men have been firmly defined as leaders, which in turn makes it difficult for electors to believe that women can perform as ably as their male counterparts. This is further complicated by some subtle strategies that would continually highlight problems that society would experience should women take up political positions. For instance, it was pointed out that women would not be able to attend late party meetings because of family commitments, and that they would not be able to serve their constituencies effectively because of distances and issues of safety when they have to go to remote areas.

Getting elected
An important determinant for entering parliament is being chosen by the voters. A historical analysis of elections in Lesotho shows that, by and large, voters primarily vote for the party rather than for the individual candidate. The MFP is an example here because the party had fielded the highest number of women proportionate to their male nominees. Since voters were interested in a different party, the women who stood as candidates for the MFP lost out. The constituency electoral model becomes a barrier for women in this way, as their being elected into power will depend on how popular their party is perceived to be. This is a step that should not be overlooked because it has the potential of dampening women's confidence and discouraging them from standing for election.

Lack of activism within political parties
This study confirmed that women comprise the majority of supporters within political parties. When asked who makes up the majority of their supporters, a BNP representative agreed that women are their major supporters, while an LCD representative stated that the majority of their supporters are men.

Women were said to be the ones who are at the forefront in making their political parties visible and popular. They do so by displaying party colours and slogans, and organising and catering for events. Despite their numerical strength, there does not seem to be a commensurate relationship between their numbers and their representation in the higher echelons of political leadership, and even in structures of political decision-making, such as parliament and cabinet. The power of numbers that women hold does not seem to be working for them, as there is no outcry or resistance shown by the women when parties or the leadership display complacency and an unwillingness to embrace gender issues. Women support their parties' political agendas, even though this agenda does not necessarily include gender issues.

Even though the women parliamentarians interviewed in this study seemed to understand the link between gender and democracy, this did not seem to be translated into activism. For instance, there seem to be no strong demands by women for gender equity in the structures of party governance. Lack of gender activism at party level is compounded by the absence of a strong women's movement in Lesotho. Women within the different parties do not seem to push for the inclusion of gender issues as a priority in the parties' mainstream issues. Despite the fact that political parties do not embrace inclusive democracy, women supporters in these political parties display apathy and complacency. The BNP was said to have set up a working committee whose responsibility would be, among other things, to look into issues of gender equality. One hopes that the inclusion of gender equality as an issue would ultimately translate into activism. Gender issues within political parties in Lesotho seem to be treated more as a catch phrase and as a conflict avoidance tactic, rather than as an ideological commitment.

Women's leagues
The current structure of political parties in Lesotho where there is a mainstream party structure and an accompanying women's league, seems to be presenting peculiar challenges. Most political parties in Lesotho were said to have women's leagues. The effect of this structure has been a justification to confine women and to exclude them from the mainstream party leadership, especially from executive committees. Women's leagues are being used as a separate structure, without commensurate power or

influence. Admittedly, they offer an opportunity for women to discuss issues that are of priority to them and are a platform to push for reforms. However, they do not seem to be pursuing issues of inclusive democracy and women's representation in the leadership. Researchers were informed that a representative of the women's league is an *ex officio* member in the executive committee. In the words of one male MP: '… women's leagues are used as structures in which women's issues are relegated to the margins rather than in the mainstream party issues.'

Another negative factor that characterises women's leagues in Lesotho is that women seem to assume the roles that they play at home, instead of using this forum as an opportunity to exert power – '… the expectations are that women should look after guests, fundraise and ululate …'. These leagues are perpetuating gender stereotypes as women continue to play supportive roles rather than carrying forward gender equality issues or taking an active role in the development of party policies. Women's leagues are therefore seen as some of the structures that perpetuate the stereotypes of women's roles, instead of activating gender issues to be taken up by parties. Some of the frustrations that were mentioned by female MPs were that even when women were bold enough to bring up gender issues, they were not supported by other women. Instead, they are perceived as being confrontational, divisive and challenging party leaders.

