Title

The role of decentralisation and local governance in advancing sustainable development: A Lesotho perspective

Moshoeshoe Bokang; Bachelor of Laws (LLB) (LLM Candidate) National University of Lesotho; Advocate; Kingdom of High Court of Lesotho; bokangmoshoeshoe918@gmail.com

Abstract

Decentralization and local governance are increasingly seen as indispensable strategies for achieving sustainable development in Africa. In Lesotho, a country marked by socio-economic disparities, geographic inaccessibility, and institutional fragilities, the localization of development efforts offers a unique opportunity to enhance community empowerment and policy responsiveness. This paper investigated the role of decentralized governance in promoting inclusive and sustainable development in Lesotho. It addressed the gap in the literature by centering local governance not just as a structural reform, but as a people-oriented political and developmental imperative. Employing a qualitative, interpretative methodology grounded in Afrocentric and participatory approaches, the study drew on documentary review, policy analysis, and community perspectives to evaluate Lesotho's decentralization framework. The study found that while decentralization in Lesotho has normative potential to facilitate sustainable development, its effectiveness is undermined by fragmented implementation, weak fiscal autonomy, and limited civic engagement. The analysis underscored the need to reimagine decentralization beyond administrative de-concentration, towards a transformative model rooted in accountability, subsidiarity, and traditional legitimacy. The study concluded that a developmental state in Lesotho must not only devolve power but also cultivate participatory, locally grounded governance systems that are capable of addressing poverty, inequality and environmental sustainability from the ground up.

How to cite this article using ASWDNet style

Introduction

The localization of development governance has emerged as a global imperative in the pursuit of sustainable development. Scheepers (2000) defines development as a people-centred process of change, the success of which depends on the capacity of the people to manage that process through various critical steps and phases – within institutional and value frameworks that ensure meaningful and lasting improvements in quality of life, under conditions of peace, stability and good governance.

Rooted in the idea that development should be participatory, inclusive and responsive to local needs, decentralisation is increasingly viewed not merely as a policy choice, but as a constitutional and developmental necessity – especially in contexts marked by centralised state failure, spatial inequalities, and historical marginalization. In Lesotho, as in the rest of post-colonial Africa, colonisation left the legacy of a highly centralised state. As 'Nyane (2025) argues this legacy necessitates urgent and far-reaching reform.

In Africa, decentralisation has been championed as a response to both democratic deficits of postcolonial governance and the persistent developmental lag faced by rural populations, Lesotho, a small, mountainous country whose political and economic geography is defined by centralized institutions and peripheralised rural communities, represents a compelling case study in this regard.

The 1997 Local Government Act of Lesotho, along with its subsequent amendments and National Decentralisation Policy, sought to reposition local authorities as engines of development. The promise was simple yet profound: empower communities, deepen democracy, and facilitate sustainable development that is locally grounded and socially legitimate. Yet, despite two decades of reform, Lesotho's local government system remains fraught with capacity constraints, political interference, and institutional fragmentation. This disconnect between normative ambition and lived reality raises a critical question: to what extent has decentralisation in Lesotho advanced the aims of sustainable development in a manner that is inclusive, accountable, and transformative?

This paper takes up that question by offering a people-oriented analysis of decentralisation and local governance in Lesotho. Its central thesis is that while decentralisation holds potential as a vehicle of sustainable development, its transformative value depends on more than devolution of power. It requires the cultivation of participatory institutions, functional intergovernmental relations, meaningful resource control, and community agency – elements that remain underdeveloped in Lesotho's governance landscape.

Methodologically, the study adopts a qualitative, interpretative framework that privileges local voices, policy documents, and theoretical insights drawn from Afrocentric developmental thought. The approach is both doctrinal and contextual, combining critical legal-institutional analysis with grounded reflections on governance realities. It draws on Ubuntu, African humanism, and the ethics of participation as conceptual tools for rethinking the practice of local governance in Lesotho.

In doing so, the paper makes three contributions. First, it critiques the prevailing technocratic framing of decentralisation in Lesotho as primarily administrative, rather than developmental or emancipatory. Second, it foregrounds the role of communities – not just as recipients of development, but as co-producers of governance reform, one that honours both traditional authorities and modern democratic imperatives.

