



## Local Government and Democracy in Lesotho

### INTRODUCTION

The Afrobarometer, conducted three surveys of political attitudes and values in Lesotho in the years 2000, 2003 and 2005. The Afrobarometer survey was also carried out one or more times in Benin, Botswana, Cape Verde, Ghana, Kenya, Madagascar, Malawi, Mali, Mozambique, Namibia, Nigeria, Senegal, South Africa, Tanzania, Uganda, Zambia, and Zimbabwe.

This briefing, describing changes in democratic attitudes in Lesotho, is based on a survey of 1,161 Basotho who are 18 years of age or older, administered between 6 July 2005 and 17 August 2005. The survey was conducted in 145 villages, in census enumeration areas selected by a random process proportional to population, with the help of Lesotho's Bureau of Statistics. Every district was represented in proportion to its population. A precise method was developed for finding random households within each village. Men and women were selected in alternation in successive households, so that in the end the sample consisted of 580 men and 581 women.

Many of the questions which were asked in the 2005 survey were also asked in the 2000 and 2003 surveys, which allows changes in public opinion to be tracked over time.

### LOCAL GOVERNMENT IN LESOTHO

Local government in Lesotho has had a tortuous and complex history. Before Moshoeshoe I took power in the 1820s all government was truly local, in the sense that every village was probably an entity on its own, with some tenuous loyalty to an eponymous clan. Chiefs were probably nothing more than family heads of villages, some with more power than others due to cattle ownership, military power and personal charisma.

The first person to unify the disparate collections of people was a minor chief who in due course became King Moshoeshoe I. Village democracy was built around the *pitso*, where all adults in a community would discuss issues, the final word being taken by a local chief or headman. As time passed, chieftaincy shifted toward a more formal system, with area chiefs being imposed on large segments of the country. Most of the area chiefs thereafter were sons, and eventually grandsons and other descendants of Moshoeshoe I.

At present the chieftaincy consists of the king, 22 principal or ward chiefs, and up to 1000 lesser chiefs or one sort of another. The more senior of these chiefs receive salaries from the government, as well as some emoluments from their own subjects. Junior chiefs have to make do with fines and other assessments. In addition, some villages have headmen (or in some cases headwomen) who administer affairs in the absence of the actual chief, who may be resident elsewhere.

What are the actual responsibilities of a chief? They are outlined in a semi-official document called the Laws of Lerotholi at the turn of the 20<sup>th</sup> century<sup>1</sup>. These laws were written down by the British, as a way

<sup>1</sup> Duncan, Patrick, 1960, *Sotho Laws and Customs: A Handbook Based on Decided Cases in Basutoland, Together*

to integrate customary practice with common law. The main responsibilities of a chief were to allocate farming land, give permission to own livestock, control access to grazing land, restrict the cutting of thatching grass and trees, assign locations for house sites, settle disputes and welcome strangers. Many of these duties remain today, often by default as much as by statute, even though new laws and structures have been introduced to limit the power of chiefs. However, the new laws, such as the Land Act of 1979, are frequently ignored, and chiefs are still expected to exercise much of their old authority.

After the military government gave power back to the people through democratic elections in 1993, the system of village government was gradually reformed and renewed. The process was very slow, and only in 2005 were popularly recognized local government councils voted into power. A total of 129 Community Councils were created by the Parliament. The communities to which the councils belonged need not be villages as such, but could be groups of villages that have been linked by an Administrative Boundaries Commission. There is a minimum of 10 and a maximum of 18 councils per district, designed to accommodate both population and area.

