

CHAPTER SIX

RESPONSIBILITIES AND FUNCTIONS OF COUNCILS

1. INTRODUCTION

The main objective of this chapter will be to identify and assess the main responsibilities and functions of councils. In the Guide for District and Town Councillors in Botswana (1985:3) it is stipulated that:

"Parliament decides which legal powers and responsibilities can best be handled by local rather than central government. Since 1966 the nine district and five town councils have gained some new powers, e.g. control of social and community development, remote areas development, self-help housing areas and regional health teams. They have lost other powers to central government, e.g. control of council permanent staff has passed to the Unified Local Government Service, and of primary school teachers to the Unified Teaching Service".

More specifically, the powers, responsibilities and functions of councils are defined by the 1965 District Councils Act, 1965 (No. 35 of 1965) as amended and the Township Act, 1965 (No 40 of 1965). These acts spell out the role that councils can play and the functions that they can perform in the socio-economic and political development in Botswana. Although the two acts do not clearly differentiate between different categories of functions and responsibilities that councils must undertake, it does seem clear that there are two main categories of functions that councils perform. These are, mandatory and permissive functions. Mandatory functions are those functions that councils give priority to in their planning and implementation processes. In other words they are compulsory functions that councils have to perform, whilst permissive functions are those functions that councils may perform but are not statutorily compelled to perform.

They are optional functions.

In Botswana, mandatory functions of councils are, the provision of primary education, primary health, collection of matimela (stray cattle), collection of rates and site levies, issuing of trade licences, provision of rural water supplies, construction and maintenance of secondary roads and establishing and maintaining cemeteries and burial grounds. Permissive functions include the provision of social services and community development. However, councils are permitted to perform any functions other than those specified, provided they are not beyond their areas of jurisdiction (Guide for District and Town Councillors, 1985).

2. MANDATORY FUNCTIONS

The performance of mandatory functions by councils since their establishment has been reasonably well. Molutsi (1993) observes as follows:

"The provision of these services have been growing through leaps and bounds throughout the country since independence. Councils have so far managed the services well and distributed them fairly equitably in their respective districts and towns ... councils could not have done much worse. Moreover, the first two and half decades were also easy years of infrastructural development and services provision. Schools, health facilities, and boreholes were easy to construct with little effort in terms of initiatives, planning and involvement on the part of councils".

This reasonable performance of their mandatory functions by councils has also been characterized by their inability to meet their implementation targets. This has been the feature of councils since their inception in 1966. In particular instances councils have only been able to achieve less than 50% of their performance targets (Egner 1997).

During the 1979-1985 plan 2 period, there was only a 55% successful implementation of council projects related to their mandatory functions, 70% during the 1973-1976 plan period and 51% during the 1976-1979 plan period. This inability to meet performance targets by councils has persisted until 1995. Egner (1997:448) remarks as follows:

"During both NDP 5 and NDP 6 two major challenges for the development of local government were identified: strengthening the capacity of local authorities to operate and maintain existing services, and to expand such services ...".

In spite of this inability to meet their performance targets during the plan period, the central government has continued to devolve more responsibilities to councils. According to Egner (1997:449) human resource constraints and the poor quality of contractors available at the district level affected effective implementation of development targets. Table 8 illustrates this inability by councils to meet their performance targets. The inability by councils to meet their performance targets is in spite of increased funding or subvention from the central government and donor agencies.

2.1 Primary Education

In terms of the District Councils Act, 1965, and Township Act of 1966, as amended, councils are compelled to provide primary education and other educational services related to primary education. This is limited to the provision of schools and accommodation for teachers. Syllabi and curricula are the responsibility of the central government Ministry of Education. Egner (1997:468) observes as follows:

"The construction and operation of primary schools is a Local Authority responsibility. However, primary school teachers are not part of the Unified Local Government Service - they are posted by the Unified Teaching Service of the Ministry of Education".



Table 8: Selected NDP 6 Targets and Achievements

Level	Year	Target	Actual
<u>Primary Education</u>			
Standard 1 enrolment	1989	44 234	45 032
Total enrolment	1989	260 910	268 205
Trained teachers in post	1989	5 980	8 520
Untrained teachers	1991	29%	13%
Classrooms constructed	1985/86-90/91	1 500	1 138
<u>Junior Secondary Education</u>			
Form 1 enrolment	1990	21 000	22 671
Total enrolment	1990	38 860	40 747
CJSSs - new classrooms ^(a)	1985/85-90/91	1 145	1 574
<u>Senior Secondary Education</u>			
Total enrolment	1990	15 341	17 048
<u>Teacher Training</u>			
Primary TTC enrolment	1990	1 480	1 373
Primary TTC Output	1985/6-90/1	3 670	3 742
Secondary teacher output	1985/6-1990	1 259	1 059
<u>Vocational Training</u>			
New VTCs opened	1985-91	4	4
Total VTC enrolment	1989	1 100	1 170
Polytechnic enrolment	1989	1 350	868
<u>University</u>			
Degree course enrolment	1989/90	2 024	2 084
Total enrolment (all courses) ^(b)	1989/90	3 340	2 856

Thus central government is responsible for the employment and deployment of all teachers in Botswana, including primary school teachers, as well as all matters relating to salaries, benefits and discipline. The liaison work is thus between the Ministry of Local Government, Lands and Housing and the Ministry of Education through a Joint Committee. The quality of performance of this mandatory function by councils can only be assessed in terms of the number of physical facilities provided by councils and number of pupils in primary schools. The quality of pupils produced cannot be included since councils have no say in the designing of curricula and the hiring of teachers.

In as far as the provision of primary schools is concerned the performance of councils has generally been reasonable and in particular instances outstanding. This is clearly reflected in the increase in the number of primary schools that councils have built since their inception in 1966. If the pre-independence period is used as the basis of evaluating and assessing the number of primary schools built by councils, their performance has so far been higher. According to Egner (1987:318) the number of registered primary schools increased from 52% in 1985 to 63.6% in 1990. This was a substantial increase. (Egner, 1987:318).

The achievement in the construction of primary schools has resulted in the increase in the number of school going age children attending school. These figures show excellent progress by councils especially in the light of the critical shortages in trained personnel in the field of administration, professional and technical experts.

These achievements have also been tempered by the continuing problem of the ability of councils to meet their targets as well as continuing shortages of class room spaces. According to Egner (1986:54), the target set by National Development Plan 6 of providing 80% of class room was not met by councils, only 1 138 new class rooms instead of 2 600 were constructed. This resulted in the increase of backlog, which meant that six districts had to continue with double shifts. Councils also failed to meet their targets of building, resulting in a backlog

of 1 622 teachers quarters and 615 pit latrines.

Part of the reason for this inability to meet performance targets by councils was of course increased pupil enrolments especially since primary schooling is now free and delays in schools and class room construction. There is also a problem of lack of supervisory capacity. Financial constraints also played their role in preventing councils achieving their set performance targets.

The reluctance by the central government to give councils the freedom to spend money allocated to them as they see fit is also partly to blame for the inability by councils to meet their performance targets. Egner (1986:54) remarks as follows:

"If the ministry insists, as it has done since 1974, on retaining full authority over spending ... it can hardly avoid accepting responsibility ... Nor can it blame councils for shortage of equipment in the district council primary schools, where according to the 1985 Education statistics 183 637 pupils had 117 200 seats to sit on, and there were 400 chairs and 350 tables for 5 800 teachers".

