



Promoting Credible Elections and
Democratic Governance in Africa

**Realising effective and sustainable
democratic governance in Southern
Africa and beyond.**

**DEMARCATING LOCAL
AUTHORITIES'
BOUNDARIES FOR GOOD
GOVERNANCE VERSUS THE
PEOPLE -TO- PEOPLE
RELATIONS: THE CASE
STUDY OF LESOTHO**

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Introduction

Decentralisation has generally been embraced by many countries as a system of governance that brings with it a change in a manner in which services were previously delivered. It is a process that requires democratisation of structures at local levels, improvement in the quality of governance and service delivery¹. Decentralisation also serves as a stepping stone for democracy because the accumulation of experience by local government councillors makes them better prepared to deal with governance at the national level. As Reddy (1999) puts it, the efficiency of the national government could increase as decentralisation would relieve top management officials of routine tasks. Decentralisation could also augment the management and technical skills of the councillors.

In implementing decentralisation, a country has to be demarcated into small manageable council areas or local government areas. These areas are the jurisdiction of the local authorities within which they formulate, approve and execute their own development plans. In demarcating these areas, things such as a country's size, population and geographical features have to be considered. The demarcation process varies from country to country where others have provincial areas and municipal council areas. South Africa for instance, has nine provinces and about two hundred and eighty four municipalities. According to the Department of Constitutional Development (1998), these municipalities have been reduced from eight hundred and forty three (843). Others such as Uganda, have chosen a model that has district, municipal and sub-county areas. Firstly, this demarcation is done in order to determine areas in which

¹ Ngenda Getrude, Service delivery in the context of decentralisation: the experiences of SADC countries. A paper presented at the Southern African Conference on Local Government, Johannesburg, 10th June 2004.

people can contest local government elections. Secondly, it is done so that the local authorities can operate within a clearly and legally defined boundary for a better delivery of services. When boundaries are drawn, defined and in some cases gazetted, the chances for gerrymandering are low. The demarcation does not occur without problems because it tempers with the cohesiveness of communities and with people's livelihoods. In order to be less controversial, it should entail a negotiation process between the government, the electoral authority, the affected communities, civil society organisations which often have vested interests in service delivery as well as other service providers.

This paper looks at the local authorities' boundaries demarcation process in Lesotho as a pre-requisite for the holding of local government elections and the implementation of local government. It also looks at the implications of such an exercise on the lives of the people. The paper argues that while the demarcation of council boundaries is mainly meant to usher local government councils into place, it has not paid adequate attention to the people-to-people relations. The notion of people-to-people relations is very important as it means the way in which people relate amongst themselves and it is also about peoples' coexistence. Coexistence is living together where each of their individual identities are defined in relation to the other (Rupesinghe, K. 1999 and Shale V.R. 2004). The paper suggests that during the demarcation process in Lesotho, the demarcating authority used positional negotiations when it conducted public consultations.

Positional negotiations normally end in compromise where gains and losses depend on the ability of the negotiators and strength of their negotiating position². The reality is that in situations that require negotiation, governments are averse to prolonged negotiations and they usually opt for the

quickest way out of a problem. It is also a fact that in the absence of a strong civil society that can strongly advocate for peoples' participation in decisions that affect them, a government (mainly in weak democracies) may implement what it wants even if such is an anathema to the concerned community. The consequence of this is the frustration of government's development initiatives by members of the communities who may feel compromised. Anti government elements can also engage in their nefarious pursuits such as vandalising equipment and other government facilities in protest.

The value of Negotiation in Demarcation Process

In the demarcation of local authority boundaries, negotiation is of fundamental importance because it allows for dialogue between the government and the people, where the latter gets to know what the boundary means to them and how it affects their daily lives. Negotiation is a process between parties that is directed at reaching some form of agreement that will hold and that is based on common interests for the purpose of resolving conflict. This process is achieved through establishing common ground and creating alternatives. It is also an exchange of information through communication³. A negotiator is someone who has been mandated by the group to represent it in negotiation. It is important to add in the same breath, that negotiators in any negotiation are human beings who have their own weaknesses and strengths. In undertaking public consultations for the demarcation exercise in Lesotho, the Administrative Boundaries Commission⁴

³ Pienaar W. and M Spoelstra 1991 Negotiation: Theories, Strategies and Skills. Cape Town: Juta and Company.

