



AFRICAN WOMEN'S
DEVELOPMENT FUND



Councillor Manotsi Khetsi from Likila Council.

Photo: Ntolo Lekau

50/50 POLICY BRIEF LESOTHO

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The Policy Brief concerns women's participation and representation in key decision-making structures at local and national levels in Lesotho, and makes the case for urgent action to achieve gender parity at all levels of political decision-making. The decline in women's representation in politics since 2012 underscores the need for urgent legislative, political party and civil society action as pressure mounts for 50/50 by 2030.

Lesotho has a Mixed Electoral System of First Past the Post (FPTP) and Proportional Representation (PR) at the national and local levels with a 30% legislated quota at the local level. This has enabled Lesotho to make progress in the past especially at local level. However, in the face of coalition governments in which implementation of such policies is weak, Lesotho has experienced over the last two years a drop from 25% to 23% women in Parliament; from 29% to 10% women in Cabinet and from 49% to 40% women in local government.

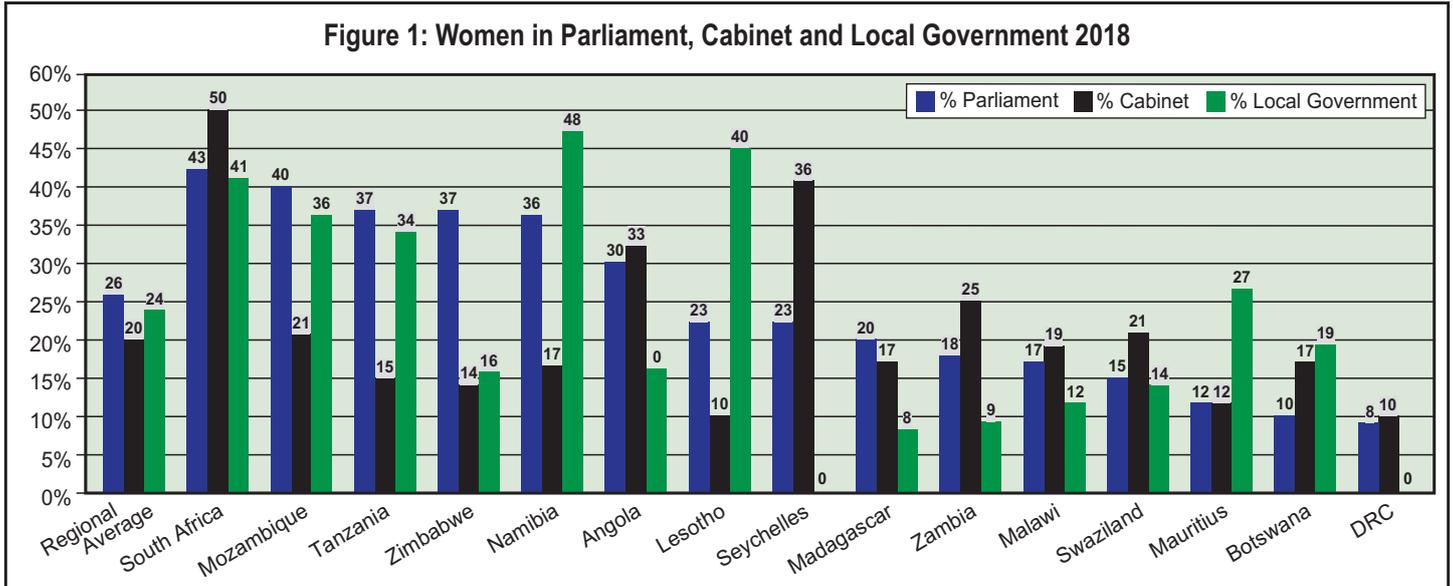
One of the key targets in the SADC Protocol on Gender and Development is 50% women's representation in all areas of decision-making by 2030.

This policy brief highlights gains and losses in Lesotho over the last decade within the SADC context. A key point made is that if some countries can achieve or come close to achieving this target, then all countries in the region can do so.