'…Gender issues get to be talked about in the party, but that is about where the commitment ends …', said one female MP. She commented that by looking at who makes up the executive of the ruling party, one gets an idea that the party is not wholly committed to gender transformation. There is only one woman in the executive committee of the ruling party and the second woman is an *ex officio* member of the women's league.

Absence of affirmative action strategies
The electoral reforms in Lesotho which brought about the MMP model raised expectations from gender activists that some kind of positive discrimination measures would be introduced to ensure the representation of women across political parties. However, in the absence of such measures within individual political parties, the MMP model did not benefit women in the 2002 elections. Admittedly, the execution of quotas may present difficulties under the

constituency model, but they could have worked under the PR model. Serious advocacy and a change of mindset is needed here for party leadership to agree to some positive discrimination that would allow for minority representation.

The non-commitment to quotas seems to reflect unwillingness on the part of leadership to implement a 30% inclusion of women. This commitment is not only binding on the prime minister, but also on all stakeholders. The SADC Declaration on Gender and Development was signed on behalf of the state, and thus places responsibility on all parties to ensure that women participate in politics. Interviews with party representatives brought out the understanding that quotas for women would reflect *imposition* and would therefore undermine the democratic principle. This interpretation reflects a narrow conceptualisation of democracy.

The idea of quotas for women has, however, been opposed. It has been argued that it will not benefit the party or the country, as the party leadership are likely to choose weak and incompetent women. The argument goes further to say that women who are brought to power in this way are more likely to toe the party line, without helping to advance gender issues. It was also pointed out that instead of advancing the inclusion of women, quotas would have the effect of limiting their numbers, as women are not going to be elected in the constituencies, on the grounds that they are already provided for in the quotas.

Intra-political party conflicts
It came out in this study that political parties are characterised by factionalism and internal conflicts and frictions, which at times determine what issues are to be pushed at any point in time. These conflicts have to do with the style of leadership – for instance, who is in the leadership, and what support a leader is commanding from what faction. The current conflicts within political parties were found to further push the gender agenda to the margins, as the people who raise them are sometimes labelled as either divisive elements or those who are 'fighting' the party leader. This becomes one of the major constraints on women's visibility in the leadership of political parties and political decision-making bodies. It was argued that these divisions affect members' willingness to bring up issues that may be

perceived as confrontational or challenging of the leadership. In keeping quiet, one is therefore unlikely to be perceived as rocking the boat or attracting hostility and suspicion.

Vague and non-committal party manifestos
The manifestos perused were found to have a cursory reference to gender in a vague and non-committal fashion. Reference to gender is made in a few lines, without pinning the party down to any action or any commitment to a time frame. Interviews with different stakeholders revealed that most political parties included gender equality as an issue to be addressed as a requirement for donor support, rather than as a crucial initiative for inclusivity and the advancement of democracy. In the opinion of the researchers, that gesture should be taken as a starting point for each political party to address the inclusiveness of marginal groups.

Resources
Lack of resources was mentioned as a major constraint for women to assume positions of leadership in politics and ultimately to secure entry into parliament. Financial resources were said to be essential, especially in the preparations for elections. Elections were said to be an expensive exercise which involves intensive lobbying and a publicity campaign that will ensure that an MP is known in her constituency. Women MPs mentioned that campaigning for parliamentary elections is expensive as it entails, among others, having to travel around the constituency. Constituencies in Lesotho are made up of scattered villages with long distances between them, thus necessitating some mode of transport that often takes the form of horses or unreliable public transport. The interviewed members pointed out that this presents particular problems for women due to the inaccessibility to remote mountainous villages. Women in most cases do not own horses and might not have enough money to afford alternative transport.

Financial resources were also mentioned as a constraint where a male MP, who is willing to move over and give space for a woman to stand in his constituency, might be discouraged by the economic loss that he would suffer. This is because entry into parliament is seen as a means of earning a living. This problem is compounded by poverty and high unemployment in Lesotho.