A thoughtful observer of the process points out that “people are not yet very clear on the distinction between the functions of the proposed Community Councils versus those of the chief.” (Shale, Victor, 2005, *Demarcating Local Authorities’ Boundaries for Good Governance Versus the People-to-People Relations: The Case Study of Lesotho*, EISA Occasional Paper Number 28). Nonetheless the people did go to the polls on 30 April 2005 and elected roughly 10 councillors per council. Some 56% of the elected councillors were women, far more than the stipulated one-third. Only a third of the registered voters voted. Of the successful candidates 60% stood as independents, while only 26% represented the ruling Lesotho Congress for Democracy, 10% represented the Basotho National Party, and 4% represented other parties.<sup>1</sup>

In short, modern and secular, rather than traditional decentralization has finally come to Lesotho. Previous efforts to decentralize had always come to grief. The districts were never governed locally, but always by appointees from the central government. The chiefs have always been loyal to this tradition. The earlier versions of village councils were politicized to the point that they did not serve the local people. An excellent summary of one attempt to force what was clearly premature decentralization - in the creation of the new district of Thaba-Tseka - has been documented in book form.<sup>2</sup>

This is the context within which questions about local government were included in the 2005 Afrobarometer survey. This report will examine mass attitudes to local government and, where relevant, show their relation to answers on other political and social issues. In some cases questions on the topic were also asked in the 2000 and 2003 surveys, but not in all cases. Where the question was asked in more than one survey, the fact will be noted.

## **ATTITUDES TOWARD LOCAL GOVERNMENT**

### **Local elections**

People were asked a series of questions about the recent local government elections, which took place just three months before the survey was conducted. More than 96% of those interviewed knew that the elections had taken place, and 52% said that they voted. The proportion casting their votes was significantly higher in rural areas than urban areas, as shown in Figure 1. People in all surveys and in all

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*with the Laws of Lerotoli*. Cape Town: Oxford University Press.

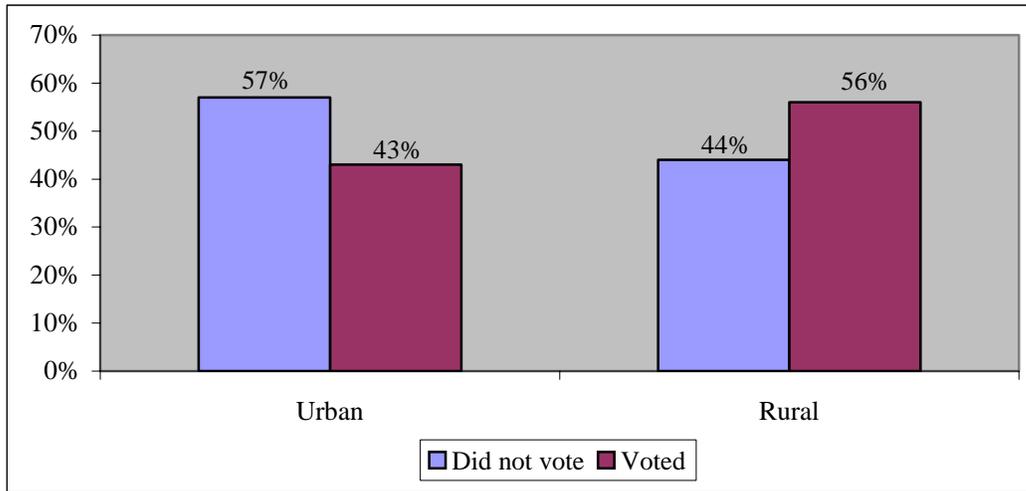
<sup>1</sup> Transformation Resource Center, *Work for Justice*, Issue 72, June 2005

<sup>2</sup> Ferguson, James, 1990, *The Anti-Politics Machine: “Development”, depoliticization and bureaucratic power in Lesotho*. Cambridge: University Press

countries normally over-report their voting behavior. Altogether 52% of the respondents said they voted in 2005, with proportions ranging from 54% with no education, 57% with primary only, 40% with some secondary, and 35% with post-secondary education.

**Figure 1. Percent voting in local elections by residence**

Table 1 gives the proportion that thought the elections were free and fair, with the answers subdivided by educational level. The sample of interviewees included 12% with no formal schooling, 60% with only



primary schooling, 24% with some secondary school, and 4% with post-secondary education.