⁴ This Commission was appointed by the Minister of Local Government to delineate council boundaries. Most countries also have demarcation authorities whose mandate is to demarcate areas for election purposes. For instance, Mauritius has the Demarcation Commission while South Africa has the Demarcation Board.

² CCR The senior Government Conflict Resolution Programme, Cape Town, 1999

was represented by civil servants who formed a technical arm of the Commission. The people participated through general community gatherings (*Lipitso*) while political parties were represented by their leaders. The Commission acknowledges however that the public gatherings were problematic because of bad timing. For instance, the public gatherings were conducted in winter which is not ideal as it is harvest time.

One of the factors that appear consistently throughout most negotiation processes is the use of threats and other coercive measures by the negotiators. At the beginning of the process parties have a tendency to use the distributive mode of negotiations where they begin with positions and only soften as the dialogue goes on. The use of threats and other means to get the desired goal implies that there is a lot of power involved in any negotiation. This power sometimes makes it difficult for the negotiation process to continue. In delimitating boundaries, there is also a risk of similar threats, should ethnic and political conflict arise. The presence of such kinds of conflict creates difficulties in conducting a smooth negotiation process. For example, if some boundary goes through the middle of an area that is inhabited by one ethnic group or political group, the affected group may protest violently and disrupt the process. Despite this likelihood, the value of negotiation is that the complications are solved and agreements reached, owned and sustained by all stakeholders. Without negotiation, the dissatisfied party does not feel involved in the preservation of any decision.

Background to the Demarcation Process of Local Authorities Boundaries in Lesotho

The preliminary work on local government boundaries was done by Ntlafalang Consultants before the 1998 political riots in Lesotho. The consultants were mandated to review the then existing criteria used to delineate administrative and electoral boundaries in Lesotho, and to propose the

new criteria to be used for administrative and electoral purposes.⁵ The final report of the consultants proposed six (6) Municipal Councils, nine (9) Urban Councils, ten (10) Rural Councils and two hundred and one (201) Community Councils as shown in the table below.

Table 1: Number of councils as proposed by Ntlafalang Consultants

Rural Councils	No of Community Councils	Total population	Electorate
Botha Bothe	17	95,070	45,634
Leribe	21	245,705	117,938
Berea	20	183,882	88,263
Maseru	21	237,185	113,849
Mafeteng	20	188,980	90,710
Mohale's Hoek	21	166,067	79,712
Quthing	20	110,466	53,024
Qacha'snek	21	67,529	32,414
Mokhotlong	20	80,816	38,792
Thaba-Tseka	20	122,317	58,712
Total	201	1,498,017	719,048

Source: Ntlafalang Consultants Report

The Administrative Boundaries Commission

The undisputed National Assembly elections in 2002 following the adoption of the new Mixed Member Proportional electoral model (MMP) meant that the Ministry of Local Government and the Independent Electoral Commission (IEC) had to start preparing for the local elections. Based on the foregoing, the Minister of Local Government appointed a five man Administrative Boundaries Commission as per section 82 of the Local Government Act No.6 of 1997 as amended. This Commission (although not full time) is to serve for a period of five years. Its appointment was a very important move as it shifted the demarcation task from the consultants to a statutory body and thereby giving credibility to the demarcation

⁵ The responsibility of running the local government elections was in the hands of the Ministry of Local Government prior to the amending of the constitution in 1997 hence the mandate given to Ntlafalang Consultants to propose criteria and a map structure of local government.

process. This Commission is chaired by a judge of the High Court of Lesotho.

The functions of the Commission are:⁶

- To review existing administrative boundaries;
- To receive and consider any proposals from the public for the revision of administrative boundaries which may be made or referred to them;
- To examine him as a witness as the Commission may think it necessary or desirable to procure or examine; and
- To demarcate new administrative boundaries having regard to the interests and identity of local communities, to secure effective local governance and development.