The remainder of the paper proceeds as follows: the next section sets out the background and conceptual framing of the research, including a review of decentralisation literature and its African and Basotho-specific contours. The third section outlines the methodology and positionality adopted. The forth section presents and analyses key findings drawn from Lesotho's decentralisation trajectory, paying particular attention to institutional capacity, fiscal autonomy, and experience. The final sections present conclusions and recommendations for reimagining local governance as a genuine driver of sustainable development.

Background and conceptual framing

Situating the Problem: Developmental Gridlock and Centralised Governance in Lesotho

Lephoto and Moshoeshoe (2025) note that governance in Lesotho has experienced a significant transformation over recent decades, shaped by evolving legal landscapes and shifting political dynamics. Yet, despite sustained reform efforts, the country continues to grapple with deep-rooted development challenges. Poverty remains widespread, rural areas face acute underdevelopment and the quality of public service – particularly in remote communities – remains uneven.

At the heart of these persistent issues lies a heavily centralized state structure that restricts local participation and undermines the responsiveness of governance. The centralization of both

administrative and fiscal control has created a sharp disconnect between national policy ambitions and the realities on the ground. Too often, community needs go unmet and mechanisms for accountability are weak or entirely absent.

Lesotho's decentralization project was formally introduced through the Local Government Act of 1997, enacted under section 106 of the 1993 Constitution. Decentralization still has roots that go back to pre-colonial rule. Post-colonial rule there were still decentralization efforts to forge a more legitimate, inclusive form of governance. As Narash (1995:6) reminds us, development should be built around people and not the other was around. The promise of decentralization was clear, bring decision-making closer to the people, deepen democratic participation and improve service delivery through locally grounded solutions.

More than two decades later, that promise remains largely unfulfilled. Decentralisation in Lesotho has yet to deliver a meaningful shift in power. While some institutional frameworks exists, real administrative and financial authority remains concentrated in the central government. The local authorities remain weak, underfunded and politically marginal. Communities often lack the tools or influence to shape development priorities or hold local officials to account. At the same time. Traditional leaders – still central to governance in many parts of the country – have not been meaningfully incorporated into the formal decentralization framework (Lephoto & Moshoeshoe, 2025). What emerges is a fragmented and incoherent governance landscape – one that falls short of enabling the kind of inclusive, accountable and sustainable development that decentralization is meant to support.

Theoretical lens: decentralisation as developmental transformation

The conceptual framework adopted in this paper draws from three interrelated theoretical strands: the developmental state model, participatory governance theory and Afrocentric thought.

The developmental state model, particularly as articulated in postcolonial African contexts, emphasis the states' active role in fostering transformation through strategic planning, resource mobilization and public investment. However, this model requires localization to be effective. A state that governs from centre alone cannot meet the diverse, place-based needs of rural and peri-urban populations. Local governments, when properly empowered, become development nodes capable of delivering context-specific solutions and mediating citizen state interactions.

Participatory governance theory, rooted in democratic theory and deliberative models, frames local governance as a platform for inclusive decision-making and civic agency. Participation is not simply instrumental; it is constitutive of development. When communities are co-creators of governance, development becomes more legitimate, responsive and sustainable. The principle of subsidiarity, which holds that governance functions should be performed at the lowest level capable of doing so effectively, is especially pertinent in the Lesotho context, where many challenges are hyper-local yet inappropriately centralised.

Finally, this paper is anchored in an Afrocentric epistemology that values indigenous institutions, communal governance traditions and moral economy of *Ubuntu*. These traditions emphasise mutual care, consensus-building and accountability to the collective – values often marginalized in technocratic models of decentralisation. In Lesotho, the institution of "*borena / Chieftainship*" remains a vital cultural and governance actor, though its role in decentralisation remains ambiguous. A people-centred approach to sustainable development must reconcile the dual legitimacy of elected local government structures and customary authority.

Literature gaps and justification

The literature on decentralisation in Africa is rich but uneven. Much of it focuses on legal and institutional design, capacity-building or political economy constraints. While these are crucial, there is often insufficient attention to the lived experiences of communities, the cultural and historical embeddedness of local governance practices and the normative assumptions underlying decentralisation discourse. In Lesotho, most research has tended to be policy-oriented or donor-driven, with limited academic interrogation of how decentralisation interacts with local power dynamics, traditional authority and sustainable development.