Whilst this observation was made in 1986, it still applies with equal validity. The central government, through the Ministry of Local Government, Lands and Housing, still keeps a very tight control over council expenditure directly and indirectly. This includes funds made available to councils by donors. Despite the persistent delays, the performance of councils in the provision of primary education in particular and universal primary education in general has been significant. This is more so if compared to the commitment by the 1990 World Conference on Education for All to encourage developing countries to achieve an 80% target for basic education by the year 2000. Botswana has already exceeded this target for the seven years of primary education. This is an acknowledgement of the councils' success considering the short comings they have to overcome (Egner, 1986:318).

2.2 Primary Health

The provision of basic or primary and public health services and shelter is another mandatory function of councils. The central government, through the Ministry of Health, retains portfolio responsibility for health in general. This involves the formulation of national health policy and strategies. Councils' responsibilities are therefore largely limited to the implementation of these policies and strategies. To ensure smooth co-ordination between the local authorities and the Ministry of Health, the Joint Primary Health Cre Co-ordinating Committee was set up in 1976.

Unlike in the area of primary education where the responsibilities of councils are confined to the provision of physical facilities, the responsibilities of councils with regard to primary health go beyond the provision of physical facilities. In addition to the construction and maintenance of health facilities, they are also involved in mobilizing community participation in the identification of health problems, defining priorities for action and the planning of organization and management of health care. The Village Health Committees and Village Development Committees play an important role in the mobilization of community participation.

This responsibility was increased by the transfer of Regional Health Teams to the councils. Councils are also responsible for sanitation and environmental health, the provision of four categories of health facilities, i.e. mobile stop, health post, clinic without maternity ward and clinic with maternity ward.

As was the case with the provision of primary education there are some successes and failures. Generally speaking the performance by councils in the provision of primary health, especially in terms of bringing health facilities closer to the people, has been reasonable. For instance the majority of people in Botswana, especially in the rural areas, are now about 5 km from the nearest health facility either in the form of mobile health stop, health post or a clinic. Twenty years ago the distance was about 80 km. In fact, more than 80% of the population has access to health services. Although this was not due to the role of councils, there is no doubt that

councils only have played a crucial role in the achievement of this reasonable results. These achievements have been coloured by the failure by councils to achieve their projected targets. See Table 9 for data relating to councils inability to achieve their planned targets. It is clear from this table that they have continuously failed to achieve their targets. The NDP (7:373) comments as follows regarding the failure by councils to meet some of their development targets:

"The programme entailed substantial construction for which ... councils did not always have adequate implementation capacity".

More importantly also (Ibid:374):

"While 85 per cent of the population now has reasonable access to health services, the quality of the services still needs to be improved, particularly with regard to trained manpower".

The situation is compounded by the reluctance of trained, better qualified and experienced personnel to join councils. Most of them refused to join councils and if forced to join in most cases resigned because they fear to be transferred to rural areas, for included in the contract of employment with councils is transferability every three years. The inability to meet their targets is also prevalent in sanitation projects undertaken by councils, especially in the rural areas (Egner 1986). Even in this instance the failure to achieve stated targets is largely due to lack of capacity.

Unless this is coupled with a system of incentives, it is unlikely that this strategy will help to solve the shortage of trained health personnel in the councils especially in the district councils for reasons raised above. Surprisingly enough, the central government is still committed to decentralizing more health responsibilities to councils despite their inability to meet their health provision targets. This is clear from the NDP 7 which states its aim as (Ibid:375):

- "to finalise decentralization of responsibility of PHC (primary health care) to District Councils and improvement of PHC management
- to localise district health team leaders, and
- to enhance the quality of service at all levels through improved personnel management, transport, communications and increased PHC management".

This process is in fact already in progress having been started in 1992. District and regional teams are already under the control of councils. Indications are, that they are already plagued by the same situations that have plagued councils since their inception, i.e. lack of trained personnel to implement and manage health policies, programmes and projects. It defies logic why the central government continues to devolve more responsibilities despite the inability of councils to meet their targets (National District Development Conference 1991).

Even the Ministry of Health concedes that councils have consistently failed to perform as envisaged and part of the reason has been the acute shortage of trained personnel. According to the NDP 7 (Op cit:375), a network of physical facilities has been constructed. It is however facing severe human resource shortages.

The situation is further compounded by the fact that (Ibid:468):

"Decentralisation of primary health services to Local Authority was taken a stage further in NDP 6, with the transfer of Regional Health Teams to the District and Urban Councils. However, no administrative health personnel have been transferred ... which sometimes results in coordination problems between Local Authorities ... and the Ministry of Health".

In addition to coordination inadequacies this also results in the councils inability to make proper estimates, recruitment, deployment and utilization of personnel. Councils are dissatisfied because they are required to implement primary health policies, programmes and projects using personnel selected, recruited, employed and controlled by the Ministry of Health. During interviews conducted by Nengwekhulu in 1992, senior local government staff complained that:

"Staff employed and controlled by a central government ministry do not show or feel any allegiance to the council and as such their performance is likely to be affected by this lack of allegiance and commitment to councils".

The central government has in 1994, begun a programme of training local government personnel from all the councils, especially those from the personnel sections, in the management of personnel with the view to decentralizing the recruitment, selection, appointment and control of local government, i.e. council personnel. Whether this process will involve personnel attached and controlled by the Ministry of Health, is not clear. It seems likely that they too will be affected. This will of course not necessarily lead to improve performance by councils, but will contribute to making the planning of personnel recruitment, selection, appointment and utilization easier.

2.3 Self Help Housing

The provision of low cost housing, through the Self-Help Housing Agencies (SHHA) is another function that has become mandatory for councils to perform especially with regard to urban councils. According to the National Development Plan 7 (NDP7:408):

"SHHA, administered by urban councils, were first introduced in 1974. The programme was established to provide an effective means of allowing access to affordable housing for low income groups. The 'site and service' concept adopted in the SHHA programme sought to emphasise self-reliance

and the spirit of self-help (ipelegeng) to minimise costs, while providing access to housing for low income groups".

While the SHHA programme was originally intended for the provision of urban housing for low income groups, a modified version of the programme has now been extended to rural areas where district councils are now responsible for the administration of the programme. The programme is only open to Botswana citizens. The scheme is designed to be self-financing on the basis of cost recovery principle. Residents are required to pay a monthly site and service levy to cover the cost of site development, maintenance and the supply of water to standpipes. According to the National Development Plan (No. 7:408):

"The scheme has proved highly successful in allowing low income urban households access to housing, and averting squatter settlements ... By the end of 1990, there were 26 700 SHHA plots in six urban centres: Gaborone, Lobatse, Francistown, Selebi-pikune, Jwaneng and Kasane. The programme provided serviced plots to about three fifths of the population of those centres. No significant squatter settlements have developed since the programme was instituted ..."

Despite these achievements the programme has been subject to difficulties, which are in the main, a reflection of the general poor competence of councils. In the first place, councils have been unable to sustain the programme financially and as such expenditure is being met by central government deficit grants. The situation stems from the inability of councils to collect site and service levies. More importantly also councils have been unable to ensure regular repayments of building material loans from site owners. The National Development Plan (NDP 7:408) comments that:

Table 9: Rural Health Facilities, NDP 6 Targets and Achievements

Facility	No. in 1985	NDP 6 target	Achieved in NDP 6
Health posts	270	41	38
Clinics	142	10	28
Nurses' houses	n.a.	90	30

Source: Medical Statistics Unit and MLGL Planning Unit.

