

THE INDEPENDENT ELECTORAL COMMISSION IN LESOTHO'S 2022 PARLIAMENTARY ELECTIONS

Preparedness and Performance

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ABSTRACT

Most assessments and analyses of Lesotho's elections have focused on the post-election conflict. There has been little attention to the role of the Independent Electoral Commission (IEC) as the key player with the constitutional mandate to ensure credible, free, and fair electoral processes. During the polls on 7 October 2022, the role of the IEC came to the fore in terms of the extent of their preparedness for and actual performance in managing the electoral processes. Adopting a qualitative approach that relies on interviews with purposefully selected respondents and document analysis, this paper assesses these two main aspects of the IEC. The paper argues that compared to previous elections from 2012, the IEC does not seem to have been adequately prepared to manage the October 2022 elections, and as such, it had a poor performance this time.

Keywords: Independent Electoral Commission; elections; preparedness; performance; voter turnout, Lesotho

INTRODUCTION

Lesotho has a reputation for post-election conflict, which has attracted the attention of scholars (Matlosa 2008; Makoia 2004; Kapa 2009; Sejanamane 2016). However, one subject that has not received much attention is the Independent Electoral Commission (IEC), yet it is the key player with a constitutional mandate to ensure credible, free, and fair electoral processes. The IEC is responsible for

managing any electoral process and ensuring the quality thereof. Thus, analysis of the elections should not exclude this crucial body. According to Mozzafar and Schedler (in Elklit & Reynolds 2005A, p. 148), a general rule is that 'electoral governance issues only attract critical attention when something goes seriously wrong, or when an electoral issue is taken up as part of a more general election-related controversy'. The assessments of elections must pivot from an Election Management Body (EMB) and 'must focus on the entire electoral process as the component parts of that process all have at least some bearing on the entire outcome of the election', (Elklit & Reynolds 2005 p. 189). Due to the limited scholarly attention to the EMBs, this area is not only underdeveloped (James 2017), but 'the capacity of EMBs, or their ability to perform their functions, has received considerably less study' (Garnett 2019, p. 335).

Lesotho's parliamentary elections have been marred by conflicting announcements of post-election results, particularly in 1998; however, the 2022 parliamentary elections were spared from conflict but the role of the IEC was highlighted in terms of both its preparation and its actual performance in managing the electoral processes. Adopting a qualitative approach that relies on interviews with purposefully selected respondents from the IEC and civil society organisations (CSOs), and document analysis, this paper assesses the preparedness for and performance of the IEC during the 2022 parliamentary elections. It argues that compared to previous three elections from 2012, the IEC does not seem to have been adequately prepared to manage the October 2022 elections, and as such, it performed poorly this time. According to the empirical evidence, five factors have affected the preparedness and performance of the commission; these are, the late appointment of commissioners and the director of elections, the budget allocation for the commission, the inconclusive electoral reform, the delimitation of boundaries, and the announcement of election results.

INTERNATIONAL STANDARDS ON ELECTION MANAGEMENT BODIES

Electoral management, according to James, Garnett, Loeber, and van Ham (2019), covers interrelated activities that include organising, monitoring, and certifying elections. An embedded characteristic of representative democracies, elections are an overarching process by which citizens choose leaders who will govern them. International organisations have accordingly established international standards and best practice for their member countries when voting. As a member of the African Union (AU) and the regional Southern African Development Community (SADC), among other international organisations, Lesotho is obliged to abide by and align itself with the standards on democratic, free, fair and credible elections proposed by these organisations. Moreover, like the rest of Africa and the world,

Lesotho has entrusted the management and administration of its periodic elections to its EMB, the IEC, since 1997. In the execution of its constitutional mandate, the IEC is thus obliged to align with the principles and standards that have been set by the AU and SADC of which it is a member.

In the 38th Ordinary Session of the Assembly of the AU in 2022, the organisation adopted the four principles governing democratic elections in Africa:

1. Democratic elections are the basis of the authority of any representative government;
2. Regular elections constitute a key element of the democratisation process and therefore, are essential ingredients for good governance, the rule of law, the maintenance and promotion of peace, security, stability and development;
3. The holding of democratic elections is an important dimension in conflict prevention, management and resolution;
4. Democratic elections should be conducted:
 - a) Freely and fairly;
 - b) Under democratic constitutions and in compliance with supportive legal instruments;
 - c) Under a system of separation of powers that ensures in particular, the independence of the judiciary;
 - e) At regular intervals, as provided for in national constitutions;
 - f) By impartial, all-inclusive, competent and accountable electoral institutions staffed by well-trained personnel equipped with adequate logistic support.

In the same manner, SADC (2015) endorsed the Principles for Conducting Democratic Elections in furtherance of democratic elections in the SADC region. These contained thirteen principles:

1. Encourage the full participation of all citizens in democratic and development processes;
2. Ensure that all citizens enjoy fundamental freedoms and human rights, including freedom of association, assembly and expression;
3. Ensure that the date or period of elections is prescribed by law. The date or period of elections shall be based upon the legal framework and applicable constitutional provisions;
4. Take all necessary measures and precautions to prevent corruption, bribery, favouritism, political violence, intolerance, and intimidation;
5. Promote and respect the values of electoral justice which include

- integrity, impartiality, fairness, professionalism, efficiency, and regularity of elections;
6. Promote necessary conditions to foster transparency, freedom of the media; access to information by all citizens; and equal opportunities for all candidates and political parties to use the state media;
 7. Guarantee an environment of an open contest with no undue exclusion and restrictions on anyone to vote, as well as the right of eligible and qualified citizens to stand as candidates in any election;
 8. Encourage regular reviews of the participation of citizens in the diaspora in national elections;
 9. Uphold and guarantee the impartiality and independence of the Judiciary, the Electoral Management Bodies (EMBs,) and all other electoral institutions;
 10. Ensure that voter education capacitates and empowers all eligible citizens; as well as fostering ownership of the electoral process and the democratic political system;
 11. Ensure adherence to a binding Electoral Code of Conduct;
 12. Ensure the acceptance of the election results by all electoral stakeholders, as proclaimed, to have been free, fair, transparent, credible and peaceful by the competent and independent national electoral authorities in accordance with the respective laws of the land;
 13. Condemn and reject the unconstitutional change of government and non-acceptance of results, after due process, as announced by the legally competent authorities.

Since its founding, the IEC has been guided by and has observed these principles, so much so that most have been domesticated and enshrined in the country's laws. However, this paper argues that the level of preparedness the IEC exuded in the 2022 elections points to it contravening some of these principles, as will be discussed in subsequent paragraphs.