This paper fills that gap by offering a critical, people-oriented analysis of decentralisation in Lesotho. It moves beyond technical appraisals of policy frameworks and instead interrogates the normative, participatory and institutional dimensions of local governance. It asks not just whether decentralisation is working, but for whom it is working and under what conditions it might better serve the goals of inclusive, equitable and sustainable development.

Moreover, the paper makes a deliberate contribution to an African-centred body of scholarship that seeks to reframe governance challenges not as failures to imitate Wester institutional models, but as

opportunities to reconstruct contextually rooted, community-driven pathways to development. In doing so, it positions local governance in Lesotho not as a marginal administrative function but as a frontline arena in the struggle for justice, sustainability and democratic renewal.

Methodology

Methodological approach

This study adopts a qualitative, socio-legal and interpretative methodology that draws on multiple sources of data and theoretical reflection to interrogate the nexus between decentralisation, local governance and sustainable development on Lesotho. Its neither a doctrinal analysis of legislation in the narrow sense, nor a purely empirical study; rather it takes a more normative, policy oriented and people-centred lens to examine the structural and institutional dimensions of local governance. This allows for a deeper exploration of how decentralisation intersects with lived realities, traditional authority and development outcomes.

The research relies on three categories of sources:

(a) Primary legal and policy instruments: These include the Constitution of Lesotho, the Local Government Act 1997 (as amended), the Chieftainship Act 1968 (as amended), the National Decentralisation Policy 2014 and the National Strategic Development Plan II (2019-2023).

(b) Secondary literature: Academic writings by 'Nyane, Rakolobe, Kali, Kabi, Moorosi, Motseki-Mokhothu, Likoti, Muriaas, Narash, and Lephoto and Moshoeshoe.

(c) Reflective insights and practitioner knowledge: The paper integrates a reflective component based on author's own engagement with legal and governance processes in Lesotho, including litigation, advisory and policy reform contexts. This positionality provides a critical perspective on both the textual and experiential dimensions of governance.

The paper triangulates these sources to uncover both the formal and informal logics of governance that shape how decentralisation plays out in practice.

Positionality statement

This paper is written from the vantage point of a Mosotho Legal practitioner, academic and sustainability practitioner, with lived experience of the governance structures and development challenges that decentralisation purports to address.

This positionality shapes not only the question posed, but also the values that animate the analysis.

The author approaches the subject not as a detached observer but as an engaged scholar committed to the constitutional vison of inclusive democracy, accountable governance and sustainable development. There is a deliberate focus on the voices of rural communities, women and traditional leaders – actors who are often excluded from formal governance spaces but whose participation is essential for legitimacy and impact. The paper recognizes that legal and policy frameworks cannot be evaluated in isolation from the socio-cultural and political contexts in which they operate.

Moreover, the author acknowledges the complex and sometimes contradictory role of the state in Lesotho: as both a potential facilitator of development and a site of elite capture and bureaucratic inertia. This duality informs a cautious but hopeful approach to local governance reform, one that resists romanticizing either state-led or community-led models but seeks meaningful synergy between them.

Finally, the paper is informed by normative commitment to social justice, subsidiarity and intergenerational equity, all of which are core to the vison of sustainable development under the 2030 Agenda and Lesotho's national development aspirations. These commitments underlie the call for transformative, not merely technocratic understanding of decentralisation.

Findings

Legal and institutional framework for decentralisation and local governance in Lesotho

Constitutional foundations of decentralisation

While Lesotho's Constitution does not expressly refer to "decentralization," section 106 offers a tentative foundation for local governance by empowering Parliament to establish local authorities. This reflects a nod to subsidiarity, but that is neither entrenched nor guaranteed. As Lephoto & Moshoeshoe, 2025) note, the provision signals a centralized approach that undercuts the very principles that decentralization seeks to uphold. Rather than securing local governance in a through comprehensive and, meaningful and constitutionally entrenched manner section 106 renders it vulnerable to shifting political priorities. A critical examination reveals that section 106 is fraught with problems that undermine its effectiveness as a foundation for decentralization (Lephoto & Moshoeshoe, 2025). Without sufficient constitutional safeguards, local authorities remain weak, plagued by limited capacity, fiscal insecurity and unclear mandates. The result is a fragmented system in which local

development is inconsistent and accountability diffuse. This results in a disjointed system where local development initiatives may be sporadic, poorly coordinated, or altogether absent (Lephoto & Moshoeshoe, 2025). In its current from the Constitution accommodates local governance in theory, but in practice, it leaves it vulnerable to political inertia or reversal.

