# POLICY FORMULATION IN THE MINISTRY OF DEVELOPMENT PLANNING IN THE GOVERNMENT OF LESOTHO

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# DECLARATION

I declare that this dissertation is my own unaided work. All citations, references and borrowed ideas have been duly acknowledged. None of the present work has been submitted previously for any degree or examination in any other University.

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# ABSTRACT

This research study aimed at investigating policy formulation in the Ministry of Development Planning in Lesotho. It was driven by the conviction that public policy formulation in Africa is considered to be very conservative and restricted, with very little public involvement and no input from the general public. Lesotho as a country (and the Ministry of Development Planning in particular) is not immune to this practice. Authentic public participation - as opposed to rubberstamping - in the policy formulation process has been the subject for considerable research in academia. Decision-making in policy formulation is supposed to be grounded on public participation. However, the realisation of authentic public participation in decision-making in policy formulation remains a challenge for many countries including Lesotho.

In this study, I examined the process of policy formulation in the Ministry of Development Planning of Lesotho. I employed the monitoring and evaluation theoretical framework to guide the study. The qualitative research methodology which comprised semi-structured interviews and document analysis was adopted. Four key questions were explored in the study: (i) How are policies formulated within the government of Lesotho by the Ministry of Development Planning? (ii) To what extent are various stakeholders included in the policy formulation process? (iii) How does public participation in policy formulation influence decision making within the government of Lesotho? (iv) Do party politics influence the policy formulation process in the government of Lesotho?

The research findings of this study indicate that the majority of the citizens in Lesotho do not actively participate in policy decision-making processes in the Ministry of Development Planning. Civil society organizations are not functioning as they are expected to in policy formulation processes. The study further revealed that public participation on issues of policy formulation process in the Ministry is influenced by political affiliation of the citizenry. These findings led to the conclusion that public participation in policy decision-making processes in Lesotho is not done properly. The recommendation, therefore, is that the process should be detached from party politics so that policies could resonate with societal needs and enhance the process of community development.

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# ABBREVIATIONS AND ACRONYMS

ABC – All Basotho Conventions

ANC – African National Congress

APRM – African Peer Review Mechanism

BAC – Basutoland African Congress

BCP – Basutoland Congress Party

BNC – Basutoland National Council

BNP – Basotho National Party

BPA – Basutoland Progressive Association

CMA – Common Monetary Area

CCL – Christian Council of Lesotho

CSOs – Civil Society Organizations

DC – Democratic Congress

DCs – District Councils

DDCs – District Development Committees

DPE – Development for Peace Education

IM – In Maseru

INDF – Interim National Development Framework

INGOs – International Non-Government Organizations

LCD – Lesotho Congress for Democracy

LLB – *Lekhotla la Bafo*

MCC – Maseru City Council

MFP – Mare-Matlou Freedom Party

M&E – Monitoring and Evaluation

NC – National Council

NGOs – Non-Government Organizations

NSDP – National Strategic Development Plan

OM – Outside Maseru

PCM – Project Circle Management

PMU – Policy Mobile Unit

PRSP – Poverty Reduction Strategic Plan

PSP – Policy and Strategic Planning

SACU – Southern Africa Customs Union

SADC – Southern African Development Community

SARS – South African Revenue Authority

TRC – Transformation Resource Centre

TWGs – Technical Working Groups

UNDP – United Nations Development Programme

VDCs – Village Development Committees

WDCs – Ward Development Committees

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# CHAPTER ONE

# INTRODUCTION

## 1.0 BACKGROUND OF THE STUDY

Lesotho, affectionately known as 'the Mountain Kingdom,' is presented in the literature as one of the BLS states which comprise Botswana, Lesotho and Swaziland. Like the other two sister countries, Lesotho obtained independence in the mid-1960s (in 1966 to be exact). *The National Strategic Development Plan* (2012:1) stated that after 45 years of independence, Lesotho has made much progress towards development but the country still has not yet fully escaped the scourge of poverty. Lesotho is still considered a least developed country with per capita income of approximately $1000. Lesotho has not taken full advantage of its opportunities, though it is located in the center of the largest and most sophisticated economy on the African continent, South Africa. Instead, for decades, it served as a labor reservoir for South African mines and industries. Meanwhile, the country has continued to experience slow economic growth, poor agricultural productivity, low wages, limited industrial skills, poor physical infrastructure and high costs for cross border logistics (ibid, 2). These challenges have led to an unhealthy dependence on its neighbor and external assistance for employment, formulation and implementation of policies, incomes, high-level institutions for scientific education and research. In terms of size, Lesotho is a small country with a small population of approximately1.88 million (Lesotho Census, 2006).

The fact that Lesotho is located at the center of South Africa gives it a great opportunity to integrate into the main economic centers of the Republic of South Africa. The Basotho themselves are Lesotho's greatest comparative advantage. The abundant and literate labor force, if properly employed, can be the motor for development. Within the region, the labor is highly productive relative to their wage cost. The impact of rapid demographic change is that Lesotho will experience a "demographic bonus" which presents a window of opportunity for development and unprecedented prosperity. For several years to come,

Lesotho will have an unusually large labor force which is now approximately 60% of the population (*The National Strategic Development Plan* 2012).

Lesotho is also a member of the Southern African Customs Union (SACU), the Common Monetary Area (CMA), and the Southern African Development Community (SADC).These are key influences on the trade and exchange rate monetary policies of all member countries. The Lesotho government also draws most of its policies in line with the commonalities of these member organizations and countries. South Africa remains Lesotho's main trading partner and guider in matters related to policies. Lesotho possesses the national resource of abundant literate and regionally competitive labor force. There is, therefore, potential for economic growth if these resources could be harnessed appropriately.

Even though Lesotho has national resources and an abundance of literate citizens, there is still a problem because citizens have no democratic ownership of the development policy formulation and implementation process. Instead, elected representatives (Members of Parliament) and civil servants at the central government level have the prerogative to formulate and implement various policies. Noticeably, there are evident serious capacity constraints in carrying out their responsibilities. Moreover, these individuals do not report back to the public on government policies. Therefore, there is an acknowledgement of the fact that national policies do not trickle down to the citizens (Economic Justice Network Lesotho, 2011). This implies that there are policy formulation gaps within the government of Lesotho which need to be filled if the country is to progress at all.

The Ministry of Development Planning is one of the twenty six ministries within the government of Lesotho. This ministry differs from others in the sense that it is entitled to give direction and coordination to other line ministries with regard to development planning systems in Lesotho. The ministry was first established in 1990 and as per *Legal Notice no.48 March, 1990*. It is mandated to formulate the national development policies, plans and programmes and for the coordination of resources, their mobilization and management. The history of this ministry denotes that it was led by the Minister of Finance and Development in those years but the ministry had its own Principal Secretary who was

independent from that of the Ministry of Finance. It was in 2004 that this Ministry of Development Planning was merged with the Ministry of Finance to form one ministry called the Ministry of Finance and Development Planning. This entailed that the newly formed ministry was now led by one Minister and one Principal Secretary.

*The Ministry of Development Planning Strategic Plan 2013-2017* states that the May 2012 general elections in Lesotho brought about another change with the coming to power of the Coalition government comprising of All Basotho Convention (ABC), Lesotho Congress for Democracy (LCD) and Basotho National Party (BNP). These parties were led by; ABC was Thomas Thabane, LCD was Mothejoa Metsing and BNP was Thesele Maseribane. The Ministry of Development Planning was demerged from the Ministry of Finance and assumed its independent status as a separate ministry. It was for the first time in history that the full ministerial autonomy was endured to the ministry and the Minister and Principal Secretary were appointed solely responsible for the Development Planning Ministry. It was under the Ministry of Finance and Development Planning that the activities of the ministry were guided by what was called departmental development strategies from the Ministry Strategic Plan 2007-2011. Available information from different sources shows that reviews on the departmental strategies were never undertaken to determine the extent to which the strategy was followed.

The Ministry of Development Planning is built up on departments which were transferred from the Ministry of Finance during the demerger. The criterion used to transfer these departments was based on the identification of those departments which used to fall under the Department of Development Planning before it was merged with that of Finance. These departments determined the new functional areas of the Ministry of Development Planning. *The Ministry of Development Planning Strategic Plan 2013-2017* states that the ministry is responsible for the formulation of national development policies, plans, programmes as well as their monitoring and evaluation, policy advice, mobilization of resources, projects management, statistical information management and national manpower planning and development. The *Strategic Plan 2013-2017* also presents the seven departments which constitute the Ministry of Development Planning and these are Policy and Strategic

Planning, Aid Coordination, Project Cycle Management, Monitoring and Evaluation, Bureau of Statistics, National Manpower Development Secretariat and Administration. The *Ministry of Development Planning Strategic Plan 2013-2017* (2013:4-5) presents these departments and their portfolios as follows:

a) **Department of Policy and Strategic Planning:** This department is responsible for the formulation of medium to long term development plans and the provision of policy advice to government;

b) **Department of Aid Coordination:** is responsible for development and management of partnership/aid policy, resources mobilization (grants), negotiations of development and technical assistance, and development and management of technical cooperation agreements;

c) **Department of Project Cycle Management:** assists line Ministries in the identification, preparation, appraisal, monitoring and evaluation of projects and provides guidelines for such activities;  it also develops and manages the public sector investment programme;

d) **Department of Monitoring and Evaluation:** monitors the implementation of national development Plans and policies, and evaluates their impact;

e) **Bureau of Statistics:** is responsible for national data collection and processing, and dissemination of official statistics;

f) **National Manpower Development Secretariat:** administers loan bursaries and scholarships for the development of national manpower as per the national priorities; and

g) **Administration:** is responsible for financial and asset management, procurement of goods and services, records management, provision of legal services, provision of information and communication technologies support,  and management of human resources.


This study on policy formulation in the Ministry of Development Planning in the Government of Lesotho focuses on three departments which are the department of policy and strategic planning, department of project cycle management and department of monitoring and evaluation. It is from these departments that the data was collected because

they are solely engaged with the policies and their formulation processes. This is evident when one looks at their portfolios on how directly they are related to the process of policy formulation in the Ministry of Development Planning.

## 1.1 STATEMENT OF THE PROBLEM

As per conventional practice in any institution, all governments across the world formulate and implement policies so that they remain relevant and effective. In the same vein, the Government of Lesotho formulates policies through the Ministry of Development Planning. Other ministries draw up their policies and guidance from the national policies. However, the problem is that policies do not seem to achieve what they were intended to achieve as they were formulated by the Government of Lesotho. This leads to the conclusion that there are gaps which exist within the policy formulation process. It is the latter that the present study set out to investigate.

Kapa (2013:4) stated that "the public policy-making in Africa has been the preserve of political and bureaucratic elites since independence." Corkery, Land and Bossuyt (1995:1) on the other hand, added that "the development of sub-Saharan African countries since they became independent some thirty years ago is generally recognized to have been disappointing." Kapa further quoted Nhema (2004:18) who argued that "public policies in Africa are very conservative and restricted, with very little public involvement and no input from the wider community." This practice has been evident in African states in general whereby the majority of the public are not taking full part in policy making processes but only the minority who are at the top of the governments are engaged fully in the processes. Writing with specific reference to Lesotho, Kapa (2013:4) also acknowledged that; "Lesotho is not an exception to this practice even after almost 20 years of plural politics. Civil society in Lesotho has to fight for participation in the formulation of public policies. This can perhaps be explained in terms of a long history of authoritarian rule that was, by nature, extremely secretive." This has led to the state of apathy to members of the public because the bureaucratic elites have indoctrinated them with the idea that they are capable of carrying out all the decisions within the governments.

The exacerbation of this situation is the hindrance of the public to access information about government matters which is seen where civil servants are not allowed to release this information without authorization of the heads of the ministries and chief accounting officers (the local term in Lesotho is principal secretaries). Citizens of Lesotho experience a lot of hindrance to take part in matters which affect their lives and policy making processes. These hindrances are also in existence because there is lack of laws which support the citizens with regard to issues that are related to them in the government. In some cases where these laws exist, they are not known to the general public. Therefore this study on policy formulation process in the Ministry of Development Planning becomes more relevant as it will expose some policy gaps which exist within the government of Lesotho. These gaps are the hindrance to some development activity within the country and this study is hoped to suggest how these gaps can be filled going forward.

When this study was conceived, its aim was to investigate policy formulation in the Ministry of Development Planning in the government of Lesotho. The study explores Policy decision making in the government of Lesotho. In particular, it analyses the influence of party politics in the policy formulation process within the government of Lesotho, identification of policy formulation gaps and makes suggestions on how to fill these gaps. It is hoped that the study will contribute towards the body of knowledge on the concept of policy formulation in Lesotho and in Africa generally, and that it will also provide insight into the complexities and challenges associated with authentic policy formulation process in a democratic Lesotho.

## 1.2 SCOPE OF THE STUDY

This study about policy formulation in the Ministry of Development Planning in the government of Lesotho is limited to the process of policy making within the Ministry of Development Planning. The study does not discuss policy implementation and policy evaluation but it focuses on identifying discernible gaps within the policy formulation process and suggests how these gaps could be filled moving forward. In that sense, this is a focused study which provides an in-depth analysis of the selected ministry in Lesotho.

**1.3 RESEARCH OBJECTIVES OF THE STUDY**

The objectives of this study could be stated as follows:

1. To investigate how policies are formulated within the government of Lesotho by the Ministry of Development Planning.

2. To establish the extent to which various stakeholders are included in the policy formulation process.

3. To understand how public participation in policy formulation, influences decision making within the government of Lesotho.

4. To establish the influence of party politics on policy formulation and decision-making within the government of Lesotho.

**1.4 KEY QUESTIONS**

The main question which is addressed in this study is: What are the policy gaps within the government of Lesotho? This question will be answered later in this dissertation by addressing the following sub-questions:

1. How are policies formulated within the government of Lesotho by the Ministry of Development Planning?

2. To what extent are various stakeholders included in policy formulation process?

3. How does public participation in policy formulation, influence decision making within the government of Lesotho?

4. Does party politics influence policy formulation in the government of Lesotho?

## 1.5 CHAPTER'S OUTLINE

This dissertation is divided into eight chapters which are organized as follows:

### Chapter One: Introduction

This chapter provides the background of the study, the problem statement, scope of the study, aims and objectives and key questions addressed in the study.

### Chapter Two: Literature review

Chapter two explores existing literature on the theme of the study with the view to locate this dissertation in the broader context. The literature explores policy and policy formulation process from a general perspective citing some examples where necessary. The three models of policy formulation process, namely; linear, policy streams and rounds model are reviewed in this chapter. There is also literature on public participation in policy decision-making processes since this constitutes one of the main discussion topics in the dissertation. This is followed by civil society organizations and policy formulation process. There is also public participation in Lesotho which is looked into by considering what other previous studies have established as far as this theme is concerned. Within the same chapter the discussion moves away from the general perspectives on the policy formulation process in the broader African context and more specifically focuses on the policy formulation process in Lesotho as the focal point. Monitoring and evaluation is discussed as the theoretical framework for this study. Decision-making and participation are located within the discussion of the theoretical framework with the view to preparing the reader's mind-set.

### Chapter Three: Research Methodology

This chapter presents the research methods employed in this study. This study adopted a qualitative approach where document analyses, semi-structured interviews with open-ended questions were used for data collection. Purposive and simple random sampling methods were used to identify the participants to be interviewed. The chapter provides details on all of these issues so that the reader would appreciate and understand how the study was conducted to generate data used to write-up the dissertation. Moreover some ethical considerations for undertaking this research study are outlined in this chapter.

**Chapter Four: Presentation of Research Results**

Ordinarily, each study should be able to present its findings on the issues that were investigated. Within this conventional practice, Chapter four presents the research findings as they were obtained from the fieldwork and other sources. To make reading easier, three themes are drawn from the research findings and these are; (i) The contextualization and understanding of the policy and policy formulation process in the Ministry of Development Planning, (ii) Decision-making and stakeholders' participation in the policy formulation process, and (iii) Party politics in the policy formulation process.

**Chapter Five: Policy Decision-Making in the Ministry of Development Planning**

This is the first of the empirical chapters in this dissertation. In this chapter I discuss and analyze public participation in the policy formulation process in the Ministry of Development Planning in Lesotho and try to establish the role of civil society in the policy formulation process in Lesotho in general and in the Ministry of Development Planning in particular.

**Chapter Six: The Influence of Party Politics in Policy Formulation Process in the Ministry of Development Planning**

This chapter is the second empirical chapter. In it I will discuss and analyze public participation and party politics. I establish the extent to which party politics impact on policy formulation in Lesotho. In so doing, I look at public participation within the military regime context and then establish the role played by the Lesotho constitution in guiding party politics.

**Chapter Seven: Policy Formulation Gaps within the Ministry of Development Planning**

This is an analytic chapter. Drawing from the two empirical chapters above, I identify the policy formulation gaps in the current modus operandi of the Lesotho government and the Ministry of Development Planning in particular. The gaps are meant to alert government authorities and all interested parties to the current state of affairs so that the Basotho people could do self-introspection and ask themselves if this is what they really want.

**Chapter Eight: Conclusion and Recommendations**

This is the last chapter of the dissertation. In it, I draw general conclusions on the entire study. In so doing, I revisit the study objectives and re-consider them as well as the research questions with the view to establish if the study has succeeded in addressing them. I cite the fieldwork data to draw conclusions. With this goal achieved, I make relevant recommendations with regard to the findings from the fieldwork. Some of the conclusions are specific to the chosen ministry of Lesotho while others are more general and even transcend the Lesotho borders given their general status.

## 1.6 CHAPTER SUMMARY

The aim of this chapter was to introduce this research study on the policy formulation process in the Ministry of Development Planning in the government of Lesotho. The discussions departed from looking at the background of the study and presented a succinct summary of Lesotho's profile for the benefit of readers who might not be knowledgeable about this tiny country which is surrounded by South Africa. This was followed by the statement of the problem which motivated the undertaking of this research study. The scope of the study was also specified so as to draw the parameters within which the study operates. The aims and objectives of the study were broadly outlined and the study's key research questions enumerated.

The next chapter will focus on the existing literature around the subject matter of this research study. The literature will be reviewed generally on policy and policy formulation, and public participation. There will also be a shift of focus to policy formulation from the broader African context to Lesotho as the focal point. Monitoring and evaluation theories, in the light of participation and decision-making, will be discussed. In a nutshell, the literature discussed in Chapter two is both general on the theme of the study and specific in the context of Lesotho.

# CHAPTER TWO

# LITERATURE REVIEW

## 2.0 INTRODUCTION

The previous chapter was the introduction of the study. It presented the base on which this research is grounded on and it provided the statement of the problem and delineated the scope of the study as well as the factors which motivated the undertaking of this project. Key questions, aims and objectives of the study were presented in this chapter. There was also the chapter outline which highlighted all the chapters in this study and what is the content of each chapter.

In this chapter the aim is to explore the literature around the concept of policy and the policy formulation process. This will be done by conceptualizing policy the formulation process with the view to better understand how decision-making and participation happens in policy-making from a general/theoretical perspective. The first section will be on the conceptualization and theorization of the policy process. The main focus here will be on how policy and the policy formulation process has been conceptualized and theorised by different scholars, different institutions and how the concepts are understood in the context of decision-making and participation. In the second section of this chapter, there will be a discussion on the policy formulation models, and the third section focuses on the in-depth discussion on public participation in policy decision-making processes.

The fourth section discusses the role of civil society organizations in the policy formulation process. This will encompass how these civil society organizations are supposed to be engaged and there will also be outlining of their current shortfalls. The fifth section of this chapter will present the historical background on public participation in Lesotho. The sixth section will show the current practices of policy formulation in the African context. There is also discussion on the existing literature around policy formulation in Lesotho. The seventh section deals with the theoretical framework for this study and the theories of monitoring

and evaluation are the driving forces. These theories are viewed in accordance with decision-making and participation as they are intrinsic to them.

## 2.1 THE POLICY PROCESS

The policy process is often confused with the planning process and it is important to discuss the relationship between the two concepts. According to Brynard (1996:132) planning should be placed in relation to phenomena such as policy making and policy implementation by using goal perspectives as a guiding factor. This means that there is a relationship between the two concepts. Even though they are related, there are differences as well as similarities between the two concepts. As Conyers (1984:15) indicates, "policy process involves the making of decisions about the direction in which change should occur, while planning is the process of deciding on what courses of action should be followed to bring about these changes, and implementation is the actual execution of these courses of action".

Therefore in this instance, policy precedes planning because policy depicts the broader direction to be taken to effect change while planning involves a decision or course of action one will take to bring about the change. Moreover, planning is a simplification of policies. This is what Brynard (1996:132) meant when he stated that "planning is a way of enabling policies to be translated into practical action programmes which produce visible results – that is, goal achievement".

Coning (2006:3) stated that policy is "a statement of intent" whereby the concept specifies the basic principles to be pursued in attaining specific goals. He further stated that policy interprets the value of society and is usually embodied in the management of pertinent projects and programmes. Thus policy as the statement of intent comes as a result of being formulated through a process which entails the involvement of different stakeholders who play various roles. This process is called policy formulation. Butter (1992:43-44) argued that policy formulation is "the collecting and analyzing of information and formulation of advice regarding the policy to be followed." This entails that policy formulation is the

process by which the end result is a policy. The policy formulation process will be discussed in-depth in another section below after the agenda setting.

### 2.1.1Agenda Setting

Fox and Meyer (1995:97-98) differentiated between policy issues and policy problems saying that policy problems "are those needs and non-use of opportunities that may have a detrimental effect on at least one segment of society and may be constructively addressed through public action." Policy issues, on the other hand, are, in their view, "conflicts or disagreements about the nature and origin of policy problems and about a difference in approach to the problem solving."

Cloete and Meyer (2006:105) defined policy agenda setting as "a deliberate planning process through which policy issues are identified, problems defined and prioritized, support mobilized and decision makers lobbied to take appropriate action."  This is the initial stage in the policy-making process after the stakeholders have identified a policy issue or problem in a society which they feel that it is worth the government's attention and action. At this stage, stakeholders embark on a process of persuading policy makers to take action in support of their favor to bring about change in society. Cloete and Meyer (2006:105) ascertained that policy agenda setting is "crucial phase in public policy making for two main reasons; firstly, it determines how stakeholders influence the policy agenda. Secondly, it determines who influences or controls the policy-making process." These reasons outlined above lead to the conclusion that policy agenda setting is both procedural and substantive.

The procedural aspect of policy agenda setting is derived from the layman's understanding of agenda as a list of items to be dealt with during the meeting. This understanding of agenda in the layman's language implies that the agenda determines the order in which those listed items are discussed. This conceptualization of agenda does not differ from the understating of policy agenda setting presented by Cloete and Meyer (2006:105-106) which states that;

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The higher the item is placed on the agenda, the better the chances that it will be discussed and dealt with. The lower it is placed on the agenda, the greater the chances that the discussions of the preceding items may take up all the time allocated to the meeting, and that the later items will have to be shelved for another meeting.

It is in this respect that policy agenda setting denotes the prioritization of policy issues or problems for attention by policy makers and decision makers.

Even though a number of problems can be identified and articulated in public, this does not in itself guarantee that all identified policy problems can reach the agenda setting because there is also the pre-screening phase which determines those policy problems that can be on the agenda and those that cannot be included. This pre-screening phase is where policy systems clarify, formulate and structure the policy issues or problems on the agenda and then they are conveyed to policy makers to decide upon them. Cloete and Meyer (2006:107) stated that problem definition and identification "is the way in which the policy has been structured [which] will determine the feasibility, manageability and sustainability of the policy design and the implementation strategies devised to deal with it." This entails that the policy problem structures have a great influence in policy design for solving the existing problem in the society.

The substantive aspect of policy agenda setting suggests that public policy making is a process happening in a particular situation or context (Dubnick & Romzek, 1999:190). Swilling (1992:7), taking the South African context as an example, argued that policy is encompassed with power and policy making is concerned with the structuring of the agenda of social and political life. Cloete and Meyer (2006:112) added that agenda setting "can therefore not be studied in isolation from political, economic, social, technological, cultural and global factors." Swilling further argued that "ideologies also influence whether issues appear on the policy agenda or not. Public policies develop out of a given sociopolitical context which agenda setting emanates." This implies that the nature of the political landscape is inclusive of policy agenda setting. Cloete and Meyer substantiated by saying that "in open and democratic societies the notion of open and equal access to the agenda stage is advocated. In close and authoritarian states the power to influence the policy agenda is largely, if not exclusively, in the hands of the bosses or the head of state (dictator)."

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Available literature shows that policy agenda setting is also influenced by certain factors which also differ from society to society, and these factors influence agenda setting at government level. Hogwood and Gunn (1984:67-68) said that these factors are the key determinants of whether or not policy problems will appear on the policy agenda and they have outlined their generalized six factors. These factors are considered to be the states by which policy problems should possess in order that they can be forwarded to policy agenda setting. Hogwood and Gunn (cited by Grindle and Thomas, 1991:73) state that "the problem must reach crisis proportions and can no longer be ignored by the government. This is when the continued existence of the problem poses a threat, either to society of the state as a whole." Cloete and Meyer (2006:109) gave an example of a problem which reached a crisis proportion stage. This was the competitive nature of the taxi industry in South Africa which has led to the death of numerous passengers and it reached such a crisis level that government placed it high on the agenda of transport ministers throughout the country. The second factor is that the policy problem must achieve particularity. The third factor entails the view that policy problems must have an emotive aspect which attracts media attention.

The fourth factor states that the policy problem should have a better chance of reaching agenda setting than low impact issues. The fifth factor states that the policy problem should raise questions about power relationships in societies. These power relations constitute a sensitive issue for the government, hence they draw much attention. The last factor is that the policy problem should be fashionable for the government to address and these are problems with symbolic value.

*2.1.1.1 Participation of Stakeholders*

Policy agenda setting involves actors who act upon it and shape it to address a certain policy problem in the society. The principal actors in policy agenda setting include elected political office-bearers, appointed officials, courts of law, interest groups and the media. Elected political office-bearers are the representatives elected by the public, mandated to give content and shape public policies, and also to advance public views in the legislative and policy processes. These actors use public speeches or political campaigns to raise

policy issues or problems and sometimes they engage on media debates. In this way, they mobilize mass support for policy issues which lead to the non-avoidance or ignorance of those policy issues or problems articulated by the public. Appointed officials (who are the career public managers) are tasked with receiving and manufacturing of policy problems. They possess considerable power to decide about policy issues or problems which are to be forwarded into the policy agenda. Cloete and Meyer (2006:112-113) outlined the criteria used by these appointed officials to assess the status of the policy problems before they advance them to the policy agenda.

Firstly, they look at the urgency of the problem whereby they determine whether the problem is worth enough urgency to receive agenda status. Secondly, they look at the nature of the problem by differentiating whether the problem is a public or private matter because not all the problems advanced to officials are public matters. Thirdly, after the problem has been decided to be the public matter, officials are tasked to determine the level of the problem on the policy agenda by using their strategies and tactics of directing it.

Fourthly, the officials consider the budgetary conditions of the problem whereby they are not eager to push out the problem on the policy agenda if the problem is not budgeted for because this would require the compromising of money from the already approved budget. But sometimes the idea of advancing unbudgeted problems on the agenda can be a means of legitimizing budget allocations. Fifthly, they look at the strategic prioritization of issues. Cloete and Meyer (2006:113) stated that officials "are more likely to process issues that can be linked directly or indirectly to strategic priority are." The example was given whereby it is very likely that the government officials will process issues of homelessness, unemployment or access to drinking water because these issues can be linked to one of the government's priority areas such as poverty alleviation. Sixthly, it is the issue of internal capacity which says that officials in conservative and bureaucratic responses assess their internal capacity to respond to the policy problems before those problems appear on the government agenda. In this respect, officials avoid failures of insufficient internal capacity to address the policy problem on the agenda and they also run away from negative impact on their careers and performance as they would have failed to act upon policy problem on policy agenda.

The third principal actor in policy agenda setting is the court of law. This is composed of legal professionals who have a great contribution to policy making and agenda setting processes. In their involvement, they go beyond the narrow interpretation of policy mandates and they always embark on public policy evaluations. They evaluate public policies in a way of judgments to point out policy weakness or gaps which they may encounter in their direct contact. The court of law officials give direction on both the legislative and executive aspect to policy issues for the public agenda.

*2.1.1.2 Media*

Media plays a dominant role in policy agenda setting through the shaping of public opinion. This happens because media possesses a great advantage of resources, and access to passive audiences. Mclnnes-Dittrich (1994:89) stated that it is through media that the public can be both educated and indoctrinated about policy issues. It is through education and indoctrination of media to the public that policy issues gain support on the policy agenda. But this does not entail that policy issues influenced by the media will necessarily be consistent with the rational policy making process. This implies that media can boost its good reputation by influencing the policy agenda. The strength of media is evident whereby it can reach millions of people in a relatively short period of time. The observation in Africa is that "a media-driven policy agenda discourages the careful evaluation of alternatives. Representatives who take a lead in proposing policy responses are most likely to benefit from the wave of media" (Welmer and Vining, 1992:130).

## 2.1.2 Policy Formulation

After setting the agenda, the next step is to formulate the objective of the policy. This is where citizens, officials and councillors set objectives or formulates policies they want to achieve in order to address the problems they are facing (Ismail *et al*. 2001:150). Policy formulation or design is the most important stage in the policy process because it presents the government response towards addressing the problem identified in the agenda setting. According to Roux (2006:126) policy design or formulation is "what government decides to

do or not to do in order to counter a perceived policy problem in society. It is therefore the planning and development of policy content". This is where the active participation of citizens is expected because it is where the real plan of action is predicated.

Cochran and Malone (1996) noted that policy formulation has to deal with the problem, goals and priorities, solution options for the achievement of policy objectives, cost benefit analysis as well as negative and positive externalities associated with each alternative. These are some of the things which the policy formulation process deals with. Policy formulation should be understood as a function rather than a stage where dominant actors sit down and set ideas shaping significantly during their course of actions. This understanding of policy formulation as a function is argued by Hai (*undated*) as he says, "the function is more relevant for the developing countries where there are weak institutions, regulatory capacity, accountability and participation and responsibility of sub-system of government, so the formulation is a continuous process." This implies that policy formulation is an activity entitled to subsystem, advocacy coalition, networks and policy communities.

As Roux (2006:126) argues, policy design or formulation "comprises the conversion of mainly intellectual and financial resources into a plan of action, including goal and objective setting, prioritisation, options generation and assessment". As can be seen, this is the actual starting point of the policy or planning process and is the most important stage as it determines the whole policy. Therefore, citizens should be allowed to participate for many reasons, firstly, so that they know how the societal problems will be dealt with; secondly, to enable them to be thoroughly informed regarding the plan of actions that has been made; thirdly, so that they know what goals and objectives are in place as well as to have a general assessment of the whole process of the policy and planning framework. As such the government should create an enabling environment that would make citizens feel free to actively participate in policy design.

Policy formulation is not a process which operates in a vacuum but Howlett and Ramesh (2002) asserted that it is the work of the policy communities and policy networks. This is apparently identifying the policy actors, understanding their beliefs and motivations, their

judgments of feasibility, and their perceptions of the political contexts which are relevant to the developing world. Osman (*undated*) also stated that "public policy making is not merely a technical function of government; rather it is a complex interactive process influenced by the diverse nature of socio-political and other environmental forces." He further stated that "these environmental forces that form the policy context lead to the variation in policies and influences the output and impact." It is these contextual differences of environmental forces that make public policy different in developed countries and developing countries.

This process of policy formulation is considered by Geurts (*undated*) to be "decision-centric and goal-driven process. Decision-centric means that the process is focused on the decisions that must be taken. Goal-driven means that the process must have desired outcome and that iterations are performed until the outcome has been produced." The policy formulation process as decision-centric also implies public participation and this public participation entails that citizens are involved in the public decision-making that has an effect on them. Brynard (2006:165) also stated that "decision making has a specific significance for public policy making because it involves many different decisions. In fact, public policy making begins with a decision and it concludes with a final policy decision. Between the former and the later are multitudes of different interrelated policy decisions." Gilliat (1984:345) on the other hand, argued that these policy decisions "are not confined to one level of organization at the top, or at one stage at the outset, but rather something fluid and ever changing." This means that the policy formulation process is, from the general perspective based on decision-making and public participation.

### 2.1.3 Policy Adoption

After developing and establishing objectives and goals or after policy adoption, the next step is about policy adoption. Policy adoption is a process whereby the policy recommendations made by officials are brought to the attention of council for amendments, approval and adoption (Ismail *et al*. 2001:152). These recommendations are brought before council, and it is expected that, since council is elected by the people, it should consult them to ensure that such recommendations have also been adopted by the people. Ismail *et al*. (2001:152) remark that "it happens that council can refer a matter back to the officials for

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further investigations. As that happens, citizens can be informed and be included as the outcome of the recommendations is sure to affect them". And in this way, public participation will be seen to be in place because citizens will be involved in policy monitoring and evaluation processes.

## 2.1.4 Policy Implementation

Policy implementation is defined by Van Meter and Van Horn (1974:447-448) as encompassing those actions by public and private individuals or groups that are directed at the achievement of objectives set forth prior to policy decisions. This definition highlights the fact that citizens can have a role in the implementation process, especially if they have taken part in the formulation of objectives and plans. This means that it is the responsibility of citizens and government to make sure that policy implementation is successful.

According to Brynard and De Coning (2006:180) "policy implementation is a multifaceted concept, attempted at various levels of government and pursued in conjunction with the private sector, civil society and non-governmental organizations". This is one of the most important steps in the policy process as it is through this exercise that policy is put into practice to determine change in the lives of the people. This is the process where government and citizens can engage in active partnership with a view to making policy implementation a success. As Brynard and De Coning (2006:180) state, "in this partnership, strategic generation and planning are vital ingredients in the policy implementation interface, and various implementation instruments have emerged, such as planning, strategy generation, programme management, project management, operation management, contracting and privatization as well as various forms of public-private partnerships". As can be seen above, policy implementation is not an easy process because it involves many technicalities and arrangements. However, citizens should be involved and be allowed to participate in the entire process for it to be a success.

## 2.1.5 Policy Evaluation

After implementing the policy, the next step is about policy evaluation or feedback sessions so that the success or failure of the policy could be determined. According to Brynard (1996:133) feedback sessions are held to evaluate the operation and determine whether the envisaged objectives have been met. In this process, citizens and local government or council come together to evaluate whether the outcome of the effort has yielded any expected results. In other words they sit together to evaluate whether the problem facing the community, the processes employed and the set objectives have been met or not. As Ismail *et al.* (2001:153) state, "the council must, during and after the policy implementation phase, evaluate the overall performances of its policies to get an idea of the effectiveness and efficiency aspect of policies and programmes". This means that citizens should be involved to some extent because as the beneficiaries of the policies, they are the ones to tell if the problem has been dealt with adequately and they will tell where deficiencies exist.

Ismail *et al*. (2001:153) states that "the purpose of these evaluations is to take the necessary corrective steps and to ensure public accountability." This is also an important stage of the policy process because this is where local authority and the community evaluate the success of their efforts. As Brynard (1996:133) indicates, feedback sessions are essential because they ensure that possible deviations do not occur and in the case where they do, they are acceptable within the confines of the original plan. This means that the council and the community are the ones to embark on the process of evaluation. As seen earlier, there are many techniques that can be employed by councillors to encourage citizen participation in the evaluation process. For example, they can establish a task force which would represent the entire public in the process of evaluation. This task force can deal with any shortcoming witnessed in the evaluation process. To conclude, Ismail *et al.* (2001:153) warn that "if the policy evaluation reveals any shortcomings or deviations or even the existence of new policy problems, these can be channelled into the policy process and the entire process repeat itself."

For the purpose of this study on policy formulation process in the Ministry of Development Planning in the government of Lesotho, the focus will be on the policy formulation within the policy process. The next section will explore the policy formulation models.

## 2.2 POLICY FORMULATION MODELS

The policy formulation process, as discussed above, has models which unveil the different understandings and practices by different scholars and governments in different countries. Governments choose the model which best suits them in the process of undertaking policy formulation processes. The three policy formulation models will be discussed and they are the linear model, policy stream model and rounds model.

