AN EVALUATION OF THE

NATURE AND ROLE OF LOCAL GOVERNMENT

IN POST COLONIAL BOTSWANA

by

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PROMOTER: PROF C THORNHILL

SUMMARY

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DPhil (PUBLIC ADMINISTRATION)

SUMMARY   A

The main objective of the research was to evaluate and assess the contents and
character of local government in post-colonial Botswana. To achieve this objective
a systematic evaluation of the historical development of local government in
Botswana was undertaken. This involved evaluating the contents and complexion
of local government in pre-colonial Botswana as well as during the colonial period.
The research procedures utilized, included a literature review and interviews with
councillors, public officials and local government levels.   Three basic and
fundamental concepts were used to evaluate the nature of local government in
post-colonial Botswana: decentralization, devolution and deconcentration.

These were used to analyze, assess and evaluate the degree of relative autonomy
of local government in post-colonial Botswana.   It was concluded that local
government in post-colonial Botswana lacks relative autonomy.   Eight central
government control mechanisms were identified and assessed. These included the:

(i)   nomination of some councillors by the central government

(ii)   the power and authority of central government to suspend councillors

(iii)   the power and authority to dissolve councils

(iv)   the utilization of the doctrine of *ultra-vires*,

(v)   the power and authority to appoint local government personnel

(vi)   the *ex-officio* membership of district commissioners of councils

(vii)   the requirement that all resolutions of councils must first be approved
         by the Minister of Local Government, Land and Housing before they
         can become bye-laws, and

(viii)   through a system of using subventions rather than outright grants to assist councils.

The research demonstrated that local government authorities in Botswana lack genuine semi-autonomy.

OPSOMMING

'N EVALUERING VAN PLAASLIKE REGERING IN DIE POST-KOLONIALE BOTSWANA

DEUR

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OPSOMMING

Die hoofoogmerk van die navorsing was om die inhoud en karakter van plaaslike regering in Botswana te bestudeer en te evalueer. Ten einde hierdie oogmerk te bereik is 'n sistematiese evaluasie van die historiese ontwikkeling van plaaslike regering in Botswana onderneem. Hierdie ontleding evalueer die inhoud en voorkoms van plaaslike regering se betrokkenheid in die voor-koloniale Botswana asook gedurende die koloniale era. Die navorsingsmetodiek wat aangewend is sluit in die bestudering van relevante literatuur en onderhoude met raadslede en munisipale amptenare. Die basiese en fundamentele begrippe te wete, devolusie, en dekonsentrasie was gebruik om die aard van plaaslike regering in die voorkoloniale era in Botswana te verklaar.

Hierdie metode was verder aangewend ten einde die graad van relatiewe selfregering van plaaslike regering in die voor-koloniale era in Botswana te bepaal en evalueer. Daar is na die evaluasie tot die gevolgtrekking gekom dat plaaslike regering in die post-koloniale era in Botswana aan relatiewe selfbestuur ontbreek. Verder is die volgende sentrale beheermeganismes van die sentrale regering oor plaaslike regering geïdentifiseer.

(i) nominasie van sommige raadslede vanaf sentrale regering

(ii) die gesag en bevoegdheid om raadslede te skors

(iii) die gesag en bevoegdheid om rade te ontbind

(iv) die benutting van die *ultra-vires* leerstelling

(v) die gesag en bevoegdheid om personeel in die plaaslike regering aan te stel

(vi) die *ex-officio* lidmaatskap van distrikskommissarisse van rade

(vii)   die vereiste dat alle resolusies van rade eers deur die Minister van Plaaslike Regering, Grondsake en Behuising goedgekeur word voordat dit as munisipale verordeninge van krag word, en

(vii)   die gebruik van direkte toekennings eerder as om plaaslike regerings by te staan.

Die navorsing toon aan dat plaaslike regeringgesag in Botswana aan ware relatiewe selfregering ontbreek.

DEFINITION OF THE RESEARCH PROBLEM AND ITS SIGNIFICANCE

The study seeks to identify and assess the nature and role of local government in post-colonial Botswana. Reference will however be made to the colonial system of local government in order to provide a pre-independence historical perspective. This will entail a brief study of the socio-economic and political conditions within which the post-colonial system of local government was conceived, the impact of the conditions not only on the process of the development of the system of local government but also on the nature of the local government system that emerged in post colonial Botswana.

There are a number of reasons why the study of local government in Botswana is significant.

- **Firstly,** the system of local government in Botswana is still in its infancy or formative stage. To be specific, it was formally introduced in 1966 when Botswana gained independence.

- Prior to 1966, no authentic system of local government existed. Hence the knowledge of the nature and role of local government in post colonial Botswana is still largely insufficient owing to the fact that no serious and detailed research has so far been undertaken. This is especially so in the area of local government. Hence, the need to undertake this study.

- **Secondly,** the study is significant because of the place that local government occupies or is supposed to occupy in a democratic political system, and the role that it plays or should play in the extension of democracy and provision of services.

The study will thus try to identify and assess the process and the problems local government encounter in trying to concretize the goals.

- **Thirdly,** the study is significant because it will help to assess and test the degree of local government autonomy in dealing with issues within their statutory areas of jurisdiction.

STUDY OBJECTIVES

The following are the main objectives of this study:

(i) to improve the understanding and appreciation of local government in Botswana;

(ii) to assess the level or degree of relative autonomy of local government in Botswana;

(iii) to identify and assess the role or roles that local government plays in Botswana;

(iv) to identify and assess its contribution to the development and growth of democracy;

(v) to identify and assess mechanisms used by central government to undermine or curtail the relative autonomy of local government;

(vi) to suggest an alternative model of local government for Botswana.

RESEARCH HYPOTHESES

(a)   The first hypothesis is that local government bodies in Botswana enjoy little autonomy.

(b)   The second hypothesis is that local government in Botswana is controlled, manipulated and monopolized by a small elite made up of rich cattle barons and business people.

(c)   The third hypothesis is that local government in Botswana has so far failed to become a viable instrument for the promotion and extension of participatory democracy.

(d)   The fourth hypothesis is that local government in Botswana has provided a fertile ground for the duplication of government activities.

(e)   The fifth hypothesis is that a substantial number of councillors are ignorant of the true role of local government.

RESEARCH METHODOLOGY AND DESIGN

The analysis of available data will be the main method of research. This is because this type of research makes this method appropriate and useful because much of the information of this sort is collected periodically thus making possible the establishment of trends over time.

In addition the gathering of data from such sources does not require the cooperation of individuals about whom information is being sought as does the questionnaire. Thirdly, the data collected in this manner minimizes the incidence of the investigator's subjectivity.

(i)   Sufficient data already exist on local government in Botswana in official records and other documents.

(ii)   Data collected during the 1984, 1989 and 1994 general elections in Botswana as part of an election study will also be used.

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CHAPTER NINE
THE CONTROL OF LOCAL GOVERNMENT BY THE CENTRAL GOVERNMENT IN BOTSWANA

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A number of individuals have contributed to the successful preparation of this thesis. Needless to say ultimate responsibility for the views and opinions expressed lies with me for ultimately the final product is of my own conception.

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CHAPTER ONE

GENERAL OUTLINE

1.   INTRODUCTION

The objective of this chapter is to provide an introduction to the ten chapters into which this thesis is divided. The aim is to present a brief description of the contents of each chapter, the arguments and conclusions contained therein. The chapter also contains the statement of the problem the thesis seeks to assess and its significance, as well as the objectives of the study. The chapter also includes the hypotheses which are used as the basis of the evaluation of local government in Botswana. Finally the chapter contains the methodology used to collect data used in the thesis. It needs to be stated that the chapter is highly descriptive.

The thesis is divided into ten chapters, chapter one forms the introduction and describes the contents of each chapter. Chapter two focuses on the definition of decentralization and local government as well as identifying different types of local government, it also seeks to isolate different definitions of decentralization. The chapter concludes that the dividing line between and amongst the different definitions is very thin. It concludes that in practice the difference between the concepts of deconcentration and devolution is almost non-existent.

Reasons behind decentralization as well as the prerequisites for a successful decentralization are identified. Chapter two also looks at the different systems of local government and concludes that there are no fundamental differences between these systems except those of emphasis. It is argued that the significance of local government lies in its role as a training ground for citizens, facilitation of government accountability, increasing administrative efficiency and accommodation of local differences.

Chapter three offers a brief analysis and evaluation of the system of local

government in precolonial Botswana, and concludes that precolonial Botswana had a democratic system of local government. It assesses the nature of local government in Bechuanaland protectorate and concludes that no genuine system of local government existed during this period. Chapter three examines the system of local government in post-colonial Botswana and the reasons for its establishment. It identifies six reasons underlying the introduction of local government in post-colonial Botswana. The chapter begins from the premise that the system of local government was fundamentally introduced to accommodate the contradictory class interests of the members of the ruling class and in the final analysis the system serves the interests of the ruling class rather than the general citizenry.

Chapter four assesses the emergence and establishment of local government in post colonial Botswana. It looks at the reasons or rationale why Botswana decided to introduce a system of local government when it gained independence in 1966. Furthermore, it also analyzes the legal or statutory framework within which local government operates in post-colonial Botswana, as well as the two types of local government, i.e. district and town councils.

Chapter five examines the structure, membership and the class character of council members. It identifies three categories of membership and positions that the nominated members are to secure central government control and manipulation of councils. The chapter also assesses the character of council members and asserts that they are essentially members of the petty bourgeois class. It contends that the majority of council members are generally semi-illiterate or completely illiterate.

Chapter six focuses on the responsibilities and functions of councils and isolate two categories of functions i.e. mandatory and permissive functions. It argues that councils have not been able to meet their targets for various reasons. These include, shortages of skilled personnel and funds. The chapter also identifies council committees as instruments by means of which councils perform their functions and discharge their responsibilities.

Chapter seven looks at the nature of council politics, specifically at the nature of the council election process which includes the delimitation of local government wards, the nomination of local government candidates, the selection of local government candidates and the local government elections results. The chapter contends that council elections in Botswana have, since the establishment of councils in 1966, been dominated by the Botswana Democratic Party.