The Local Government Act 1997

The Local Government Act constitutes the core statutory framework for decentralisation in Lesotho. It provides for the establishments of community councils, urban councils, district councils and municipalities, delineating their composition, functions and powers. These bodies are tasked with a wide range of developmental and service delivery responsibilities, including land allocation, natural resources management and primary education support and local economic development.

Crucially, the Act introduces democratic participation at the local level through elected councilors, subject to periodic elections. This marks a fundamental shift from colonial and post-colonial administrative models where local authorities were largely appointed and centrally controlled. However, despite this legal structure implementation has been marred by capacity constraints, political interference and fragmentation between elected councils and traditional authority, as explored below.

National Decentralisation Policy 2014 and the NSDP II

Lesotho's 2014 National Decentralisation Policy presents a clearer vision for shifting functions, resources and responsibilities to local authorities. It embraces both devolution and deconcentration, recognizing that transferring core functions must be accompanied by administrative capacity. Yet, as 'Nyane (2025) observes, Lesotho's model resists neat classification, straddling both forms without embodying either.

The policy seeks to reorient local governance toward a developmental, people-oriented model, consistent with global decentralization norms and SDG 16's emphasis on inclusive and accountable institutions. It is reinforced by the National Strategic Development Plan II which identifies decentralisation as vital to inclusive growth, poverty reduction and improved service delivery.

Despite this vision, implementation remains uneven. Devolved mandates often outpace fiscal transfers, while weak oversight coordination continue to undermine the policy's transformative goals.

The role of chieftainship and customary governance

A defining feature of Lesotho's local governance is coexistence of statutory councils and the constitutionally recognized chieftainship. Since independence, this dual structure has been formalized, notably through Chieftainship Act of 1968 (Lephoto & Moshoeshoe, 2025). Chiefs have traditionally overseen land allocation, dispute resolution and community mobilization – roles now partially assumed by elected councils. As Lephoto and Moshoeshoe (2025) argue, integrating chiefs is not antithetical to decentralization; it reflects a legitimate, community rooted authority.

Yet tensions persist. The Local Government Act incorporates chiefs as ex officio council members, but overlapping mandates, unclear legal boundaries and power struggles often undermine governance ('Nyane, 2016). In practice, this has created friction between councilors and chiefs, resulting in contested legitimacy and weakened service delivery (Motseki-Mokhothu, 2022).

Unlike the participatory nature of the traditional system, the contemporary system is not local enough (Kali, 2020). Gender inequality further complicates the picture, with women underrepresented in both spheres (Rakolobe, 2025). Challenges such as underfunding, limited capacity and central government's reluctance to devolve power compound these issues (Kabi et al., 2014).

Despite these difficulties, chieftainship need not obstruct decentralization. If meaningfully reformed and integrated, it can act as a bridge between tradition and democratic governance, enhancing legitimacy, participation and social cohesion (Muriaas, 2011).

Institutional actors and intergovernmental relations

The decentralisation framework in Lesotho involves a multiplicity of actors: The Ministry of Local; Government, Ministry of Finance (for budget allocations), ministries (for sectoral devolution) and district administrations. A major challenge is the lack of clarity in intergovernmental relations, overlapping mandates and weak coordination between central and local authorities. This created inefficiencies in service delivery, fiscal and oversight.

Moreover, despite decentralisation in form, real power often remains centralized, especially in terms of personnel decisions, financial control and policy direction. Councils often lack autonomy in hiring staff or designing local government programmes. These institutional bottlenecks undermine the democratic and developmental promise of decentralisation and reinforce on the central state.