### 2.2.1 Linear Model

Linder and Peters (1989) stated that the linear model implies that the complexities of policy making are reduced to a sequence of steps, each step with an identifiable beginning and an end. This model views policy formulation as a rational outcome of detailed data analysis with choices optimized to suit existing circumstances. This further assumes that decisions are made centrally in a top-down manner and on the basis of analysis by highly trained personnel. Jain (1990) added that the public, in this respect, are informed about those decisions and these decisions are also handed down to subordinate agencies for implementation according to predetermined schedules and procedures. In this linear model, Juma and Clark (1995) argued that when the policies do not achieve what they are intended to achieve, the blame is often not laid on the policy itself, but rather on political or managerial failures in implementing it. The example of failure can be attributed to lack of political will, poor management or shortage of resources.

Corkery et al (1995) critique this linear model of policy formulation. They argue that the model is encompassed with major flaws whereby it separates the process of policy formulation and the process of implementation. This separation is being done by drawing an artificial line between the two processes and policy formulation is considered to end at the stage of decision-making. This model is also considered to have not stated the

environment of policy making, the disorders apparent and the various ways by which policies come to existence. This implies that there is a lack of explanation to the process neither of designing policy alternatives, nor of the politics, rules and interest groups that influence policy making.

Lamb (1987) opined that the linear model is highly a political haphazard and an iterative process. This means that the model is focused at the administrative and political worlds which is at the top. Corkery et al (1995:13) also presented the view that the policies in this model "are often made on the basis of perception, stored conventional wisdom, and attitudes of particular interest groups or bureaucratic interests, to which some partial technical analysis and information, whenever available, are added in the form of a brief technical memorandum written hurriedly at very short notice." They further espoused the view that policy makers take policy decisions without a proper and extensive knowledge of the possible consequences of their decisions. Herschman (1975) on the other hand, argued that policy makers in the linear model come to what he calls "motivation outruns understanding." This implies that the policy makers start running their policy decisions and take the consequences as they occur. Howell (1992) asserted that policy decisions originating from that kind of process are most likely to create a chain of unanticipated actions which, in turn, lead to a swift policy reversal.

The divergent views on the linear model reveal that the model is only focusing on the policy makers during the process of policy formulation and ignores the other stakeholders who are the beneficiaries of such policies. The model also embarks on the policy formulation process without acknowledging the consequences of such policies. Therefore, the model is purely grounded on a top-down approach to the policy formulation process and does not give the opportunity for the public to participate in policy decision-making processes.

## 2.2.2 Policy Streams Model

This model of policy formulation is attributed to Kingdon (1984) who suggested that policy change comes about when three streams of problems, politics and policy connect. In this

view, the policy comes to existence when the three streams come together because these three streams are said to be operating independently of one another. Porter (1995) on the other hand held the view that the needed changes in policy making can come about when multiple sets of activities occur simultaneously, thus opening a window of opportunity for change to happen.

Teodorovic (2008:23) defined problems stream as denoting which social conditions are being perceived by people as problems which need to be remedied by government action. These problems and their potential causes are often outlined by citizens, media, and interest groups. Policy stream entails policy alternatives which are generated by mid-level government officials and administrators, policy advocates and academics. Teodorovic further said that a "well-crafted policy solutions entail sensitive development of sequence, content, and timing of reform, translation of policy directives into programs, generation of strategies for adoption of policy and management of the opposition, and taking advantage of supporters of the reform." The politics stream encompasses those political events which are said to either be in favour of the policy or not. These political events can be elections, changes in government ministries and public protests; they can powerfully influence whether or not a particular problem will actually be solved. It is in this political stream that the government agenda is formed and meaning that the list of issues or problems to be solved is drawn.

The policy streams model does not differ much with the linear model as they both give much preference to policy makers and government officials and ignores wider public participation in the policy formulation process. The policy stream model overlooks the fact that citizens can provide credible solutions to their problems. The model considers policy makers and government officials to be equipped with all solutions to different problems. Policies formulated through this model are not easy to implement because they often fail to address the problems on the ground.

## 2.2.3 Rounds Model

In this model, Teisman (2000) argues that decision-making is assumed to consist of different decision-making rounds. In all sets of rounds, the interaction between actors results in one or more definitions of problems and solutions. All participants can score points in each round, in terms of a leading definition of the problem and the (preferred) solution and in this way they define the beginning of the next round. But at the same time each new round can change the direction of the match, new players can appear and in some cases the rules of the game may even be changed. This model differs from the linear model and the stream model in the sense that the distinction between problems and solutions proved to be far more complicated than the assumptions of the stream model. This is because what was a solution for one actor could easily be a problem for another and the actors involved in decision-making often do not agree on the classification of a certain stage in the process (as it is the case with the linear model) in terms of formation, adoption and implementation. The rounds model is based on the participation of actors and these actors are the focal point of analysis. The assumption is that problems and solutions are relevant to a policy process, insofar as they are presented by an actor during the process (Scharf, Reissert&Snabel, 1978; Teisman, 1998).

This rounds model gives more preference to the participation of actors. Teisman (1992:33) argued that "this model denies the proposition that public policy can be produced by a unitary actor with adequate control over all required action resources and a single-minded concern for the public interest." This entails that the notion of decision-making is not based on central decision to a problem but it implies the collection of all decisions from different cases. Scharpf (1997:11) also asserted that this is likely to result from the strategic interaction among several or many policy actors, each with its own understanding of the nature of the problem and the feasibility of particular solutions, each with its own individual and institutional self-interest and its own normative preferences and each with its own capabilities or action resources that may be employed to affect the outcome.

A round of decision-making begins and ends with the adoption of a certain combination of a problem definition and a (virtual) solution by one or more actors. Termeer (1993:44-51)

stated that the assumption is that the actors assess the extent to which other actors share their definition of reality and proceed to interact on this basis and in contrast to the phase model, none of the definitions are seen as final or permanent. The research based on the rounds model is mainly focused on perceived problems and solutions and this will also help in analyzing whether and how actors have managed to combine perceptions to an extent that they are willing to support a joint solution. The adoption of the policy then becomes the consolidation of a problem-solution combination over a longer period of several decision rounds.

The rounds model, unlike the linear and policy streams models, is based on the participation of all actors. This means that all stakeholders participate in policy decision-making which will affect them and every citizen is considered to be capable of identifying the problem, root causes and solution to the problem. Policies which are the consequence of the rounds model are easy to implement because every stakeholder will have ownership of them and will have participated in their formulation processes. Public participation and decision-making prevail in the rounds model and this makes policy formulation a smooth process as it has to be.

## 2.3 PUBLIC PARTICIPATION IN THE POLICY DECISION-MAKING PROCESS

Public participation in the policy decision-making process is very important for a country's development and it demolishes the barriers which exist between the citizens and the bureaucrats or top government officials. The *Draft National Policy Framework on Public Participation* (2007:1) defined participation as "an open, accountable process through which individuals and groups within selected communities can exchange views and influence decision-making processes. It is further defined as a democratic process of engaging people, deciding, planning and playing an active part in the development and operation of services that affect their lives". According to Madlala (2005:45) cited in Draai and Taylor (2009:114), "public participation is the creation of opportunities and avenues for communities to express their views and opinions in matters of governance either directly or indirectly." This has been acknowledged by Moodley (*undated*) who states that the involvement of the stakeholders in planning breaks down the artificial barriers and creates

the mutual respect and spirit of working together. It is in this respect that the existence of "us and them" ceases and there is creation of partnership which aims at addressing the socio-political needs of the citizens.

Reynolds (1969) argued on participation as the important aspect to be taken into consideration by the government when planning or deciding on matters that affect the public. This implies that the public are given a chance to voice their concerns through the proper mechanisms provided by the government and their decisions are put forward in the government agenda. She presented two types of participation which are induced and indicative of participation. Induced participation covers those situations in which the public is being encouraged to accept a plan already drawn up and settled except for details. The relative probability that the public can deliberately influence events in accordance with their interest is low.

 Indicative participation covers those situations in which the public is relied on to provide indicators and directives, which are used in establishing the basic aims and assumptions of a planned procedure. The relative probability that the public can influence events is higher in this case (ibid, 135). Mafusa & Xaba (2008:455) have also shown that there are three types of participation of local communities and individuals. The first type of participation is physical participation which entails being present, using one's skills and efforts. The second type is mental participation whereby individuals participate in the conceptualization of activities, decision making, organization and management. The third type is emotional participation which implies that people are assuming responsibility, power and authority.

Arnstein (1969: 216-217) asserted that "citizen participation is a categorical term for citizen power." This citizen power is actually the power for the public to put forward their needs and problems which are meant to be addressed by the government. Arnstein has been known for his analogy of the ladder of citizen's participation whereby he presented the eight rungs of a ladder for levels of participation. These eight rungs are manipulation, therapy, informing, consultation, placation, partnership, delegated power and citizen control. Ile and Mapuva (2010) grouped these eight rungs of the ladder into three levels of participation whereby manipulation and therapy are considered to be nonparticipation.

Informing, consultation and placation are labelled degrees of tokenism and delegated power and citizen control are considered to be the degrees of citizen power. This analogy has been used to portray what different governments embark on during the planning processes and decision making processes.

Ile and Mapuva (2010) considered this non participation level as the stage whereby governments decide or plan to implement a programme without taking inputs from the citizens but only making them participate over something already planned and decided. In the *Draft National Policy Framework for Public Participation* (2007), this stage has been acknowledged to only involve people just as the representation of what has been already decided or happened. This is considered to be pretence in the sense that people are involved but they are not listened to and their inputs are not taken anywhere. It is then that Yadav (1980 in Davids, Theron and Maphunge, 2005:19) stated that public participation should be understood as participation in decision-making, implementation, monitoring and evaluation of development programmes and projects and the sharing of the benefits of development by the stakeholders.

In the degree of tokenism, people are told about what the government is about to implement and they are also asked to forward their suggestions with regard to problems at stake. This stage is still not considered participation in the sense that the final decisions taken at the end do not reflect the input of the citizen. The model of policy or project implementation in these two levels follow the top-down model whereby this top-down model entails "the ideas that implementation is about getting people to do what they are told, and keeping control over a sequence of stages in a system; and about the development of a programme of control which minimizes conflict and deviation from the goals set by the initial policy hypothesis" (Parsons, 1995:466).

The level of citizen power is regarded to be the stage to present public participation because in this level, the government delegates power to the citizens to initiate and decide on any programme at their domain. This is where people decide independently and their decisions are reflected in the government agenda especially with the matters which affect them directly or indirectly. This degree of citizen power follows from the bottom-up approach of

policy or project implementation because the decisions carried out by people reflect the problems they experienced. This bottom-up approach sees the process as involving negotiation and consensus-building (ibid). Public participation entails this negotiation and consensus-building unlike the one-sidedness presented by the level of nonparticipation and degree of tokenism whereby there is no consensus and negotiation between the government and citizens.

Mafusana & Xaba (2008:455) argued that participation is important to make sure that the government addresses the real needs of communities in the most appropriate way. It also contributes to building an informed and responsible citizenry with a sense of ownership of government developments and projects. Thus, "Participation becomes an attractive strategy not just for policy improvements, but for drawing disaffected citizens back to the political mainstream" (Bishop & Davis, 2002:15). Public participation is understood by these scholars from the perspective of policy making whereby they argued that "participation is expectation that citizens have a voice in policy choices. Such participation takes many forms, from community meetings to citizens advisory committees, administrative law and, more recently, the idea of citizens as customers' (ibid, 14). Participation "involves a measure of citizen involvement in decisions that might otherwise be the sole prerogative of government. This implies the sharing of authority, in which government acknowledges the right of people to voice in issues likely to affect their interest" (ibid, 16).

### 2.3.1 Importance of Public Participation

Many researchers, academics, politicians and public administrators have one thing in common concerning public participation. They view it as something important. For example, the United Nations Development Programme (1981:5) states that citizen participation is important because it entails the creation of opportunities that enable all members of a community and the larger society to actively contribute to and influence the development process and to share equitably in the fruits of development. The importance of citizen participation in public management is also highlighted in Brynard (1996:2) by a number of different authors, for example:

- Participation is a means (for local authorities) of obtaining information about local conditions, needs, desires and attitudes. This information may be important to achieve informed and implementable decisions in the policy management cycle (Bryson, 1993:3).

- Participation is a means of providing those people whose lives will be affected by proposed policies with the opportunity of expressing their views and of attempting to influence public managers as to the desirability of the suggested policies (Hanekom, 1987:34).

- Participation is a means of involving and educating the public. The benefit of involvement is that people are more likely to be committed to a project, programme or policy if they are involved in its planning and preparation. They can identify with it and even see it as their plan (Conyers, 1982:102). Studies have indicated that the quality of life is better in a local authority area with a well-developed sense of community (Zimmerman, 1976:65). The benefit of education is the enhancement of the quality of citizenship in that the educated citizen is enabled to exercise his or her judgement, contribute to the debate about planning, and is aware of societal problems and the difficulties of finding solutions to them (Boaden *et al* 1982:167).

- Participation provides a mechanism to ensure the democratisation of the planning process in particular and the public management process in general. In most countries participation in local government is considered a basic democratic right of the people. (Benveniste, 1989:45). This is linked to the notion of popular sovereignty, in that local government should be a creation of the citizenry rather than a separate entity standing above it (Rosenbaum, 1978:46). Participation should therefore be the norm in any country striving towards a democratic form of government (Davidhoff, 1965:334).

- Participation has creative potential in that the planning process is being linked to the outside world. This has the potential to create a network which could enable a much more divergent form of thinking to take place (Faludi, 1984:249).

- Participation is a means of fostering equality. This is based on the democratic principle that all citizens should have an equal opportunity to exert influence through participation in the planning process in the local authority if they choose to do so (Aktinson, 1992:7).

- Participation is a means of balancing the demands of central control against the demands for concern for the unique requirements of local government and administration. The more distant any form of government is from public accessibility, the more likely the planning of unpopular projects, programmes or policies becomes (Jaakson 1972:18). Participation in public management allows outside participants to play a watchdog role. Openness and participation in public management tend to reduce the possibility of corruption and may help to maintain high standards of behaviour (Benveniste, 1989:43). Participation in the policy management cycle may empower citizens in relation to public officials, which in turn may help to overcome possible bureaucratic dysfunctions because of citizens' involvement (Atkinson, 1992:48).

Furthermore, Taylor and Fransman (2004:1) provide information about the importance of citizen participation and write that "citizen participation in governance is regarded by many as having the potential to reduce poverty and social injustice by strengthening citizens' rights and voice, influencing policy making, enhancing local governance, and improving the accountability and responsiveness of institutions." This is because it is currently acknowledged that people's lives have to be improved and it is through participation that societal ills can be cured. This means that citizen participation is important. Cahn and Camper (1968:6, cited in Ohio State University online, 1998:3) solidify this point by arguing that "Citizen participation provides a source of special insight, information, knowledge and experience, which contributes to the soundness of community solutions."

From the above, it can be seen that citizen participation is viewed as important by a number of authors. Its importance lies in the fact that it attempts to bring together the citizen and the government along with the needs, wishes and the processes entailed in the working of these

groups (government and citizen) together. It is the basis upon which government and citizens formulate the common ground for cooperation and coexistence and aims at a common destiny in dealing with issues that affect both groups.

## 2.3.2 The Goals of Public Participation

Following the importance of citizen participation, the many goals of citizen participation will be discussed. A goal is defined as the object of one's effort or the target one wishes to achieve (Oxford Dictionary, 1995:509). Van der Molen*et al* (2001:63) summarise the citizen participation goals by different authors as follows:

- Citizen participation can be used as a strategy to reform governments. According to the Oxford Dictionary (1995:981) to reform means to become or make somebody or something better by correction and improvement. Therefore, if citizen participation is a strategy to reform governments, it means that through the participation of citizens, the government can change and be improved in terms of satisfying the needs of citizens. For example, if a government uses a top-down approach in planning, citizen participation can change this especially if the issues affect them.

- Citizen participation is a worldwide movement away from centralised state control to regional and local governance. Governments are called to respond to the needs of the citizens but it has been found that centralised state control makes this difficult hence in modern times governments are moving to local government. This is the result of citizen participation. For example, through citizen participation, after assessing the needs of the citizen, the government can establish a police station or passport office in areas that are mostly affected by crime hence moving away from centralised state control to local governance.

- Citizen participation facilitates a strong civil society. Civil society refers to the social and economic arrangements that counterbalance the powers of the state by providing an alternative source of power and prestige to services offered by the state, (Jackson & Jackson, 1997:125). When citizens continually participate, they

are exposed to information the government may need from them; likewise they also make their needs and expectations of services known to government. Therefore, civil society organisations will be strong because each and every association will strive to make its voice heard by the government. For example, through participation of people in government, gender issues are made visible as a result of the influence of gender activists. This means gender issues are now prominent as a result of participation.

- Citizen participation provides information to citizens. For example, if a citizen participates in a given governmental process in local government, that citizen will have the information concerning the action being taken. If citizens have participated in the planning process in local government, they will have information concerning the plans of the local government in terms of what is going to be done, when and by whom, and they will know of the issues involved. This means they will have information concerning their community.

- Citizen participation improves the public policy process. If citizens have participated in the public policy process, it means the government will have a responsive policy which really addresses the needs of the citizens involved. Citizens are stakeholders in the policy process and as such they can play a pivotal role in making the public policy process a success. For example, if the government aims to make a policy concerning poverty in communities, if citizens participate, that policy will be realistic as it will include the feelings of the people hence improving the process of public policy.

- Citizen participation supplements public sector work. The work of the public sector is to bring goods and services to citizens. When citizens participate, there are other activities they can volunteer to undertake that supplement the work of the public sector. For example, in the event that local government constructs a road, citizens can collect stones and work as free labour to supplement the work the government may be doing.

- Citizen participation refocuses political power and community dynamics. Sometimes the political office bearers such as the councillors may feel superior to citizens and make decisions without consulting them. However, through participation citizens can make civil servants or officials aware that they should consult citizens, thus refocusing political power and community dynamics.

- Citizen participation defines the societal context in which policies are formulated. Policies are designed to address certain social issues that stand out as problems in society. If citizens participate, a great deal of information that defines the social context in which a particular policy can be made can be placed on the agenda. For example, HIV and Aids and Tuberculosis are a problem in Southern Africa and policies made in terms of this problem can be meaningful if people have participated because the realities of the disease will have been established.

- Citizen participation can increase but cannot guarantee the chances that programmes and projects will be acceptable. In the past, governments imposed programmes on citizens without considering how the citizens might feel about the programme. However, through citizen participation, citizens can gain information about the programmes and such programmes will be acceptable since people will have taken part in their formulation or would have understood their rationale. This means citizen participation can increases the chances of a project being found acceptable.

As has been indicated above, citizen participation has many goals. Therefore, it is important that it be encouraged because through it, changes can take place that can improve the lives of people and the relationship between citizens and government. In order for citizen participation to have value, there are certain standards or qualities that it has to meet. The next section deals with the standards needed for citizen participation. These standards are important in that they can be used as a yardstick to determine the effectiveness of citizen participation.

### 2.3.3 Standards for Public Participation Processes

According to the Oxford Dictionary (1995:1161) a standard is defined as a level of quality. Therefore, in this research, standards for citizen participation refer to the acceptable level required in order for that exercise to be taken as real – meaning that any exercise or process named citizen participation should satisfy the elements as specified in the standard. Standards are important because they differentiate between ideal and real citizen participation. Standards dictate what citizen participation is and what it is not. Citizen participation processes are based on the following principles and standards that have to be met. Burgess and Malek (2005:2) list of seven standards as suggested by the International Association for Public Participation and the Co-intelligence Institute.

*2.3.3.1 The International Association for Public Participation*

The International Association for Public Participation is the preeminent international organisation advancing the practise of public participation. It also supports international research and offers some professional development training and services on public participation. Besides this, it works with civil society organisations, universities and governments (International Association for Public Participation: online). This association lists the following standards that the practice of citizen participation should meet:

- The public should have a say in decisions about actions that affect their lives.
- Public participation includes the promise that the public's contribution will influence the decision.
- The process communicates the interests and meets the process needs of all participants.
- • The process seeks out and facilitates the involvement of people potentially affected by the proposed decision.
- • The process involves participants in defining how they will participate thus how the process will be structured.
- The public participation process provides participants with the information they need to participate in a meaningful way.

- • The public participation process communicates to participants how their input affected the decisions.

*2.3.3.2 The Co-Intelligence Institute*

The Co-Intelligence Institute is a non-profit institute that promotes awareness of co-intelligence and of the many existing tools and ideas that can be used to increase citizen participation. It embraces all such ideas and methods and explores the integrated application of democratic renewal, community problems, organisational transformation, national and global crises and the creation of a just, vibrant and sustainable culture (Co-Intelligence – online). In terms of the practice of citizen participation, the institute suggests the following standards:

- Involve all relevant parties.
- Empower people's engagement _ in other words get them to feel 'involved'.
- Utilise multiple 'forms of knowing'. This includes rational, scientific, narrative (story telling) and intuitive methods.
- Ensure high quality dialogue.
- Establish an on-going participatory process rather than having public hearings after a long time.
- Help people feel fully heard.

All these standards espouse a public participation process where both citizens and government will contribute effectively to the realisation of anticipated goals. The importance of these standards is that they lay the foundation upon which the government and civil society organisations taking part in the process of citizen participation can include citizen participation in order to make the process more effective.

**2.3.4 The Conditions for Public Participation**

Although public participation is important, it is not possible in all cases. This means that there are certain conditions that have to be met for effective public participation to take place. For example, as Hart (2003:9) indicates 'genuine public participation requires social inclusion, personal security, and freedom of speech and assembly. A strong civil society, civic education and good channels of communication between all levels of society facilitate this process. Only a considerable commitment of time and resources will make genuine participation possible'.

The following are six principles of citizen participation which describe conditions that tend to encourage people to participate. These conditions are adapted from Ohio University (1998:4-8) and include the following:

*2.3.4.1 An Appropriate Organization*

It is not in every case that citizens can participate. It is in an appropriate organisational structure that citizens can freely and willingly participate. According to Ohio University (1998:4);

> Citizens will voluntarily participate in a community activity when they have an appropriate organisational structure available to them for expressing their interests. If they view the organisation as cumbersome, time consuming, dictatorial, or grossly inefficient, they will not join, will withdraw after joining, or their dissatisfaction may be evidenced by high absenteeism, or a general unwillingness to be supportive or cooperative.

Therefore it is important to establish the appropriate organizational structure to make citizen participation feasible. The appropriate organizational structure has to reflect the societal norms which people espouse. For example, the organisation should attempt to use language that is known by the majority of participants. If citizens forming part of that organization are Basotho, Sesotho language, dress codes and normative aspects should be taken into consideration.

The organisation can have a strong bearing on, and is one of the important conditions that need to be met before citizen participation is put in place. If not taken into consideration, it

can impede the process but if cautiously managed can advance it. Therefore, there is a need to establish the appropriate organisational structure in which the majority of citizens will feel free to participate in.

*2.3.4.2 Benefits to be Gained*

Another important condition concerning citizen participation relates to the benefits to be gained from it. As Ohio University (1998:5) has noted, citizens voluntarily participate in a community activity when they see there are positive benefits to be gained. The benefits can be of infinite variety, ranging from personal wants to desiredends sought by a group, economic in nature or an activity to improve the morals of community residents.

Benefits also vary in terms of kind and importance. The paramount issue is that citizens should see the benefit of their participation. For example, a certain community may run short of water for household or agricultural purposes. The community leaders may call for people to participate possibly with the view to decide on a solution to the problem. Citizens will participate if they perceive certain benefits (Ohio University 1998:9-10).

According to Kouvertaries (1997:138), there are three types of benefits citizens look for when they participate, namely material, non-material and purposive benefits. He writes that material benefits include tangible rewards such as government jobs. Non-material benefits are intangible benefits such as friendship, knowledge and recognition. Purposive benefits are intrinsic rewards such as a sense of satisfaction. Actually there are always benefits to be gained in the process of participation. Rosentstone and Hansen (1993:18-19) believe that citizens who have immediate interest in political outcomes are more likely to participate in politics than those who do not. This means that to ensure that majority of citizens participate, benefits need to be stressed. Merely knowing about issues surrounding citizens is a benefit that can be stressed to encourage participation.

*2.3.4.3 Way of Life Threatened*

One of the reasons citizens will participate is because they feel that their way of life is under threat. Sometimes citizens may have little or no interest in participating in community affairs but the moment they are confronted with a threatening situation, they will be forced to participate. This means that they only participate as a response to a certain threat facing them, such as the construction of a dam, the location of a solid waste facility, or the establishment of zoning ordinances.

Whether citizens' perceptions are accurate or not makes little difference. If they see that there is a threat, they often organise volunteer groups to counter efforts to establish change. This is citizen participation, and it is often spontaneous and extensive. Citizen participation can be on either or both sides of an issue. The principle involved is stated as follows: citizens will voluntarily participate in a community activity when they see some aspect of their way-of-life threatened. Threatening issues often seem morally, socially, economically, religiously or in others forms unacceptable to a group. All of these issues are perceived as threatening by local citizens and therefore citizen participation is extensive (Ohio University, 1998:6).

*2.3.4.4 Obligation/Commitment*

Obligation or political commitment is another condition necessary to determine whether or not citizens will participate. Citizens frequently participate because they feel an obligation/commitment to respond either to the situation affecting them or to effect development in the community (Ohio University, 1998:9-10). According to Clapper, (1996:57) in a democratic society, a citizen has a strong obligation to exercise his/her rights of citizens participation. This means citizens will often feel responsible for taking part in political issues affecting them. For example, in Lesotho every citizen is free to participate in governance and as such every citizen has an obligation to ensure that he or she takes part in issues concerning policy and planning.

*2.3.4.5 Better Knowledge*

One of the conditions that determine whether or not citizens participate is their knowledge about issue. People are reluctant to participate in community activity when they do not have enough information to act on (Ohio University, 1998:9-10). Thus, they will avoid participation as long as possible or until they have what they believe to be sufficient information. If forced, they will usually act negatively. This means citizens will voluntarily participate in a community activity when they have some knowledge of an issue or situation.

If they do not understand, citizens act on limited information and opposition will occur. Thus for citizens to participate effectively it is imperative to clarify issues so that they understand the contents, the processes involved and their role in the participation process.

*2.3.4.6 Being Comfortable in the Group*

Feeling comfortable with a group is one of the most significant conditions for participation. Participating as a member of a community development group may present a variety of obstacles, normally emanating from the group one belongs to. These obstacles can be visible or invisible in nature. The visible ones are easy to deal with because they can be managed. However, some of the invisible obstacles make potential participants uncomfortable. For example, issues such as mood, attitudes and feelings which do not create common group norms can cause a major blockage and this can affect participation. These issues need to be controlled because they can cause differences which divide groups and discourage participation. These differences are reflected in values, expectations and life styles and tend to make people uncomfortable. In a nutshell, citizens will voluntarily participate in a community activity when they feel comfortable in the group (Ohio University, 1998:9-10).

It can therefore be concluded that it is important to meet the above-mentioned conditions in order to facilitate citizen participation. To summarise, the following points are important factors for facilitating citizen participation (Ohio University, 1998:9-10):

- Citizen participation can be facilitated by stressing the benefits to be gained. This will work only if the benefits become obvious. Not only should the tangible benefits be emphasised but also the intangible one, which are frequently omitted, and yet are true gains of community action.

- Citizen participation can be facilitated by providing an appropriate organisational structure for expressing interest. This may require organising a more neutral group than may be in existence in a community. However, in some situations, existing groups are adequate. Situation judgment is required by persons with appropriate experience and competency.

- Citizen participation can be facilitated by helping citizens find positive ways to respond when their way of life is threatened. Most people want to act responsibly. These situations can be used to help people find a positive way to deal with threatening predicaments.

- Citizen participation can be facilitated by stressing the obligation each citizen has towards improving the community. However, people will not continue to participate unless the experience is rewarding.

- Crisis situations have long been successfully used as a basis for gaining citizen participation. Crises should not be invented but if they exist, they become powerful motivation. The closing of a major plant, closing of a school, loss of train service or a major drug problem are some examples of threats to a person's way-of-life that have served as rallying points for citizen participation.

- The most positive of all approaches to facilitate greater participation is to provide citizens with better knowledge. Obviously, the knowledge has to be in line with their value systems. When it is, experience shows they usually act accordingly. Adequate time and means of diffusing the new knowledge should be employed for satisfactory results.

- Helping new or potential volunteers feel comfortable with the group probably has the greatest potential for getting and keeping citizens in community development work. This aspect is often overlooked because people are reluctant to say why they are uncomfortable. Reasons often given are that they are too busy or don't have time when they really are uncomfortable with the group. Careful consideration of these problems can greatly reduce these concerns (Ohio University, 1998:9-10).

### 2.3.5 Categories of Citizens in Public Participation

Having discussed conditions necessary for instituting citizen participation, it is important to identify and briefly discuss the categories of citizens that do participate. This part basically outlines and answers the question of who should be involved or what different categories of citizens are involved in the process of citizen participation. According to Cloete and Meyer, (2006:114-115) there are four categories of citizens who involve themselves in citizen participation:

- The first category is the legitimate, democratically elected political representatives, for example, town, city or community councillors or other political representatives at other governmental levels. These people are elected by citizens to act on their behalf and as such they are representatives of the citizens in making decisions in their behalf on matters concerning them. As Cloete and Meyer (2006:114-115) put it, on the one hand, the democratically elected political representatives get policy mandates in elections or ward or constituency meetings and exercise their discretion as elected representatives of the communities. On the other hand, they are expected to regularly report back to their voters to obtain ratification of their decisions on behalf of the communities or to seek new mandates.

- The second category is that of leaders of legitimate organisations in the communities which represent different interests and segments, for example, civic, cultural, religious, welfare, recreational, youth and business. These are the groups in society that advocate change. Certain issues in communities are not dealt with as general issues but are treated as specific thereby requiring special attention from a

special group of people. These groups focus on the issue that affects them. According to Cloete and Meyer (2006:114-115), 'the more substantial the interests that are represented, the more influential will be the involvement of leaders and organizations. These leaders are also expected to give regular feedback to their members or constituents in orders to legitimize their actions'.

- The third category is that of individual opinion leaders in the communities. Some people in communities wield influence because of their profession or speciality in certain areas of life, for example, concerning health issues, doctors and health workers are the people to consult and they have opinions which the majority of citizens can honour. As Cloete*et al* (2006:115) indicate some individuals can influence prevailing opinions because they are held in high regard as individuals by members of the community, irrespective of their position in the community.

- The fourth category consists of ordinary members of the public in mass activities, for example, participating in public meetings, protest marches, consumer boycotts and other types of direct mass action. Depending on theissue, ordinary members of society can participate as individuals to either propose change or implement the programme in the community.

## 2.3.6 Mechanisms of Public Participation

Having looked at the different categories of citizens that can participate in the process of public participation, it is important to identify and discuss the techniques for implementing public participation. These techniques are means implementing the process of citizen participation. There are many such techniques. Smith (2003:40) has divided techniques in terms of the traditional and the emerging. Traditional techniques include print publications, public meetings, open houses, advisory committees, workshops, bilateral meetings, and focus groups. These techniques are adapted from Smith (2003:40-44) and include the following:

*2.3.6.1 Publications*

Publications are the recorded documents or materials containing information that can be used to provide citizens with information that enables them to participate in the process. According to Smith (2003:40) publications produce documents or material which may describe the process, define the problem, issue or situation, suggest options or request direct feedback from readers on their views, interests or alternatives. In this way, citizens can respond based on the suggestions made in the publications.

*2.3.6.2 Public Hearings and Public Meetings*

According to Smith (2003:42) a public hearing or meeting is a forum at which stakeholders can make formal statements about the issue at hand. Oral statements are often accompanied by written reports where citizens express their feelings or ideas concerning a particular discussion. A panel representing the government may ask questions about a specific issue to which they expect the public to respond. Sometimes the authorities may attend public hearings personally to get the feelings of citizens and give a response thereto. Moreover, public meetings are sessions open to anyone with an interest in the subject under discussion (Smith, 2003:42).

Public meetings often begin with a technical overview of the situation and process and then provide opportunity for members of the public to speak from the floor regarding their concerns or to ask questions of expert panellists. According to Van der Waldt (2007:38) public hearings and meetings are designed for politicians and officials to meet with, discuss issues with, listen to, accept criticism from, hear complaints and comments and receive compliments from the community. At the end of the session, whether public hearing or meeting, a report is normally written which will then be submitted to the higher authorities for consideration. That report will generally entail findings and recommendations made by the people together with the panellists.

As a result, public hearings and meetings as techniques of implementing citizen participation are important because they facilitate citizen access to information, impel

mechanisms of transparency and accountability and create a space for citizens to have a voice on issues that affect them, such as the use of public money (Van der Waldt 2007:38). In this way, a majority of citizens can be involved.

### 2.3.6.3 Open House

Smith (2003:44) notes that an open house usually communicates information about a project or proposal through a series of displays. In this process, there are two groups of people involved. These are citizens or their groups and the authorities. Citizens or their groups are presented with the proposal of the project or programme to be implemented and are allowed to have some views about it. The authorities then push the project or programme and are present to answer questions and provide clarification. Participants are asked to register their views before leaving. After the process is over, information or handouts can be made available.

### 2.3.6.4 Advisory Committee/Task Force

Groups are selected to represent a cross-section of interests, and may be asked to prioritise, review, make recommendations, develop alternatives, evaluate and assist. Advisory groups tend to be long-term, whereas a task force has a short time horizon. The committee may be composed of citizens from different associations in the community who have special knowledge or background or interests in cross-cutting issues. They may act on behalf of general citizens and periodically or after the completion of a task report to the public.

### 2.3.6.5 Workshops

Stakeholders are invited to attend a meeting to review information, define issues, solve problems or plan reviews. Generally, workshops are expected to educate participants and solve a problem or develop a product such as an action plan. Most workshops use facilitation where participants are given general topics under discussion and are given a chance to present their general view and understanding concerning the topic. A workshop is one of the most common techniques used to advance participation. For example, if the

government wishes to introduce a policy or project, it can organise a workshop for a certain group in the community. This group can then help disseminate the information or teach the general public about the project.

### 2.3.6.6 Target Briefings

These are designed to reach specific audiences who may benefit from private and individually tailored presentations. Audiences for targeted briefings could include ministers, municipal officials, media or specific interest groups. These are the groups with special work whose effect or influence can have a strong impact on society or citizens in the community. This technique may be used to get support from prominent people in society. For example, if one wants to implement a programme on issues concerning HIV and Aids, he/she can first brief the media so as to get the programme thoroughly advertised or may present it to ministers who are the executive of government.

### 2.3.6.7 Focus Groups

Groups of eight or ten people are structured to represent a cross-section of the stakeholders affected by an issue. A moderator leads a discussion of the facts exploring participants' feelings, values, interests and concerns. For example, if one wants to get the feeling of business people on the proposed increase of tax, a focus group composed of business people is held to get their input on the proposed move. Focus groups can help the government obtain the legitimacy for its proposed intention, for example, a policy on tax increases. This is because it allows the most affected people to participate in the activity that may affect them. A focus group can thus legitimise the programme or policy of government if properly implemented.

### 2.3.6.8 Bilateral Meetings

The government meets directly with stakeholder groups to receive feedback or discuss areas of interest. This can be useful if the issue under discussion is accompanied by a high level of conflict. In bilateral meetings, there are two stakeholders involved, government and

citizens of a particular community and an issue to be discussed which needs the attention of both parties. For example, if the government intends to build a dam in a certain area, in some cases the dam might have to be built on protected fields. This means the government will have to engage members of the community whose fields will be affected. In that way the citizens, especially those most affected, will be happy with the decision of government since they will have been consulted concerning the aspect that affects them.

*2.3.6.9 Toll-free Phone Lines*

These provide an impersonal opportunity for the public to give feedback, provide ideas or identify issues. The phone can be answered by a staff member who discusses the issue directly with the caller or by a taped message with opportunity to record comments provided.

*2.3.6.10 Interviews and Surveys*

Interviews and surveys are used to collect information, solicit opinions and build a profile of the groups and individuals involved. They provide information to the public and help focus public attention on specific issues. Individual discussions with the public or representatives of interest groups may allow participants to cover a wider range of information than is solicited on a questionnaire, and thus perhaps to identify new issues or concerns not previously considered.

