ELECTORAL EDUCATION MANUAL

Independent Electoral Commission

CONTENTS

ABOUT THIS MANUAL

This Voter Educators Manual is a result of a joint effort and relationship between the Lesotho Independent Electoral Commission (IEC) and the Lesotho Council of NGOs (LCN). Both institutions have a vested interest in ensuring successful elections and a strengthened democracy; hence the need to ensure that every voter in Lesotho is reached through a series of electoral education campaigns.

The IEC and LCN have once again agreed to reach every part of Lesotho with voter education. It is therefore imperative that there be standard teaching aids, including this manual, to educate prospective voters in the forthcoming Local Government elections. The manual is targeted towards all who will be involved in the voter education exercise throughout Lesotho as a basis for their education, namely to motivate them for participation and to enlighten them on why it is important to vote.

ACKNOWLEDGEMENTS

We wish to acknowledge all the writers who sacrificed their time to compile this manual. Their efforts are highly appreciated towards the strengthening of democratic governance in Lesotho.

ABREVIATIONS

EE	Electoral Educator
IEC	Independent Electoral Commission
LCN	Lesotho Council of Non-governmental Organization
NGO	Non-Governmental Organization

CHAPTER ONE: THE GUIDE ON DOOR TO DOOR and PUBLIC GATHERING –MASS MOBILISATION COMMUNICATION
STRATEGIES

Learning Objective

At the end of this chapter, voters will be able to:

- Explain the strategies used to reach out to the public.

- Describe the Door-to-door and public gathering.

PREAMBLE

Door-to-Door Communication Strategy is a means through which Electoral Educator (EE) meets eligible voters face to face, a contact which gives people an opportunity to interact directly with those who can respond to their concerns and questions about local government elections.

This means that the highest degree of discipline is expected from the EE and his/her conduct should be as simple and straight forward as possible. Because the EE cannot take all the time in the household, thus interfering with the day of the members of the household, he/she should be focused and make sure that the little time spent with the household members is worthwhile. The success of the main activity depends on how well the Door-to-Door is done. The perfectly well-done strategy at this stage will encourage and motivate all the people met to attend the main activity. If the Door-to-Door is badly done, many people met may take this to be a turn off and decide not to continue to be part of badly conducted activities.

Purpose of Door-to-Door Communication Strategy

The Door-to-Door Communication Strategy is aimed at fulfilling two basic requirements:

(i) Introducing voter mobilisation campaign which goes with persuading community members to stand up and vote. This persuasion should be based on the messages drawn from the following themes: - **democracy and local government; public participation; functions and powers of local government; why vote; and reminder that local government can be perfected by people voting and actively participating in the work of their councils.**

(ii) Informing the household members that there shall be a public gathering on the specified date, at a particular place and starting at the time agreed upon. Invite them to the public gathering and market it as the participatory platform that will include questions and answers upon which some prizes could be won; some performances by the groups in the locality and it it would be strategic to mention them by names.

The Method of Approach

The Electoral Education team is introduced to the chief and his/her council. In this meeting with the chief, the general plan should be shared and emphasis should be made that the team will depend on the support of the chief for its activities to succeed. You can ask about the crowd pulling activities, but do not be quick to make conclusions.

Once the date for the public gathering has been set, indicate to the chief that you would need the local mechanisms of calling public gatherings to be used effectively and, if possible, ask that it be run several days starting in the first week of preparation. Mention to the chief that you would also like to visit households to start talking about the issues.

Duration 15-25 minutes

Arrival at the Household

Greet people that you find in the homestead. As you do this, it may pay dividends in breaking the ice if you start a light, yet inviting conversation. An example here could be commenting on the vegetables in the garden, asking a baby struggling to bite the bread or piece of papa to share with you etc. Those little informal yet popular chats on arrival sends a strong message that you are like them, you are not so different. Once they identify with you in this simple way, they are more likely to be persuaded by your message.

Introduction of the EE

The EE tells his/her name; the name of the organisation; brief outline of the mission of the organisation and quickly states the purpose for his/her visit, being the local government elections. Ask them for their time which would not be more than twenty-five minutes, and ask whether they can allow you to talk to them about your mission.

- They may say **No** due to suspicion, misunderstanding etc. This is normally corrected by patient explanation demonstrating humility. If they refuse completely do not impose yourself, tell them about the public gathering; thank them and go.

- If you get their approval communicate this message in the language they understand.

Start by posing questions: What do you know about Local Government? Are you going to vote? Appreciate their answers and unless there is a serious misconception which will need to be corrected, tell them that there could be more explanations because local government is an integral part of democracy. Just summarise the whole message in *short, precise but highly persuasive and influential manner.*

Summary: Local Government enables **you to have a say** on how your area can be developed; it enables you to **participate in making your area better**. Because you live with your Councillor in the locality you can easily influence the **work of the council**. The law provides that community councils should have **meetings with communities**; community members may attend community **council meetings** and this can be very important for you to hear how your councillor presents issues. Voting

is important because it is when you **vote that a person you want to represent** you will be able to do so. **If you do not vote you may be represented by an incompetent person.** Some people withdrew from voting in the subsequent elections if their representatives do not fulfil their promises. **It is** wise to vote because voters have **the power and right to elect representatives and replace them with those whom they believe will do better.**

Good quality councillors may come up with projects that develop people's lives. To ensure that women are represented in large numbers, political parties shall draw their list of women they would like to be members of the council if they get necessary votes to qualify for the **Special Seats for Women.**

SO, I HUMBLY URGE YOU TO STAND UP AND VOTE FOR THE CANDIDATE OF YOUR CHOICE.

Public Gathering: Tell them about the public gathering and ask them to come. Tell them about role plays where many of the processes would be done through plays involving villagers themselves, games, exchange and questions and answers that would be going with prizes to win. End your brief presentation in this way: **DO YOU PROMISE THAT YOU WILL VOTE**?

Allow them to ask you questions. Answer all their questions but briefly (be guided by the summary) and tell them to attend the public gathering where all will be made clearer.

THE GUIDE ON PUBLIC GATHERING –
MASS MOBILISATION COMMUNICATION STRATEGY

PREAMBLE

The public gathering is a mass mobilisation platform that seeks to motivate Basotho to stand up and vote in the Local Government elections. Although this is referred to as Public Gathering, it is not a Pitso in the conventional sense. It is therefore significant that the EE understands the difference between ordinary Pitso and the Public Gathering – Mass Mobilisation Communication Strategy.

At the Pitso, the convener is a sole source of information provider and participation of the people is limited to accepting what is given and asking questions. In the Public Gathering -Mass Mobilisation Communication Strategy, the EE shall use various means to encourage public participation in sharing information, concerns, and issues, and demonstrate their understanding.

NB

Establish a team of people in the village that you will use as a core for activities such as role plays, codes and simulations. Meet this time for the whole week to rehearse and make sure that they understand all the roles and messages. You can choose to meet in the evenings.

Method of Approach

Allow games and performances to wind up and call attention of all the people. Ask one faith leader to open with prayer; it would be strategic to arrange this well in advance. If you give the Pastor enough time to prepare, he/she can select text relevant to your work, he can add his/her voice to the message that you are giving to the people: S**tand up and Vote in the up -coming Local Government Elections.**

After prayer, call upon the chief to make the opening remarks in his/her own way. Being closer to the chief and briefing him/her regularly about the work you are doing would be extremely important because at this moment, he/she can add his/her word of authority to the message you are giving to the people: **Stand up and Vote in the up-coming Local Government Elections**.

Recognise and thank people who have come to the event starting with the most senior in the leadership of the community (protocol). There are no hard and fast rules here; make it simple just to demonstrate that you recognise presence of community leaders. Explain to the people that there are various approaches to be used to impart knowledge and information about local government elections. Ask them to participate by asking questions, explaining to others, answering questions and volunteering to take part in activities of the day when they are requested. Tell them that the purpose of this work is to persuade all to say **yes** to the call: **Stand up and Vote in the up-coming Local Government Elections.**

Use of different approaches to address different sections of the manual

THEME	APPROACH
Democracy, Public Participation and Local Government	Code
Campaign	Code
Nomination	Role Play
Voting	Role Play
Counting	Simulation
Announcement	Simulation
Council in Action	Code

CHAPTER TWO: DEMOCRACY
INTRODUCTION

This chapter defines democracy and explains how it applies to Lesotho. The chapter proposes that: Basotho should contribute in building their democracy by: -

- Utilizing Local Government to make Lesotho's democracy work better;
- Voting in large numbers in the coming local government elections;
- Ensuring that their representatives and the entire Council(s) deliver services and get necessary popular support throughout their term.

OBJECTIVES OF THIS CHAPTER

The objectives of this chapter are to:
- Enable participants to understand democracy;
- Appreciate how it works; and
- How it comes into being.

At the end of this chapter, participants will be able to:
- distinguish different types of governments;
- identify features of democracy; and
- explain the rationale for elections.

