

HOW LESOTHO ELECTORAL SYSTEM WORKS

Policy Engagement Action for civic education (PEACE) has been overwhelmed by requests from voters to explain the workings of Lesotho electoral system, The Mixed Member Proportional Representation (MMP). In any democracy such as ours, understanding of the workings of the electoral system is crucial.

Lesotho, like most developing countries, has experienced post-election related conflict. The electoral system that Lesotho adopted was intended to manage post-election conflicts and promote more inclusivity because MMP is known to solve many problems caused by plurality-majority voting systems. This model is a combination of the advantages of both the First-Past-the-Post and the Proportional Representation (PR) systems. This does not mean that MMP is free of challenges as we have observed from 2007 to date.

The choice of an electoral system is important for the structuring of the political competition between parties. It is also important with regard to managing elections related conflict. By definition, electoral systems are the mechanisms by which the preferences of citizens are translated into seats in representative institutions. An electoral system is therefore a mechanism that forms the inner workings of any democracy which centers on rules that allocates seats.

There are several forms of electoral systems. These include but not limited to plurality and majoritarian systems, proportional systems, and parallel systems. It would appear that this electoral system was not well understood by both the political parties and the general voters.

The Lesotho Mixed Member Proportional Representation Electoral System (MMP)

MMP is a system in which the choices expressed by the voters are used to elect representatives through two different systems. The 1983 Constitution of Lesotho, Section 57 of the Fourth Amendment to the Constitution Act (2001), states that, members of National Assembly shall be elected in terms of MMP electoral system,

based on the national common voters roll. Eighty members will be elected from each constituency and Forty members to be elected to forty seats in accordance with the principle of Proportional Representation applied in respect of the National Assembly as a whole in terms of section 67 (1) of the constitution.

The List PR system compensates for disproportionality from the results from the plurality/majority system. Section 47 (1) of the National Assembly Election Act of 2011 deals with the procedure that political parties must follow when submitting lists of candidates for election under proportional representation. The Lesotho electoral system does not have threshold like those of Germany and elsewhere.

According to MMP in Lesotho, a voter on elections day, is given one ballot for the constituency using First Past the Post (FPTP) which will be counted for second time for PR list MP. The second count of the (or party) ballot is used to determine the number of seats each party would receive if the system was fully proportional and thereby determines the proportion of the compensatory seats each party receives.

The party vote is used to elect candidates from the party lists and compensates parties who have won fewer constituency seats than they would be entitled to under pure proportional representation, or who have won no constituency seats even though entitled to under proportionality. Key to this system is that a party must submit the PR list to be able to participate in the election conducted under MMP system.

The model provides more accountability and is good at dealing with issues that affect a constituency, but it lacks a good way to create consensus around national issues. This would mean that every electoral system has both limitations and merits. This mixed system is currently being used in a number of countries including Germany and New Zealand, and for regional assemblies in Wales and Scotland.

What happen in Parliament to an MP elected under the MMP?

After elections, the Independent Electoral Commission(IEC) issue a gazette that have both the names of candidates who won constituencies and those who have been

elected under the PR list. The Gazette is submitted to Parliament where the Speaker of Parliament will kick start the process of turning political candidates into Members of Parliament (MP). It must be noted that from this stage onwards, political parties have no role at all under the current Westminster system Lesotho.

Since Lesotho electoral system is a combination of the constituency and PR systems, some people may think that, the statuses of these MPs are different. On the contrary, both MPs are treated similarly as MPs except when it comes to floor crossing and the allocation of constituency secretaries. While both MPs are treated similarly by the Speaker of Parliament, the Constituency MP is addressed by his constituency and PR MP is addressed as just an Honourable Member.

The constituency MP is allocated a constituency secretary and in parliament this MP can cross the floor and join different parties at will. Conversely, the PR MP does not have secretary because he has no constituency. The PR MP can also not cross the floor and join other parties at will. This PR MP like the Constituency MP can leave parliament by resigning. Furthermore, the PR MP, can leave parliament if he pronounce himself to have joined another party or crossing the floor to either side of parliament while leaving members of his party behind. It must be noted that both MPs under the current Westminster system once they are in parliament, they are beyond the control of their parties executives but party caucuses that they have elected under the guidelines and guidance of the Speaker of parliament.

It is therefore, critical for political parties to fully understand both the electoral and political systems they are operating under.