THE IEC: CONSTITUTION, LEGAL FRAMEWORK AND MANDATE

Lesotho's IEC was established in 1997, just one year ahead of the tumultuous 1998 elections. Before the IEC was established, elections in Lesotho were managed by the electoral office, which was headed by the chief electoral officer. The electoral office was abolished through the Second Amendment to the Constitution Act, 1997 (66) A (1), which provides for the establishment of the IEC and its functions as follows:

- To ensure that elections to the National Assembly and local authorities are held regularly and that every election or referendum is free and fair;
- To organise, conduct and supervise, impartially and independently, elections to the National Assembly and referenda under the provisions of this Constitution and any other law;
- To delimit the boundaries of constituencies in accordance with the provisions of this Constitution and any other law;
- To supervise and control the registration of electors; to compile a general register of electors and constituency registers of electors for the several constituencies; and to maintain such register or registers up to date;
- To promote knowledge of sound democratic electoral processes;
- To register political parties;
- To ascertain, publish and declare the results of elections and referenda;
- To adjudicate complaints of alleged irregularities in any aspect of the electoral or referendum process at any stage other than in an election petition; and
- To perform such other functions as may be prescribed by or under any law enacted by Parliament.

In terms of the Second Amendment to the Constitution Act, 1997 (84A), the Parliament of Lesotho enacted the National Assembly Electoral Act, of 2011, which gave the IEC powers and expanded functions. Before the promulgation of this Act, elections in Lesotho were run in terms of the repealed National Assembly Elections Act, 1992, which was repealed and replaced by the Act of 2011. The powers of the IEC are provided for in the National Assembly Electoral Act, 2011 (135) as follows:

1. To ensure that elections to the National Assembly and local authorities are held regularly and that every election or referendum held is free and fair;
2. To organise, conduct and supervise, impartially and independently, elections to the National Assembly and referenda under the provisions of this Constitution and any other law;
3. To delimit the boundaries of constituencies in accordance with the provisions of this Constitution and any other law;
4. To supervise and control the registration of electors;
5. To compile a general register of electors and constituency registers of

- electors for the several constituencies and to maintain such register or registers up to date;
6. To promote knowledge of sound democratic electoral processes;
 7. To register political parties;
 8. To ascertain, publish and declare the results of elections and referenda;
 9. To adjudicate complaints of alleged irregularities in any aspect of the electoral or referendum process at any stage other than in an election petition; and
 10. To perform such other functions as may be prescribed by or under any law enacted by Parliament.

While no functions supersede any others, producing a voters' list from voters' registration appears to be the most crucial function as it seemingly activates, and to some extent, legitimises other electoral processes. In the run-up to the 1998 polls, the IEC failed to provide the contesting political parties with the voters' roll for scrutiny. Sekatle (1999) suggests that the IEC did not have sufficient time to prepare for the elections since its commissioners were appointed on 12 September 1997. It had barely nine months to deliver the elections and, as such, it inevitably made mistakes such as failing to make the voters' list available to political parties. The opposition approached the High Court on the issue but the Court made a ruling on the matter only after election day, further poisoning the relations between the IEC and the complainants (Makoa 2004). Makoa (2018, p. 88) points out that 'by the election day mutual trust and confidence between them had evaporated. The attrition did not augur well for the elections for their outcome was rejected as fraudulent by the main opposition', leading to the post-election crises that saw Maseru, the capital of Lesotho, go up in flames.

This triggered the intervention of SADC which called for an independent review of the elections, resulting in the appointment of a commission which 'reported in elaborate detail upon numerous administrative flaws and irregularities in the conduct of the election by the IEC but found that these were not so great as to allow them to declare the results of the election invalid', (Southall 2012, p.87). Lesotho's 1998 elections exposed the IEC's poor management performance.

In subsequent elections the IEC improved as the commission arguably outgrew its challenges. Despite this apparent improvement, there were still noticeable failures on its part. Matlosa (2021, p.142) argues that as political parties formed strategic pre-election alliances in 2007, they distorted the newly-introduced Mixed-Member-Proportional electoral model, undermining the country's democratisation and stability, but the IEC 'watched helplessly'. Yet, as

the guardian of the model, it had to protect the system. He goes on to state that the failure of the IEC to protect the model led 'to its tremendous loss of integrity and public trust over the years (ibid.).

The IEC seems to have regained its integrity and public trust in the elections after 2012, in that there were no issues raised against it by the electoral stakeholders. However, in the 2022 elections it demonstrated poor performance and a lack of preparedness. The big question that will be addressed in subsequent paragraphs is how and why this came about.

PREPAREDNESS AND PERFORMANCE SINCE THE 2012 ELECTIONS

To assess the preparedness and performance of the IEC in the 2022 elections, this paper traces both aspects from the 2012 elections. This is because the 2012 elections ushered in a new and historical wave of coalition governments which have since become a feature of Lesotho's politics. In preparing itself for the 2012, 2015, and 2017 elections, the IEC has been praised for conforming to AU and SADC's standards of democratic elections (EISA 2013; SEOM 2015; AUEOM 2017; EISA 2017). It is commended for having successfully delivered the 2012 elections in less than a year after running the local government elections in October 2011 (SADC Parliamentary Forum 2012). Unlike its continental counterparts, Lesotho does not run the National Assembly and local government elections concurrently, though both are managed by the IEC. Kapa (2013) observes that the IEC delivered more credible elections in 2012 than was the case before, as the election was not marred by any complaints about the electoral verdict. In the same spirit, the SADC Parliamentary Forum (2012) declared the IEC to have been prepared and to have run the elections professionally. Its ballot papers were printed in time under the observation of stakeholders, including representatives of political parties, all observing the electoral calendar. Moreover, this election saw politicians serving on almost all IEC committees relating to the management of the elections, while CSOs were permitted to participate in the preparations for the elections (Kapa 2013). In the same elections the IEC reportedly rolled out a robust voter education strategy in collaboration with the CSOs (SADC Parliamentary Forum 2012). Such collaboration is crucial to guaranteeing the integrity of the IEC, the credibility of the elections, and electoral governance, particularly in an era in which collaborative networks are advocated for administering public affairs.