Safety and security

The study brought out the issue of safety and security as a barrier that needed to be addressed in order to ensure meaningful and effective participation of women in positions of political power. It came out strongly that, as a leader, one is bound (regardless of sex) to travel around one's constituency to get to know the constituents' problems and needs. Researchers were told that in view of safety challenges facing Lesotho in general (for example, the high levels of violence against women) women candidates were particularly vulnerable as, like all women, they are easy targets for hijackers, rapists and thieves. It came out in the focus group discussions with representatives of NGOs that: '… this unsafe environment puts a woman's safety at risk, and automatically excludes her from competing on an equal footing with her male counterparts.' This issue of safety therefore contributes to women not being considered as popular choices for political leadership, as people would doubt their ability to travel to all the villages and to represent their needs.

Safety was also discussed within the context of politics in Lesotho, which is characterised by conflict and a struggle for positions of leadership that sometimes poses the risk of injury or even loss of life. These restrictions were mentioned as contributing to women candidates' lower chances of popularising themselves and of competing for leadership positions.

Security was discussed as a two-dimensional issue: the other side was that of security of tenure for potential women leaders who are employed full time elsewhere, especially in the public service. It came out that the law regulating public servants requires that anybody who stands for election has to resign first from the public service. As the public service is one of the major employers in Lesotho, this requirement has the effect of excluding some of the professional women who might want to participate in politics but, at the same time, are not willing to jeopardise their job security and forfeit their employment benefits.

OPPORTUNITIES

The first opportunity was presented by the law, namely S.36 of the National Assembly Election Amendment Act of 2001, as shown above. This amendment of the law specifically provides for the non-discriminatory

inclusion and participation of women in political activities. The IEC admitted that implementation of this law to guide the electoral process in this respect was not exploited as much as it should have been in the 2002 elections due to the political climate at the time. The 2002 elections were held at a time when administrative structures were battling to put in place processes that would allay the mutual suspicions that political parties had towards one another. Preparations for these elections therefore over-emphasised coming up with an electoral model that would strive towards political stability and peace.

Had this amendment been drafted in a directive manner, the 2002 elections could have provided an opportunity for implementation of the SADC undertaking of ensuring 30% representation of women in politics and decision making. Without doubt, the number of women who contested for elections under different political parties was comparatively higher than at any other time in the electoral history of Lesotho. The opportunities that could have been seized by Lesotho to balance political power-sharing were lost largely in the manner in which the 2002 elections were prepared for. Gender equality–related challenges emerged right from the onset in the manner in which the IPA was established. Had establishment of this authority taken a deliberate and strategic effort to embrace gender equality, negotiations and consultations that followed to prepare for the 2002 elections could have taken a different turn, thereby ensuring the attainment of some of the commitments that Lesotho has made in this area. This structure presented opportunities for Lesotho to bring on board pertinent issues, which in the long run have an effect on sustainable democracy.

IPA negotiations should have taken on board a wide spectrum of inclusive issues across political parties, such as gender, disability and youth representation by means of quotas in order to lessen future conflicts arising out of discontent and hostilities. However, the focus of the preparations and consultations of this authority was on the modalities of putting in place the proposed MMP electoral model, and how this model would ensure entry of political parties into parliament.

The present parliament (National Assembly) has a larger number of women parliamentarians than at any other time in the history of Lesotho. This has

attracted interest and attention from all sectors. The attention has created pressure and high expectations on what the women's roles should be and on what kind of issues they should be raising. Entry into parliament itself is surrounded by complex factors, some of which are positive. On the other hand, it has also brought up challenges and hurdles that the women parliamentarians have had to overcome.

After a long history of political instability, Lesotho is gradually embracing principles of inclusive democracy, and with the prevailing political stability, there is an emergence of support from different quarters. This support has resulted in the inclusion of marginalised groups, such as women, in political governance.