QUICK FACTS

- Lesotho is a Constitutional monarchy with two spheres of governance - central and local.
- Women in Parliament = 23%, up from 21%.
- Women in Cabinet = 10%, down from 22%.
- Women in Local Government = 40%, down from 49%.
- Mixed electoral system of First Past the Post (FPTP) and Proportional Representation (PR) at National and Local levels with a 30% legislated quota for Local Government.
- At National, 80 constituencies are contested on the FPTP basis and 40 on PR basis.
- In Local Government, all 1044 seats are contested on the FPTP basis and 30% of seats are allocated to women on a PR basis.
- Of the 30 political parties registered with the Independent Electoral Commission (IEC), one is led by a woman.
- Women comprised 21% women sources in the political topic category in media monitoring conducted in 2015.

Regional context



Source: Gender Links 2018, SADC Gender Protocol Country reports and IPU last accessed 18 June 2018.

Figure 1 shows that:

- Performance continues to be mixed in different areas of political decision-making.
- Only South Africa achieved over 40% women in parliament, cabinet and local government.
- Only eight countries have exceeded the 30% mark in one or more areas including South Africa (parliament, cabinet and local government); Mozambique (parliament, cabinet and local government); Tanzania (parliament, cabinet and local government); Angola (parliament); Namibia (parliament, local government); Zimbabwe (parliament), Lesotho (local government) and Seychelles (cabinet).
- Madagascar, eSwatini, Mauritius, Malawi, Zambia, DRC and Botswana still have a long way to go to achieve gender parity across all categories.
- All perform better on women in parliament than cabinet and local government except for South Africa where women comprise 50% of cabinet compared to parliament (42%) and local government (41%).
- Generally there are much lower proportions of women in cabinet than in parliament and local government. As heads of state appoint cabinets and can therefore make rapid changes in this area, the relatively low level of women in cabinet reflects weak political will at leadership level.
- Lesotho demonstrates the greatest variation in performance between the different spheres of political decision-making from 10% women in cabinet, to 23% women in parliament, to 40% in local government. There is a direct correlation between the strength of quotas and the level of women's political participation. This is a clear

indicator of the importance of “special measures” in achieving gender parity.

Electoral systems and quotas

There are two main types of electoral systems: In the **Proportional Representation (PR)**, or “list system,” citizens vote for parties that are allocated seats in parliament according to the percentage of vote they receive. Individual candidates get in according to where they sit on the list. In an open list system, voters determine where candidates sit on the list. In a closed list system, the party determines where candidates sit on the list. In the constituency, or “**First Past the Post**” (**FPTP**) system, citizens vote not just for the party, but also for the candidate who represents the party in a geographically defined constituency. Thus, a party can garner a significant percentage of the votes, but still have no representative in parliament, because in this system “the winner takes all.”



Participants at a public gathering in Litsioetse Council.

Photo: Ntolo Lekau

Table One: Electoral systems and quotas in Lesotho

Level	Electoral system	Quota	Voluntary party quota
National	Mixed	30% seats allocated on PR basis using a Zebra list of man and woman.	None of the political parties have a voluntary party quota.
Local	Mixed	30% seats over and above the FPTP seats for women only distributed on a PR basis.	

As reflected in Table One, Lesotho has always had a mixed system at the national level. The country adopted a mixed system at the local level so that 30% of seats can be reserved for women and distributed on a PR basis (in addition to the seats contested on FPTP basis). Lesotho now has a quota for PR seats at the national level, but these are not reserved solely for women. The Lesotho formula at local level drew on the experience of Tanzania that has now also been emulated at the national level in Zimbabwe. In all these examples, countries have adopted a mixed system to get around the rigidities of the FPTP system when it comes to increasing women's political representation.



Participants during the SADC Gender Protocol village level meeting at Ha-Leshoele, Lesotho. *Photo: Ntolo Lekau*

At **national** level, Lesotho missed the opportunity in the June 2017 snap national elections to escalate the 30% quota on a PR basis at local level to the national level. The Lesotho parliament comprises 120 seats. Eighty are filled on a First Past the Post (FPTP) basis while the remaining seats are distributed among parties on Proportional Representation (PR) system. Parties are required to have at least one third women on these lists. Women won 19 of the 40 seats (48%) allocated under the PR system. Women only won 8 of the 69 seats under the FPTP system (12%). Out of the 120 seats, only 27 are held by women as compared to 2015 when women held 30 seats. Thus Lesotho experienced a two percentage point drop in women's representation in parliament from 25% in 2015 to 23% in 2017.