Similarly, the 2015 elections were declared free, fair, and credible, with the IEC having organised and delivered a credible election at short notice (SEOM 2015). This was a snap election, following the collapse of the coalition government that had assumed power in 2012. As with the 2012 elections, the outcome of the 2015 elections went unchallenged by any political party. The 2015 elections were

immediately followed by yet another snap election in 2017, again because of the collapse of another coalition government. Yet again, SEOM (2017) found that in managing the 2017 elections, the IEC had aligned itself with the revised SADC Principles and Guidelines Governing Democratic Elections. The African Union (2017) commended the IEC for having cleaned the voters roll.

Furthermore, the AU also notes that the IEC, together with its partners, carried out intensive voter education to achieve 85% voter turnout and also introduced the Advance Fingerprint Verification System, which would clean the voters' register. EISA (2017) notes that although the IEC began its preparations for the 2017 elections in a relatively compressed timeline, it met most of its legal obligations and thus satisfied the mission despite the identified shortcomings. EISA further notes that the IEC developed a programme that printed newsletters with voter education information and operated a 24-hour call centre during the election period to provide voters with information on all aspects of the electoral process. The overall message from the Election Observer Missions (EOMs) is that the IEC was well prepared and thus performed well in those elections. Ironically, the EOMs have consistently found the IEC to have performed well in managing elections, yet Lesotho has a history of post-election conflict without any advance warnings of poor preparation. This may be because the EOMs' observations are confined to limited periods so they may miss other crucial indicators when forming their conclusion.

EMB PERFORMANCE FRAMEWORK

Gauging the performance of an EMB or any organisation needs a model to provide a benchmark. However, the study of the administration of elections is still new and such models are still being developed. James et al. (2019) developed a conceptual framework that maps causal linkages between an EMB's design, performance, and outcomes in a quest to provide a comprehensive analysis of EMB performance. This framework can be juxtaposed with Mozaffar and Schedler's (2002) concept of electoral governance, which stipulates that elections should be characterised by substantive uncertainty and procedural legitimacy – an innate paradox that substantive uncertainty requires procedural certainty. The concept of electoral governance, therefore, suggests that while there must be procedural certainty in how the IEC manages elections, there must also be substantive uncertainty about the election outcome. This can be easily achieved when processes and decisions are grounded in the legal frameworks that guide the IEC and the international standards that it must abide by. There must be a concerted effort from all stakeholders to achieve this. While this concept cannot be used to measure the IEC's performance, that of James et al. (2019) can.

The framework of James et al. (2019) is relevant to this paper which argues that there are causal linkages between the IEC's preparedness, its performance in the 2022 elections and all preceding elections. As indicated above, EOMs declared the IEC to have been well prepared and to have performed well in elections from 2012 to 2017. However, it is not clear how this performance was measured, beside it being assessed based on AU and SADC's international standards, among others. The framework by James et al. (2019) stands out as the best to assess the IEC's performance because its causal linkages permits the tracing of events. They purport (2019, pp. 302-3) that through this framework they expect an 'EMB organisational design to shape EMB performance, and EMB performance in turn to affect desirable outcomes such as election integrity and confidence in elections'. This framework comprises seven dimensions of EMB design, namely centralization; independence; capacity; scope and division of tasks; relation to external actors; technology; and personnel.

Of these seven dimensions, this paper focuses on the independence of the EMB, its capacity, and its personnel, because of their relevance. Independence in this context refers to the extent to which EMBs are formally independent of government. It comprises, among other things, the procedures for appointment of the EMB, control of the EMB budget, and EMB reporting requirements. This is relevant for the EMB performance because formally independent EMBs may be better able to operate impartially in practice, and thereby strengthen electoral integrity (James et al. 2019).

Capacity refers to the degree to which EMBs are stable, sustainable and sufficiently well-resourced to have the capacity to deliver elections. What resources do EMBs have? How secure are these resources and do they fluctuate between election and non-election years? What about personnel, for example the staff working for national, regional, and local level EMBs as well as the temporary staff assisting in running polling stations on election day. This is relevant for EMB performance because having staff with sufficient training and expertise in electoral procedures is likely to enhance both perceptions of and actual EMB efficiency (James et al. 2019).

THE IEC AND THE 2022 ELECTIONS: PREPAREDNESS AND PERFORMANCE

The October 2022 elections follows two consecutive snap elections in Lesotho, in 2015 and 2017, rendering the country's tenth Parliament the first to complete its full five-year term since 2012. Chapter 4 of the National Assembly Electoral Act, 2011 provides for the promulgation and preparation for elections. In line with SADC's revised Principles for Conducting Democratic Elections, 2015, Section

37(1)(b) of the National Assembly Electoral Act, 2011 stipulates that the election date shall be proclaimed no later than four days after the dissolution of the Parliament. Thus, on 19 July 2022, following the dissolution of Parliament, steps and procedures embedded in the Second Amendment to the Constitution Act, 1997 (84)(1) provide that His Majesty King Letsie III announced 7 October 2022 as the National Assembly election day. Furthermore, in terms of Subsection (37) (3)(b) of the National Assembly Electoral Act, 2011, the elections timetable was published and gazetted, and the IEC started preparations for the elections process. These preparations include scaling up voter registration and cleaning the voters' roll. This paper discusses five themes below that arguably determined the level of preparedness and the performance of the IEC in the 2022 elections.

The Delayed Appointment of Personnel: Commissioners and the Director of Elections

James et al. (2019) identify personnel as a key component of the EMB's design that will inevitably affect its performance and outcomes. Personnel included the secretariat responsible for the day-to-day operations of the IEC. The process of cleaning the voter's roll and continuous voter registration are critical and require sufficient personnel as well as strategic leadership and oversight. At the oversight and strategic levels, the IEC has three commissioners: two commissioners and a chairperson. The commissioners are appointees of the king in terms of Section 66 (1) of the Second Amendment to the Constitution Act, 1997.

At the operational level, the commission has a secretariat headed by the director of elections, who is appointed by the IEC in terms of Section 144(1) (4) of the National Assembly Elections Act, 2011. According to the European Union (2022), the IEC was not operational for one-and-half years as it had neither commissioners nor a director of elections for a significant portion of the pre-election period. The commissioners and the director were only appointed in December 2020 and March 2022 respectively, with the elections scheduled for October 2022. The late appointments of such key positions in the IEC would have dire consequences and apparently set the IEC up for failure in the 2022 elections.