Chapter eight analyses the nature of local government resources in terms of management and control, auditing, sources of revenue and expenditure and concludes that councils are unable to generate their own revenue. Chapter nine assesses the mechanisms used by the central government to control local government and concludes that these mechanisms have reduced the relative autonomy of councils.

Finally chapter ten provides an evaluative summary and conclusion of the research and tries to identify and draw the major tenets of the analysis. The chapter focuses on the suggestions necessary for the improvement of the status of local government in Botswana.

The conclusion drawn in this chapter is that in a class divided society local government is, incapable of becoming an instrument for the extension of democracy, sustainable participation in the decision-making processes, bottom-up planning and genuine accountable governance.

2.   DEFINITION OF THE RESEARCH PROBLEM AND ITS SIGNIFICANCE

The study seeks to identify and assess the nature and role of local government in post-colonial Botswana. Reference will however be made to the colonial system of local government in order to provide a pre-independence historical perspective. This will entail a brief study of the socio-economic and political conditions within which the post-colonial system of local government was conceived, the impact of the conditions not only on the process of the development of the system of local

government but also on the nature of the local government system that emerged in post-colonial Botswana.

There are a number of reasons why the study of local government in Botswana is significant.

2.1   **Firstly,** the system of local government in Botswana is still in its infancy or formative stage. To be specific, it was formally introduced in 1966 when Botswana gained independence.

2.2   Prior to 1966, no authentic system of local government existed. Hence knowledge of the nature and role of local government in post colonial Botswana is still largely patchy owing to the fact that no serious and detailed research has thus far been undertaken. This is especially so in the area of local government. Hence, the need to undertake this study.

2.3   **Secondly,** the study is significant because of the place local government occupies or is supposed to occupy in a democratic political system, and the role that it plays or should play in the extension of democracy and provision of services. The study will thus try to identify and assess the process and the problems local government encounter in trying to concretize the goals.

2.4   **Thirdly,** the study is significant because it will assist in assessing and testing the degree of local government autonomy in dealing with issues within their areas of statutory jurisdiction.

3.   **STUDY OBJECTIVES**

The following are the main objectives of this study:

3.1 To improve the understanding and appreciation of local government in Botswana.

3.2 To assess the level or degree of relative autonomy of local government in Botswana.

3.3 To identify and assess the role or roles that local government plays in Botswana.

3.4 To identify and assess its contribution to the development and growth of democracy.

3.5 To identify and assess mechanisms used by central government to undermine or curtail the relative autonomy of local government.

3.6 To suggest an alternative model of local government for Botswana.

4. RESEARCH HYPOTHESES

4.1 The first hypothesis is that precolonial Botswana had a democratic system of local government despite what European scholars have argued.

4.2 The second hypothesis is that during the colonial period no genuine system of local government existed because of lack of interest by the colonial administration.

4.3 The third hypothesis is that local government in Botswana is a class-based institution intended to serve the interests of the ruling petty bourgeois class.

4.4 The fourth hypothesis is that local government in Botswana lacks genuine relative autonomy and is manipulated by the central government and as such has failed to become a viable instrument for the promotion and extension of

participatory democracy.

4.5   The fifth hypothesis is that because of their semi-illiteracy and illiteracy, a substantial number of councillors are ignorant of the true role of local government.

4.6   The sixth hypothesis is that local government in Botswana is a male dominated institution.

5.   RESEARCH METHODOLOGY

The analysis and evaluation of available data will be the main method of research. This is because the type of research being envisaged, makes this method appropriate and useful because much of the information is collected periodically. This makes the establishment of trends over time possible. In addition the gathering of data from such sources does not require the cooperation of individuals about whom information is being sought as does the questionnaire. Data collected in this manner minimizes the incidence of the investigator's subjectivity.

Sufficient data already exist on local government in Botswana in official records. Data collected during the 1974, 1984, 1989 and 1994 general elections in Botswana as part of the election studies by the University of Botswana will also be used. This will be supplemented by interviews conducted in 1987, 1989, 1990, 1992 and 1993.

6.   DEFINITION AND EXPLANATION OF SOME KEY CONCEPTS AND NAMES

6.1   Bechuanaland

This name was used by the British Colonial Administration between 1885 and 1965.

6.2   Botswana

The name Botswana came into use from 1966 when the country became independent.

6.3 Khama

Khama is the spelling used by early historians on Botswana when referring to - Khama.

6.4 Class

In this thesis, class will mean what Lenin (1971:248) calls a

> "large group of people differing from each other by the place they occupy in the historically determined system of production, by their relation to the means of production, by their role in the social organization of labour, and consequently by dimension and mode of acquiring the share of social wealth which they dispose".

6.5 Bourgeois

The term bourgeois has come to mean a capitalist, and during the Middle Ages as a synonym for the middle class i.e. the class that came immediately below the aristocracy which was then the ruling class (Marx and Engels 1968:350). The origins of the word can be traced back to the collapse of the slave mode of production, the emergence of feudalism and the emergence of towns. Historically the word meant 'urban dweller', in German 'burgher' (Nikitin 1959:19). It was used to refer to the merchants who operated their businesses from towns. Thus bourgeois is the French version of 'burgher, a town dweller'. In recent times the word has come to denote those who are in charge of the state apparatuses, especially in developed countries. It is also used to denote those who own and control the means of production in the society.

6.6 Bureaucracy

The term will be used to refer to public officials or civil servants.

6.7 Bureaucratize

The word is used in this thesis to refer to the transformation of chiefs during the colonial period in Botswana into salaried public servants (Holn and Molutsi

1989:103).

6.8 Petty Bourgeoisie

According to Shivji (1978:21):

> " petty bourgeoisie in classical marxian literature refers to those strata which cannot be included either in the bourgeoisie or the proletariat. They exist in the middle ranks and interstines ... of a ... capitalist society. This term usually includes such people as small property owners, shopkeepers and small traders, lower ranks of the intelligentsia and liberal professions ...".

This is the definition which will be used in this thesis.

6.9 Governance

It is used in this thesis to denote systematic and continuous interaction between government and society (Kooiman 1993:430.

6.10 Power

Power is used to denote the capacity to affect and change another person's behaviour without the cooperation of the affected person, by the threat of sanction and penalties (Ball 1983:26).

6.11 Authority

Authority is used to denote the right to do something irrespective of the sanctions the person may possess (Ball 1983:30).

6.12 Ward (Kgoro)

The word 'ward' has two political meanings in Botswana. In the traditional political context the word 'ward' refers to the smallest socio-political unit in the socio-political organization. In the traditional socio-political context, society is divided into sections which are made up of families usually related by blood. These units are called wards and each ward is headed by a ward head.

In the post-colonial Botswana, the word 'ward' is also used to mean a local government constituency delimited for electoral purposes.

6.13 Ruling class

In this thesis, ruling class refers to a group of people who collectively control the state and its apparatuses. In Botswana this ruling class is composed of the members of the petty bourgeoisie.

7. SUMMARY

This chapter was designed to identify the main issues analyzed in each chapter and the arguments raised in each one of them as well as the conclusions drawn. The chapter was therefore intended to be an introduction which provided a bird's eyeview of the contents of the chapters in the thesis.

CHAPTER TWO

LOCAL GOVERNMENT AS AN EXPRESSION OF DECENTRALIZATION

1.   INTRODUCTION

This chapter defines and assesses the meaning of decentralization. In the process an attempt will be made to assess and evaluate the different definitions of decentralization advanced by different scholars. The definition of decentralization, as a starting point, seems essential because it will provide a proper and useful context within which a later analysis of local government could be undertaken.

The starting point for any meaningful discussion of local government would seem to be the definition of decentralization. This is because the system of local government is both a product and an expression of the notion of decentralization. Any fruitful analysis and assessment of local government should be preceded by an analysis of the concept and practice of decentralization. Hence the decision to first define the concept of decentralization before attempting to define local government as well as an assessment of different forms or types of local government systems.

2.   DEFINITION OF DECENTRALIZATION

The definition of decentralization is that there is no general agreement as to what decentralization means and involves. This does not preclude one from attempting to delineate the main features of decentralization. An analysis of the different definitions that have been proffered by different scholars, reveals some general or common tendencies, which, whilst not specific, do provide a general framework within which a definition of decentralization could be gleaned. Before attempting a definition of decentralization, a survey of some of the popular definitions of decentralization must be attempted. In a United Nations Report (1965:88-89) decentralization is described as follows:

> "this term refers to the transfer of authority on a geographic basis, whether by decentralization (i.e. delegation) of authority to field units of some department, or level of government, or by devolution of authority to local government units or special statutory bodies. This meaning, although differing from that of the French term *decentralizations*, is one given to the term in a number of countries and is useful for the purpose of this report".

In terms of this definition there are essentially two forms of decentralization, i.e. deconcentration and devolution. According to the United Nations, deconcentration is reserved for the dispersal of central government. Units of the same organization or department, whilst devolution is restricted to the transfer of authority from the central government to the local government units, i.e. local government authorities and what it calls special statutory bodies, such as public enterprises. Olowu (1988:12) defines decentralization as follows:

> "As the name implies, decentralisation refers to the transfer of administrative and/or decision-making (political) power to lower organisational units. A second distinction that is made is between bureaucratic decentralisation and political decentralisation or devolution. The former encompasses the transfer of administrative responsibilities to field administrative units of the central government, whereas the latter refers to the transfer of substantial decision-making powers and responsibilities to corporate units outside the framework of the central government. Such units include local governments, statutory corporations, cooperatives and even organised private sector".

The problem with the abovementioned definition, although in the main identical to the one offered by the United Nations, is that it attempts to include what Olowu calls organised private sector without indicating what he means by organized private sector. Moreover it is difficult to see how the private sector can conceptually and empirically be encompassed within the framework of central government decentralization process. Whilst concepts are theoretically elastic it seems that he has stretched the elasticity of decentralization too far, by the

inclusion of the private sector within the framework of the central government decentralization. This implies that the private sector is an extension of the government. Perhaps his problem stems from the fact that he defines devolution in terms of "corporate units outside the framework of central government", whereas local government units and statutory bodies are not units outside the framework of the central government, but units within the political and legislative framework of the central government with relative autonomy.