**2.3.7 Other Upcoming Mechanisms of Public Participation**

According to Smith (2003:40-44) there are six emerging techniques. These are open space technology, future search conferences, E-participation, public policy dialogue, appreciative inquiry and study circles. They are emerging because they tend to adopt modern approach to citizen participation.

*2.3.7.1 Open Space Technology*

This technique uses plenary circles (i.e. participants sit in a circle) and has a few, simple rules. Breakout sessions are organised, led and reported on by self-selected participants. This technique can maximise the creativity, energy, vision and leadership of all participants, and is egalitarian and inclusive. It can be used to set strategic direction, plan or initiate a project, and develop standards, criteria or regulations. It has the ability to maximise teamwork.

*2.3.7.2 Future Search Conferences*

These are workshop conferences at which 40-80 people join forces to visualise a desired future and then design the steps needed to get the issue, process or organisation somewhere. This technique uses a whole system approach and places emphasis on self-managed and small-group discussions. It can be used when the solution to an issue or problem requires a change in organisational mission, functions or structure.

*2.3.7.3 E-participation*

This includes a wide range of specific individual techniques, including e-mail, provision of website information, bulletin boards, chat and news groups, dialogue groups and virtual communities. For example, the South Africa Revenue Services (SARS) has E-filing where citizens submit their tax returns electronically. These low-cost approaches are only available to those who have access to a computer and are useful when the community is spread over a broad geographic area, or where open information-sharing is important. This technique is expensive since it needs technology such as computers as well as the internet, which is not accessible to all citizens. It needs a society that is technologically advanced.

*2.3.7.4 Public Policy Dialogue*

Public policy dialogue involves in-depth, detailed work with a variety of stakeholders in a committee or workshop format, usually to achieve consensus on diverse views, interests and values. In the policy development process, dialogue is especially useful at the value and goal clarification stage and during option selection if trade-offs are required. Dialogue may

last from two days to two years, commonly two days per month for three to 12 months. Inclusive representation of key stakeholders, often including the government, is essential.

*2.3.7.5 Appreciative Inquiry*

Appreciative inquiry focuses on the positive aspects of a situation. It looks at opportunities, strengths, proven capacities, skills and resources and affirms, appreciates and builds on existing strengths. For example, if community members want to fight poverty, they may be asked to identify the things they have in order to deal with the problem of poverty and they might find that they have arable land as one of the factors of production. This means with what they already have they can begin to do away with the problem of poverty. Appreciate inquiry is a very effective way to get people to think about their demonstrated abilities instead of listing and dwelling on problems or challenges (Smith, 2003:44).

*2.3.7.6 Study Circles*

Study circles explore a critical public issue in a democratic way. They analyse a problem, develop strategies and actions and look at issues from multiple viewpoints. For example, in a particular community, citizens may be confronted with the problem of a high rate of pregnancy and may wish to deal with it. They can divide themselves into groups and come up with strategies for dealing with the problem, which may lead to solutions. Small-group discussions among peers are often facilitated. Study circles have eight to twelve members and meet regularly over a period of weeks or months. According to Smith (2003:43) this technique is especially useful at the problem definition, values and goal clarification, option generation, and selection stages of policy development.

The preceding sections have provided a list of techniques that can be used to effectively implement the process of citizen participation. As has been seen there are a number of these techniques and the success of the process of citizen participation depends on the careful selection of a combination of these. Choice of any technique is motivated by the issue on hand.

## 2.4 CIVIL SOCIETY ORGANIZATIONS AND POLICY FORMULATION PROCESS

The *Draft National Policy Framework on Public Participation* (2007:1), defined participation as "an open, accountable process through which individuals and groups within selected communities can exchange views and influence decision-making processes.Public participation in decision making is a vital aspect of development of a democratic political system. People form civil society organizations in order to influence the decision-making processes. This becomes possible as they come together to act collectively. *Reference Book for Civil Society Organization* (2011:9) states that "civil society organizations form the fabric of society by linking individuals, the market and political institutions. They participate in the market and politics in the interest of their members or constituency without seeking financial gain or political office." This entails that civil society organizations are representations of individuals in political decision making without any ulterior motive of benefiting on their sake. These civil society organizations are classified into non-government organizations, clubs and associations, faith-based and community-based organizations, and the trade unions and businesses are also included.

*The Conference of International NGOs (INGOs) of the Council of Europe* outlined key functions that civil society plays in the public policy process. These functions are advocacy, information and awareness-raising, expert advice, watchdogs, innovators and services providers. Advocacy entails that CSOs advocate for the incorporation of the concerns of their constituencies by political parties, parliament and government in their political platforms and legislative agenda. This advocacy plays an essential role towards democratizing the decision-making process, because the activity brings a variety of perspectives of social groups to bear on the legislative or policy making process. Information and awareness-raising denotes that CSOs inform their constituents and public about the political decisions and their potential effect for the public. Expert advice implies that CSOs often have considerable expertise in the field they are engaged in and they offer this expertise to political decision-makers in order to inform and influence decisions. Watchdogs mean that CSOs follow closely the decision-making process to make sure that it is democratic and transparent. They also monitor the implementation of laws by ministers

and executive agencies ensuring that the will of the parliament is observed. Innovators imply that CSOs provide solutions through the introduction of new approaches, which can bring considerable benefits to policy-makers. Their practical solutions offer concrete models that can provide useful input to policy drafting. And lastly, CSOs are service providers whereby they provide services in the implementation of policies.

*Reference Book for Civil Society Organizations* (2011) states that these functions of CSOs are exercised across the decision-making processes if there is access to official information by CSOs. This access of official information by CSOs entail an ability to access laws, regulations, reports and other documents that regulate and inform public policy making. The request for this information should be a democratic process open to the public. There should also be a law regulating and supporting this access to official information.

Pollard and Court (2005:2) defined CSOs as "any organizations that work in an arena between household, the private sector and the state to negotiate matters of public concern." These CSOs are in operation at different levels which are global, regional, national and local. They continued to categorize the functions of the CSOs whereby their point of reference is the World Bank conceptualization. The first function is representation, which entails that CSOs aggregate citizens' voices. The second is advocacy and technical inputs denoting that CSOs provide information and advice, and lobbying on particular issues. The third is capacity building which implies that CSOs provide support to other CSOs including funding. The fourth is service delivery whereby these CSOs implement development projects or provide services. The last one is the social function which states that CSOs foster collective recreational activities. Pollard and Court (2005) presented that the CSOs are influential in the policy making process and their influence is through the use of evidence. The policy stage model was chosen to illustrate how CSOs can influence different stages of the policy making process. They simplified the policy making processes into four categories of problem identification and agenda setting, formulation and adoption, implementation and monitoring and evaluation. It is against these four categories that CSOs are seen to be influential in policy making processes.

During the identification of the problem and agenda setting phase, CSOs are able to utilize their practical experience by crystallizing and articulating the problems facing the ordinary people with whom they represent or work for. They do this process by building awareness and they push the problems to the agenda of the government. The influence of CSOs often creates a window for policy change. Influencing the formulation and adoption of policy, Pollard and Court (2005:15) argued that;

> For many CSOs, involvement in the formulation and adoption of policy is central to a mandate of representing the interests and views of the poor people. CSOs are often the key in both outlining the different policy options and deciding between them.

CSOs are able to influence the formulation and adoption of policy because policies are reaction to the problems which arise with the communities or public. Hence, it becomes easier for them to suggest options as they are in most cases representation of those publics. CSOs are influencing the implementation of policies because they are mostly working at the ground level and they are the primary agents responsible for instituting policy shift and making reality on the ground. The governments can commission CSOs to provide services and sometimes these CSOs can work independently. CSOs can make implementation easier through the provision of valuable expertise to other agencies responsible for implementing policies. During monitoring and evaluation, CSOs are able to partake in policy making processes as they employ evidence which is an intrinsic element of monitoring and evaluation.

## 2.5 PUBLIC PARTICIPATION IN LESOTHO

This section discusses the historical background to Lesotho and public participation from 1824, the period defining the founding of Basotho nation to 1993 when the country made advances towards democratic rule. This reviews the notion of public participation from the time of King Moshoeshoe 1's regime until the present time.

### 2.5.1 The King Moshoeshoe 1 Era From 1820

According to the African Peer Review Mechanism Report (2010:2) Lesotho was established by King Moshoeshoe 1 about 200 years ago. This was around 1820 when he emerged to

unite the scattered clans which were divided by the *Lifaqane wars*. According to Mothibe (2002:15) the *Lifaqane wars* were violent upheavals that unleashed a train of refugee-chiefdoms attacking and fleeing from one another. King Moshoeshoe 1 united these clans and chiefdoms into the present Basotho nation. In the process of building the Basotho nation, he used different strategies which made him a prominent king.

Mothibe (2002:20) writes that;

> Apart from the political strategies such as wars and alliances, Moshoeshoe used economic and social strategies to build the Basotho nation. Central to the forging and consolidation of his rule and the emergence of the Basotho was his control over herds of cattle which were raided from neighbouring chiefdoms and their distribution through a patronage system of *mafisa* (cattle loan).

The combination of these strategies helped Moshoeshoe 1 to build the Basotho nation which was later united amid the incessant and ever-growing political instability and violence of wars (Mothibe, 2002:20-21). In order to contextualise the historical background for the research, it is essential that the social setting or organisation that existed during Moshoeshoe 1's period be examined, especially that with relevance to the research. Therefore, the next part examines the social setting under Moshoeshoe 1 and is followed by an overview of citizen participation during this period.

*2.5.1.1 Social Setting under Moshoeshoe 1 and Public Participation*

In order to understand the nature and extent of citizen participation in Lesotho during Moshoeshoe's era, that is, from 1824 to 1868, it is imperative to examine institutions and systems under Moshoeshoe 1's reign. The social setting during the Moshoeshoe 1 era consisted of many institutions as well as systems which Moshoeshoe 1 used to rule the Basotho. However, for the purpose of this research, the institutions that are considered relevant in this regard are the chieftaincy (kingship) (*borena*) and the councillors (*matona*). Under this social setting, society was stratified in terms of the chiefs on one hand and the citizens or commoners on the other. According to Nyeko (2002:138), the word commoner was used to denote an ordinary person or citizen who was not a chief or a member of the chief's family. In this research, the word commoner will be used to denote the ordinary citizen.

**(i)The Chieftaincy or (*borena*)**

The chieftaincy was the most salient institution at the time of Moshoeshoe1's rule. As Mothibe (2002:28) indicates, "central to the political organization of pre-colonial Lesotho was the institution of borena." Every village had a chief to whom every commoner owed allegiance. The role of the chief was to make sure that there was order in society. Chiefs were not equal in the exercise of their duties. At the top of the hierarchy was the head chief, followed by a territorial chief and the lowest was the headman. The head chief exercised authority over the whole area where people who recognised his authority were settled and other chiefs below him were to rule in respective places under his authority (Mothibe, 2002:29).

The chief had a special function which he had to exercise in order to ensure unity in society. According to Mothibe (2002:28) the chief was the provider for the community and he was responsible for public safety and welfare. This means he had to make sure that there was stability in society by performing functions such as dealing with conflict and protecting citizens against external attacks. In the governance process, the chief worked in collaboration with bodies such as the councillors who in most cases acted as his advisors.

The responsibilities of the chief were dynamic and overarching. Gill (1993:49) summarises the roles and responsibilities of the chief by noting that "the chief was responsible for the welfare of his people and he allocated land, grazing land, reeds and trees. He was responsible for the executive, legislative and judicial functions, and was assisted by elders from leading families as well as by traditional doctors who performed a variety of functions." This institution became the most important and well entrenched and it became well known during the time of Moshoeshoe 1. As Mothibe (2002;28) rightly points out, "during Moshoeshoe 1's rule this institution was considered as a symbol of the nation's cohesion and identity. In other words, *borena*became centralized into a state system."

**(ii) The councillors or *matona***

The other institution worth considering is the institution of councillors or *matona*. The councillors were the chief's advisors appointed by him from different age groups; *liboko*, interests and points of view. They were mostly initiated males who had to advise the chief

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on a number of aspects and perform many different roles. As Mothibe (2002:29) indicates, the councillors performed the following roles and functions: they were supposed to advise the chief on public affairs and assist in the day- to- day execution of duties; they had to gather intelligence on how people felt about the chief's manner of ruling; they had to be the eyes, ears and arms of the chief; and finally they had to act as check against the chief's despotic tendencies and render crucial information that made for smooth governance of the kingdom.

There are certain qualities that were needed for one's appointment as councillor. These councillors were men of substance and very valuable and loyal to the chief. They were not yes-men who agreed with the chief on most issues. As Mothibe (2002:29) puts it, "it was expected of them to criticize the chief or disagree with him." In other words, they were the people who had to deliberate national policies and plans extensively so as to help the chief to run the country with utmost consideration. The chief had to carefully consult and listen to them before he could make a final decision, as failure could make governing difficult for him (Thompson, 1975:15).

These qualities were expected at all levels of councillor as they constituted different categories. Mothibe (2002:30) states that councillors were divided into two main categories: the elders and Moshoeshoe's age-mates. The category of elders was the most important category as it was responsible for advising and deputising the chief on matters of governance. The category of age-mates was solely responsible for issues of war and defending the nation and for ensuring the proper application of policies and plans concerning war and the security of the Basotho nation.

For this research, these institutions are regarded as the most important as they were responsible for helping the chief on matters of governance. One observation is that women had no or little role to play in the whole governance process during Moshoeshoe 1's era (Mothibe, 2002:31). Moreover, it is noted that in most cases, in order to act either as chief or councillor, initiation schooling had to be completed.

*2.5.1.2 Mechanisms of Public Participation*

From the above, it is clear that some degree of participation by citizens occurred during this time. This section examines citizen participation during Moshoeshoe 1's time by looking at the nature and scope of issues as well as mechanisms used to foster participation. In terms of this research, there were two important mechanisms used during the time of Moshoeshoe 1: public gatherings and the chief court (*khotla*).

**(i)Public gathering (*pitso*)**

A public gathering is one of the mechanisms used during the Moshoeshoe 1's time to foster citizen participation. According to Mothibe (2002:30) "the *pitso* was a public assembly which was attended by all initiated adult males, called by the chief to discuss and make decisions on national matters." Public gatherings were a medium of communication where the government and the people discussed policy and plans. As Thompson (1975:63) notes public gatherings were instruments of communication both downward from the government to the people and upward from the people to the government.

Probably, during those days, citizen participation was solely done by initiated adult males. This implies that women and the youth had no role to play in the governance process as participation was a matter for men. This is because during the Moshoeshoe 1 era, society was structured in terms of certain rights and obligations. According to Gill (1993:48);

> The Sotho patriarchal society was based upon an intertwined and complicated pattern of rights and obligation, both within and between various extended family networks. Fulfilling one's obligation and maintaining social harmony were central to Sotho morality and law. Each sex and age-group had its own rights and responsibilities, and much of the work, which was often communal in nature, was accomplished by a specific sex or age group at a particular time.

As such, issues of governance were basically the business of men, especially initiated adult men and councillors. Gill (1993:49) confirms this by pointing out that "men played a dominant role in matters of government and ownership of wealth." This is why only men were responsible for participating in national matters such as policy formulation and planning processes. Women were not allowed to participate because of their social standing

and their specialised role. As Gill (1993:49) notes, women were legally minors and their role was strictly to prepare food and be engaged in agricultural activities.

Although, the process of citizen participation during the Moshoeshoe 1 era can be regarded as discriminatory in the modern sense, it was regarded as important and democratic. Mothibe (2002:30-31) notes that "a *pitso* was characterised by considerable freedom of speech whereby people expressed their views freely and openly on issues of national importance." Perhaps this was because participants shared a common agenda and issues discussed were not as diverse and complicated as in modern times. The *pitso* was an important mechanism for fostering citizen participation in matters of government. The other distinguishable importance of *pitso* is that it was the mechanism for disseminating and re-enforcing decisions reached by councillors with the chief on policies and plans. As Gill (1993:49) remarks "the *pitso*, though allowing for a free flow of views and even harsh criticisms, was more important as a method of re-enforcing major decisions that had already been arrived at by the inner circle of the councillors."

It can be concluded that the nature of citizen participation during the Moshoeshoe 1 era was discriminatory as it excluded women but it was also open to every man who was free to raise issues without fear. It was also to some extent democratic and active. This is because according to Mothibe (2002:31) "the Basotho had an open and democratic system of government that Moshoeshoe consolidated during his life."

Having looked at the public gathering (*pitso*) as a mechanism of fostering citizen participation during Moshoeshoe's time, it is important to look at another mechanism of participation that was used hand-in-hand with the public gathering, the chief court.

**(ii) The chief's court**
Gill (1993:48) defines the chief's court as a public courtyard of the chief which provided daily face-to-face interaction between chiefs and commoners on a wide range of subjects. The chief court was the place where major decisions were taken. In fact it was a decision-making place where most legislative, executive and judicial matters were dealt with. The chief's court shared most of the characteristics of the *pitso*. The only difference is that it

witnessed the daily interaction of chief and commoners while the *pitso* was attended at certain times.

Two major common characteristics of the chief's court and public gatherings are that in both cases, only initiated adult males were allowed to attend. This means men had to ensure that on a daily basis, attended the chief court as this was where issues concerning protection and security were discussed. Chief, councillors as well as other initiated men can be considered the major participants in as far as Moshoeshoe 1's reign was concerned. As such, men had to spend a lot of their time at the chief court to participate and consider issues of policies and plans concerning protection and defence of the community. As Gill (1993:49) puts it "finally men provided defence and protection of the community's entire wealth under the leadership of the chief. Together with the time spent in the decision making process at the *khotla*, men contributed a good deal of time and resources to the prosperity of the body politic or chieftainship."

To conclude this part, it is important to show that some degree of participation can be recognised during Moshoeshoe 1's era. Although citizen participation can be argued to have taken place, the following points are highlighted as issues surrounding it. Firstly, during Moshoeshoe 1's reign, the institution of chieftainship had tremendous influence and was entrenched and accepted by citizens. Secondly, participation in government matters was solely the responsibility of initiated adult men; thirdly women were legally minors and therefore had no role to play in any process. Fourthly, citizen participation was done frequently, that is, major decisions were reached and the chief and the councillors. Finally, the process of citizen participation was active and democratic, although it was discriminatory as it excluded women.

### 2.5.2 The Colonial Era 1868 to 1965

Literature on the historical background of Lesotho indicates that between 1820 and 1867 Lesotho was faced with challenges of war from other tribes such as boers and Zulus. This later forced Moshoeshoe 1 to seek protection from Britain. As Lesotho Review Report (2011:4) indicates "further attacks from the boers came in 1867 and with pressure

mounting, Moshoeshoe 1 appealed to the British for help. In March 1868 the country became a British protectorate known as Basutoland and its present-day borders were established." Following the formal colonization of Lesotho by Britain, many changes took place and this later affected the political dispensation and certain institutions inherent in the Lesotho governance. The colonial administration introduced colonial laws which the Basotho had to abide by. The next section looks at the institution of chieftainship and how it related to the colonial administration.

### 2.5.2.1 Chieftainship and its relationship with Colonial Administration

According to the Lesotho Review Report (2011:4) Moshoeshoe 1 died in 1870 and after his death, the control of Basutoland was transferred to the Cape Colony. Moshoeshoe was succeeded by his first son Letsie who was given the position of paramount chief. The colonial administration worked hand-in-hand with the paramount chieftaincy and made all possible efforts to strengthen it. As Gill (1993:143) remarks "during the whole period, the British authorities firmly supported the position of the paramount chief and thus tried to re-establish it as the central institution of government in Lesotho as it had been during the days of Moshoeshoe." The colonial administration gave the institution of chieftainship some powers as well as responsibilities. Some of these powers and responsibilities were to advance and augment the interests of the colonial administration. The prime responsibility that was given to the chief was that of ensuring that the customary civil code was implemented and obeyed. According to Thabane (2002:104-105), after the colonial administration began the Basotho were allowed to keep their customary civil code and the chiefs were to deal with the customary cases at the chief's court.

The colonial administration entrusted some of the duties emanating from colonial laws to the chiefs. However, before implementing these, it had to see to it that it modified the chieftainship so that it became an integral part of colonial administrative and judiciary machinery. As Thabane (2002:105) points out, "the colonial government took the place of the chiefs that the people were used to and chiefs could only remain in office on condition that they enjoyed the confidence of the colonial officers." This meant the institution of chieftainship had changed dramatically from that established during the Moshoeshoe 1 era.

As can be seen, during the colonial government chiefs acted on behalf of and to advance the interests of the colonial government. This is why they were given special tasks by the colonial government. According to Thabane (2002:105) under the colonial government, the chiefs were also given tasks such as the enforcement of changes required by the colonial government, tax collection, assisting in labour recruitment and many others emerging from time to time.

Chieftainship had changed drastically from what it used to be especially in its relations to commoners. It had become the most useful part of colonial government. As Thabane (2002:121) points out;

> To be a useful part of the colonial state, the chieftainship had to be transformed in three ways. Firstly, its source of legitimacy and power base had to be changed so that chiefs remained in office at the pleasure of the colonial government, a pleasure which depended on their loyalty and support to the colonial government and its policies. Secondly, the colonial government gave the chiefs more power over the commoners than they had enjoyed in pre-colonial times. However, the colonial government was careful not to empower the chiefs in such a way as to eliminate their dependence on the colonial state and thereby make them feel politically independent and strong enough to challenge the colonial authority. Thirdly, a significant part in securing the chiefs collaboration with the colonial government was played by the colonial government ensuring that the chiefs had a stake in the colonial economy. The commission on tax that the chiefs received from the colonial government became a powerful means of securing their acquiescence as those who did not comply with the colonial instructions or others had their commission withheld from them.

Despite the colonial government's efforts to modify and strengthen the institution of Chieftainship, many chiefs experienced difficulties and challenges in their area of work. Some of these were based on transforming political developments while others emanated from the changing perception of the people. As Thabane (2002:106) comments, "In this development, it was the relationship between the people and the chiefs that suffered because the people lost their ability to ensure that the chiefs power was exercised with restraint." This occurred because in the past, the people used to participate in whatever policies and plans the chief was to implement whereas under colonial rule the chief received the mandate from the colonial government. Some of the tasks the chiefs executed were unfamiliar to the people and this subsequently affected the relationship between the people and the chiefs. Thabane (2002:106) remarks, "this led to a polarization between the commoners and the chiefs and an increased exploitation of the commoners by the chief."

To summarise, the institution of chieftainship remained important during the colonial government's time. Despite this, it had to deal with challenges which primarily emanated from the discontent of people as a result of colonial laws which were foreign to them. For example, the issue of tax collection by the colonial government caused a major rift between chief and commoners. According to the Lesotho Review Report (2011:4) this led to a gun war which started in 1880 and ended in 1881. Gill (1993:143) states that "The paramount chief was central, and yet society had been changing rapidly since the days of Moshoeshoe 1. Some institutions remained outwardly the same, but their inner dynamic changed. Others changed or were superseded while still preserving something of the old spirit."

One of the aspects that became prevalent was that there was intense hostility among the chiefs themselves. Shortly after the death of Moshoeshoe 1, Letsie, his first son took power. Letsie was different from his father to the extent that he failed to maintain the institution of chieftainship by controlling the chiefs under him. According to Gill (1993:135) "Letsie's prestige had suffered greatly during the gun war and was at all times low. His brothers did not follow his leadership nor did some of his own sons." This led to a division among chiefs. As said earlier, many chiefs looked up to the colonial government for power and legitimacy. There were also chiefs who resisted the colonial government. Gill (1993:135) points out that "Letsie and certain chiefs were forced to look upwards to the colonial administration for support and not downwards to the people and subordinate chief."

As has been established above, the institution of chieftainship changed dramatically during the colonial era and this somehow affected the mechanisms used to foster the process of public participation prevalent during the Moshoeshoe 1 era.

*2.5.2.2 Mechanisms to foster Public Participation*

As has been established, during the Moshoeshoe 1 era there were primarily two mechanisms used to foster citizen participation. The colonial government changed the political and societal structure where, according to Mothibe, (2002:29) the institution of chieftainship was earmarked as "the symbol of the Basotho nation's cohesion and identity."

It transpired that the chief then owed allegiance to the colonial government not the people as had been the case during the Moshoeshoe 1 era.

**(i) Public gatherings**

During the Moshoeshoe 1 era, public gatherings (*pitso*) were central instruments for fostering citizen participation in government. The colonial era came with many changes that severely altered the relationship between chiefs and people: the institution of chieftainship dwindled. In terms of the tradition that had been established during the Moshoeshoe 1 era, public gatherings were called by the chief to let the commoners participate in government. However, during the colonial era, public gatherings were no longer effective as mechanisms of fostering citizen participation (Gill 1993:137). There are two reasons why this occurred.

Firstly, the inherent conflict between the chiefs was one of the key factors that rendered public gatherings less effective. In order a for public gathering to have been effective, it had to be organised properly by the chiefs under the paramount chief, but the friction between chiefs made it difficult since in most cases they could not reach consensus. Gill (1993:137) states that "with so many splits in the sons of Moshoeshoe, it became difficult to hold a national *pitso* because it was almost impossible to reach a consensus which could be enforced'. The chiefs, it appears, could only unite together when a common threat was posed to them as a ruling class." This means the critical issues that affected society were no longer discussed and as such the people, the commoners were left with no choice but to seek alternatives.

Secondly, a growing population and transforming society affected public gatherings and conduct. According to Gill (1993:147) the national *pitso* had become very cumbersome as the population grew ever larger. Public gatherings were possible and manageable when the population was small. However, as it grew, the public gatherings were no longer functional. The Basotho population increased to approximately 350 000 in 1905 from 24 000 during the Moshoeshoe 1's era (Gill 1993:145). Public gathering became too demanding as many aspects had to be considered. For example, society transformed and was gradually socialised into colonial styles but some chiefs were slow to learn new skills of leadership. Some chiefs began drinking alcohol, for example, and their image as leaders deteriorated.

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According to Gill (1993:137) they became addicted to alcohol, failed to perform their duties and refused to learn the skills necessary to function in the evolving social and economic order of the day. Even at public gatherings chiefs could not exercise their duties as effectively as before.

It had been the chief's role to organise public gatherings and to lead discussions with the help of councillors and other chiefs. As Gill (1993:147) states, "after hearing the views of all his people, the chief would weigh these opinions and make a final decision." Many of them failed to do so as they had become victims of alcohol and were no longer responsive to issues raised by the people at public gatherings. Pursuant to this, it can be concluded that public gatherings was no longer active and responsible as they had been during the era of Moshoeshoe 1. They did not serve as a strong participation mechanism during the colonial era. As Gill (1993:146) points out public gatherings became unwieldy. The next section looks at the chief's court as one of the mechanisms for instituting public participation during this time.

**(ii) The chief's court**

The other instrument used to foster public participation was the chief's court or *khotla*. It was an occasion that initiated males attended every day to participate in national affairs with the chief. However, the chief's court was affected by the same developments that affected public gatherings, as the chief was responsible for ensuring that discussions took place. One of the developments that greatly affected the conduct of business at the chief's court was the introduction of a tax by the colonial government. This forced many Basotho men to migrate to South Africa in search of jobs to enable them to pay tax. This destroyed the chief's court. According to Weisfelder (1974:95) "massive, regularized migration of Basotho to jobs in South Africa eventually destroyed the everyday, face-to-face communication and sense of communal participation in the *lekhotla* (local chief's court)."

Therefore, the chief's court gradually dwindled, greatly affecting the prospects for citizen participation as most men migrated to South Africa and only a few were available for the chief's court. The other impeding factor was that the chiefs were also not active as they no

longer served the interests of the people since they were then advancing the interests of the colonial government (Gill1993:146).

It can be concluded that the traditional mechanisms of instituting public participation, namely public gatherings and the chief's court were no longer as effective as they used to be during the Moshoeshoe 1 era. The chieftainship, which played a pivotal role in ensuring that there was strong participation by commoners in these institutions or mechanisms, changed drastically with the advent of the colonial government.

*2.5.2.3 Participatory Organizations that emerged during Colonial Period*

During this time, when public gatherings became unwieldy and cumbersome, other mechanisms and organisations for instituting citizen participation emerged. Mechanisms such as national council were established by the colonial government while other participatory mechanisms were established by the citizens at the realization that the *pitso*or the then participatory mechanisms were not allowing them enough of a platforms for participation. These mechanisms will be identified and analysed and the nature of citizen participation that ensued will be determined.

**(i) The Basutoland National Council (BNC)**
After Lesotho was colonised by Britain in 1868, the indigenous institutions of government in Lesotho no longer functioned effectively (Gill 1993:146). As such the colonial government had to come up with several reforms to stabilise the country. Many political as well as administrative reform measures were developed and put into operation. According to Nyeko (2002:133), "the British administration had begun the process of streamlining the system of government by introducing a series of administrative reforms to rationalise the position of chiefs and to incorporate them into the colonial hierarchy. One of the most significant reform measures the British introduced at the turn of the century was the establishment of the Basutoland National Council."

Although the National Council was initiated in the late nineteen century, it held its first meeting in 1903 (Nyeko, 2002:133). This can be regarded as the time the council became

functional. As the country had been initially run under a chieftainship system, the colonial government had to establish mechanisms through which it could run the country. This is why the colonial government saw it prudent to seek ways of incorporating chiefs' as well as the people's opinions on their government. This is reflected in the nature of the membership of the people forming the council, which consisted from people of different backgrounds (Nyeko 2002:133).

According to Nyeko (2002:133), the membership of the council consisted of the Resident Commissioner and his five appointees, the Paramount Chief along with ninety-four chiefs and headmen chosen by him and a handful of commoners appointed by the resident commissioner or identified by some chiefs as their representatives. Basically, the National Council was intended to resemble a public gathering system where chief and people met to discuss national issues. As Gill (1993:146) states, the National Council was also meant to replace the national *pitso* and was regarded as a forum in which where people could participate.

The National Council was formed to perform the following functions. Firstly, according to Nyeko (2002:133), it was a vehicle for advancing and maintaining chiefly and colonial powers. Secondly, it was a gathering at which important advice could be given to the Resident Commissioner by Lesotho's leaders. Thirdly, it was meant to represent the opinions of all Basotho (Gill 1993:147).

The National Council did not work as smoothly as had been envisaged by the colonial government. One of the factors that impeded the smooth operation was the inherent conflict among chiefs. This conflict was further witnessed even in the deliberations of the work of the National Council. For example, Nyeko (2002:133) states that "Lerotholi had wanted the National Council to be a law-making body but Jonathan Molapo, his most powerful rival, refused to accept such a proposal lest it be used to curb his own power." The other area of conflict was caused by those chiefs who were against the administration of the colonial government.

However, there is one remarkable function that the National Council performed during the time of its operation. As Machobane (1990:76) stated, the council's only major contribution to law-making was the drawing up of the *laws of Lerotholi*, which were a set of rules and customary practices touching the various aspects of Basotho social organisations. Despite its success in drawing these laws, it later experienced difficulties and challenges from commoners' organisations. This is because these laws were meant to regulate and hence were directed against the commoners. Henceforth, the national council endured through a volatile political environment filled with tensions (Nyeko 2002:134).

The contribution of people was very limited during this early stage of colonial government. The Basotho people had been accustomed to frequent participation either at the *pitso* or chief's court but this practice gradually diminished as the colonial government took over (Gill, 1993:146). It was generally believed that the National Council was replacing the public gatherings as public gathering was the mechanism through which many Basotho commoners participated and aired their opinions. As stated in Gill (1993:147), the National Council was intended to represent the opinions of all Basotho. Practically, it did not because, looking at the membership of the council, there were few people representing the interests of the common people. As such it can be argued that it did not truly represent Basotho people. As Nyeko (2002:133) argues, "it could hardly claim to stand for the interest of most Basotho." This was in contrast to the times of Moshoeshoe, where large numbers of people would have a chance to participate in public gatherings.

To summarise, the National Council was no longer an important mechanism for ensuring the wider participation of the Basotho people. As Nyeko (2002:133) states, "this Council was essentially a consultative body with limited powers." Its mandate and objectives were purely to foster the interests of the colonial government. This is why it became inactive both as a participation mechanism and law- making body. The institution of chieftainship was sick and divided, hence the national council could not work effectively because many chiefs were not in harmony and as such they foiled the smooth running of the body (Nyeko, 2002:133).

While the National Council was very weak of making sure that citizens played a role in shaping the political development, the commoners started organising themselves to have a say in the affairs of government. The commoners complained that their views were not represented in the National Council. Gill (1993:148) notes that: "a rising generation of educated commoners complained as the council was composed entirely of the chiefs while the views of the commoners were not taken into account by the rulers." This led to the development of organisations formed exclusively by the commoners. The next section scrutinises the motives behind the establishment of associations and analyses them as a mechanism for participation.

**(ii) The commoners' organizations and public participation**
Being aware that the indigenous institutions of government in Lesotho were no longer functioning and that the national council had left them out, the commoners resorted to organising themselves (Gill1993:148). Many Basotho commoners had attended missionary schools while some Basotho were keeping strong ties with the traditional chieftainship structure. The commoners who had enrolled in missionary schools later became teachers, clerks in the civil service and traders. These groups later became aware of the situation in which they existed and so developed ways to oppose the colonial government. As Nyeko (2002:131) states, "the first group of Africans to recognise this were the newly educated elites or the middle class, the product of mission schools, who began to seek other possible methods of opposing European domination."

Subsequently, this group established associations where they demanded that certain aspects of life change. Apparently, they were aware that commoners had been totally ignored and left out of the national council by the colonial government. As a result they saw it as important to seek ways through which they could participate and improve their living condition. As Nyeko (2002:131) points out, "during these years, the concerns of the African elite were to attain better education, improved agriculture, more health services and greater opportunity for domestic employment of Africans." In other words, they wanted the colonial government to change and improve the wellbeing of Basotho people. They wanted to have a say in the way government operated.

As a result of this, this group established organisations through which they could advance their needs and aspirations. It is in this context that the next part of this research examines these organisations and analyses them in relation to public participation. There are three main organisations that emerged during the early days of colonialism. However, for the purposes of this research only two of them are identified and analysed. These are the Basutoland Progressive Association (BPA) and the *Lekhotla la Bafo* (LLB). The third organisation it did not survive as it was formed without being able to make any input.

**(a)The Basutoland Progressive Association (BPA)**

The Basutoland Progressive Association (BPA) was formed in 1907 by a group of mission-educated Basotho commoners against a background of political tension and uncertainty in Southern Africa as a whole (Nyeko, 2002:134). After the colonial government came into power in Lesotho, many developments, changes and reforms took place. For example, the colonial government introduced laws which the Basotho had to abide by. One of these was the issue of tax which was to be collected by the chiefs, as was seen earlier. Some, if not most, of the colonial reforms and laws were not embraced by the Basotho commoners. As Nyeko (2002:135) remarks "the immediate stimulus to the organisation's birth was resentment over the British colonial government's actions in consolidating chiefly power."

The Basutoland Progressive Association was mainly composed of the elite who had received education and wanted to see change in the lives of Basotho people. According to Gill (1993:164) "this elite, which was known locally as the *bahlalefi* (the educated ones) or *matsoelopel*e (the progressive ones), was composed mainly of teachers, government clerks and interpreters, ministers of religion, writers and businessmen." The major goal with the formation of the association was to oppose the colonial government's actions which were discriminatory and not beneficial to the Basotho and to fight for the participation of the Basotho in national affairs. As Nyeko (2002:135) indicates, the organisation's goals were summed up in the motto "not for us, but for our country and humanity", which embraced both socio-economic and political objectives.

The socio-economic objectives of the association were:

- the introduction of modern agricultural practices

- assistance in the creation of small-scale industrial ventures

- local employment for Basotho people

- the provision of basic social services in areas such as medical care, education and transport

- assistance in the development of traders

- the institution of a system of private property and inheritable land ownership

The political objectives of the association were:

- the elimination of racial discrimination

- the involvement of more Basotho commoners in administrative decisions

- to provide greater representation for commoners, especially the *bahlalefi* (the educated ones) in the processes of national decision making

- to prevent the chiefly abuse of power in judicial decisions and land allocation

It can be seen from these objectives that the formation of the Basutoland Progressive Association was a total attack on the colonial government and that it wanted to see improvement in Lesotho. They wanted to participate in national matters like during the time of Moshoeshoe 1. The association saw that in order to advance the interests of the Basotho people, they needed the colonial government to allow them the opportunity to participate. They wanted to see progress and they equated it with participation. As Nyeko (2002:135) writes in this regard, "according to its constitution, the BPA's other objectives included its members' debates and discussions on matters that contributed to progress." This point indicates that public participation in government was considered indispensable and the BPA

realised that Basutoland would be a better place to live in if people's needs were taken into consideration.