- The present session of parliament operates in a context where SADC states (including Lesotho) have signed the SADC Gender and Development Declaration. Within this was an undertaking to have 30% representation of women in all decision-making positions by 2005. Moreover, preparations for the 2002 elections saw aggressive campaigns that called for the inclusion of more women in politics and decision making. In addition, there was mass action by NGOs and the government Department of Gender in publicising, translating, mass producing and availing the SADC Declaration. This document was also used by NGOs as an advocacy tool for the inclusion of women in decision making. While these efforts did not succeed in achieving the desired 30%, they did help to raise awareness and ignite an interest to have more women in politics and in parliament.

- Another opportunity observed in the 2002 elections was a move by all political parties to have women candidates. The number of women candidates increased compared to the 1998 and 1993 elections. While many women could not secure entry into parliament through this method, the fact that they were included is indicative of the possibility of having more women parliamentarians in the 2007 general elections. This is borne out by the fact that the majority (11 out of 15) of the current female parliamentarians are candidates who won elections in their constituencies.

- External pressure for Lesotho to embrace gender equality as a principle of inclusive democracy has acted as a positive factor. This study has revealed that, prior to the elections, donors and development partners insisted that in order for political parties to obtain financial support for the mass production and printing of their manifestos, they had to include issues of gender. As a result, gender became a condition upon which the political parties eventually received financial assistance. Researchers were told that many political parties had no choice but to include gender in their manifestos.

- A positive factor mentioned to ensure that women fully and effectively participate in politics, is the donor interest and indication of offering support geared towards assisting women in parliament to embrace and take up issues of gender and development. For instance, it was mentioned that development partners such as the United Nations Development Programme and the UNFPA are playing a leading role in offering technical support to efforts aimed at building the capacity of women parliamentarians to be able to take up and be conversant with gender issues.

- Fielding women in constituencies where the party has strong support and therefore making it more likely for the women to win, was said to be a strategy adopted by political parties in Lesotho. The LDC and BNP cited examples where women were nominated and supported by leadership in constituencies previously patronised by men.

6. KEY RESEARCH FINDINGS

The following are what researchers consider as key research findings, especially as they relate to the 2002 elections:

- The 2002 elections were conducted within a somewhat enabling legal framework. The constitution, which is the country's key legal instrument, was found to advance rights that would further the participation of all in politics. However, it was found not to go far

enough because it excuses discrimination under customary law. This study found the constitution to be lacking provisions for the domestication of ratified international instruments. Constitutional reforms have been identified as crucial in order to enable the domestication of regional, continental and international instruments into national laws, and to remove all discrimination. Unfortunately, the process of law reform also seems slow with the result that many of the ratified instruments remain obligations at international level, not matched with legal reforms nationally.

• The 2001 National Assembly Elections Amendment Act (S36 A) urges political parties to take issues of gender equality into account in the election process. This study found that this law was generally not known by stakeholders, making its application problematic. The provision is couched in a language that is not mandatory. It also does not provide penalties for non-compliance, thereby making its implementation difficult.

• The Gender and Development Policy of the Kingdom of Lesotho was adopted after the 2002 elections. It provides a policy framework within which issues of gender equality are pursued and implemented. The inclusion of women in power, politics and decision making is a priority area in this policy, and affirmative action measures have been suggested to narrow the gender gaps. However, the policy implementation plan is in the process of development. There are policies which are taking into consideration issues of gender equality in the area of politics and decision making. One such policy is the National Population Policy for Sustainable Development.