The role of local government in advancing sustainable development in Lesotho

Localising the Sustainable Development Goals (SDGs)

Local community participation and sustainability continue increasing their influence as key pillars in development, poverty eradication, health and conservation efforts (Tsai & Liao, 2017). In Lesotho, local authorities – are vital to achieving SDGs, with over 60% requiring local action. For example, SDG 1 (No poverty) and SDG 2 (Zero Hunger) demand effective delivery of agriculture extension services, equitable land allocation and sustainable livelihoods promotion – all functions assigned to local councils under the Local Government Act. Likewise, SDG 6 (Clean Water and Sanitation) and SDG 13 (Climate Action) rely heavily on local governments' roles in environmental protection, community water supply and disaster risk reduction. Local authorities and communities play a central role in shaping environmental policies and practices (Moorosi, 2025).

In Lesotho, local authorities, especially community and district councils – are best positioned to translate national development goals into context-specific, community-driven initiatives. This process of localizing of the SDGs involves aligning local development plans with national priorities such as those in the NSDP II and integrating global sustainability principles into everyday governance decisions. Lesotho faces significant environ mental challenges, including soil erosion, water scarcity, and biodiversity loss (Likoti, 2019).

Service delivery and infrastructure development

Effective service delivery is the bedrock of sustainable development and a core mandate of local authorities in Lesotho. Councils are entrusted with responsibilities in primary education, road maintenance, sanitation, solid waste management and markets – services that directly affect people's quality of life and socio-economic opportunities. Councils, by addressing these needs locally, are better to respond to spatial inequalities and prioritise marginalized or remote communities.

However, the decentralisation of service delivery remains constrained by resource asymmetries. Many councils operate on inadequate budgets, often dependent on conditions grants from the central government that are not disbursed timeously. Local authorities do not have the power to develop independent budgets or to mobilise local resources independently ('Nyane, 2016). This underfunding compromises infrastructure maintenance, limits staffing and reduces responsiveness to emergencies or community demands. In some cases, councils

have struggled to collect local revenues – such as market fees or land taxes – due to weak enforcement and resistance from taxpayers, often citing perceived corruption or inefficiency.

There is also a disconnect between responsibilities and capabilities. Councils are given significant mandates but without the corresponding fiscal, technical and human resources. The reality is that, notwithstanding the Act, the central government continues to perform most of the functions that are listed in the schedules, such as education, roads, forestry and water resources, because local authorities do not have the necessary financial and human resources to perform these functions ('Nyane, 2016).

This misalignment perpetuates underperformance and fuels public dissatisfaction, thereby threatening the credibility of decentralised governance.

Participatory planning and democratic accountability

At its core, sustainable development is not only about outcomes also about processes that empower people, foster inclusion and deepen democratic values. Lesotho's local government framework is designed to promote community participation through village development committees, public consultations and council meetings. In principle, this ensures that development planning is reflective of grassroots priorities and that councilors remain accountable to their constituencies.

In practice, however, participation is often procedural rather than substantive, community members are invited to attend meetings but lack the information or capacity to influence decisions meaningfully. Gender and youth representation also remains uneven, despite quotas and policy commitments. Women, who often bear the blunt of service delivery failures (e.g. childcare and healthcare) are unrepresented in local decision-making forums. Youth voices, too, are marginalized in planning processes that remain largely adult-centric.

For local governance to advance sustainable development, participation must go beyond consultation toward empowerment, equipping citizens with the knowledge, platforms and influence necessary to shape their futures. This requires civic education, institutional transparency and strengthened social accountability mechanisms such as community scorecards and performance audits.

Environmental governance and climate resilience

Environmental sustainability is a critical dimension of the SDGs and local governments are uniquely placed to promote climate adaptation, natural

resource management and ecological protection. In Lesotho – where land degradation, clean water scarcity, and climate variably threaten livelihoods – local councils can lead initiatives in afforestation, conservation agriculture and community-based climate adaptation.

Indeed, some councils have initiate projects like terracing, soil erosion control and water harvesting, often in partnership with NGOSs and donor agencies. Yet these efforts are fragmented and project-driven, rather than institutionalized within a coherent climate governance strategy. Moreover, councils lack access to climate finance, environmental data and technical expertise, limiting their ability to scale up or sustain interventions.

Without systematic support, local governments risk becoming passive implements of externally funded projects, rather than active stewards of sustainability. A reorientation toward environmental governance as central pillar of local development – not an add-on – is essential.