He is not alone in defining decentralization in such a way that it also encompasses the private sector. Knells and Cyma (1983:25) also include the private sector in their definition of decentralization. Barrington (1967:1) defines decentralization in terms of deconcentration, devolution and dispersal, but he fails to clearly differentiate between dispersal and decentralization, either conceptually or empirically. It is difficult to establish how decentralization can be juxtaposed against dispersal, for decentralization means dispersal and dispersal means decentralization. This explains why Barrington has failed to delineate clear conceptual and empirical boundaries between decentralization and dispersal. Barrington (1967:1) has attempted to define dispersal as follows:

> "Sending either parts of departments to different parts of the country, or whole departments to favoured provincial towns, on the model of the sending of most of the British ministry of National Insurance to New Castle Upon Tyne".

It seems that Barrington has included deployment in his definition. The first part of the definition involves a clear case of deconcentration, i.e. the part or section of the definition which refers to parts of departments. The second part of his definition, i.e. the sending of the British Ministry of National Insurance to New Castle Upon Tyne, is a case of redeployment rather than decentralization, i.e. if decentralization means the transfer of authority from a superior organisation or institution to subordinate ones. To extend the meaning of decentralization to include deployment of any and all organizational entities, in the manner in which

Barrington has done devalues the meaning and content of decentralization. Thus, it loses its political and organizational specificity.

Conyer's (1983:102) complaints that the traditional manner of defining decentralization is too narrow and legalistic, in this regard he remarks as follows

> "Conventional systems of government have adopted a legal perspective. In countries influenced by the British system of government - and therefore in much of the literature on decentralization written in the English language - it has been usual to distinguish between two main types of decentralization, devolution to legally established locally elected political authorities and deconcentration of administrative authority to representatives of central government agencies".

Conyer's argument like that of Barrington, is not convincing because a concept should not be expanded merely because it is too narrow. The narrowness of the concept in most cases if not all, is theoretically and empirically helpful in that it enhances specificity of the concept and the empirical reality which it attempts to define. His argument is that the usual distinction between deconcentration and devolution has limited utility and application, in describing and explaining the scope of decentralization and its goals and options available. He therefore advocates alternative terminology and conceptual framework, and suggests that political and administrative decentralization replace devolution and deconcentration respectively. The mere addition of the two qualificatives seem to amount to mere semantics and scholasticism. Indeed in his formulation of alternatives, Barrington does not seem to have advanced a conceptual and practical framework capable of substantially adding anything beyond what is understood and by what decentralization means by using the conventional framework.

What Barrington seems to have succeeded in doing, is to make the concept of decentralization more cumbersome than it presently is by adding the qualificative. In addition to that, it merely complicates the understanding of decentralization.

Manda (1988:11) remarks as follows:

> "The adoption of political and administrative to differentiate among varying types of decentralisation can, moreover, be awkward. It may be difficult to classify a politically decentralised body with formally assigned decision-making powers where this agency fails to exercise such functions in practice, and for that matter to classify a formally administratively decentralised agency which has assumed a political, that is, a policy-making role. The reliance upon such classifications of decentralisation schemes must be questioned".

Mawhood (1983:3-5), whilst not advocating an alternative conceptual framework, does observe, that:

> "Decentralisation is ... used by different people to mean a good many different things".

It is true because decentralization in practice is conditioned by the socio-economic and political circumstances in which it is employed and as such it will tend to acquire the meaning ascribed to it by such circumstances. Indeed concepts must be adaptable to changing circumstances without losing their basic essence. In practice, decentralization does not exist in pure form and tends to display a variegated complexion. It tends to embody elements of both devolution and deconcentration. This is not surprising because organizational entities, like political, economic and social institutions, ever exist in a pure form. For example, a capitalist mode of production contains the survival relics of both the slave and feudal modes of production whilst a parliamentary system of government also embodies elements of a presidential system of government. This is also the case with a presidential system of government which contains elements of a parliamentary system, and this is the essence of socio-economic and political phenomena. To quote Manda (1988:11) again:

"Decentralisation programmes in practice are rarely easily classified into neatly separable categories, marked 'devolution', 'deconcentration', delegation' or dispersal since many, perhaps most, actual systems of decentralisation reveal traits of more than one category".

The utility of concepts or theories is determined by their ability and capacity to capture as closely as possible the practical essence of actual social, economic and political entities. Concepts are not the reality, they are intended to explain and as such can never fully explain reality. Lewis (1975:94) remarked as follows:

"The mistake too often made in philosophical and sociological discussions is to regard a concept belonging to a system of thought or explanatory theory as though it were itself a fact, something concrete. It is the assumption that we have reached finality and touched reality when in fact we have only constructed another set of explanatory concepts or useful models".

Lewis (1975:114) further remarked that:

"Reality is never reducible to or understood by, a conceptual system separated from its object which takes on an independence and permanence of its own".

This is the fundamental weaknesses of the conceptualization of decentralization advanced by Conyers **et al.** Concepts should not be arbitrarily constructed to suit the constructor's perceptions of reality, they must be constructed from reality itself, i.e. to say they must be produced by reality itself. This implies that they must, metaphorically speaking, emerge from the womb of the object they seek to describe and explain, lest they lead to distort of our perception of the reality we seek to capture.

This is not to deny that concepts which are useful to describe reality at a certain time do not become problematic and useless only to be replaced by a new set of concepts which are better suited to describe and explain the ever changing social reality. Conyers **et al.**, are not convincing in their arguments regarding the usefulness of the conventional definition of decentralization in terms of devolution and deconcentration.

It seems therefore that decentralization should be defined in terms of devolution and deconcentration. In this regard, decentralization could be defined as the transfer of some legislative and administrative power and authority from a superior organ or institution to subordinate institutions or organs. This definition encompasses both deconcentration and devolution. Deconcentration refers to the transfer of some administrative power and authority from a superior organ or institution to subordinate organs or institutions, whilst devolution refers to the transfer of some legislative power and authority from a superior organ or institution, to subordinate organs or institutions. It is clear from this definition that the main difference between devolution and deconcentration is that in the case of deconcentration only administrative power and authority are transferred whilst in the case of devolution, some legislative power and authority are transferred. What it means is that under deconcentration the subordinate institution has no power or authority to enact legislation, its main function is to implement policy decisions, rules and regulations, formulated and enacted by a superior organ.

The clearest example of deconcentration is the establishment of field offices by the central government ministries in the regions and districts. Devolution involves the transfer of some legislative power and authority. This means that the subordinate organ has the power and authority to enact laws, rules, regulations and formulate policies independently of the superior organ as long as it acts within its own jurisdiction.

An example of devolution is the system of local government and to some extent the system of federating states in a federal system. This is the definition which will form the context within which an assessment of local government in Botswana will be undertaken. The Commonwealth Secretariat (1986:2) also adopts the same definition when it observes the following:

"A variety of terms is used to describe different types of decentralization ... Particularly common is the distinction between devolution, which usually means the legal transfer of power to a locally elected political body, and deconcentration, which is the transfer of powers by administrative means to local representatives of the central government".

3. THE RATIONALE BEHIND DECENTRALIZATION

Decentralization is as old as the emergence of the state and other social organizations or institutions (Held 1987). During the era of absolute monarchy, some form of decentralization existed (Solo 1982), and ancient societies were characterized by a great deal of decentralization of power and authority (Engels 1884).

In recent years decentralization has taken an amount of seductiveness to the extent that no discussion of political organization is considered complete unless it also embodies a discussion of decentralization. It has become the criterion against which democracy is defined, the absence of decentralization is supposed to indicate the absence of democracy. In reality there is no system of government completely centralized, but what is the rationale behind the need to decentralize? What are the compelling reasons to decentralization? These questions are addressed in the following paragraphs.

3.1 Decentralization as a medium for the extension of democracy

Decentralization has been posited as an important instrument or mechanism by means of which government can extend democracy to the people, as the

Commonwealth Secretariat (1986:4) describes it:

"Decentralization is probably most often advocated as a means of increasing popular participation in decision-making and development. Popular participation in this case may be seen either as a desirable and in itself (a basic human 'right' and an essential component of 'democracy', necessary for the development of the individual's self-esteem) or as a means of improving the management of development programmes, by making them more relevant to local needs and increasing local commitment to, and involvement in, them".

Viewed from this perspective, decentralization is an important instrument for extending and promoting democracy.

To the pluralist school of thought, decentralization provides an almost fool proof guarantee for the survival and reproduction of democracy, this is because (Held 1987:191):

"in the pluralist account, power is non-hierarchically and competitively arranged ... There is no ultimately powerful decision-making centre ... since power is essentially dispersed throughout society, and since there is a plurality of pressure points, a variety of competing policy-formulating and decision-making centres arises".

At the level of practical politics, decentralization does not guarantee democracy nor does it reflect its existence. Neither does it guarantee nor facilitate the extension of democracy to the majority of people. This is especially so in a class divided society, because political power and the institutions through which it is concretized is a class entity in the hands of the ruling class. Real or true democracy can only exist in a society in which class divisions and all forms of social and political stratification have been abolished (Avineri 1968).

It seems an exaggeration to present decentralization as a necessary condition for the existence of democracy. Seen from this perspective, decentralization becomes a mechanism for the distribution of elements of political power and authority amongst the different fractions and categories of the ruling class. Mamdani (1976:13) comments on it as follows:

"At the level of politics, the state unites the ruling class(es) and divide the appropriated classes. In fact, the ruling class is precisely the class that controls the state. The state is an expression of its unity. The political apparatus of the state provides institutions for the peaceful regulation of conflict between sections of the ruling class".

Part of the problem of liberal democratic conception of decentralization and its place in the democratic process is that it conceives society as if it exists outside the cauldron of class and class struggles. It sees society as made up of groups operating from the same social and political plane. Political and social institutions are not seen as being vitiated by class inequalities and class struggles. Decentralized political institutions such as local governments therefore become mechanisms at the disposal of local inhabitants through which they become involved in political bargaining with central government.

If the class equation is introduced, politics does not become the focus of bargaining and compromise, rather the expression and consummation of class struggles and decentralized political institutions become the arena on which these struggles are fought. They become the eyes and ears of the central government, rather than weapons in the hands of the exploited and downtrodden. These comments should not be interpreted as a wholesale rejection of the value of decentralization in facilitating the extension of democracy to the people of the population, but to caution against uncritical assumptions regarding its value.