Although, the Basutoland Progressive Association experienced some problems with the colonial government, it was recognised at a later stage. The colonial government granted it membership in the National Council and welcomed its participation. As Nyeko (2002:136) points out "by 1919 the British colonial government had granted the BPA their request for representation in the BNC and their support to the organization had become stronger and more explicit." Apparently, the BPA was able to some extent to participate in the national affairs of the country through its membership in the National Council.

**(b) *Lekhotla la bafo* (LLB) / the commoners' league**

According to Nyeko (2002:138) the *lekhotla la bafo* was formed in Mapoteng in 1919 by the two Lefela brothers, Josiel and Maphutseng, both of whom represented the newly emergent class of self-educated Basotho commoners. The commoners' league was totally different from the Basutoland Progressives Association in the way that it approached the colonial government and organised its business. As Nyeko (2002:138) points out, the *lekhotla la bafo*was launched as a reaction to its more conservative predecessor the BPA and was radically different in that it appeared 'fiercely anti-imperialist and uncompromising' in its opposition to the colonial government. The commoners' league was open to and spoke for all Basotho peasants from the outset and emerged as the bigger organisation in comparison to the BPA. According to Machobane (1990:181) the followers of the commoners league was composed of disaffected and poorer Basotho people, the landless, the migrant labourers, small shopkeepers, members of independent African Churches, some disgruntled junior Basotho chiefs, Basotho women and some Indian residents of Lesotho.

Apparently, the commoners' league drew its membership from different segments of society. Unlike its predecessor, it was the first organisation that allowed women to participate. According to Nyeko (2002; 138) the organisation had two principal immediate demands. The first one was the ending of chiefly abuse of power, especially in the operation of the *matsema*. The second was the need for the Basotho commoners to be represented in

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the National Council. Apparently, these demands were directed at the two major institutions that were predominant during this era, namely the chieftainship and the colonial government.

The organisation, through its leader, Josiel Lefela, embarked on a series of activities which could be regarded as mechanisms for meeting their demands. These demands could be regarded as objectives that they were pursuing. In order to meet their demands and implement their objectives, the commoner league used petitions, correspondence with colonial officials, newspaper propaganda, delegations, boycotts and strikes to fight the colonial government and chieftainship (Gore, 1979:17). The first demand was the ending of the chiefly abuse of power particularly the *matsema* (commoners' labour for cultivation in chief's land). On this note, the league criticised the chiefs in that the *matsema* only benefited the chief and not the general population as the chiefs resorted to selling the produce for their own gain (Nyeko, 2002:142).

Their demand was not the total abolition of the chieftainship as they cherished it, but against the way it operated. As Nyeko (2002:143) remarks, they preferred to have it returned to the pre-colonial ideal of chieftainship before it was tarnished by British colonial rule. According to Gill (1993:171) 'The LLB strove to restore the old equilibrium of rights and responsibilities between chiefs and commoners'. The second demand of the league was the need that the Basotho be represented in the National Council. The argument of the commoners' league was that the interests and ambitions of commoners were not heard as the council consisted mainly of chiefs. The league, through its leader Lefela, instituted a series of attacks on the national council claiming that it was not advancing the interest of the common Basotho. As Nyeko (2002:140) comments, Lefela and the league 'condemned the council for being undemocratic and merely representing and perpetuating the interest of the chief'. For the LLB, the National Council had to be democratic in the sense that many commoners should be represented so that their interests could be voiced. As Nyeko (2002:140) states, for Lefela and the league, "the commoners' voice was being totally neglected."

Meanwhile, the commoners' league remained the strongest force through which the majority of commoners participated in resisting some of the policies of the colonial government. During the 1920s and 1930s, Britain and the Union of South Africa conducted protracted negotiations about the future of the protectorates where the objective had been to incorporate Lesotho and other protectorates into South Africa. The commoners' league sternly objected to the move. As Nyeko (2002:144) states "in the case of Lesotho the LLB played a critical role in spearheading the growing African opposition to this prospect and to the Union's African policies more generally during that period." Consequently, the LLB remained the strongest force during the colonial era in ensuring that the interests of the commoners were being taken into consideration and as such allowing participation of many commoners.

Indeed, the LLB incited participation of many commoners during the colonial era. Despite the fact that it was heavily attacked by the colonial government, its diversity of membership and most of the activities it embarked on, show that it was the organisation that led the majority of Basotho to take part in the national affairs of Basutoland during the colonial era. This coincides with the remark made by Gill (1993:172) that "although the league largely failed in its objectives, it nurtured a tradition of resisting all compromises with the West which undermined local institutions while at the same time affirming the excellence of Basotho cultural institutions and philosophy to guide the nation forward by its own internal dynamic." Therefore, it is concluded that the LLB served as a mechanism for ensuring wider participation of commoners during the colonial era.

Due to the LLB, the colonial government weakened and rendered most of the indigenous institutions of government in Lesotho futile. The traditional set up and relationship established during the Moshoeshoe 1 era were drastically transformed after the colonial government had taken power (Gill 1993:173). Not understanding how Moshoeshoe 1 had structured his kingdom, the colonial government transformed it by putting in place many reforms, two of the most prominent being the establishment of the National Council and introduction of colonial laws.

To summarise, public participation did take place during the colonial era. Participation was motivated by, on the one hand, the colonial government through the National Council and on the other hand, the commoners association. The most important participation was that which was instituted by the commoners because it reflected that the Basotho were willing and able to influence and shape the decisions of the colonial government. Therefore, based on the above, participation was arguably voluntary and was driven by the desire to effect change in Basutoland.

## 2.5.3 The Pre and Post-Independence Era 1950-1970

In the late 1940s, massive changes took place in Africa, especially in countries that had been colonised. As Gill (1993:202) states "calls for self-determination and equality were heard across Africa and in Lesotho as well." This state of affairs changed the political feelings and ambitions of commoners and chiefs. Likewise, the colonial government was affected by the political environment of the time. According to Gill (1993:203) "the spirit of change was in the air." However, in this new context, the colonial administration could no longer stand up well against the new expectations of Basotho leaders, chiefs or commoners.

Massive changes occurred in the political landscape of Lesotho. Change was not instituted by the commoners' movements alone but with the support of many institutions and stakeholders. As Gill (1993:186) states "during that time tremendous change occurred. These changes were largely instituted through the efforts of the National Council, the Resident Commissioner and the emerging nationalist movements." The influx of change was inclusive and addressed many aspects of life. The nature of citizen participation also changed. At this time citizen participation was instituted through formal structures different from the one discussed earlier. The colonial government created district councils with the purpose of instituting citizen participation.

### 2.5.3.1 The Formation of the District Councils (DCs)

As early as 1950, it was proposed and accepted that district councils be established with the view to bring government closer to the people (Gill, 1993:187). However, the government

was aware that these could not effectively be implemented without proper legislation. In 1959 the Colonial Government (British) enacted the *Local Government Proclamation, 1959 No 52* as a legal base for the establishment of district councils. According to Mapetla and Rembe (1989:22) district council were established as statutory bodies to perform the following functions:

- To act as an avenue for popular participation

-  To serve as an electoral college for representation in the National Council

- To act in an advisory capacity to the National Council in matters concerning local affairs

- Finally, as local authorities, they were vested with extensive powers to make by-laws, manage local finances and carry out various responsibilities related to agriculture, livestock, and maintenance of bridle paths and selected roads, fisheries, public order, health and trade (Wallies, 1984:66).

As the first function of the district council indicates, they were created to act as an avenue for popular participation. As has been seen before, the colonial government had deprived many Basotho commoners of the chance to participate as it had weakened the renowned institutions that were acting as mechanism for participation. The corollary effect was that formal participation by the majority of citizens was discouraged. However, with the establishment of district council the commoners were once again able to participate. The establishment of district councils took up the earlier interest of the commoners' league and the BPA who had demanded greater participation and representation of commoners in the National Council. During the early days of district council, Lesotho experienced improved participation by commoners in national affairs. Indeed, it can be argued that through the establishment of district council, many Basotho were able to participate in government issues. Therefore, district council became strong mechanisms through which public participation was instituted during the time before independence.

The second and the third functions of district council were that they served as an electoral college for representation to the National Council and acted in an advisory capacity to the National Council in matters concerning local affairs. These two functions relate to the issue of participation in that many Basotho were able to participate in the National Council which was improved to include more commoners and commoner professional groups (Gill, 1993:187). The National Council was developed in such a way that every district would have a council whose members would be represented in it. As Gill (1993:187) states "four members from each of the nine district councils would be sent to the National Council." As a result, the National Council was improved and made fairly representative.

Professional organisations and groups of commoners were also represented on the National Council. According to Gill (1993:188) "further representation would be given to six recognised associations, one each for teachers, farmers, Basotho traders, lepers, Basotho ex-servicemen, and the BPA. The commoners' league was not granted any representation." In terms of these diverse groups being granted representation, it can be argued that the National Council had been modified to involve and improve the process of citizen participation.

The district councils were the channels through which the majority of citizens at local level participated, especially in matters of local planning and administration. District councils had five years tenure. After the lapse of tenure, fresh elections for district councils were supposed to have been held in 1965. However, instead of going for local government elections in 1965, Lesotho held the first national election that led the country to independence. Finally, Lesotho received independence on the 4th of October 1966, under the rule of the Basotho National Party (BNP) (Pule, 2002:173). Therefore, it can be concluded that the formation of district councils in Lesotho had a positive effect in ensuring that the process of public participation took place.

Besides the informal participation of the commoners' groups and associations the colonial government viewed it imperative to establish other mechanism that would allow more commoners the opportunity to participate in government. Perhaps the colonial government acted in this way as a response to the mounting pressure from the commoners' groups and

associations as citizen participation increased dramatically in the period after the establishment of district councils (Mapetla & Rembe 1989:23). The commoners associations and groups had been transformed largely into political parties as the prospect of independence became imminent.

It is worth pointing out that when the country held its independence elections in 1965, many Basotho participated through political parties that had emerged in 1952. As Nyeko (2002:152) comments, "the independence movement in Lesotho manifested itself through the various political parties that emerged during the period. These included the Basutoland African Congress (BAC), which was later renamed the Basutoland Congress Party (BCP), the Basotho National Party (BNP), the Marematlou Freedom Party (MFP)." Many Basotho participated in the political process by voting for the government they wanted. Therefore, beside the district councils, political parties were then the mechanisms through which participation had been instituted.

### 2.5.3.2 The Abolishment of District Councils

Major changes occurred swiftly after independence which greatly changed the colonial setup. One of the first things the government did was to suspend local government structures that were known as district councils and were finally abolished in 1968 (Pule, 2002:174). District councils were dismantled by *Government Notice 8 of 1966* and the *Local Government Repeal Act of 1968* respectively (Kapa 2010:10). The literature consulted points to the fact that they were dismantled due to administrative as well as political considerations as they were alleged to be complicating the lines of communication between the central government and the districts (Mapetla & Rembe, 1989: 23).

Moreover, another aspect relating to the abolition of district councils was the issue of maintaining them. As Kapa (2010:10) indicates "the arrangement was too costly for the BNP government especially with regard to payment of staff salaries and wages." The central government was not prepared to deal with the payments of staff that already existed. Since the BNP had only come into power, the abolition of district council seemed to be the best option for political motives. According to Mapetla and Rembe (1989:23) "these

councils were largely dominated by the opposition party, the Basutoland Congress Party, and as such, they were seen as an alternative source of political loyalty and therefore a threat to the government of the Basotho National Party." The BNP government felt threatened by that state of affairs as it could not control district council as these had been largely dominated by the Basutoland Congress Party. As Kapa (2010:10) indicates "the DCs were dominated by the opposition BCP which had won the 1960 male-only elections, winning 32 of the 40 contested DC seats, while the BNP and the Marema-Tlou Party shared the remaining eight seats."

District councils had been the avenue for participation at local level and as they were dismantled, participation was severely curtailed. According to Mapetla and Rembe (1989:23) "the abolition of district councils saw an end of participatory institutions at local level, resulting in increasing centralized administrative and planning machinery." However, the BNP government still viewed the decentralised structure as important since they were aware that it was an important structure through which people could participate. Kapa (2010:10) states that "even as the BNP regime abolished the DCs, it did not doubt the value of local government; it merely found the system too costly at the time. It was clear that Lesotho would, at later stage, need a decentralized system." This also resulted in the creation of alternative systems and structures as mechanisms for sustaining public participation. Linking to this, the next section will focus on 1970-1986, paying attention to the nature and mechanisms for public participation in Lesotho during this time.

### 2.5.4 The Era of Repressive and Undemocratic Rule 1970-1986

In 1970, another change in Lesotho took place which greatly influenced and shaped public participation. On the 4th of January 1970 the second general elections was held (Pule, 2002:174). The outcome of this election was different from the elections of1965 since Basotho people, voted for the opposition party in large numbers. According to Gill (1997:220) "the large swing vote of pragmatic voters went over to the BCP, ensuring them a resounding victory. The BCP won 36 seats, the BNP won 23 and the MFP just 1 seat." These results surprised many people especially the members of the ruling party because they had expected to win.

Notably, the Prime Minister and his Cabinet were surprised by the results. The Prime Minister resorted to embarking on something that exposed Basotho people to a new system. Gill (1993:221) writes that "although the Prime Minister was shaken by this election defeat, he took the initial step to hand over power. After receiving some strong words from his Minister, Sekhonya 'Maseribana however, he suspended the Constitution and declared a state of emergency on 30th of January 1970." Following this, the political system in Lesotho changed dramatically. According to Kabemba (2003:5) this marked the beginning of a one-party government which was characterised by repressive and undemocratic rule, whereby the BNP government maintained control of the state from 1970 to 1986. However, for the benefit of this research, there are only two aspects that are looked at. These are the suspension of the Constitution and the declaration of a state of emergency.

Due to these occurrences, many aspects of citizens' lives changed, including their ability to participate in government. Citizen participation was undermined to the extent that some citizens, especially of the opposition parties, were imprisoned when they attempted to exercise their freedom of expression. According to Gill (1993:221) "hundreds of BCP supporters were arrested, and in the months which followed the Police Mobile Unit (PMU) and BNP party fanatics made life extremely painful for anyone who protested." The result of this was that people were not able to participate in government freely or protest against the government.

The constitution of any country is an embodiment of the rights and responsibilities of its citizens. Since the Constitution of Lesotho had been suspended, it meant that people were no longer at liberty to exercise any of the rights entrenched in it, including citizen participation. According to Pule (2002:180) the Constitution was suspended because, according to the Prime Minister, it was ill-suited to Basotho culture and customs. The Prime Minister announced that there was a need to draw up a new constitution that would be suitable and in line with Basotho customs and culture. As a result, in 1973 an Interim National Assembly was created with the purpose of writing a new Constitution for Lesotho.

Subsequently, participation in national affairs was formally discouraged by the BNP government. Gill (1993:221) states that "Leabua Jonathan declared a five year moratorium on politics, stating that the Westminster system was not in line with Lesotho's tradition and would need, therefore, to be adapted and modified to meet Lesotho's special requirements." Lesotho was ruled by an authoritarian regime that lasted until 1985. During this time, political activities were totally banned and as such participation was minimal. Despite this, several futile attempts to overthrow the government were made. The Prime Minister became the only point of reference for all decisions the government took. Policy issues and planning were solely the responsibility of the Prime Minister. Gill (1993:222) points out that "during this whole period, an increasing amount of power was concentrated in the hands of the Prime Minister. The party appointees and chiefs became more and more dependent upon him."

*2.5.4.1The Establishment of Committees for Participation*

Although Lesotho was ruled by an authoritarian regime from 1970, the government still made attempts to instigate participation in communities. As a result, local structures that encouraged and demanded citizen participation were created. Pursuant to this, in 1970 the government created the first village development committees and the district development committees (Lesotho Year Book, 2005:56). They were created in terms of the *Local Government Repeal Act of 1968*. These structures were very important in stimulating local planning and citizen participation in rural areas even though they were not predicated on any legal framework. Mapetla and Rembe (1989:31) state that "the most important rural structures have been the District Development Committees (DDCs), the Village Development Committees (VDCs) and Chieftainship." According to Mapetla and Rembe, (1989:31) the district development committees and village development committees were envisaged as structures intended to perform the following functions:

- To serve as forums for popular participation

- To execute bottom-up planning

- To coordinate development activities in local areas

It is important to examine these structures separately so as to determine their effectiveness and the degree of public participation that they encouraged. However, the general picture was that they never really became effective as structures and institutions for local planning. As Mapetla and Rembe (1989:31) state "the general finding is that these bodies were incapable of being effective local planning institutions." Despite this, it is still important to give an overview of each institution.

**(i)The District Development Committees (DDCs)**

According to Mapetla and Rembe (1989:32) the district development committees (DDCs) were supposed to play a very important role in national development. They were regarded as the principal mechanisms for the expression of a district's needs and aspirations. In practice, they were supposed to be the instruments enabling citizens to participate in planning processes in their district. This view is clearly pointed out by Mapetla and Rembe (1989:32) when they argue that, "theoretically, they were responsible for the overall district planning, implementation, coordination, monitoring and evaluation of all district development projects, including self-help activities."

However, the district development councils never delivered and worked according to plan. A number of factors impeded the smooth functioning of these councils. Mapetla and Rembe (1989:32) give the following reasons as to why they did not function properly:

- They lacked expertise and funds to plan, thus in practice, their role was that of making suggestions to central government on the needs of the district

- They lacked the technical and managerial capability necessary for effective coordination and the government did little to strengthen their status

- They depended on central government for operations and other logistics

- They were largely dominated by public officials, whose views overshadowed those of the local people

- There was an absence of official guidelines by way of set rules and regulations governing the composition, mode of elections and functions of these institutions

Therefore, it can be deduced that in most cases, the District Development Committees were never active and did not work properly. As Mapetla and Rembe (1989:32) state, there was no actual district planning undertaken by the district development committees. In practice, they were supposed to derive a mandate, proposals and issues of concern from the village development committees but the findings were that these bodies never interacted. For example, it was found that in 1984 84% of the VDC members knew nothing about the existence of the district development committees (Thoahlane 1984:2). Therefore, it can be concluded that in terms of citizen participation, the DDCs never really became instrumental. After looking at the functioning of the DDCs, the next committee that will be examined is the village development committees.

**(ii) The Village Development Committees (VDCs)**

According to Mapetla and Rembe (1989:33) the village development committees (VDCs) were supposed to be grassroots representative institutions for expression of popular demands as well as channels for mobilisation. The VDCs were made to ensure that citizens residing in a particular village participated in the planning process within their area of jurisdiction. As a matter of procedure, the VDCs were supposed to suggest possible projects for consideration by the DDC at district level as well as to provide information on the country's resource allocation base (Mapetla & Rembe 1989; 33). However, the VDCs also struggled to fulfil their functions. Mapetla and Rembe (1989:33-34) state the following as some of the reasons contributing to their failure:

- Firstly, it was found that in reality, these bodies were non-existent in some cases or varied in their areas of activity. Where they were established, they were largely playing an advisory role to DDCs.

- Secondly, the VDCs largely served as institutions for mobilising political support since they tended to be dominated by members of the ruling party. This discouraged the members of opposition party from participating in such committees. This rendered the VDCs weak and sometimes unrepresented, particularly in those villages where there was a concentration of opposition members who boycotted their activities.

- Thirdly, in some villages, the VDCs were found to consist largely of women as a result of the migrant labour system and the fact that men remaining in the villages were often too sick or too old to be interested in such organisations.

It can be deduced that although village development committees had the potential to effectively foster the process of citizen participation, these factors impeded and discouraged participation of the larger population. In theory, the VDCs had great potential for serving as the mechanism for citizen participation because participation is easier in a small village than in a district. The BNP government made a commendable effort in creating the DDCs and the VDCs. In terms of their functions, they were largely mechanisms for fostering public participation. However, as has been shown, they never became the strong and effective instruments for instituting citizen participation because they became the mere appendages to the ruling party (Mapetla & Rembe, 1989:34-35).

*2.5.4.2 Chieftainship*

Chieftainship is an institution of governance which has survived since the pre-colonial era. It is a system of rule that depends on continuous consensus, consultation and accommodation for its survival (Lesotho Year Book, 2005:52). It is an institution that has historically been known to ensure greater participation of citizens in national affairs. Chieftainship is established in terms of the *Chieftainship Act of 1968*. According to Setsabi (2010:45) "one of the primary objectives of the *Chieftainship Act 1968* was to subordinate the chiefs to central government through entrusting their discipline to the Minister of the Interior who not only had the powers to discipline the chiefs but also to dismiss them." This

is one of the primary areas that caused the institution to gradually lose power and responsibility. According to Mapetla and Rembe (1989:34) "traditionally, this institution played a vital role in policy and decision making. At this level, it enabled participation through *Pitsos* (public meetings)."

The duties and functions of chieftainship (chiefs) are clearly stipulated in section 6 and 7 of *the Chieftainship Act 1968.* The list of functions for chieftainship is endless, but those that are relevant to this research include:

- To serve the people in the area of his (the chief) authority

- To promote the welfare and lawful interest of people within his jurisdiction

- To perform all lawful duties of his office impartially, efficiently and quickly according to the law.

- To maintain public safety and order.

- To calling of public gatherings *(lipitso)* for the dispersal of public information

Since the colonial era, as in the BNP regime, this institution had been under incessant attacks. As a result, it was no longer as effective as it was during the time of Moshoeshoe 1. It remained, however, one of the mechanisms through which public participation was instituted, especially at public meetings and at *khotla*. During the BNP government this institution was rendered ineffective for the following reasons as stated by Mapetla and Rembe (1989:34-35):

- Firstly, the chiefs had been continuously losing their leadership powers to modern local institutions, although support for the chieftainship as an institution was still evident in some areas.

- Secondly, this situation led to conflict between these committees and the chiefs. Party politics played a central role in the affairs of local administration. This was particularly true in those villages where the chief and the VDCs belonged to opposing political parties.

- Thirdly, chiefs were not accorded the necessary training on development administration

- Fourthly, their relationship with other structures remained problematic

- Finally, Chiefs were denied first-hand information on development matters which left them ignorant and often accused of non-involvement or even sabotage of the development efforts.

Although the institution of chieftainship continued to weaken as it was undermined by the development committees, it remained largely acknowledged and important to most Basotho people (Mapetla & Rembe, 1989:35). Nevertheless, the political development and dispensation in Lesotho in late 1985 remained intolerable, repressive and violent. Consequent to this, a lot of pressure was mounted on the BNP government from both locally, abroad and especially South Africa. As Pule (2002:188) states, "on 1 January 1986 South Africa put in place a massive border blockade which allowed little traffic to move between it and Lesotho." This state of affairs was followed by the rising of political unrest, tensions and violence coupled with harsh conditions for the Basotho people. Finally, on 20 January 1986 Radio Lesotho announced that there had been a military takeover (Pule 2002:189). The military takeover that followed will be looked at next.

### 2.5.5 The Military Regime 1986- 1993

During the military regime, two important developments regarding the creation of enabling structures for participation were instituted. According to Kapa (2010:10) the Maseru City Council (MCC) was established under the *Urban Government Act of 1983* and development committees under the *Development Committees Order No. 9 of 1986.*This part of the research will concentrate on the *Development Committees Order No. 9* of 1986, specifically

the latter part of the order, which deals with local institutions and chiefs as they bear implications for citizen participation. The most important components of this Order in terms of this research were the bodies that it established. These are the village development committees, the ward committees and the district development committees. These committees are briefly explained next.

### 2.5.5.1 The Village Development Committees (VDC)

Article 2(1) of the *Order No. 9* of 1986 provides for the establishment of village development committees in each village that falls under every chief gazetted before the 1st of January1986. The membership and composition of these bodies are provided in Article 3(2) of the order. This article provides that the committees should be composed of seven members and should be elected by the inhabitants of an area at a *pitso* (public gathering). Moreover, in terms of this article, the chief remained an ex-officio member and the chairman of the VDCs.

Section 4 of this order provides for the functions and duties of the VDC. In terms of this section, each VDC shall:

- be responsible, in consultation with the government, for the planning, implementation and maintenance of development activities and social services in the area of its jurisdiction

- represent and lead the local community in its efforts to identify village development needs

- raise funds for its local development purposes

- stimulate local participation in development activities

- make government aware of local development priorities through the DDC

*2.5.5.2 The Ward Development Committees (WDCs)*

This committee was established by article 8 of the *Order No. 9 of 1986*. The composition of this committee is provided for in terms of article 9(1) which provides that the committee should consist of twelve members in each area that falls under a principal or ward chief. Unlike the VDC the members of the WDC are elected from the VDC (article 9(3)). In the same manner, the committee is chaired by the principal or ward chief who is also an ex-officio member of the committee (Article 10(9)).

The WDC had two duties and functions established by the order. The first duty in terms of article 10(9) was that of collating the duties of VDC for scrutiny and implementation. The second duty in terms of article 10(b) was that WDC were also tasked with the responsibility of monitoring the implementation of development projects at village level. The ward committees were tasked with ensuring that citizens within the ward participated in development projects. According to Setsabi (2010:46) the ward committees were able to carry out their functions properly thereby allowing citizens to participate, but the functioning of these committees soon waned due to several factors. One such factor was the protracted conflict between the chiefs and the committee members.

*2.5.5.3 The District Development Committees (DDCs)*

These committees were established in terms of Article 12 of *Order No. 9 of 1986*. They were to consist of 15 members elected at a meeting of the various WDC. In this committee the principal or ward chief in that district acted as an ex-officio member as well as chairman. The article further stipulated that in a case where there were more than one principal chief, the chairmanship of the DDC should circulate among them (Article 13(3) of the *Order No. 9* of 1986). According to Article 14 of the Order, the duties of DDC were:

- to promote socio-economic development at local level

- to formulate and implement development projects in the district

- to ensure that the projects in the district are in line with the national plan

- to monitor the implementation of national projects

- to raise funds for implementation of national projects

- to consult through its secretary with the Central Planning and Development office and the appropriate ministry on matters relating to development planning

- to utilise all district resources economically for the betterment of the lives of the people in the district.

In terms of Article 18 of the *Order No. 9* of 1986, the principal chief had special duties to perform as he acted as an official representative of the district.

Generally, the military government made commendable strides with these structures or committees as they became the better mechanisms for allowing citizen participation. As Kapa (2009:9) commends, "because every village in Lesotho had its own VDC, hence offering scope for the people to have a better and direct input in issues affecting their lives. The Lesotho local government structure under the military regime was better popular participation maximization." The VDCs were the grassroots mechanisms that could enable the participation of ordinary citizens in development activities and notably in planning processes. The VDC had the potential to stimulate and allow for broader mass participation as every adult inhabitant could attend. According to Kapa (2009:8) the attendance was open to all adults in the village.

Therefore, the military structure was simple and probably feasible as it ensured that citizens took part from the level of the village where the chief would chair the meeting. This system resembled the traditional form of authority that Basotho people has known and respected from pre-colonial times because the institution of chieftainship is historically regarded as a symbol of unity (Mothibe. 2002:28). As such the military junta saw it fit to reinforce it

since the modern governance institution had failed to sustain government and develop the country.

Another important impetus with the military government local structural pattern was that they were predicated on a legal framework. In this respect, citizen participation was not an issue of discretion but was mandatory as the village development committee had the legal mandate to stimulate local participation. During the BNP regime, participation was a matter of discretion because such structures did not have a precise legal base and this resulted in constant conflicts and tension (Kabemba, 2003:24).

The role of the chiefs also needs special emphasis. As Setsabi (2010:45) comments, "the VDC, WDC and the DDC were organised around the chieftainship as a system of local administration." Therefore, chieftainship became the central institution in ensuring that the development efforts in the villages, wards and districts were implemented. Indeed, the role of the chief was not only clarified but was defined the role of chiefs in terms of their levels of responsibility. This is an important element because as seen, during the colonial era, chiefs were often at loggerheads.

In conclusion, the military government made a commendable effort to introduce local government structures which enabled broader citizen participation. Unlike the colonial government and the BNP government, the military government established structures that amalgamated the traditional institutions of governance (chieftainship) and modern institutions (committees). This is the situation the Basotho people had been accustomed to since the start of the colonial period. In this regard, the *Lesotho African Peer Review Mechanism Report* (2010:44) states that, "the Basotho have a long–standing traditional system of governance that is based on their historical values and customs. The customary system of governance has deep roots and is highly respected everywhere in the country. The Basotho recognize and accept that their traditional form of governance must coexist with the colonially-bequeathed system of governance."

The military government tasked the chiefs with leading the development process in Lesotho while also recognising the urgent need for citizens to participate in the planning process.

Public gatherings (*pitso*) were the inherent institutions for participation during the Moshoeshoe 1 era. *Pitsos* gained prominence and remained the central institution and mechanism allowing wider participation. One important facet of the military government is that it provided a legal framework for local government structures thereby limiting the chances of conflict. Finally, these structures can be regarded as the best mechanism for instituting the process of citizen participation.

As time passed, many developments ensued that later transformed the smooth operation of the development committees. Although the Development Committees Order had clearly stipulated the duties and functions of chiefs and councillors, conflict erupted between the two bodies. The corollary effect of this was that the committees were subsequently made redundant. The military government passed *Order* N*o. 15* in 1991, which replaced the committees with councils. Despite this change in name, they remained the same in terms of structure, composition and functions.

## 2.5.6 The Emergence of the Democratic Era

This was the time which came after the military regime and it is marked by many developments and change in governance. The change and development was the enactment of the Constitution of Lesotho and this is commonly known as the 1993 Constitution. It was in this era that public participation was legally framed in the Constitution and everybody was to abide by whatever is entailed by the Constitution. As has been seen in previous sections, public participation processes were largely influenced by the institutions of which the governance structure consisted. For example, during the Moshoeshoe 1 era, governance was solely built on the institution of chieftainship and there were certain characteristics that could be used to gauge citizen participation. Similarly, it was noticed that public participation is one of the components of democracy and hence it can easily flourish in a democratic regime.

The governance structure in Lesotho is built on a dual system consisting of monarchy or chieftainship and democratically elected representatives. In this dualism, the king is the head of state while the prime minister is the head of the government (APRM Report,

2010:40). The position of the king is hereditary and accession to the throne is governed by the *Office of the King Order No. 14 of 1990*. The prime minister as the head of government is appointed by the king in terms of section 87, subsection 2, of the constitution. For analysis purposes, a brief explanation of this dual system follows.

The first tier of this dualism is the institution of chieftainship. According to the Lesotho Year Book (2008:66) Lesotho is a constitutional monarchy. The monarch is a king who is a descendent of Moshoeshoe I and represents the institution of chieftainship. This institution is regulated by the *Chieftainship Act of 1986.* Traditionally, chieftainship was regarded as the institution that unites the Basotho people. This feeling seems to have continued even in contemporary times. The finding of the APRM Report (2010:44) reveals that "the king is central to the governance of the nation state, and he is also the unifier of the Basotho nation. The king serves as the point of interface and unification of the functions of the executive, legislature and judiciary." The chieftainship is hierarchically structured with at the top the king followed by the principal chiefs, area chiefs and finally headmen. Currently there are 22 principal chiefs as gazetted (Lesotho Year Book, 2008:66). This implies that every village or area has a chief to whom the citizens owe allegiance. Historically, public participation took place when the chief called the citizens to take part in deliberations about developmental issues of their communities.

The other tier of the dual system is the modern structure. This is the system that was introduced by the colonial administration (Lesotho Year Book, 2008:66). This tier is headed by the prime minister as the head of government. It is made up of the three branches of government namely; the legislature, the executive and the judiciary. As has been stated in the Lesotho Year Book (2008:66), this tier is regarded as universal. The legislature consists of two houses. The first is the National Assembly, which has 80 elected members and 40 proportional representatives. The second is the Senate which is composed of 33 members, 22 of whom are hereditary principal chiefs, with eleven ordinary citizens appointed by the king on the advice of the council of state (APRM Report, 2010:40).

Under this tier, there were also local government structures, established in 2005 in terms of section 106(1) of the Constitution. This section stipulates that "Parliament shall establish

such local authorities as it deems necessary to enable urban and rural communities to determine their affairs and to develop themselves. Such authorities shall perform such functions as may be conferred by an Act of Parliament." Moreover, local government is governed by two pieces of legislation, namely the *Local Government Act* No. 6 of 1997 and the *Local Government Elections Act of 1998*. Both these acts of Parliament were amended in 2004 by the *Local Government Amendment Act of 2004*. The act established the three-tiered local government structure. These are community councils, district councils and the municipal councils. Since 2005 there have been 128 community councils, 10 district councils and 1 municipal council in Maseru. Both local government and the chieftainship are stewardships of the Ministry of Local Government and Chieftainship.

In summary, the two predominant institutions are well entrenched in Lesotho and having long existed, are no longer foreign to most Basotho. As discussed in previous sections on the one hand, chieftainship is the traditional institution that can be traced from when the Basotho nation was founded by King Moshoeshoe 1. On the other hand, the modern democratic system or institution was introduced by the colonial administration, although it has been modified and improved since. As such, these two institutions coexist to enhance public participation. The relationship of these institutions is widely captured in the report by the African Peer Review Mechanism (2010:44) that reads:

> The Basotho recognize and accept that their traditional form of governance must coexist with the colonially bequeathed system of governance. This is the basis for the adoption of the constitutional monarchy that complements, rather than competes with, the modern state. They cite the coexistence of a traditional monarchical system of governance with the elected government as an example of how their culture and traditions are complementary to an imported form of democracy. The respect of the traditional authority and the overwhelming desire for its perpetuation are at the root of the establishment of the constitutional monarchy. The Basotho generally perceive that there is a general rule in as far as their institutional arrangements and practices are guided by the 1993 constitution.

It is against this dualism that public participation is flourishing in Lesotho until the present time. The question is how effective is this government structure enhancing public participation in policy formulation process by the Lesotho citizens. The answer to this question will be unfolded by the subsequent chapters which presents and analysis the research findings.

The discussions above focused precisely on the historical background of public participation and policy formulation processes in Lesotho. Mechanisms of public participation were also explored. The focus is shifting in the next section. The shift of discussions is from the general perspective of policy formulation process to Africa as a continent. This later, specifically, the focal point of this study which is Lesotho will be looked into.

## 2.6 POLICY FORMULATION IN THE AFRICAN CONTEXT

One of the views espoused in the literature is that "policy formulation is a central function of government and the quality of the policies therefore depends on the capacity of government to manage policy-making processes" (Corkery et al, 1995). Policy formulation has been a great challenge in Africa both during the colonial era and the postcolonial period. This has been evident due to the slow progress in African countries' developments. In certain countries the situation is even worse. Kapa (2013:4) argued that "the public policy-making process in Africa has been the preserve of the political and the bureaucratic elites since independence." This state of policy formulation in Africa hinders African countries from development and there are great instances of policy failures being experienced. In most African countries, policy-making has been encompassed with several problems and the institutional environment in which policy formulation happens is at the fore front of them all.

The institutional environment within which policy-making takes place cannot be overlooked or taken at face value because it is through the institutional environment that the policy-makers should respond and it also serves as a source of demands. The institutional environment for policy-making in Africa portrays various instances of policy failures in a number of countries. Corkery et al (1995:1) stated that "the development record of sub-Saharan African countries since they became independent some thirty years ago is generally recognized to have been disappointing." This situation has been in existence due to the colonial legacy which is still recognized in most African states.

Most of African countries approach the policy-making process through the employment of the bureaucratic decision-making model which was adopted during the colonial era and the postcolonial period. This bureaucratic decision-making model, viewed by Omanboe (1966), regards formulation and implementation of policies to be the process which is undertaken exclusively by politicians and small groups of bureaucrats who often keep policy discussion opportunities away from the general public. This approach to policy-making in Africa has led to the situation noted by Juma and Clark (1995) that, in Africa, the public are not viewed as a potential source of policy ideas. Instead, bureaucrats and politicians view members of the public as the source of problems for which the bureaucracy exists to provide solutions.