Work has already started in earnest to prepare for local elections. In order to fast track the process and reduce costs, the Ministry of Local Government and the Independent Electoral Commission agreed to make use of the voters roll data base that has been used for the 2002 National Assembly elections. The assumption here is that the people to be registered for the local elections are the same people who registered for the National Assembly elections so that it would not make sense to make a new voters roll. In order for this data base to be used, the boundaries proposed had to be rationalised with the eighty national constituencies. This is because the boundaries that had been proposed by Ntlafalang Consultants overlapped with national constituency boundaries. For instance, in some districts the urban areas boundaries occupied part of the national constituency leaving the other part as rural.

The Administrative Boundaries Commission, based on its expertise and on public representations who were invited, has demarcated local authority administrative areas within which the IEC will further demarcate electoral divisions. The demarcation has been informed by geographic features as well as the socio-economic attributes of the affected areas.

The administrative boundaries have been defined, described and gazetted and this is very important for the credibility of the electoral process because it means that the boundaries cannot easily be manipulated. What remains a challenge is whether the demarcated boundaries will bring about interdependence or conflict between councils.

According to the Commission's report, the public was engaged through the media and public gatherings. In the former, there were regular press conferences which updated the public on the activities of the Commission. In the latter, draft maps were produced and displayed countrywide. The public was then invited to view the maps and give their comments to the Commission. The public was also offered an opportunity to make comments during the public gathering that were conducted countrywide by the Commission's Technical Team. The Commission has noted during the demarcation process that "there is a great deal of ignorance on the part of the public with regard to the establishment of Community Councils...people are not yet very clear on the distinction between the functions of the proposed Community Councils versus those of the chief." The Commission was however able to complete its work. The proposed District and Community Councils are shown below.

Table 2: The proposed District Councils and number of Community Councils

DISTRICT	NO. OF COMMUNITY COUNCILS
Botha-Bothe	10
Leribe	18
Berea	10
Maseru	15
Mafeteng	12
Mohale's Hoek	14
Quthing	10
Qacha's Nek	12
Thaba-Tseka	13
Mokhotlong	15
Total	129

Source: Administrative Boundaries Commission Report 2004

⁶ Section 3 of the legal notice No. 94 of 2004.

Legislation Amendment

Another significant development has been the amendment of both the Local Government Act 1997 and the Local Government Elections Act 1998. In the case of the former, this was done in order to replace the model that consisted of the Rural Councils, Urban Councils, Municipal Councils and Community Councils with the model that has District Councils (indirectly elected), one Municipal Council (Maseru Municipality), Urban Councils and Community Councils (directly elected). The amendment of the Local Government Elections Act pertained to the harmonisation of the Act with the National Assembly Elections Act. It was also meant to ensure that the Local Government Elections Act of 1998 conforms to the new amendments in the Local Government Act 1997. For instance, the Elections Act had to include a clause on reserving of one third of the seats in each council for women. Section 3 of the Local Government Amendment Act 2004 requires that every third electoral division within a council area will be reserved for women meaning that men will be prohibited from contesting elections in such electoral divisions.⁷

It is important to indicate that while the new model provides for the establishment of Urban Councils, these councils have been left out in the council areas currently proposed by the Administrative Boundaries Commission as shown in table 2 above. This has a direct implication on the demarcation exercise as it means that the areas that have initially been proposed as urban have now been absorbed into the Community Council areas therefore adjusting their original boundaries. The exclusion of Urban Councils means that elections will not be held for the Urban Councils in the upcoming elections. The people in the would-be Urban Councils will contest elections in

⁷ This provision has not been welcomed with open arms by males particularly those political aspirants who argue that this is a direct violation of their constitutional right to participate in elections.

the Community Councils. The law allows the Minister to delay the operationalisation of any of the councils (in this case the Urban Councils) contained in the Local Government Act 1997.

Implications of Demarcation for the Economic Activities of the People

It is the opinion of the author that the local authority boundaries proposed in Lesotho for the envisaged councils appear to be more of borders than boundaries. This is because there are no clearly spelled out intergovernmental relationship except for a provision of the Local Government Act 1997⁸ as amended that states that there shall be established a District Development Co-ordinating Committee whose job will be to consider draft district development plans prepared by the councils and to co-ordinate such plans into a composite plan and then approve it. The boundaries are static and the proposed councils have very loose links, if any, with one another.