Where the masses are systematically depoliticized and deradicalized their effectiveness in assessing and evaluating government performance become almost completely blunted to the extent that decentralization becomes merely political tokenism for effective governance, Ake (1978:78) defines depoliticization as follows:

> "Depolitization entails reducing the effective participation of the masses and of non-hegemonic factions of the ruling class, and preventing some interests and points of view from finding political expression. The point of reducing the effective political participation of masses is to render them impotent, to prevent the political system from being overloaded with demands which are not conducive to its survival and to render the masses less available for socialization into radical political or oppositional behaviour by non-hegemonic factions of the ruling class. The process of depoliticization has made African countries political monoliths".

If decentralization is to become an effective vehicle for promoting and sustaining acceptable governance, it must therefore be accompanied by an intensive programme of radical political education of the masses to make them less subservient to government institutions and officials (Rudebeck 1974).

3.2   Preconditions for meaningful decentralization

Although there is no state that is completely centralized, the tendency especially in Africa, has been towards centralization. Decentralization is an exception rather than the norm. This was especially so, on the morrow of independence of many African countries as Chazan (1988:44) aptly puts it:

> "The first few years of independence were accompanied by systematic efforts on the part of the new state leaders to overcome the constraints of the colonial legacy by reorganizing public institutions and by concentrating power at the centre".

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Marger (1981:274) observes as follows:

"The relationship between class and participation is one of the firmest assumptions of political sociology, backed by a wealth of empirical evidence. Indeed the importance of class as an explanator of all forms of political behaviour is recognized by all political sociologists and political scientists, regardless of theoretical persuasion. Most simply, the higher one's class, the greater the scope of intensity, and significance of political participation. Those at the upper end of society's stratification system participate most frequently and in the most effectual political activities".

Marger is not completely correct when he contends that political sociologists and political scientists of all persuasion recognize the impact of class on political behaviour. On the contrary, most liberal scholars reject class as a factor in politics (Selsam et al 1975). Shivji (1975:3) describes it when he aptly observes:

"The Marxist theory of class struggles is perhaps one of the theories least discussed and most distorted by bourgeois academic scholarship. This is understandable, for class struggle is basically about state power, a fact rightly considered subversive and dangerous by the ruling classes and embarrassing by objective academics ... The political sting has been cleverly removed by reducing the concept to a static, quantitative and undialectical category".

The effectiveness of decentralization as an instrument for the extension of democracy and participation in the decision-making processes of state, must be tampered by the anvils of class divisions and class struggles.

3.2   **Decentralization as an instrument for promoting and facilitating development and development management**

Decentralization has been advocated for its possible contribution towards the facilitation of development. Before embarking on an assessment of whether decentralization of government institutions, structures and systems provides the best mechanism for stimulating and promoting development, it is necessary to provide a working definition of development. Gant (1979:6) defines it as follows:

"The concept of development is elusive; it is perceived not only as a condition of life but also as a goal to be attained, and as the capacity to grow and change and develop. These three ideas of development are bound together in efforts to understand and deal with the phenomenon development".

Commenting on the role of decentralization in the process of development, Olowu (1988:23) argues that:

"... it is felt that preoccupation with top-down development strategy which relied on borrowed capital and technology and emphasized import - substituting industrialisation ... was a false start which explains many of the dilemma confronting African countries today ... In its place, a strategy of 'development from below' ... In this alternative model, effective local institutions represent a key aspect of development strategy. A second consideration for the involvement of local government in the economic development process is the growing realization among scholars, development agencies, advisers and programmers that local institutions played a major role, in the modernisation ... ".

It is this realization which has stimulated the growing popularity of decentralization i.e. that development initiated from below and managed by people and institutions which exist among the people and controlled by them, has a better chance of

success and sustainability than development designed outside the target area and managed by remote control.

If it is accepted that people are the driving force and the locomotive for development, it is logical that institutions as essential instruments should be placed at their immediate disposal and decentralization becomes a logical mechanism by means of which such institutions are placed at their disposal. The success of decentralization in facilitating development and development planning will ultimately depend on the commitment of the central government to decentralization. It also depends on the local capacity, both political and managerial, to capture and control the decentralized institutions.

If there is no local capacity, decentralization will become a smoke screen through which top down development and development planning strategies are imposed by central government. It is therefore important that decentralization as an instrument for facilitating development and development planning, must be peeled off the romanticism which has recently camouflaged the problems inherent in it. The Commonwealth Secretariat (1986:5) observes as follows:

"... the relationship between decentralization and improved management is more complex than may at first appear. In the first place, decentralization programmes has to be carefully designed and implemented if it is to bring about marked improvements in management ... Secondly improved management (like effective participation) is not easy to achieve with or without decentralization ..."

This is a timely warning because of the growing tendency amongst supporters of decentralization to glorify the role of decentralization in facilitating development. In practice, the tendency has been for the local petty bourgeoisie to use decentralization as a vehicle to promote their own class interests at the expense of the people supposed to benefit from the system. Decentralization then becomes a mere smokescreen to deceive local people. (Shivji: 1975)

3.3   **Decentralization as an instrument to promote administrative efficiency and effectiveness in the delivery of services**

Decentralization has also been advocated for promoting administrative efficiency and effectiveness in the provision of services, because it creates political and administrative systems which are closer to the people they seek to serve. According to this argument, it allows the decentralized systems to understand and appreciate the needs of the local people more than the central government which is far removed from the locality. Whether decentralization will promote administrative efficiency and effectiveness will depend on the resources available to the decentralized units and the authority allocated to them by the central government. Smith (1991:59) argues as follows:

> "Decentralization of administration arises because of informational economies. It is difficult for any large organization to keep its members adequately informed of each other's activities. As the number of members rises arithmetically, the number of potential links between each of the individuals rises more steeply. Central government can delegate tasks to subsidiary authorities (like local government) ... From this stand point, decentralization is a method by which better information can be gathered for decision-making, and processed at lower cost with a fully-centralized organization".

Whilst there is some merits in the arguments that decentralization facilitates the efficient and effective provision of public services, this depends on the availability of material and human resources. The tendency by the central governments in developing and developed countries has been to decentralize responsibilities without adequate funds and trained personnel. The result has been inefficient and ineffective delivery of services by decentralized units of government such as local government authorities (Manda 1978; Wraith 1972).

It is clear that if theory and practice are to meet, i.e. for decentralization to become a concrete vehicle for improving administrative efficiency and effectiveness, central government will have to provide adequate material and human resources. Management and administrative viability of the unit to which central government power and authority are decentralized, as well as the scope, degree and dimension of popular participation within that decentralized unit, influence to a certain degree the efficiency and effectiveness of decentralized local government management and administration. These issues go beyond the realms of the romanticism of the passionate advocates of decentralization and their unqualified belief in the efficiency and effectiveness of decentralization in the provision of public services.

3.4   Decentralization as a mechanism for reducing sessionist tendencies

Decentralization has been credited with the capacity of containing and reducing or minimizing sessionist tendencies. The Commonwealth Secretariat (1986:5) describes this capacity as follows:

> "The third type of justification for decentralization argues that it will reduce pressure from regional groups who are already threatening to secede or may do so in the future if their demands are not met. In such cases, decentralization may give these regional groups sufficient powers to determine their own affairs, so that they no longer have any desire to secede".

In most cases, decentralization has so far encouraged secessionist tendencies for example, the introduction of federation in Nigeria encouraged the attempted session of Eastern Nigeria and the formation of the short-lived Republic of Biafra, and in Canada, the system of federation is encouraging the sessionist tendencies of Quebec. This has also been the case in India, Srilanka and Russia. This is because decentralization sometimes strengthens regional nationalism, and parochialism.

3.5   **Decentralization as an instrument for facilitating accountable governance**

Decentralization has been credited with the promotion and sustainability of accountable governance, because of its proximity and closeness to the people. This provides, it is argued, special opportunities for the people to observe the workings and operations of government and enables them to evaluate the quality of services provided to them. It also enables them to assess the quality and performance of public officials, as Olowu (1988:20) remarks:

"Considering the fact that the growing size of the central government in most countries has seriously undermined effective accountability, particularly in the Third World countries, a strong case has been made for a more effective decentralization to subnational units of governments".

The effectiveness of decentralization as an instrument for fostering and sustaining governance will largely depend on the level of political consciousness and awareness of the people and the extent to which they have been politically mobilized. Political mobilization means an ever on-going process whereby people's consciousness of the socio-economic political and structural conditions and contradictions is sharpened and heightened so that they are able to critically assess and evaluate the role of government and its impact on their lives.

Where the people are systematically depoliticized and deradicalized their effectiveness in assessing and evaluating government performance become almost completely blunted to the extent that decentralization becomes merely political tokenism for effective governance, Ake (1978:78) defines depoliticization as follows:

"Depolitization entails reducing the effective participation of the masses and of non-hegemonic factions of the ruling class, and preventing some interests and points of view from finding political expression. The point of reducing

the effective political participation of masses is to render them impotent, to prevent the political system from being overloaded with demands which are not conducive to its survival and to render the masses less available for socialization into radical political or oppositional behaviour by non-hegemonic factions of the ruling class. The process of depoliticization has made African Countries political monoliths".

If decentralization is to become an effective vehicle for promoting and sustaining acceptable governance, it must therefore be accompanied by an intensive programme of radical political education of the people to make them less subservient to government institutions and officials (Rudebeck 1974).

3.6 Preconditions for meaningful decentralization

Although there is no state that is completely centralized, the tendency especially in Africa, has been towards centralization. Decentralization is an exception rather than the norm. This was especially so, on the morrow of independence of many African countries as Chazan (1988:44) aptly puts it:

"The first few years of independence were accompanied by systematic efforts on the part of the new state leaders to overcome the constraints of the colonial legacy by reorganizing public institutions and by concentrating power at the centre ... A process of power consolidation with strong authoritarian and even repressive overtones occurred throughout the continent".