The bureaucratic decision-making model excludes the civil and interest groups in policy-making processes. This exclusion hinders not only the civil society and interest groups which represent the members of the public, but it also limit the information for policy-making process. This lack of information results into a narrow policy decision-making by the policy-makers. This entails that policy decision-making becomes an activity of the elites. Omanboe (1966:461) observed that "all important projects have had to be initiated by politicians who committed the nation to certain courses of action before the technicians are consulted." The implication is that lack of consultation and public engagement is prominent in this elitist policy-making process and this is exacerbated by the secret authoritarian predilection which exists in most African states. Kpessa (2001:39) added that "the authoritarian political environment not only blocked access to state policy-making apparatus but also cowed open dissent and public involvement in governance." This authoritarian environment in Africa is one of the remaining the colonial rule legacies and most African states are still adhering and cherishing it. Policy-making in this kind of regime is viewed as an activity of elites and it is also considered an art of secrecy reserved primarily for a few trusted citizens but kept away from the general public.

Maruatona (2006) also stated that, in Africa, after independence, African states bureaucrats were under the impression that they were acting on behalf of the people, they excluded their citizens from the policy-making processes in a way that projected the state as a father figure whose responsibility was to provide the social services promised in the independence

struggle. This situation has led many African states to shift their focus away from policy-making to provision of social services as a result of economic crisis experienced. In this economic crisis, Corkery et al (1995:13) observed that "policy-making was reduced to ad-hoc responses to urgent problems, leaving little room for more fundamental and long-term policy analysis, consultation, design of effective implementation strategies, monitoring and evaluation." They further argued that, as a general practice, in African countries "short-term crises tend to receive top priority and this leads to grossly inadequate political, analytical and administrative effort being given to development policy formulation."

The economic crisis has put African states in a situation whereby most countries are faced with difficulties in dealing with what Hirschmann (1975) called "pressing nature and low degree of understanding of problems." The financial problems have led to the loss of interest to effective policy formulation in most African states because policy-makers overlooked those policy issues with more long-term, strategic and development-oriented objectives. Corkery et al (1995:14) summed up by saying that;

> In such a condition, policy-making is often a question of slipping from one expedient to another without tackling underlying problems. The inevitable result of these ad-hoc responses is policy decisions that may be well-intentioned but, in many cases, are ill-conceived.

The authors discussed above are not the only ones to discuss the state of policy-making in Africa. According to Kpessa (2011:40), policy-making in Africa is confronted with "lack of administrative capacity and the personnel to effectively engage in gathering public opinion and analyzing large volumes of data." This lack of administrative capacity has resulted in the centralized top-down approach to policy-making in Africa and there is lack of information to inform this policy-making process. Ayee (2000:28) added by saying that "policy-makers have much less information than they need and that what they have is often of questionable reliability." Hence, Gulhati (1990) has concluded that policy-makers in this situation "tend to make decisions on the basis of intuition, ideology or a process of give and take. They have little appreciation of how technical policy analysis can feed into the decision-making process. Consequently the ruling circle has not articulated much demand for policy relevant studies."Ayee (2000:28) similarly stated that "they frequently rely on intuition and experience than on old solid information when making decisions."

The post-independence period in Africa was also reckoned by one-party system in most states (examples include Ghana, Tanzania, and Zimbabwe, to name just a few). In this one-party system, policy-making is aimed at prioritizing the views of what Ohemeng (2005:450) called "closed circuit network of politicians and senior bureaucrats, with assistance from expatriates." This implies that "involvement in policy-making is largely restricted to upper echelons of the political and bureaucratic system" (Corkery et al, 1995:15). Party politics are significant in Africa and they impact on policy decision-making in a negative manner on various occasions. In my previous research on decision making in street naming in KwaMashu Township of the eThekwini Metropolitan Municipality. I found out that party politics influenced public participation and decision making processes. The study revealed that the street naming process carried out in the township has been strongly influenced by the political environment existing in the KwaMashu community.

Further, research participants expressed that the legitimacy of the street naming process has been lost because it has been associated with politics. Community members expressed the view that the ward committees are set up in such a way that they reflect the political systems at the national sphere of government in South Africa. Community members felt that even though the ward committee was composed of different political parties, the chairperson was from the ruling ANC political party, and therefore there was already a conflict of interest evident in the ward committee forums (Lesia, 2011:70).This is an example on how party politics can hinder public participation and decision making in public policy making in Africa.

Public policy-making in Africa can be summarized by looking at the key factors which impact negatively on the process. The first one is the issue of the environment in which policies are formulated. In most cases, public policy makers fail to understand their policy environment and the kinds of problems they generate. This is evident because there is also an artificial line which normally exists between policy makers and other stakeholders during the process. Policy makers constitute the elitist group with their own experiences of policy problems which often differ from the perception of other stakeholders who represent the majority group. In this situation, policy formulation is always informed by their

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backgrounds which are not grounded with a holistic or in-depth understanding of what policy formulation entails. The second one is the issue of decision making over policy choices which is not based on adequate information coming from the single-actor. It is often that information is always generated and gathered only from the bureaucrats for policy making and ignoring information which might be useful from other stakeholders. The experts from research institutions have no room in policy making and their findings which can impact on policy making process are marginalized by the elites. This happens even in cases where research projects have been sanctioned or commissioned by the very same elites. They keep recommendations in the shelves and do not bother to implement them.

The third one is the issue of scarcity of resources whereby African countries have poor economies which result in the inability of most countries to mobilize resources. There is also mismanagement of the few that are there which are not used effectively for policy making purposes. The other problem with resources is that resources are always channeled to short-term problems which are of priority in African states. These short-term problems can be socio-economic problems, nation building activities and disasters which are at the top agenda of different countries. It is against these institutional incapacities that public policy-making in Africa is confronted with and these lead most countries to be stuck in the undeveloped stage because of poor policies that are being made by the governments.

In the next sub-section, the discussion will now move away from the broader African context and zoom into Lesotho, which is the focal point of the study.

### 2.6.1 Policy Formulation in the Context of Lesotho

To a large degree, policy formulation in Lesotho is not an exception to the policy making processes in different African countries. The process of policy formulation in Africa has been captured by Nhema (2004:4) as he said that "public policies in Africa are very conservative and restricted, with very little public involvement and no input from wider community." This proposition has been also acknowledged by Kapa (2013:4) in the context of Lesotho when he argued that "Lesotho is no exception to this practice, even after almost 20 years of plural politics. Civil society in Lesotho has to fight for participation in the

formulation of public policies." The ideas of Nhema and Kapa depict that Lesotho shares similar experiences with other African countries in matters related to public policy making. The issue of public participation has been central to the problems encountered during public policy making processes in Africa and Lesotho is no exception in this regard. Booysen (2006:172) understood public participation as "the direct involvement of citizens in seeking information about and making-decisions related to certain specified public issues." Public participation in public policy formulation in Lesotho has been lacking and the decision-making processes in policy making within the government of Lesotho were exclusive of the citizens who are directly affected by such policies once crafted by the political elites.

The issue of public participation is tabled by Kapa (2013:4) as he stated that citizens organized in a form of "civil society in Lesotho has to fight for participation in the formulation of public policies." This implies that public participation in public policy making in Lesotho is very restricted and decision-making processes in public policy making are centered on the political elites. The good example of this practice is the formulation of the national budget in Lesotho whereby "the process is highly elitist. Citizens merely become recipients of state-developed policies without making any input in their formation. The budget is mainly informed and developed by departments of government" (ibid, 48). Shale (2001) cited by Kapa (2013:48), further argued that "CSOs are allowed to comment on the budget after it has been presented to Parliament, and the budget documents are only presented to the public after presentation in Parliament." In Lesotho and other African states, citizens are not viewed as stakeholders but as beneficiaries or clients without any input to matters that affect their lives such as public policies within the government. The idea of being stakeholders is understood by Carrim (2001:105) to mean "those who have a direct stake or interest" in government decision.

The non-involvement of citizens in public policy and decision-making processes by the government in Lesotho brings the idea of democracy in question because;

> Public participation in public policy making gives citizens a right to exercise ever-deepening control over decisions which affect their lives and democracy itself is extended through creating and supporting more participatory mechanisms of citizens' engagement, which in turn are built upon, and support, more robust views of the rights and responsibilities of citizenship (Gaventa, 2006:11-12).

This lack of public participation in public policy making in Lesotho is aggravated by "a long authoritarian rule that was, by nature, extremely secretive" (Kapa, 2013:4). This situation has led to the generalization that "the public policy-making in Africa has been the preserve of the political and bureaucratic elites since independence" (ibid). The policy formulation in Lesotho which is characterized by lack of public participation, opposed the notion of effective participation in public policy as Cornwall (2002:28) asserted that effective participation in public policy making should entail that "people must be given access to information on the basis of which to base their deliberations." Access to information has been the problem in Lesotho and the public and mass media have to hustle to get access to the official documents of the government and this hinders them from engaging fully to any process or have a sense of ownership to public policies.

Kapa (2013:45) noted that, in Lesotho,

> Citizens do not have a legal right of access to government information. The government makes it impossible for the media to obtain official information without the blessing of principal secretaries, who are the heads of different government ministries. Thus, in practice, there is no effective access to such information. There is also no freedom of information law in Lesotho.

This implies that effective participation is also hindered by this lack of access to government information and non-existence of the law to regulate it. The reluctance of the government of Lesotho to enact the Access and Receipt of Information Bill, 2000 and ineffectiveness of Social Portfolio Committees continue to exacerbate poor public involvement in public policy making in Lesotho. The Social Portfolio Committees have been established by the government to facilitate the engagement of the public but these committees have not been effective, hence the citizens of Lesotho continue to feel excluded in decision-making on public policies by the government. Civil society organizations in Lesotho are also weakened by this hindrance to be part of the decision-making processes in public policies and their roles of lobbying and advocacy has to be strengthened. The considerable strength of the civil society "lies in its ability to interact easily with people at the lowest grassroots levels. It is further rendered by its ability to raise critical issues concerning the government" (ibid, 49).

Even though there are considerable strengths with civil society organizations in Lesotho, there are also some weaknesses which are evident. Shale (2011) cited by Kapa (2013:49) presented that;

> The main weakness is lack of resources, particularly human resources. Consequently, civil society is no longer able to fight as hard as it used to when critical issues arise. Whenever outstanding individuals emerge within CSOs, they are snatched up by the government and public institutions that offer better remuneration. Furthermore, CSOs have a weakness in relation to the programmes they run. Most these organizations are involved with too many issues and aspects of the themes they focus on and find it difficult to specialize. As a result, they are not as efficient as they could otherwise be.

In this situation, public participation continues to remain ineffective in public policy making in Lesotho. Hence, "the general process of policy making is still the preserve of government bureaucracy, with no or little input from citizens and their organizations outside government" (Kapa, 2013:49).

The other variable which adds to lack of effective public participation is party politics in public policy making. Party politics have been the driving force for poor public policy making in Africa and Lesotho is also experiencing the same thing. The implication is that the decision-making processes in public policy making are based on political affiliations, meaning that, in most cases it is only the decisions of those who are affiliated with the ruling political parties and their decisions will inform public policy formulation in different African states. As mentioned above, in my previous research on decision-making in street naming in KwaMashu Township of the eThekwini Municipality, I found out that;

> Party politics needs to be separated from social development issues. The combination of politics and community social development gives rise to political conflict and opposition at community level, and obstructs public participation in social development initiatives undertaken by government. This is evident in the KwaMashuTownship where the existence of strong political affiliations appears to have had an impact upon public participation in policy decision making and development initiatives, this particularly with regard to the street naming process in the community. (Lesia, 2011:77).

This has been the case of KwaMashu in South Africa whereby decision-making in street naming processes were highly influenced by party politics and for that instance, these were the decisions of the ANC affiliates which were taken forward to inform the policy decisions on street naming process. This led to the situation whereby the non-ANC members or opposition parties to feel that the policy on street naming and its processes were the

initiatives of ANC and its members. It was not inclusive process of the decisions of all community members as stakeholders in a democratic South Africa.

Similarly, in Lesotho, the Local government policy formulation process depicts the influence of party politics in policy decision making process. According to Kapa (2013:123), the local government policy "may be regarded as a product of a series of consultative processes introduced by the BCP government in 1995 until the policy was implemented through the introduction of a local council under the LCD administration on 30 April 2005." LCD is the party which was formed from BCP and it was established as a result of the internal fights within the party, hence the members classify themselves as *Macongress* (this implies that they have the same founder even though they are divided). The local government policy was regarded to be purely the government initiative based on a top-down approach, and it lacked effective public participation. The evidence for this has been that "the public consultations on the policy, in the form of *lipitso* (public gatherings) were initiated by the then BCP government to solicit the views of the citizens concerning the form, structure, composition, powers and duties of the envisioned local authorities" (ibid). This proofs that the initiative lacked grounding from the public as it was clearly an activity coined by the bureaucrats.

During the establishment of the White paper before the formulation of the local government policy, Chiefs felt that they were not involved in policy decision making because "the White paper was an elitist imposition from the government without sufficient input from Chiefs" (Kapa, 2013:124). The consultative workshops which were arranged by the government did not provide for effective participation for the mostly affected group of Chiefs and the agenda was already set for those workshops. The government commissioned team of consultants who were facilitating and conducting the process.

> The participants were drawn from representatives of different stakeholders, namely Chiefs, civil servants, non-governmental organization (NGOs), churches, business community, district, ward and village development committees, political parties, parliamentarians, women, youth, teachers and the employees of donor-funded projects (Mapetla et al, 1996:35).

Even though there was this participation by stakeholders, Kapa (2013:126) holds that "the workshop participants were predominantly BCP. In theory, civil servants are supposed to be

apolitical in the discharge of their official duties in Lesotho, and cannot openly disagree with any policy of government. Therefore, they would support the government on this policy too." This means that the Chiefs as people who would be affected directly by the policy were outnumbered and the decision-making process based on majority rule during the workshop suppressed their views with regard to the policy. This is supported by the group deliberations during the workshop which was grounded on consensus principle (Mapetla et al, 1996:5). Some of the group decisions were reached by a voting system and this system denied the Chiefs' decisions to be considered for the final policy decision making because they represented the minority of the participants. The local government policy formulation process portrays how party politics influences public policy decision making in Lesotho. The literature further reveals that the process was also confronted with the common institutional incapability in policy making present in African states. This is proven by the situation whereby the Lesotho government "abandoned the process of public consultations on local government because these were taking too long and proved to be costly" (Kapa, 2013:134). The economic crisis as a form of institutional incapacity in Lesotho has reduced policy formulation to what Corkery et al (1995:14) called "a question of slipping from one expedient to another without tackling underlying problems."

## 2.7 THEORETICAL FRAMEWORK

Theoretical framework emanates from the concept of theory. Swanson (2013) explained that a theory is formulated to explain, predict, and understand phenomena and, in many cases, to challenge and extend existing knowledge within the limits of critical bounding assumptions. The theoretical framework is the structure that can hold or support a theory of a research study. The theoretical framework introduces and describes the theory that explains why the research problem under study exists.

This study is guided by the monitoring and evaluation theories. Monitoring and evaluation tends to be regarded as one thing but in actual fact, they are two distinct sets of organizational activities related but not identical. Even though these concepts are not identical, they have some commonalities as they are geared towards learning from what a person is doing and how he/she is doing it. Monitoring is the systematic collection and

analysis of information as the project progresses. It is aimed at improving the efficiency and effectiveness of a project or organisation. Duda (2002:5) stated that monitoring "enables management to take appropriate corrective action in project design or implementation, as the case may be, to achieve desired results." It is based on targets set and activities planned during the planning phases of work. It helps to keep the work on track, and can let management know when things are going wrong. If done properly, it is an invaluable tool for good management, and it provides a useful base for evaluation. It enables you to determine whether the resources you have available are sufficient and are being well used, whether the capacity you have is sufficient and appropriate, and whether you are doing what you planned to do from the onset.

Evaluation on the other hand is the comparison of actual project impacts against the agreed strategic plans. It looks at what you set out to do, at what you have accomplished, and how you accomplished it. Cloete (2006:246) argued that "evaluation is needed in order to decide whether to continue with a policy project or programme, or to curtail it, terminate it or expand it." Evaluation can be formative and summative. Formative evaluations are connected with the improvement of a programme and this implies that it takes place during the life of a project or organisation, with the intention of improving the strategy or way of functioning of the project or organisation. This formative evaluation comprises of needs assessment evaluation, implementation evaluation and process evaluation. Needs assessment evaluation determines who needs the program, how great the need is and what might work to meet such a need. Schneider (1986:360) defined this needs assessment as "analyses which identify or clarify public problems, determine whether policy or program changes should be undertaken, and identify one or more policy models which might be considered by the decision makers." Implementation evaluation monitors the fidelity of the program delivery and process evaluation investigates the process of delivering the program including the alternative delivery procedures.

Summative evaluation is an assessment given at the end of the programme, meaning that this is drawing learnings from a completed project or an organisation that is no longer functioning. Summative evaluation on the other hand, is also subdivided into outcome and impact evaluations whereby outcome evaluation investigates whether the program caused

demonstrable effects on specifically defined target outcomes. Klugman (2002:117) stated that impact evaluation "assesses the changes in well-being that can be attributed to a particular program or policy." This implies that impact evaluation focuses on the overall of the program as a whole. According to the World Bank Operations Evaluation Department (2004:5), monitoring and evaluation (M&E) of development activities "provides government officials, development managers and civil society with better means for learning from past experience, improving service delivery, planning and allocating resources, and demonstrating results as part of accountability to stakeholders." In policy making, monitoring and evaluation play a vital role in determining what the government officials or development managers are intending to do and how they plan to do that. Hence, the issues of decision-making and participation are linked to monitoring and evaluation.

Monitoring and Evaluation theories are chosen for this study because a policy requires monitoring and evaluation for it to come to existence and even when it is being revised or alternated. Monitoring and evaluation are linked to decision making which is also inseparable from policy making process. Brynard (2006:165) argued that "public policy making begins with a decision and it concludes with a final policy decision." Shafritz (1998:818), on the other hand, monitoring and evaluation determine the value and effectiveness of an activity for the purpose of decision-making." This decision-making in public policy making entails public participation from different stakeholders engaged in the process and monitoring and evaluation is intertwined as it involves various decisions. This has been affirmed by Corkery et al (1995:3) as they say, "policy formulation is a function rather than a stage where dominant actors and set ideas shaping significantly during their course of actions." This implies that there is no policy formulation without public participation, decision making, monitoring and evaluation.

The rounds model of decision-making demonstrates this interdependence of decision-making, participation, monitoring and evaluation. Rounds model is based on participation of actors and these actors are the focal point of analysis. The assumption is that solutions/policy and problems are relevant to a policy process, in so far as they are presented by an actor during the process (Scharf, Reissert&Snabel, 1978; Teisman, 1998). This entails that many actors are involved or participate in decision-making and in the

process they introduce their own perceptions of relevant problems, possible solutions and their political judgement. Termer (1993:44-51) stated that the actors assess to what extent other actors share their definition of reality and proceed to interact on this basis. In contrast to other models like phase model, none of the definitions are seen as final or permanent. This focus of round model turns to analyze whether and how actors have managed to combine perceptions to such an extent that they are willing to support a joint solution. This rounds model of decision-making shows that the process of monitoring and evaluation of policies is inseparable from the theories of participation and decision-making.

Shafritz (1998:818) acknowledged the interdependency by saying that "evaluation determines the value and effectiveness of an activity for the purpose of decision-making." This is clearly seen with the rounds model of decision-making theory but it does not mean that the other two models of decision-making theory (which are phase model and streams model) do not have this concept of monitoring and evaluation in place. The rounds model portrays the notion of decision-making, participation, monitoring and evaluation process within the policy formulation and this is evident as the model is said to be based on participation actors as the focal point of analysis. The actors participate in policy decision-making and in that process, the notion of monitoring and evaluation of policy alternatives come into existence. It is in this understanding that decision-making and participation theories are seen to play a role in monitoring and evaluation of policies. Therefore, monitoring and evaluation theory cannot be applied in policy process without an acknowledgement of those two theories.

## 2.8 CHAPTER SUMMARY

In conclusion, the literature reviewed above has revealed how different scholars and researches have conceptualized the concepts of policy and the policy formulation process. There was also a discussion on the importance of public participation in policy decision-making. These were the discussions based on the general perspectives and there was a shift of direction. The discussions on policy formulation moved away from the general perspective to the broader context of the African continent. There was another shift that zoomed in the discussions within the context of Lesotho which is the focal point of this

study. In this case the historical account was presented with the view to establish how public participation as a mechanism for policy formulation evolved over time in Lesotho. Monitoring and evaluation as the theoretical framework for this study was also explored from the viewpoint of participation and decision-making.

Therefore, this study on the policy formulation process in the Ministry of Development Planning in the government of Lesotho is going to unveil the policy formulation constraints or gaps which are experienced by Lesotho and in the process try to suggest the ways of addressing them. This has been lacking in the existing literature on policy formulation process in Lesotho.

The next chapter will deal with the research methods for this study. It will highlight the qualitative approach which was adopted as the methodology to guide the study and spell out how data was collected highlighting any challenges faced and how they were resolved.

# CHAPTER THREE

# RESEARCH METHODOLOGY

## 3.0 INTRODUCTION

The preceding chapter dealt with the literature review around the conceptualization of the policy and policy formulation process. The discussion was on how the process of policy formulation is carried out, meaning the theorization of the process by different scholars and researchers. The role-players in the policy formulation process were outlined within the discussion. There was also an exploration of the literature on the policy formulation process in the African context and this was followed by what the literature says about the process in Lesotho. Monitoring and evaluation theory was also discussed as the theoretical framework driving this study and this theory was viewed in conjunction with the concepts of decision-making and participation. In this chapter three, the intention is to present the research approach for this study which falls within the qualitative paradigm.

The first section in this chapter will explore the qualitative method as opposed to the quantitative method. This will be done by defining the qualitative method and looking at some of its characteristic features which make it relevant to this study. The second section will focus on the data collection methods and analysis used in the study, which entailed the use of document analysis and semi-structured interviews with open-ended questions. The third section presents the sampling methods which were employed to derive the interviewees from the target population. As discussed below, purposive sampling and simple random sampling were used in the process of data collection. The fourth section discusses the ethical considerations which were followed prior to embarking on the fieldwork, during the interview process and what also transpired with these processes.

## 3.1 QUALITATIVE METHODOLOGY

A qualitative research approach was used to investigate the subject matter of this study. Holloway & Wheeler (1996) cited in Nieuwenhuis, (2007:51) stated that "qualitative research as a research methodology is concerned with understanding the processes and the social and the cultural contexts which underlie various behavioral patterns and is mostly concerned with exploring the "why" questions of research." The qualitative measurement tells us how people feel about a situation or about how things are done or how people behave. It is unlike the quantitative measurement which tells us how many or how much, which is always expressed in absolute numbers or presented statistically. Qualitative research typically studies people or systems by interacting with and observing the participants in their natural environment (*in situ*) and focusing on their meanings and interpretations. Ndlela (2005:38) cited Blaikie (2000), Bless and Higson-Smith (1995) arguing that "the qualitative approach to social research is about researching human behavior, looking for facts, opinions, experiences and preferences of the subjects. The method allows for an in-depth approach in terms of information gathering." The approach is relevant for this study on policy formulation process in the Ministry of Development Planning because behavior, facts, opinions, experiences and preferences of people will be revealed on the subject matter. These will help in identifying policy formulation gaps and suggestions to fill them.

## 3.2 DATA COLLECTION AND ANALYSIS

Data collection methods were based on documents analysis and semi-structured interviews with open-ended questions. Nieuwenhuis (2007:82) submits that "when one uses documents as a data gathering technique one will focus on all types of written communications that may shed light on the phenomenon that one is investigating." Written data sources include published and unpublished documents around the issue. These were ministerial reports, memoranda, agendas, administrative documents, letters, reports, e-mail messages, faxes, newspaper articles and any other documents that were relevant to the investigation.

The semi-structured interview is commonly used in research projects to corroborate data emerging from other data sources. It seldom spans a long time period and usually requires the participant to answer a set of predetermined questions. It does allow for the probing and clarification of answers. Semi-structured interview schedules basically define the line of inquiry. Open-ended questions were employed in this study whereby "an open-ended interview often takes the form of a conversation with the intention that the researcher explores with the participant her or his views, ideas, beliefs and attitudes about certain events or phenomena" (Nieuwenhuis, 2007:86-87). The research population for this study had three categories namely: officials from the Ministry of Development Planning, officials from civil society organization and ordinary members of the community of Lesotho.

With permission from interviewees, the interviews were recorded using a voice recorder and notes were taken during interviews. Follow-up questions were asked where the information was not clear during the interviews. Two respondents appeared to be mindful of the recording device at the commencement of the interview. However, as the interviews progressed respondents became less guarded and more spontaneous, and were able to express their opinions freely. In some cases the interviews were conducted in a noisy environment and the follow up questions became necessary as the given information was not clear due to the noise which was coming from the background. This interviewing method was used to determine the respondents' perceptions, beliefs, feelings, experiences and views about public participation in decision making on street naming. The data from the interviews was corroborated with the data from the written documents which are published and unpublished. The combination of documents analysis and semi-structured interviews provided information for the analysis of the subject matter of this study.

## 3.3 SAMPLING

The sampling methods employed in this study were purposive sampling and simple random sampling. Purposive sampling is a non-probability sampling and simple random sampling is a probability sampling. Non-probability sampling entails that "procedures do not employ the rules of probability theory, do not ensure representativeness, and are mostly used in exploratory research and qualitative analysis" (Sarantakos, 2005:164). Probability sampling

on the other hand is viewed by Kumar (2011:199) as "imperative that each element in the population has an equal and independent chance of selection in the sample." This implies that the choice of respondents is guided by the probability theory and the sample is only chosen before the research while in non-probability sampling, the sample is chosen before and during the research.

Purposive sampling simply means that "participants are selected because of some defining characteristics that make them the holders of the data needed for the study". Purposive sampling decisions "are not only restricted to the selection of participants but also involve the settings, incidents events and activities to be included for data collection" (Nieuwenhuis, 2007:79). Purposive sampling is a method that is also described by Marlow (1998) as one that allows the researcher to handpick the sample according to the nature of the problem and the phenomenon being studied. In this technique "the researchers purposely choose subjects who, in their opinion, are relevant to the project. The choice of respondents is guided by the judgement of the investigator. For this reason it is also known as judgmental sampling. There are no particular procedures involved in the actual choice of subjects" (Sarantakos, 2005:164). This implies that the primary consideration of respondents relies on the researcher's judgement as to who can provide the best information to achieve the objectives of this study.

This purposive sampling method was used to gather information from the Department of Policy and Strategic Planning, Department of Monitoring and Evaluation and Department of Project Circle Management within the Ministry of Development Planning. It was also employed to gather information from officials from civil society organizations. Fifteen officers from the Ministry of Development Planning were interviewed for this research project. Thirty officers were supposed to have been interviewed but only fifteen were reached for the interviews. These people were three Directors and other officials. Four officials from civil society organizations were also interviewed. These were members who are responsible for the governance issues in civil society organizations. These were officials from Transformation Resource Centre and Christian Council of Lesotho.

Simple random sampling focused mainly on accessing the community members. According to Sturgis (2008:174), simple random sampling gives every unit in the population an equal probability of selection. To draw a simple random sampling, every population unit must be assigned a unique identification number ranging from 1 to the last number of the representative sample. In this study participants were selected by sampling from the number of people per the category till the representative sample was achieved. Every person was given equal opportunity to participate. According to Sarantakos (2005:154), "the characteristic of this type of random sampling is that the sampling units, apart from having an equal chance of being selected, are independent from each other. Their chance of being selected does not depend on the selection of other units." This people were taken from the political people who are based Maseru and those who came outside Maseru. This sample method was utilized to get access to ten members of the public residing in areas around Maseru and outside Maseru. Even though these people participated, they did not know much about the process of policy formulation as shall be seen in chapter four and five where the results of the study are discussed. I did not intend using variables such as gender, age, etc., for my sampling.

## 3.4 ETHICAL CONSIDERATIONS

In this study anonymity of my interviewees was ensured. Coding was employed to each interviewee by a system of numbers so that their identities were not revealed and in the dissemination of my research these interviewees remained coded. Data was analyzed using constant comparative method where the respondents' interview transcripts were coded and categorized into themes in order to present findings (Maykut and Morehouse, 1994). The research participants were also asked to complete the consent forms as per the University of KwaZulu-Natal's research policy.

In these consent forms participants were informed that their participation was voluntary and that they were free to withdraw from participation at any stage for any reason whatsoever. They were also advised that if they chose to withdraw from the study at any stage, they were free to do so and that there would be no adverse consequences to them. Likewise they were told that there were no objective benefits to them if they chose to participate. I

encountered some participants who asked about the benefits which they would receive in answering the interview questions. I advised participants that there were no direct benefits to themselves in participating in the process. However, as citizens of Lesotho, they were told that studies of this nature were meant to ensure that the government becomes efficient and is able to address their concerns in a broader context. Such explanation painted a clear picture for the informants as to what the study was about and why it was still important for them to participate even if they were not going to benefit directly from it.

I also advised participants that the research was for academic purposes only and that the research may be published for utilisation by the public including public institutions like the Ministry of Development Planning. Participants voiced their opinions that their participation would not change anything especially where they were not satisfied as the process is purely for the elites and bureaucrats and they cannot have access to participate in the policy formulation process. These participants were the community members who expressed that they do not engage in political issues as it is 'just a waste of time'.

The informed consent form was used to address issues of trust and suspicion. It was often necessary for me to verbalize and discuss the informed consent due to some respondents' lack of understanding and suspicion of the process. After verbalisation of the informed consent form, respondents were constantly reminded that their participation was voluntary and that they could opt out of the study at any time should they so wish with no negative consequences to them.

Some of the research participants were of the opinion that I was coming from an investigation institute to conduct interviews in order to ascertain whether civil servants were in opposition to the mandate of the government. These suspicions were again allayed by verbalizing the informed consent. The language barrier was not a problem because all the participants were able to express themselves in English. In some cases where Sesotho was used by some participants, this was not a problem because Sesotho is my mother tongue and I had no problem in translations. Interviews were conducted with research participants who gave verbal consent to participate in the process. As such, all University ethical procedures were adhered to. There are two referencing styles employed in this study.

The first style used was referencing within the text and the second style is the footnote referencing. This footnote referencing is used to ensure anonymity of the participants while still capturing what the informants said during the interviews.

## 3.5 CHAPTER SUMMARY

The qualitative research approach employed for this study on the policy formulation process in the Ministry of Development Planning was effective because the participants were able to express their feelings about the subject matter. The data collection methods also facilitated this expression of different behaviors of participants in various situations and there was also an in-depth understanding of how things are done. The "why" question was answered as it is at the heart of qualitative method.

The next chapter will focus on the presentation of the research results as they were obtained from the fieldwork. This will also include the data from documents which are related to this study. There will be themes which will be drawn as the data has been solicited from the field.

# CHAPTER FOUR

# PRESENTATION OF THE RESEARCH FINDINGS

## 4.0 INTRODUCTION

The previous chapter discussed the research methodology for this study and the qualitative method was outlined as the methodology that was used to investigate the subject matter. In the aforementioned chapter of the research, it was stated that data was collected through a variety of research methods which included document analysis and semi-structured interviews with purposively selected informants. In the latter data collection method open-ended questions were used in an attempt to allow the informants to talk freely about the subject matter and to provide more information than would have been obtained through closed questions. The chapter stated that the sampling methods were purposive and simple random sampling.

This chapter presents the research findings as they were obtained from the fieldwork. The presentation will be in the form of themes which emerged during the investigation of this study. The themes to be dealt with in this chapter four are: the contextualization and understanding of the policy and the policy formulation process in the Ministry of Development Planning, decision-making and stakeholders' participation in the policy formulation process and the influence of party politics in the policy formulation process in the government of Lesotho.

The first theme (which is the contextualization and understanding of the policy and policy formulation process in the Ministry of Development Planning) will focus on the informants' understanding of the concepts of policy and policy formulation process, especially the officials within the Ministry of Development Planning. This entails the manner in which the Ministry institutionalizes or frames these concepts in the context of the government of Lesotho. The second theme will present the manner in which stakeholders participate in the policy formulation process and the way decisions are being made in the Ministry of

Development Planning in the government of Lesotho. In this section the discussion will be based on the extent to which stakeholders as part of role players in the policy formulation process are engaged and how the decision-making process is being carried out. The third theme will explore the extent to which party politics influences the process of policy formulation. The focus will be on how this influence impacts on the process and shapes the policies which are the end results of the process.

## 4.1 THE CONTEXUALIZATION AND UNDERSTANDING OF THE POLICY AND POLICY FORMULATION PROCESS IN THE MINISTRY OF DEVELOPMENT PLANNING

### 4.1.1 Policy Contextualization

The Ministry of Development Planning has been mandated to give direction and coordinate other ministries within the government of Lesotho. The ministry is also regarded as the umbrella ministry which oversees matters related to development planning and more specifically in policy formulation processes and procedures. In this context the ministry is expected to have its own contextualization and understanding of what is meant by a policy and followed by how the process is being understood within the context of the government of Lesotho through the Ministry of Development Planning. This will provide the institutional framework of these concepts and also the manner in which they are to be understood in the context of Lesotho differently from other countries. The department of policy and strategy planning within the Ministry of Development Planning is tasked with the responsibility to facilitate the process of policy formulation. It is the role of this department to give the policy direction within the Ministry and the government of Lesotho in general.

The contextualization and understanding of the policy is based on the general understanding of the concept. One of the officials from the Ministry of Development Planning defined policy as "the document that guides the development of the country and also provide some

strategic direction with the matters related to development planning."[1] This is the general conceptualization of the policy within the Ministry and it serves as the framework on which the concept should be understood. There are several policy documents which the Ministry has developed and these documents are used as the national framework. These are Poverty Reduction Strategic Paper (PRSP), Interim National Development Framework (INDF) and the current National Strategic Development Plan (NSDP). These documents "serve as an implementation strategy for the National Vision 2020" (*National Strategic Development Plan*, 2013). They are also used as key policy tools for the implementation of the National Vision 2020 which was launched in 2003 by the government of Lesotho.

On the other hand, research participants from the civil society organizations understood a policy slightly differently from the policymakers but in a much closer way. One saw it as a "guideline or path which the organization or ministry sets itself to follow in order to implement its programmes. Broadly speaking is a broad document which sets a road to follow, and it is a kind of plan which also have other small documents or plans coming out of it."[2] This is an understanding which is also not far from the contextualization of the concept by the officials from the Ministry of Development Planning. In this context, they have a similar understanding of the concepts and this implies that they are operating from the same paradigm and share the same understanding of the concept in question.

The officials from the Ministry use the concepts policy and plan interchangeably, something that might confuse those who look into these concepts as separate entities. The development of the current National Strategic Development Plan (NSDP) is considered to be the national policy framework and all the line ministries are expected to draw their policies in accordance with what is entailed by the NSDP document. The Ministry also provides guidelines on the format for policy papers to the line ministries. In this context, the findings give the impression that there is synergy in how the government of Lesotho operates and how its citizenry understand its operation. In a nutshell, the picture that is painted here is that both government officials and the general public have a similar understanding of the concept "policy."

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[1] Personal Interview with PSP1.
[2] Personal Interview with TRC1.

**4.1.2 Policy Formulation Process**

The process of policy formulation is believed to involve different stakeholders and also to entail a lot of activities. The Ministry of Development Planning has set its own way of undertaking the process in addressing various problems which arise and need to be dealt with. It has developed a *Guideline Format for Policy Papers* (2005) which outlines the activities involved in policy formulation processes and also how the policy document should be developed or shaped. The understanding of the policy formulation process for the current NSDP document was different from what is entailed by the *Guideline Format for Policy Papers* (2005) because it involved a broader participation and various stages through which the policy formulation process has to go. Some of the reasons for these differences can be the size of the document and the kind of audience which it will serve. The formulation process for the NSDP document was purely a government initiative and it is meant to meet the requirements for the funders and donors but not the general public. As such, the public feels that it is left out of the policy formulation process.

The officials from the Ministry of Development Planning stated that the process was done through the establishment of nine Technical Working Groups (TWGs) and these groups were made up of officials from the line ministries, resident UN offices and cooperating partners. These were headed by the officials from the Ministry of Development Planning and they were responsible for any presentation for the groups. These officials within the TWGs were involved in problems identification and development of different solutions to those problems. There were also nine Cluster Groups composed of private sector, civil society, academia and other stakeholders.

