

WE OFFER:

- Computer Hardware & Accessories
- Office Automation • Mobile phones • Office products • Medical Supplies
- Engineering supplies • Software • Stationery

00266 22 324 660



SALES@BOHLOKOAMERCHANTS.COM - WWW.BOHLOKOAMERCHANTS.COM

MASERU, LESOTHO

Sunday, 10 May 2026

Lesotho Tribune

Information Liberates



www.lesothotribune.co.ls

VOL 5, ISSUE 36

M22.00

NEWS / SOCIAL AFFAIRS

Ministry of Health and WHO train journalists to stand with science

...Page 2

COURTS & JUSTICE

High Court convicts two Roma men for 2020 murder of Molojoa Mabokoane

...Page 6



BUSINESS

Paid, signed off, not done: how LNDC's Hlotse property ate public money across three contractors in two years

Page 10

DOMESTIC & INTERNATIONAL CHARTERS

**YOUR SKY,
YOUR SCHEDULE.**

+266 22 324 660

bookings@mohahlaulairlines.com



CHARTER FLIGHTS · LESOTHO

Official Statements, government communications, and institutional announcements

Ministry of Health and WHO train journalists to stand with science

The Ministry of Health and the World Health Organisation joined forces to train journalists in reporting factual, science-based health stories, warning that misinformation spreads faster than disease itself.

By LEMOHANG BOTSANE



MASERU

The Ministry of Health and the World Health Organisation (WHO) joined forces on Monday to train journalists in reporting factual health stories in Maseru. The one-day workshop taught reporters how to share health news that is true, clear, and based on science.

The training was called “Reporting Health Right: Standing with Science.” Reporters from across media platforms, including radio, television, newspapers and online news sites, came to learn.

Acting Principal Secretary for Health, Mats’oanelo Monyobi, said World Health Day is a time to remind everyone to stand with science. This means

Lesotho Tribune. lesothotribune.co.ls . Information Liberates



SUBSCRIBER EXCLUSIVE

This article is available to Lesotho Tribune subscribers. Subscribe today and get full access to all our reporting.

[SUBSCRIBE AT +266 6272 0415](tel:+26662720415)

Lesotho Tribune . Information Liberates

DIGITAL EDITION · NOW AVAILABLE

Subscribe to *Lesotho Tribune*

Stay informed with Lesotho's most trusted source of credible journalism — in-depth reporting, opinions, and data-driven analysis, delivered to your device.

MONTHLY

M85

per month

ANNUAL — BEST VALUE

M1,020

per year · save 2 months

Our focus is on **data journalism and in-depth analysis** over surface-level reporting — covering politics, economics, governance, and society with both criticism and acclaim. Our political alignment is **economic liberalism**. Invest in journalism. Invest in democracy.

Pay via EFT / Bank Transfer

BANK DETAILS

Account name	BMC
Account number	9080008138164
Bank	Standard Lesotho Bank
Branch code	060667

Pay via Mobile Money



M-PESA
Merchant name: BMC

03444



ECOCASH
Merchant code

81329

Request a free digital copy on WhatsApp

 **+266 6272 0415**

Lesotho Tribune
Information Liberates

Lesotho joins regional HIV network in push for pan-prevention approach

Lesotho has joined the South-to-South HIV Prevention Learning Network as its 16th member, pledging to deepen regional collaboration and accelerate progress toward an HIV-free generation.

By **LEMOHANG BOTSANE**



MASERU

Lesotho has taken a significant step forward in its fight against HIV. The National AIDS Commission (NAC) joined hands with the South-to-South HIV Prevention Learning Network this week to hold a two-day workshop in Maseru, aimed at making the country's HIV prevention work stronger and more effective.

The workshop opened on Wednesday and brought together government leaders, health experts, and development partners from across the region. They worked on a plan called the Pan-Prevention approach, which looks at all the different ways to stop new HIV infections rather than focusing on one method alone.

Speaking at the opening, Acting Principal Secretary for Health, Mats'oanelo

Monyobi, said it is a proud moment for Lesotho as the country has just become the 16th member of the South-to-South HIV Prevention Learning Network.