"Accordingly, default rates are high on Building Material Loan and collection of service levies are relatively low. This has amounted to an effective subsidy for SHHA plots ...".

Underlying this problem has been the shortage of trained personnel to supervise the collection of service levies. Politics has also played a major role in the poor collection of service levies. This is especially so in councils controlled by opposition political parties. Most opposition councillors are opposed to the payment of service levies by SHHA plot holders arguing that these are people at the lowest end of the sustainable ladder. For instance in 1984, the Francistown Town Council which was then controlled by the opposition Botswana People's Party adopted a resolution abolition service levy. Unfortunately the resolution could not be implemented as it was *ultra vires*. Where the action by opposition controlled councils is not *ultra vires*, the central government has always threatened to withhold subsidies. The question whether these concerns reflect genuine sympathy for the low income groups or whether it is purely a question of playing politics, and exploited is beyond the scope of this assessment. The question of motives falls within the scope of social psychology. It seems, however, clear that there is no question of councillors who belong to the petty bourgeoisie class, committing class suicide judging by their actions in other spheres of their actions as councillors (Molutsi 1989). Generally speaking councils, both opposition party held, and those controlled by the ruling party have generally passed resolutions which are contradictory to the interests of the low income groups. Their anti-working class and poor peasant attitudes was clearly demonstrated during a survey regarding the question of minimum wage for rural workers. The majority of those interviewed rejected the idea of a minimum wage. In addition to that, some of them employ Basarwa as slave labourers to look after their livestock (Holm and Molutsi, 1989).

2.4 Roads Construction and Maintenance

In terms of the District Councils Act, 1965, and the Township Act, 1966, as amended, road construction i.e. secondary road construction is the responsibility of councils. As the National Development Plan 7 puts it, (NDP 7:408):

"Local authorities are responsible for urban roads ... and district roads, most of which are earth/sandtracks. Local Authorities use labour intensive methods for road construction and maintenance ... A road maintenance study, due to take place early in NDP 7, will make recommendations on whether there should be further decentralization".

If the central government goes further and decentralize more responsibilities to councils to construct and maintain urban and rural roads, this will be unfortunate as it will only make it almost impossible for councils to improve the quality of existing roads. So far councils have been unable to construct usable roads with the exception of urban councils which have broader bases for funds. In the district councils most roads are basically gravel roads and sand tracks which are poorly maintained. The NDP 7 (Ibid:200) puts it:

"Regularly used rural district roads (with up to 20 vehicles per day) total 7 000 km, of which about 1 200 km are engineered. The rest are sand tracks and unimproved earth roads, which can only be negotiated safely by four wheel drive vehicles".

Whilst the quality of rural roads remains poor and is likely to remain so, quantitatively, councils have performed reasonably well. For instance, according to NDP 7 (203), 850 km of earth roads were constructed of which 105 km were gravelled sections. There was another 1 000 km of track improvements which were carried out in Ghanzi and Kgalagadi districts.

This performance can even be considered acceptable considering that a large proportion of upgrading and maintenance of district council roads is undertaken by labour intensive methods. According to NDP 7 analysis (1991-1997) 40% of this strenuous and energy sapping exercise is carried out by women. Table 10 gives detailed data on the length of rural roads constructed under the labour intensive scheme.

As long as labour intensive methods remain the principal vehicle for rural road construction and maintenance, the quality of roads will remain poor. The net result of this will be the inability of district councils to attract investments, both industrial and commercial, essential for the development of the rural areas. The central government seems to think (Ibid:167) that rural industrial development can be achieved solely on the basis of entrepreneurial skills.

Whilst it is true that entrepreneurial skills are essential for development, not only of the rural industrial development areas, but also of urban development, it is also true that usable all weather roads are essential to attract available and potential entrepreneurial skills to the rural areas. It is unlikely that an entrepreneur will sink his or her capital into an area where transport costs will require high investments.

This may explain why the government's rural industrialization strategy characterized by attractive tax incentives has not resulted in concrete rural industrial enterprises. There is a need to review the policy of labour intensive methods of rural road construction and maintenance as the principal methods of the construction and upgrading of roads.

Table 10: NDP 7 Rural Infrastructure Targets

Plan number	Service	NDP 7 target
LG 114	Primary Schools Classrooms Teachers' Quarters Toilets	250 per year 150 per year 1 000 per year
LG 104	Primary Health Facilities Clinics Health Posts Nurses Houses Maternity Wards	10 25 50 5
LG 911	Customary Courts	22 per year
LG 322	Rural Administration Centres	7
LG 117	Labour Intensive Roads Upgraded Maintained	850 km per year 1 000 km per year
LG 149	Major Village Infrastructure Rural Industrial Sites Land servicing and housing program	1 000 plots 3 000 plots
LG 148	District Water Supplies Rehabilitation of water supply systems	Const. of 6 offices Rehab. of 120 schemes
LG 144	Rural Sanitation Units Ventilated Improved Pit Latrines	22 000
LG 116	Land Board Development Land Board Offices	50
LG 124	District Housing	1 500 houses

Source: MLGL Planning Unit.

If road construction and maintenance is still based on labour intensive methods, it is difficult to see how efficiency can be improved, for the fundamental problem of rural roads is not that they are inefficiently constructed and maintained, but rather that the quality of the material used is essentially poor.

2.5 Water supply

The responsibility for the overall policy in the water sector lies with the Ministry of Mineral Resources and Water Affairs (NDP7: 277). Councils' responsibility with regard to water supply begins and ends with the operation and maintenance of water schemes such as boreholes. This is only true of district or rural councils. Even rural councils are restricted to operating and maintaining water schemes in medium and small villages. The actual construction of water schemes and systems is undertaken by the central government through the Ministry of Mineral Resources and Water Affairs. In spite of the fact that rural councils are restricted to merely operating and maintaining water supply systems and schemes all district councils have departments of water affairs which fall under the control of the council secretary.

In the urban areas the responsibility for the maintenance and operation of water schemes lies with the Botswana Water Utilities Corporation, a parastatal organization, which falls under the Ministry of Mineral Resources and Water Affairs. Urban councils play no role in the provision of water even though they are required by the Township Act, 1968 to do so.

The main reason why the responsibility for water abstraction lies with the central, government even though the District Councils Act, 1965, gives this responsibility to councils, is that (Ibid:275):

"Water is a vital resource in Botswana's economic development, but it is scarce and costly to develop. Most of Botswana rainfall is low, varying from 250 mm a year in the far south-west to 650 mm in the extreme north; the

national average is only 450 mm ... eight per cent of Botswana is covered by the sands of the Kgalagadi desert".

No council is able to extract water because of their lack of funds and technical expertise (Cost and Tariff Study 1988). It is therefore unlikely that councils in Botswana will ever be able to take full control of water supply as is the case in other countries. What is likely to be devolved to councils is more control of more aspects of the operation, maintenance and management of water schemes such as the collection of water tariffs. This is especially so in the urban areas where councils have absolutely no role to play with regard to the provision of water. This will be possible only if the central government disbands the Botswana Water Utilities Corporation and transfer its responsibilities to urban councils and rural councils in major villages. This may provide councils with additional sources of finance from tariff collection. In the circumstances, it is therefore not possible to assess the performance of councils with regard to the provision of water because it is a shared responsibility. It is not possible to fairly assess the performance of councils with regard to the management of sewage systems and other sanitation facilities.