**4.2 DECISION-MAKING AND STAKEHOLDERS' PARTICIPATION IN THE POLICY FORMULATION PROCESS**

The decision-making process in the Ministry of Development Planning is spear-headed by the elites and the bureaucrats; hence stakeholders' participation in the policy formulation process is also controlled to suit the likes of the top government officials. The policy formulation process as it has been asserted, lacks public participation and this also implies

that the decision-making on policies engages only the civil servants and top government officials. It has been shown by most of the research participants that "policy formulation in Lesotho is not participatory because it is not driven from the bottom. Until we involve the wider section of the population as much as possible, then our policies will never be."[3] This implies that the decision-making process is limited to the minority group who are the elites and bureaucrats and there is no wider participation in decision-making for the majority of the people who are the beneficiaries of the policies.

The Ministry of Development Planning embarked on the top-down model of the decision-making process in policy formulation processes. This is supported by some of the research participants. One informant attested to this assertion and expressed that;

> We are involved in policy decision-making process but the problem has always been there. We seem to wait for the government to invite us to work with them on policy formulation. We do not become proactive enough ourselves. They would call us to show their broad frameworks so that we can come to give our inputs. This means they have already set their own framework and we are called to contribute towards a document which is already there, for us it seems as if they need our inputs here and there. Later on they would say the stakeholders were involved but in actual sense, the involvement was not for whole cycle during the development of the entire process, from problem identification to policy implementation.[4]

The research participants (mostly from the civil society organizations) also articulated that even though they are involved in policy decision-making processes, this is also not a full participation in decision-making for the whole process but they supplement what has already been decided upon by government officials and policy makers.

The research participants from the group of ordinary community members are not directly involved in policy decision-making within the Ministry of Development Planning. This group of ordinary community members stated that they participate through the civil society organizations but their participation is also limited by the fact that these civil society organizations are not found in all the parts of the country. This implies that the involvement of civil society organizations in policy decision-making processes within the Ministry of Development Planning reflects the views of community members where those CSOs are working.  But this excludes the community members where such CSOs are not in existence.

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[3]Personal Interview with TRC2.
[4]Personal Interview with TRC1.

This was supported by one of the research participants who stated that "in all the communities that we are working, we do a lot of consultations with the community members if there is a policy issue which needs the input from the people."[5] This statement came from a number of research participants from one of the CSOs. As it has been stated, they only do consultations within their own territories leaving aside the rest of the population.

The involvement of ordinary citizens through CSOs in policy decision-making is also seen whereby Kapa (2013:48) has shown that "one of the CSOs, DPE has taken it upon itself to sensitise citizens about important policies through the holding of peoples' parliaments and tribunals." This kind of sensitization is only happening to the communities where this CSO is stationed. These communities do not even constitute half of the communities within Lesotho and they are not also covering the space of the district but they are only a portion within three districts. One of the successful cases is the issue of the building of the bridge and provision of the mobile phone signal in *Hloahloeng* and *Koebunyane*. It has been said that;

> a year after participants in the peoples' parliament from Hloahloeng and Koebunyane had indicated their priority needs as a bridge over the Senqu River and a signal for mobile phones, the government provided the requisite infrastructure for mobile phones, and these have become functional in the areas concerned. It also built a bridge and this was officially opened in December 2010 (Ibid, 48).

As detailed above, participation in policy decision-making is only seen where there are strong CSOs who can have resources to persuade the government to undertake or address some problems arising from different communities.

The stakeholders' participation in the policy formulation process is not fully engaging them in all the stages of the policy cycle. It is also restricted to certain stakeholders but not all of them. The research participants (from the CSOs) stated inter alia that;

> Even though we are involved in policy decision-making process in the Ministry of Development Planning, we are not engaged in problem identification and suggesting of the policy alternatives but we are called to give input to those which the government has already framed. As the CSOs we might see things different from what the government has

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[5]Personal Interview with TRC2.

tablet as problems and policy alternatives. But the government will only ask for our input not structuring of the problems and policy alternatives."[6]

This entails that the government is heading the problem identification and also provides solutions to those problems. It is only after the drafting of the policy document that other stakeholders are called in to give their input to what is already decided upon by the government officials. As such, this stakeholders' participation is usually limited by lack of capacity to become proactive in policy issues. It was expressed by most of the research participants that there was no transparency in the whole process. One informant captured this view thus: "at times we might observe the problem but we might not have the capacity to frame in the problem and make sure that we construct a kind of policy alternatives to the problem in a way of becoming proactive."[7]

This kind of stakeholders' participation in policy decision-making processes is also argued by officials from the Ministry of Development Planning that "most of our policies are presented to the public after they have been presented and approved by the Cabinet. It is only that we can go to the district and radio stations to consult and inform the citizen about the policy."[8] This denotes that the development of the policy document is an activity which is only restricted to the elites and the bureaucrats. The *National Strategic Development Plan* (2012) presents this incident because the development of the document was the work of the civil servants and top government officials with a restricted number of stakeholders' involvement. Civil servants from the line ministries identified problems and also constructed the policy alternatives to those problems. They were doing these activities while sitting in the offices and different board rooms and they never went to consult with the community members. This was despite the fact that the final policy would directly affect members of the community.

The time frame and limited resources are considered to be constraints in lack of proper consultation of the general public in policy formulation processes. The Ministry of Development Planning as the umbrella ministry is confronted with huge loads of duties to fulfil and it is always finding difficulties in accomplishing most of the tasks. This is the

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[6]Personal Interview with TRC2.
[7]Personal Interview with IM1.
[8]Personal Interview with PCM2.

result of the shortages of staff which is present within the ministry, hence officials are overloaded with work and fail to respond to the most time consuming activities. The policy formulation process is a time consuming activity and it requires a lot of time and resources dedicated to it. The officials within the Ministry of Development Planning are always cutting corners in policy formulation process in order to meet deadlines and as a result public consultation is always compromised in the process. The research participants from the ministry expressed this concern during the interviews. One stated that they were always spending a lot of time trying to do public consultations but the problem they experienced was that people do not attend the public gatherings, "hence this becomes the waste of time to do other things and also it is a waste of resources."[9] As a result, public consultations in policy formulation process are discarded.

The other factor which exacerbates lack of public consultation is that there are some activities which are given priority over policy formulation. These activities are in most cases short-term undertakings which are often urgent and call for an immediate response, hence long-term activities such as policy formulation processes are compromised and suspended to meet the deadlines for those short-term issues. An example given by the research participants within the Ministry of Development Planning included the following;

> A Minister or a Principal Secretary (top government officials) might request us to prepare a concept paper to be discussed in a certain meeting and this usually happens when we are engaged with the development of a policy. A good example is the concept paper to be discussed in the cabinet which we were asked to prepare while we were busy with the population policy. This became a compromise because the concept paper is considered to be more important than the population policy; as a result time also is often compromised.[10]

This entails that the policy formulation process as a long-term activity is not given priority in the Ministry of Development Planning and it is always done in a rush. This is also the consequences of limited resources such as human resources in the form of skilled personnel and money to fund the development of the whole policy formulation process. The issue of limited resources in policy formulation processes results in the kind of policies which one of the research participants stated that "they have been developed and they are gathering dust on the shelves because they were not owned by people and they are failing to be

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[9]Personal Interview with PCM1.
[10]Personal Interview with PSP2 & M&E1.

implemented."[11] The examples of such policies are the Food Security Policy and Poverty Reduction Strategic Paper about which it is said that "they have died even before they existed."[12]

The failures of policy implementation come as a result of not being owned by the general public during their formulation. Most of the research participants who are ordinary members of the community expressed serious concern about this state of affairs. One argued that "policy formulation process is closed and too selected bureaucratic activity with too many power passwords to press and know before you can come to know about any information which affects our lives."[13] This implies that participation in policy formulation is only eligible to those who possess both political and financial power. In this case the general public which is powerless has no place to partake in policy formulation processes. These ordinary citizens gave an evident example which portrays the influence of political and financial power in policy issue. One of them said that "you can have good practical development ideas but if you are nobody within the society, those ideas would never be considered. But if a person is of high profile, no matter how good or bad things he or she says they will be considered to be of great importance."[14] It is in this respect that these ordinary citizens felt that "the government consultations in policy formulation process are not geared towards getting a fair and genuine contribution but they are meant to glorify the process. It is only the elites who speak not the public"[15] as one informant put it.

The consultation processes and development plans in policy issues are poor and haphazard because they are not meant to benefit the citizens as stakeholders. The manner in which participation of stakeholders happens is motivated by the kinds of policies which are aimed at by the Ministry of Development Planning. This entails the broader objectives as to why policies are developed. Most of the research participants, both officials from the Ministry of Development Planning and civil society organizations, stated that "in Lesotho, policies are

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[11]Personal Interview with IM3.
[12]Personal Interview with TRC1.
[13]Personal Interview with IM4.
[14]Personal Interview with OM1.
[15]Personal Interview with IM1.

donor driven and they are not meant for the beneficiaries."[16] This means that policies are developed to meet the requirements of the donors or funders for the particular policy. This does not cater for the citizens who are the beneficiaries of those policies. These donors and funders are given priority to participate in policy decision-making processes as such; their inputs are valued and constitute the final policy decisions. This was evident during the development of the National Strategic Development Plan and Poverty Reduction Strategic Paper as it is been stated that;

> The Ministry of Finance and Development Planning prepared the NSDP with the invaluable assistance of Technical Working Groups (TWGs), composed of technical staff, mainly from line Ministries and with participation by resident UN offices and other cooperating partners. The contribution of the private sector, civil society, academia and other stakeholders was solicited mainly through nine Cluster Groups that were configured around the NSDP key strategic areas. The Cluster reviewed the work done by the TWGs. The NSDP secretariat consolidated the inputs of the Clusters and other stakeholders to produce an advanced draft of the NSDP, which was considered by Cabinet. Thereafter, district consultation meetings were held, which had wide representation of stakeholders (*National Strategic Development Plan,* 2012).

This means that the policy formulation process in the Ministry of Development Planning is restricted to elites, bureaucrats, donors and funders with a little input from civil society, private sector and academia. This excludes the general public to participate in policy decision-making as part of stakeholders and also beneficiaries. The end result of such an undertaking is that those policies are gathering dust on the shelves because they are not owned by the people and they are failing to be implemented. On the other hand, they died even before they could exist.


The issue of donor driven policies is also experienced by civil society organizations in their activities. Such policies have certain time frames and the allocated resources are limited to achieve objectives within the set time. This has a negative impact on CSOs as representation of the general public and also advocating for them in government issues such as participation in policy formulation processes. One of the research participants from the advocacy civil society argued that;

> Resource requirement is another problem and the intellectual capacity to do research to come up with informed documents. We need enough manpower and resources to make sure that our adequate research which can be used as evidence based to push for a change in government. This is lacking and at the same time it is not only lacking, it is time consuming

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[16]Personal Interview with TRC2 and PSP1.

as we do not have personnel who are only dealing with research issues. Most of our programmes are donor funded and they have a life span, you won't spend twelve months doing some research work while you have a project to finish in three years. These are some of the constraints. I think we should develop our own personnel with our own resource funding which is not donor driven because donor driven projects are time limited. This will help in coming up with good strategies for well-informed policy documents to be used for advocacy purposes. This requires people who can dig deep and do a lot of evidence based research or subcontract some reputable research institutions to do the work.[17]

The implication is that the power to mobilize resources curtails the CSOs to do their advocacy work and their inputs in policy formulation issues are not well-informed by evidence based research. This also explains the lower levels of impact caused by CSOs in policy decision-making processes and as a result, the general public always becomes victims of government deciding on their lives excluding their inputs.

The other problem is the issue of forums where people can voice out their concerns with regard to any issue which might be taken into consideration in policy formulation processes. There are no such places in existence in Lesotho and the only thing that they can do is to raise issues on radio stations of which none of what is being discussed there can be considered for policy decision-making. All the research participants representing ordinary community members expressed serious concern about this state of affairs. One stated that "we do not know how we can penetrate the government so as to participate in policy issues because there are no platforms or public participatory mechanisms geared towards the facilitation and inclusiveness of the public decision in policy formulation processes. The only thing we do is just to talk over the radio stations and social networks with nothing happening at the end."[18] In this case, whatever good development issues or public opinions that are being discussed become the song of the day and are not reflected on the government agendas.

The laws are also full of loopholes where they exist and on the other hand I found out that there are no laws which enforce or give room for public participation in policy formulation processes. This entails the laws which the general public can stand by to demand the inclusion in policy decision-making. Some of the research participants argued that "there is

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[17]Personal Interview with CCL2.
[18]Personal Interview with IM7.

no policy on mining in Lesotho except certain Acts here and there dating way back from 1960s which are outdated. Now that mining in Lesotho has become the economic backdrop of the country, there must be a policy to make sure that the Basotho benefit out of the mines."[19] It is against this backdrop that there is a need for the presence of up to date laws and forums that the general public can participate in policy decision-making processes as stakeholders and beneficiaries. These laws and forums as platforms will empower the citizens to voice out their concerns and those concerns will be forwarded to the government agendas.

## 4.3 PARTY POLITICS IN THE POLICY FORMULATION PROCESS

The influence of party politics in policy making becomes evident in most of the countries in the world. Lesotho is also part of what is seen around the different governments of the world and party politics play a role in policy formulation processes. Party politics have a greater influence in policy formulation processes and they also determine participation in policy decision-making. Some of the research participants captured this point. One respondent said that "party politics play a role because nobody wants to make a policy which is going to be unpopular to his or her own inner cycle. Politicians take a risk of developing a policy whereby the inner cycles also have to benefit, forgetting the rest of the people."[20] This implies that priority in policy decision-making is given to the cadres of the ruling party and this also serves their own interest and not those of the general public as should be the case.

Research participants from the Ministry of Development Planning also expressed the view that the issue of party politics is at the heart of policy formulation processes. They stated inter alia that "the development of the NSDP is an example whereby it was prepared in line with the manifesto of the coalition government made up of All Basotho Convention (ABC), Lesotho Congress for Democracy (LCD) and Basotho National Party (BNP)."[21] In this respect, policies are made to achieve what the manifestos' have contained and preference is

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[19]Personal Interview with CCL2.
[20]Personal Interview with TRC2.
[21]Personal Interview with PSP4.

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also on the ground of affiliations. This issue of party politics perpetuates lack of public participation in policy making processes because those who were not affiliated to the ruling coalition government when the study was conducted always felt that they were side-lined in policy decision-making. They also refrained from such activities due to suppressions experienced. This results into the situation whereby there is an existence of the 'us and them' within the different communities. In my discussion with some randomly approached citizens, who are for the ruling coalition government, the feeling was that it is now their time to drive all policies as they are ruling the country and they did not need any opinion from anyone who is not their affiliate. This put it beyond any doubt that there is political influence in policy formulation in Lesotho.

Party politics in policy formulation are said "to have a negative impact and this always encourages a top-down model of policy making which does not include a great number of the people."[22] This entails that such policies lack a holistic perspective of reality and work only to serve the interests of those who developed them. The research participants from civil society organizations expressed various concerns including the one that "the other problem is the coalition government which entails three centers of power and the nature of the political parties within possesses inherent conflicts among themselves."[23] This makes it difficult for policy decision-making and participation in the development of policies and they are always conflicting ideas which is a consequence of different interests of each party.

The civil society organizations are also weakened by the negative impact of party politics. Some of the research participants indicated among other things that;

> Civil society is not strong to push for change in the way things are being done in the government. Organizations are easily manipulated by politicians and there is so much disunity amongst CSOs which weakens them. Politicians observed this weakness and they have capitalized and it becomes difficult for CSOs to be independent of politicians, even the church leadership is compromised.[24]

The implication is that party politics have now been seen in CSOs which are expected to be watch-dogs for the government and also to play some advocacy role.

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[22] Personal Interview with TRC2.
[23] Personal Interview with IM1.
[24] Personal Interview with TRC1.

## 4.4 CHAPTER SUMMARY

In summary, this chapter presented the research findings as they were obtained from the field. The findings were categorized into themes to make it easier to present them. These themes were: the contextualization and understanding of policy formulation process, decision-making and stakeholders' participation in policy formulation process and party politics in policy formulation process. The contextualization and understanding of policy formulation process was focused on how the Ministry of Development Planning contextualized and understand what is meant by a policy and later what is meant by policy formulation process.

The research findings revealed that the Ministry understands the concept of policy generally and they do not have their own contextualization. The policy formulation process has been seen to be an activity of bureaucrats and top government officials and the public are just recipients on the policies. Policy decision-making is only limited to the minority group of bureaucrats and top government officials and not considered for all citizens. Party politics are seen to play a role in policy decision-makings and to determine who should participate and who should not. There is evident negative impact of party politics in policy formulation process because participation is possible for those affiliated to the ruling party (ies).

The subsequent chapter is going to discuss in depth how decisions in policy-making or the policy formulation process are carried out in the Ministry of Development Planning. This will reveal how members of the public participate and the manner in which civil society organizations function in Lesotho in their way of representing the people in policy formulation process in the Ministry of Development Planning. This will also unveil the manner in which policy decisions are reached and how the final policy decision is adopted. Party politics influence will be explored as it is influential in the manner in which policy decisions are adopted.

# CHAPTER FIVE

# POLICY DECISION-MAKING IN THE MINISTRY OF DEVELOPMENT PLANNING IN LESOTHO

## 5.0 INTRODUCTION

The previous chapter focused more on the presentation of fieldwork results as they were obtained from different sources. The first part was about the contextualization and understanding of the policy and policy formulation process in the Ministry of Development Planning whereby the focus was on the understanding of the concepts of policy and policy formulation process by the officials within the Ministry of Development Planning. This presented the manner in which the Ministry institutionalizes or frames these concepts in the context of the government of Lesotho. The second theme focused on the presentation of the manner in which stakeholders participate in the policy formulation processes and the way in which decisions are being made in the Ministry of Development Planning in the government of Lesotho. The discussion demonstrated the extent to which stakeholders as role players in the policy formulation process are engaged and how the decision-making process is being carried out. The last part explored the extent to which party politics influence the process of policy formulation. This showed how this influence impacts on the process and shapes the policies which are the end results of the entire process.

This chapter will deal with the data analysis from the research findings of this study. The main focus is on the policy decision-making processes within the Ministry of Development Planning. This implies that public participation will be assessed with regards to policy formulation processes and this will unveil the manner in which decisions are being made by the Ministry. The first part in this chapter will discuss public participation in policy formulation within the Ministry of Development Planning. This will show how public participation is happening within the processes of policy formulation and the gaps will be identified which might arise during the discussion. The second part will present policy decision-making processes which result into policy documents for the Ministry of Development Planning. In the same manner the flaws will be spelt out.

## 5.1 PUBLIC PARTICIPATION IN POLICY FORMULATION IN THE MINISTRY OF DEVELOPMENT PLANNING

Public participation in policy formulation is very crucial for the development planning of any country. Policies come into existence through public participation by different stakeholders who also carry out decision-making processes at different stages of the policy-making process. This has also been stated by Reynolds (1969) when saying that participation is the important aspect to be taken into consideration by the government when planning or deciding on matters that affect the public. However, in the context of the Ministry of Development Planning in Lesotho, public participation in policy formulation is seen to be an activity of certain groups of people such as civil servants and top government officials. This implies that it is only limited to the afore-mentioned groups, excluding the majority of the citizens who are directly or indirectly affected by the policies which come out once the process has been concluded. This concern was articulated by most of the research participants who constituted the ordinary community members. They felt that public participation in policy formulation is limited to the minority group who are the elites and bureaucrats and that there is no wider participation for the majority of the people who are the beneficiaries of the policies. This notion of public participation creates the situation whereby there is an existence of "us and them" within the community. The elites and bureaucrats see themselves as artificially separated from the rest of the ordinary citizens.

The *Draft National Policy Framework on Public Participation* (2007:1), acknowledged public participation "as an open, accountable process through which individuals and groups within selected communities can exchange views and influence decision-making processes. It is further defined as a democratic process of engaging people, deciding, planning and playing an active part in the development and operation of services that affect their lives". In this respect the artificial barriers created by the "us and them" situation ceases to exist. But it is not happening with the policy formulation within the Ministry of Development Planning in Lesotho whereby the formulation of policies such as the National Strategic Development Plan (NSDP) portrays this "us and them" situation. The NSDP was formulated by civil servants and top government officials with little involvement of civil society organizations. This implies that stakeholders' participation was compromised and

limited; hence it lacks the qualities of proper public participation. Public participation in policy formulation entails the creation of partnership between the government and citizens and also aims at addressing the socio-political needs of the citizens through the implementable policies.

Public participation in the policy formulation processes in the Ministry of Development Planning is what Reynolds (1969) stated as induced participation whereby the public is being encouraged to accept a plan already drawn up and settled without the inclusion of their own concerns. In this type of participation, the relative probability that the public can deliberately influence decision-making in accordance with their interest is low. This type of participation continues to perpetuate the "us and them" situation within the Ministry and their decisions are not reflected within the policies formulated. The officials within the Ministry (bureaucrats) consider the rest of the citizens as beneficiaries who only have to be recipients without any input to matters that affect their lives. The platforms which are intended to facilitate public participation within the Ministry for policy formulation processes are also not active. It is only through the radio stations whereby people get an opportunity to air their views on different policy problems and also what can be the solutions to them. This is not considered as something of great importance to inform policy formulation process. Kapa (2013:47) observed that "Parliament [of Lesotho] has established Social Cluster Portfolio Committees that should gather the views of the public about new and amended legislation, but the process is hardly effective."

The problem of effective forums where people can voice out their concerns with regards to policy issues is still persistent in Lesotho. There are no such places in existence and the only thing that they can do is to raise issues in/via the media of which none of what is being discussed there can be considered for policy decision-making. All the research participants representing ordinary community members confirmed that they do not know how they can penetrate the government so as to participate in policy issues because there are no platforms or public participatory mechanisms put in place which are geared towards the facilitation and inclusiveness of public participation in policy formulation processes. The only thing they do is just to talk over the radio stations and social networks with nothing happening at the end. In this case, whatever good development issues or public opinions that are being

discussed become the song of the day and are not reflected on the government's agendas. Mohasi (2011) cited by Kapa (2013:48) acknowledges this proposition by saying that "when policies and laws are formulated, public consultation takes place merely on the basis of willingness on the part of the government." This justifies and confirms the view that public participation is not the culture of the Lesotho government hence the Ministry of Development Planning adheres to this culture.

There is only one incidence which was mentioned whereby the forums geared towards public participation in the policy formulation process were set up. This was an initiative by one of the civil society organizations called Development for Peace Education (DPE). This initiative was the formation of people's parliament and tribunals within the areas where they are working with the communities. Even though this is a positive initiative, the organization is not found in all the ten districts of Lesotho but only in few districts which do not constitute a quarter of the Basotho population. In these few districts, the DPE is also working with those selected communities and not engaged in all the communities within the district. This has been detailed by Kapa (2013:48) in the following manner:

> One of the CSOs, the DPE has taken it upon itself to sensitise citizens about important policies through the holding of peoples' parliaments and tribunals.a year after participants in the peoples' parliament from *Hloahloeng* and *Koebunyane*had indicated their priority needs as a bridge over the Senqu River and a signal for mobile phones, the government provided the requisite infrastructure for mobile phones, and these have become functional in the areas concerned. It also built a bridge and this was officially opened in December 2010.

These are some of the recognizable incidences whereby public concerns were put into the government agenda through participation on such forums forms by the DPE. This is something which people are hoping to see spreading to all the communities in Lesotho. If this were to happen, then communities would own government policies by virtue of their direct involvement in the policy formulation processes.

### 5.1.1 Civil Society Organizations

Civil society organizations are acknowledged to be key agents of participation. Pollard and Court (2005:2) defined CSOs as "any organizations that work in an arena between household, the private sector and the state to negotiate matters of public concern." They

should play the role of being advocates, information and awareness-raising, expert advice, watchdogs, innovators and services providers for the people. These are the functions for the CSOs which are globally understood and CSOs are expected to execute them in representing the citizens of Lesotho in policy formulation processes in the Ministry of Development Planning. Friedman (2004) argued that participation by civil society remains an important check on government which helps ensure that it accounts to citizens. It is in this respect that civil society's participation in policy formulation becomes something that cannot be ignored or left out. In the Ministry of Development Planning, civil society organizations are recognised as major stakeholders and they are called during the policy formulation processes.

One research participant from the Ministry stated that "the Ministry always invite civil society organizations when embarking on policy formulation processes and this happens in all the stages involved in a policy cycle."[25] This implies that there is an involvement of civil society organizations to participate in policy formulation process. Another research participant from the civil society organization also acknowledged the above by saying that "we are involved in policy formulation process but the problem has always been there. We seem to wait for the government to invite us to work with them on policy formulation."[26] This also confirms that there is some participation in policy formulation by civil society organizations in the Ministry of Development Planning in Lesotho, albeit in a limited scale.

Civil society organizations are said to represent the citizens who are always marginalized in policy decision-making. In Lesotho, Kapa (2013:49) stated that "the strength of civil society in Lesotho lies in its ability to interact easily with people at the lowest grassroots levels." This entails that CSOs are at the right position to represent the majority of people who cannot directly participate in the policy formulation process in the Ministry of Development Planning. Even though there is evident participation by CSOs, there are some problems encountered during the process and these were articulated by most research participants from the CSOs. They felt that in their involvement in policy formulation processes, they do not become proactive enough themselves and in most cases the Ministry

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[25]Personal interview with PSP1.
[26]Personal interview with TRC1.

would call them so that they are shown some broad frameworks and be expected to give their inputs. This means that the Ministry through its officials had already set its own policy frameworks because one research participant continued to say that "we are called on to contribute towards a document [Policy] which is already there, for us it seems as if they need our inputs here and there. Later on they would say civil society was involved but in actual fact the involvement was not for the whole cycle of the development of the entire document."[27]

From general observation, CSOs are not proactive in Lesotho because they are encountering problems which hinder them from active participation in policy formulation activities. Putnam (1993) stated that civil society, in a democratic government, is a channel through which citizens participate in making and implementing public decisions; in identifying, prioritising and resolving public problems, and in allocating and managing public resources. He continued to say that people become more involved in agenda-setting and policy implementation through various voluntary associations, which contribute to the sustaining of democracy and fosters growth.

In the context of the policy formulation process in the Ministry of Development Planning in Lesotho, CSOs are not fully engaged in the process because they wait for the Ministry to call them to give their inputs. This implies that they are not participating in the whole policy cycle but only at certain stages when the Ministry might decide to invite them at its own discretion as opposed to this being normal practice. This becomes non-democratic because CSOs fail to exercise their responsibilities as the watchdog and counter-force to the government: hence they also fail to represent the citizens in participating in policy making and implementation. The manner in which CSOs participate in policy formulation processes in the Ministry is not fulfilling their roles. The CSOs are not seen as valuable stakeholders who have the capacity to influence policy making but they are regarded to be beneficiaries who are supposed to accept what has already been decided upon by the Ministry. This leads to policies which lack evidence-based information but which are grounded on desktop information which is only done in the offices by the bureaucrats, excluding the CSOs' contribution and input.

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[27]Personal interview with TRC2.

Civil society organizations fail to be proactive enough in policy formulation processes in the Ministry of Development Planning. Kapa (2013:49) has stated that:

> Civil society in Lesotho has weaknesses. The main weakness is lack of resources, particularly human resources. Consequently, civil society is no longer able to fight as hard as it used to when critical issues arise. Whenever outstanding individuals emerge within CSOs, they are snatched up by the government and public institutions that offer better remuneration. Furthermore, CSOs have a weakness in relation to the programmes they run. Most of these organisations are involved with too many issues and aspects of the themes they focus on and find it difficult to specialise. As a result, they are not as efficient as they could otherwise be.

These problems arise from the fact that CSOs are mandated to run certain programmes by the donors and funders and full engagement in policy making processes is not always catered for because it is often taking a long time or is only taken at a certain level. One of the research participants argued that "resource requirement is a problem and the intellectual capacity to do research to come up with well-informed policies. We need enough manpower and resources to make sure that we adequately research and have evidence to push for change in government."[28] The impression being created is that there is serious lack of intellectual capacity to do evidence-based research and resources to fund it. At the same time, the research participants from the CSOs stated that it is not only lacking but time consuming as they do not have the personnel who are only dealing with research issues. In other words, these employees do research as part of their other responsibilities. This means that insufficient time is given to research. Inevitably, this has a negative impact on the quality of the policies that are formulated by the Ministry.

The issue of resources has perpetuated lack of active civil society participation in the policy formulation process in the Ministry of Development Planning in Lesotho. This has created a situation whereby it is not only the Ministry to be blamed or put to question but the environment in which the civil society organizations exist in Lesotho. Most of the research participants articulated that most of their programmes are donor funded and have a short life-span. Therefore there is no way that they can spend more time in doing research work or engage in policy formulation processes while there are projects to finish in  stipulated time frames. On the other side of the Ministry, the officials also argued that inviting CSOs

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[28]Personal interview with TRC1.

to participate in all the stages of policy making entails that there should be more resources to be allocated such as booking venues for the meetings and providing lunch to the participants. They further stated that there are resources allocated for such expenditures and they cannot do otherwise but do some of the policy making meetings and works in their normal office set ups or use their boardrooms. It is in this respect that both CSOs and the Ministry are contributing towards lack of active participation in policy formulation processes. This issue on resources does not only end at this level but it also goes further to other levels including the overall functioning of the entire government.

The problem of resources which hinders participation in policy making processes in the Ministry of Development Planning is also seen from the wider perspective which transcends the Lesotho borders. The economies of other African countries have been seen to be unstable and there is also mismanagement of the little resources which are available. Resources such as funding for policy activities are very crucial for public participation in policy formulation processes and it is against their presence that policy activities can be undertaken. Lesotho like many other African countries is confronted with the situation whereby there is a shift of focus from policy-making to provision of social services as a result of economic crisis experienced. Corkery et al (1995:13) said that "policy-making was reduced to ad-hoc responses to urgent problems, leaving little room for more fundamental and long-term policy analysis, consultation, design of effective implementation strategies, monitoring and evaluation." This implies that they are not seen as long-term responses to take the country further to be developed but policy-making becomes a response to the short-term crises encountered. The Ministry of Development Planning is also faced with this situation because most of the policies they formulate favor the interest of what they call the donor partners who came to Lesotho to serve their own mandates.

What became clear in this study is that Lesotho is a victim of donor driven policies. One of the research participants expressed that "the cluster team which was formed to work towards the development of the National Strategic Development Plan (NSDP) constituted the donor partners who are engaged in reviewing what the Technical Working Groups

(TWG) are working on."[29] In this respect donor partners are more engaged in policy making than the beneficiaries of those policies who are the citizens of Lesotho. The NSDP within the Ministry of Development Planning is an example of those policies which are formulated not to result "in more long-term, strategic and development-oriented objectives" (Hirschmann, 1975:23) but they are those policies which are used to achieve the objectives of the donor partners working in Lesotho. Thus policy making in this environment is viewed as "often a question of slipping from one expedient to another without tackling underlying problems. The inevitable result of these ad-hoc responses is policy decisions that may be well-intentioned but in many cases, are ill-conceived" (Corkery et al 1995:14). The NSDP is well formulated by experts and it meets the requirement for the donor partners but it is not welcomed by the citizens because they do not have ownership of the document. This was captured by one of the research participants who said that "we are failing to implement the policy because people are not corporative in different communities and most of them do not have an idea of what are the intentions of the policy document and what it is aimed at."[30]

Kapa (2013:123) also observed that policy formulation in Lesotho has been encompassed with lack of public participation. He cited Sekatle who said that public consultations are "a waste of time and money." This was during the formulation of the Local Government Policy document whereby public consultations were not regarded as playing an important role towards the development of the policy and more especially the most affected Chiefs. This corroborated Maruatona's (2006) argument who stated that in Africa, after independence, African states' bureaucrats were under the impression that they were acting on behalf of the people; they excluded their citizens from the policy-making processes in a way that projected the state as a father figure whose responsibility was to provide the social services promised in the independence struggle. The formulation of the Local Government Policy is an example because public consultations were discarded on the grounds that they are "brainstorming exercises', bearing very little fruit because they were open to almost all citizens, who had conflicting views on the nature of the system (particularly on how to bring chiefs into the system)" (Kapa, 2013:123). Hence the Lesotho government decided to

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[29]Personal interview with TRC1.
[30]Personal interview with PSP6.

embark on its own initiatives and hired a consultancy firm to carry out the whole policy formulation process. This became a top-down initiative because the public was no longer given the opportunity to participate in the policy formulation process.

In a similar note, the current NSDP follows from the same path because it has elements of the top-down approach to its policy formation. One of the research participants said the "NSDP document was presented to the people after it had been approved by the Cabinet. People were asked to comment on it as the presentation was done through radio programmes and public gatherings."[31] This was also expressed by another one of the research participants who stated that "they [Ministry of Development Planning] would call us to give our inputs over their already established broad frameworks. This implies that they have already set their own framework and request our contribution towards an existing document."[32] This is normal routine within the policy formulation process in the Ministry of Development Planning because Kapa (2013:48) also noted that "CSOs are allowed to comment on the budget after it has been presented to Parliament, and the budget documents are only presented to the public after presentation in Parliament." In this respect, stakeholders' participation in the policy formulation process is ineffective because it lacks the elements of effective participation. Booysen (2006:172) understood that effective public participation entails "the direct involvement of citizens in seeking information about and making-decisions related to certain specified public issues."

The policy formulation process in the Ministry of Development Planning lacks stakeholders' involvement because the process follows from the top-down initiatives. The policies generated do not reflect the interests of the citizens and this affirms that "public policies in [Lesotho] are very conservative and restricted, with very little public involvement and no input from wider community" (Nhema, 2004:4). This is the proposition which is denied by the rounds model whereby "public policy cannot be produced by a unitary actor with adequate control over all required action resources and a single-minded concern for the public interest" (Teisman, 1992:33). But public policy should be a joint venture for different stakeholders deciding upon a particular problem and providing various

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[31]Personal interview with PSP04.
[32]Personal interview with TRC2.

solutions towards it. Therefore, the top-down and bottom-up approaches to policy formulation in the Ministry of Development Planning have to be used concurrently. It is in this employment of these two approaches that policy making will be geared towards the development of the country because citizens will feel the sense of ownership in them.

## 5.2 POLICY DECISION-MAKING PROCESS IN THE MINISTRY OF DEVELOPMENT PLANNING

It has been shown in the previous section on public participation in the policy formulation process in the Ministry of Development Planning that participation of stakeholders is vital for good policies to be produced. Lack of stakeholders' participation results into what one of the research participants called policies which are failing to be implemented but are gathering dust on the office shelves. The stakeholders' participation in policy formulation process entails that they are also engaging in decision-making processes and they become involved in monitoring and evaluation processes. Participation and decision-making are inseparable in policy making because the stakeholders participate by carrying out decisions for a particular policy at hand. The rounds model on decision-making by Teisman has demonstrated how this interaction is happening and how it leads to well informed policy making.

Teisman (2000) averred that decision-making is assumed to consist of different decision-making rounds. In all sets of rounds, the interaction between actors results in one or more definitions of problems and solutions. All participants can score points in each round, in terms of a leading definition of the problem and the (preferred) solution and in this way they define the beginning of the next round. In this way, it is believed that all stakeholders would have participated in policy making if this model is employed. All parties will be represented in decision-making processes. The policy decision-making process in the Ministry of Development Planning in Lesotho is done opposite to what has been entailed by the rounds model on decision-making. The decision-making process in the Ministry of Development Planning is spear- headed by the elites and the bureaucrats; hence stakeholders' participation in the policy formulation process is also controlled to suit the likes of the top government officials. This was acknowledged by one of the research

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participants as he said that "policy formulation in Lesotho is not participatory because it is not driven from the bottom. Until we involve the wider section of the population as much as possible, then our policies will never be."[33] This means that the policy decision-making process in the Ministry is limited to the minority group who are the elites and bureaucrats and there is no wider participation by the majority of the people who are the beneficiaries of those policies.