The third national assembly elections in five years resulted in a deadlock and the formation of a third coalition government as none of the parties could

garner the required two thirds majority vote. The present coalition government is shared between four parties namely - All Basotho Convention (ABC), Alliance of Democrats (AD), Basotho National Party (BNP) and Reformed Congress of Lesotho (RCL).

RCL is the only woman-led party in the country and in the coalition government yet the number of women candidates representing the party in the elections was only 33 out of the 80 constituencies (about 41%). One would expect to see at least 50% candidates running for elective posts in a party led by a woman. More disappointing however, was the fact that the party did not win any constituency seats and managed to obtain only one PR seat.

ABC, the party with the majority of parliamentary seats only had a total of seven (7) female candidates (about 8.7%). Out of these candidates, three (3) won the elections in their constituencies. BNP which is led by a former Minister of Gender had 16 female candidates contesting for elections but none of them won. Similarly, the newly formed AD had a total of 15 female candidates but none of them won.

The Lesotho Congress for Democracy (LCD) and Democratic Congress (DC) with voluntary gender quotas in their party manifestos, only had six (6) and four (4) women candidates respectively. Only four (4) out of the 10 women won constituency seats. This calls for more commitment from the leaderships of these parties to implement their commitments as they both have a 30% quota in their constitutions.

Smaller parties had the highest proportion of female candidates. The Marematlou Freedom Party (MFP) had 30 women candidates and 30 male candidates. Unfortunately, the party did not win any constituency seats and obtained one PR seat, now occupied by a man.

The overall two percentage drop in women's participation underscores the need for all political parties in Lesotho to review their party constitutions and include quotas. As women fare much better in PR elections than constituency ones, the options are to either increase the total number of PR seats or to reserve the PR seats for women exclusively as done at the local government level.

Mixed systems and mixed blessings at the local level in Lesotho



Participants during the Needs Assessment workshop in Mafeteng, Lesotho.

Photo: Ntolo Lekau

Following the decline in women's representation in local government from 58% in 2005 to 49% in 2011, the proportion of women councillors in Lesotho decreased by a further nine percentage points to 40% in September 2011. Lesotho local government has become a text book case study of the possibilities and challenges created by quotas.

During the first local elections in 2005, the country adopted a system of reserving one third seats in a FPTP system for women, i.e. only women could contest these seats. In addition to the reserved seats, women won 28% of the openly contested seats, bringing the total to 58%. However, following a challenge in the High Court, Lesotho opted for the "Tanzania model" (later adopted also in Zimbabwe at

the national level). In this mixed system, 30% of council seats are allocated for women only to parties in proportion to their percentage of the vote in the elections, i.e. on a PR basis. In 2011, in addition to these PR seats women won 19% of the FPTP seats; a lower percentage than before, possibly because the first system had been so unpopular.

Local government elections due in October 2016 were postponed to September 2017 as the date clashed with Lesotho's 50 years of independence. The elections were held in one municipal council, 11 urban councils and 64 community councils in all the ten districts of the country. In total there are 76 local authorities in Lesotho.

Table Two: 2017 Lesotho Local Government Election Results

	Total number of Councillors by sex and by %				FPTP Results for Men and Women Councillors				Women reserved seats	
	Women	Men	All Councillors	% of women	Women	Men	Total	% of Women	Women	% of Women
Party	510	735	1 245	41%	196	735	931	21%	314	33%
ELECTED CHIEFS	45	104	149	30%	-	-	-	-	-	-
Total	555	839	1 394	40%	196	735	931	21%	314	33%

Source: Gender Links.

Table Two shows that women won 196 out of the 931 FPTP seats, giving them 21% of these seats (slightly higher than the 19% in 2011). The 314 additional seats reserved for women on a PR basis is one third of the number of FPTP seats. Chiefs are not elected by ordinary members of Lesotho society. They are nominated by their peers and voted for by fellow traditional leaders. Women constituted only 30% of this category.