The demarcation has sets borders between councils because each council has, as already mentioned its defined jurisdiction and little relation to the others for the purposes of development. There is a tendency by many people to use 'borders' and 'boundaries' synonymously. While it is not the intention of this paper to engage in nomenclature, one would like to argue that there is a difference between borders and boundaries. The Oxford Dictionary⁹ defines a border as a line separating countries or areas. In the case of this paper, the areas alluded to would be local authority areas. On the other hand, a boundary can be defined as a marking of the limits of an area. A distinction to be made here is that a border is fixed while a boundary is not fixed.

According to Carstens (2001: 21) Local Authorities should not only focus on the developmental potential of their own

⁸ Section 81 of the Local Government Act 1997 as amended.

⁹ Pearsall J. 2002 (ed) The Concise Oxford English Dictionary New York Oxford University Press.

jurisdiction, but should be encouraged to consider the complementary and potential of neighbouring jurisdictions. This could be a very useful approach to development and it should actually apply even to council areas along the borders where they could cooperate with the other councils across the borders. This could be economically important to the development of the entire SADC region. For instance, the Maluti Drakensberg Transfrontier Project between Lesotho and South Africa which runs along the eastern border is one of the many projects that could be useful if communities particularly along the international borders, cooperate with their neighbours. The activities of the people can not therefore be limited to borders. They cannot also be limited to boundaries where the word is used synonymously with borders.

The activities of the people can only be defined in terms of boundaries if by boundaries is meant the area to the extent of the socio economic activities of a given group of people. For instance, the eastern border between Lesotho and South Africa (about 300 kilometers) is the Drakensberg Range¹⁰. It can be argued that the boundary in the same area goes to the extent to which the interests and activities of the inhabitants of the border area on either side exist. For example, there are Basotho on both sides of the border as well as Xhosas and Zulus. A boundary as far as these people are concerned would therefore transcend the border between Lesotho and South Africa. In order to further substantiate this argument the example below is necessary.

Ten of Lesotho's eleven towns lie on the borders very close (less than fifty kilometres apart) to South African border towns. Maseru (Lesotho's capital) is less than twenty kilometers from the fast growing town of Ladybrand. The majority of the people in both towns are closely related. The

relationships have strengthened more due to the post 1994 exodus of Basotho from Maseru to Ladybrand and other neighbouring South African towns such as Clocolan, Ficksburg and Bloemfontein.¹¹ The fact that the South African and Lesotho border towns are close to one another makes it obvious to expect that the people on both sides of the border benefit from facilities that are offered by the two sides. Those based in Maseru do their shopping in Ladybrand and *vice versa*. Hundreds of Basotho cross the border between Lesotho and South Africa to work or for medical reasons. A recent development is the crossing of South African banks into Lesotho which is seen by some as a good gesture by the banks to their loyal clients in Lesotho who often risk travelling the distance between Ladybrand and Maseru with hard cash. This act proves to have been a wake-up call to banks in Lesotho whose service was getting poorer day by day. The border between these two towns is almost non-existent considering the socio-economic activities and this is the situation that augurs well for the people-to-people relations.

In cases where borders are rigid, the situation is far different from the Maseru-Ladybrand situation outlined above. Some border areas are rich in mineral resources and this often causes intractable border conflicts between states. The ripple effects of such conflicts are usually felt even far within in the concerned countries. The author has stated elsewhere that in the Iraqi-Kuwaiti conflict for example, one of the issues that have always been a bone of contention between Iraq and Kuwait is the oil rich border area called "Ramaila Field" situated on both sides of the Iraq-Kuwaiti border¹². Iraq has been making border claims against Kuwait and among their

¹⁰ Shale, V.R 2004 An Evaluation of the Methods Used to Combat the Lesotho-South Africa Cross Border Community Conflicts 1994-2001. An Unpublished Mphil Conflict Management thesis, University of Port Elizabeth.

¹¹ Sechaba Consultants show that between 1993 and 1996, thousands of Basotho crossed to South Africa seeking South African Citizenship. All Miners who had worked for more than ten years in south Africa were also given permanent residence by the Republic.

