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1. Background

Voters in the small southern African kingdom of Lesotho went to the polls on 25 May 2002, in the third general election since the country returned to democracy following a long period of civilian dictatorship (1970–1986) and military rule (1986–1993). Voting in all Lesotho's general elections has usually gone smoothly, yet in every case prior to 2002 the results have been challenged, with varying severity, by the losing parties ([Weisfelder, 1999](#)). This occurred most notably in 1970, when the ruling Basotho National Party (BNP) lost the election but overrode the result, and subsequently in 1998, when the BNP—then in opposition—was at the core of an alliance of electoral losers; in the months that followed, and with the quiet support of the security forces, the capital was so paralysed that the government called for external assistance to restore order. The result was military intervention by South Africa and Botswana (who acted on behalf of the Southern African Development Community, SADC), the restoration of power to the Lesotho Congress for Democracy (LCD), and an extended period when, backed by South African muscle, long overdue reforms of the military and police were implemented. These reforms were matched by negotiations between the parties about adopting a new electoral system. The outcome moved Lesotho away from the first-past-the-post system inherited from Britain at independence (which in 1993 and 1998 had resulted in highly imbalanced results favouring the winning party) towards a Mixed Member Proportional (MMP) system. Lesotho became the first country in Africa to adopt MMP at a time when discussion of electoral system change was becoming widespread throughout the continent.

The issue in Lesotho in 2002 was not merely whether MMP would provide greater electoral legitimacy and political stability; subsequent events have provided a resounding 'Yes' ([Elklit, 2002](#) and [Southall, 2003](#)). But there were questions about the practicality of the new system and whether voters would understand it. Was it possible to explain a new voting system to an electorate in one of Africa's poorest countries?

The main focus of this Note is to demonstrate that voters can adapt to electoral system change. Thus, it throws doubt on arguments that electoral reforms in Africa should be avoided due to a lack of sophistication among poor and largely uneducated voters. Electors in Lesotho appeared to have no great difficulty in understanding the broad principles of the new electoral system, even if the detailed mechanics of 'mixed' voting systems may have been beyond them.

2. The new electoral system

The plurality electoral system had resulted in relatively competitive elections in 1965 and 1970. The BNP secured a narrow working majority in 1965, yet lost by a substantial number of seats (nine) in the 65-seat parliament in 1970.¹ By dint of its control over the security services, however, the BNP retained power until 1986 when it was displaced by a military coup instigated by apartheid South Africa. After the military conceded a return to civilian rule, Lesotho's highly polarised political history resulted in markedly imbalanced outcomes in 1993, when the BCP—the BNP's historic rival—won all 65 seats, and in 1998, when the LCD² swept up all but one of the 80 seats in the enlarged parliament ([Southall and Fox, 1999](#)). Whilst plurality systems tend to produce clear electoral winners, to the benefit of the winning party, it also conventionally produces a parliamentary opposition. When it fails to do so, as in Lesotho in 1993 and 1998, the disproportionality of the plurality system becomes strikingly evident. Hence, following SADC's subsequent military intervention, Lesotho's politicians were jostled into reviewing the electoral system.

The highly fractious negotiations have been detailed elsewhere ([Southall, 2003](#)); in broad terms, the ruling LCD sought to maximise the number of constituency seats whilst the opposition favoured relatively extreme forms of proportional representation. The eventual outcome was a compromise: all existing 80 constituency seats to be elected by the plurality system and 40 compensatory seats to be elected by a national list system of proportional representation. Hence, voters had two votes: one for a constituency MP, one for a party in the PR election. For the PR seats, the total national list vote cast was to be divided by 120 (i.e. total number of seats in the National Assembly) to determine the quota per seat (which would favour the smaller contestants). Once agreed, the question was how to present the new system to voters. How would voters respond to casting two votes rather than one?

3. Implementing the MMP system

Lesotho is notorious for its economic dependence on South Africa and its financial dependence on development aid. During the 1970s and early 1980s, under the BNP, Lesotho had attracted international representation and aid by exploiting its image as an island of non-racialism, and its hospitality to refugees from apartheid South Africa. Following the arrival of democracy in South Africa in 1994, Lesotho lost much of its political appeal, with all but a handful of foreign countries removing their representation and redirecting their aid to South Africa. Those that remained, although initially encouraged by the return to formal democracy in 1993, were thereafter increasingly disillusioned by the fractiousness of Lesotho's politicians and the unruly behaviour of the security forces. When the 1998 elections ended in mayhem and Maseru was largely razed to the ground, what remained of the international 'donor community' was tempted to abandon the country. Hence, although South Africa's intervention in 1998 had been criticized, its intentions and subsequent diplomatic efforts were welcomed. In the event, therefore, the donors were prepared to embrace the experiment with MMP and to give Lesotho 'one last chance'. As a result, the administration of the 2002 election received considerable international attention and aid, notably from the EU, the Commonwealth, Britain, and US, with South Africa providing considerable logistical support.