Definition of Democracy

For the purpose of this manual democracy can be defined as follows:

"It is a political system that is run and controlled by citizens of a country. Democracies are made up of elected representatives. Democracy is a government of the people, for the people, with the people by the people. It is a system of governance where people are free not only to determine rulers but are also entitled to participate in the exercise of the power of the state in legislative, policy and administrative processes. Democracies are not universal and are implemented and enforced in different manners." As a result, this module will concentrate on democracy as applied in Lesotho.
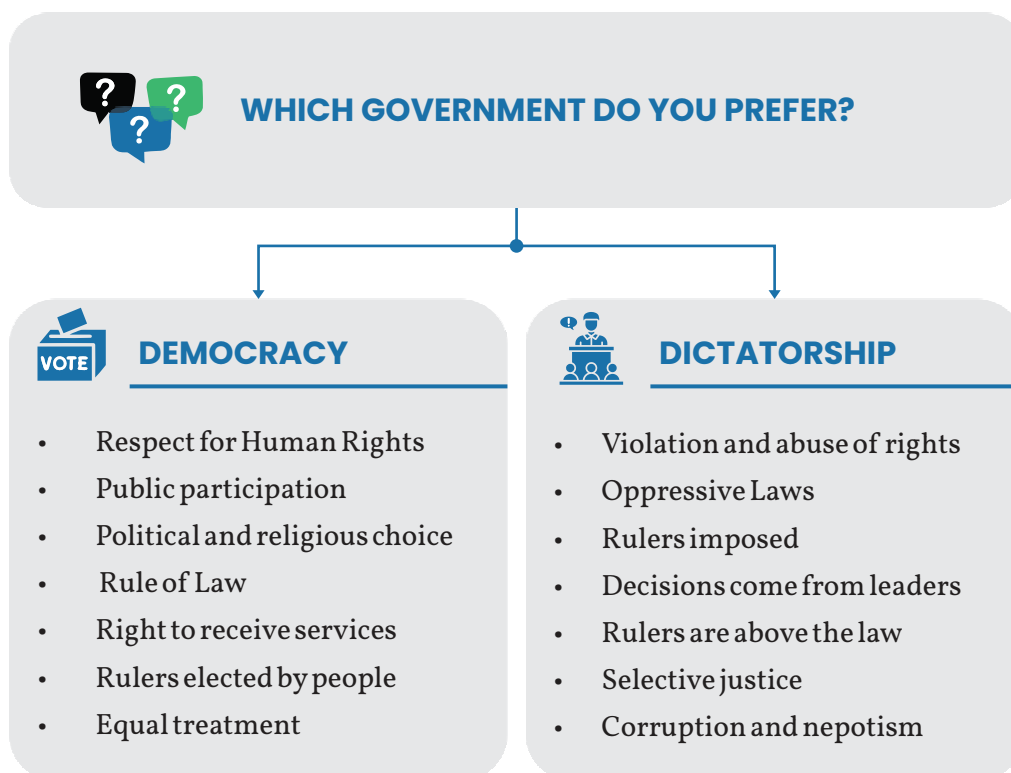
It is a system of governance where people are free not only to determine rulers but are also entitled to participate in the exercise of the power of the state in legislative, policy and administrative processes.

This system of government is different from other types of governments namely:

- **Totalitarian** government is the government which seeks to control every facet of human activity; and thus, limiting space for participation of ordinary citizens in the manner that they are free. e.g. telling people how to raise children.
- **Authoritarian** government is the one that emphasizes the legitimacy of government institutions and rigidly seeks its own way irrespective of the will of the people.
- **Autocratic** government is led by a certain group within society that seeks to use state machinery to meet its interests.

These other forms of governments are normally referred to as dictatorships or tyrannies.

The features are illustrated by the diagram below:

WHICH GOVERNMENT DO YOU PREFER?

DEMOCRACY

- Respect for Human Rights
- Public participation
- Political and religious choice
- Rule of Law
- Right to receive services
- Rulers elected by people
- Equal treatment

DICTATORSHIP

- Violation and abuse of rights
- Oppressive Laws
- Rulers imposed
- Decisions come from leaders
- Rulers are above the law
- Selective justice
- Corruption and nepotism

Features of a Democratic Government

A democratic government has the following features:

- **Elected** in a Free and Fair Elections, where political parties are allowed to canvass, and people are not coerced into voting against their will. Elections are run by an Election Management Body not answerable to anyone in discharging its mandate;

- **Accountable** to the people through public institutions such as parliament (as a whole or in the parliamentary portfolio committees, Public Accounts Committee), Auditor General, Ministries, etc. Accountability means being able to convincingly explain how work was performed and answering all the questions related to rules, procedures and expectations guiding that particular work.

- **Responsible** for the protection and well being of citizens. It must ensure safety of the people and their property. It should also deliver basic services to the people.

- **Transparent** in its conduct of business. Being transparent means doing business through processes and procedures that are clear, transparent and known. Most importantly, information on how business is done should be accessible to the public and **MEDIA**.

- **Guided by the Constitution;** Power of democratic government is limited by the constitution. In other words, in a democracy, government is obliged to follow the constitution.

Not all democracies are able to meet these expectations. What should people do when a government does not deliver in a democracy?

Any democracy depends on the people it serves. Some democracies are more advanced than others; not by miracle but through identifiable history of efforts of its citizens to make it work. Working consistently to make democracy is a real people's process not leaders process. It is what is needed for democracy to grow. Do not despair. If you despair, you make things worse and you contribute towards building a weak democracy and for wrongdoing to prevail without challenge! **Why Do That?**

example

For example, if you vote in a particular way and your expectations are not met, deciding not to vote, instead of using your Vote to express your preference, may contribute to killing and not enhancing democracy. SO, KEEP ON VOTING UNTIL YOU MAKE A GOOD CHOICE! IT IS A GOOD THING TO DO!

ROLE PLAY

DURATION: **25-30 MINUTES**
APPROACH: **CODE**
WHAT TO DO:

A group of four people is in conversation. They are basically not in agreement about what they are discussing. Here is how it goes: Solala is a young girl who has just been turned down by the National Manpower Development Secretariat (NMDS), because only a limited number could be assisted; unfortunately, she is not part of the selected. So, she is complaining to her mother and uncle about this. They tell her "*Khomo ha li kae batho re bangata*", but she insists that something could have been done.

Solala continues: The government should stop for 5 years to sponsor students to South Africa and use that money to build three universities of technology; one in Thaba-Tseka, one in Botha-Bothe, and the other one in Mohale's Hoek. I'm sure the money we spend on Basotho students who study in South Africa would, in five years, be more than enough to do this.

Mother: Hao Manana! Where do you get such big ideas? You sound like somebody from somewhere in America or from those developed countries…but that is not possible here my darling, let us wait. We shall see what government does when it has money.

Uncle: Yes, you are right, Ausi. These ideas are like dreams or stars that are out of reach….

Stiga: You know Solala, I like what you are saying. Here, there is no democracy you see; we should be able to curb youth unemployment in our area by quarrying this sand stone that we have here and make bricks; but these things cannot happen as though we are in a…
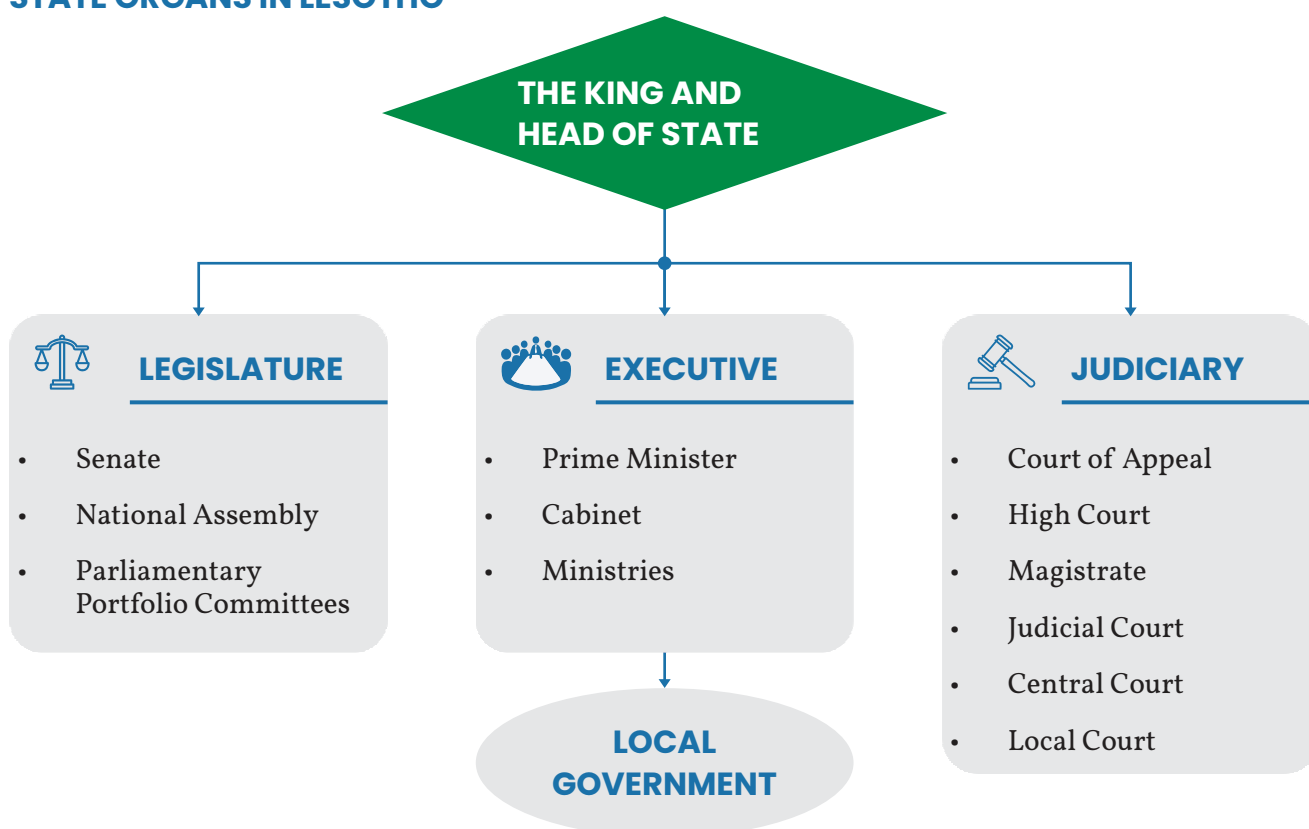
Solala: But are you aware that 'M'e and Malome think we are kind of mad?