• A number of institutions were established to steer the electoral process forward. These are the IPA and the IEC. The IPA spear-headed the electoral process to come up with a new, inclusive electoral model – the MMP model, whereby two-thirds of MPs enter under the FPTP system and one-third under the PR system. Inclusiveness, as discussed in the IPA (in which women were grossly under-represented), was confined to political parties and not to social groups such as women. The IEC, on the other hand, is mandated with management of the

electoral process. The IEC does not have mechanisms intended to include issues of gender, such as gender disaggregated data and gender policy. The institution also has a gender imbalance in terms of its staff. This is glaring among senior management and negatively impacts on its capacity to facilitate gender mainstreaming in elections. The Ministry of Gender is another institution put in place to facilitate policy formulation and direction on gender equality in all sectors, including elections. This ministry has pushed for the adoption of the Gender and Development Policy. It also has a political empowerment programme that acts as a catalyst for ensuring a gender balance in politics and decision making.

• Issues of gender and elections in Lesotho – as illustrated by the 2002 elections and its aftermath – are tied to the general socio-cultural position of women. This in turn determines the differential access of men and women to elections and, thereafter, in governance. What came out of the study is a missing link between peoples' understanding of democracy and gender equality. This was particularly the case in respect of the political leadership, which made gender representation in party structures and translation of party commitments into action, problematic (for example, in the drawing up of party lists).

• Nineteen political parties registered for the 2002 elections. All the parties except the NLFP were under the leadership of men. Parties did not implement the gender provisions of the 2001 National Assembly Act, nor did the IEC use it as a condition for party registration. This was a lost opportunity for the participation of women in elections. Women comprised the majority (57%) of registered voters, while men constituted 43%. Numerous (1,319) registration centres were set up to maximise registration of men and women. These even enabled out-of-reach groups, such as men at initiation schools, to register to vote. Women from factories and male and female prisoners also benefited from these arrangements.

• Although political parties had gender issues in their manifestos, they did not, however, use gender as a campaign issue. Even women were found not to push for the inclusion of gender, nor did they bring it up

in their campaign strategies. Even though voter education was conducted by both the IEC and NGOs, it did not specifically target issues of gender. The composition of observer missions for the 2002 elections was predominantly male, and the missions did not have guidelines on observing issues of gender.

• When Lesotho held the 2002 elections, it had adopted a new MMP electoral model which was found to present particular challenges for women. Although it is a mixture of constituency and PR, more seats in the National Assembly are allocated by way of constituency representation. This makes it difficult for women to enter into power because constituency representation is characterised by competition. The constraints which define women's access to elections and to political power are mostly tied to the process of nomination of candidates by political parties. This process was found to start at party primary levels where stringent procedures of democracy, and sometimes subtle control, are exercised. However, parties do adopt strategies which will maximise their opportunity to win by influencing the nomination of candidates. In this process, they are influenced by factors such as popularity, loyalty and how obedient a candidate is perceived to be. It is, however, not uncommon for candidates to challenge party leadership.

• The PR system presented an opportunity for the inclusion of marginalised groups, such as women. This model, however, did not benefit women as much as it could have done because there were no demands and guidelines from political parties to include gender equality. Political parties were left to develop their own guidelines for the drawing up and submission of party lists. Hence, there were differing strategies and performances by parties in this regard. Even though the LCD did not qualify to have candidates under the PR system, it was found to have used a method of drawing up the PR list that was likely to have benefited women and other marginalised groups. For instance, the LCD developed a system of point allocation based on gender, youth, disability and education, with the latter being overarching. This system helped to push more women to the top of the list. Other parties did not develop comparable criteria which would ensure the inclusion of marginalised groups. They were found to

include the party leadership at the top of the PR list, which resulted in women not making it to the National Assembly.

• The study also revealed that institutional and structural barriers make it difficult for women to fare well in party leadership and, consequently, to be visible in the National Assembly. Procedures for elections of party leadership are such that women are unlikely to appear as candidates in the executive committees. For instance, representatives at the annual conference at which party leaders are elected tend to be senior members of constituency committees (e.g., the chairperson, treasurer and secretary) who are usually men and therefore stand a better chance of being elected. When elections are held, nomination is made from among the constituency representatives attending the meeting, meaning that the democracy that is exercised takes place almost exclusively among men.