These positions should have provided the secretariat with strategic and operational direction throughout the election cycle, particularly during the critical election period. The effect of this leadership vacuum was evident in how voter registration was handled. Although the National Assembly Electoral Act, 2011 provides that the voter registration process should continue throughout the year, the IEC could not provide continuous registration and cleaning of the roll outside this period in the run-up to the 2022 elections. James et al. (2019) link EMB staff recruitment procedures to the independence of an EMB. For Mr Thuso

Mosabala (Information and Communication Officer, Transformation Resource Centre, interviewed in Maseru on 1 February 2023), some of the problems of the preparedness and performance of the IEC are structurally rooted, starting with staff recruitment processes. In his view, the Constitution does not inspire the IEC to prepare and perform well as it excludes other important stakeholders from the appointment processes, which are the prerogative of politicians.

When such appointments are infused with undiluted party politics or skewed stakeholder engagement, then the integrity of the IEC and the credibility of the elections is questioned. Thus, even if commissioners were appointed on time, the preparedness and performance of the commission would still be hampered by how both the director of elections and commissioners are appointed. Mosabala alleges that when the candidates for those positions have been shortlisted, only registered political parties are invited for appointment of commissioners in terms of the Second Amendment to the Constitution 1997 (66) (3) (4). This denies other stakeholders any role in the process and inevitably attracts perceptions that these are political appointments. The need to involve other stakeholders is justified; but the IEC also engages only those parties that are registered for the elections when reviewing the voters' roll, much as it explicitly engages the CSOs for voter education.

The IEC has come a long way in embracing electoral governance. Its processes now include procedural certainty. Even though Mosabala (2023) also alleges that politicians are again involved in the shortlisting of the director, this is contrary to the National Assembly Electoral Act, 2011 144 (1) which provides that, 'the Commission shall appoint a suitably qualified and experienced person as a Director upon terms and conditions determined by the IEC in consultation with the Public Service Commission and specified in the instrument of appointment', thus making the director a public servant. The public service plays a major role in staff appointments for the commission. Sejanamane (2016) alludes to the commission's staff belonging to the public service because they may be recruited directly by the IEC even from the civil service, but their structure, salary, and benefits are still with the Ministry of Public Service. The arrangement does not directly allow for the independence of the commission.

Although the staff is responsible for the daily implementation of the IEC's mandate, this remains marred by inefficiencies and inadequacies. Sejanamane (2016, pp. 125–6) notes that the IEC has financial inadequacies which have affected its staffing. He reports that almost all heads of sections stated that they were experiencing staff shortages to the extent that in some departments, the vacancy factor is as high as 50%. This would mean that the IEC may have activities to perform outside the election period, such as voter registration, but it is still

constrained by its lack of financial and human resources. Because of limited staff, 'whenever elections are held, the IEC has resorted to hiring part-time staff to ensure that work gets done' (ibid.).

Even though the IEC's temporary staff receives training before administering the elections, their competence and commitment to the mandate of the commission remain suspect. James et al. (2019, p. 300) affirm that electoral personnel are crucial for an EMB's performance because 'having EMB staff with sufficient training and expertise in electoral procedures is likely to enhance both perceptions of and actual EMB efficiency in delivering elections'. Hence the performance of the IEC through these temporary staff, coupled with the late appointments of both commissioners and the director of elections, create doubts about the capacity of the IEC to perform well in the 2022 elections.

Financial Dependence of the IEC on the Government

Lesotho's EMB has no financial autonomy. It depends entirely on government funding to run and manage elections. Section 66D (1) of the Second Amendment to the Constitution Act, 1997 provides that 'parliament shall provide funds to enable the Commission to perform its functions effectively'. Subsection (2) also provides that all the expenses of the commission shall be charged to the consolidated fund. As it stands, it is the preserve of the parent ministry to disburse funds to the IEC. Sejanamane (2016) argues that the IEC receives its funding through the Ministry of Law and Constitutional Affairs and it does not account directly to Parliament for the funds it has received this way.

This financial dependence on the government inevitably has implications for the preparedness and performance of the commission in running any election. This is because, without full control of its finances, the IEC is constrained to execute its functions timeously. It has to rely on the government to provide the requisite funds.

Given its reliance on government funding and its limited independence in staff recruitment, it becomes difficult to regard the Lesotho EMB as a truly independent body. Catt, Ellis, Maley, Wall, and Wolf (2014) introduced three broad electoral management models, namely, the *independent model*, the *governmental model*, and the *mixed model*. Classifying the IEC as independent would require it to fit neatly within the independent model, which it does not. According to Catt et al. (2014) the model is used:

In countries where elections are organised and managed by an EMB that is institutionally independent and autonomous from the executive branch of government; its members are outside the executive. Under

the Independent Model, the EMB has and manages its budget, and is not accountable to a government ministry or department. It may be accountable to the legislature, the judiciary, or the head of state.

Even though the IEC may seemingly have independence, as its name suggests, in drawing up its budget such independence becomes compromised if and when the government does not endorse the proposed budget and instead disburses funds in its own times without regard to the pressing needs of the commission, as witnessed in the 2022 elections. In their framework, James et al. (2019) argue that the extent to which an EMB is formally independent of government will have a bearing on its performance. Section 66C of the Second Amendment to the Constitution Act, 1997 assures the independence of the IEC by providing that the IEC shall not be subject to the direction or control of any person or authority when performing its functions.

However, if the IEC receives funds from the government, this is an affront to that independence. Independence is being paid lip service. Sejanamane (2016, pp. 126-7) is correct in asserting that, because of this dependence on the government of the day, 'the hint of interference will always be there. Therefore, in its present form, and given the constraints it faces, the IEC is not independent'. In the same vein, the IEC's Director of Elections, advocate Mpaiphele Maqutu (interviewed in Maseru on 20 January 2023), points out that Section 66C of the Second Amendment to the Constitution Act, 1997 is only a text which they would like to actualise and institutionalise. In an interview in Maseru on 29 January 2023, Mr Booi Mohapi, executive secretary of the Catholic Commission for Justice and Peace in Maseru, also observes that because of the prevailing resource dependence of the IEC on the government, it would be futile to assess its preparedness and performance.

According to Garnett (2019), one way to check on whether an EMB can perform its functions is to examine whether it has adequate resources to carry out those functions. In terms of the Second Amendment to the Constitution Act, Section (66D) (1) the government had set aside only M300 million of the 2022/23 national budget for running the 2022 elections as opposed to the M321 million budget that the IEC had submitted (Maqutu 2023). In addition, of the M321 million, the IEC was granted only M261.5 million for the elections (ibid.). Maqutu further observed that the IEC normally receives funds in a lump sum; but this time not only was it given a pittance but this also came in instalments of M30 million every month starting from around May 2022, five months from election day. The first instalment was followed by late weekly instalments of the same amount from June 2022. The funds that the IEC received from the government were about 18.5% below the budget, and especially as the election calendar had

already been published this undermined their preparation for the elections and its smooth running.