Mother: Bana, please listen; We know these things; we have been in politics for a long time, we have to be patient and wait for the government, we should not push them, they know what resources are there and they will help us but when time is ripe………

Uncle: Not only have we been in politics and elections for long but also, we are very loyal and we are diehards. You are right, it is our duty to help young people deal with their concerns and be a bit patient. Bo-ntate le bo-'M'e , lona le reng?

Open the floor for discussion. Stop the discussion and make a summary that democracy can help us communicate our views on development to the leaders. Ideas on Universities could be discussed with the MP and Ministries of Education and Planning. The sand stone quarrying can be handled by vigilant local government council. Mother's and Uncle's understanding of democracy is not proper; democracy should embrace what Solala and Stiga are thinking.

STATE ORGANS IN LESOTHO

THE KING AND HEAD OF STATE

LEGISLATURE

- Senate
- National Assembly
- Parliamentary Portfolio Committees

EXECUTIVE

- Prime Minister
- Cabinet
- Ministries

JUDICIARY

- Court of Appeal
- High Court
- Magistrate
- Judicial Court
- Central Court
- Local Court

LOCAL GOVERNMENT

HOW DOES DEMOCRACY WORK?

It is the institutional arrangement and separation of responsibilities also known as separation of powers (trias-polotika) that ensures that people's rights are respected and that power of rulers is put in check. This heart of democracy is found in the organs of state: **Legislature**, **Executive** and **Judiciary**.

These organs have a collective responsibility to ensure that governance becomes truly democratic. However, for them to perform this duty effectively they enjoy independence from each other. This freedom includes performing own responsibility without influence of others and checking (even correcting) their actions.

The following three examples elaborate this paradox:

(i) Parliament **(Legislative)** promulgates laws. These laws are implemented by the relevant government Ministries **(Executive)**, **not by Parliament**. When the laws are bridged, the police (Executive) comes in but the suspects are not dealt with by the Ministry or the police.

The offender is taken to the courts of law (Judiciary) which uses a fair trial principle to determine whether the person is guilty or not.

(ii) Cabinet **(Executive)** controls public funds, however, the way that those funds are utilized (expenditure) has to be approved by the Parliament **(Legislature)** in the form of annual budget or supplementary estimates. In other words, Parliament (Legislature) may not allow certain expenditure.

(iii) The courts of law **(Judiciary)** have power to declare null and void a law made by the Parliament **(Legislature)** to the extent that it is in contradiction with the constitution. This inbuilt capacity of one organ to check the other is called checks and balances.

> **!**
>
> **The King is the Head of State, Head of Parliament and the Courts, but his powers are ceremonial. In other words, he uses his executive power through these institutions not directly!**

CHAPTER THREE:
LOCAL GOVERNMENT
INTRODUCTION

Local Government is the sphere of government closest to the people. Many basic services are delivered by Local Councils. Local Ward Councillors are the politicians closest to communities. People have to understand how local government works and how to influence it.

Learning Objectives

At the end of this chapter voters will be able to:
- Explain Local Government and the laws governing it
- Describe composition and hierarchy of Local Government Councils
- Define functions, powers and mandate of Local Government councils
- Differentiate between members of Local Government Councils and parliament

Local Government

Local Government is defined in many different ways:
- Decentralisation of democracy;
- Decentralisation of power to decide on development;
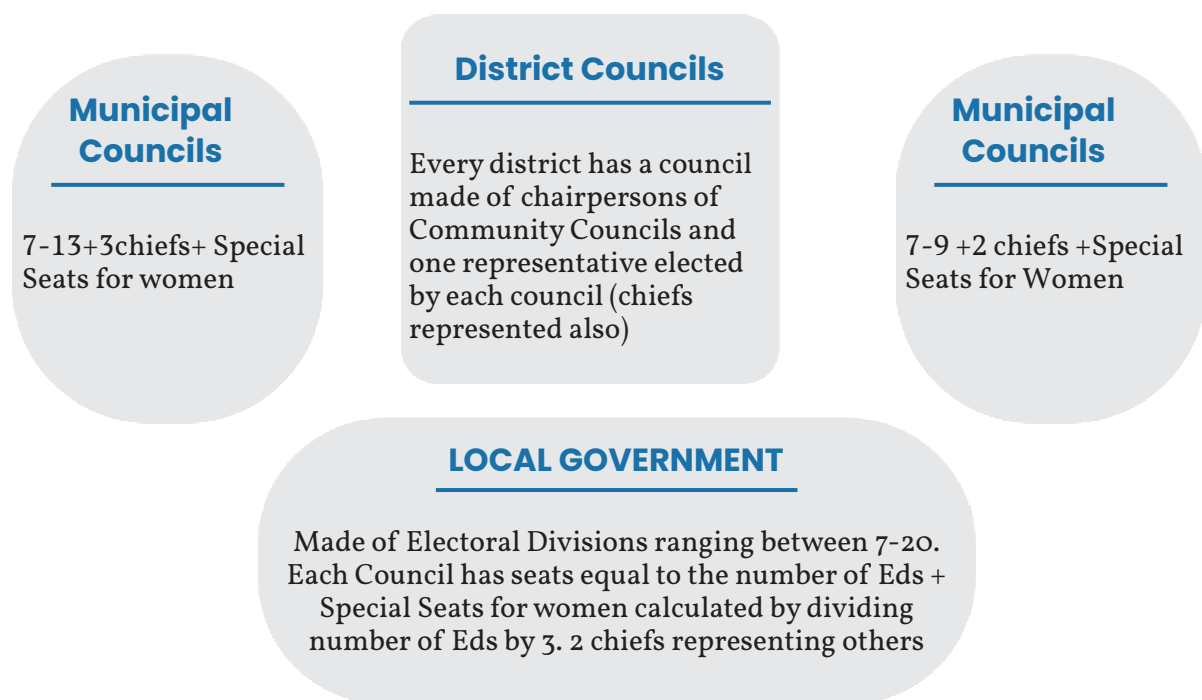- Mechanism for service delivery.

In Lesotho, Local government is established and guided by the following laws;

Chapter VIII of the Constitution of Lesotho provides 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"

(i) Local Government Act No.6. 1997 establishes local authorities: (a) Community Councils, (b) District Councils and (c) Urban and Municipal Councils.

(ii) It has amendments (a) Local Government (Amendment) Act No.5 of 2004; (b) Local Government (Amendment) Act No.2 2011.

(iii) Local Government Elections Act No.42. 1998 and the amendments are: (a) Local Government Elections (Amendment) Act No.75. 2004, (b) Local Government Elections (Amendment) Act No.4.2011.

COMPOSITION AND HIERARCHY

Community and District Councils are interdependent and involve a division of powers. A district council has executive and legislative authority over a large area; its primary responsibility is district-wide planning and capacity-building. Within a district council's area are individual community councils which share their authority with the district council under which they fall.

This is illustrated by the diagram below:

Municipal Councils

7-13+3chiefs+ Special Seats for women

District Councils

Every district has a council made of chairpersons of Community Councils and one representative elected by each council (chiefs represented also)

Municipal Councils

7-9 +2 chiefs +Special Seats for Women

LOCAL GOVERNMENT

Made of Electoral Divisions ranging between 7-20. Each Council has seats equal to the number of Eds + Special Seats for women calculated by dividing number of Eds by 3. 2 chiefs representing others

Functions of Local Government

The Local Government Act empowers councils to regulate, control and administer the issues listed in the **First** and **Second** schedules of the Act. These include, among others as stipulated:

- Local administration of central regulations and licenses,
- care of mothers, young children, the aged and integration of people with disabilities,
- care of laundries,
- Omnibus terminals,
- mortuaries and burial of bodies of destitute persons and unclaimed bodies,
- public decency and offences against public order,
- agriculture and services for the improvement of agriculture

There is a difference between the mandates of community councils and other councils.