3. PERMISSIVE FUNCTIONS

By their very nature, permissive functions are many and varied. These include, the provision of social, welfare services, recreational facilities, cultural facilities such as museums, assistance to the destitute and day care centres now called pre-school facilities.

The extent to which councils are able to provide these services is largely determined by the availability of self-generated financial resources. As a result only urban councils have so far been able to provide a wide range of social and cultural services. The quality of optional services provided by urban councils is also relatively reasonable. Rural councils have not been able to provide a wide range of optional services because of the lack of funds, since they depend almost 80 per

cent on central government subventions, which are always tied to specific projects. Hence most of them do not even have the most basic social facilities such as parks, museums, sports fields, youth centres and community halls (Molepole 1989).

3.1 Performance of Councils with regard to Community Development

It was stated *supra* p 89, that councils were established in Botswana in order to assist in the development of the country, through the development of their respective districts. The most effective medium through which councils have tried to discharge this responsibility has been through the programme of community development. Every council, rural and urban has a department of Social and Community Development. The department is headed by the Chief Community Development Officer. The principal objectives of community development have been identified as (National Development Plan 7, 1991/97:388):

- "- to assist the local community to coordinate efforts to provide for health, welfare and recreation needs;

- to contribute to the mutual enrichment of the family group and its members, by providing basic knowledge related to the improvement of their standards of living;

- to develop responsible local village leadership, organisations and institutions;

- to establish a work pattern into which the energies of young people can be channeled to integrate them into the community, and

- to encourage locally based promotion of youth programmes through community involvement, to enable youth to contribute to, and benefit from, development programmes within their communities".

The Kweneng District Council echoes these sentiments in the following way (Kweneng District Development Plan: 102):

"Community Development as a process has among other things the following objectives:

- 1) To help people help themselves at all times to improve and better their lives, through education provided during seminars and courses.
- 2) To inculcate a spirit of self-reliance into the communities that we serve by way of encouraging them to work together as a team for their own benefit.
- 3) To educate the communities, aiming at changing levels of thinking, attitudes and behaviour as well as encourage the communities in income generating activities to better their standard of living".

In pursuance of these objectives almost all the councils have established facilitating programmes and projects such as home economics which include projects such as home management improvement courses, clothing and textiles, knitting and crocheting, food and nutrition courses. Councils are also involved in programmes intended to help communities become involved in self help projects such as the construction and maintenance of community halls, postal agencies, staff quarters and fencing of schools.

In order to promote and sustain efficiency and effectiveness with regard to community development, councils in collaboration with central government has adopted a new strategy called Communal First Development Areas. This strategy was in fact identified as early as 1981 although its implementation only took place during NDP 6 (Ibid:460-461) which defines it as:

"... a step by step approach to selected communal areas in order to promote economic development in these areas. Each district was encouraged to select a First Development Area in which the new Communal Development Area Strategy would be explored. The aim was to concentrate development resources in the First Development Area for a limited period until the momentum for development was established, and then move on to a second Development Area".

The performance of councils in attempting to achieve these laudable objectives has been negligible. This has largely been due to limited capacity both in terms of financial and human resources coupled with inefficiency arising from shortages of trained personnel. Transport problems which beset all councils to varying degrees have also contributed substantially to the inability of councils to realize the objective of community development. The few community development projects such as drought relief assistance to the destitute, that can be called successful projects undertaken by councils. They have only succeeded in developing a welfare and dependency mentality among the people. This is contrary to one of the main objectives of community development, and that is, to develop and encourage the spirit of self-reliance. Councils acknowledge the development of this culture of dependency. Commenting on this culture the Kweneng District Development Plan 4 (1989:38) observes:

"Of vital importance would be the need to resuscitate self-help within a larger framework of the self-reliance objective, not only as a national objective but more importantly its application and relevance at the grassroots levels of both the village communities and the family unit. These efforts will be addressing the problem as effected by the drought packages. Drought has tended to make people more dependent on government assistance even on things the communities and/or family unit can undertake with their resources".

Whether councils will be able to uproot the mentality of welfarism and dependency which has seeped into Botswana society during the last fifteen years, is beyond the scope of this thesis to predict. In a society so beset with social inequalities and where the rich display their wealth with impunity, and the poor, seem to feel that the rich are rich because they are fleeching the national resources, it is likely the poor will always expect government to provide them with their sustenance (Household and Expenditure Survey 1986).

The declining significance of the spirit of self-help and self-reliance was clearly demonstrated by members of the Village Development Committees which were established to promote self-reliance demanded to be paid a sitting allowance. But according to the NDP 7 (NDP 7:389) the government decided to pay members a sitting allowance as an incentive to motivate them to promote village development.

This is an elliptical way of admitting that the spirit of self-reliance is fast disappearing from Botswana's social landscape. How does one reward a person to do his or her own work and produce his or her own substance? Councils therefore face a big hurdle in their attempts to reindulcate and re-cultivate the spirit of self-help and self-reliance. If the performance of councils with regard to community development in general cannot be called outstanding, their performance with regard to political education is even worse. No council has for instance, ever organized seminars, workshops and conferences for the general public where public issues such as the decline of the spirit of self-reliance could be discussed. What ever political knowledge that the average member of the public has about councillors and the councils stems largely from the mere physical presence of councils as political institutions rather than the deliberate actions of councils to educate the public about council politics. This may account for the high level of ignorance among the ordinary public regarding their councillors. This is especially so among non-political activists. In fact during the 1989 survey conducted by the Democracy Project of the University of Botswana, only about 28 per cent of non-political activists could name mayors or chair persons of their councils. The percentage of those who know among political activists was also disappointing, it

was only 41.3 per cent. Masale (1989:76-77) writes as follows:

"The lack of knowledge, however, says something about the public's general awareness of council activities. If people followed council's decisions, they would likely know who the head of the council was as much as their representative".

There is dependence on freedom squares for communication with the ordinary people (Lekorwe). To make the situation worse, most councillors interviewed hold only at most two meetings a year with their wards, which are in any case the compulsory statutory minimum (Holm 1993). Freedom squares cannot be equated to political education seminars, since very little if any, real transfer of political knowledge from councillors to the public takes place.

Lekorwe (1989:227) makes this observation regarding the political education role of freedom squares:

"In the case of the Freedom-square, the politicians are simply interested in hearing what the public thinks about their parties. Therefore they feel they have done their job if they listen and respond to the rally audience. On the other hand, many of the public tend to see freedom square meetings as at best a time of abusive language and entertainment. Most do not see their attendance as offering an opportunity to communicate with their political leaders".

It would therefore be no exaggeration to conclude that councils as instruments for political education, have so far not discharged this responsibility successfully. By their very existence they have succeeded in extending democracy to the grass roots. In other words, they have extended the physical instruments of government decision-making processes. According to the NDP 7(1991:461), councils are an important link between the people they represent and the central government. The principal challenge for the central government is to improve the effectiveness of

local government so that they can respond to development needs of the communities they represent.