"This is a big milestone for us," Monyobi said. "It means we can now share what we have learned with other countries. We can also learn from them about the best ways to prevent HIV." Monyobi said that Lesotho is still badly affected by HIV and AIDS, but the country has made strong progress. Lesotho has already met and exceeded the global 95-95-95 targets. This means 95% of people with HIV know their status, 95% of those are on treatment, and 95% of people on treatment have the virus under control. She said the workshop will help participants share ideas, collaborate more effectively, and find new ways to

"We need to make sure money for HIV prevention is used in the best way. That is how we will get an HIV-free generation."

MUHAMMED KHAN .
SOUTH-TO-SOUTH HIV
PREVENTION LEARNING
NETWORK

Muhammed Khan, speaking on behalf of the South-to-South HIV Prevention Learning Network, said the meeting is a chance to talk about funding. He noted that countries will assess whether their current programmes are working, and look for gaps that need quick action.

He praised Lesotho for its active role in the network. "This shows Lesotho is serious about stopping new infections and helping the whole region," he said.

Tiisetso Piet, speaking for the NAC Chief Executive, highlighted that the NAC will keep building strong partnerships with the goal of growing programmes that are proven to work. "We cannot stop now," Piet said. "We must work together to keep our progress going. We must move even faster."

The workshop concluded on Thursday. Over the two days, participants discussed practical plans to help Lesotho and other countries improve their HIV prevention programmes, with the main aim of ensuring fewer people get infected in future. The NAC said working with neighbours and sharing knowledge is key to ending HIV in Lesotho and across Southern Africa.

stop HIV.

ADVERTISING OPPORTUNITIES

Lesotho Tribune

Information Liberates

Put your brand where *Lesotho is reading.*

Reach a discerning, civically engaged audience across print and digital platforms — the readers who lead, decide, and influence.

5+

YEARS OF PUBLISHING

Print

WEEKLY EDITION

Digital

ONLINE & SOCIAL REACH

National

COVERAGE ACROSS LESOTHO

Lesotho Tribune is the Kingdom's foremost independent newspaper — trusted for **data journalism, in-depth analysis, and fearless reporting**. Advertising with us places your brand alongside content that decision-makers, professionals, and informed citizens turn to every week, in print and online.

Advertising Formats

FRONT PAGE BANNER

Maximum visibility. First impression. Every reader, every edition. **HIGH IMPACT**

FULL PAGE

Full A4 canvas for campaigns that demand attention and detail. **PREMIUM**

HALF PAGE

Strong presence across any section of the paper. **POPULAR**

QUARTER PAGE

Targeted, cost-effective placements for focused messaging. **FLEXIBLE**

DIGITAL DISPLAY

Banner and sponsored content on lesothotribune.co.ls **ONLINE**

SPONSORED STORY

Editorial-style content written and placed by our team. **EDITORIAL**

Where We Reach You

PRINT EDITION

Weekly newspaper, nationwide

WEBSITE

lesothotribune.co.ls

SOCIAL MEDIA

Facebook · WhatsApp · X

GET IN TOUCH TODAY

Let's build your campaign.

✉ sales@lesothotribune.co.ls

☎ **+266 6272 0415**

🌐 www.lesothotribune.co.ls



High Court convicts two Roma men for 2020 murder of Molojoa Mabokoane

Justice 'Mabatšoeneng Hlaele found Tšepo Tabola and Motsie Mochesane guilty after the prosecution presented consistent, mutually corroborative evidence placing both men at the scene of the killing.

By THOLOANA LESENYA



The High Court has convicted two men from Tloutle in Roma for the 2020 murder of Molojoa Mabokoane. Justice 'Mabatšoeneng Hlaele this week found Tšepo Tabola and Motsie Mochesane guilty of murder in connection with the killing that occurred on 24 February 2020. The court heard that Mabokoane was attacked after two men wearing balaclavas approached a group of people working in the fields removing weeds. The men pretended to be looking for work before events took a violent turn.

Witnesses testified that the suspects were later identified after Tabola briefly removed his face covering, while Mochesane was already known to some of those present at the scene. Court proceedings further revealed that Mochesane had accused the deceased of shooting him during a previous altercation. That accusation is believed to have been the motive

behind the fatal attack. Evidence before the court showed that the accused later left the fields with Mabokoane, telling those present that they wished to speak with him privately. The two men then returned without the deceased.