The Ministry of Development Planning embarked on the top-down model of decision-making process in policy formulation processes. This model only gives priority to elites and bureaucrats the opportunity to engage in policy decision-making processes. This is not only the problem existing in Lesotho but most of African countries approach the policy-making process through the employment of the bureaucratic decision-making model which was adopted during the colonial era and retained during the postcolonial period. Omanboe (1966) argued that this model regards formulation and implementation of policies to be the process which is undertaken exclusively by politicians and small groups of bureaucrats who often keep policy discussion opportunities away from the general public. This model does not leave room for all stakeholders to participate in all policy decision-making processes and if there is any kind of participation, it is highly controlled. During the interview sessions, one of the research participants captured this issue well and said that;

> We are involved in policy decision-making process but the problem has always been there. We seem to wait for the government to invite us to work with them on policy formulation. We do not become proactive enough ourselves. They would call us to show their broad frameworks so that we can come to give our inputs. This means they have already set their own framework and we are called to contribute towards a document which is already there, for us it seems as if they need our inputs here and there. Later on they would say the stakeholders were involved but in actual sense, the involvement was not for whole cycle during the development of the entire process, from problem identification to policy implementation.[34]

This approach to policy decision-making in the Ministry of Development Planning has led to the situation noted by Juma and Clark (1995) as they said that the public are not viewed as a potential source of policy ideas. Instead, bureaucrats and politicians view members of the public as the source of problems for which the bureaucracy exists to provide solutions.

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[33] Personal interview with TRC2.
[34] Personal Interview with CCL1.

This is totally opposite to what the rounds model on decision-making has to say and the policies bred by such bureaucratic decision-making model result into those policies that are said "to have died even before they existed."[35]

Kapa (2013:4) has also demonstrated this bureaucratic decision-making model which is adopted by the government of Lesotho through the Ministry of Development Planning during the formulation of the National budget. He stated that "citizens organized in a form of civil society in Lesotho have to fight for participation in the formulation of public policies." This means that participation is not based on stakeholders as Carrim (2001:105) understood it to be "those who have a direct stake or interest" in government decisions. But it is those elites and bureaucrats who decide who have to participate and who cannot, because it has been articulated by Juma and Clark (1995) as they said that the public are not viewed as a potential source of policy ideas. Instead, bureaucrats and politicians view members of the public as the source of problems for which the bureaucracy exists to provide solutions. Lesotho's National budget portrays this proposition because "the process is highly elitist. Citizens merely become recipients of state-developed policies without making any input in their formation. The budget is mainly informed and developed by departments of government" (Kapa, 2013:48). On the same premises, he further argued that "CSOs are allowed to comment on the budget after it has been presented to Parliament, and the budget documents are only presented to the public after presentation in Parliament." This continues to show that in the Ministry of Development Planning, "public policy-making in [Lesotho] has been the preserve of the political and bureaucratic elites since independence" (ibid, 4).

The situation in the Ministry of Development Planning is seen to embark on this top-down approach to policy formulation because in all the instances the elements of this approach are always visible. The formulation of the NSDP or the national budget has shown that such are elitist impositions without any input from the public. In some instances where the bureaucrats are meeting challenges they employ consultants to do the work for them. It is in this respect that the bureaucratic model of decision-making is seen to be present and Linder and Peters (1989) stated that this model views policy formulation as a rational outcome of

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[35]Personal Interview with TRC2.

detailed data analysis with choices optimized to suit existing circumstances. This further assumes that decisions are made centrally in a top-down manner and on the basis of analysis by highly trained personnel. This continues to perpetuate lack of public participation in policy decision-making and policy formulation is later reduced to a short-term endeavor. It is in this manner that Corkery et al (1995:14) summed up by saying that "in such a condition, policy-making is often a question of slipping from one expedient to another without tackling underlying problems. The inevitable result of these ad-hoc responses is policy decisions that may be well-intentioned but, in many cases, are ill-conceived." The policy decisions will be well-intentioned by the consultants employed to undertake policy formulation processes and they are ill-conceived by the citizens because what will be considered as the final policy decisions will not reflect the situation on the ground.

The policy formulation process in the Ministry fails to be inclusive of all the stakeholders so that all will have a sense of ownership to it. The bureaucratic model of decision-making leads towards the poor policy formulation process and the process is later viewed as nothing important to invest a lot of resources in. The counterpart to this way of engaging in policy formulation is to follow what the rounds model of decision-making entails. The starting point for this model is that it is based on the participation of actors and these actors are the focal point of analysis (Scharf, Reissert & Snabel, 1978; Teisman, 1998). This implies that this model considers all the actors regarded as stakeholders and there is no artificial line which demarcates those who are supposed to participate and those who are not. In this respect this model denies the practice by the officials from the Ministry of Development Planning who are single actors participating in the formulation of policy frameworks without considering the concerns of other stakeholders who might voice out different opinions to broaden the horizons of those who are participating in the process. These officials map the way out for policy making process from adoption, formulation, implementation and evaluation. This is a practice noted by Teisman (1992:33) who denies the proposition that "public policy can be produced by a unitary actor with adequate control over all required action resources and a single-minded concern for the public interest." This nullifies the exclusive top-down approach in policy formulation as the Ministry has adopted

and advocates for the mixed approach which is the mixer of bottom-up and top-down approaches without any artificial demarcating lines.

The rounds model of decision-making embraces the mixed approach to policy making processes. The decision-making process becomes not centralized but different decisions are considered for different participants even though they are not in the same round. This entails the strategic interaction among several or many policy actors, each with its own understanding of the nature of the problem and the feasibility of particular solutions, each with its own individual and institutional self-interest and its own normative preferences and each with its own capabilities or action resources that may be employed to affect the outcome (Scharpf, 1997:11). In the context of the Ministry of Development Planning, several policy actors are supposed to be the top government officials, civil servants, donor partners, and officials from civil society organizations (representing the citizens). These groups are called rounds in Teisman's language and they view reality in different ways.

Teisman (2000) opined that decision-making is assumed to consist of different decision-making rounds. In all sets of rounds, the interaction between actors results in one or more definitions of problems and solutions. All participants can score points in each round, in terms of a leading definition of the problem and the (preferred) solution and in this way they define the beginning of the next round. But at the same time each new round can change the direction of the match, new players can appear and in some cases the rules of the game may even be changed. In this way there is no central decision-making because the final decision would have been informed by several decisions coming from different rounds of policy actors. The solution to an existing problem becomes a joint solution which is not associated with one particular round of policy actors. Termeer (1993:44-51) stated that the actors assess to what extent other actors share their definition of reality and proceed to interact on this basis and in contrast to the phase model. None of the definitions are seen as final or permanent. The research based on the rounds model is mainly focused on perceived problems and solutions and this will also help in analyzing whether and how actors have managed to combine perceptions to an extent that they are willing to support a joint solution. There is no existence of viewing policy-making as "a question of slipping from one expedient to another without tackling underlying problems" (Corkery et al, 1995:14).

But the adoption of the policy becomes the consolidation of a problem-solution combination over a longer period of several decision rounds.

Public participation in policy formulation in the Ministry of Development Planning has been lacking and only limited to the elites and bureaucrats. This has been perpetuated by some of the approaches the Ministry is embarking on when addressing policy issues and such approaches are not resulting towards the policies for development but to meet the objectives of the policy-makers. It is in this respect that Kapa (2013:4) showed that in Lesotho there is a persistent and still "a long authoritarian rule that was, by nature, extremely secretive." This impacts negatively on public participation because the approach in its current form does not leave any room for public participation. In an authoritarian rule, policy decision-making only favors the top government officials and their cadres, those people from the same political party or organization. This is the situation existing within the Ministry of Development Planning because most of the policy decisions have to be aligned to the manifesto for the ruling government which is currently the coalition government (at the time when the study was conducted) made up of All Basotho Conventions (ABC) under the leadership of Thomas Thabane, Lesotho Congress for Democracy (LCD) under Mothejoa Metsing and Basotho National Party (BNP) under *Morena* Thesele Maseribane. This was acknowledged by one research participant as she said that "the NSDP was reviewed by the coalition government as it was an initiative of the previous government and this was to align it to the manifesto of the coalition government."[36] This continues to show that CSOs as the representation of the citizens are given a minimal and controlled space in policy issues.

This situation shows that party politics are in existence in policy decision-making in the Ministry of Development of Planning in the government of Lesotho. Policies resulting as a consequence of the party politics are not easily implemented or appreciated by the people who are not affiliated to the particular ruling party. In my previous work, I have shown that party politics has to be separated from developmental issues because this results into the hindrance of the public to participate in the developmental issues. This was evident in KwaMashu Township whereby I stated that the presence of party politics affects public

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[36]Personal interview with PSP2.

participation and that this is also seen in other places within South Africa such as the renaming of St Lucia Park (Lesia, 2011:77).

Yadav (1980) argued that public participation should be understood as participation in decision making, implementation, monitoring and evaluation of development programmes and projects and the sharing of the benefits of development by the stakeholders. This understanding does not limit public participation to an affiliation to any political party or directing the end results of public participation to any association to political party. This implies that public participation in policy formulation process as a developmental process should not be overshadowed by party politics. But public participation in policy formulation process is to encompass every individual from the affected community despite their political affiliation.

## 5.3 CHAPTER SUMMARY

In summary, this chapter has analysed the findings presented in the previous chapter (Chapter 3). It demonstrated that there is lack of public participation in policy formulation processes in the Ministry of Development Planning and that this has created divisions among the citizens. This lack of public participation has been perpetuated by lack of forums and mechanisms for people to participate. The Ministry of Development Planning has no avenues for the people to take part in policy decision making processes. The chapter has argued that CSOs are also struggling to represent the people in policy formulation processes because the Ministry of Development Planning does not allow them to exercise their roles in Lesotho. Then, CSOs are seen not to be doing what they are expected to do but are being manipulated by politicians to support their hidden agendas. Party politics have been seen to be playing a major role in public participation and policy decision-making in policy formulation processes in the Ministry of Development Planning.

The next chapter will present a detailed account on how party politics influence policy making in the Ministry of Development Planning. This will reveal how political affiliations of people in Lesotho impact on policy formulation processes and also how the same political affiliations can hinder them from participating in policy formulation processes. It is

against this proposition that one will understand why development initiatives are moving very slow in Lesotho because of the influence of party politics in policy formulation processes in the Ministry of Development Planning.

# CHAPTER SIX

# THE INFLUENCE OF PARTY POLITICS IN THE PROCESS OF POLICY FORMULATION IN THE MINISTRY OF DEVELOPMENT PLANNING IN LESOTHO

## 6.0 INTRODUCTION

This chapter on the influence of party politics in the process of policy formulation in the government of Lesotho is the continuation of the discussions which emanated from the previous chapters. In chapter four there was a presentation of results as they emerged from the fieldwork and chapter five continued with an analysis of those results derived during the fieldwork. In chapter five, the central theme was policy decision-making in the Ministry of Development Planning. There were two sub-themes which were discussed, namely: public participation in policy formulation and policy decision-making processes within the Ministry of Development Planning. On public participation in policy formulation the discussions showed how public participation is happening within the processes of policy formulation and the gaps were identified which need to be filled. Policy decision-making presented how policy decision-making processes resulted into the production of some policy documents for the Ministry of Development Planning. In the same manner there were flaws which were spelt out and these flaws or gaps will be discussed and suggestions will be outlined in the subsequent chapter seven.

This chapter will mainly look into the party politics and the policy formulation process in the government of Lesotho. This means that the focus will be on demonstrating how party politics influence the policy formulation process in Lesotho. The first issue to be discussed in this chapter six is public participation and party politics. In this section, public participation will be studied in relation to party politics. This will be viewed in terms of whether party politics as avenues for public participation are enhancing public participation in government or if it is the opposite that happens. The second issue will be the influence of party politics in the policy formulation process in the Ministry of Development Planning.

As party politics are said to be the avenue for public participation, they also have a role to play in the policy formulation process. This means that the influence of party politics in policy formulation cannot be ignored. The question is whether the influence is for the good of the citizens or not. Then, this chapter will be able to state the kind of influence which party politics exert in the policy formulation process in the Ministry of Development Planning in the government of Lesotho.

## 6.1 PUBLIC PARTICIPATION AND PARTY POLITICS

Public participation on governance issues is as old as the foundation of the Basotho nation, meaning that it can be traced back to King Moshoeshoe 1's era. The institutions which existed during this time were meant to encourage citizens to participate in governance related issues such as policy and planning issues. These institutions were the chieftaincy and councilors which became avenues for public participation. There were also mechanisms which were in place to foster this public participation and these were public gatherings (also known as *pitso*) and the chief's court. According to Mothibe (2002:30) "the *pitso* was a public assembly which was attended by all initiated adult males, called by the chief to discuss and make decisions on national matters." Public gatherings and chief's court were a medium of communication where the government and the people discussed policy and plans. Even though there was public participation during this time, it was limited to initiate males leaving out women and youth because "the Sotho patriarchal society was based upon an intertwined and complicated pattern of rights and obligation, both within and between various extended family networks. Fulfilling one's obligation and maintaining social harmony were central to Sotho morality and law. Each sex and age-group had its own rights and responsibilities, and much of the work, which was often communal in nature, was accomplished by a specific sex or age group at a particular time" (Gill, 1993:48).

The subsequent colonial era brought about the lower level of participation by the citizens in governance. The institutions which were in place during Moshoeshoe 1's era were also seen to be in existent in this colonial period. The mechanisms for public participation were also there but they became unwieldy hence, mechanisms and organisations for instituting public participation emerged. After Lesotho was colonised by Britain in 1868, the indigenous

institutions of government in Lesotho no longer functioned effectively (Gill 1993:146). The chiefs were no longer responsive to the citizens but to the colonial government. The emerged mechanisms were national council which was established by the colonial government while other participatory mechanisms were established by the citizens at the realization that the *pitso* or the then participatory mechanisms were not allowing them enough of a platforms for participation. Nyeko (2002:133) states that "the British administration had begun the process of streamlining the system of government by introducing a series of administrative reforms to rationalise the position of chiefs and to incorporate them into the colonial hierarchy. One of the most significant reform measures the British introduced at the turn of the century was the establishment of the Basutoland National Council."

This national council formed by the colonial government was also not effective for public participation and citizens established their own participatory mechanisms for their participation in government. Nyeko (2002:133) presented that this national council was a vehicle for advancing and maintaining the colonial powers. This has led to the citizens to establish their own organizations. The major goal with the formation of the organisations was to oppose the colonial government's actions which were discriminatory and not beneficial to the Basotho and to fight for the participation of the Basotho in national affairs. As Nyeko (2002:135) indicates, the organisation's goals were summed up in the motto 'not for us, but for our country and humanity', which embraced both socio-economic and political objectives. These organizations were the Basutoland Progressive Association (BPA) and the *Lekhotla la Bafo* (LLB).

The period which followed after the colonial regime was the transition to independence and this was between 1950 and 1970. Gill (1993:203) remarks: "the spirit of change was in the air." It was during this time that massive changes occurred in Africa and in Lesotho as well. This was the political transformation. The colonial administration could no longer stand up well against the new expectations of Basotho leaders, chiefs and/or commoners. The organizations formed by citizens subsequently transformed into political parties as the prospect of independence became imminent. It was during this time that Lesotho held its

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independence elections and political parties became the mechanisms to foster public participation. Nyeko (2002:152) commented that;

> The independence movement in Lesotho manifested itself through the various political parties that emerged during the period. These included the Basutoland African Congress (BAC), which was later renamed the Basutoland Congress Party (BCP), the Basotho National Party (BNP), the Marematlou Freedom Party (MFP).

This era also marks the relationship between party politics and public participation as it has been shown how political parties had become the ambassadors of public participation.

Political parties improved public participation through the district councils which were established at the time. But it was not so long that the political party system which brought change for Basotho became the hindrance to them to participate in the government. This came as the Basotho National Party (BNP) that won the first independence election abolished those district councils which fostered public participation. Party politics were seen to play a role in this respect because the BNP government said that the abolishment of district councils was due to the issue of maintenance. This has been highlighted by Kapa when he said that, "the arrangement was too costly for the BNP government especially with regard to payment of staff salaries and wages." But in actual fact, the abolition of district councils seemed to be the best option for the political motives of the BNP. According to Mapetla and Rembe (1989:23) "these councils were largely dominated by the opposition party, the Basutoland Congress Party, and as such, they were seen as an alternative source of political loyalty and therefore a threat to the government of the Basotho National Party." These party politics which became prevalent during that time saw public participation gradually declining.

District councils had been the avenue for participation at local level and as they were dismantled, participation was severely curtailed. According to Mapetla and Rembe (1989:23) "the abolition of district councils saw an end of participatory institutions at local level, resulting in an increasing centralized administrative and planning machinery." This implies that party politics became a threat to public participation and centralization of government meant that only BNP cadres would be given that opportunity to participate. In 1970, another change in Lesotho took place which greatly influenced and shaped public participation. On the 4th of January 1970 the second general election was held (Pule,

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2002:174). The outcome of this election was different from the elections of 1965 since Basotho people voted for the opposition party BCP in large numbers. According to Gill (1997:220) "the large swing vote of pragmatic voters went over to the BCP, ensuring them a resounding victory. The BCP won 36 seats, the BNP won 23 and the MFP just 1 seat." These results surprised many people, especially the members of the ruling party because they had expected to win. This situation resulted into the denial to hand over power by the BNP government to the BCP which had won the elections.

Kabemba (2003:5) indicated that this period marked the beginning of a one-party government which was characterised by repressive and undemocratic rule, whereby the BNP government maintained control of the state from 1970 to 1986. The political system changed dramatically and this change led to the suspension of the Constitution of the time and the state of emergency was declared. Public participation was significantly suppressed due to this change which emanated after the second elections. Unlike its predecessor, the BNP government undermined public participation and the lives of citizens also changed for the worse.  Gill (1993:221) also asserted that "hundreds of BCP supporters were arrested, and in the months which followed the Police Mobile Unit (PMU) and BNP party fanatics made life extremely painful for anyone who protested." People were not able to participate in any way because dictatorship had knocked into the governance of Lesotho.

Lesotho was now experiencing authoritarian rule and in this regime, there was no room for the public to participate in government. Gill (1993:222) points out that "during this whole period, an increasing amount of power was concentrated in the hands of the Prime Minister. The party appointees and chiefs became more and more dependent upon him." The Prime Minister became the only point of reference for all decisions the government took. Policy issues and planning were solely the responsibility of the Prime Minister. The top-down model was to be in place in this situation and citizens had to accept whatever had been decided by the Prime Minister of that time. It was also during this period that some local structures, in their bid to encourage public participation, were established. These structures were solely the Prime Minister's initiative not citizens' endeavour. Mapetla and Rembe (1989:31) state that "the most important rural structures have been the District

Development Committees (DDCs), the Village Development Committees (VDCs) and Chieftainship."

Even though there were these structures which were considered to be important to encourage public participation, there were still challenges encountered in the process. According to Mapetla & Rembe (1989:34-35) the BNP government made a commendable effort in creating the DDCs and the VDCs. In terms of their functions, they were largely mechanisms for fostering citizen participation. However, as has been shown, they never became the strong and effective instruments for instituting citizen participation because they became the mere appendages to the ruling party. What was seen with the chieftainship was that it was controlled by the modern government and it became established in terms of the *Chieftainship Act of 1968*.According to Setsabi (2010:45) "one of the primary objectives of the *Chieftainship Act 1968* was to subordinate the chiefs to central government through entrusting their discipline to the Minister of the Interior who not only had the powers to discipline the chiefs but also to dismiss them." Hence, public participation was undermined because this institution of chieftainship had lost its direction and mandate from the past days of King Moshoeshoe 1.

Chieftainship had survived many governments from the regime of King Moshoeshoe 1 but the legal frameworks that it had acquired changed the manner in which it was now known. According to Mapetla and Rembe (1989:34) "traditionally, this institution played a vital role in policy and decision making. At this level, it enabled participation through *Pitsos* (public meetings)." But this was no longer seen to be associated with this institution because much of the pressure was coming from the top of the government and not influenced by the citizens at the bottom. This means that the politics of the day shaped the institution. The repressive BNP government was overdrawn after a lot of pressure was mounted by the local citizens and the neighbouring country South Africa. This saw the emergence of the military regime coming to power in 1986.

## 6.2 PUBLIC PARTICIPATION AND THE MILITARY REGIME

The military regime encouraged much of public participation which was hindered by party politics during the time of the repressive BNP government. Unlike the colonial government and the BNP government, the military government established structures that amalgamated the traditional institutions of governance (chieftainship) and modern institutions (committees).This is the situation the Basotho people had been accustomed to since the start of the colonial period. In this regard, the Lesotho African Peer Review Mechanism Report (2010:44) states that, "the Basotho have a long–standing traditional system of governance that is based on their historical values and customs. The customary system of governance has deep roots and is highly respected everywhere in the country. The Basotho recognize and accept that their traditional form of governance must coexist with the colonially-bequeathed system of governance." In this respect, public participation during this time gained momentum because the existence of party politics was minimal.

The military government tasked the chiefs with leading the development process in Lesotho while also recognising the urgent need for citizens to participate in the policy planning process. Public gatherings (*pitsos*) were the inherent institutions for participation during the King Moshoeshoe 1 era. *Pitsos* gained prominence and remained the central institution and mechanism allowing wider participation which saw the decline in top-down initiative perpetuated by the influence of party politics. One important facet of the military government is that it provided a legal framework for local government structures thereby limiting the chances of conflict. It has been seen that where party politics are playing a vital role in policy developments, public participation becomes the issue of discretion and the law enforcing it becomes ineffective. Even though the military regime was eminent in encouraging public participation and minimized party politics, there were still some issues which were pressing such as freedom among the Basotho. This was due to the banned political activity in accordance with Lesotho Order No.4 of 1986 introduced by the military junta. This freedom was recognised by the new development within the political history of Lesotho which is the enactment of the Lesotho Constitution in 1993.

## 6.3 THE LESOTHO CONSTITUTION AND THE RETURN TO PARTY POLITICS

The Lesotho Constitution which is also known to be the 1993 Constitution brought about many developments in terms of public participation and party politics. Public participation became legally documented and it was no longer a question of discretion as it used to be previously. There was also the coming of multi-party system which also stimulated wider participation by citizens in policy issues. This implied the first democratic elections in which every citizen participated through affiliations with different political parties. This has been acknowledged by Matlosa (1999:3) as he said that "after the 1993 elections, a new civilian government was installed." The civilian government was headed by the Basothuland Congress Party (BCP) which then had Ntsu Mokhehle as its leader. Many developments were seen to be in place because the BCP government was keen to see public participation flourishing. The BCP government, in encouraging citizen's participation, took an initiative to formulate the local government policy because there was a need to have a clear process on how citizens should participate in governance.

During this time of the BCP government, the structures of public participation were drawn at the local level as there was a belief that previous governments had failed to do it. The BCP government did not achieve the final implementation of the local government policy which they only ended in the first stages of its formulation. This was a consequence of the political instabilities which were in existence at the time. Matlosa (1999:3) observed that "in 1994, the Basutoland Congress Party (BCP) government locked horns in a fierce conflict with various forces including the security machinery, the monarchy and the opposition Basotho National Party (BNP)." The party was also faced with internal fights and had to split with the formation of the Lesotho Congress for Democracy. The situation was also in line with the resistance by some party affiliates who were against the party's manifesto. Much of positive things regarding public participation were in place because Kapa (2013:123) also said that;

> The local government policy may be regarded as a product of a series of consultative processes introduced by the BCP government in 1995 until the policy was implemented through the introduction of a local council under the LCD administration on 30 April 2005. The public consultations on the policy, in the form of *lipitso* (public gatherings) were initiated by the then BCP government to solicit the views of citizens concerning the form, structure, composition, powers and duties of the envisioned local authorities.

Party politics began to be explicitly playing a role in hindering or influencing public participation because the concern was no longer what the people said but it was serving the interests of the political party cadres. After the division of BCP to LCD, the leader of LCD became Pakalitha Mosisili who took power from Ntsu Mokhehle and the LCD government introduced a top-down approach to policy formulations. In a top-down approach, public participation is always compromised and it is minimal because it depends high on political affiliation. In reference to the Local Government policy formulation, Kapa (2013:123) highlighted that;

> the LCD government pressured by its own political imperatives and the commitment it had made to the nation, the government abandoned these consultations and engaged the services of an external consultant to draft the White Paper. The government thus abandoned what would otherwise have been a consultative democratic process and replaced it with a top-down initiative, the White Paper, in which the citizens no longer had any input.

This top-down approach to policy formulation continued from 1998 when the LCD government came to power until 2012 when it also confronted a split with the formation of the Democratic Congress. This division came three months before the elections and Pakalitha Mosisili became the leader of the splinter party which was based on internal conflicts among the cadres. What I have noticed is that from BCP government to DC government the party leaders of that time headed the newly formed parties. Ntsu Mokhehle moved from BCP to LCD and then handed power to Pakalitha Mosisili and Pakalitha Mosisili made a transit from LCD to DC. Public participation became compromised by party politics of the day and the policy formulation process became an activity of only those who were affiliated with the ruling political party of that time.

The 2012 elections brought change to the political system of Lesotho. Governance moved from the ruling of one party to a coalition government. The coalition government was formed by All Basotho Convention (ABC), Lesotho Congress for Democracy (LCD) and Basotho National Party (BNP) because there was no party with outstanding majority to form the one party government.

## 6.4 THE INFLUENCE OF PARTY POLITICS IN POLICY FORMULATION IN THE MINISTRY OF DEVELOPMENT PLANNING

Party politics have been impacting negatively on policy formulation and implementation in most governments of the world. I also acknowledged this in my previous research whereby I recommended that "Party politics needs to be separated from social developmental issues. The combination of politics and community social development gives rise to political conflict and opposition at community level, and obstructs public participation in social development initiatives undertaken by government" (Lesia, 2011:77). This recommendation was derived from the conclusion of the study which was conducted in KwaMashu Township in KwaZulu-Natal. Party politics were seen to discourage participation for all the citizens in policy formulation and implementation and the developments were not owned by all citizens as some felt that they were not included in the process. In Lesotho the situation is not different because party politics are also seen to be playing a crucial role in influencing the policy formulation processes.

The political affiliation of people in Lesotho plays a vital role in the daily lives of people in their different communities. This means that people are free to associate themselves with different groups whether being political, social, or religiously and economically inclined. The Constitution of Lesotho, 1993, *Chapter II Section 16,* stipulated that "Every person shall be entitled to, and (except with his own consent) shall not be hindered in his enjoyment of freedom to associate freely with other persons for ideological, religious, political, economic, labour, social, cultural, recreational and similar purposes." This also acknowledges the establishment of multi-party system whereby people are able to choose any party they wish to associate with and participate in policy issues through it. It is in this respect that the ruling party will be responsible for the drawing up of a policy framework and become the driving force.

The impact of party politics in the Ministry of Development Planning in Lesotho is not a positive one because it hinders public participation in the policy formulation processes. One of the research participants noted that "party politics play a role because nobody wants to make a policy which is going to be unpopular to his or her own inner cycle. Politicians take

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a risk of developing a policy whereby the inner cycles also have to benefit, forgetting the rest of the people."[37] This implies that the political party in power is the one to determine or draw policies which favor its cadres. In the case of Lesotho, there was a coalition government of three political parties: All Basotho Convention (ABC), Lesotho Congress for Democracy (LCD) and Basotho National Party (BNP) following the 2012 elections. In this situation, there are three centers of power with the aim of each presenting the needs of its own political party and some of their issues to influence policy formulation. Even though the coalition government did not survive for the stipulated five years in power, the manifestos of those three parties were put together to form one coalition manifesto. The issue of power relation became the central point of attention which saw the coalition government collapsing after their two years in government. This collapse was perpetuated in part by what one of the research participants has said it was the "nature of political parties which possess inherent conflicts among themselves."[38]

The issue of conflicts within the political parties is as old as the history of politics in Lesotho. This has been evident in the past governance by different political parties before the 2012 coalition government. These internal conflicts also contributed to the kind of policies that were developed. It was also noticed how the influence of party politics in policy formulation in the Ministry of Development Planning played a central part during the formulation of the NSDP which was grounded on the manifesto of the coalition government. Even though there was this coalition manifesto which had the influence of the NSDP formulation, the divisions of government ministries among the political parties also brought another perspective in policy formulation. One of the research participants expressed that "every party was driving the policy formulation process in the respective ministry and decision-making was dominated by the decisions of their political cadres excluding other people."[39] The Ministry of Development Planning was given to the All Basotho Convention and the policy formulation processes in this ministry were to follow the decisions of the ABC affiliates. This was happening even though much of the development had not yet been done. The NSDP document was only a handover from the

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[37] Personal Interview with TRC2.
[38] Personal Interview with IM1.
[39] Personal Interview with PSP1.

previous government which ruled before the coalition government. The coalition government only finalized the document by merging their manifesto with it.

The coalition government encountered various problems which are related to power, for example the issue of who should have the overall decision-making power in everything. This issue of power relations is also old in the history of Basotho because it is through it that the policy formulation process was to be in existence to suite a particular political party. Hence, Nhema (2004:18) has observed that "public policies in Africa are very conservative and restricted, with very little public involvement and no input from [the] wider community." This kind of observation is brewed by the inherent conflicts among the political parties which are perpetuated by the power struggle they are confronted with in trying to achieve policy formulation processes. When public participation in policy formulation processes is not for all citizens, policies developed are mostly failing to be owned by all, and they "are often found in shelves gathering dust."[40]

Cloete and Meyer (2006:114) defined public participation as the involvement of members of the community in developmental activities in the community in order to try to influence the outcomes of those activities and to obtain as many benefits as possible from the results of those activities. This means that in the process of involvement citizens are able to take part in development activities as well as to influence the outcome of government action. But in the case of Lesotho in the Ministry of Development Planning, citizens do not benefit from the policies formulated but only political affiliates of the ruling parties. They have little or no input at all. The situation of 'us and them' continues to be prevailing in the process of policy formulation and citizens see them as only recipients of policies while political leaders and their affiliates are participating in their formulation.

This 'us and them' relationship is also observed by Kapa (2013:48) when the Lesotho government draws up the national budget. He noticed that;

> The process is highly elitist. Citizens merely become recipients of state-developed policies without making any input in their formulation. The budget is mainly informed and developed by departments of government. CSOs are allowed to comment on the budget

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[40]Personal Interview with TRC1.

after it has been presented to Parliament, and budget documents are only presented to the public after presentation in Parliament.

The civil society organizations are also failing to do their part in addressing the issue of 'us and them' existing between Lesotho citizens and the elites. "Civil society organizations form the fabric of society by linking individuals, the market and political institutions. They participate in the market and politics in the interest of their member s or constituency without seeking financial gain or political office" (*Reference Book for Civil Society Organization*, 2011:9). This is not happening in the Ministry of Development Planning of Lesotho but CSOs are; "no longer able to fight as hard as [they] used to when critical issues arise. Whenever outstanding individuals emerge within CSOs, they are snatched up by the government and public institutions that offer better remuneration" (Kapa, 2013:49). This shows that politics of the day are the determining factor for whatever has to happen in Lesotho.

The functions of civil society organizations are suppressed by the prevailing political atmosphere in Lesotho which gives little opportunity to public participation in the policy formulation process. *The Conference of International NGOs (INGOs) of the Council of Europe* outlined key functions that civil society plays in the public policy process and these functions are advocacy, information and awareness-raising, expert advice, watchdogs, innovators and services providers. These functions are not realized as they have to happen between the Lesotho citizens and the elites through the involvement of CSOs. If these were realized, the 'us and them' situation would not continue to prevail in the policy formulation process in the Ministry of Development Planning. Hence, the high influence of party politics in policy formulation will be minimal as the CSOs would be stabilizing the situation in existence.

## 6.5 CHAPTER SUMMARY

In summary, this chapter specifically explored the relationship between public participation and party politics in Lesotho. Public participation was traced back from the reign of King Moshoeshoe 1 until the present time. The discussions showed how public participation has been throughout the whole history of the country and how it was hindered or influenced by

party politics of the day. It has been learned that party politics have a greater influence in public participation and in some cases the influence is positive and also negative. The positive influence has been the greater involvement of the citizens in policy developments and the negative influence is where the public is hindered from participating in those policy issues. In this respect, the influence of party politics in policy formulation processes is recognized by the extent to which public participation exists. In the case of the policy formulation process in the Ministry of Development Planning, party politics had a negative influence because public participation was compromised and limited to only those who were affiliated to the ruling party. It was also observed that with the coalition government, there were problems encountered with regard to those who would participate because there were three centers of power.

The next chapter is going to discuss the policy formulation gaps within the Ministry of Development Planning and there will be suggestion on the way forward. The policy gaps will be derived from the research findings as they were unveiled in the previous chapters. Three of the gaps will be discussed and suggestions will be proffered on how to fill them going forward.

# CHAPTER SEVEN

# POLICY FORMULATION GAPS WITHIN THE MINISTRY OF DEVELOPMENT PLANNING IN THE GOVERNMENT OF LESOTHO

## 7.0 INTRODUCTION

The preceding chapter tackled the influence of party politics in policy formulation processes in the Ministry of Development Planning of Lesotho. The first issue which was dealt with was public participation and party politics from a historical perspective. To this end, an attempt was made to trace the origin of this practice back to King Moshoeshoe 1's reign until our present time. This was done in order to show how long public participation has been in existence within the governance system of the Basotho people. Moreover, the discussions revealed how party politics originated and evolved over time in Lesotho to impact on policy formulation processes. The main concern was to relate public participation to party politics and later indicate how party politics can hinder public participation in policy formulation processes. Consequently, party politics were seen to have a great influence in policy formulation processes because of the negative impact generated by lack of active public participation by all citizens across party lines. The conclusion has been that party politics obstruct public participation. Thus, the conclusion was that indeed party politics influence policy formulation processes in Lesotho in general but more specifically in the Ministry of Development Planning. This has resulted into policies which are not implementable and some policies die before they can even take off the ground. This is because they are not owned by all citizens but only by political party affiliates who are associated with them. Policies fail to achieve their goal to bring about development of the people and their country (Lesotho).

This chapter seven will look at the policy formulation gaps which have been derived from the presentation and analysis in the previous chapters (from chapter four to six). The gaps were revealed by the research findings which were obtained from the field. These gaps will be outlined and suggestions to fill them moving forward will also be discussed. The

outlining of policy gaps will be centered on the process of policy formulation in the Ministry of Development Planning and also as per the themes which were presented and analyzed in the preceding chapters.

At a glance, the first gap is lack of full or active public participation by all citizens in Lesotho. This is one of the key gaps. It was revealed by the research findings that not all Basotho citizens participate in the policy formulation process. On the contrary, participation is limited to bureaucrats and small number of citizens affiliated to the ruling party or parties. The second gap is the disunity among the civil society organizations. This issue is the gap because it was observed that civil society in Lesotho is weak and does not play its roles as is expected to. The third gap is negative influence of party politics in social development. As policy formulation is geared towards the development of the country, the negative influence of party politics discourages social development through the hindrance of participation by all citizens as should be the case. Each of these issues will be discussed separately below.

## 7.1 LIMITED PUBLIC PARTICIPATION

Public participation is perceived to be one of the gaps in policy formulation processes in the Ministry of Development Planning of Lesotho. The research findings have revealed that there was public participation in policy formulation processes in the Ministry of Development Planning; however it is very limited and is not open to all citizens. The officials from the Ministry of Development Planning clearly attested to the fact that the process of policy formulation is limited to civil servants, top government officials, donor partners and some members of civil society organizations. They also confirmed that participation is highly controlled by the elites as they set agendas. This was revealed by one informant from the civil society organization as he expressed that;

> We are involved in policy decision-making process but the problem has always been there. We seem to wait for the government to invite us to work with them on policy formulation. We do not become proactive enough ourselves. They would call us to show their broad frameworks so that we can come to give our inputs. This means they have already set their own framework and we are called to contribute towards a document which is already there, for us it seems as if they need our inputs here and there. Later on they would say the stakeholders were involved but in actual sense, the involvement was not for whole cycle

during the development of the entire process, from problem identification to policy implementation.[41]

This implies that the government employs the top-down approach to the policy formulation process with issues imposed on stakeholders and thus hindering active public participation. Ordinary citizens are not considered in policy formulation processes because public gatherings as the mechanisms to foster public participation are considered to be a waste of resources. This is the culture of the Lesotho government since the emergence of democracy. Kapa (2013:123) quoted Sekatle's view of public consultations during the Local Government Policy Formulation process as follows: "brainstorming exercises, bearing very little fruit because they were open to almost all citizens." He further cited Sekatle saying that public consultations are "a waste of time and money."