These tendencies have not been completely eradicated from the political landscape of Africa. The argument in favour of centralization and against meaningful decentralization has been and continues to be the alleged need for national integration. It is generally contended that decentralization encourages secession whilst centralization encourages and even forces national integration. According to Olowu (1988:14):

"Any attempt to effectively decentralize power before this process is completed is bound to court disaster by promoting secessionist movements and misuse of such decentralized power by local despots or through the ignorance, poverty lack of initiative of the mass of the people. Even where sessionist bids are absent, the latter factors reinforce poor local administration, completing a vicious cycle of local government poverty and backwardness".

These are some of the problems which normally beset meaningful and successful decentralization:

3.6.1 The political will

For a meaningful and successful process of decentralization to occur, there is a need for political will and commitment on the part of the central government to genuinely transfer some political power and authority to lower political and administrative institutions. This should emanate from the conviction that decentralization is not only desirable but essential for good governance, accountability and service delivery. More importantly also the central government must have confidence and faith in the decentralized units that they can accomplish the government mission of fulfilling the needs of the people. Without the necessary political will, it is doubtful whether any meaningful decentralization can take place. Where there is an absence of political will on the part of central government, the tendency has been to reduce decentralized units such as local government authorities, to mere agents and extensions of central government, for instance in Swaziland.

3.6.2 Appropriate and adequate institutional and structural arrangements

It is essential that proper institutions and structures be put in place if meaningful decentralization is to take place. This includes adequate office accommodation, equipment such as office furniture, vehicles, and graders essential for the

performance of those functions and responsibilities, decentralized by the central government. In Botswana, local government authorities in some instances, have been hindered in the performance of their functions because of the lack of equipment and poor office accommodation and staff housing (National Development Plan 7 1992-1997, 1992).

3.6.3 Availability of skilled personnel

Successful and meaningful decentralization will depend on the availability of skilled personnel essential for tackling effectively the necessary political and administrative functions and responsibilities. Without the necessary skilled personnel decentralized units would find it difficult if not impossible, to undertake their responsibilities. Most decentralized units in Africa in particular and the Third World in general, have not been able to fulfil their responsibilities and commitments because of a shortage of skilled personnel (United States Agency of International Development 1990).

3.6.4 Availability of funds

The availability of funds determines successful and meaningful decentralization. Without adequate funds it is difficult for local authorities to fulfil their political and administrative commitments. This has been the case in Zambia (Manda 1988) and in Botswana and in many African countries (see Mawood 1974). It has also been the case in the Western countries (see De Smith 1973).

In most cases decentralization has collapsed because of the lack of funds. This is especially so with regard to smaller units with smaller financial bases. Even larger units usually find themselves unable to discharge their responsibilities because of a shortage of funds. This problem is exarcebated by the fact that decentralized units obtain the bulk of their funds, especially smaller and rural units, from the central government and their debts owed to, or guaranteed by central government. One effect of these conditions and organizational arrangements is to exacerbate the

fiscal crises of decentralized units.

The genesis and the impact of the fiscal crisis of decentralized units have been graphically articulated by O'Connor (1973) and Alcaly and Mermelstein (1977). In brief, decentralized units, have always lacked the authority and funds to deal with acute imbalances in the local economy which emanates from the continued dispersal of economic activities beyond their legal and geographical jurisdiction. These imbalances and shortages of funds have led and continue to lead to a crisis of the legitimacy of local governments because without funds they cannot deliver services.

For decentralized units to become sustainable to local units of governance, adequate funds will have to be made available to them. Without adequate funds decentralization will remain largely a hollow rhetoric as the Commonwealth Secretariat (1986:8) observes:

> "The financial aspects of decentralization are equally important because finance is the other major resource required by regional and local governments or administration. In many countries the impact of decentralization has been disappointing because central governments have not been prepared to decentralize sufficient control over financial resources".

The deduction could therefore be made that the availability of financial resources determines or influences the success of decentralization and the ability of local governments to fulfil their obligations.

3.6.5   Good quality of local leadership

The success of decentralization will require local leadership capacity, both in terms of political and administrative leadership to give guidance and direction in the formulation and implementation of decentralized policies, programmes and projects. Where no local leadership capacity and capabilities exist it is essential that the

central government assists in developing such a leadership if decentralization is to be a meaningful expression and concretization of democratic governance and accountability (Manda 1988; Tocqueville 1935; Maddick 1963). Where no quality local leadership exists there is a danger, even a high level of probability that central government may continue to run the affairs of the local units directly or indirectly (Molutsi 1989).

4. CHARACTERISTICS OF LOCAL GOVERNMENT

4.1 Definition of local government

According to the definition of decentralization, local government is a product of the devolution as a dimension of decentralization, as Olowu (1988:12) remarks:

> "There are two approaches to the definition of local government in the literature. One approach, which is usually adopted in comparative studies, is to regard all such national structures below the central government as local government. A second approach is more circumspect in that local governments are identified by certain defining characteristics. These characteristics usually focus on the following five attributes: legal personality, specified powers to perform a range of functions, substantial budgetary and staffing autonomy subject to limited central control, effective citizen participation and localness. These are regarded as essential to distinguishing it from all other forms of local institutions and also ensure its organizational effectiveness".

These so called essential features of local government are misleading. Not all local governments provide an opportunity for effective citizen participation. In any case how is effective citizen participation determined? Is it determined in terms of electoral participation? Is citizen participation unique to local governments? The same problems afflict identifying legal personality as a feature of local government, for legal personality is not a monopoly of local governments. There are a number

of local institutions which have legal personality, but which are not considered local governments. Robson 1937:574) defines local government from a legal point of view as follows:

> "In general, local government may be said to involve the conception of a territorial, non-sovereign community possessing the legal right and the necessary organization to regulate its own affairs. This, in turn, pre-supposes the existence of a local authority with power to act independent of external control as well as the participation of the local community in the administration of its own affairs...".

Gomme (1897:1-2) defines local government in the following manner:

> "Local government is that part of the whole government of a nation or state which is administered by authorities subordinate to the state authority, but elected independently of control by the state authority, by qualified persons resident, or having property in certain localities, which localities have been formed by communities having common interests and common history ...".

Both Robson and Gomme seem to emphasize independence whilst local governments are not independent of central government control. Local governments enjoy only relative autonomy. Marshall's (1965:1) definition seems to come closer to the real features of local government, when he identifies three characteristics:

> "... operation in a restricted geographical area within a nation or state; local election or selection; and the enjoyment of a measure of autonomy ...".

Meyer (1978:10) defines local government as follows:
> "Local democratic governing units within the unitary democratic system of this country, which are subordinate members of the government vested with prescribed, controlled governmental powers and sources of income to render

specific local services and to develop, control and regulate the geographic, social and economic environment of defined local area".

The weakness of Meyer's definition is that it includes democracy as an essential element of local government whilst a local government can exist without it being democratic in the same way that a national government can exist in a country without that government being democratic. For instance, a government brought into power through a *coup de'etat*, is thus called repressive and undemocratic government. It is also possible to talk of undemocratic local government.

But Meyer's definition seems to capture the essence of local government, for local government is that local government institution with limited legislative power and authority which operates within clearly defined geographical and legal jurisdiction. The defining feature of local government is the authority to enact legislation within the defined jurisdiction. This seems to be the most important feature which sets local government apart from other local government institutions, such as land boards in Botswana.

4.2   The significance of local government

The existence of local government has always been defended on the basis that it is a vital and crucial aspect of the process of democratization and intensification of mass participation in the decision-making process. No political system is considered complete and democratic if it does not have a system of local government. In the developed and industrialized countries of Europe and North America the cruciality of the system of local government has come to be taken for granted for there is no country in Europe and North America without a system of local government. This is not the case in the so called Third World (Mawood 1983; Wraith 1964).

A number of reasons have been advanced why a system of local government is essential.

4.2.1   Training ground and nursery school for mass political education

The system of local government has been advocated and supported because it is generally believed that it serves as a training ground and nursery school for mass political education and mobilization. Tocqueville (1835:631) remarks:

"... town meetings are to liberty what primary schools are to science: they bring it within the people's reach, they teach men how to use and how to enjoy".

Maddick (1963:59) is more explicit when he observes the following:

"... a principal objective of local government is that it should foster healthy political understanding. The citizens learn to recognize the specious demagogue, to avoid electing the incompetent or corrupt representative, to debate issues effectively, to relate expenditure to income, to think for tomorrow".

This does not imply that the mere existence of local government will automatically lead to the development, nourishment and maturation of public spirit of political awareness and consciousness. Intensive political mobilization programmes must be introduced by these institutions to galvanize the public into active and meaningful political involvement. This will enable people to see the usefulness of local government and their role in the process of decision-making. Conscious political work by local government councillors, carried out with the explicit and vowed aim of intensifying, accelerating and directing the participation of the people in local politics lest the public sees local government as just another bureaucratic government institution (Holm 1971).

4.2.2 Training for political leadership

It is believed that local government is essential because it provides training for political leadership, especially for those intending to venture into the arena of national politics. Laski (1931:31) remarks as follows:

> "If members (M.P's) were, before their candidature was legal, required to serve three years on a local body, they would gain the feel of institutions so necessary to success".

There is some merit in this logic, but it cannot be logically deduced that legislators with some experience in local government politics are better national legislators than those without it. There is no doubt that participation in local government politics does provide an opportunity to councillors to gain experience in the mechanics of politics such as the process of law-making and budgeting (Laski 1931).

4.2.3 Facilitation of government accountability

Local government is generally seen as a defence mechanism against arbitrary power by government; by preventing an unhealthy concentration of power at the centre. Local government, it is claimed, discourages the tyranny of centralization of power. According to Smith (1985:27):

> "There is some truth in the proposition that local democracy provides for greater accountability and control than field administration, public corporates and appointed agencies. The processes involved in local government make accountability more meaningful because of the elective elements linking bureaucrat and citizen. The political activities inherent in local government, i.e. elections, rule-making, political pressure, publicity and public debate - close the gap between the citizen and the administration and provide opportunities for grievances to be aired and wrong remedied".

Whilst this may be true, there is a strong feeling that local government is prone to corruption (Olowu 1988), but according to Stewart (1983:8):

"Where such accusations are made, and justifiably so, they are made because of the very visibility of local governments. There is no official secrets act guarding even routine decisions from public scrutiny. Committees of local authorities generally meet in public and their agendas are open in ways that would horrify civil servants or central politicians. The system is open and provides thereby correctives to reveal defects".