Enormous efforts were made, supervised by the Independent Electoral Commission (IEC), to ensure that the electoral process gave minimal grounds for dispute. First, based on a registration programme conducted in August and September 2001, a computerised voters' list was completed by January 2002. Voters were required to dip their fingers in indelible ink when registering, and would be able to vote only on presenting a voter registration card that displayed their photograph, fingerprint, and signature (with indelible ink again being used at the poll stations). Second, immense care was taken to involve the parties at all stages of the process; for example, party representatives sat on eight committees concerning the electoral law, security, and such matters. In particular, the parties were employed alongside IEC officials in explaining the dual voting process. Third, ballot boxes were transparent. Fourth, immense care was taken at the polling booths to explain and to separate the casting of the two votes.

The IEC recruited and trained staff from local communities to run the polling booths. It was evident to observers that they had been extremely well trained: they showed enormous patience in explaining the voting procedure, and took immense care in directing voters through each step. First, voters had their identities checked; then they were provided with a voting slip for the constituency election, which, after completing it, they dropped into a ballot box. After that first vote, they were shepherded to receive their PR voting slip, which, after completing it, voters deposited in a separate, PR ballot box. Finally, after the results had been announced locally, they were dispatched electronically to an Election Results' Centre (financed by the EU), which was open to the party leaders and registered election monitors and journalists. Additionally, there were election monitors throughout the country, drawn variously from SADC, the Commonwealth, the EU and from local non-government organisations.

4. The election results

The wisdom of adopting the MMP electoral system immediately became apparent when the initial results were announced: the ruling LCD had, again, made a virtually clean sweep of the constituencies, taking 77 out of the 78 seats contested on election day³ with 57.7% of the vote (down from 60.5% in 1998). The LCD had also taken a very similar proportion of the PR votes (see [Table 1](#)). However, because under MMP the LCD had already exceeded its quota of seats by virtue of its near clean sweep of the constituency elections, the 40 PR seats were allocated to the opposition parties to provide overall proportionality in the result.⁴

Table 1
Results of the general election in Lesotho, 25 May 2002

Party ^a	Total constituency valid vote	Constituency seats won	Total PR vote	Compensatory PR seats	Valid constituency votes (%)	Valid PR votes (%)
LCD	305,013	77	304,316	0	55.7	54.9
BNP	112,707	0	124,234	21	21.3	22.4
LPC	32,474	1	32,046	4	6.1	5.8
BAC	17,103	0	16,095	3	3.2	2.9
BCP	13,658	0	15,584	3	2.6	2.8
LWP	7693	0	7788	1	1.4	1.4
MFP	7475	0	6890	1	1.4	1.2
PFD	6997	0	6330	1	1.3	1.1
NIP	4258	0	30,346	5	0.8	5.5
NPP	4047	0	3985	1	0.8	0.7
Minor parties/ Independents	17,671	0	7772	0	3.3	1.4
Valid votes	529,096		554,386			
Invalid votes	17,618 (3.2%)		12,063 (2.1%)			
Registered voters	831,315					

Source: International Electoral Commission.

^a Party names: LCD, Lesotho Congress for Democracy; BNP, Basotho National Party; LPC, Lesotho People's Congress; BAC, Basutoland African Congress; BCP, Basutoland Congress Party; LWP, Lesotho Workers' Party; MFP, Marema-Tlou Freedom Party; PFD, Patriotic Front for Democracy; NIP, National Independence Party; NPP, National People's Party.

Looking at the votes cast in the constituency vote and the PR vote, the consistency of voting is remarkable. Overall, voters clearly had no difficulty in voting for a party candidate in the constituency contest and for the same party in the PR ballot. The only anomaly is the far better result for the insignificant National Independence Party (NIP) in the PR contest (5.4%) compared with the constituency elections (0.8%). This is easily explained: the NIP had made a shrewd pre-election move by registering its party symbol (by which illiterate voters identify their parties on ballot forms) as a bird very similar to that of the ruling LCD! Despite protests from the LCD, the courts allowed the NIP's votes to stand, so its cunning was rewarded with five seats.