7. CONCLUSIONS AND RECOMMENDATIONS

This study brought out issues that are critical for ensuring access and participation of women in the electoral process and, ultimately, to political leadership. The legal and constitutional framework provides an almost impotent environment for the attainment of equality. Since gender equality is at the heart of democracy, failure to actualise it makes it improbable for inclusive and sustainable democracy to be achieved. Electioneering without a legal and policy environment that embraces gender equality, is an exercise in futility.

• In order for maximum benefit to be derived from ratified international and regional instruments, these have to be domesticated through constitutional and legal reforms.

• There is a need for the development of specific statutory conditions relating to gender which a party must satisfy in order to qualify for registration with the IEC. The current provision on gender is not specific enough, and therefore presents problems of implementation.

- Lesotho needs to withdraw the reservations it has made on the UN Women's Convention. Culture, which is the area to which the reservations relate, is the one which most weakens the impact of the convention, and thereby the progress of women in the area of participation in public life. Ratification of the convention has to be without reservation.

- The constitutional provision relating to non-discrimination has to be amended by removing the proviso that excludes customary law from the application of the non-discrimination clause.

- Gender equality and access by women to political participation should be constitutionalised, as is the case in Tanzania where a quota for marginalised groups, including women, is entrenched in the constitution.

- Parliament needs to pass the Married Persons Equality Bill into law, thereby removing the minority status of married women. This would not only remove legal inequality between men and women, but would also be a confidence booster for women to participate in politics.

- The Gender and Development Policy should be widely disseminated to the public and to political parties, and the policy should be used to lobby parties to include more women in their power structures.

The 2002 elections have illustrated a need for responsive and visionary institutions that advance the multifaceted principle of democracy. The institutions must not only respond to free and fair elections, but must also take measures to ensure the inclusion of marginalised groups. There are calls for institutional transformation that will proactively address intra-institutional challenges relating to gender. This would enable the institutions to be in a better position to oversee elections, taking account of the gender dimension.

The challenges facing women to freely access elections were many-sided and complex. As a first step, principles of inclusive democracy and governance have to be understood in their proper perspective, rather than the apparent

literal meaning of undefined majority rule. This must also be coupled with a genuine commitment to include women by the adoption of quotas, in order to ensure a proportional representation of women. Where necessary, affirmative action measures must be adopted to ensure that women are included in influential and powerful positions, such as in party executive committees and the cabinet.

Another strategy could be the exploration and ultimate adoption of an electoral system that would make it more likely for women to be represented in larger numbers than the current constituency model, which has proved to be restrictive for women.

This study has pointed to a missing link between the understanding of inclusive democracy and actually translating this understanding into commitment and action. An overhaul of mindset is needed, both for women and men, to turn the absence of women in political leadership into an explosive political revolution, with women at the forefront. Political activism has to move away from isolating women to confined and male-controlled structures such as women's leagues. These leagues should make a serious turn around to discuss and address issues of governance and inclusive democracy, and should pay less attention to entertainment.

Given the resistance to quotas that is observed in political parties, aggressive measures should be adopted in order to include women. First, women themselves should be empowered to be at the forefront of those demanding their presence in leadership. They should be made aware that, without their support, their parties would lose popularity. At party level, women's leagues should be sensitised to demand positions within the leadership and to be given the assurance that when their party becomes government, they will be in decision-making positions, such as ministerial positions. Second, it is important that party leadership is sensitised and values the fact that the majority of their voters are women. They need to show appreciation of this support by including women, and should understand that failure to do so may result in them losing this critical mass.

There is need for a change of mindset to see political party annual conferences as a forum for the implementation of concepts such as democracy, gender

and inclusive governance, rather than as spaces where men are given the sole monopoly of power. There is also an urgent need to publicise the fact that there are benefits that the nation can derive from including women in decision making.