Commenting on the African situation regarding complaints that local governments are prone to corruption, Olowu (1988:20) observes:

"When the first books on corruption in African countries were published, they concentrated on the local government level. Local governments in some parts of Africa were described as a conspiracy against the public, and institution that is riddled with 'bribery, nepotism, politics and corruption'. Over the years, as more documentation on corruption in central governments has accumulated, it has become evident that corruption is a universal problem for all governments in all countries".

This is a very persuasive argument. There are some merits in this argument, for the central government is not only geographically distant but also in psychological and social senses. This is especially so in developing countries where the physical infrastructures necessary to facilitate communication between the central government and the people are poorly developed and in some instances totally non existent. A genuine local government can therefore become a viable and flexible instrument for promoting and facilitating good governance and public accountability. Held (1987:15) aptly comments as follows:

"The affairs of government and national politics are not things many claim to understand, nor are they a source of sustained interest significantly, those closest to the centres of power and privilege are the ones who indicate the most interest in and are most favourable to political life. However, it may well be that those who express lack of interest in politics do so precisely because they experience 'politics' as remote, because they feel it does not directly touch their lives and/or that they are powerless to affect its course".

Genuine local government may therefore help to put some measure of power in the hands of the masses, thereby making the notion of government of the people, by the people, and for the people a little more realistic. Latib (1995:8) remarks as follows:

"Far too much attention has historically been placed on compliance and process ... what is needed is the building of a broader community perception of accountability ... This broader perspective implies that accountability should be based on an overall concept of governance. This approach emphasizes not only political representation and the supremacy of political structures in the accountability process, but also interactive processes with civil society".

Conceptualized in this way, accountability becomes an integral component of the democratic process. Local government can go a long way in enriching it. It may require extensive efforts to remove or at least reduce the cynicism of the "ordinary" people, and the absolutely poor who see politics as a sophisticated game designed by a small clique of power holders to manipulate and cheat them (see Holm 1989). For they have come to believe that government by the majority is merely a tantalizing mask, an illusion which masks what really happens in the body politic. This pessimistic view is not very far from the truth as Eldeman (1964:31) observes:

"The common assumption that what democratic government does is somehow always a response to the moral code, desires and knowledge

embedded inside people is as inverted as it is reassuring. This model, avidly taught and ritualistically repeated, cannot explain what happens but it may persist in our folklore because it is so effectively sacrifices prevailing policies and permits us to avoid worrying about them".

4.2.4   Increase in administrative efficiency and effectiveness

Like decentralization in general, the system of local government is supposed to increase government's administrative efficiency, effectiveness and responsiveness in the provision of services. This, it is argued, is because local governments are closer to the people than central governments and as such they are able to deliver the required services at the appropriate time and to respond to the needs of the people promptly (Olowu 1988; Richards 1968; Manda 1988; Wraith 1964; Meyer 1978).

4.2.5   Recognition of regional and local differences
Smith (1985:50) remarks as follows:

"... different areas within the territory of the state have different needs. This does not mean that national policy implementation may have to vary from area to area because of local circumstances. It also means that local circumstances will require different responses from decision-makers in the priorities they attach to the multiple needs of a particular area. An appropriate mix of services, with resources allocated accordingly has to be produced for each area".

These differences include cultural, subcultural variations, uneven socio-economic and political development and ethnic diversity. Decentralization thus becomes an instrument through which government can deal with these issues. Central government is usually not able to cater for issues which are too local. for instance in Botswana circumcision is only practised by Bakgatla and as such cannot be handled at a national level.

4.3   Types of local government

It is generally recognized that local government is a product of decentralization, but the nature and form that a system of local government assumes is largely determined by the socio-economic and political environment within which such a system of local government operates. Hence the type and pattern of local government sometimes differ from country to country. According to Alderfer (1964) there are four basic patterns of local government in the world today, i.e. the French, Anglo-Saxon, Communist and the Traditional. The essence of each could be summarized as follows:

4.3.1   The French system

Wraith (1972:17-18) characterizes the French system as follows:

"In the French system which is probably the most widely spread of them all, local government may properly be regarded as the local arm of the central government. Local councils (conseils municipals) have indeed important powers and duties, exercised through their principal officer, the mayor, but their proceedings are subject to the direction, approval or veto of a civil servant (the préfect) who represents the government of France in its every aspect".

Meyer (1978:42) characterizes the French system of local government in similar vein when he observes that:

"In France the country is divided into 90 departments each administered by a prefect, who is an official of the Ministry of Interior. He and his staff are responsible for the administration of, amongst others, local services, the enforcement of law, collection of taxes and administration of a number of national services in a particular area. They are part of the government of France, though in local areas must cooperate with a locally elected counseil

municipal and Mayor. The French system combines representative local government with extensive opportunity for central government to control and guide administratively. It has been widely followed".

The French system rather resembles deconcentration of power and authority than devolution. The French system of local government has been almost slavishly followed in Francophone Africa, with the exception of Senegal which has consistently tried to adopt a local government system modelled along the lines of devolution. This is a reflection of the French colonial heritage. But whilst France has introduced fundamental changes in its model by introducing the *conseil municipal* in which members are elected in the Francophone Africa, Olowu (1988:39) comments:

"Little thought is given to some of the major changes that have taken place in this metropolitan model over the years. In *Côte d'Ivoire*, for instance, the government appoints *prefets-maires* even in the secondary cities and hence there were no elections from 1956 - 1976. Similarly, a number of services which used to be administered by local governments have been transferred ... to public corporations".

4.3.2 The Anglo-Saxon system

Wraith (1972:18) describes the Anglo-Saxon system as follows:

"The characteristic of the Anglo-Saxon type of local government ... is local autonomy, exercised through locally elected councils".

The autonomy Wraith is talking about is relative autonomy because under the Anglo-Saxon system, local government is a creature of statute and its autonomy is defined by the legal and geographical jurisdiction conferred upon it by the statute which creates it. The degree of this relative autonomy differs from country to country (Meyer 1978; Richards 1968; Jackson 1963 (ed); De Smith 1973(ed)). The

Anglo-Saxon system has evolved from devolution rather than deconcentration.

4.3.3 Communist system of local government

The Communist system of local government is based on the doctrine of democratic centralism (Avineri 1968; Lazutkin 1974; Kozlov 1977; Marx 1968(ed)). The doctrine of democratic centralism defines the relative autonomy of local government authorities. In terms of the doctrine of democratic centralism, the central government, under the leadership of the party, provides leadership and direction to local government authorities.

4.3.4 Traditional local government system

Alderfer's classification of non-western political systems as traditional smacks of racism because implied in his classification, is that the Western World has never had traditional political systems. To identify non-western with traditional is unscientific. As Mamdani (1976:2-3) puts it:

> "In Africa, the political scientists identified the traditional with the tribal: tribal society was traditional and primordial, timeless and unchanging".

Implied in this conception is that the traditional was static and retrogressive, the modern 'civilized' and progressive. Although this is not explicitly articulated, the modern meaning 'Western' is considered the 'ideal-type' which is generally "identified with the best of all possible politics: the Anglo-Saxon, national pluralist consensus of *laissez-faire*, of live and let live - the politics of advanced capitalism" (Mandani 1976:1-2). Stripped of its racist and Euro-centric undertones, the traditional system of local government permeated all societies including the so-called Western countries.

The traditional system of local government was characterized by some form of democratic centralism. Wraith (1972:18) argues as that:

"The concept of democratic centralism ... has had considerable appeal in Western Africa (and in other parts of Africa), partly because in some of its aspects it reflects traditional African political practice ...".

What is clear from this comparative analysis of the different types of local government systems is that these systems do not differ fundamentally (Wraith 1972(ed)).

The main difference is the form which the four systems adopted and the degree of local autonomy. More importantly also, these systems have influenced each and one another either directly or indirectly. In most countries especially in Africa, these systems exist side by side (Wraith 1972(ed)).

It would be practically and theoretically untenable to try to put these categories or types in separate concrete containers as if they exist in an antagonistic and contradictory manner. As Wraith (1972(ed):20) comments:

"... public administration in all countries, whether they are industrialized and wealthy or pre-industrial and poor, contains elements of both deconcentration and devolution. It is not a question of one or the other, but of the balance between them. In countries in the French or Communist traditions of government it is self-evident that decentralization takes the form of deconcentration ... put more simply there is a hierarchical structure ... In the Anglo-Saxon countries ... there is more flexibility ...".

Therefore the conclusion could be drawn that in practice the dividing line between devolution and decentralization is very thin.

5. SUMMARY

This chapter has focused on the analysis and evaluation of the concept of decentralization. It tried to identify and isolate the essential features of decentralization as well as the different forms of decentralization. It looked at the different definitions of decentralization, and concluded that there is no consensus about what decentralization means. It also argued that the conventional differentiation of decentralization into deconcentration, devolution and dispersal cannot be taken to extreme, i.e. it should not be taken to mean a watertight differentiation. For in practice, the concepts are intertwined and political systems are found to embody elements of all three forms. It was also demonstrated that decentralization does not necessarily facilitate the extension of democracy and participation. For the capacity of decentralized units to become genuine vehicles for the extension of democracy and participation depends on the degree of their relative autonomy. This in turn depends on the level of political will of the central government to decentralize adequate power and authority, appropriate institutional arrangements, accompanied by the level of political awareness of the communities, the decentralized units are intended to serve. The chapter argued that local government is a product of decentralization and devolution, identifying different types of local government, i.e. the French System, Anglo-Saxon System, Communist System and the "traditional" system and demonstrated that the four systems do not differ fundamentally.

CHAPTER THREE

ANALYSIS OF THE SYSTEM OF LOCAL GOVERNMENT
IN PRECOLONIAL BOTSWANA

1.   INTRODUCTION

The proper starting point for an analysis and assessment of local government in postcolonial Botswana is an analysis and assessment of the system of local government in precolonial Botswana. This will provide a useful background against which an understanding and appreciation of the history, nature and role of local government in postcolonial Botswana can be gained. For local government is not a new phenomenon in Botswana. This is not to imply, however, that the postcolonial system of local government is a product and a replica of the precolonial system. If anything there are fundamental differences between the two systems as will be argued in the discussion of the postcolonial system. The point is that an understanding of the precolonial system will help to comprehend the historical development of the system of local government and the impact this evolution has had on the nature, content and role of local government in postcolonial Botswana.