4. COMMITTEES AS MEDIUM THROUGH WHICH COUNCILS OPERATE

Almost all the activities of municipal councils in Botswana are carried out through committees of councils. According to *A Handbook for Chairmen, Mayors, Secretaries and Members of District Town Councils* (1974:19):

"A great part of the work of the council will be done by its committees. A committee has been described as a group of people appointed by some larger body to meet and discuss certain matters, with a view to making group decisions or recommendations to the parent body.

The law states, Section 24(1) Law 38/65 that 'every council shall appoint a Finance Committee and an Education Committee, and may from time to time appoint such other committees' ... as it may think fit".

These are the only two standing committees of councils in Botswana. Humes and Martin (1969:100) defines a committee as follows;

"A standing committee is a continuing body although its membership may change. It is considered to be permanent, at least until there is a general reorganization of the system of committees of council. It is the standing committees which play the more important roles in the continuing process of local government ..."

Ad hoc committees sometimes called special committees, "are appointed for a specific task and their existence is expected to terminate upon completion of that task" (Ibid:100). In Botswana as in many countries where the system is in existence, the powers and functions of the committee, whether it is a standing committee or an *ad hoc* committee, are limited exactly to "those which the council

has granted it, and these powers and functions must have been granted to the committee as a resolution by the full council at one of its meetings" (Section 24(1) Law 38/65, p19). It is therefore clear that a committee cannot discuss any issues or do anything unless and until it is specifically empowered and authorized to do so by the full council through a formal resolution. Through this resolution (Ibid:19):

"A council may delegate to any of its committees ... any of the powers which it, itself, possesses, except the power to make bye-laws or the power to raise money whether by rate or otherwise (Section 24(1), Law 35/65".

In terms of council standing orders, all committees are required and must report their decisions and recommendations to the next sitting of the council. In most cases, council usually accepts the decisions and recommendations of the committees on the assumption that the committees have given much thought to the issues. The council has no power to alter decisions made by the committees, but can dismiss the committee if it does not agree with the decision of the committee or alternatively, it can withdraw the delegated powers.

Most town and district councils have appointed ad hoc committees to perform specific functions (Ibid:23) for instance, most councils have established Trade Licensing Committees which act as licensing authorities for their areas of jurisdiction. In terms of council standing orders, section 40 (Act 35, 1965) as amended, a council committee whether an ad hoc or standing committee shall (Ibid:23) meet monthly if there is business to be transacted.

The committee system in Botswana is a mechanism for decision-making, and management and implementation of councils activities. The main weakness of the committee system in Botswana is that most members of these committees are semi-literate and as such fail to understand and appreciate the intricacies of modern decision-making processes. As such committee proceedings are usually dominated by the chairperson who is usually either a retired school teacher or civil servant.

This has certainly undermined the effectiveness of the committee system. To improve the performance of committees, councils should utilize the system of co-opting literate non-council members to sit on these committees. In terms of the standing orders (Explanatory Guide for District and Town Councillors 1985:21). committees with the exception of the finance committee can co-opt non-members of councils to serve as committee members. Co-opted members are not allowed to vote. There is no evidence that council committees have utilized this provision.

3. SUMMARY

It was observed in this chapter that councils have two main functions and responsibilities, i.e. mandatory and permissive functions. Mandatory functions were identified as those involving primary education, primary health, self-help housing, roads construction and maintenance and water supply. Permissive functions were not set out in the Local Government Act 1965 (No. 35, 1965), but which councils are not prevented from performing.

It was indicated that the performance of councils with regard to both mandatory and permissive functions has generally been poor. This was demonstrated by comparing the projected performance targets and actual performance in terms of planned projects and targets. Lack of resources and skilled personnel was identified as the major cause of the poor performance. Council committees were also the focus of this chapter, which indicated that committees are the mechanisms by means of which councils in Botswana discharge their responsibilities and perform their functions.

CHAPTER SEVEN

COUNCIL POLITICS AND ELECTIONS

1. INTRODUCTION

For the purpose of the analysis of council politics in Botswana, it is defined as a pervasive, and ubiquitous process through which individuals are engaged in the struggle for political power. In a class divided society such as Botswana, politics become an expression and materialization of class conflict and class struggles. Central to the essence of politics there is always the notion of conflict. Conceptualized in this manner, politics become a civil conflict resolution mechanism. This view differs fundamentally from the liberal notion of politics. According to Miliband (1977:17):

"In the liberal view of politics, conflict exists in terms of problems which need to be solved. The hidden assumption is that conflict does not, or need not, run very deep, that it can be managed by the exercise of reason, and goodwill, and readiness to compromise and agree ... a constant process of bargaining and accommodation, on the basis of accepted procedures ... between parties who have decided ... to live together more or less harmoniously ...".

If, as argued, politics is a concrete expression and articulation of class interests and class struggles in the society, political organizations such as political parties are organizational concretizations of these class struggles. Politics therefore, is not an impartial process through which harmonious accommodation takes place. Political structures, institutions, organizations and processes in Botswana express, represents and articulates class politics.

2. THE NATURE OF COUNCIL POLITICS IN BOTSWANA

Viewed from this perspective, council politics in Botswana becomes class politics. It involves the struggle between and amongst different classes. Council politics in Botswana are conducted largely through political parties. There are very few instances in which individuals interested in joining council politics in order to become a councillor operate independently. Council politics in Botswana are largely partisan politics. Political independents not only at the council level but also at the parliamentary level have not been able to persuade voters to vote them into these two legislative institutions. In fact, no independent candidate has ever been elected into either a council or national assembly, since Botswana gained its independence in 1966.

All the councillors in all councils are party members and as such articulate party politics in the councils. This has made council politics in Botswana a vibrant activity. Botswana is a multiparty liberal democracy. There are presently nine political parties but only five of these have managed to win some seats during the 1994 local government general election, they are Botswana National Front, Botswana Democratic Party, Botswana People's Party, Botswana Progressive Union and Independence Freedom Party. This was the same number as in 1984. The number was four in 1989 and in 1974 it was also four. This was the same number in 1969 whilst in 1966 it was three.

Party politics dominate council proceedings, policies and other activities. But according to the Guide for District and Town Councillors (1985:30):

"There are still some areas in which party politics play no part in the affairs of the council ... (But) at each election local government becomes more party political. The relationship between a councillor and his political party and the working of the party machines inside the structure of the council are therefore areas of growing importance".

In practice there has been a great deal of cooperation between and amongst the councillors regarding council policies, programmes and projects, despite differences in party allegiance. This is perhaps being facilitated by the fact that ideologically political parties in Botswana do not differ fundamentally. This has been the subject of debate in Botswana as Somolekae (1989:82) observes:

"The key question is: Are these parties different? So far, several scholars in Botswana have argued convincingly that the various political parties in this country do not necessarily mean that the Botswana electorate has policy choices when voting. In fact, recently, political observers have pointed to the frequent crossing of the floor between the two major parties (BDP and BNF) as a clear indication of the fact that even the active members of the parties, namely elected officials, perceive no major differences between the two parties".

The crossing of the floor by elected officials has in fact so far only taken place at the council level. It is not clear why this is so. There has in fact not been any crossing of the floor by a sitting member of Parliament. It is possible that those who become members of Parliament are better acquainted with the thin nuances that separate political parties because of their higher level of political and intellectual sophistication, than those who become councillors. This is not a very convincing supposition, for even highly educated and politically articulate politicians have crossed political party lines. It is also possible that political expediency has been at the root of crossing of the floor by councillor or just simply a question of personality clashes, precipitating a councillor to cross the party line.