“The totality of the evidence corroborates each other.”
JUSTICE 'MABATŠOENENG HLAELE
· HIGH COURT

Mabokoane was subsequently discovered in the Ramashamole Valley at Ha Matobo with severe injuries. He was unable to speak when found due to the seriousness of his condition. Police transported him to hospital, where he was pronounced dead on arrival. Investigators told the court that the two accused surrendered themselves to the Roma Police the following day and handed over the weapons used in the attack, namely a knife and an axe.

A post-mortem report concluded that Mabokoane died from a skull fracture and severe brain injuries sustained during the assault. In delivering judgment, Justice Hlaele said the prosecution's evidence was consistent and mutually corroborative. The court found that the accused had been positively identified by witnesses and that there was no doubt both were present during the commission of the offence. The judge rejected arguments seeking to minimise Tabola's role. Although the court acknowledged that Mochesane appeared to have had a stronger motive, it found that both men acted together with a common purpose.

The court found that the nature of the injuries inflicted and the time the accused spent with the deceased made it impossible to accept that Mochesane acted alone while Tabola merely stood by.

“What can be said is that his participation was minimal because he did not have a motive as opposed to his co-accused,” the court stated. The judge nonetheless emphasised that a lack of personal motive did not absolve Tabola of criminal responsibility, as he remained actively involved during the fatal incident. The court concluded that prosecutors had successfully established the guilt of both men beyond reasonable doubt. Both Tabola and Mochesane were found guilty as charged. The duo is expected to appear before Justice Hlaele for sentencing next Wednesday. Tabola and Mochesane are represented by Advocate Christopher Lephuthing, while the Crown is represented by Advocate 'Masenate Sekoala.



Two soldiers await judgment in fatal 2014 shooting of Lisebo Tang near Kamoli residence

Sergeant Tjekane Sebolai and Private Selone Ratšiu face murder, attempted murder and malicious damage to property charges a decade after opening fire on a vehicle the army had flagged as a threat.

By THOLOANA LESENYA



Two soldiers accused of murdering Lisebo Tang near the home of former army commander Lieutenant General Tlali Kamoli in 2014 are expected to learn their fate on Monday when the High Court delivers judgment in the long-running case.

Sergeant Tjekane Sebolai and Private Selone Ratšiu are charged with murder, attempted murder and malicious damage to property following the fatal shooting that occurred on May 09, 2014. The court heard that the two accused were on night duty at Kamoli's residence when they allegedly opened fire on a white 4x4 vehicle

carrying Tang and Tšepo Jane. Tang died during the shooting while Jane survived with injuries.

Evidence before the court revealed that the soldiers believed the vehicle matched the description of one mentioned in a military "Red Alert". The alert reportedly warned of a white 4x4 vehicle allegedly moving around dropping bombs and further warned that police were planning to arrest the then army commander.

"The evidence clearly shows that both accused participated in the commission of the offences."

ADVOCATE MOTENE RAFONEKE

· PROSECUTOR

According to evidence led in court, the accused considered the vehicle a threat because of the way it moved around the commander's residence and nearby area. The court also heard that the soldiers were operating under instructions to "capture the enemy, and if it resists or flees, eliminate it". The defence argued that Tang and Jane failed to obey warnings to stop, get out of the vehicle and identify themselves before the shooting began. In closing arguments, lawyer for the accused Advocate Sello Tšabeha told the court that the proper charge should be culpable homicide rather than murder. He argued that the soldiers acted negligently and had no intention to kill.

Tšabeha said the accused exercised caution by firing single "double tap" shots instead of automatic fire. He further argued that the intention was to disable the vehicle and that the shooting stopped once the vehicle came to a halt.

KEY BALLISTICS EVIDENCE

The vehicle was left with 42 bullet holes. The two accused admitted firing a combined total of 24 bullets — 10 by one accused and 14 by the other — using AK47 rifles. Prosecutor Advocate Rafoneke cited the weapon type and volume of fire as evidence of direct intention to kill.

However, prosecutor Advocate Motene Rafoneke argued that the accused acted with direct intention to kill. He pointed to the use of AK47 rifles and the number of bullets fired as evidence of that intention. He also dismissed claims of self-defence, arguing that there was no imminent danger to justify the shooting. The two soldiers were initially charged alongside Private Kopano Matsoso, who was acquitted in 2020 after the court found there was no evidence linking him to the crimes. The matter restarted in 2023 before Chief Justice Sakoane Sakoane after the resignation of former presiding judge Justice Kabelo Lebotse in 2020.