An analysis of the postcolonial system of local government in Botswana is hampered by the paucity of documentary evidence. Whatever information is available is largely of secondary nature collected by Western anthropologists, missionaries and traders. (Sillery, A. 1965:247). Extrapolation from the existing traditional system is also a source of valuable information.

Classical Western anthropologists, historians and ethnographers saw indigenous African political systems as highly undifferentiated and highly centralized with no exception. (Fortes, M. 1969).

2.   PRECOLONIAL DEMOCRACY

Available evidence on Botswana's precolonial system paints a different picture than the one promoted by classical ethnographers and historians.   The picture that emerges from a **study** of the precolonial political system and institutions show a system which was characterized by a highly developed system of systematic decentralization.   This system was **hierarchical** in organization.   At the top of this pyramid-like system was the king.   He was the centre from which decentralized political units radiated.   His power, authority and functions were on the surface quite extensive and unchallenged.   He was the chairman of the kgotla (legislative assembly) the high priest of the society, commander-in-chief of the armed forces, the chief executive and the chief justice of the society.   Hence he was considered the father of the nation (Schapera 1953).

It was the apparent concentration of power which led to classical ethnographers, anthropologists and historians to conclude that the political system was highly centralized with the king as the embodiment of all state power and authority.   In reality, however, the system was highly decentralized (Sillery 1974).

The society was divided into regions, districts and wards.   Each region was under the kgosana (chief).   Each district was under the leadership of the headman and each ward was under the supervision of a subheadman.   Within each ward, each family was responsible for managing its own affairs under the leadership of the family elder.   His leadership involved amongst other things, settling family disputes and representing the family at the kgotla.   The elder was therefore much more than a social head of the family.   He was also its political head (Schapera 1970).

What is important is not so much that the precolonial political system was highly decentralized.   The decentralization was accompanied by the devolution of legislative power and authority.   The system extended beyond mere deconcentration of administrative functions, thus each region had the power and authority to enact laws rational within its jurisdiction.

The same logic applied to all districts and wards. Schapera (1940:11-12) remarked as follows:

> "In certain respects each section, district, community, village, ward, and family-group is independent of the rest, managing its own affairs under the direction of a recognized head whose authority extends over almost every sphere of public life ... the mechanisms through which this is achieved is the administrative hierarchy into which the various forms of local authority are graded ... as we have indicated the elder of the family-groups is directly subordinate to his ward-head. The ward-head, in turn is subordinate either directly or through the headman of the ward from which his own is derived to the headman of the nuclear ward in the same section. The sectional head, finally is subordinate to the chief. In the outlying districts, the ward-head is, either directly or through his village headman, subordinate to the hereditary chief of his tribal community".

As indicated above, it appears as though the chief is the hub centre of all social economic and political activities in the society. He was and continues to be the focus of tribal life. He is seen by society as the maker and guardian of tribal law and the high priest of society. In discharging these responsibilities he was assisted by his close relatives.

This observation gives the impression that the chief was an absolute ruler. It would be incorrect to posit that the chief was both maker of law and judge. In fact, Schapera (Ibid p.33) seems to contradict himself when he observes that political life was organized in such a manner that government could only function harmoniously if there was cooperation between the chief and his people. According to Batswana. "Kgosi Ke Kgosi ka morafe' (The chief is chief by the grace of the tribe). This indicates that the chief was seldom an absolute ruler and autocratic despot.

Authoritarianism, autocracy and depotism were exceptions rather than the rule. Central to the minimization of autocracy, authoritarism and despotism was the kgotla. The kgotla (people's assembly) was the core and hubcentre of Tswana democracy. It was much more than a mere consultative body.

It was an instrument by which Botswana controlled the chief. It restrained the chief. In fact the chief could only act with the approval of the kgotla. Ngcobo (1984:46) argues that it prevented autocracy and leaders were compelled to rule in the interest of the people. He further argues that the system was not a replication of Greek or American democracy. It was for him, a peculiarly Tswana form of democracy.

The system of the kgotla was replicated throughout the political hierarchy. Each local ward as indicated above, had its own kgotla. It is clear from this statement by Ngcobo that precolonial Botswana had a system of participatory democracy. The ward was the core of this participatory democracy.

Local government institutions therefore played a very crucial role in the political organization of the society.

Chief Tshekedi made this very clear in 1934 in his discussion with the High Commissioner:

> "The chief discusses a matter with the headmen of his wards, but can reach no finality until the matter has been brought before the kgotla and discussed freely and publicly. The chief cannot legislate himself, he may not even administer himself, even in such a simple matter as making a law. He has to put the matter before the people ... No law can become law until it is discussed in the public kgotla ... If the majority of the tribe differs from the decision privately reached by the chief and his headmen, he abandons the

decision ... whatever the tribal assembly agrees to is done." (Schapera (1970:190).

Decentralization of political authority meant therefore that the process of decision-making was democratized. Datta, K and A. Murray (1970:190) seem to argue that precolonial democracy in Botswana, in spite of its sophisticated system of decentralization was undermined by the absence of individual rights.

They observe that in precolonial Botswana, rights were accorded to those who were members of the tribe and membership of the tribe was only given to those who were members of the clan. Non members of the clan were therefore excluded from tribal rights.

This clearly reflects a lack of understanding and appreciation of the nature of socio-economic and political rights in precolonial Botswana. What Datta and Murray fail to appreciate is that socio-economic and political rights were differentiated into different categories: group rights, i.e. community rights and individual rights. Rights relating to the means of production such as land were held by the community and administered by the chief on behalf of the community.

This meant that ownership of the means of production resided in the community and the individual had no ownership in as far as communal means of production were concerned. Individuals had rights of access to these means of production through individual rights of possession.

Schapera, (1955:123) correctly observes thus:

> "... every member of a tribe enjoys certain rights and privileges in common with his fellow tribesmen. He is entitled to land on which to erect his home, to plough and graze his cattle, and to all other facilities for earning a livelihood ..."

With regard to socio-judicial and political rights, these were held by the individual rather than the community. Hence participation in the kgotla, either at national or local level, was an individual rather than a group or community activity.

Precolonial Tswana democracy had some fundamental weaknesses. In the first place it discriminated against women. In precolonial Botswana women were not permitted to attend the kgotla, the centre of all socio-economic and political activities. Whatever political views they had were to be presented by the head of the family who was invariably male.

In a way, precolonial Botswana practised partriachal democracy, without in any way attempting to justify this discrimination against women, was not a unique feature. Even in the ancient Greek city states, supposedly the cradles of modern democracy discrimination against women was the rule rather than the exception. Sabine and Thorton (1973:22) have argued that in the Greek city states:

> "The whole body of male citizens formed the Assembly or Ecclesian, a town-meeting which every Athenian was entitled to attend after he had reached the age of twenty years".

St Paul, (Corinthians: Chapter 14:34-35) echoed this position when he observed with regard to women in church government that:

> "Women are to remain silent in the church, since they have no permission to speak, they must keep in the background as the Bible itself lays down. If they have any questions they should ask their husbands at home: it does not seem right for a woman to raise her voice at meetings".

It is clear from the passages quoted above that discrimination was a universal phenomenon. Thus just as in most, if not all ancient societies, women in Botswana were treated as children who had no right to attend kgotla meetings at all levels of the political hierarchy. (De Smith (1973) & Rowbotham (1975).

Secondly, precolonial Botswana discriminated on the basis of class or social status. For only members of the royal family monopolized political power, from the central government down to the smallest unit of the political organizations, the ward. Mgadla and Campbell (1989:49) observed that the kgosi was a hereditary ruler by virtue of his birth. In short, they posit that a chief was a chief by virtue of having been born a chief.

Political leadership was hereditary and very few outsiders were incorporated into this closely knit and well guarded domain and repository of power. In defence of this monopoly, religion became very central. Hence the notion of the divinity of kingship or chieftainship.

The chief was also the spiritual head of the nation and therefore not incidental to his power but rather an integral component of it. The assertian by James I, king of England that kings "... are breathing images of God upon earth. The state of monarchy is supremest thing upon earth: kings are not only God's lieutenants upon earth, and sit upon God's throne, but even by God himself, they are called Gods", Sabine, G H, & Thorson, T L (1973:368), would probably have found universal approval and support among members of the precolonial Tswana ruling class.

There were however, instances where commoners of high social standing were given headmanship of wards. These were normally individuals who had performed outstanding national services such as commanding the national army to victory against an enemy. These instances were extremely rare (Parsons 1977). Prominent commoners like rich cattle owners could also be coopted into the ruling class domain as advisers. These however, held no formal positions within the formal power structure.

Thirdly, precolonial Tswana democracy discriminated against subject groups such as Botswana, Baye: Kalanga, Bakgalagadi. These groups did not form part of the "Tswana" society. They were essentially serfs whose serfdom derived from their defeat and subjugation by the different precolonial states.

They had no rights and lived outside the democratic process described above. Social and political mobility was therefore almost impossible, because the dividing line was very rigid. In some instances serfdom bordered on slavery, this was especially so with regard to Basarwa (Bushmen). They were to all intent and purposes owned by their Botswanen masters, their lives depended almost entirely on the whims and caprice of their masters.

Commenting on the position of Bakgalagadi, Mautle (1981:22) observes:

"Thus Bakwena, like other Batswana of the same period, regarded other human beings such as the Bakgalagadi in the Kweneng case, as chattels with no feelings. Indeed they, like typical slave societies, used Basarwa and probably Bakgalagadi as commodities of economic transaction ... ".

This is the correct position as opposed to the one adopted by Tlou, Campbell, & Hitchcock, who not only do not see the relationship between Batswana and subject groups as reflecting servitude and slavery but rather client status. They seem to argue that the relationship was almost reciprocal and symbolic and non-exploitative (Tlou 1977).