¹² Shale, V.R The Dynamics and Escalation Process of Conflict in the Persian Gulf War 1991. Maseru: Unpublished.

many grievances, Iraq complained that Kuwait was over exploiting the Ramaila field so that the oil on the Iraqi side was depleting. There is no cooperation between the people in both countries because of pride, political tension and lack of trust. This is a typical example of when a border becomes a deterrent to people-to-people relations.

In the same manner, the councils which as a result of the recent demarcation are located in areas with a lot of economic resources endowments have the financial capacity to carry out their development mandate with ease. This also results in them having an advantage over the other councils that are not equally endowed with resources. In such situations where councils end up being dichotomised in terms of those which have and those which do not have, there is often a failure to link economic and development activities between councils unless perhaps some form of council to council twinning is initiated. This is the case in some countries such as the Philippines where Sacendoncillo (2004:7) indicates that there is inter-local cooperation and collaboration in addressing community concerns.

In fact, Carstens (2001:14) warns that politicians have to understand that the jurisdictional boundaries, whether of states, provinces and local authorities, are supposed to be “joints” in a system of government and not “breaks”. Unless Carstens’ point is taken, one of the inherent attributes of decentralisation which is its ability to increase social and economic disparities and therefore inhibiting its smooth operationalisation will always prevail. It is necessary therefore, for the government of Lesotho to try to close any social and economic cleavages that may have been caused by the demarcation of council areas so that conflict can be avoided. This can be done through equalisation grants which is the money paid by government to a local authority over and above the conditional and unconditional grants. The equalisation grant is normally allocated based on the degree to which a particular local authority is lagging

behind the national average standard for a particular service.

Also linked to the dearth of integration between councils is the problem that is faced by council areas whose boundaries are contiguous to the urban areas. The distribution of resources and service delivery to the urban areas follows the defined council areas. The most needed infrastructural facilities are mainly found within the boundaries of the urban areas thus leaving out the peri-urban areas. As a result of the demarcation exercise, development activities are bound to be discriminatory against most of the areas which are out of the urban areas. The affluent urban areas will therefore maintain their economic domination over those areas with meagre economic resources.

All the towns in Lesotho with the exception of Maseru which retains its municipal status, have now been categorised as Community Councils yet they differ greatly to the other Community Councils which are rural in nature. As already mentioned, this already gives an automatic economic advantage and superiority to the urban Community Councils over the other rural based Community Councils. It follows therefore that given their proximity to the urban based Community Councils, the disadvantaged council areas will only benefit from the economy of the endowed council areas through a spill-over effect. They may also hope to be eventually absorbed into the urban area as it expands its boundaries.

Implications of Demarcation for the Socio-cultural Activities of the People

While communities stand to benefit from decentralisation, their peace and stability can sometimes be interfered with by the demarcation exercise penetrating their culture and values. The changes that come about as a result of demarcation do not take due regard to local priorities. The consequence of this is the frustration of the local people’s ambitions which also creates the potential for negativity and lack of

national cohesion and loyalty. Rupesinghe (199:71) attributes today's inter-communal conflict to failure by policy makers to initiate policy reform both at the central and grassroots level institutions. They focus on the centre and hope that the trickle down effect will reform the grassroots as well. The policy makers make the centre their priority thus putting more emphasis on political changes for good governance.

This is the point being made in this paper: that in undertaking demarcation exercise in Lesotho, more focus has been placed on getting work on the boundaries done and less focus was placed on the importance of promoting the equally important people-to-people relations. For instance, the report of the Commission indicates that in some of the areas where the Technical Team held public gatherings, the attendance was low and this is attributed to the fact that the gatherings were convened on Saturdays when many people attended funerals and other occasions of communal interest which they could not fail to attend. In approaching the issue of decentralisation as a governance reform, we have to attempt to achieve the political objectives without interfering with the norms and values of the people.