The budget was insufficient and had not considered the significantly increased number of contestants (European Union 2022). Moreover, how these funds were disbursed is a clear example of how financial dependence on the government cannot be good for managing elections. As it is elections carry a high price tag (Garnett 2019). However, when an EMB's budget is cut, this not only compromises the IEC but is a silent communication about the interference of the government in the election process because crucial activities are bound to be compromised. Nevertheless, even though the government seemed not to have prioritised this funding, the onus is still on the IEC to continue with activities and preparations for the elections. Independently and otherwise, the IEC cannot run elections as it was unable to prepare for the elections before it received funding, and it was even more hard-pressed after receiving less than it had requested.

The funding situation was bound to have a negative effect on the IEC performance and this boils down to the importance of IEC independence. If the IEC were financially independent, it would not necessarily have been affected by the financial variations affecting the government; rather, it would have used its own resources to run its programmes accordingly, and not be in the kind of financial predicament it was in the 2022 elections. Maqutu (2023) reveals that this election was run on debt and that:

As I speak to you today, I still have not received all the money that I need to pay the people that I need to pay for having held those elections, including Basotho party agents. The M30 million monthly instalments finally culminated in M261 million but remember that when the budget we submitted was tabled in Parliament, our minister made it clear that the M261 million was not enough and the understanding was that, because of cash flow and liquidity issues of the government, when we had used up all the money then we would be given more funds. That money has not come forth up until today.

He was adamant that in terms of technical expertise, the IEC was adequately prepared to administer the elections. However, this applied only to the permanent staff. It could not engage temporary staff and train them because that would require extra financing. He concedes that the IEC's level of preparedness was hampered by its financial dependence on the government. Maqutu also concedes that the IEC was not able to implement certain critical processes, including voter education and registration. The other critical activity here is the cleaning of the voters' roll. The paper addresses these issues.

Voter Registration, Voter Education, the Voters' Roll, and Voter Turnout

Voter registration, voter education, the voters' roll, and voter turnout are key, interrelated processes in any election. The quality of each is critical for the integrity of elections, which EMBs must ensure at all times. As indicated earlier, registration is continuous thus the IEC's work is not confined to election day. One of SADC's thirteen principles encourages regular reviews of how citizens in the diaspora participate in national elections; however, registering for elections in Lesotho requires voters to present themselves physically at any IEC office. This is even though over 30% of the eligible voters work outside the country (Musanhu 2009) and travelling to Lesotho just to register might be unrealistic. The IEC did not show any form of preparedness in accommodating these citizens by upgrading or installing technology that would permit remote registration. It did, however, set up a portal catering only to those voters who had already registered in order to update their records.

The effects of voter registration on elections are two-pronged: they affect both the voters' roll, and education, with the latter having an impact on the former. Even if those in the diaspora were to update their records, this would not guarantee that they would vote. Updating their records might be futile without guaranteeing their ability to vote. In this regard, the IEC is failing to comply with the SADC principles; yet registering for elections in Lesotho is compulsory even though the IEC does not seem to cater for this category of voters.

Voter education is equally crucial in elections. Its rationale is to educate citizens about their right to choose their leaders, the processes entailed in doing so and what is required to enable them to enjoy this right (EISA 2013). Crucial as it is, its provision remains a challenge in Lesotho (Kapa 2013). EISA (2013, p. 28) notes that civic and voter education have not been very effective in past elections in Lesotho, partly due to 'limited funds both for CSOs and the IEC, lack of uniformity in the civic and voter education methodology, with CSOs adopting their approach while the IEC also used its outreach strategies, and poor or lack of coordination between the various civic and voter education providers.'

Either the IEC has neglected its duties or it has delegated them to CSOs, because while it might uphold electoral governance and rightly be in partnership with CSOs in ensuring voter education, it has the legal mandate for all election functions. Thus, the IEC must approve all strategies for voter education and ensure uniformity.

The IEC has been grappling with insufficient resources even in past elections and it strives to run elections against all odds, hence this paper questions its capacity to run elections effectively. Like Garnett (2019), James et al. (2019) assert that for an EMB to have the capacity to do its job, it has to be sufficiently resourced.

This the IEC is not, thus it cannot satisfactorily implement voter education and registration. Maqutu (2023) claims the IEC has run the election against the worst budget constraints it has ever faced, and the IEC has had to deal with the aftermath. It should not have run an election under such budgetary constraints which have compromised the quality and integrity of the elections.

Since 2012 the IEC has outsourced voter education to the Lesotho Council of Non-governmental Organisations (Sejanamane 2016; Kapa 2013). This arrangement was retained even in the 2022 elections. However, unlike in past elections, the IEC engaged CSOs to conduct voter education only three weeks before the polling day due to the limited and late arrival of funding, when rightfully they should have been engaged three months before the polls. Participating CSOs normally receive some funding from the IEC to conduct voter education which they supplement with external funding. However, for the 2022 elections, some CSOs had to fend for themselves. It also means that the IEC could not control and ensure uniformity in the voter education methodology as earlier suggested. The delayed arrival of funding also resulted in the late arrival of voter education material. All these challenges led to highly uncoordinated and compromised programmes.

It is no wonder that the European Union (2022) reports that the 2022 elections saw the lowest voter turnout (37%) in the electoral history of Lesotho. According to the International Institute for Democracy and Electoral Assistance (International IDEA), the first elections of 1965 enjoyed a 62.32% voter turnout; 81.90% in 1970; 72.28% in 1993; 71.83% in 1998; 66.69% in 2002; 49.00% in 2007; 50.04% in 2012 ; 46.61% in 2015; and 46.37% in 2017. Notwithstanding these figures, a 2022 pre-election survey by Afrobarometer found that the decline in voter turnout could be due mainly to consistently declining voters' trust in the IEC (Malephane 2022). Maqutu (2023) referred to a study on voter turnout commissioned by the IEC in 2019, which, he argues, indicated that people do not vote primarily because politicians do not keep their promises, and not because the IEC is not delivering on civic and voter education as had been thought. He acknowledges that voter turnout was low but suspects that the figure might have been exaggerated. Thus, he rated the IEC's preparedness as fair due to the condition of the voters' roll.