Functions of Community Council

(i)   Control of Natural Resources (e.g. sand, stones) and environmental protection (e.g. dongas, pollution)

(ii)   Land/site Allocation

(iii) Minor Roads (also bridle -paths)

(iv)   Grazing control

(v)   Water Supply in the Villages (maintenance)

(vi)   Markets (provision and regulation

(vii) Burial grounds

Functions of District/Municipal/Urban Council

District/Municipal/Urban Councils do all functions of the Community Council but in addition they do the following:

- Public health inspectors (e.g. food inspection, refuse collection and disposal), physical planning etc.
- Promotion of economic development (e.g. attraction of investors),
- Cleaning of streets and public places, parks and gardens,
- Control of building permits,
- Education, recreation and promotion of culture,
- Taking care of urban roads and traffic management; and
- Provision of services.

Powers of the Councils

They have power to:

- Make By-Laws
- Establish Council Fund
- Borrow and do so without Minister's approval if the loan is less than the income of the Council
- Impose rates and taxes on certain items with the (approval by Minister)
- Apply for Grants to the Minister for Projects

Members of Parliament and Councillors are both elected in their locality or constituency. **How do their roles differ?**

Member of Parliament
- Makes sure that the voice of his/her constituency is heard when laws are made.
- Ensures that government policies respond to the challenges facing the nation.
- Keeps government accountable.
- Ensures even distribution and allocation of resources (Budget).

Local Government Councillor
- Ensures that services are delivered in the area.
- Articulates service delivery needs of communities in the Council.
- Enables people to participate in the planning of community development.
- Links communities with central government ministries.
- He/she is guided by the Local Government Act and its subsidiary laws.

So Elections are Important?

ELECTIONS are a significant component of democracy because they are a mechanism through which people appoint rulers. However, it has to be noted that since parliament is so important in a democracy for the smooth running of this form of government, it is wise to elect people who are capable of making it work. It is particularly important to elect wisely in the Local Government Elections.

In Lesotho, local and national elections are held every five years. It may, under special circumstances, be either early or later than the contemplated five-year period.

Rationale for Elections

People have to vote primarily because they elect people who shall manage their taxes and other national resources. The problem of not voting is that our law provides that in case there are no competing candidates, a candidate supported by a few people is deemed to have been elected.

> ⚠️ **A Word of Caution**
>
> If you think elections and democracy are a waste of time, try and compare the burden of paying, with your meagre resources, someone who is not mandated to represent you and your constituency with voting and participating in democratic process.

THEME: **LOCAL GOVERNMENT COUNCIL AT WORK**
APPROACH: **CODE**

WHAT TO DO: **Invite the core group to role play the Council in a meeting:**

Molula-setulo: Bahlomphehi litho tse khabane, ke ea le amohela 'me kajeno tse lethathamong ke morero oa petlo ea lejoe ha 'Mamauoaneng. Re tla etelloa pele ke mohlomphehi Rakalaeshoa, 'me ke hle ke bolele bahlomphehi hore kopo ea hae ke hore lekhotla le ananele morero oo e le oa lona, 'me ka hona lekhotla le alime chelete e M70 000 bankeng ho reka mechini e tla betla lejoe ka bongata le ka potlako. Ke mo fa sebaka:

Rakalaeshoa: Kea leboha. Ke sisinya hore ho etsoe morero oo e le hore ho fehloe mesebetsi. Kaha ebile re tl'o aha re le K'hansele (Council), re tla be se re reka lejoe leo, etsoe le mohlomohehi letona la mesebetsi ea sechaba o se a phatlalalitse hore 'muso o se o tla aha ka lejoe feela. Ka hona chelete eo re tla e alima e tla khutla hang-hang re be re fetele morerong oo ke lumelang hore le ona o tla thusa, e leng oa ho alima chelete ho etsa letsete le potolohang ho matlafatsa likoporasi tsa rona ho sebelisa lekhala, mosea le tse ling lihloliloeng tse teng ho iphelisa.

Semeimei: Taba li ntle empa re sitoa ho alima chelete re sa tsebe na morero oo o tla re beha kae?

Tlhantlhoare: Ache hoo e ka ba phoso e hlollang, re se ke ra qetoa ke lehala bahlomphehi, etsoe batho ba bang ha ba utloa litulo ba a tlohe ba nahane mehlolo, re fokola haholo benghali ba ka re ke ke ra tseba ho etsa ntho e 'ngoe le e 'ngoe, seo ke ntho e ka etsoang ke 'muso o moholo e seng rona.

Molula-setulo: Mohlomphehi Rakaleashoa, taba tsee u li nka kae tse matla hakaale?

Rakalaeshoa: Kea leboha mohlomphehi, ke elelitsoe ke bacha bano ba ipitsang Letlapeng Intellectuals e leng bana ba koano mona ha rona ba kenang likolo tse kholo joale ba na le thahasello ea ho ntlafatsa ha ha bo bona…

Pele a qeta ba buela hong

Semeimei: Khele u thetsitsoe ke bana… Tlhantlhakoe: He banna, u lieloa ke batho baa ba sa tsebeng letho ka puso le lipolitiki? Hona matla a ho alima re a nka kae?

'Masebelebechana: Ache ke hore mohlomphehi o ne a entse tlhahiso ke hore feela re foute, re fete, hoa utloahala hore mohlomphehi ha a na mabaka…

Tabolanka: Ke batla ho etsa temoso hore re ntho e le 'ngoe ho se be mohlomphehi ea nahanang hore a ka ipatla ka ba bang ka ho 'na a thetsa sechaba are o tla bua lintho ka k'hanseleng tseo a tsebang hantle hore li tla hloleha…

Rakalaeshoa: Bahlomphehi, ka puso ea sechaba ka sechaba re lokela ho mamela sechaba hore na se re se batla eng, ho feta mona puso ea libaka e fa sechaba monyetla oa ho ntlafasa libaka tsa bona. Ka molao oa puso ea libaka, lekhotla le ka alima chelete ho etsa meralo ea lona ea ntlafatso 'me ho hlokahala kananelo ea letona haeba kalimo eo e le kaholimo ho chelete eo lekhotla le tlang ho ba le eona ka selemo. Rona re tsebesitsoe ke mongoli mona hore re abetsoe M1,000,000. Sena se bolela hore re ka alima M70 000 re bile re sa hloke kananelo ea letona………(End)

Open the floor for discussion and make a summary that people are free to attend council meetings and hear what councillors discuss, suggest issues for councillors to deal with within the legal framework, receive audit statements every six months. It is therefore wise that people should vote and vote for people who can develop and not only obstruct.

CHAPTER FOUR: LOCAL GOVERNMENT ELECTIONS AND PUBLIC PARTICIPATION

Introduction

The main objective of this chapter is to introduce the reader to the concept of public participation in elections. It is also aimed at linking local government elections to public participation. Participants' understanding of the importance of public participation in elections and the benefits shall be enhanced. At the end of this chapter, participants will be equipped with necessary skills for defining and appreciating the concept of public participation in elections.

Learning objectives

At the end of this chapter voters will be able to:

- Explain local government elections and public participation
- Brain storm powers, functions and mandate of Local Government Councils
- Explain the importance of public participation and ways of participation
- Define the role of public in Local Government elections

Local Government elections

Local Government elections are the basis of a democratic society today. Sometimes the higher levels of government have no effect on the average individual, hence the need to have a local government. Therefore, it is highly important that the individual has a direct say in the election of a local government. The essential right that the individual retains is the right to directly elect those officials that govern his/her daily life, as well as ensure the accountability for the funds that the individual pays out in taxes, to ensure that basic amenities are provided.

Democratic life requires an active role from the population and needs participation from every member of the community. It is no longer the case that those who are governed act only to elect. The idea of participation is very important to the concept of representative democracy as those elected will be monitored from time to time.

Participation transforms the democratic system, energizing it, by creating a permanent connection between the governed and those who govern. Public participation allows government actions to become transparent, and effectively avoiding corrupt behaviours. It also clarifies roles and responsibilities and facilitates the eventual application of sanctions, in case of reproachable conducts.

This will effectively demonstrate the importance of public participation in elections as a way of responding to the following common concerns and questions:

1. What is the difference between local and central government?

2. Why are local government elections important for my village?

3. What will I benefit from local government elections?

4. Democracy is not meant for us but those in government

5. Once they have been elected, they do not care about us

In this chapter we will discuss the following learning themes:

- The concept of public participation.

- The importance of public participation.

- Benefits of public participation.

Activity 1:

Brainstorm with the participants on the mandate of the community councils. In the absence of Community Councils, who would perform their mandates? If there are no elections, how would Councils come into being? If you do not participate in elections, how will the right people get a chance to develop your area? (Please probe more on the importance of those mandates?). After this, lead the discussions below.

There are a number of reasons why taking part in local government elections is important for the citizens. The local government elections provide the electorate with an opportunity to elect councillors; decide how they will be governed in their Councils and lead the communities in rural and urban development.

The Concept of Public Participation

Public participation aims at providing a framework for engagement of the public in the process of decision-making in order to obtain an understanding of development policy directions. It enables the electorate to freely elect their leaders at the level of local government or national assembly. It is therefore a process that enables citizens to take part in determining their destination through participation and engagement.