Whatever the reasons might be, ideological differences between and amongst the nine political parties are thin for members to detect. Of the nine parties that competed in the 1994 local government general election, most of them were splinter parties. For instance, Lesedi La Botswana is a splinter party from the ruling Botswana Democratic Party, Botswana Labour Party, United Democratic Front and United Socialist Party, are splinter parties from the main opposition party,

Botswana, National Front, Botswana Progressive Union has its origins from both the BDP and BNF whilst the Independence Freedom Party also has dual origins. It has its origins from both the Botswana Peoples' Party and Botswana National Front. Even the Botswana National Front has some elements of a splinter party, for historically it is a product of members who were dissatisfied with the Botswana Peoples' Party, hence the name Botswana National Front. The only parties which can claim to be genuinely original, are the Botswana Democratic Party and the Botswana Peoples' Party. The remaining members carry with them the genetic imprint of the two parties in one form or another. Small wonder therefore, perhaps why there are more similarities than differences. It has been difficult for councillors to identify any fundamental differences between and amongst different political parties. The situation with regard to ordinary party members is even worse. In a survey conducted by the Democracy Research Project of the University of Botswana in 1989 (Ibid:83) it was estimated that:

"Two-thirds of our respondents (68,5%) said they did not know a difference between the two major parties - BNF and BDP. The figure for those who do not know is very high. In fact since these are the two major parties ... one would have expected that at least the differences between them would be known".

In practice Botswana has a numerical rather than both a numerical and ideological multiparty system. In the councils differences regarding council policies, programmes and projects are merely differences of emphasis, personalities and pure naked power politics, rather than ideological content.

3. COUNCIL ELECTION PROCESS

It is generally assumed that elections are a precondition for the existence of democracy, some scholars define democracy in terms of elections as Schulz (1966:55) does:

"... a governmental system, involves elections. Elections, in turn, necessitate the establishment of voting qualifications, procedures for the nomination of candidates, methods of election, and rules for conducting elections to prevent dishonest practices and the intimidations of voters".

An election consists of a series of activities which, taken together form a process. In the analysis which follows, focus will be on these series of activities in order to determine how the process of council elections takes place in Botswana. This analysis will limit itself to the major electoral activities. It is important to note that the election process for local government in Botswana does not take place in terms of the Botswana Electoral Act, 1966. According to Etlhogile (1993:28):

The conduct of local government elections is undertaken in terms of The Local Councils Regulations and not through Office of the Supervisor of Elections.

The Constitution of Botswana is silent on how local government elections would be conducted. The reason for this silence may be that local governments are creatures of the Parliament and provision for the election process is the prerogative of Parliament.

3.1 Delimitation of local government wards or constituencies

Local government members, like national assembly members, in Botswana are elected on the basis of single member wards or constituencies. At the national level, the delimitation of constituencies is undertaken in terms of the Constitution of Botswana. The delimitation is undertaken by die Delimitation Commission appointed in terms of Section 66(1) of the Constitution. The delimitation of local government wards is not undertaken in terms of the Constitution nor the Electoral Act, but according to the Local Government (Conduct of Elections Regulations.

According to these Regulations, polling districts have the same meaning as wards or constituencies. The Guide to Candidates: Local Government (1984:1), issued by the Local Government Elections Officer stipulates that:

"For the purpose of electing elected members to the District and Town Councils, every polling district in the district or town council area returns one member to the district or Town Council. In fact, a polling district is simply a 'local government constituency', and the polling stations used for local government elections are the same for parliamentary elections".

The Guide to Candidates: Local Government (Conduct Elections) was issued in 1984, its contents are valid. It was a mere reproduction of the previous guide and as such the same guide was reproduced for the 1989 and 1994 local government elections. But according to Polhemus (1984:58):

"The definition of local government constituencies is thus governed by the electoral Act Section 5 of which provides that 'as soon as practicable after constituencies have been delimited, the Supervisor of Elections shall divide each constituency into polling districts and establish one or more polling station in each polling district and shall cause notice of boundaries of every such polling district, the situation of every such polling and the names by which such polling districts and polling stations are to be known, to be published in the gazette and in such other manner as he may consider appropriate".

This view seems to be too extreme. What the provision is concerned with is polling districts and polling stations for the national assembly elections. It applies to local government elections indirectly. But despite the fact that the delimitation of local government constituencies is not covered by the Constitution of Botswana and the Electoral Act, 1966 the process has so far not caused serious problems and controversies. This may be due to the absence of manipulating boundaries to suit potential members in the local government elections.

3.2 The nomination of local government candidates

Schulz (1966:59) in his book, *Democracy*, observes that:

"Nominating methods are as important as election techniques. Ordinarily the choice available to voters on election day is confined to the candidates who have been nominated by the method or methods established by law".

According to Otlhogile (1993:33):

"A distinction must be made between nomination and candidate selection. Nomination is a legal process by which election authorities certify a person as a qualified candidate for an elective public office and print his/her name on the ballot".

In Botswana three different nomination processes precede general elections. These consist of nominations for the presidential election, national assembly elections and local government elections. Presidential nominations always precede national assembly and local government nominations because national assembly candidates must be accorded the opportunity to indicate their support for a presidential candidate. As a general rule nominations for local government candidates are always scheduled with a view to the polling day, established for national elections because local government elections are held simultaneously since 1969 with parliamentary elections.

More importantly also, the nomination process for local government elections is identical to that of the national assembly candidates. Local government candidates have therefore, the same qualifications and are subject to the same disqualifications as for the national assembly, with two provisions. A local government candidate is required by law to be a registered voter within the district in which he or she intends to be a candidate. This means that he or she does not have to be a registered voter in the ward or constituency for which he or she intends to be a

candidate. Secondly, a non citizen may offer himself or herself for nomination provided he or she has normally been a resident in the district (Ministry of Local Government and Lands: Annual Report 1966:9).

The orders establishing councils stipulate that "no person shall be deemed to possess the disqualifications for membership of the council ... merely because he or she has applied for and been granted a passport issued by the government or countries therein". In practice, there is no evidence indicating that a non citizen has ever been nominated and elected into any of the councils. It can be deduced, that fear of the possibility of non-citizen participating in government decision-making seems to be at the root of the reluctance by the Minister of Local Government Lands and Housing to nominate a non-citizen.

An important difference between council candidates and national assembly candidates is that local government candidates are not required to be proficient in English for them to be nominated. Section 61(a) of the Constitution of Botswana 1966 requires prospective parliamentary candidates to be proficient in English. Inability to speak and read English disqualifies a parliamentary candidate to be nominated.

3.3 Selection of local government candidates

The selection of candidates in Botswana is not governed by law. It is done in terms of party rules and regulations.

Otlhogile (1993:34) remarks:

"Candidate selection ... is the extra-legal process by which a political party decides which of the persons legally eligible to hold the office will be designated on the ballot and in campaign communications as its recommended and supported candidate. The procedures for candidate selection differ according to parties".