Lesotho has always been faced with problems pertaining to overlapping chieftaincy boundaries and overlapping district boundaries. The chieftaincy boundaries have, over many decades, been a source of violence between communities resulting in death and arson. The complicating factor concerning these boundaries is that there are areas where some area chiefs (even headmen) are by demarcation, placed under a different ward from the one that is under their own Principal Chief. Due to their allegiance to their Principal Chief, they do not give recognition to the one under whose jurisdiction they fall. The Principal Chiefs' areas extend to places where their people are located. As a result, their subordinate chiefs usurp the control over the land within the demarcated area. This causes conflict because the chiefs end up by fighting each other.

The amalgamation of the councils which reduced them significantly from the 201 proposed by Ntlafalang Consultants to 129 as proposed by the Commission, has added to the problem because the chieftaincy boundaries have not been corrected. It follows therefore that the demarcation of local government areas is a very fragile exercise in this mountain kingdom. In the presence of such a conflict, implementation of a successful local government may prove to be a distant mirage. It is imperative therefore, that in order for Lesotho to hold local elections that will bring about successful local government the starting point should have been the rationalisation of the problematic chieftaincy and district boundaries which at the moment make no sense for decentralisation purposes.

Also related to the problem of local government boundaries in Lesotho, is the question of historical sites that have become affected as a result of demarcation. The author has had the opportunity of becoming involved in the preliminary verification of local government boundaries that were proposed by Ntlafalang Consultants and recalls an argument that arose within the community which has historically been united, at least on land related issues. The proposed line of demarcation split this community into two parts. One part was to remain with the historical mountain fortress - Menkhoaneng where King Moshoeshoe I lived before he migrated to Thaba Bosiu.¹³ The other part which incidentally consists of the people who are comparatively close relatives of King Moshoeshoe I, was separated from this mountain by virtue of the demarcation line.

The two sides reached a stalemate when they had to give names to their council areas. The group on the side of the mountain felt that it was proper to name their council area after this mountain. The others who did

¹³ Thaba Bosiu is the mountain fortress where King Moshoeshoe I founded the Basotho nation. It is at this mountain where he defeated the enemies and made peace with the likes of Shaka of the fierce Zulu Nation.

not fall under this council area felt that it would be more proper if their council should be the one named after this mountain, given their close relationship with its history. It was amazing how the whole process came to an abrupt end because of a disputed name. This incident demonstrates failure on the part of officials to see the importance that people attach to historical sites. A line of demarcation could have been drawn without involving the mountain which had never caused conflict between these people in the past as they had always been one community and this mountain was their communal asset.

In countries where ethnicity is rife, it is to be expected that the ethnic group whose area becomes split either for national or local elections, will blame the other ethnic group adjacent to it with the assumption that the other group might have influenced the location of the boundary. The non negotiated colonial demarcation of Africa in 1884 has had serious repercussions on the entire continent. It has displaced and split the ethnic groups and this has led to those groups rising up against each other. The demarcation of local areas in many countries today adds to the already unpalatable situation in which most ethnic groups find themselves alienated from their traditional leaders. The case of Eritrea and Ethiopia offers the case in point where colonial boundaries either combined or separated two ethnic or more ethnic groups that were never combined or never before lived away from each other.¹⁴ The consequence of the colonial power's delineation in the Horn of Africa has been an intractable conflict both between the ethnic groups and the governments of Eritrea and of Ethiopia as well as between the two governments.

Although the boundary disputes in Lesotho are not motivated by ethnicity, the control of an area by a council that consists predominantly of people who belong to a particular chief presupposes its legitimacy in its area of jurisdiction. This may be

problematic if the perceived legitimacy is not recognised by the people in this area who may not owe allegiance to the same chief. This is the situation that prevails between the people of Ha Shepheseli Village and those of Botha Bothe Community Council which is one of the Towns that have been mentioned earlier. The former belongs to the chieftaincy ward of Leribe while the latter is under the Botha Bothe Chieftaincy ward. Due to the close proximity of Ha Shepheseli Village to Botha Bothe Community Council, the village has been absorbed into the Botha Bothe Community Council therefore making the absorbed villagers feel as though they are subjected to the Principal Chief of Botha Bothe instead of the Principal Chief of Leribe. Needless to say that this confusion leads to development arrest, and will also affect the relations of the people in both councils.