Maqutu's suspicion about the exaggeration of the voters' turnout is shared by three respondents from the CSOs. They feel that the reported 37.7 % voter turnout may not reflect the reality, given the poor quality of the voters' roll the IEC inherited when it was established (Sejanamane 2016). The IEC is mandated to compile the register and keep it up to date; having been in business for three decades and managed several elections thus far, the fact that it inherited the register is no longer a valid excuse. Members of the CSOs argued that the IEC has not removed the names of deceased persons and those who have moved away

from their constituencies and from Lesotho from the voters' roll. The voters' roll has remained problematic for years. For instance, in 2012 political parties recorded dissatisfaction and distrust with the voters' roll, which they found to be in a very bad state due to numerous multiple registrations (SADC Parliamentary Forum 2012). Members of the CSOs have called for the voters' roll to be cleaned and started from scratch. This is another indication that the IEC seemed to have been caught off guard by the 2022 elections. It can be exonerated from blame this time because it had intended to clean it ahead of the 2022 elections, though they failed to do so. Maqutu (2023) indicated that the IEC was unable to redo the voters' roll because it was faced with litigation following a tender being issued for the re-registration of voters. He revealed that:

One of the prospective bidders lodged a case in court, resulting in an interdict that hindered us from continuing because they were now investigating the process pending the outcome of the decision of the court. We then approached the politicians about our predicament. They unanimously gave us the go-ahead to run the elections with the same voters' roll to avoid a constitutional crisis of deferring the date of the elections.

The several elections that the IEC has managed with a permanently flawed register indicate its failure to execute its mandate of maintaining a crucial tool of the elections. This has a considerable impact on the outcome of the elections. The trade-off between the constitutional crisis, in case the IEC were to postpone the elections, and ensuring a clean register, is understood. Thus, it seems to have gone ahead with running the elections using a flawed voters' roll. The outcome was compromised electoral integrity. According to the Electoral Commissions Forum of SADC Countries (2022), since no new voters' register had been created as had been planned, the IEC resorted to using the national identification document file to produce a clean electoral register from the roll used in the 2017 elections (even though this register had not deleted deceased electors and duplicate entries), in order to strengthen the integrity and accuracy of the register.

The new register had potential errors. Moreover, the IEC had the option of linking the voter register to the civil register but could not do so due to time constraints. The European Union (2022) supports the fact that the IEC was not prepared for the elections even though it was not even a snap election. Moreover, if voter registration continues, and the IEC has the technical expertise (Maqutu 2023) it means that the time factor is not an issue as there is a legitimate expectation that the IEC would clean the register even outside the election period. This could also imply that the IEC is only fully operational during the election period. According

to Mohapi (2023) and Mr Lemohang Molibeli (Peace Education Researcher, Development for Peace Education in Maseru, interviewed on 27 January 2023), the voters' roll was not a viable tool that could be used for elections, and its status had nothing to do with resources but more with the IEC being ill prepared. The IEC has the period between elections to clean the register, and it has had commissioners longer than it has been without them, therefore it had ample time to clean the register before the 2022 elections –particularly because the issue of a flawed register is not new. It is well-known and documented.

As if that was not enough, the IEC failed to publish the final voters' roll when Lesotho went to the polls on 7 October. The background to this is that, as the European Union (2022) notes, the IEC published the certified register and shared it with registered political parties 30 days before the elections. However, closer to election day allegations of errors and inaccuracies were expressed in the media, hence the cleaning and verification of the register continued until the eve of election day (Electoral Commission SADC Parliamentary Forum of SADC Countries 2022). This meant that while the list was initially shared in time, Lesotho went to the polls with an inaccurate register.

Inconclusive Electoral Reform

Another variable that affected the preparedness and performance of the IEC in the 2022 elections was the inconclusive electoral reform process. The Parliament of Lesotho passed the National Assembly Electoral (Amendment) Act, 2022 to allow all eligible voters to register and vote by using their national identity documents as proof of identity. But this Act was nullified by the courts of law after the reopening of Parliament (to pass this Act and others) was challenged in the courts of law because the reopening of Parliament was unconstitutional. Lesotho is, at present, undergoing a reform process and the tenth Parliament failed to pass the electoral reform act. Hence, the reopening of Parliament to pass the electoral act and other laws. This caused uncertainty regarding the applicable legislation a few weeks before the elections (European Union 2022, p. 16):

The Court's decisions on the state of emergency nullifying the electoral law reform reverted the requirement for the submission of candidate lists to the criteria of the old version of the electoral law during the week of submission of Proportional Representation (PR) candidates. The IEC had not published the parties' candidate lists for the PR seats within the legal deadline on 5th October 2022, instead, these lists were made public only after the elections on 10th October, when the IEC announced the PR election results.

The IEC had been preparing itself all along for the elections to be based on the proposed electoral law, only for it to be abandoned. Maqutu (2023) indicates that the IEC had anticipated the promulgation of four new pieces of legislation, which included the harmonising of the Local Government Election Law and the National Assembly Legislation into the Elections Act; but when that fell through, the IEC had to go back to the drawing board. The new electoral law would have had voters producing their national identity documents and no other form of identity, as had always been the case. In this regard, Mohapi (2023) finds the IEC to have been relatively prepared. This relapse harmed well-nigh all electoral processes, particularly voter education and registration as these were being implemented to tally with the new law.

The inconclusive electoral reform should have put more pressure on the IEC to implement a robust voter education programme to counter any damage that may have been caused by having to revert to a law that was thought would have been retired by election day. However, due to the same financial constraints and late allocation of funds, voter education activities were compressed from the initial three months to three weeks, an unexpectedly short and compromised time for these elections. However, the inconclusive reform process should not have had that much impact on the voters because they were merely redirected to an electoral process with which they were already familiar. The only argument here may be that the electorate had already been informed and was ready to vote according to the new law.

Constituency Delimitation

The decisions of the courts on the case challenging the delimitation of constituencies seem to have adversely affected the preparedness of the IEC to run the 2022 elections. Section 67(3) of the Second Amendment to the Constitution Act, 1997 mandates the IEC to draw up new constituency boundaries after every national census. In preparing for the 2022 elections, the IEC had demarcated new constituency boundaries, but that process was challenged by the Democratic Congress (DC), which dragged the commission to the courts of law. Even though the courts ruled in favour of the IEC, they also ordered the IEC to redraw the boundaries of 20 out of the 80 constituencies. The courts found that these 20 constituencies did not meet the constitutional requirement of the population quota variation of ten percent. As a result, on 12 August 2022 the IEC issued a legal notice containing the new delimitation of the 20 constituencies (European Union 2022). This was approximately two months before the elections.