Kamoli trial: defence to continue case as Makara cross-examination resumes

Nine soldiers, including former army commander Lieutenant General Tlali Kamoli, face charges linked to the 2015 fatal shooting of Lieutenant General Maaparankoe Mahao at Mokema.

By THOLOANA LESENYA



The defence in the murder trial of nine soldiers, including former army commander Lieutenant General Tlali Kamoli, will continue presenting its case before the High Court on June 08, 2026. The case is before Justice Charles Hungwe, where cross-examination of Captain Haleo Makara is expected to continue.

Captain Makara, one of the accused in the matter, told the court that he was part of the military team sent to Mokema on June 25, 2015 to arrest former army commander Lieutenant General Maaparankoe Mahao. He admitted during his testimony that he was the one who shot Mahao

during the operation. The defence maintains that the operation was lawful and aimed at suppressing mutiny within the army. However, the prosecution argues that Mahao's killing was a planned murder.

“The prosecution argues that Mahao's killing was a planned murder.”

CROWN COUNSEL · HIGH COURT OF LESOTHO

According to the defence, Mahao was armed at the time of the incident and posed a danger to the leader of the arrest team, the late Captain Tefo Hashatsi. The court heard that Hashatsi repeatedly

instructed Mahao to get out of his vehicle so he could be arrested. The defence further argued that members of the arrest team acted to protect Hashatsi from what they believed was a threat from Mahao. Another accused soldier, Captain Litekanyo Nyakane, has already testified before the court. In his evidence, he admitted being at Ha Lekete in Mokema though he did not commit any crime on the fateful day.

The nine accused are facing charges of murder, attempted murder, theft and unlawful damage to property linked to the incident. Mahao was fatally shot on June 25, 2015, in a case that continues to attract national attention more than a decade later.

ESG Lens

Sustainability, accountability, and development impact across Lesotho and the region



Funeral company board battle: court bid fails as meeting concludes before interdict served

A Leribe funeral company's boardroom has become a courtroom battleground, after a rival faction completed a contested directors' meeting before the opposing shareholders could even serve their urgent interdict application.

BY THOLOANA LESENYA



The High Court of Lesotho's Commercial Division is seized with a dispute that cuts to the heart of corporate governance at Naledi Funeral Planners (Pty) Ltd, a private company registered under the laws of Lesotho and operating out of Sebothoane in Leribe. The matter, registered as CCA/0032/2026, pits five founding shareholders against a rival faction that contends it was lawfully elected to run the company at an Annual General Meeting held on 16 January 2026.

At the centre of the dispute is Thabiso Madiba, the first respondent, who contends he was duly elected chairman at that AGM by a majority of shareholders and consequently appointed as a director of the company. Madiba and his co-directors say they have since been carrying out their duties without objec-



SUBSCRIBER EXCLUSIVE

This article is available to Lesotho Tribune subscribers.
Subscribe today and get full access to all our reporting.

SUBSCRIBE AT +266 6272 0415

Lesotho Tribune · Information Liberates

Business & Economy

10 **IT**

Markets, Monetary policy & the structural forces shaping Lesotho's economy

Paid, signed off, not done: how LNDC's Hlotse property ate public money across three contractors in two years

LNDC paid SPT Construction M545,238 for a comprehensive renovation of its Hlotse Residential Outestate. A Certificate of Practical Completion was signed. Less than two years later, the corporation's own task team found nine major items from the paid scope of work had never been delivered.

By MALEFO THINYANE



[Blurred text representing the main body of the article]



SUBSCRIBER EXCLUSIVE

This article is available to Lesotho Tribune subscribers. Subscribe today and get full access to all our reporting.

SUBSCRIBE AT +266 6272 0415

Lesotho Tribune · Information Liberates

Continues in Page 11

Business & Economy



Markets, Monetary policy & the structural forces shaping Lesotho's economy

Continued from Page 10

That observation appears in the task team's own site visit notes from 10 February 2022, written by LNDC representatives who attended the inspection. It is not an allegation from outside. It is the corporation's internal assessment of its own procurement record. SPT Construction's Invoice No. 53, presented under Purchase Order 2543 and dated 1 June 2020, covers 38 line items ranging from internal paintwork and ceiling replacement to plumbing, roof work, floor tiling, electrical repairs, glazing, carpentry, brickwork, and landscaping. The total, inclusive of VAT at 15 percent, is recorded as M545,238. The payment processing approval, signed by the PMO, PM, and GM-PDM, was authorised on 15 July 2020. The Certificate of Practical Completion was signed by the maintenance clerk identified as Ntlamelle, the leasing officer, and SPT Construction's representative on 22 July 2020.