**Table 1. Assessment of local elections of April 2005 by schooling**

	None	Primary only	Secondary	Post-secondary	Total
Completely free and fair	61%	60%	53%	40%	57%
Free and fair, minor problems	10%	12%	17%	12%	13%
Free and fair, major problems	4%	7%	12%	21%	8%
Not free and fair	3%	3%	1%	8%	3%
Don't know	22%	18%	17%	19%	19%

*Percent of total within each level of education*

Generally the elections were well received and considered to be free and fair. Even those with some post-secondary education were generally favorable, although the table shows a highly significant ( $p < .000$ ) trend that more schooling leads to less participation in and more skepticism with the electoral process.

### **Village Development Councils**

People were asked to assess the performance of the Village Development Council on road maintenance, keeping the community clean, collecting local taxes and spending local income. Answers to the four questions are very similar, as shown in Table 2, and hardly give a strong vote of confidence to the local governments in question. Many of those who said they don't know about these activities probably did not give much thought to their local councils. A very high proportion of those who were interviewed did not know enough about the local Village Development Council to answer the question. Rural dwellers

are more likely to have an opinion on the matters of roads than urban dwellers (25% vs. 39%), and similarly on the matter of keeping the community clean (27% vs. 39%). However, 70% of both urban and rural residents had no opinion on taxation and 72% had no opinion on spending revenues.

**Table 2. Assessment of Village Development Council activities.<sup>1</sup>**

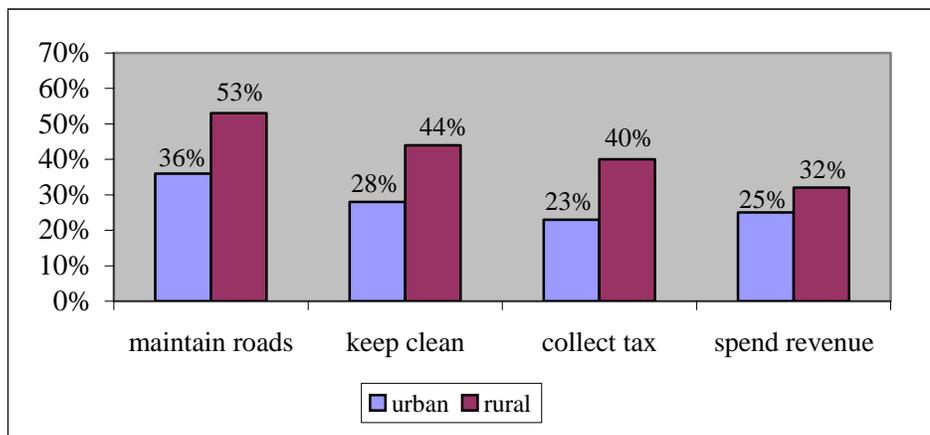
Activity	Very badly	Badly	Don't know	Well	Very well
Maintain roads	24%	12%	30%	22%	12%
Keep village clean	26%	16%	32%	18%	8%
Collect taxes	13%	7%	70%	7%	4%
Spend revenues	13%	6%	72%	5%	4%

In order of favorability, evaluations of road maintenance are highest, followed by keeping villages clean. But Basotho think poorly of the performance of Village Councils at handling money, whether collecting taxes or spending revenues. In fact, before the elections, local chiefs or councils could only collect specific taxes, including those for the protection of the environment or paying for damages.

It is noteworthy that rural residents have a more favorable attitude to local government performance than city dwellers.

**Figure 2. Percent assessing local government as well or very well**

If analysis is confined to those who have an opinion on the matter, Figure 2 shows the different proportions of urban and rural interviewees who view the activity as either well or very well done. The first three comparisons are statistically significant, in that rural dwellers, who feel they know something about the issue, are more likely to view their local government as effective than urban residents. The last comparison is not statistically significant.



The results for these four items can be combined to form a new variable, measuring overall assessment.<sup>1</sup>

<sup>1</sup> What about local government? How well or badly would you say your Village Development Council is handling the following matters, or haven't you heard enough about them to say? Very badly, fairly badly, fairly well, very well, don't know.