Conclusion

The importance of the demarcation of local authorities' boundaries cannot be overemphasised. It is however, important to note that as it happens, there are various implications that the demarcating authority has to consider. The paper has highlighted the fact that demarcation of local authority boundaries does not happen without altering the way in which people have been living. It tempers with their socio-economic activities. It has been shown in the paper that due to its effects on the people-to-people relations, the demarcation exercise has to be preceded by a negotiation process - the importance of which is to level the ground for the mutual understanding between those who undertake the demarcation exercise and the affected communities.

The rationalisation of the overlapping chieftaincy and district boundaries in Lesotho is a requirement that if not addressed, could render the local authorities ineffective. It has been noted in the paper that various countries have their own way of implementing decentralisation. The paper has indicated that in Lesotho, local authorities' boundaries are drawn, defined/described and then gazetted by the

¹⁴ Shale, V.R 2004 Ethnic Conflict in the Horn of Africa. Johannesburg: EISA

Administrative Boundaries Commission. This has been acknowledged in the paper as a positive attribute of the demarcation process which, due to the fact that electoral divisions are created within the demarcated areas, forms the basis for transparent and credible local government elections. It can be concluded therefore, that the demarcation of local authorities' boundaries, while meant to enhance good service delivery and to promote popular participation, has to be conducted in a manner that it also achieves an enhanced people-to-people relationship

which is equally important for good governance and democracy. Given the tentative local government elections date of 30 April 2005, the big question is whether or not the newly demarcated local authorities' boundaries in Lesotho are in consonance with the requirements of an enabling environment for a better service delivery and to what extent they will enhance people-to-people relations.

REFERENCES

- Administrative Boundaries Commission 2004 Report on the Demarcation of Community Council Boundaries. Maseru
- Carstens, M. 2001 Approaches to Intergovernmental Transfrontier and or Cross-Border Cooperation the case for Municipal Governments Involvement. A Paper presented at the School on Intergovernmental Relations. University of Pretoria
- Center for Conflict Resolution 1999 The Senior Government Conflict Resolution Programme. Cape Town.
- Department of Constitutional Development 1999 Annual Report 1998 Cape Town
- Lesotho Government 2004 Legal Notice No. 94 2004. Maseru: Government Printer
- Lesotho Government 1997 Local Government Act No. 6 1997. Maseru: Government Printer
- Lesotho Government 1998 Local Government Elections Act. Maseru: Government Printer
- Ngenda, G 2004 Service Delivery in the Context of Decentralisation: The Experiences of SADC Countries. A Paper presented at the Southern African Conference on Local Government. Johannesburg, 10th June 2004
- Ntlafalang Consultants 1997 Local Government Boundaries Final Report. Maseru: Ntlafalang Consultants
- Pearsall, J. 2002 (ed) *The Concise Oxford English Dictionary*. New York: Oxford University Press.
- Pienaar, W and M. Spoelstra 1991 *Negotiation: Theories, Strategies and Skills*. Cape Town: Juta and Company Limited.
- Reddy, P.S (ed) *Local Government Democratisation and Decentralisation*. Cape Town: Juta & Co. Ltd
- Rupesinghe, K. 1999 "What is Co-existence?" In *People Building Peace: 35 Inspiring Stories from Around the World*. Amsterdam: European Centre for Conflict Prevention
- Sacendoncillo, M.C 2004 Intergovernmental Relations Beyond Our Border: Intergovernmental Challenges and Best Practices for Effective Decentralisation, The Phillippines Experience. Paper presented at the IPAC Annual Conference 2004. Vancouver.
- Sechaba Consultants June 2000. *Poverty and Livelihoods in Lesotho 2000*. Maseru: Sechaba Consultants
- Shale, V.R 2002 The Dynamics and Escalation Process of Conflict in the Persian Gulf War. A Seminar paper prepared for the Development Studies Association. Maseru:
- Shale, V.R 2004 Ethnic Conflict in the Horn of Africa. Johannesburg: Electoral Institute of Southern Africa.
- Shale, V.R 2004 An Evaluation of the Methods Used to Combat the Lesotho-South Africa Cross Border Community Conflicts 1994-2001. Port Elizabeth: Unpublished.

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