Yet the February 2022 task team, led by the GM for Corporate Services and comprising officials from across the corporation's units, found the same structural deficiencies that the 2020 renovation was contracted to address. Exterior plastering with cracks. Rotten and patched rafters stained with black varnish. A sliding door improperly installed, letting in air. A leaking reception ceiling. A major roof leak in the manager's office. Old and outdated electrical switches that could not be replaced. Uneven wall plastering. External steel cable tubing, described in the report as "an old way of electrifying the building."

LESOTHO TRIBUNE · INVESTIGATION · PART ONE CONTINUED

The task team did not mince its language. It noted that the office "was below standard" and recommended an immediate visit by the corporation's executive committee, led by the CEO, so that leadership could "appreciate the work needed to be done on the building." A further anomaly sits within the SPT Construction file itself. Weeks after the Certificate of Practical Com-

pletion was signed, the corporation processed a second, separate payment to the same contractor. Under Purchase Order 2576, Invoice No. 54, SPT Construction submitted a claim for roof paint at the Hlotse Residential Outestate, dated 12 July 2020. The work described, scraping old paint, applying liquid cleaner, primer coat, and high-quality roof paint in three coats, attracted a total of M33,200 INVOICE ANOMALY · SPT CONSTRUCTION INV. 54 · ONE TRANSACTION, THREE FIGURES INVOICE VERSION 1 M33,200 No VAT line shown INVOICE VERSION 2 M38,180 Includes VAT of M4,980 AUDIT SLIP PROCESSED M36,520 Matches neither version The Lesotho Tribune has reviewed both invoice versions. LNDC has not responded to questions regarding the discrepancy. The Lesotho Tribune has, however, reviewed two versions of this invoice. The first records a total of M33,200 with no VAT line. The second version, bearing the same invoice number and date, includes a VAT line of M4,980 and arrives at M38,180. The payment processing approval records the amount as M33,200. The audit slip, processed on 10 September 2020, records the total as M36,520, a figure that matches neither version of the invoice precisely.

LNDC has not yet responded to questions submitted by the Lesotho Tribune regarding the discrepancy between the two invoice versions, the basis on which the amount processed differs from both, and what oversight mechanism, if any, was applied to verify that the 38 items in Invoice 53 had in fact been completed before the Certificate of Practical Completion was signed.

The corporation's maintenance clerk, Ntlamelle, whose signature appears on multiple completion certificates and payment processing documents across the contracts reviewed by this investigation, is central to the paper trail. The Tribune has

asked LNDC whether the clerk was the sole verifier of completed works, and whether an independent inspection was conducted before any payments were released. What the documents establish, without ambiguity, is that LNDC's own officials visited the property in February 2022 and found it in a condition inconsistent with the completion certificates signed in mid-2020. The corporation's internal records do not account for this gap.

"If the LNDC continues to refurbish the office without attending to the identified structural deficiencies, the items like furniture, materials and equipment will continue to be damaged as a cost to the corporation." ChurchBoy Creations assessment report, February 2022 The questions raised by Part One are straightforward. If the work was completed to the satisfaction of the corporation in July 2020, why did the same structural deficiencies persist in February 2022? If the work was not completed, who authorised the Certificate of Practical Completion and on what basis? And what happened to the more than M137,000 worth of line items that the corporation's own task team subsequently found had never been done? That warning was written not by a journalist or an auditor but by ChurchBoy Creations, one of the interior design firms invited to assess the property for yet another round of renovation work. By that point, the building had already absorbed the better part of M600,000 in maintenance expenditure. A second contractor would soon absorb more.

The Lesotho Tribune has written to LNDC seeking comment on the findings set out in this article. The corporation had not responded at the time of publication.

COMING IN PART TWO
Coming in Part Two: A second contractor enters. The purchase order total climbs to M402,690. The amount paid is recorded as M230,707. The completion certificate is signed on the same day as the invoice.

ESG Lens

Sustainability, accountability, and development impact across Lesotho and the region



Continued from Page 9

any objection. He further contends that the company secretary, Advocate Peter Matekane, was wrong to refuse the convening instruction, given that Madiba's directorship had not been set aside by any court order.