The late publication of new constituency boundaries possibly confused voters and there was limited time for them to become acquainted with the new

constituencies. The European Union (2022) observes that this late change posed a challenge to registered voters, whose constituencies and polling stations had now changed very close to election day without them having received adequate and timely information. The new arrangement produced two categories of voters: those who showed up at their old polling stations but had been moved to new ones and then had to locate their new constituencies or polling stations during polling day; and those whose names were not on the voters' roll in their usual and known constituencies. Molibeli (2023) states that many voters' names were missing from the voters' roll, so much so that:

On election day, in Qoaling, a voters' roll had to be printed afresh in the Lorretto polling station. This voters' roll was not only changing voters' polling stations, but it was also actually placing them in new constituencies and districts altogether. The voters' roll that we went to elections with was not a correct one. It was a messy voters' roll.

Although Mohapi (2023) also witnessed similar problems while observing the elections, he commends the responsiveness and flexibility of the polling officers. He opined that the IEC performed relatively well considering the resource constraints it faced compared to the past elections, and recalled that:

In some polling stations, the IEC officials were even using the 2015 voters' roll just to make sure that everybody goes to vote although that was not following the law. Not that it was illegal as such, but we know that when the latest voters' roll is available it is the one that should be used, but some polling agents had the 2015 and 2017 voters' roll in their files. When voters would complain that they were not in the new roll, they would look them up in the 2015/2017 register and sometimes would rely on their recollection of the voter from previous elections and if they find him in the old register, they allowed them to vote.

Mohapi feels that these acts indicated how responsive and flexible the IEC was in the situation, and the lengths to which the IEC was willing to go to legitimise an election that should not have been allowed to reach this point given their lack of readiness. Nonetheless, the court cases on constituency delimitations were a new phenomenon since the 2012 polls and had an overall adverse effect on the preparedness of the IEC to run the 2022 elections. But this was not the only issue that involved court decisions. The European Union (2022, p. 30) notes that the High Court reported:

A total of 23 cases on candidate nomination and disputes on the legitimacy of party committees. A total of 10 candidate nomination cases were further submitted to the Court of Appeal. As a result of the Court's decisions, 36 candidates' names had to be changed from the candidate lists. The protracted cases extended well beyond the deadline for candidates' nomination of 9 September 2022, forcing the IEC to remedy the process.

These were coupled with late court decisions on the candidate registration process that led to delays in the publication of the final candidate lists for the FPTP seats, and complications regarding the printing of ballots in three constituencies (European Union 2022, p. 16).

Announcement of Results

In terms of Subsection 66A(1) of the Second Amendment to the Constitution Act, 1997, the IEC is mandated to announce election results. However, such an announcement is usually done in two parts: Firstly at the polling stations by polling officers, and secondly, later, at a central office, by the IEC itself. Observing those steps, the final election results were gazetted on 14 October 2022; yet unexpectedly, on 21 October 2022 the IEC lodged an urgent application with the High Court 'requesting the re-allocation of four officially announced and gazetted PR seats. The IEC declared that a modification was necessary following its detection of the wrongly calculated PR seat allocation' (European Union 2022, p. 7). This allegedly incorrect calculation may be a yardstick of IEC performance, especially because the IEC has used this formula since the 2002 elections and this is the first time it has made this type of error.

Although a blunder of this magnitude could not have been foreseen, this paper argues that the IEC has observably performed poorly throughout the election process, including the electoral period. This was merely a culmination of several incidences of poor performance that it has exhibited in its quest to deliver elections regardless. Since the reform processes were stalled, as this paper has shown, there is nothing new introduced to the electoral process that could have led to the miscalculation of seats, and potentially compromised the public's trust in the electoral administration (European Union 2022).

The public's trust in the IEC was already fragile, as the Afrobarometer indicated; thus this miscalculation of the PR seats could only aggravate the situation. Despite the fact that the IEC has come a long way to redeem itself with political parties amid its tense relationship with them, this may have dire consequences and implications for future elections. This error further strips

this election of integrity and also leaves a dent in the credibility of the IEC as a public institution capable of running credible and fair elections. In light of this miscalculation, three members of civil society have called for a tribunal to be appointed. They have penned a letter requesting that the Council of State present to King Letsie III that the question of removing the three commissioners be investigated (Boloetse, Mokotjo, & Jane 2023). This tribunal is provided for under Section 66(12) of the Second Amendment to the Constitution Act, 1997, to investigate the need for such removal which will be based on the inability of the member of the commission to carry out his duties.

The courts have ruled in favour of the IEC, consequent to which the four PR seats were reallocated to the members of the Basotho Patriotic Party (BPB), the Lesotho People's Congress (LPC), the Basotho National Party (BNP), and United for Change (UFC). Be that as it may, the miscalculation of seats exposed further poor performance of the IEC and tainted the credibility of the commission (*The Post*, 2023). Before this court outcome, Maqutu (2023) had refuted any claims that the wrong calculation of seats may have dented the integrity of the IEC:

When we count the PR seats, we do it together with all the political parties that contested the election, we sit together and agree on the formula. Everybody came into that allocation meeting having already calculated their PR seats. Nobody picked up on that second aspect of the formula. If it was an integrity issue, we would have kept mum about it. It would be less painful for us.

Indeed, Maqutu is correct that all political parties that had contested the elections participated in the calculation of all the results and the allocation of the PR seats. It is surprising that they could not identify this disastrous error, only to be told of it by the IEC. Be that as it may, the allocation of PR seats and the announcement thereof is the responsibility of the IEC, bestowed upon it by the law; therefore anything that goes amiss will rightfully be blamed on it, not its stakeholders. The IEC is to blame for this blunder.

All these challenges above notwithstanding, there are other areas where the commission is applauded for good performance in the 2022 polls. Respondents note that among other positive factors the IEC delivered ballot papers on time and the election results were not disputed. Maqutu (2023), however, believes that the IEC outdid itself in the elections considering the challenges it faced. He lists these challenges as funding and the legislative environment, the whole issue around reforms which became a big dampener, the turnaround of matters before the court, and the much-needed interface of the IEC with the Ministry of Home Affairs.

CONCLUSION AND RECOMMENDATIONS

All EOMs that observed the 2022 elections credit the IEC for having been prepared and performing well then, and in all elections since 2012. Their conclusion is usually based on the IEC aligning itself with principles and international standards, notably those of the AU and SADC. However, such pronouncements and analyses must be based on more than these considerations, especially when a country consistently records a declining voter turnout. Nonetheless, such pronouncements are to some extent inevitable because there is no comprehensive framework to gauge the performance of EMBs.