Conclusion and Recommendations

This paper has demonstrated that decentralisation in Lesotho, while normatively aligned with principles of participatory governance and sustainable development, has fallen short of its transformative potential. The persistence of centralised control over political, fiscal, and administrative functions continues to undermine the role of local authorities as engines of development. Despite two decades of reform, local governance remains undercapacitated, fiscally constrained, and often politically marginalised. Community participation is uneven and frequently procedural rather than substantive, while traditional authorities, despite their continued legitimacy in many communities, remain only partially integrated into the formal decentralisation framework.

Effective decentralisation in Lesotho requires more than legal reform – it demands a political and institutional reorientation that places local governance at the centre of the development agenda. This involves strengthening the constitutional foundation of decentralisation, ensuring that local authorities are not only created at the discretion of Parliament but are protected as a permanent and autonomous sphere of government. It also entails aligning fiscal responsibilities with adequate and timely resource transfers, empowering councils to mobilise and manage their own revenues, and improving coordination between central and local institutions.

Moreover, the integration of traditional authority into local governance must be revisited, not as a compromise, but as an opportunity to build hybrid systems of legitimacy that reflect Lesotho's cultural and historical realities. Environmental sustainability must also be mainstreamed within local government mandates, supported by the technical capacity and access to climate financing required to respond effectively to ecological challenges.

Ultimately, decentralisation in Lesotho must be reimagined not as a technocratic exercise in administrative efficiency but as a people-centred project of democratic renewal, social justice, and place-based development. A truly developmental model of decentralisation will empower communities, restore accountability, and build the institutional foundations necessary for inclusive and sustainable progress.

References

Nyane, H. 2016. Assignment of functions to local authorities in Lesotho. *Commonwealth Journal of Local Governance, 19*, pp. 58–74.

Government of Lesotho, (2014) Decentralisation Policy. [Online]. Available at www.undp.org/content/dam/lesotho/docs/Other/Final_Decentralization_Policy_(PDF).pdf Retrieved on 20 July 2025.

Kabi, T., Kompi, B. & Chitja, T. 2014. Challenges of local government in the community councils of the Maseru district in the Kingdom of Lesotho: An historical overview. *Mediterranean Journal of Social Sciences, 39(1)*, pp. 51–57

Kali, M. 2020. Challenges and prospects of decentralisation in Lesotho. *International Journal of Humanities, Art and Social Studies, 5(2),* pp. 11–20.

Lesotho Government. 2018. National Strategic Development Plan. Maseru. Government Printer.

Lephoto M and Moshoeshoe B, (2025). Distribution of powers and functions between central government and local authorities in Lesotho: A constitutional and legal perspective. *Local Governance and Decentralisation in Lesotho.* Eds H 'Nyane and M Kapa. LexisNexis.

Likoti, M.L. 2019. Governing the commons to attain land degradation neutrality in Lesotho. United Nations University Land Restoration Training Programme. Final project. [Online]. Available at https://www.grocentre.is/static/gro/publication/729/document/likoti2019.pdf.

Motseki-Mokhothu, M. 2022. Service delivery, a challenge for local government: the case of two community councils in Lesotho. *International Journal of Public Administration and Management Research, 8(2),* pp. 52–63.

Muriaas, R.L. 2011. Traditional institutions and decentralisation: A typology of co - existence in Saharan Africa. *Forum for Development Studies, 38(1),* pp. 87–107.

Moorosi P. (2025). Collaborative and adaptive approaches to environmental governance at the local level in Lesotho. *Local Governance and Decentralisation in Lesotho*. Eds H 'Nyane and M Kapa. LexisNexis.

Rakolobe, M. (2025) Experiences of gender quota beneficiaries in Lesotho: A study of four community councils. *Local Governance and Decentralisation in Lesotho.* Eds H 'Nyane and M Kapa. LexisNexis.

Scheepers, T. & Monchusi, P. J. 2002. Implementing the law relating to local economic development in the struggle against poverty. No 14. Konrad Adenauer Stiftung.

Sets'abi, S. 2010. Revisiting local governance in Lesotho: Decentralising the central state. *The Journal of Work for Justice, 27(87)*), pp. 2–51.

Tsai, K. H., & Liao, Y. C. (2017). Sustainability Strategy and eco-innovation: A moderation model. *Business Strategy and the Environment, 26 (4),* 426-437.