The mode of candidate selection in Botswana is the system of "primaries" which implies that it is only the Botswana Democratic Party and the Botswana National Front which have held primary elections for candidate selection regularly. The system of primaries for selecting candidates is a recent phenomenon, it was first introduced in 1984 by the Botswana Democratic Party (BDP) and later adopted by the Botswana National Front. Until the system was introduced, the selection of candidates was largely the prerogative of the party leadership. Since the introduction of the system of primaries, political parties which have adopted the system now theoretically at least, leave the selection of candidates to delegates, to branch and ward congress meetings, to select candidates for national assembly and local government elections respectively. The selection process is the same for both national assembly and local government elections. In most cases selection is done through a secret ballot. Nominees for selection have to be members of the party for a reasonable period of time. In most parties the minimum period is twelve months before the elections. This may be waived by the party leadership (Botswana Election Study Project, Gaborone: 1984).

The system of primaries for the selection of candidates for both national assembly and local government elections was introduced in order to democratize the process. The application of the system by parties in Botswana reveal undemocratic phenomena, which have tended to devalue the system and defeat the intention to democratize the selection process.

Holm (1989:193-194) writes as follows:

"The BNF central leadership sometimes pre-empts the primary process ... by backing certain candidates as its choice unless a party member in a particular constituency decides to challenge the decision in a primary. If a contest then takes place, it may not be a fair one in that the party leadership has already given its nominee the benefit of an endorsement".

In certain instances the BNF leadership has nullified the election of candidates by primaries. The most conspicuous instances were after the 1994 primaries for candidates for the 1994 parliamentary and local government elections. In a number of instances the party leadership, through the party president, nullified a number of crucial elections by primaries because the candidates endorsed by the party leadership lost in the primary selection process. This created resentment from party members which threatened to undermine the party's performance during the elections.

Holm (1989:194) describes the BDP primary system as follows:

"The BDP primary system is more open than that of the BNF. The BDP has a published set of rules, and there are no endorsements preceding the primaries. The party organization also sends an official observer to the primary meeting to ensure that the rules are followed".

Whilst it is true that the BDP system is more open than that of the BNF it is however not sufficiently democratic. This is especially so since the candidates selected during the primary elections must be approved by the central committee of the party. This means that party grass members merely recommend potential candidates for both the national assembly and local government elections. In addition to that, votes are never counted in the presence of primary election voters, but are counted by the central committee at the party head office. This allows the possible manipulation of votes by the central committee and there have been allegations of manipulating votes. This intervention by the party hierarchy subverts the basic tenets of democracy and equity. Despite the obvious weaknesses, the fact remains that political parties in Botswana have taken steps towards making their selection processes more democratic than is normally found in most countries.

3.4 Local government elections results

One of the main achievements of Botswana is that the country has held periodic elections since it gained independence in 1966. It is this situation which led observers to label Botswana as an island of democracy and a unique embodiment of liberal democracy in Africa. This label was certainly appropriate before the sudden mushrooming of multipartism in Africa after the collapse of one party systems in Africa. But according to Tsie (1984:19):

"The stability of multiparty democracy in Botswana is a function of class forces at independency".

A central feature of local government elections in Botswana is that the Botswana Democratic Party has been the dominant performer since the first local government elections in 1966. Parsons (1984:19) remarks in this regard:

"The Botswana Democratic Party (BDP) won more than two-thirds of all the votes cast in every election winning in the process more than three-quarters of all the elected seats. The electoral success of the BDP was at its peak in the very first election in 1965 when it won 28 of 31 seats and 80.4 per cent of the votes ... A comparable pattern existed in local government - district and town council elections from 1966 through 1984. The proportion of those seats won by the BDP varied from as low as 68.3 per cent in 1969 to 84.7 per cent in both 1984 and 1979 ...".

The dominance of the BDP in local government continued through 1989 to 1994. See table 11 and for a breakdown table 12 of political party electoral performances since 1969. It is clear from an analysis of the data in this table that the dominance of the BDP has been declining since 1989. Opposition parties have been performing reasonably well and in 1994 their performance was very outstanding. This was especially so with regard to the main opposition party, the Botswana National Front. The success of opposition parties in local government elections

since 1969 were confined to urban and semi-urban areas (Parson 1989). The situation changed slightly during the 1994 local government general election (Supervisor of Elections Report to the Minister of Presidential Affairs and Public Administration 1994). The success of the BDP in both national assembly and local government level has been sustained and nourished by its alliance with traditional leaders who see opposition parties especially the BNF, as threats against their survival and re production. Tsie (1984:19) writes as follows:

"With this grand alliance the BDP easily defeated its opponents in the first general election in 1965. This alliance subsequently remained intact ... Ruling class cohesion unparalleled elsewhere in Africa supported Botswana's stable liberal democracy. The majority of traditional leaders - chiefs and sub chiefs - stayed with the BDP correctly realising that its policies were not necessarily antithetical to their long-term interests".

This explains in part why the BDP has since the 1969 local government elections maintained an iron grip on rural voters. This grip is showing signs of loosening as intra class contradictions between the modern elites and traditional leaders continue to sharpen. This has been clearly demonstrated by the performance of opposition parties during the 1994 local government elections. For the first time in the history of Botswana local government elections opposition parties have captured a number of seats in some of the most remote rural areas of Botswana (Supervisor of Elections 1994).

Whether the trend will continue will depend on the growing intra class intensity within the BDP and also the rate at which the size of the national performance by parties continues to shrink as the economy experience a negative growth which the country is currently experiencing. The improvement in the performance of opposition parties in local government elections will also depend on their capacity to build on the present successes and to capitalize on the inherent weaknesses of the ruling BDP. This will require a fundamental change in their electoral strategies. For there is a general feeling that the ruling BDP lost the local government



Table 11: Candidate^a Continuity in Local Government Elections, 1969-1984

Same candidate in:	As in: 1969	1974	1979	Total Candi- dates	Number of In- cumbants
1969				165	
BDP				16	
BIP				43	
BPP				72	
BNF				296	
Total					
1974					
BDP	59			176	53
BIP	7			15	4
BPP	16			46	14
BNF	11			58	5
Total	93			295	76
1979					
BDP	36	82		176	74
BIP	3	5		15	4
BPP	13	16		59	9
BNF	3	9		79	4
Total	55	112		329	90
1984					
BDP	19	53	81	254	63
BIP	2	3	6	18	2
BPP	11	11	16	72	9
BNF	3	5	15	157	2
Total	35	72	118	510 ^b	76

a Excluding independents

b The total reflects the BPU candidates who are otherwise not listed.

Source; Supervisor of Elections, Report on the General Election 1969 (Gaborone): The Government Printer, 1970); Supervisor of Elections, Report to the Minister of State on the General Elections, 1974 (Gaborone: The Government Printer, n.d.); Supervisor of Elections, Report to the Minister of Public Service and Information on the General Elections, 1979 (Gaborone: The Government Printer, n.d.); and, Supervisor of Elections, Report to the Minister of Public Service and Information on the General Elections, 1984 (Gaborone: The Government Printer, n.d.).

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Table 12
PARTY

**NUMBER OF VALIDLY
NOMINATED CANDIDATES**

**NO. OF SEATS
WON**

1989

Botswana Democratic Party	254	195
Botswana National Front	157	36
Botswana People's Party	71	18
Botswana Independence Party	18	3
Botswana Progressive Union	6	2
INDEPENDENTS	3	0

Source: Report of Supervisor of Elections Gaborone, 1989.