This variable will be used below to relate public evaluations of local government performance to other opinions.

Another measure of local government is trust. People were asked to what extent they trust the local and district development councils, whether not at all, just a little, somewhat or a lot. Table 3 lists the level of trust with the two types of council.

**Table 3. Level of trust in village and district council<sup>2</sup>**

	Not at all	Just a little	Somewhat	A lot	Don't know
Village council	16%	17%	28%	20%	19%
District Council	14%	14%	19%	9%	44%

Clearly many more people are aware of the village councils than they are of the district councils. If we discount those who don't know about the councils, the proportions having different levels of trust are distributed in a very similar fashion. Of those who know, 53% have some or much trust in the village council, and 50% have some or much trust in the district council. These two questions can be combined into a single factor of trust in local government.<sup>3</sup>

**Figure 3. Percent Trusting Local Councils**

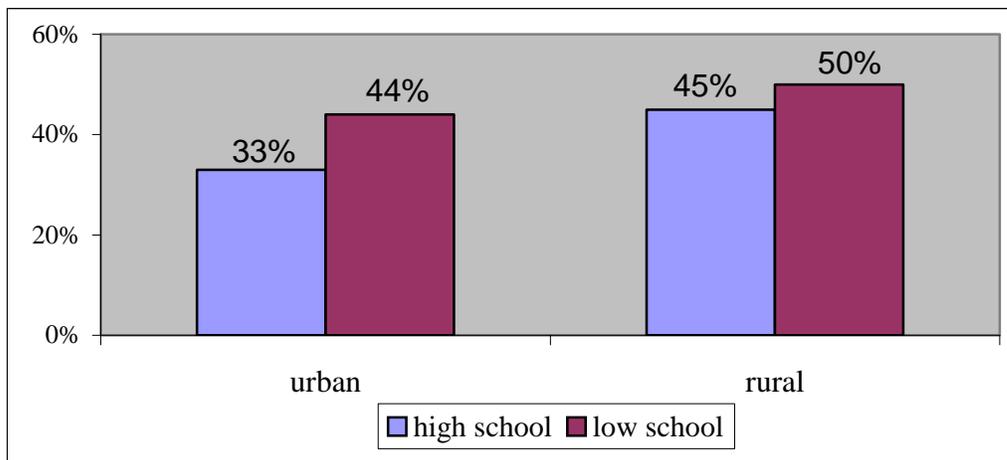


Figure 3 shows that trust in the local councils is a function both of education and residence. Urban residence and schooling both tend to reduce trust in the local councils. In general urban residents show less trust of the councils than rural residents, and likewise better- educated people show less trust than their less schooled counterparts.

The degree of confidence in and assessment of local government institutions has implications for other important political issues. Those with low level of trust in local government were significantly less likely to vote and also had much less confidence in the value of the results. It is unclear which comes first: participation in the election or confidence in local government. Most likely, each influences the

<sup>1</sup> Factor analysis reveals one factor with a very high index of reliability: alpha = .87

<sup>2</sup> How much do you trust each of the following, or haven't you heard enough about them to say? Not at all, just a little, somewhat, a lot, don't know.

<sup>3</sup> alpha = .87

other.

### **New local government system**

A further question is whether people favor the new system of local government or prefer the old centralized system. In Lesotho, unlike the other countries surveyed, a question was asked about the newly created local government system.<sup>1</sup> A 60% majority of the interviewees prefer the new system.

### **Corruption in local government**

A further factor in considering local government is corruption. Interviewees were asked their opinion on the corruption of national and local leaders. Three factors emerged, reflecting corruption of national government, law-making and law-enforcing officials, and local government. Included in the third factor were local officials, health workers and school principals and teachers. Table 5 gives the proportions of people who perceive varying levels of corruption among each group of leaders.