The limitations of public consultations denote that government has no room for the wider participation for all citizens but only to the elites and bureaucrats. This has developed into the ongoing culture which continually side-lines active public participation because those in government perceive it as a waste of money and time. This culture of not engaging the public in policy formulation processes or any developmental issues affecting their lives opposes the idea of what public participation entails. Ideally, public participation has to be understood "as an open, accountable process through which individuals and groups within selected communities can exchange views and influence decision-making processes" (*Draft National Policy Framework on Public Participation*, 2007:1). The Ministry of Development Planning does not contextualise public participation in policy formulation processes with the aim that all citizens should influence decision-making processes. Instead, the concept is assumed to include only bureaucrats and top government officials. This limitation of public participation has created the situation of 'us and them' among the Basotho people when it comes to policy issues. My view is that this is what constitutes a public participation gap in the policy formulation process in the Ministry of Development Planning. It is something that needs to change if the Ministry is to up its game.

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[41]Personal Interview with TRC1.

The situation of 'us and them' which exists in the Ministry of Development Planning has led to policies which die before they can take off the ground. This implies that the top-down model employed by the Ministry has created such a situation and this does not advocate for greater input by all citizens but only the portion of them deciding for the rest of the public. This is in contravention of democratic practice. The linear model of policy formulation sees citizens as recipients of policies that are formulated by elites. In this model, the public are informed about the decisions and the decisions are also handed down to subordinate agencies for implementation according to predetermined schedules and procedures (Jain, 1990). In such an environment, policies are

> often made on the basis of perception, stored conventional wisdom, and attitudes of particular interest groups or bureaucratic interests, to which some partial technical analysis and information, whenever available, are added in the form of a brief technical memorandum written hurriedly at very short notice (Corkery et al., 1995:13).

In this respect, there is lack of public participation in policy making because there is no creation of opportunities and avenues for communities to express their views and opinions on matters of governance, either directly or indirectly.


Public participation in policy formulation processes has to be understood as the involvement of all the stakeholders in planning to break down the artificial barriers and create mutual respect and spirit of working together. This means that the 'us and them' situation has to be curtailed and there should be a creation of partnership which aims at addressing the socio-political needs of the citizens. In addressing a problem by a policy, decision-making should not be based on any central decision. On the contrary, it has to be the collection of all decisions from different stakeholders. Teisman (2000) has also stated in his round model of policy formulation that decision-making should consist of different decision-making rounds. In all sets of rounds, the interaction between actors results in one or more definitions of problems and solutions. This implies that different stakeholders should contribute towards the decision-making processes of policy formulation. This can only happen when all citizens have the opportunity to participate from their different spheres. This model "denies the proposition that public policy can be produced by a unitary actor with adequate control over all required action resources and a single-minded concern for the public interest" (Teisman, 1992:33). The model also refutes the practice of the Ministry of Development Planning which regards public policy as a product of bureaucrats

and top government officials and ignoring input of other citizens at the lower level of government.

The rounds model of policy formulation processes is considered to be the better model which can curb situations such as 'us and them' and policies which die before they can start because of resistance by the majority of citizens who are not involved in their formation. The model gives an opportunity to all citizens to participate in policy making and it encourages the different levels that exist in different communities. Scharpf (1997:11) expressed that the rounds model of policy formulation process entails the strategic interaction among several or many policy actors, each with its own understanding of the nature of the problem and the feasibility of particular solutions, each with its own individual and institutional self-interest and its own normative preferences and each with its own capabilities or action resources that may be employed to affect the outcome. In this way, decisions from all stakeholders in policy formulation are considered and form part of the final decision-making for a particular problem. Therefore, it is correct to conclude that "the rounds model is based on participation of actors and these actors are the focal point of analysis" (Teisman, 1998:40). This encourages wider public participation of all stakeholders that also monitor and evaluate the whole process of policy formulation.

The employment of the rounds model in policy formulation process is inclusive of decision-making by all stakeholders. This implies that the final decision is a result of all decisions coming from participation of the different rounds of stakeholder. In this respect, all stakeholders will accept the policy which is the end-result and live by it unlike the current situation whereby the policy formulation process creates the 'us and them' situation among the stakeholders. The 'us and them' situation is perpetuated by the employment of the linear model of policy making which embarks on the top-down approach. In this approach wider public participation is not given attention. The elites view policy formulation as a rational outcome of detailed data analysis with choices optimized to suit existing circumstances (Linder and Peters, 1989). Where public participation is limited, decision-making processes become an activity of those who are eligible to participate in the process hence it becomes difficult for the rest of the citizens to monitor and evaluate the resultant policy or the entire policy making process.

Wider public participation allows all the citizens to monitor and evaluate policy formulation processes because they would have been part of the decision-making on the policy which will be developed. In as much as citizens participate in different communities through the use of public gatherings mechanisms, the decisions agreed upon will be shared across all the communities with the aim of drawing the final decision which will be accepted by all. Teisman (2000) has expressed this by the way of rounds whereby he said all participants can score points in each round, in terms of a leading definition of the problem and the (preferred) solution and in this way they define the beginning of the next round. But at the same time each new round can change the direction of the match, new players can appear and in some cases the rules of the game may even be changed. It is in this manner that public participation helps in shaping up the policies that exist in different governments. The rounds model has been the better approach towards the inclusiveness of the wider population in policy formulation processes. This is what the government of Lesotho needs to adopt as a way forward.

In conclusion, the rounds model motivates wider public participation in policy formulation processes and it also engages more views which finally generate the final decision to be considered for a particular policy problem. This model is recommended for policy formulation process in the Ministry of Development Planning in Lesotho because it will break barriers which currently exist as a result of the 'us and them' dichotomy in policy making where bureaucrats and top government officials are seen as the only decision-makers in policy making and the majority of the citizens are seen as recipients. Public participation will be seen as the focal point because it has a great impact on the process of policy formulation and implementation. The Ministry of Development Planning has to employ the public participation mechanisms which have been in place since the reign of King Moshoeshoe 1. These have been proven to be effective and can still be. Such mechanisms are public gatherings and chief's court. These are operational though they need to be capacitated so that they could be up-to-date. Policies formulated in such environment will be implementable and will not die before they start or gather dust from the office shelves as is currently the case in Lesotho.

## 7.2 DISUNITY AMONG THE CIVIL SOCIETY ORGANIZATIONS

The roles and responsibilities of civil society organizations (CSOs) have been considered important in policy formulation processes across all the governments in the world. But in some African countries such as Lesotho, CSOs have experienced challenges in their dealings. Some challenges are external and others are internal. The external challenges are mostly perpetuated by the governments in their way of manipulating CSOs and lessening their functions. The internal challenges are those which CSOs experience within their operations on daily basis. There are general functions of CSOs which make them effective on their roles and responsibilities. These functions also become the criteria to assess the efficiency and effectiveness of CSOs in public policy formulation. *The Conference of International NGOs (INGOs) of the Council of Europe* outlined key functions that civil society plays in the public policy formulation process. These functions are advocacy, information and awareness-raising, expert advice, and those executed by watchdogs, innovators and services providers.

CSOs are usually expected to perform the outlined functions in public policies being formulated in the government of Lesotho through the Ministry of Development Planning. But this seems to be happening only in theory since the activities do not happen as they are expected to. This was confirmed by one informant during the research process who said that;

> We are involved in policy decision-making process but the problem has always been there. We seem to wait for the government to invite us to work with them on policy formulation. We do not become proactive enough ourselves. They would call us to show their broad frameworks so that we can come to give our inputs. This means they have already set their own framework and we are called to contribute towards a document which is already there, for us it seems as if they need our inputs here and there. Later on they would say the stakeholders were involved but in actual sense, the involvement was not for whole cycle during the development of the entire process, from problem identification to policy implementation.[42]

This information shows that CSOs are not proactive enough to play their functions whereby advocacy, expect advice, watchdog activities and information and awareness-raising are compromised. The government seems to determine when the CSOs should be involved in

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[42]Personal interview with TRC2.

the public policy cycle and how they are to be engaged. This becomes a limitation in that some of the functions of CSOs are curtailed through such decisions. This is the external challenge to CSOs in their functioning and it creates disunity among them because some of the CSOs are not given the opportunity to participate in policy issues. In theory, they might be called stakeholders expected to be advocating and lobbying the concerns of the citizens. The reality is the direct opposite. In most cases, CSOs participating in policy formulation processes are associated with the ruling party and those not participating are linked to the opposition parties. This means that CSOs cannot be perceived as a homogenous group. Party politics influence CSOs' functioning in Lesotho in policy formulation processes. This has led to disunity among CSOs in their roles and responsibilities.

Moreover, it is worth noting that CSOs experience many problems which hinder them from being effective in policy formulation. They are not complementing each other even where they are working on similar programs. They might be working on a similar program and the operation will be always going in parallel ways because they are donor driven. As such, CSOs report to their donors not the government. The advocacy role is at the minimal level because CSOs do not report to the government so that they will hold them accountable. Kapa (2013:49) observed that "civil society is no longer able to fight as hard as it used to when critical issues arise." This is generated by the disunity which prevails among the CSOs. It sometimes leads them to working parallel to one another even on the issues that they are supposed to be together in addressing them. Politicians in Lesotho have seen this loophole and they are capitalizing on it. These politicians have created divisions among CSOS to reduce their strength in contributing to policy issues.

The study has revealed that CSOs in Lesotho are undergoing some internal challenges which prohibit them from engaging fully in policy formulation processes. Kapa (2013:49) expressed these challenges as weaknesses of CSOs in their functioning when he said that;

> Civil society in Lesotho has weaknesses. The main weakness is lack of resources, particularly human resources. Consequently, civil society is no longer able to fight as hard as it used to when critical issues arise. Whenever outstanding individuals emerge within CSOs, they are snatched up by the government and public institutions that offer better remuneration.

The issue of resources with the CSOs is critical because it is hampering the effective engagement in policy issues hence the CSOs are seen to be not functioning as expected. The resources lacking are research personnel and money to fund the research which would influence the evidence based policies. This was expressed by one of the research participants who said that;

> Resource requirement is another problem and the intellectual capacity to do research to come up with well-informed policies. We need enough manpower and resources to make sure that our adequate research we can use as evidence based to push for change in government. This is currently lacking and at the same time it is not only lacking but seen as time consuming as we do not have personnel who are only dealing with research issues. Most of our programmes are donor funded and they have life span, we will not spent twelve months doing some research work while you have a project to finish in three years.

These are some of the constraints faced by CSOs which fail to be proactive enough for the inclusion of their decisions in the Ministry of Development Planning's agenda when policies are being formulated partly due to their internal disunity. The participation of CSOs in policy formulation processes is often not considered by the Ministry but is done as a way of rubber stamping some decisions already taken by the political leadership. CSOs are then involved simply because this might be one of the requirements set by the donor partners. CSOs give more attention to their programmes with limited life-span so that they can secure funding for the next project. Consequently, they are doing less on the advocacy part.

## 7.3 THE NEGATIVE IMPACT OF PARTY POLITICS IN THE POLICY FORMULATION PROCESS

The political affiliation of people in Lesotho plays a vital role in their daily lives. The manner in which they perceive the process of policy formulation in the Ministry of Development Planning is informed by this party affiliation. Policy formulation processes in the Ministry of Development Planning is strongly influenced by the political environment existing in Lesotho. One of the informants revealed that "the development of the NSDP is an example whereby it was prepared in line with the manifesto of the coalition government made up of All Basotho Convention (ABC), Lesotho Congress for Democracy (LCD) and Basotho National Party (BNP)."[43] Before the 2015 elections which reconfigured the

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[43]Personal Interview with PSP1.

political landscape in Lesotho, this meant that policies developed in the Ministry of Development Planning had to be the result of the decisions coming from the manifestos of the three ruling coalition parties which were later taken to be the decision of all the citizens of Lesotho. This is always the problem or something which creates a gap in policy formulation processes in Lesotho. The final decision which becomes the public policy is assumed to have involved all stakeholders. But in actual fact it is only a decision of those who are affiliated to the ruling political parties. This has been happening even before the coming of the coalition government in Lesotho and it is as old as the existence of political parties. Whether the current status quo will change under the new political leadership, remains to be seen.

According to the majority of the research participants (twelve participants in total), the legitimacy of the policy formulation process has been lost because it has been associated with politics. This has seen minimal public participation in the process. One of the research participants expressed that "party politics play a role because nobody wants to make a policy which is going to be unpopular to his or her own inner cycle. Politicians take a risk of developing a policy whereby the inner cycles also have to benefit, forgetting the rest of the people."[44] The negative impact generated by this policy formulation process which only gives priority to the political cadres has been severe. This has resulted into the adoption of policies which are not owned by people and which have thus faced rejection during the time of implementation.

One of the research participants acknowledged this negative impact by saying that "we failed to implement the NSDP in different districts because people did not agree to what was contained by the policy document. They raised different issues which are totally opposed to what was considered as the final decision in that policy."[45] The implication is that the policy was only the consequence of participation of political affiliates of ruling parties with the aim of benefiting their inner circle, not all the people. Hence this has not been able to yield what it was intended to and it became a waste of government resources.

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[44]Personal Interview with TRC2.
[45]Personal Interview with PSP3.

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The process of policy implementation of the NSDP has reflected how negative party politics have been on the policy formulation process. The public gatherings which were held in different districts were highly represented by political affiliates of the ruling parties. Even before the coalition government was established in Lesotho, this has been prevailing and it was never questioned by people as they felt that it was the way things should be done. One of the research participants expressed that;

> This also happened with the Poverty Reduction Strategic Paper (PRSP) which came before the NSDP. The document was formulated under the Lesotho Congress for Democracy (LCD) regime and it only became popular to the political cadres of that party who were benefitting. The document died before it can exist because majority of the people of Lesotho opposed it.[46]

As demonstrated in the discussion above, it is clear that public participation in policy formulation processes in the Ministry of Development Planning of Lesotho has been hindered by party politics which have affected the greater public participation by all citizens in public gatherings for any policy issue. In my observation, public gatherings have turned into political rallies instead of being the mechanisms to foster public participation in public policies for the development of the country as a whole. People in different communities are often withdrawing from participating in community matters. They feel that they will be following the mandate of the ruling party. Therefore only political party affiliates often participate on regular basis. In this way the 'us and them' situation is always in existence and many development endeavors are often hindered as a result.

The CSOs have also experienced difficulties as a result of party politics in policy formulation processes. These organizations are faced with challenges in the process of executing their advocacy and lobbying functions on governance matters. The negative impact expressed by one of the participants who is also a member of the CSOS was that;

> As an advocacy organization we always want to push for inclusion of the people in policy formulation process, who are going to be affected by the policy. This was to discourage the top-down model of policy making which the Ministry of Development Planning is always embarking on because policies are not meant for the policy makers as such but for the people. There is always a need for bottom-up approach which minimizes the risk of political interference. [The] Top-down model of policy formulation means that the policy will be driven by policy makers and for their own political interests hence public participation is hindered.[47]

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[46]Personal Interview with PSP4.
[47]Personal Interview with TRC1.

The CSOs are not pleased with the manner in which policies are being done and the significant influence of party politics which is in most cases not positive. This has led to the conclusion of one informant who observed that "political affiliation is one of the most dangerous elements if allowed to play a role in policy formulation process."[48] Party politics in the policy formulation process has undermined "the strength of civil society in Lesotho [which] lies in its ability to interact easily with people at the lowest grassroots levels" (Kapa, 2013:49). The advocacy and lobbying of CSOs in policy formulation is not seen to have a great impact because the Ministry of Development Planning does not recognize them in decision-making processes or consider them to represent the majority of the people.

The current situation (2012-2014) in the political environment in Lesotho saw less engagement of the Ministry of Development Planning in policy formulation processes. The focus of the three parties which formed the coalition government was to wield more power. In my observation the three parties shared the ministries and each party was working hard to please the political affiliates because they had more power in the allocated ministry. The development activities were not seen to be happening but only high levels of corruption and fraud were discernible. One of the informants articulated that "coalition government entails three centres of power and the nature the three political parties possess inherent conflicts among themselves."[49] This has been evident and the question of power resulted into the fall of the coalition government because it was also not properly grounded on rules and regulations to guide it. Party politics superseded the developmental activities of the country such as policy formulation in the Ministry of Development Planning.

## 7.4 CHAPTER SUMMARY

This chapter summarised other chapters by way of drawing some policy gaps which arise during the process of policy formulation in the Ministry of Development Planning in Lesotho. The identified gaps were limited public participation, disunity among the CSOs and the negative influence of party politics in policy formulation processes. Limited public

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[48]Personal Interview with IM2.
[49]Personal Interview with TRC2.

participation was considered as a gap because research findings indicated that the majority of people in Lesotho are not given the opportunity to participate in policy formulation processes. Participation is only limited to bureaucrats and top government officials who constitute the minority of the population. When members of the public are brought in, it is party affiliates who get involved thus leaving other members of the public outside of the policy formulation process. CSOs representing the wider population struggle to participate and where they get that chance, they are only contributing towards policies which have already been decided upon. Their involvement is simply to rubber stamp the final decisions so that it could be said that all stakeholders were involved in the policy formulation process. This limitation of public participation has generated divisions among the communities; others see themselves as policy makers and others as only beneficiaries of policies whose formulation they neither conceived nor approved.

The disunity among the CSOs is considered a gap because it has resulted in poor participation on critical issues affecting the people of Lesotho. Party politics are affecting the CSOs and this leads to lack of proactive action on policy issues. Even though CSOs are independent and non-partisan in nature, many of their members disclose their political affiliations which portray a negative image on the people who work with such CSOs. This has been evident because some left CSOs and joined the ruling political party (-ies) for better remunerations. This has left no credibility of CSOs in the eyes of the public.

The issue of party politics has been the umbrella gap whereby limited public participation and disunity among the CSOs. The research findings have revealed that limited participation is the consequence of party politics whereby the ruling political party limits benefits to the inner circle leaving out the rest of the people. CSOs are easily manipulated by politicians. Moreover, there is so much disunity amongst CSOs which weakens them significantly thus rendering them almost irrelevant in the policy formulation process. Politicians have observed this weakness and they have capitalized on it to advance their personal political agendas. As discussed above, it becomes difficult for CSOs to be independent of politicians given that some CSO members are closely tied to these politicians. In fact, even the church leadership is compromised. Consequently, civil society is not strong enough to push for change in the way things are being done in the government.

It is thus appropriate to say that party politics is a dangerous element to the policy formulation process. This has been evident in the case study of the Ministry of Development Planning in Lesotho.

The next and last chapter will be the overall conclusion of the study and will also make some recommendations on the way forward. In this chapter, the aim will be to reconsider the objectives of the study as outlined in Chapter one and try to assess how the research findings have managed to respond to the set objectives and how the research questions have been addressed. This also means that the assessment will be made to determine whether the research questions have been answered by this research study.

# CHAPTER EIGHT

# CONCLUSION AND RECOMMENDATIONS

## 8.0 INTRODUCTION

The previous chapter provided a summary of the different issues covered in the study. The gaps which were observed during the research were identified. Importantly, solutions were suggested on how to fill those gaps going forward and also to curtail them from replicating themselves as the Ministry of Development Planning (and possibly other Ministries) embarks on policy formulation processes. This final chapter provides the final and overall conclusion. It makes some broad recommendations derived from all the chapters. This final conclusion is made in relation to the aims and objectives the study set out in chapter one. The aim of this thesis was to investigate policy formulation process in the Ministry of Development Planning in the government of Lesotho. The study set out to find out how the process of policy formulation is carried out in the government of Lesotho. The focus was on the Ministry of Development Planning which is the umbrella Ministry in terms of setting out the national frameworks on the policy formulation processes. This is what informed the decision to use this Ministry as a case study to be used to teas out a number of pertinent issues regarding policy formulation.

## 8.1 CONCLUSION

The objectives of the study were, firstly, to investigate how policies are formulated within the government of Lesotho by the Ministry of Development Planning. Secondly, it was to establish the extent to which various stakeholders are included in policy formulation processes. Thirdly, the study aimed to understand how public participation in policy formulation influences decision making within the government of Lesotho. Fourthly, and lastly, another aim was to establish the influence of party politics on policy formulation and decision-making within the government of Lesotho. These objectives were explored and themes were extracted in discussing the subject matter of this study. These themes were

discussed in chapters five and six as they emerged in chapter four which was the presentation of the research findings. Chapter three provided the research methodology employed in this study and chapter two reviewed the relevant literature and discussed the theoretical framework on which this study is based. Chapter one introduced the study and provided the outline of chapters as they have been explored in the study. This is the retrospective account of how the study was conceived, structured, carried out and presented.

The first objective of this study was to investigate how policies are formulated within the government of Lesotho by the Ministry of Development Planning. The research results have revealed that the Ministry employs a top-down approach to the policy formulation process. This can be also understood as landing itself within the linear model of policy formulation. This model views policy formulation as a rational outcome of detailed data analysis with choices optimized to suit existing circumstances. This further assumes that decisions are made centrally in a top-down manner and on the basis of analysis by highly trained personnel (Linder and Peters, 1989). The process of policy formulation in Lesotho follows this model whereby only bureaucrats and top government officials are endowed with skills to undertake policy formulation; the majority of the citizens are just beneficiaries. This was also expressed by the research participants who are officials from the Ministry of Development Planning who confirmed that they formulate policies and call the civil society to give their input. Then, later, the policies are presented to the general public. This shows that the top-down approach is being employed by the Ministry which gives greater importance to policy makers in the policy formulation process and gives less regard for other stakeholders.

The second objective of this study was to establish the extent to which various stakeholders are included in policy formulation process. As is it has been indicated in the first objective on how the Ministry embarks on the policy formulation process, this second objective is partly answered. The top-down approach in the policy formulation process gives more importance to policy makers and does not involve other stakeholders. The extent to which various stakeholders are included in the policy formulation process is minimal. Kapa (2013:48) opined that "citizens merely become recipients of state-developed policies without making any input in their formulation." He further showed that CSOs as

representatives of the people are only allowed to comment on policies after they have already been presented to Parliament. This makes a mockery of the entire exercise. The research findings revealed that not all stakeholders are engaged in policy formulation process because the process is highly elitist. Nhema (2004:4) has indicated that "public policies in Africa are very conservative and restricted, with very little public involvement and no input from wider community." The Ministry of Development Planning of Lesotho is not an exception but follows the same route.

The third objective of this study was to understand how public participation in policy formulation influences decision making within the government of Lesotho. It has been shown that public participation is limited to policy makers and excludes other stakeholders. This also implies that decision-making is only an activity of those who are eligible to participate in the policy formulation process and those who cannot are denied the opportunity to give input on the final decisions on policies being developed. Moodley (*undated*) states that public participation is meant to involve stakeholders in deciding their futures. Authentic participation of the public in policy decision-making negates artificial barriers between government and the public, such as the existence of an 'us and them' culture. This is not what is happening in the Ministry of Development Planning in Lesotho. Decision-making is not an open activity to all stakeholders but is a prerogative of the elites and their party affiliates. The research participants expressed a perception of exclusion in policy formulation processes in the Ministry of Development of Planning.

The fourth, and last, objective of this study was to establish the influence of party politics on the policy formulation process and decision-making within the Ministry of Development Planning of Lesotho. The process of policy formulation and decision-making was characterised by political agendas and to some extent, excluded authentic participation of community members on the basis of political affiliation. Research respondents felt that the ruling party/parties or coalition government affiliates were afforded more of an opportunity at voicing their opinions in respect of the policy formulation process in the Ministry of Development Planning than the general public. The 'us and them' situation prevails. Consequently, there is total opposition of government policies by the people who are not affiliated to the ruling party or the coalition government. These perceptions of exclusion, as

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voiced out by research respondents confirmed the existence of the 'us and them' phenomenon within the communities, fuelling opinions that not everyone has an equal opportunity to participate in decision making in matters that affect them. Perceptions of exclusion often give rise to feelings of discontentment by community members who believe that they have been excluded from processes and decisions that involve them. Feelings of exclusion also have the potential to disempower members of the community, and results in feelings of apathy and hopelessness.

With regard to the research questions, this study was able to answer them during the dissemination of the research findings and their analysis. They were addressed in this manner; the first question was, how are policies formulated within the government of Lesotho by the Ministry of Development Planning? The research findings have revealed that policies are formulated through a top-down approach in the Ministry of Development Planning. Policy formulation is activity of bureaucrats and top government officials and majority of citizens are only beneficiaries.

The second question was, to what extent are various stakeholders included in policy formulation process? This question has been partly answered by the first one because it has be shown that bureaucrats and top government officials are given greater preference in policy formulation process. Various stakeholders are only included to rubberstamp what was already finalized by the Ministry of Development Planning and later, it will appear as if all stakeholders participated. The third question was, how does public participation in policy formulation, influence decision making within the government of Lesotho? Policy decision-making is only limited to those who are participating in policy formulation processes and this exclude majority of the public but minority of the elites.

The fourth and last question was, does party politics influence policy formulation in the government of Lesotho? Party politics were seen to play the influential role in policy formulation processes because party affiliates of the ruling government were afforded with opportunity to participate in policy formulation process. Those who are not affiliated to the ruling party were denied such an opportunity and this has created the 'us and them' situation among the Lesotho citizens.

This is what the study has found as far as the four research objectives and questions are concerned. Based on these findings, it is now an opportune moment to make some recommendations on the way forward for Lesotho in general and the Ministry of Development Planning in particular.

## 8.2 RECOMMENDATIONS

### 8.2.1 Recommendation on Public Participation

Policy formulation is the process whereby citizens, officials and councillors set out objectives or formulates policies they want to achieve in order to address the problems they are facing (Ismail *et al*. 2001:150). This implies that in policy formulation process there should be public participation of all stakeholders in matters that affect them. This Public participation necessitates the engagement of the public in developmental and local governance issues that affect their lives. Moodley (*undated*) states that public participation is meant to involve stakeholders in deciding their futures. Authentic participation of the public in policy decision-making negates artificial barriers between government and the public, such as the existence of an 'us and them' culture. Authentic public participation also contributes to the creation of mutual respect and a spirit of working together. Furthermore, authentic public participation requires that the public is not just consulted on issues, but that it is provided the opportunity to contribute to decisions that are taken by Ministry of Development Planning. As such, effective systems of communication need to exist both within the community and between government and communities. These systems to facilitate authentic public participation must include the timely provision of relevant information to the public, the education of the public on matters of policy and participation, particularly at community level, and an engagement of the community in a depoliticised manner. If this understanding of public participation is to be employed in the policy formulation process, all stakeholders will own the policies which are formulated by the Ministry. Resentment to policies is most likely to be drastically reduced.

## 8.2.2 Recommendation on Civil Society Organisations

Civil society organizations should also be united in advocating and lobbying for the people's decisions in the Ministry's agenda. This unity should entail the sharing of ideas across the organizations so that they would be proactive enough to push issues arising from the public to be considered by the Ministry during Policy formulation processes. If these organizations are divided in pursuing their functions, the Ministry will always manipulate the process of policy formulation as there will be no strong opposition to challenge some of the malpractices done by the Ministry. If the process of policy formulation is to be effective, there should be different stakeholders to participate and voice their opinions in different rounds. Civil society organizations as the watchdogs of the government have to see to it that the Ministry is considering decisions of all stakeholders during the policy formulation process.

## 8.2.3 Recommendation on Party Politics

The inclusion of party politics in policy formulation should be discouraged by the united and proactive civil society organizations. Party politics needs to be separated from social developmental issues. The combination of politics and community social development gives rise to political conflict and opposition among all the stakeholders, and obstructs public participation in social development initiatives undertaken by government. This is evident in the Ministry of Development Planning where the existence of strong political affiliations appears to have had an impact on public participation in policy decision making and developmental initiatives. The negation of public participation in policy decision-making as a result of political opposition is evident in other decision making processes by government and communities in Lesotho, such as the formulation of the Poverty Reduction Strategic Paper (PRSP). This PRSP document is said to have died even before it existed because it was not inclusive of all stakeholders during its formulation.

Yadav (1980) stated that public participation should be understood as participation in decision making implementation, monitoring and evaluation of development programmes and projects and the sharing of the benefits of development by the stakeholders. This

understanding of public participation implies inclusivity at all levels of decision making by citizens and government, and certainly does not limit public participation to any particular political party affiliates. This implies that the policy formulation process in the Ministry of Development Planning as a developmental process should not be an exclusive process, overshadowed by party politics, but should be as inclusive as possible, and should encompass all stakeholders in order to strengthen constitutional democracy in Lesotho.

In a nutshell, if the new government of Lesotho is to avert reinventing the wheel, it will have to consider these recommendations. Failure to do so would sustain the current status quo and its resultant polarisation of the Basotho nation. Given the experiences recounted in this study, it would be foolhardy for the new government not to do things differently going forward. The mistakes made in the past up to the coalition government which was ended by the 2015 election should be used as a reference point and be avoided at all costs. This is the only way in which the government of Lesotho could rid itself of policy failures.

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<u>1. Thirty officials from the Ministry of Development Planning:</u>
Department of Policy and Strategic Planning (PSP); PSP1, PSP2, PSP3, PSP4, PSP5, PSP6, PSP7, PSP8, PSP9 and PSP10.

Department of Monitoring and Evaluation (M&E); M&E1, M&E2, M&E3, M&E4, M&E5, M&E6, M&E7, M&E8, M&E9, and M&E10.

Department of Project Circle Management (PCM); PCM1, PCM2, PCM3, PCM4, PCM5, PCM6, PCM7, PCM8, PCM9and PCM10.

<u>2. Four officials from Stakeholder NGOs;</u>
Transformation Resource Centre (TRC):TRC1 and TRC2.

Christian Council of Lesotho; CCL1 and CCL2.

<u>3. Twenty community members:</u>
In Maseru (IM); IM1, IM2, IM3, IM4, IM5, IM6, IM7, IM8, IM9 and IM10.

Outside Maseru (OM); OM1, OM2, OM3, OM4,OM5, OM6, OM7, OM8, OM9 and OM10.

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# Informed Consent Form

Dear Participant,

I am **Lelokoana Eric Lesia** (*209521237*), a PhD candidate studying at the University of KwaZulu-Natal, Howard College Campus. The title of my research is: **Policy Formulation in the Ministry of Development Planning in the Government of Lesotho.** The aim of the study is to investigate how policies are formulated within the government of Lesotho by the Ministry of Development Planning. I am interested in interviewing you so as to share your experiences and observations on the subject matter.

Please note that:

- The information that you provide will be used for scholarly research only.
- Your participation is entirely voluntary. You have a choice to participate, not to participate or stop participating in the research. You will not be penalized for taking such an action.
- Your views in this interview will be presented anonymously. Neither your name nor identity will be disclosed in any form in the study.
- The interview will take about 30 minutes.
- The record as well as other items associated with the interview will be held in a password-protected file accessible only to myself and my supervisors. After a period of 5years, in line with the rules of the university, it will be disposed by shredding and burning.
- If you agree to participate please sign the declaration attached to this statement (a separate sheet will be provided for signatures).

I can be contacted at: School of Social Sciences, University of KwaZulu-Natal, Pietermaritzburg Campus, Scottsville, Pietermaritzburg. / Howard College Campus, Durban. Email:lelokoanalesia@gmail.com; Cell: 078 273 8892.
My supervisor is **Dr Bheki R. Mngomezulu** who is located at the School of Social Sciences, Howard College Campus, Durban of the University of KwaZulu-Natal. Contact details: email mngomezulub@ukzn.ac.za Phone number: 031 260 3834.

The Humanities and Social Sciences Research Ethics Committee contact details are as follows: Ms Phumelele Ximba, University of KwaZulu-Natal, Research Office, Email:ximbap@ukzn.ac.za, Phonenumber+27312603587.

Thank you for your contribution to this research.

# DECLARATION

I………………………………………………………………………… (*full names of participant*) hereby confirm that I understand the contents of this document and the nature of the research project, and I consent to participating in the research project.

I understand that I am at liberty to with draw from the project at any time, should I so desire. I understand the intention of the research. I hereby agree to participate.

I consent / do not consent to have this interview recorded (if applicable)

**SIGNATURE OF PARTICIPANT**                                    **DATE**


………………………………………                                    …………………

# INTERVIEW QUESTIONNAIRES

## QUESTIONS FOR THE OFFICIALS FROM THE MINISTRY OF DEVELOPMENT PLANNING

1. What is your understanding of a policy?

2. What is your understanding on the policy formulation process?

3. Are there any documents that your department uses on the policy formulation process? If yes, what are they?

4. Can you tell me about your involvement in policy formulation? What did you do specifically?

5. How the stakeholders (if at all) are involved in the process of policy formulation? How are the decisions taken?

6. What role do you play in the policy formulation process?

7. According to your understanding, what is the ministry's role in providing participation of the public in the policy formulation?

8. Does party politics play any role in policy formulation process? If yes, please elaborate how does this happen.

9. Is there monitoring and evaluation in place for the policy formulation process?

10. Is there anything you would like to share with me which the questionnaires did not cover or anything that is related to the policy formulation process?

## QUESTIONS FOR THE OFFICIALS FROM NGOs

1. What do you understand by policy formulation process within the ministry of development planning?

2. What role do you play in the policy formulation process?

3. How does political affiliation influence participation in this policy formulation process?

4. According to your understanding, how is this policy formulation process in the ministry of development planning carried out?

5. How is the ministry involved in this policy formulation process? Please provide examples.

6. Do the public participate in the process? If yes, how do they participate? Please provide examples.

7. Are there monitoring and evaluation processes in place for the policy formulation? If so, what are they?

8. Do the ministry's decisions regarding the policy formulation process reflect the public's decisions and how does this happen?

9. Does party politics play any role in policy formulation process? If yes, please elaborate how does this happen

10. Is there anything you would like to share with me which the questionnaires did not cover or anything that is related to the policy formulation process?


## QUESTIONS FOR THE COMMUNITY MEMBERS

1. What do you understand by policy formulation process?

2. Did/do you take part in the policy formulation process within the government? If yes, how?

3. How is this policy formulation process carried out? Please provide some examples.

4. How does political affiliation influence participation in this policy formulation process?

5. Is there anything you would like to share with me which the questionnaires did not cover or anything that is related to policy formulation process?

## <u>LETTER TO THE PRINCIPAL SECRETARY</u>

School of Social Sciences
University of KwaZulu-Natal
Howard College
Durban 4041
South Africa

04th December 2013

The Principal Secretary
Ministry of Development Planning
Maseru
Lesotho

Dear Sir/madam

I am Lelokoana Lesia, a PhD candidate studying Public Policy at the University of KwaZulu-Natal, Howard College Campus. The title of my research is: **Policy Formulation in the Ministry of Development Planning in the Government of Lesotho.** The aim of the study is to investigate how policies are formulated within the government of Lesotho by the Ministry of Development Planning. I am interested in interviewing the staff within the Ministry so as to share their experiences and observations on the subject matter.

I am aiming at interviewing staff from the department of Policy and Strategic Planning, department of Monitoring and Evaluation and department of Project Circle Management. My sample size for this targeted population is thirty people, meaning ten from each department. I am also requesting any information on policy formulation within the Ministry and this can be documents such as government reports, memoranda, agendas, administrative documents, letters, reports, e-mail messages, faxes, newspaper articles and the Act which supports the policy formulation process. My study is based on document analysis and semi-structured interviews with open-ended questions.

## THE KEY QUESTIONS TO BE ASKED

1. How are policies formulated within the government of Lesotho by the Ministry of Development Planning?

2. To what extent are various stakeholders included in policy formulation processes?

3. How does public participation in policy formulation, influence decision making within the government of Lesotho?

4. Does party politics influence policy formulation in the government of Lesotho?

## THE RESEARCH OBJECTIVES

1. To investigate how policies are formulated within the government of Lesotho by the Ministry of Development Planning.

2. To establish the extent to which various stakeholders are included in policy formulation processes.

3. To understand how public participation in policy formulation, influences decision making within the government of Lesotho.

4. To establish the influence of party politics on policy formulation and decision-making within the government of Lesotho.

I have also attached my informed consent form which will be read and be explained to every participant for the study and there is a space to declare and sign before or after the interview. I am hoping that my request will be approved so that I can be able to complete my studies in due time.

Yours Faithfully
Lelokoana Lesia
lelokoanalesia@gmail.com
+26663418525/+26656543092