The small proportion of invalid votes testifies to the care taken by the authorities in the voter education process, both before and during the poll. As voters had been using the plurality system for the previous 40 years, it would have been reasonable to presume some confusion with the party list/PR ballot. In fact, the number of invalid votes in the PR contest was a third lower than in the constituency elections. Indeed, only five of the 78 constituencies had more invalid PR votes than constituency votes. Moreover, that there were 25,290 fewer valid votes cast in the constituency ballots than in the PR election suggest that many voters discriminated between the two ballots. That is, as only the LCD and BNP put up candidates in every constituency, electors who would otherwise have voted for a minority party chose not to cast a vote for the constituency seat, yet voted for their favoured party in the PR election.

Perhaps the only reservation relates to turnout. At just 64% of registered voters, compared with 71% in 1998 and 72% in 1993, suggests some degree of apprehension about the new system. Against that, however, it is more likely that the lower turnout was due to fears among some electors that the election would not pass peacefully, and, more generally, a broader disillusionment with the political process. Indeed, if true, both these factors are a matter for much deeper concern than any difficulty which voters may have had with the new electoral system.

Overall, then, Lesotho's voters appear to have had no difficulty in adapting to the changed electoral system. Equally important, the process was so transparent that when the BNP, on extremely thin evidence, declared that the result had been rigged, its attempt to have the result annulled so lacked credibility that, under only fairly light pressure from international donors, it rapidly gave way. Lesotho had completed what was by far and away the most widely accepted general election in its tumultuous, post-colonial history.

5. Lessons from Lesotho?

The significance of the May 2002 general election in Lesotho is that electoral reform can be accomplished without undue difficulty in Africa, and may have a much wider resonance. It can be cited as evidence for electoral reform to replace plurality electoral systems in Kenya and Zimbabwe, which have seen the mechanics of first-past-the-post abused to serve the regimes in power. In Kenya, in the December 2002 general election, the opposition parties learnt the lessons of division by forming a Rainbow Alliance that swept away the ruling Kenya African National Union government of President Daniel Arap Moi. A constitutional reform process, now taking place, will almost certainly choose to look in detail at alternatives to the plurality electoral system. In Zimbabwe, Robert Mugabe's dictatorship seems destined to crumble and make way for a process of democratic transition, in which the opposition parties will probably want to explore electoral reform. In short, tiny Lesotho may have set the ball rolling towards the wider adoption of mixed electoral systems throughout the region.

However, euphoria about the effects of MMP has to be tempered by remembering that its introduction in Lesotho was facilitated by exceptional conditions. Although Lesotho is extremely mountainous with poor internal communications, it is relatively easy to conduct elections there: it is a tiny country with only a small electorate to be registered, educated, and counted. At election times, it can be saturated with election monitors and observers in a way that a vast territory, such as Nigeria, cannot. Moreover, despite the success of the electoral procedures in the 2002 election in Lesotho, only a handful of voters can be expected to understand the more complex calculations for allocating the compensatory PR seats to the political parties. What is clearly important, however, is that voters grasp the principle of proportionality provided for by MMP, and that they trust the electoral body undertaking the calculations. In Lesotho's case, the fact that the LCD was overwhelmingly the most popular party, and was unambiguously returned to power, was almost certainly a factor in the widespread acceptance of the MMP system. None of this should detract from the minor triumph for democracy represented by the recent election in Lesotho, even if electoral reform might not be quite so easily achieved elsewhere.

¹ In 1965, the BNP secured 31 seats with 41.6% of the vote whilst the BCP won 25 seats with 39.6% of the vote. In 1970, the BCP won 36 seats with 49.8% of the votes and the BNP 23 seats with 41.6%. (Southall and Petlane, 1995: Appendix One).

² The LCD was formed in 1997 by the Prime Minister, Ntsu Mokhele, after he lost control of the BCP party machine.

³ Constituency elections were postponed in two constituencies due to the deaths of individual candidates.

⁴ Had the election been run according to a parallel system, as preferred by the LCD but rejected by the IPA, the LCD would have won over half (22) of the PR seats. Under MMP, however, as the LCD had already secured more than its quota of the overall number of seats (120) via the constituency elections, it was denied further seats.

References

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