Affirmative action and commitment to quotas must be advocated for loudly and consistently by different stakeholders. The Gender and Development Declaration is an important lobbying tool for this purpose. Without quotas and meaningful commitment, Lesotho will not benefit from having the presence of a section of the population that has been left out for so long.

Confidence was mentioned as a major barrier for women to participate effectively in parliament. This was discussed at two levels: the first being that of having sufficient confidence to pose intelligent questions in parliament, putting forth well-argued motions, and contributing to debates with well-researched and well-supported facts. Second, women MPs also mentioned that this is even harder for them as most were in their first term in parliament. There is therefore a need for the orientation of members who are entering parliament for the first time, in order to boost their confidence. Public speaking and presentation skills should be given special attention.

Women's image as leaders should be positively portrayed; for instance, to be praised where they have performed well and to highlight issues that women bring up. This was specifically said to be a challenge for gender sensitive media practitioners. The media can play a facilitative role in changing public opinion about women as leaders. The need for the creation of public awareness of women as being capable leaders was identified as one of the ways in which society could have a more positive attitude towards women, and therefore be more ready to vote for them. The media would play an important role in this regard as it is an influential opinion shaper. Issues such as speech writing, public speaking, etiquette and grooming were mentioned as confidence boosters and as areas where women MPs specifically expressed a call for assistance.

The study has confirmed that there are a number of positive factors that could promote gender equality and equitable representation in structures of political leadership. However, the constraints are too many and need to be

addressed if any qualitative difference that women would bring to governance is to be felt. Some of these constraints are fundamental and are at the core of inclusive democracy. There is a need for genuine commitment to principles of equality and the respect of human rights for all.

Much advocacy work and the translation of policy commitments into action still has to be done so that the embracing of gender equality is seen as a means to attaining inclusive democracy. What is evident from this study is that preparations for the 2002 elections did not sufficiently take into account the *immediate and time-bound* commitments that Lesotho is party to. As such, Lesotho has lost a golden opportunity for translating into reality the SADC commitment of ensuring 30% representation of women in politics and positions of power by 2005.

NOTES

1   In the interim period between 1993 and 1998, the ruling BCP had split into two factions. The faction remaining with the veteran leader and prime minister changed its name to the Lesotho Congress for Democracy (LCD) and remained in government, while the splinter group kept the original name of BCP and became the official opposition in parliament.

2   Interim Political Authority Act No. 16 of 1998.

3   See Mapetla, 2000.

4   Poverty is defined by the Lesotho Council of Non-Governmental Organisations (LCN) in terms of a number of interrelated economic, political and social deprivations, identified as issues of hunger, poor health and HIV/AIDS, insecurity, hardship, social exclusion, degradation and discrimination, and political powerlessness. See LCN Report on National Assembly Elections, 25 May 2002:5.

5   Source: Lesotho Bureau of Statistics, cited in the IEC 2002 Report on General Elections.

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EISA PROFILE

The Electoral Institute of Southern Africa (EISA) is a not-for-profit and non-partisan non-governmental organisation which was established in 1996. Its core business is to provide technical assistance for capacity building of relevant government departments, electoral management bodies, political parties and civil society organisations operating in the democracy and governance field throughout the SADC region and beyond. Inspired by the various positive developments towards democratic governance in Africa as a whole and the SADC region in particular since the early 1990s, EISA aims to advance democratic values, practices and enhance the credibility of electoral processes. The ultimate goal is to assist countries in Africa and the SADC region to nurture and consolidate democratic governance. SADC countries have received enormous technical assistance and advice from EISA in building solid institutional foundations for democracy. This includes electoral system reforms; election monitoring and observation; constructive conflict management; strengthening of parliament and other democratic institutions; strengthening of political parties; capacity building for civil society organisations; deepening democratic local governance; and enhancing the institutional capacity of the election management bodies. EISA is currently the secretariat of the Electoral Commissions Forum (ECF) composed of electoral commissions in the SADC region and established in 1998. EISA is also the secretariat of the SADC Election Support Network (ESN) comprising election-related civil society organisations established in 1997.