*Table 5. Perceived level of corruption of local government officials*

	None	Some	Most	All	Don't know
Local government officials	24%	22%	5%	1%	49%
Health workers	35%	32%	16%	2%	15%
Teachers and principals	40%	37%	7%	1%	15%

Most local officials get a good assessment. Only the health workers are subject to criticism by a substantial number of people. These three variables have been combined into one variable reflecting opinion on the performance of local officials for further analysis.

### **AN APPROACH TO DECENTRALIZATION**

Local government in Lesotho has in past years mainly dealt with traditional rural issues, as discussed above. Now that a new system is in place, councilors must find their role in an increasingly complex society, where the modern technological world has brought roads, schools, clinics, consumer goods and employment. The Afrobarometer survey suggests areas of life where concern for the quality of local government is important, in some cases even of greater importance than national government.

One area of concern at the local level is **education**. There is a positive correlation ( $r=.22$ ) between resentment of expensive school fees and corruption at the local level, but not with measures of trust and corruption at central level. One implication is that people hope to exercise control over their local schools.

A second area of concern is **health**. The ability to get medical treatment correlates with lack of corruption in local government ( $r=.22$ ), but not with corruption in central government. The implication is that people believe getting good medical treatment depends on effective and honest local management. Belief that the government is doing well in combating HIV/AIDS is positively correlated with existence of corruption in local government ( $r=.25$ ), but again not with corruption at central government. There is a mixed message here, however, in that confidence in the fight against HIV/AIDS is positively correlated

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<sup>1</sup> "The new Local Government system is closer to the people and will include decisions more than the Central Government" vs "The new Local Government will still be controlled by the Central Government, so there will be no change in how decisions are made". People were asked whether they agreed very strongly or simply agree with the first or the second statement.

with trust in both central and local government. Local government should be able to assist in the fight against the disease, but for now it appears that local corruption sends the issue back to central government. Preventing and treating HIV/AIDS ought to be managed locally as well as at the national level.

A third area is the **rule of law**. The belief that courts have the right to make binding decisions is highly correlated with absence of local corruption (.36) far higher than with the absence of central government corruption (.14). Similarly, the right of police to enforce the law is far more closely related to local (.29) than to central government corruption (.14). Finally trust in chiefs and elders is more strongly correlated with lack of corruption in local government (.38) than of central government (.21). Customary law has always been a local prerogative in Lesotho. The implication of these findings is that all branches of law would benefit from a stronger community-level legal system.

**Taxation** is a fourth area of concern. Corruption in taxation correlates more highly with corruption in local government (.44) than in central government (.29). Unfortunately, as shown above in Table 2 and Figure 2, only a small minority knows about the ability of local officials to tax and then spend the revenues. This may be related to the fact that at present only about a third of those interviewed feel that local government should manage revenue collection and allocation.

The last area where people see a role for local government is providing and maintaining **livelihoods** for people. The belief that government can create jobs correlates more highly with trust in local government (.12) than with central government (.07). The correlation levels are not high, but nonetheless the implication is that it should not only be the central government that enhances local well-being.

In summary, interviewees by implication suggest that the new local government would do well to focus on at least the following five domestic areas, in addition to their traditional activities:

- education,
- health,
- law enforcement,
- taxation
- livelihoods.

## **CONCLUSION**

Lesotho has an important opportunity at this point in history. For the first time there is in place a functioning system of local government, elected by the people and separated both from the chieftaincy and from central government.

However, there is an obvious problem, in that the mechanisms by which this new system is to function are not yet in place. For the local councils to be symbolic only and lack substantive duties would betray the very real trust that has already been placed in them.

What is needed, therefore, is a systematic allocation of functions and duties to both parts of Lesotho's government, the central and the local. The previous section of this report has outlined a few areas of possible emphasis in local government, based on tendencies derived from the views expressed by the 1,161 people interviewed in the winter of 2005, half of whom said they voted for the local councils. The list of areas is by no means complete, because the survey was not designed to give an exhaustive agenda for the new system. . It is hoped that a future study might look more closely at areas of life in which Basotho would wish to decentralize authority away from the national government and more closely to the communities where they actually live and work.

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