Public participation provides an opportunity to elect or unseat leaders. It provides a platform for the voice of the electorate to be heard in the form of elections and engagement.

Public participation is an important process which helps different stakeholders to build necessary consensus on the governance and development issues. It promotes effective transparency, accountability and responsiveness by fostering the culture of taking part in   public affairs. The following conditions are required for an environment conducive for effective and efficient public participation:

- Free campaigning,
- Freedom of expression
- Freedom of association
- Right to participation
- Political will to respect the will of the people.

Ways of Participation

In Lesotho, the electorate have a right to participate in elections in the following ways:

1. Freely choosing candidates of their choice;
2. Belonging to a political party of his or her choice and encouraging other people to vote for it (within the framework of code of conduct);
3. Expressing your views on who should represent you and how that person should conduct public affairs;
4. Respecting the outcome of the elections;
5. People have a right to demand services since they participated in elections.

This means elected people have a right to be respected and afforded the opportunity to lead. In the same way, the electorate have expectations that councillors should be accommodative and responsive to the contributions made by electorate. Further, public input helps decision-makers to reach informed decisions; thus, making better policies and service delivery options.

This is basically provided by the legal framework or the culture of dialogue based on the traditional norms of that society.

- This is the case in Lesotho. The Lesotho Constitution Section 20 (1993:35) provides that every citizen of Lesotho shall enjoy the right to take part in the conduct of public affairs, directly or through freely chosen representative.

- The Local Government Elections Act gives Basotho the opportunity to vote for the local government councils.

- Local Government Act provides the people an opportunity to participate in meetings with their councillors.

- Local Government Act mandates every council to provide financial audited statement every six months to the community it serves.

Role of Public in Local Government

Public participation is important in the sense that it provides citizens with an opportunity to influence and impact on the process of decision-making but also to make their voice heard by the authorities. It is therefore critical for the participants to understand and appreciate the notion of public participation in order to assist them in the process of electing their leaders.

Public participation plays a critical role in governance and development since it encourages public input and feedback. It facilitates dialogue with different stakeholders within the society and serves as a bridge between decision-makers and the public when addressing any socio-economic-political and cultural issues. It is a good pointer in which public opinion can be gauged. It is through public participation that the decision-makers can get input from the public so as to develop a responsive mechanism and policy change.

CHAPTER FIVE :REGISTRATION OF VOTERS

Introduction

This is the first step of voters whereby IEC through registration centres captures all relevant information of voters in a particular centre, to enable it to prepare voters' list as well as providing enough material and equipment required during elections. Registration should be accessible to voters through community centres, churches, electoral divisions and house-to-house visits.

Learning Objectives

At the end of this chapter, voters will be able to:

- List requirements of registration.

- Describe the suspension of registration

The importance of registering

The Local Government Electoral Act provides that one can only **vote** if she/he has registered. This means one can only enjoy her/his right to vote by registering.

⚠️

Remember that it is an offence not to register for the elections

Who is Eligible to register?

Sub-section 2 of section 57 of the constitution states that you may register to vote in Lesotho if: (Section 5 (1 and 2))

- You are a citizen of Lesotho

- You are at least 18 years of age

- You will be 18 on polling day

- You are not being charged with an electoral offence

Where to register

A voter is entitled to register in his/her resident Electoral Division.

The requirements for registering (sec. 6)

Have a valid documents or identity proof such as:

- Sworn declaration by registered elector
- National Identity (ID)
- E-Passport

Disqualifications from registering

One may be disqualified to register if one is:

- Under age
- Not a citizen of Lesotho
- Found guilty and sentenced to death
- Found by the court of law to be of unsound mind

Suspension of Registration

Section 20 (a) of the Act stated that whenever Local Authorities' elections are to be held, the registration of voters shall be suspended for the period beginning seven days from the beginning of the period for the local authorities' election.

Transfer of electors names

- What
- How
- Where
- When

NB: *registration is continuous until specified period for suspension*

CHAPTER SIX: INSPECTION AND OBJECTION OF REGISTER OF VOTERS

Introduction

Inspection and objection of the Register of voters is a very crucial process in voter registration. It is a means by which voters are identified and through which their voting is made authentic. Without a voter's roll one cannot tell whether voters are eligible to vote or not. One can tell from a voters' list the number of people who cast their votes, their age difference and their existence in the constituency starting with their polling station.

Learning Objectives

At the end of this section voters will be able to:

- Explain the importance of inspecting Register of voters for Local Government Elections
- Identify people who are entitled to revise register and on what grounds
- Define the role played by each category of stakeholders in the revision of register
- List the methods of revising the register for Local Government Elections and the points to look for when undertaking revision
- Discuss the points on which the register is revised

Inspection/cleaning of Register of voters

Cleaning or updating of the Register of voters is fundamental to production of credible Register of voters. It needs careful consideration by all stakeholders, not the IEC alone. When IEC displays voters roll, eligible voters should play their part in updating the roll by;

- checking whether their names, date of birth, age and gender are correctly captured,
- registration centre and village;
- identifying deceased;
- other observable issues such as names incorrectly appearing in the list for the specified area;
- checking whether transfers into or out of the Electoral Divisions had occurred.

Issues identified in this process should be communicated or reported to IEC officials in the registration centres. Participation of stakeholders will facilitate an improvement of the Register of voters. **Some key stakeholders are:**

- Voters
- Political parties
- Chiefs
- Clerk of court
- Media

Methods of revising Register of voters

1. Supplementary lists reflecting new additions and all renewals caused by transfers, disqualifications or deaths

2. Opening inspection at all reasonable hours of the day at the office of the Director of Elections or any other place/places in each Electoral Division which the Director shall see fit and specified in the notice/Gazette

Points to look for when revising Register of voters

- The name of every person who applied to register as a voter is entered in a register of voters
- The name of any person who does not qualify to register is omitted in the list
- The names or particulars of persons who registered as voters are correctly spelled, appear where registered and applied transfers were made as requested
- The names of deceased voters are removed from the rolll

NB

Corrections may be proposed by voters whose names have been wrongly written. The IEC official can also effect corrections to voter's lists. Deaths are reported by chiefs, clerk of court and medial practitioner only.

During registration and revision of the Register of voters, a voter is entitled to object insertion or retention of any name if such voter has evidence that:

- A person whose name is omitted from a voters' roll is entitled to register as a voter, such claim can be lodged either during registration or revision of a register
- A person is not qualified to be registered as a voter according to the Local Government Elections Act 1998 but has registered

Objections are made in writing and sent to Director of elections to solve them. An objection which has not been send to IEC through proper channels shall not be dealt with. For example, if as a voter you want someone's name to be omitted from the list because you have evidence that such person is under age.

NB

Ask voters to give incidences where voters' names were missing in the list during voting and how they felt about such a situation to expose them to their role as well as their responsibility in this exercise. Show them how important it is for them to participate in the exercise.

Objections and claims

In the process of executing the electoral process, there are some incidences which could be referred to as entitlements of voters which they could claim if they think they were denied. They cover registration of voters, revision of register, nomination, polling, counting and all other irregularities in a polling station.

The grounds on which objections can be made in all stages of the electoral process include the following:

During nomination the grounds of objection are as follows:

- The description of candidate is insufficient to identify him
- The nomination paper does not comply with or was not delivered in accordance with the provisions of the law
- A candidate is not capable of being elected as a member of the council

The objections are made to the Returning Officer during nomination period and he/she must address them. If the objector is not satisfied with the decision that the Returning Officer has made, the aggrieved shall make an appeal to the Director of Elections.

NB

Every objection shall be in writing by the objector and it shall specify the ground on which it is made.

CHAPTER SEVEN: ELECTORAL MODEL

Introduction

This chapter discusses an electoral model used for Local Government Elections. It describes how additional seats for women are going to be determined and also show allocation of special seats.

Learning objectives

At the end of this session, participants will be able to:

- Explain the Electoral Model used in the Local Government elections
- Describe how additional seats for women are found
- Practice establishment of special seats by Independent Electoral Commission

Electoral Model

In line with the current amendments in the Local Government Elections Act as amended, a voter is going to use two ballot papers. The first ballot will be for the candidate contesting for an Electoral Division, and the other one for the party competing for the additional seats for women. Among others, this is aimed at retaining quota for women as a commitment that Lesotho has made under the SADC protocol. It also includes international instruments like the Convention on the Elimination of All Forms of Discrimination Against Women and the Gender Policy. In this way, the Affirmative Action for women will be achieved without discriminating the male candidates. This means that all the Councils shall be open for competition by both men and women. The current model is different from that which was used in 2005 local government elections. During those elections, pure First-Past-The-Post (FPTP) model was used, and in an effort to implement the Affirmative Action for women, one third of the seats in each Electoral Division were reserved for women.

Determining special seats for women

In order to respond to the affirmative action for participation of women, there will be seats referred to as additional seats for women. Each political party willing to contest for additional seats shall draw a list of women nominees. The list shall not be less than the total number of additional seats but not more than the total number of seats for the Council. The list shall be in order of preference. Women contesting for elections in the Electoral Divisions are still eligible to appear in the lists.