In all, 1394 Councillors were elected in the September 2017 polls (FPTP seats, special PR seats for women and elected chiefs). Of these 555 were women: 40% of the total. Despite the setback in the 2017 elections, the reserved PR seats have been key to increasing women's representation at the local level. At national level, as reported last year, Lesotho has a mixed system with a bias towards FPTP and a quota applicable only to the PR seats. In the last national elections, Lesotho slipped backwards from 23% to 21%.

Election management

Election Management Bodies (EMBs) ensure that the environment in which elections take place is conducive to the conduct credible elections.¹ EMBs are responsible for the management and conduct of elections and play a crucial role in ensuring that fair elections are held and in the end accepted.² EMBs need to begin, "in their own institutions, by ensuring that women are given positions of responsibility and that the policies and practices of the institution work to improve the status of women in society. This might involve creating incentives for women to become election administrators; training all members of staff to be sensitive to gender issues; and collecting gender-disaggregated statistics in order to evaluate women's participation; and, identifying aspects of the democratic process that can be improved."³

In Lesotho, out of the three (3) commissioners of the Independent Electoral Commission (IEC), one is a woman. The Lesotho Independent Electoral Commission does not present sex disaggregated statistics for Local Government elections. This is an area that needs to be relooked to ensure improved systems, and sex disaggregated elections data is collated and can be used to inform improved policy implementation.

The role of the media

The Lesotho, the Constitution stipulates the right of all people to have freedom of expression. The 2015 Gender and Media Progress Study measured the proportion of women sources in the media overall, as well as in the political topic category. In Lesotho, women comprised 21% of sources overall, and 7% of sources in the political topic category. Thus although women constitute over 50% of the population, they only comprise 7% of sources in the political topic category. The study finds that:

- The views of women candidates are often not profiled and are often trivialised.
- Male spokespersons of political parties dominate the views and views from women voters are seldom canvassed.



Maliteboho Lefeta, a presenter from Lesotho Television, conducting an interview.
Photo: Ntolo Lekau

Violence Against Women in Elections (VAWIE)

There is potential for VAWIE at every stage of the elections. The IEC has developed a Code of Conduct that all political parties are obliged to follow. Under the Code, political parties are to avoid violence at all costs at their rallies. If violence occurs at a political rally the IEC tribunal has mandate to intervene and may even suspend such a party from participating in elections. The selection of parties and campaigns often happen in a non-violent environment. On Election Day, the polling stations always have police and police assistants to ensure that voting occurs in a free and fair manner in a conducive environment. The media is prohibited from making utterances that may lead to violence and media personnel at the voting stations are protected by the police and police assistants.

¹ SADC Gender and Development Monitor 2016.

² Commonwealth Secretariat (2016) Election Management: A Compendium, of Commonwealth Good Practice.

³ Commonwealth Compendium of Good Election Management Practice.

Key recommendations

1. Lobby for electoral reform at national and local levels from the FPTP to the constitutional adoption of the PR system only. The PR system is more conducive for women's participation.
2. The 30% quota for women at the local level be extended to the national levels and that the quota be increased to 50%. There should also be a quota for women chiefs that are elected to the councils as more men are always elected.
3. Ensure the effective implementation of the PR quota at local government by decentralizing powers and giving local councils executive powers.
4. Work with political parties to adopt the PR system and include a 50% quota to ensure women's equal opportunities and representation in political leadership at local and national levels. There is a tendency by parties to field male candidates for the FPTP seats, with women only being given the



- opportunity in the PR seats. Political parties need to embed gender parity in all their policies and practices.
5. Work with the IEC to collate and present sex disaggregated gender statistics for all elections in Lesotho. The IEC may conduct study visits to the South Africa IEC for shared learning on how this is done ahead of the next elections. This will go a long way to strengthening monitoring and evaluation and gathering of credible elections statistics to further improve on transparency and accountability of elections.
 6. Remove formal and informal barriers to women's political participation. There is a crucial need for more civic education about women and men's equal participation in politics and decision making in public service especially now, ahead of 2030.
 7. Empower women in office to be effective change agents.
 8. Work with the media houses to make sure the "every voice counts" in the coming elections.



Participants during the entrepreneurship training at Siloe Council, Lesotho.

Photo: Manteboheleng Mabetha

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