This paper has used the framework of James et al. (2019) which shows causal linkages between the design of an EMB, its performance, and outputs. The paper concludes that the IEC performed poorly in this election chiefly due to the inconclusive legal reform and its financial dependence on the government, which also affected its preparedness. The inadequate and late funding had a negative bearing on almost all electoral processes, and in particular, on voter education, which was completed only three weeks before the polls. The issue of the poor quality of the voters' roll seems to be a permanent problem in Lesotho's elections. It is therefore recommended that the constitutional and legal framework of Lesotho should be reviewed to grant the IEC full control over its resources to ensure elections that are not only free and fair but also have integrity. This should be done under the national reforms programme that is ongoing at the time of writing this paper. The financial independence of the IEC has a positive correlation with its capacity; therefore this paper recommends that to go along with the independence derived from the Constitution, Lesotho's IEC should be practically independent by adopting the precepts of the independent model of Catt et al. (2014). This paper also recommends an investigation into whether the design of the IEC could have implications for its performance, and that its structure be reviewed in line with its external environment.

----- REFERENCES -----

- African Union 2017, *African Union Election Observation Mission to the 3 June 2017 National Assembly Elections in the Kingdom of Lesotho Final Report*, African Union.
- African Union 2023, *OAU/AU Declaration on the Principles Governing Democratic Elections in Africa*, Available at <https://archives.au.int>
- AUEOM 2017, *African Union Election Observation Mission to the 3 June 2017 National Assembly Elections in the Kingdom of Lesotho*, African Union.

- Boloetse, M, Mokotjo, M & Jane, R 2023, Letter to the Council of State.
- Catt, H, Ellis, A, Maley, M, Wall, A & Wolf, P 2014, *Electoral Management Design Revised Edition*, International Institute for Democracy and Electoral Assistance (IDEA), Stockholm.
- ECF-SADC 2022, *Preliminary Statement of Electoral Commissions SADC Parliamentary Forum of SADC Countries (ECF-SADC) on the National Assembly Elections of the Kingdom of Lesotho*, ECF-SADC, Gaborone.
- EISA 2013, *Parliamentary Elections 26 May 2012 Lesotho: EISA Election Observer Mission Report No 46*, EISA, Johannesburg.
- EISA 2017, *National Assembly Elections 3 June 2017: EISA Election Observer Mission Report No 56*, EISA, Johannesburg.
- Elklit, J & Reynolds, A 2005, 'Judging elections and election management quality by process', *Representation*, vol. 41, no. 3, pp. 189-20.
- Elklit, J & Reynolds, A 2005A, 'A framework for the systematic study of election quality', *Democratisation*, vol. 12, no. 2, pp. 147-162.
- European Union 2022, *European Union Election Observation Mission Lesotho 2022 Final Report National Assembly Elections – 7 October*, European Union, Maseru.
- Garnett, HA 2019, 'Evaluating electoral management body capacity', *International Political Science Review*, vol. 40, no. 3, pp. 335-353.
- IDEA, Institute for Democracy and Electoral Assistance, Available at <https://www.idea.int/data-tools/country-view/174/40>
- IEC 2022, *Independent Electoral Commission*, Available at www.iec.org.ls
- James, TS 2017, 'The effects of centralising electoral management board design', *Policy Studies*, vol. 38, no. 2, pp. 130-148.
- James, TS 2019, 'Better workers, better elections? Electoral management body workforces and electoral integrity worldwide', *International Political Science Review*, vol. 40, no. 3, pp. 370-390.
- James, TS, Garnett, HA, Loeber, L & van Ham, C 2019, 'Electoral management and the organisational determinants of electoral integrity: Introduction', *International Political Science Review*, vol. 40, no. 3, pp. 295-312.
- Kapa, MA 2013, *Lesotho: Political Participation and Democracy*, The Open Society Initiative for Southern Africa, Johannesburg.
- Lesotho Government 1997, *Second Amendment of Constitution, 1993*, Government Printers, Maseru.
- Lesotho Government 2011, *National Assembly Electoral Act, 2011*, Government Printers, Maseru.
- Lesotho Government 2022, *National Assembly Electoral (Amendment) Act, 2022*, Government Printers, Maseru.
- Makoa, FK 2004, 'Electoral reform and political stability in Lesotho', *African Journal of Conflict Resolution*, vol. 4, no. 2, pp. 79-95.

- Makoa, FK 2018, *Politics, government and governance in Lesotho since 1993*, SA Print Group, Maseru.
- Malephane, L 2022 'Basotho approach election with grim outlook on economy and democracy', Afrobarometer Dispatch No. 535, 27 July.
- Matlosa, K 2021, *The interplay between party coalitions and electoral systems in Lesotho: Imperatives for party reforms*, In H, 'Nyane & M Kapa, *Coalition Politics in Lesotho: A multi-disciplinary study of coalitions and their implications for governance* (pp. 135-155), African Sun Media, Johannesburg.
- Mozaffar, S & Schedler, A 2002, 'The Comparative Study of Electoral Governance – Introduction', *International Political Science Review*, vol. 23, no. 1, pp. 5-27.
- Musanhu, B 2009, 'Lesotho', In D Kadima & S Booysen, *Compendium of Elections in Southern Africa 1989-2009* (pp. 147-185), EISA, Johannesburg.
- SADC 2015, *SADC Principles and Guidelines Governing Democratic Elections*, SADC, Pretoria.
- SADC Parliamentary SADC Parliamentary Forum 2012, *Election Observation Mission Report for the 2012 Lesotho National Assembly Elections*, SADC Parliamentary SADC Parliamentary Forum, Windhoek.
- Sejanamane, MM 2016, *Election Management Bodies in Southern Africa: Comparative study of the electoral commissions' contribution to electoral processes*, Open Society Initiative for Southern Africa (OSISA) and African Minds, Johannesburg.
- Sekatle, P 1999, June, 'The Lesotho General Election of 1998', *Lesotho Social Science Review*, vol. 5, no. 1, pp. 31-45.
- SEOM 2015, *Preliminary Statement of SADC Observation Mission to Lesotho*, Maseru.
- SEOM 2017, *Preliminary Statement of SADC Observation Mission to Lesotho*, Maseru.
- Southall, R 2012, 'Is Lesotho South Africa's tenth province?', *Indicator SA*, vol. 15, no.4, pp. 83-89.
- The Post*, Available at: <https://www.thepost.co.ls/four-new-mps-to-be-sworn-in/>