VISION

Realisation of effective and sustainable democratic governance in Southern Africa and beyond.

MISSION

To strengthen electoral processes, democratic governance, human rights and democratic values through research, capacity building, advocacy and other strategically targeted interventions.

VALUES AND PRINCIPLES

Key values and principles of governance that EISA believes in include:
- Regular free and fair elections
- Promoting democratic values
- Respect for fundamental human rights
- Due process of law/rule of law
- Constructive management of conflict
- Political tolerance
- Inclusive multiparty democracy
- Popular participation
- Transparency
- Gender equality
- Accountability
- Promoting electoral norms and standards

OBJECTIVES

- To nurture and consolidate democratic governance

- To build institutional capacity of regional and local actors through research, education, training, information and technical advice

- To ensure representation and participation of minorities in the governance process

- To strive for gender equality in the governance process

- To strengthen civil society organisations in the interest of sustainable democratic practice, and

- To build collaborative partnerships with relevant stakeholders in the governance process.

CORE ACTIVITIES

- Research
- Conferences, Seminars and workshops

- Publishing
- Conducting elections and ballots
- Technical advice
- Capacity building
- Election observation
- Election evaluation
- Networking
- Voter/Civic education
- Conflict management
- Educator and Learner Resource Packs

PROGRAMMES

EISA's Core Business revolves around four (4) main programmes namely (a) Conflict Management, Democracy and Electoral Education; (b) Electoral Political Processes; and (c) Balloting and Electoral Services and (d) Research and Publications.

CONFLICT MANAGEMENT, DEMOCRACY AND ELECTORAL EDUCATION

This programme comprises various projects including voter education, democracy and human rights education; electoral observation; electoral staff training; electoral conflict management; capacity building; course design; citizen participation.

ELECTORAL AND POLITICAL PROCESSES

This programme addresses areas such as technical assistance for electoral commissions, civil society organisations and political parties; coordination of election observation and monitoring missions; working towards the establishment of electoral norms and standards for the SADC region; providing technical support to both the SADC-ECF and the SADC-ESN.

BALLOTING AND ELECTORAL SERVICES

The programme enhances the credibility and legitimacy of organisational elections by providing independent and impartial electoral administration,

management and consultancy services. The key activities include managing elections for political parties, trade unions, pension funds, medical aid societies, etc.

RESEARCH AND PUBLICATIONS PROGRAMME

The EISA research and Publications programme comprises various projects focusing mainly on research and analysis as well as information dissemination. The current research projects include democracy consolidation, electoral systems design and reforms, gender and elections, use of state resources during elections and intra-party democracy. All the projects cover the entire Southern Africa (SADC) region specifically and Africa as a whole. The publications programme involves regular production of the following: books, journal, occasional papers, election updates, election handbooks, research reports, country profiles, election talk.

EISA'S SPECIAL PROJECTS INCLUDE:

- Rule of Law, which examines issues related to justice and human rights;
- Local Government, which aims to promote community participation in governance ; and
- Political Parties, which aims to promote party development at strategic, organisational and structural levels through youth empowerment, leadership development and development of party coalitions.

EISA'S SUPPORT SERVICES INCLUDE:

- Library
- Information and Communication Technology (ICT).

EISA PRODUCTS

- CD-ROMS
- Conference Proceedings
- Election Observer Reports
- Newsletters
- Voter education manuals
- Election database

GOVERNANCE STRUCTURE

Patrons

EISA's patrons are His Excellency Sir Ketumile Masire, former President of Botswana and the instrumental broker of the peace negotiations that ushered peace and reconciliation in the Democratic Republic of Congo in 2002 and Mr. Cyril Ramaphosa, a key negotiator during the political transition to democratic governance and majority rule in South Africa in 1994 and a businessman of standing in the new South Africa.

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