FOUR PRELIMINARY OBJECTIONS

The respondents raise four

AN APPLICATION OVERTAKEN BY EVENTS

Madiba's most pointed submission is reserved for the sequence of events on 29 April itself. He argues that by the time the application was served, the very relief it sought had been overtaken by events. The meeting had been held, resolutions passed, and directors appointed. The applicants, he says, now have no basis for a prospective interdict against a meeting that has already concluded. On the substantive question of who legitimately governs Naledi Funeral Planners, the respondents point to AGM minutes, formal removal letters sent to the founding directors, and an unbroken record of the Madiba faction performing directorship functions since January 2026. Madiba contends that not once, until the filing of this application, did Tlelima or his co-applicants formally object in writing to the respondents;

conduct as directors.

A PATTERN OF PROCEDURAL DELAY

The respondents reserve their most serious criticism for what they characterise as a deliberate pattern of procedural abuse. In CCA/0010/2026, the applicants obtained an urgent interdict, benefited from court indulgences when their counsel fell ill, and then failed to appear for agreement between the parties, interdicted two specific AGMs from

proceeding and set down a timeline for the filing of affidavits and heads of argument. Tlelima argues that the spirit of that order extended to all company meetings and that the directorship question remains sub judice. Madiba's answer is precise: the January order was limited by its own terms to two shareholder AGMs. No court, he contends, has ever prohibited the newly elected board from conducting ordinary operational meetings. "There is no existing order of court that prohibits us from acting as lawful directors of the company."

THABISO MADIBA · ANSWERING AFFIDAVIT, CCA/0032/2026

preliminary points that, if upheld, would dispose of the matter without reaching the merits. First, they argue the application lacks urgency because the applicants were aware of the planned meeting from 24 April 2026 and took no immediate action. Second, they in-

voke lis pendens, arguing that the same parties, the same subject matter, and substantially the same relief are already before the court in CCA/0010/2026, making the fresh application an impermissible duplication. Third, they argue non-joinder, noting that the two newly appointed independent directors have a direct interest in the outcome but were not cited as respondents. Fourth, they argue mis-joinder, contending that the Registrar of Companies and the Attorney General have no legal interest in a private company directorship dispute.

scheduled status hearing on 20 April 2026. The matter has not been enrolled for hearing. The rule, the respondents argue, has lapsed by virtue of the applicants own inaction. That submission touches a live nerve in Lesotho's commercial litigation landscape, where urgent applications can lie dormant for months while the applicant retains the practical benefit of an interim order. The respondents say the present application is an attempt to compound the problem by obtaining a second layer of interim relief in a fresh matter, without pursuing the original case to finality. Madiba and his co-directors are represented by M.S. Legal Minds Chambers of Maseru. They pray that the application be dismissed with costs on the attorney-and-client scale against the first to fifth applicants. The matter was set down before the Commercial Division on 4 May 2026. The Tribune will report further as the proceedings develop.



— FARM FRESH · LESOTHO HIGHLANDS

Grown with care,
delivered *fresh.*

Premium produce from the fertile valleys of the Kingdom of Lesotho

ORDER NOW food.bohlokoenterprises.co.ls



SCAN TO
ORDER ONLINE

food.bohlokoenterprises.co.ls

Editorial

The Tribune's position, and voices that challenge, provoke and inform



Majority rule is not a licence to govern without conscience

When governing parties command large parliamentary majorities, a dangerous comfort takes hold. Both Lesotho's RFP and South Africa's ANC have used democratic process as a weapon against democratic accountability. Both are constitutional delinquents. The electorate must act.

By Editorial



There is a dangerous comfort that settles over political parties when they command large parliamentary majorities. It is the comfort of believing that numbers confer not merely the power to legislate, but the right to legislate anything. That the ballot box, having spoken, silences all other voices, including the constitution itself. Recent events in both Lesotho and South Africa have exposed this comfort for what it is: a constitutional fraud dressed in democratic clothing.

The framers of modern constitutions understood, with hard-won clarity, that majorities could be just as tyrannical as kings. James Madison warned in the Federalist Papers that the greatest danger to republican government was not the despot in a palace but the faction with a majority, unchecked and unbridled. It was this un-

derstanding that gave birth to constitutional supremacy: the principle that what a parliament may do is bounded not by how many members voted for it, but by what the foundational law permits. Two governments, separated by a border and a decade, have recently tested that principle and been found wanting.