PARTY

**NO. OF VALIDLY
NOMINATED
CANDIDATES**

NO. OF SEATS WON

1994

Botswana Democratic Party	405	243
Botswana Labour Party	1	0
Botswana National Front	345	130
Botswana People's Party	56	15
Botswana Progressive Union	9	4
Independence Freedom Party	55	9
Lesedi La Botswana	11	0
United Democratic Front	23	0
United Socialist Party	11	0

Source: Supervisor of Elections, Gaborone, 1995.

constituencies rather than opposition parties winning them. Implied here is the assumption that opposition parties did not win the constituencies as a result of their own electoral strengths, rather as a result of the poor performance of the BDP.

The failure of for opposition parties historically failed to form durable intra class alliances both within individual parties and across party lines. This has been demonstrated by continuing internal party strife which have always threatened to tear individual parties asunder. If the notion that opposition parties did not win the new local government constituencies they won in 1994, but the BDP lost them, then the same logic would apply with equal validity to the BDP. Its successes since the first local government elections in 1969 were partly due to the weaknesses of the opposition parties. The successes of the BDP have also been due to their immense financial resources. Holm (1989:196-197) makes this observation in this regard:

"A final limitation on citizen political activity is financial ... The result is that Botswana political parties are severely restricted in their income ... The ruling party has been most successful in this regard ...".

Parson (Supra:87) makes a similar observation when he remarks:

"The BDP's organization far outstripped the others. Well before the primaries the BDP mounted a series of seminars in constituencies on elections and campaigns ... Transport facilities were organized and funds for petrol allocated ... None of the other parties could match this organization and effort. The source of funds supporting these activities is a matter of conjecture".

While availability of funds does not in itself win elections, it does facilitate the winning of an election because it enables the party to marshall the necessary electoral resources. It certainly has facilitated the BDP to win successive local

government elections whilst the shortage of funds has certainly hampered opposition parties to perform perhaps better than they would have. The BDP's impressive performance in successive local government elections was also partly due to the advantage of incumbency. In other words, it benefited from the band wagon effect. The opposition parties suffered from the stigma of the loser, for people have a tendency of not wanting to back a losing horse. More important also the "fear" especially among the peasants, of socialism which they have always associated with opposition parties, especially the BNF also contributed to the poor performance of the opposition parties. There have however, been allegations of BDP rigging elections (Motswagole 1989).

Whilst there is no concrete evidence to support the allegation of the rigging of the elections, there is ample evidence of some irregularities that have occasionally taken place. According to Molutsi (1991:2):

"At first, that is in the 1970's many people did not take opposition parties allegations that there were some irregularities and pitfalls in the way elections were administered, in Botswana seriously".

The Constitution of Botswana (Constitution of Botswana, No. 83, 1966) makes provision for challenging election results if there is suspicion that there has been malpractices. Otholgile observes that:

"Only in exceptional circumstances have candidates queried election results thus necessitating the resolution of the issue, by law courts. Since independence this procedure has been employed mainly in few cases after 1984 and 1989 elections. The paucity of such cases in over twenty years of independence has led Botswana to believe that the judiciary has no role in the election process. And such challenges are considered undemocratic and a taint on the image of the country".

In response to this growing feeling that the ruling party is rigging elections and irregularities are increasing in the conduct which until the 1984 general election were conducted by civil servants under the supervision of the permanent secretary to the President, the government amended the Constitution after a referendum and introduced the office of the Supervisor of Elections in terms of section 66 of the Constitution. The Supervisor of Elections is theoretically an independent person. In practice, this is largely a fiction as he or she is appointed by the President. This makes it possible for the government to appoint a person ideologically well disposed towards the ruling party. This is what in fact has happened with the present Supervisor of Elections who is a known member of the ruling party and who in fact participated in the ruling party primary elections in 1984.

Because of probable bias, opposition parties have been pressing the government to agree to an all party electoral commission (BPPF). The ruling party has recently accepted this suggestion. Whilst the majority of complaints against electoral irregularities have been made by opposition parties, the ruling party has also lodged some complaints regarding election irregularities. According to BPPF, (BPPF, 1993:39):

"The People's Progressive Front (PPF) is not the only organization calling for the reform of Electoral Law. The BDP National Council in 1985 called for the reform of the electoral procedures with a view of eliminating flaws and inadequacy which have been, and are likely to be exploited in defeating the objectives of fair elections".

The main difference between the ruling BDP and opposition parties, which in 1993 formed an election alliance called the Botswana People's Progressive Front, but which collapsed before the 1994 general election, regarding electoral reforms, lies in the nature and complexity of such reforms. For the opposition parties, such reforms must take the form of an all party electoral commission whilst the ruling party believes that the introduction of the Supervisor of Elections in 1989 was

sufficient. The opposition parties propose that (BPP, 1993:46-47):

"... the law, be amended to allow for independent, multiparty electoral Commission or Board at the national level ... The Commission shall appoint a Supervisor of Elections, who in turn shall appoint supporting staff ... The Commission shall be responsible for the overall running of elections at all levels ...".

What seems certain is that the introduction of the Supervisor of Elections will minimize their occurrence. More importantly also, it may help to restore or strengthen confidence in the electoral process. Molutsi (1993:6) writes as follows:

"Key to the acceptance of public confidence in the system rests not only on the details of the regulations contained in the electoral law but also on public confidence in the competency and impartiality of the elections administration machinery of registration officers, poll clerks, presiding officers and others".

Despite these occasional difficulties, elections in Botswana, both parliamentary and local government, have generally been accepted as fair and free (Otlhogile and Molutsi, 1993:24).

Perhaps the ruling party should assess the demands by opposition parties for an all-party electoral commission within this context. With political changes that are taking place in Southern Africa with particular reference to electoral innovations that were introduced in Namibia and South Africa, the ruling party may yet accept an all-party electoral commission or related mechanism. The ruling party's reluctance to accept radical electoral changes and reforms is perhaps acceptable. The management of elections has, in most countries, been the monopoly of the ruling party and an instrument by which it is able to manipulate electoral processes. This is especially so with regard to constituency manipulation.

The reluctance by the BDP to accept radical changes in the electoral laws, may also

be a reflection of its conservatism with regard to change. This may be coupled to the fear of the unknown. As Lewis (1975:106-107) puts it:

"To the man so immersed in the status quo as to be part of it, in mind, in values, in expectation, in habits, any change of pattern of conceptual form, change spells chaos and disaster ... thought is hampered by the presupposition of the static forms. It is because the timid defender of the present construes the coming epoch only in terms of the forms of order of his own world and his own mind that he sees change as mere confusion. Slow drift is accepted, but when for human experience fundamental change arrives, human nature passes into hysteria. Then while for some heaven dawns, for others hell yawns open".

The ruling Botswana Democratic Party appears to be afraid of the possibility of the official opposition Botswana National Front Party, winning the election and introducing socialism into Botswana (Phoramo, 1989:93).

4. SUMMARY

The main feature of council politics in Botswana is the primacy of politics. This was one of the central issues raised in this chapter. In an attempt to demonstrate the validity of the centrality of party politics in councils, the manner in which council wards were delimited was analyzed. It was concluded that no concrete evidence could be found supporting allegations by opposition parties that the ruling party has consistently used delimitation to manipulate council wards.

It was found that the nomination process tends to favour sitting councillors. The analysis of the selection process revealed that it is open to manipulation by party leaders. This was supported by evidence drawn from the ruling Botswana Democratic Party and the Botswana National Front. It was found in these parties that the leadership tends to ignore the wishes of primary elections in the selection of candidates for election.