Note that the list shall be submitted to IEC on nomination day by party secretaries or the officials mandated to do so. The list of women submitted to IEC is closed. This means that once the list is submitted, it will never be altered. Women are listed in order of preference; the order in which they will follow when seats are allocated. The first in the list will be the one joining the council if his/her party has got one seat in a council.

> **!**
>
> **The independent candidates are not eligible to send additional lists. The independent candidates are those that are not contesting under the banner of any political party but on their own.**

The Independent Electoral Commission shall determine the number of additional seats for each Council, following this process. First, IEC shall demarcate Electoral Divisions within the councils. When doing so, it shall be guided by considerations such as population, physical features and cultural ties of the communities. After demarcation the number of Electoral Divisions in a council shall be divided by three (3) which shall be the number of additional seats for that particular council.

In order to get the number of additional seats each of the following Councils deserve, the number of electoral divisions in each council will be divided by three (3). The following table illustrates how the formula works.

Council	No. of electoral divisions	Divided by 3	special seats
Limamarela	9	3	3
Mapoteng	10	3.333333	3
Likila	11	3.666666	4
MCC	13	4.333333	4
Khubelu	14	4.666666	5

For example, the total number of electoral divisions for Limamarela is 9. When that number is divided by 3, the answer is 3. **(9/3 = 3)**

Note: all decimal fractions should be rounded to the nearest whole number.

This exercise continues until every council has additional seats. Upon completion of the exercise, the Commission publishes a list indicating the number of additional seats required for each council.

> **Note**
>
> **this exercise is done by the Commission at the Headquarters level not at the council level. Determining additional seats is done by the IEC at the Headquarters while the allocation is done by the Returning Officer at the Council after the elections.**

CHAPTER EIGHT: NOMINATION OF CANDIDATES (sec.27-33)

Introduction

Nomination of candidates is an important and essential step in the electoral process which determines the number of candidates contesting elections. It establishes whether there is or there is no election in the constituency or council, and in an electoral division. Nomination of candidates further serves as a basis for design and printing of ballot paper. It helps to assess the strength of each party contesting elections. For example, some parties field candidates in almost every Electoral Division.

Learning Objectives

This chapter is meant to equip readers with knowledge and skills of how nomination of candidates is conducted. By the end of this chapter, readers will be able to:

- Explain nomination of candidates
- Illustrate with examples the steps involved in conducting nomination
- Identify the requirements for a person to be nominated and the blocks to nomination

Requirements for Nomination

Who may be nominated as a candidate for elections?

- A citizen of Lesotho who qualifies to be a voter under the Local Government Elections Act as amended.
- Is literate in Sesotho
- Any person who is qualified to be a voter but has taken acknowledgement of allegiance, obedience to any power or state other than Lesotho as a citizen of such state. Or a holder of a passport issued by such state
- Has been adjudged or otherwise declared as bankrupt under any law in Lesotho
- Is detained under any law
- Has his normal residence outside Lesotho; has resided in the place of nomination for less than two months during the twelve months prior to the date of nomination

How is a candidate nominated?

A candidate is nominated by two persons: a proposer and a seconder whose names appear in the final voters' roll of the Electoral Division in which the candidate wants to stand for elections. A candidate is free to contest elections in any Electoral Division whether registered inside or outside it. Where a candidate decides to contest where she/he has not registered, he/she can transfer his/her name to where he/she is contesting elections.

There may be the following possibilities during the nomination process:

- One or more candidates nominated to contest elections in the particular electoral division. Where this happens, the elections will proceed as planned.

- Where one candidate is nominated, there will not be any voting in such electoral division for electoral division representative. The unopposed candidate is declared as elected. Elections for Party ballot shall proceed.

- Where any of the nominated candidates dies or resigns before polling day, the elections will be declared as failed in that electoral division. There will be need for fresh elections for Electoral Division representatives whereas the party elections will proceed.

Nomination of Party Vote candidates

Any political party intending to submit a list of names for each council shall field at least one-third (1/3) of the Electoral Divisions in a council. For example, Lenyora Party wants to submit a list of women candidates in the council of Limamarela.

The Electoral Divisions of Limamarela council are 9 in number. One third is 9 divided by 3: 9/3 = 3. This means Lenyora Party will have to field at least 3 candidates in the Electoral Division.

The number of women candidates shall range between one third (1/3) of total seats and the total number of council seats. That means the number of additional seats, and the number of Electoral Divisions.

Objections to nomination

- Insufficient description of nominated candidate provided in the nomination form
- Non-compliance of a nomination paper with the provisions of the Local Government Act
- The contents of the nomination paper for the nominated candidates proves that he or she is not capable of being elected as a member of the Council

The objection must be submitted to the Returning Officer and not any other person. It must be in writing and specify the grounds of objection.

Nomination Period (sec 27)

In the Local Government Elections, nomination is conducted for three days. The nomination court opens at 8.00 am and closes at 5.00 pm. No other person is allowed to conduct the nomination except the Returning Officer/Assistant Returning Officer at Electoral Division level. Political parties' followers are allowed to wear their party colours on this day.

Nomination Court

The Returning Officer announces the opening and closing of nomination court. Followers of candidates are not allowed to be inside the nomination court but are expected to be some distance away from the court for avoidance of noise and any obstructions. Only candidates' proposers and seconders are allowed to be in a nomination court.

The Returning Officer compiles the names of nominated candidates on a form and places the candidates' signs adjacent to respective candidates or parties in black and white. He/she announces the nominated candidates by placing a form entailing their names inside for public to see them and send another copy to IEC Headquarters for printing of ballot paper.

Note: This is only nomination of candidates not yet elections

WHAT TO DO:

For Nomination: In the nomination court, the Assistant Returning Officer accepts credentials from the candidates. S/he checks whether the nominees appear in the voters roll, accepts the nomination forms and ensures that nominees are registered. S/he makes them fill the forms and announces closure of the nomination. Supporters in full gear will be dancing a short distance away from the court.

Open floor for views and concludes with the summary that no one can be nominated by the unregistered person; one cannot be nominated if one does not appear in the voters roll, and all must meet other requirements such as literacy in Sesotho.

CHAPTER NINE: POLITICAL CAMPAIGNS
Introduction

Before any election, political party candidates and independent candidates campaign to convince people to vote for them. These campaigns happen in the form of activities such as meetings, forums, debates, rallies, house to house visits, etc and other media including radio, television, newspapers, posters, and billboards. Through political campaigns, the citizens are given an opportunity to listen to all political parties and their manifestos so as to make informed decisions of who to vote for. Campaigns should be free and fair, thus, parties/candidates and their supporters should not be intimidated. Campaigns shall be regulated through a code of conduct; to be observed by all political actors participating in an election.

objectives

At the end of this chapter, voters will be able to:

- List the roles and responsibilities of Political Parties leaders during campaign.
- Describe the electoral code of conduct.

The main reasons for the campaign are to:

- provide political and independent candidates' followers with an opportunity to hear what each party intends to offer once it has power
- weigh those different manifestos in order to make informed decisions
- present issues and policies through which different parties could address the problems of the society

It is therefore important that voters do not only attend their own political party rallies but even the rallies of the parties that they do not necessarily support. This will allow them an opportunity to know more about other parties and make informed decisions. Hence political parties should not prohibit their followers from attending campaigns of other parties. It is during the campaigns that the voters may also get to know the candidates who are campaigning and at times even to know the party symbols.

On the other hand, campaigns become a platform where the political parties themselves make efforts to attract and convince as many people as possible to vote for them on the Election Day.

All parties and candidates should be fairly treated and also not to be intimidated. Parties should be able to express all points of view during their campaign.

> ## Note
>
> It is wrong to focus on the qualities and popularity of the candidates themselves to concentrate on criticisms of other candidates rather than on what they stand for. The Code of Conduct is agreed upon by IEC and political parties hence they should be committed to its promotion.

Code of Conduct

Below is the extract of examples of Code of Conduct from Schedule Four of Local Government Elections Act of 1998.

Media is one of the groups which play a very important role in political campaign. They cover political campaign to inform electorate about them through radio, newspapers and television

Provisions of the Code of Conduct

- To promote the conditions that are conducive to a free, fair and transparent elections
- To promote a climate of political tolerance, free political campaigning and open public debate, avoidance of defamation of character, and misinformation to the public.

Public and democratic principles for political parties during political campaigns

1. Every registered party has a right and responsibility to promote the Code of Conduct and its purpose in conducting its election campaigns
2. To adhere to an electoral internal code of ethics
3. To affirm publicly the right of all electorate to participate in the elections
4. To express divergent political views
5. To debate and contest the politics and programs of other political parties
6. To hold public meetings, rallies, and marches
7. To attend public meetings convened by other parties
8. To distribute electoral literature, posters and campaign materials
9. To publish and distribute notices and advertisements
10. To promote free electoral campaign by all lawful means.