“The greatest danger to republican government was not the despot in a palace but the faction with a majority, unchecked and unbridled.”

JAMES MADISON · FEDERALIST PAPERS SOUTH AFRICA AND THE PHALA PHALA RULING

South Africa's Constitutional Court delivered a judgment in the Phala Phala matter that should have been a moment of

reckoning for the African National Congress. The court's findings confirmed what many constitutional scholars had long argued: that the executive is not above the document that created it.

The ANC's response was to lean on its parliamentary majority. The party whipped its members to protect the President from parliamentary accountability proceedings, not because the law demanded it, but because the numbers permitted it. This is the precise abuse that legal theorist Ronald Dworkin identified when he distinguished between “policy” advancing collective goals and “principle” — upholding rights and legal integrity regardless of political cost. The ANC chose policy over principle. It chose the majority over the constitution.

The late Chief Justice Pius Langa wrote in *Doctors for Life International v Speaker of the National Assembly* that constitutional democracy demands not merely formal compliance with procedure but substantive respect for constitutional values. The ANC's parliamentary manoeuvre in the Phala Phala matter satisfied the former and desecrated the latter.

“Parliamentary majorities are entitled to govern but not entitled to govern without constraint.”

LORD JOHAN STEYN TWO PARTIES, ONE FAILURE

The RFP and the ANC occupy different political traditions and govern different countries. What they share is a willingness to use democratic process as a weapon against democratic accountability. Both have behaved, in the instances under exami-

Continues in Page 14

Editorial



The Tribune's position, and voices that challenge, provoke and inform

Continued from Page 13

nation, as constitutional delinquents. That is not a term applied lightly. It is the term the Constitutional Court itself applied to President Zuma in *Democratic Alliance v President of the Republic of South Africa and Others*, and it means precisely what it says: a failure to honour the obligations that constitutional office demands. The RFP is a young party that entered government on a mandate for change. It has squandered that mandate with extraordinary speed by allowing a constitutional obligation to gather dust until a private citizen was forced to drag parliament to court to perform its basic duty. The ANC is an old party that defeated apartheid and wrote one of the world's most admired constitutions. It has allowed that achievement to curdle into the instrument of its own protection. Both parties have forgotten what the constitution is for. It is not a governing tool. It is a governing constraint. And constraints, by definition, apply with greatest force when those in power would prefer they did not.

THE TRIBUNE'S POSITION

Courts can correct specific constitutional violations. They cannot correct a political culture. That correction belongs to citizens. The harshest sanction available in a constitutional democracy is not a court order. It is the withdrawal of democratic trust. Both the RFP and

THE LESOTHO CONFLICT OF INTEREST RULING

The Constitutional Court of Lesotho has ruled that the National Assembly

failed its constitutional duty by neglecting to pass legislation preventing conflicts of interest for members of parliament and senators in relation to government contracts. The court has ordered that the necessary legislation must now be drafted and passed, marking a significant judicial intervention against self-dealing by lawmakers. The legal action was brought by advocate and party leader Teboho Mojapelo, who argued that parliamentary inaction on the matter was unconstitutional. Read clearly, this is a damning finding. A parliamentary majority — one dominated by the governing Revolution for Prosperity — sat in possession of a constitutional obligation and declined to honour it. The court did not need to strike down a bad law. There was no law to strike down. The delinquency here is not the abuse of legislative power but the deliberate abandonment of it: a majority choosing inaction because action would have constrained its own members' ability to benefit from state contracts.

Former Chief Justice of the Constitutional Court of South Africa Albie Sachs wrote that constitutionalism requires power to be exercised not merely through lawful form but with lawful purpose. In Maseru, there was neither. The form of legislative duty was ignored. The purpose — the protection of public resources from those entrusted to govern them — was abandoned entirely. It took a private citizen and a court order to compel what a parliamentary majority owed the country as a matter of basic constitutional obligation.