Prevention of violence, intimidation defamation and vote-buying

All registered parties are bound under the code of conduct to:

- Publicly and repeatedly condemn violence and intimidation
- To avoid use of language that may lead to intimidation, or violence
- To ensure that no weapons are carried or displayed during political campaigns

CHAPTER TEN: VOTING PROCESS
Introduction

Voting enables one to have a say on the democratic governance, which is the rule of the people by the people. The nation is free to communicate what they want or whom they want as the ruler, through elections. With your vote, electorate can remove a candidate from office if they feel she/he does not address the voter's needs

📋 Learning Objective

This module is meant to equip the electorate with knowledge and skills on how to vote, voting procedures and how votes are counted. It will inform the electorate about the manner of voting and counting of votes in the polling stations, persons who may be present during voting and counting and their various roles.

At the end of this section voters will be able to:

- Explain how, and when counting of votes is conducted
- Identify the place at which counting of votes happens
- List the persons who may be present during counting
- Explain the roles of persons who may be present during counting of votes in polling stations

The Local Government Elections Act as amended stipulates that there shall be two ballot papers to cast:

- One for the candidate and one for the party.

Voting Procedures

Voting occurs at polling stations on a polling day. Its starts at 07:00am and closes at 17:00 pm provided there are no voters queuing at the polling station. The Presiding Officer announces the opening and closing of poll inside and outside the station. Party/Candidates Agents present themselves with identification/appointment forms to the Presiding Officer before voting starts.

After announcing the opening of poll, the first voter presents himself/herself in a station with identification document used as proof of identity.

Identification particulars needed for voting are:

- Voter registration card;
- Lesotho passport;
- Lesotho drivers license;
- Official witness,
- National identity

VOTING STEPS

It is important to note that voting shall be by secret ballot. At the entrance of the polling station, a voter produces an identity card. He/she proceeds to the 1st polling officer who inspects the identity card against the voter's roll. Once the name of the voter is confirmed, the voter proceeds to the 2nd polling officer who is in charge of issuing ballot 1. The voter will go to secret booth to mark the ballot paper and deposits it in the designated ballot box. He/she will then proceed to the 3rd polling officer to be given the 2nd ballot paper and then follow the above-mentioned procedure. In making a mark, the voter may use a tick, a cross, a puncher or any other mark which does not compromise the secrecy of the vote.

Your finger will be marked to ensure that you have already voted and you cannot vote again.

A person can vote if his/her name is on the electoral list. No person shall be allowed to cast a vote if her/his name does not appear on the voters list.

If during the voting:

- a voters' name does not appear in the voter's list, **he/she will not vote;**

- a voter finds his/her name already cancelled (suggesting that he/she has already voted) from the Register of voters, with presentation of positive identity; **he/she will be allowed to vote; but the ballot will be tendered. (It will not be counted unless by application to the court).**

- a voter realizes inappropriate marking of ballot paper before depositing it in a ballot box, **he/she will be given a fresh ballot paper the one in question will be recorded spoiled.**

- a Presiding Officer doubts the identity of a voter, **she/he (the voter) takes an oath by the presiding officer,**

- a visually impaired voter needs to vote in a polling station; **she/he will be assisted by any person of her choice but in a case where there is no such person, a presiding officer will assist her/him to vote or given a template,**

It is very important to know what to do in case you experience the above incidences.

> **It is your responsibility as a voter to ensure that your name appears on the voters' list before the election day. Consult IEC office in your area.**

Marking your vote

- Voters must make sure that they mark the ballot paper properly and legibly so that there is no doubt on which party/candidate is elected to avoid rejection of ballots.

- They must further avoid identifying themselves on their ballot as this may also result in the rejection of the ballot.

- When marking a ballot paper, a voter must use either of the following marks: a tick or a cross or make a whole with a puncher if template is used.

A ballot paper marked more than once with one or more than two marks shall not be counted as a vote.

NB

A Voter must report immediately if he/she is intimidated at a polling station, or heard somebody influencing someone to vote for his/her party while queuing to vote. All these are reported to the Presiding Officer. He/she will take care of such incidences.

Ask voters or an individual voter to tell if they came across people who influenced other people's voting on polling day at a polling station. Ask them what action they took when such things happened?

How to Vote (sec 40)

The steps below illustrate the polling procedure in the polling station:

1. A voter's identity card is checked. The polling officer checks the name of a voter on the voters list.

2. Voter's fingers are checked for ink and marked.

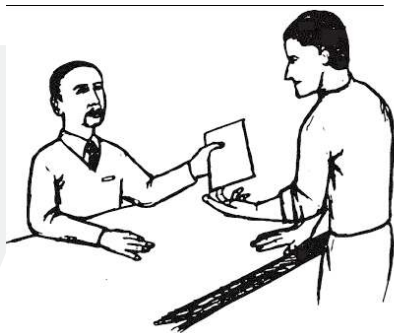3. The polling officer gives the (Electoral Division) candidate ballot paper.

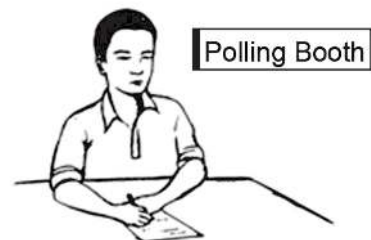4. A voter marks the ballot paper and folds it.

5. A voter returns a ballot paper to the polling officer for the removal of top counterfoil and official mark to be checked.

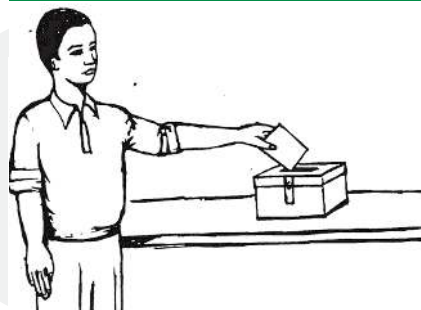6. A voter deposits the Candidate Ballot in the ballot box.

7. A voter returns to the ballot paper issuer to receive the 2nd ballot paper.

8. Voter goes into the polling booth to mark a party ballot.

9. A voter returns the ballot to the officer to remove the top counterfoil and check the mark box.

10. A Voter deposits their ballot in the Ballot box

11. A voter leaves the polling station.

ROLE PLAY

THEME: VOTING

DURATION: 25–30 MINUTES

APPROACH: CODE

For Voting: Ask the core group to take their places where they role play official witness, polling staff, party agents, observers and voters. The presiding officer opens the station, demonstrates that the boxes are empty and calls the first voter. He/she passes the official witness who confirms knowledge, then goes to the polling officer to check in the list, receives the first ballot, goes to the booth, drops it in the box, takes another one and follows the same procedure, gets inked and goes. Party Agents, make sure that things are going well.

Take five voters, one voter should spoil one ballot and then be given another one. The other voter should find his/her name already cancelled on the voter's roll; he/she be given a chance to vote, but his/her votes be tendered. One voter should not vote properly so that at the time of counting there should be a rejected ballot. The presiding officer announces closure of the station and tells people around that they may come later for the announcement.

Open the floor for discussion and make a summary that no one will vote without appearing in the roll. People should have their identifications ready. Voting is secret and no one can know which party or candidate one voted for. Explain rejected, spoiled and tendered ballots. Emphasise the role of party agents. They should not be passive.

CHAPTER ELEVEN: COUNTING OF VOTES (sec 46)
Introduction

This chapter explores counting of votes, its meaning and the manner in which it is conducted. It shows the phases of counting and how each proceeds.

Objectives

At the end of this chapter, voters will be able to:

- Explain counting of votes.
- Describe the process of counting.
- Role-play and make illustrations of the counting process.
- Identify the place where counting takes place and persons present during counting.

Counting

Counting of votes refers to the process of finding out the number of ballots cast for each candidate or party which contested elections. It involves unfolding and sorting of ballots. Counting commences immediately after the closure of poll. It starts with reconciliation and ends with counting.

Reconciliation

Reconciliation is balancing together books of ballot papers issued to the station before voting, names of people who cast their votes (those whose names have been cancelled from the voters' roll), the votes found in the ballot box, and the ballot papers used for voting. All these are recorded in numbers in a ballot account form together with unused ballots as well as spoiled, and tendered.

Reconciliation is done in the presence of political party candidates, candidates' agents, observers, polling officials and everybody who is accredited to be in a polling station. After filling the ballot account form, political party candidates and/or agents are invited to sign the reconciliation form.

> Before opening a ballot box used for voting, the presiding officer invites all persons present in a polling station to examine the seals used to close the ballot box at the time polling commenced. Party/candidates agents record these seals to confirm that they are the same seals used when polling commenced.

Spoiled Ballot Papers (sec 42)

The spoiled ballot papers are those that a voter unintentionally spoils by marking them incorrectly, and then exchanged for a new blank ballot; or a voter received an improperly printed ballot.

Tendered Vote

If a person representing himself to be a particular voter named in the register applies for a ballot paper after another person has voted as such voter, the applicant shall, on taking an oath or making an affirmation of identity, which may be administered by the polling officer be entitled to receive a ballot paper. It shall be called a "tendered ballot paper" and shall be of a different colour from other ballot papers and shall, before being placed in the ballot box, be endorsed by the polling officer with the voter's serial number in the register.

Presiding Officer

The Presiding Officer informs all the people in the polling station that counting starts. He/She invites them to examine the seals used to close the ballot boxes which were used for voting when voting started to make sure that they are still the same. This before the contents of the ballot box are emptied on the table to find out the number of votes found in the ballot box.