WHAT THE LAW SAYS ABOUT MA-

JORITIES

The Constitutional Court of South Africa, in *Economic Freedom Fighters v Speaker of the National Assembly*, held through Chief Justice Mogoeng Mogoeng that no provision of the constitution may be used to undermine constitutional accountability. A parliamentary majority that uses procedure to frustrate rather than enable accountability is acting unconstitutionally regardless of the numbers behind it. In Lesotho, the Court of Appeal has affirmed on multiple occasions that parliamentary sovereignty is subordinate to constitutional sovereignty. The legislature derives its authority from the constitution. It cannot, therefore, use that authority to hollow out the document from which the authority flows. This is not a radical legal position. It is the elementary grammar of constitutional government. Lord Johan Steyn, writing extra-judicially, observed that parliamentary majorities are entitled to govern but not entitled to govern without constraint. The constraint is not imposed from outside democracy. It is democracy's own highest expression.

the ANC have earned that withdrawal. The electorate should administer it without hesitation. Majority rule is the mechanism of democracy. It is not its purpose. The purpose is the protection of all citizens, including and especially those who did not vote for the majority. When a governing party forgets that distinction, it has not merely made a political error. It has committed a constitutional one. The correction belongs to the people.



— FARM FRESH · LESOTHO HIGHLANDS

Grown with care,
delivered *fresh*.

Premium produce from the fertile valleys of the Kingdom of Lesotho

ORDER NOW food.bohlokoenterprises.co.ls



SCAN TO
ORDER ONLINE

food.bohlokoenterprises.co.ls

Opinion

Official Statements, government communications, and institutional announcements



Victory Day at 81: the war, Nuremberg, and the duty to remember

Eighty-one years after the defeat of Nazi Germany, Russia's Ambassador to South Africa reflects on Victory Day, the legacy of the Nuremberg trials, and the enduring responsibility to preserve historical truth.

By H.E. ROMAN AMBAROV



Victory Day, 9 May, carries deep meaning for millions of Russians. This year marks 81 years since the defeat of Nazi Germany in the Great Patriotic War of 1941–1945, a victory that came at an immense human cost and shaped the modern world. For us, this is not distant history. Nearly 27 million Soviet citizens lost their lives, one in every seven. Almost every family was affected. Mine is no exception. My grandfather, though not a frontline soldier, was among the designers of the T-34 tank, one of the most effective combat vehicles of the war. Its mass production played a decisive role on the battlefield. The battles and operations of the Great Patriotic War were central to the defeat of Nazi Germany: nearly 90% of Wehrmacht losses occurred in the western parts of my country, and it was the Red Army that captured Berlin. Yet Victory Day is about more than military success. It is about endurance, unity, and the sacrifice of ordinary people.

FROM VICTORY TO JUSTICE:
NUREMBERG AT 80

If Victory Day marked the military defeat of Nazism, the Nuremberg International Military Tribunal gave that victory its everlasting legal and moral dimension. In 2026, we mark 80 years since the conclusion of the Nuremberg trials. For the first time, Nazi leaders were held accountable before an international court for crimes against humanity. The Tribunal condemned not only individuals, but also the ideology of Nazism itself.

The principles established at Nuremberg laid the foundation for modern international humanitarian and criminal law and continue to shape the global legal order.

H.E. ROMAN AMBAROV
Its legacy has endured and lives on. The principles established at Nuremberg laid the foundation for modern international humanitarian and criminal law and continue to shape the global legal order.

REMEMBERING THE VICTIMS
This year also marked a new

moment of remembrance in Russia. On 19 April 2026, my country for the first time observed the Day of Remembrance of the Victims of the Genocide of the Soviet People, established by federal law in December 2025. The date refers to a 1943 decree that initiated the prosecution of Nazi crimes.

The term “genocide of the Soviet people” reflects the documented intent behind Nazi policies in the East. The war against the Soviet Union was conceived not only as a military campaign, but as an elaborate project of destruction and colonisation. Large parts of the population were to be eliminated to make way for others.

These policies formed part of a broader vision known as Generalplan Ost, which envisaged the large-scale resettlement of conquered territories. In total, about 13.7 million civilians were killed, while millions more died from hunger and related causes. Today, these crimes are being examined in courts across Russia, and efforts continue to secure their recognition at the international level.

A SHARED RESPONSIBILITY
More than eight decades later, the lessons of that period remain relevant. The legacy of Victory Day and Nuremberg is not only about the past, it is about the principles that shape our present.

Preserving historical truth is a shared responsibility. It requires care, honesty, and respect for those who suffered. Above all, it is a strong commitment and profound devotion to future generations, to ensure that the tragedies of the 20th century are neither forgotten nor repeated.