1. The names of voters cancelled from the voters' list are counted

2. The number of ballot paper books issued to the Presiding officer are recorded

3. Spoiled ballot papers are counted

4. Tendered ballot papers are counted

5. Serial number range of partially, fully unused ballot papers are manually counted

6. They are all recorded in the ballot account ballot account form

7. Presiding officer invites all present stakeholders to examine the seals before opening ballot box.
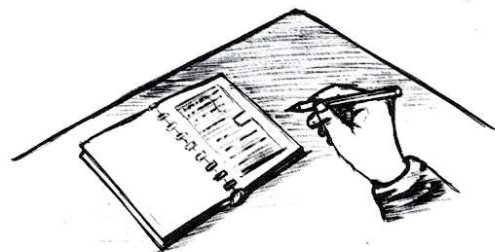

8. Party agents record seal numbers

9. Presiding officer opens the ballot box in front of Political party and candidate agents, observers and accredited persons.

10. Presiding officer empties the box over the table in the presence of all and any accredited persons

11. Ballots are manually counted to find the total number of votes cast.

12. Ballots are recorded in the ballot account form

13. Party agents sign ballot account form

Counting

Counting is conducted manually at the polling station. Every ballot is unfolded, official mark on the back is verified and its face is shown to all those present in a polling station to see who it is voted for. The ballots are then sorted according to candidates or parties voted for, where everybody observes them until the exercise is complete. During counting, the ballots that are not properly marked are rejected and put aside as invalid ballots. The Party/Candidate Agents are then free to challenge the rejection made by the Presiding Officer if they feel strongly that the marking on the ballot paper is not wrong. But the decision of the Presiding Officer remains final.

Invalid/Rejected ballot refers to improperly marked ballot realised during the counting of votes; marked in a manner that could be linked to an individual voter and does not guarantee vote secrecy or is not clear who is voted for, or is not stamped with the official mark.

Why do we count votes in a polling station?

The main reason why votes are counted is to know the number of votes per candidate, and also to ensure transparency in electoral management; to make sure that all stakeholders inclusive of voters know the results of their votes at a polling station where they cast their votes.

Who may be present during counting?

- Presiding Officer
- Polling Officers
- Party Candidates
- Party /independent Agents
- Independent Candidate
- Observers (local and international)
- Official Witness
- Police Officers
- Any other person accredited by the Director of Elections to monitor elections

What is the role of political party/candidates agents, during counting of votes?

- To observe the process of counting in order to make sure that it is done accordingly (as the law provides)
- To ensure that counting is conducted in a fair, transparent and correct manner
- To lodge objections where necessary
- To sign election results forms

ROLE PLAY

THEME: **COUNTING AND ANNOUNCEMENT**

DURATION: **25–30 MINUTES**

APPROACH: **CODE**

WHAT TO DO:

Invite the core group to take their places. This could be the group involved in the role play or another and also new core group that will include Police, Presiding Officer, Party Agents, Candidates, Official Witness and Polling Staff. Then the counting activity starts, the Presiding Officer uses a flip chart for purposes of recording the results. He/she takes the ballot and shows it to all, and then he/she records the vote against the relevant candidates. If during counting, the Presiding Officer comes across a rejected ballot, he/she shows it to the rest of the people. Then the rejected ballot is put aside.

Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the ballot papers and all other documents relating to the election as required by law, and shall commit them into the custody of the Director of Elections who shall, retain them for a period of six months and thereafter shall cause them to be destroyed unless otherwise directed by order of the Electoral Commission.

Open the floor for discussion and make a summary that counting is done right where elections occurred and it is done in the presence of all stakeholders. They have opportunity to query, in which case counting can be repeated. Emphasise that communication between Results Centre and the Districts is done through faxes and only the record is dispatched to Centre not the physical ballots.

Below are the pictures which show the manner in which counting is conducted.
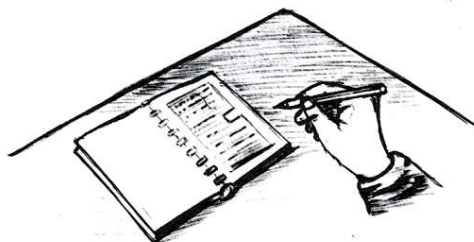

1. Each ballot paper is shown to everybody

2. Party agents write down votes for each Party/candidate

3. Votes are heaped according to the names.

4. Votes are recorded in the result form

5. Party agents sign result form (Electoral Division)

6. Party agents sign result form (party votes)

7. Votes are put inside an envelope according candidates/party.

8. Envelopes are closed and sealed in front of all present in the polling station.

9. Sealed envelopes are put inside the ballot box

10. The ballot box is closed with envelopes inside.

11. Party agents record seal numbers

The Presiding Officer takes the ballot box together with the Results Form to the Assistant Returning Officer to report

NOTE: Results forms are in duplicate. After they are signed, the Presiding Officer gives Party Agents copies.

CHAPTER TWELVE: ALLOCATION OF SPECIAL SEATS FOR WOMEN (sec 48)

Introduction

This chapter describes the process of allocating Special Seats for Women. It explores the process of determining additional seats for women, formula of finding quota, allocating seats to parties through quota and allocating the remaining seats.

Learning objectives

At the end of this chapter voters will be able to:

- Describe the process of allocating special seats for women
- Practise allocation of special seats for women

Allocation of special seats

In allocating special seats for women, the first step is to find a quota. A quota is the total number of votes that a political party will need to qualify for a seat. There are a number of steps to be followed in order to find a quota by which special seats will be allocated.

The steps below indicate the procedures for finding quota:

Step 1: Based on the votes cast for each party in a council, add all the totals of political party votes cast in a council. (This is the total number of votes cast under the second ballot in the whole council).

This is illustrated below:

Political Party	Total Party Votes
Political Party	4, 121
Purple Party	2, 756
Grey Party	1, 650
Brown Party	909
Black Party	892
Council Party Votes	**10, 328**

Step 2: Divide Council Votes cast in the second ballot by total number of special seats to get the quota.

> The example below shows how the number of special seats is obtained. It is important to remember that we divide the total number of electoral divisions by 3 because the total number of special seats in each Council will be the third (1/3) of the electoral divisions in the Council. This is the standard that the Local Government Elections Act Lesotho has set.

Council	N0: of electoral divisions	divided by 3	= Special Seats
Limamarela	9	3	3

10328/3(number of special seats) = 3442, 6667

Step 3: Round off the resulting figure to the nearest whole number to get the quota

3442, 6667 = 3443 Quota

After the Returning Officer has obtained the quota, he/she reminds the public how he/she is going to use it. He/she invites the public to watch as he uses the quota to allocate special seats.

- He/she divides the individual party votes by a quota to find the party's share of the votes-quota = 3443

Political Party	Total Party Votes	Party's share	Special seats
Political Partyt	4, 121	1.1969213	1
Purple Party	2, 756	0.8004647	1
Grey Party	1, 650	0.4792332	1
Brown Party	909	0.2640139	
Black Party	892	0.2591517	
	10, 328		**3**

Returning Officer

- He/she allocates the party's share of votes without taking into consideration any decimal fraction.

- If he/she realizes that there are fewer seats allocated than the additional seats required, he allocates the remaining seat to the party with the highest decimal fraction until all seats are allocated.

After the Assistant Returning Officers have announced the results, they take the forms of election results to the office of Returning Officer for compilation and submission to the District office. Upon receipt, the Area Electoral Officer/District Electoral Officer verifies the results and faxes them to the results centre for announcement.

Note: Special seats are allocated at the **Council** level by the Returning Officer.

CHAPTER THIRTEEN: PUBLICATION OF RESULTS (sec 48 (1))

Introduction

This chapter describes the process of transmission of election results from one place to another. It further identifies persons responsible for announcing and transmitting results as well as levels at which results are transmitted.

📋 Learning objectives

At the end of this chapter voters will be able to:

- Explain the procedures followed to transmit Local Government election results.
- Identify stage at which election results are announced.
- Identify persons responsible for transmission of election results at different levels.

Announcement of results

The process happens in the presence of political party/independent candidates' agents, police and election observers. It takes place after the counting process is completed. It is where results are sent from the polling station to the Electoral Division, from there to the Council, from the council to the district and from the district to the national results centre. Results centre is where the Independent Electoral Commission makes the final announcements of the results. This is done in the presence of different stakeholders such as party leaders, media and election coordinating committee.

Below are the critical steps in transmitting local government election results;

Step one: Polling results are displayed outside the polling stations.

Step two: Results are taken to the Assistant Returning Officer at the Electoral Division.

Step three: The Assistant Returning Officer compiles the results and declares the candidates who has received the highest votes in the Electoral Division and thereafter delivers the results to the Returning Officer at the Council Office.

Step four: The Returning Officer compiles election results and declares the Councillors in the Council. She/he allocates special seats and delivers the results to the area Electoral Officer at the district level.

Step five: The Area Electoral Officer will then fax the results to the national results centre.

Step six: After receipt of the results at the national results centre, the Independent Electoral Commission announces the Council's results.

NB

The process of results transmission is done on the forms specified for that purpose. The ballot boxes may remain at the Council office or at the District office.

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