These authors fail to appreciate that the relationship between the Batswana and the subject groups was not a status relationship, but rather a class relationship in

which the Tswana aristocracy appropriated the labour of serfs. This explains why Bakwena prevented Bakgalagodi from growing crops. They also dispossed them of their livestock (Mautle 1981:22).

Whilst commoners had access to land and owned livestock, subject groups were prevented from owning livestock or gain access to land, for that would have given them some relative independence. Parsons (1977:115) remarks as follows:

> "Given the fact that all subjects underwent common initiation into age regiments, the 'section' system allowed ethnically diverse groups to retain their peculiarities of language, law and culture while identifying with the larger whole of the state. However, 'serfs' malata, from incorporated acephalous societies, like khoisan hunters and herders and Tswapong cultivators and miners, were not granted such civil rights ..."

The fact that these were subject groups, meant that assimilation into the Tswana group was not possible. They did not participate in the political activities of both central and local governments.

3.   THE NATURE OF LOCAL GOVERNMENT DURING THE COLONIAL ERA

Technically Botswana was never a colonial subject but a protectorate which came under the jurisdiction and administration of Britain in 1885. According to popular "history" of Botswana, British protection was granted as a result of the request of the Botswana Chiefs Khama, Sechele and Gaseitsiwe (Stevens 1967, Dochs 1972, & Spence 1964).

It is doubtful, however, whether Britain could have been persuaded by these chiefs to offer it protection. Much more substantial reasons, were at play which persuaded Britain to annex Botswana and convert it into what it euphemistically called a protectorate.

In reality Botswana was a colony with all the attributes of a colony. These include amongst others, the transplantation of the apparatuses of the metropolitan state and their implementation in a foreign territory, the destruction or undermining of indigenous political institutions, economic underdevelopment and social emasculation (Dachs 1972).

Available evidence indicate that in fact the three chiefs were not very enthusiastic about the idea of British rule of their country. It would accordingly to (Sillery A, 1965:41) appear that:

> "... only Khama was willing to accept the protectorate wholeheartedly and without question. More farsighted and realistic than the others, more responsive to the advice of the missionaries he made no difficulties except to question the northern boundary, latitude 22°, which as he rightly said, cut his country in half. The Ngwaketse were wary and Sechele and his son Sebele suspicious, the latter downright rude, but following Kgama's lead they all came round in the end, though they did not really understand what a protectorate implied."

Chief Sebele, after taking over from his father was even more forthright in his rejection of the imposition of the protectorate on Botswana. He made this clear when he remarked in his correspondence with Assistant Commissioner Shippard in 1890, "I wish to govern my country myself, and not have it governed by white people".

He repeated his rejection of the protectorate status in his letter to the High Commissioner's office,

> "... As you know yourself, chief, my wish is to remain independent. I do not want a magistrate, I want only independence ..."

These sentiments represented the general sentiments of other Tswana Chiefs. The argument that Botswana was declared a protectorate at the request of the Tswana Chiefs is not supported by facts. Other factors seem to have been crucial in persuading Britain to colonize Botswana (Parsons 1973, Dachs 1972).

In the first place it would appear that Britain decided to colonize Botswana in order to prevent Germany from taking possession of Botswana. Sillery (1965:39) alludes to the German factor when he remarks that the British government's attitude was influenced by the fear of the presence of German activity in South West Africa.

The settlement founded by Luderitz at Angra Pequena in 1883 increased this fear. The danger seemed to lie in the possibility that Germans might join hands with the then Transvaal Republic or the Portuguese in Angola and Mozambique.

To the factor of German competition was added the fear of the Transvaal Boers actually annexing Botswana. This fear was reinforced by sporadic incursions into the territory by Boer traders and trekboers. Their numbers were very small and they did not pose any serious danger to the autonomy and independence of the Tswana states. Some of these boers trekked as far as Ghanzi and settled there after being granted permission to do so by Chiefs. Others settled in the North East district in Tuliblock and other areas (Dachs 1972).

The missionaries, especially Mackenzie exaggerated the presence of the trekboers and the potential danger they posed to the independence of the Tswana States. What the missionaries were afraid of was the spread of Calvinism and the danger it posed to the activities of the London Missionary Society which was busy establishing mission stations in the area.

The third factor which seem to have played a crucial role in the colonization of Botswana which is closely related to the above, was missionary imperialist and colonialist ambitions. (Sillery, Mackenzie:1971).

The question as to whether their motives were purely Christian, economic or a combination of the two should be left to psychoanalysts. What is clear however is that they put pressure on Britain to annex Botswana and transform it into the so-alled protectorate. Their determination to pressurize Britain to colonize Botswana was given added impetus by the reluctance of the majority of Tswana Chiefs to allow them to preach (Dachs 1972:647-658).

One of the methods they used to pressurize Britain was the persuasion of the Tswana Chiefs to go to Britain to ask for British protection. They also used the discovery of gold in Tati in the Francistown area to pressurize Britain (Ibid:650):

"The discovery of gold in the Ngwato in 1868 had already fired missionary hopes of an economic attraction to draw the British government into Bechuanaland. At that time Mackenzie, resident at Shoshong since 1862 had advised the chief Matsheng to appeal for British rule over his Ngwato. He also called on Englishmen to fill the country and exploit its gold for imperial purposes: '... We invite John Bull's attention to this delicious morsel of a gold field; let him spread it like jelly over Transvaal and Free State and Bechuana countries and swallow the lot'".

Mackenzie was echoing the words of Dr Philips who had earlier clearly enunciated the position of missionaries in the process of colonization and imperialist domination. Majeke quotes Phillips thus:

"While our missionaries are everywhere scattering the seeds of civilization ... they are extending British interests, British influences and the British empire ... Wherever the missionary places his standard among a savage tribe, their prejudices against the colonial government give way, their dependence upon the colony is increased by the creation of artificial wants ..."

Pressure from Cecil John Rhodes was also another important and crucial factor in the imposition of a protectorate on Botswana. For Rhodes the annexation of Botswana was essential for guaranteeing a strategic corridor which would link the British Southern colonies and Northern territories.

He termed the Tswana territory the Suez canal of Africa; which would help to realize his dream of a direct railway link between Cape Town and Cairo. The raillink was considered by Rhodes a crucial ingredient in the complete colonization of Africa (Dachs 1972).

From the above analysis it would appear that Britain would still have colonized Botswana irrespective of whether the Tswana Chiefs had requested protection. Sir Henry Loch (1890:CO 417/43) confirmed this view beyond any doubt when he observed:

> " I think, wrote Herbert that the notion that the consent of minor chiefs is necessary as an antecedent to the establishment of a British protectorate over their territories has become out of date through the political developments of the last two or three years. We do not mean to have Boers, Germans, Portuguese or any other foreign filibusters, protectors or rulers (say) in Khama's country; whether Khama agrees with us or not, he must acquiesce in our protection".

The primary consideration therefore in the colonization, termed protection of Botswana was the advancement and protection of British strategic imperial and colonial interests.

3.1   **The nature of local government between 1885 and 1934**

The fundamental feature of British rule between 1885 and 1934 was the notion of parallel rule or indirect rule. Implied in this notion or doctrine was the assumption that there would be no interference by the British administration in the indigenous political affairs of the territory. Thus the first assistant commissioner of the Bechuanaland protectorate was instructed by the colonial office according to Schapera (1970:51):

> "... not to interfere with the native administration (because) the chiefs are understood not to be desirous of parting with their rights of sovereignty nor are Her Majesty's Government by any means anxious to assume the responsibilities of it."

The British were thus contented to concern themselves at least in theory, with defence against external threats, foreign policy and law and order. Hence the establishment of a British administration in the territory. The indigenous political system was supposed to remain intact with the kgotla retaining its democracy, traditions and tenets and the chiefs continuing to implement policies formulated by the kgotla and enforcing the laws enacted by the kgotla.

The indigenous political system therefore retained some modicum of relative autonomy. It existed as some form of local government operating within British hegemony. Thus each former Tswana independent state assumed the position of a local government with some legislative and administrative powers. (Chieftainship Law, 1965 (Law no. 29 of 1965)).

This system of parallel rule within which a kind of local government through tribal areas, was only allowed to exist until 1920. Gradually the colonial administration began to exercise control over legislative and administrative activities previously assigned to local indigenous political institutions. This is evident when Mgadla & Campbell (1989:50) write:

"In 1891 six years after the declaration of the protectorate the British administration promulgated an order in council authorizing the high commissioner for the protectorate to legislate for Bechuanaland by proclamation."

This process of centralization and concentration of power and authority in the colonial administration continued to accelerate so that

"Around the turn of the century the British began to seek more than occasional interventions in the rule of Botswana digosi. They began a process which continued to this day of incorporation of dikgosi into central government structures." (Ibid p.51).

This process began to express itself more clearly by the early 1920's with the establishment of the Native Advisory Council in 1920. Henceforth the colonial administration began to appropriate to itself more and more power which allowed it to not only initiate socio-economic and political changes but also to implement them. The role of the Native Advisory Council which was composed of chiefs, was reduced to advising the colonial administration.

Central to this process of undermining whatever the modicum of local government existed, was the District Commissioner appointed for each district or native area. The District Commissioner had wide ranging powers in the district and was a true embodiment of the colonial administration. He (or she) was not only the most senior colonial public servant in the district but also the chief central government officer in the district. His powers included amongst others, advising local authorities i.e. chiefs and kgotla on local and national issues, acting as liaison officer between the people in the district and central government - a more or less political position acted as marriage officer, judicial officer, social welfare officer, inspector of records of customary courts, development coordinator and prison.

The position and role of the district commissioner in the district resembled that of a paramount chief except in this case he had a higher rank than that of a paramount chief. He therefore could discipline chiefs including a paramount chief. This systematic reduction of the traditional political institutions which had hitherto served as a kind of local government institution created a situation in which they were increasingly becoming deconcentrated units of central government rather than devolved legislative local government institutions (Spence 1964).

It was the gradual but systematic erosion of the power and authority of the indigenous political institutions which had hitherto functioned as local govenment which made Botswana chiefs uncomfortable. Mgadla and Campbell (1989) observe that:

"In sum, the advent of the Native Advisory Council began a process of transferring policy making powers from the dikgotla to the central government. The council itself exercised little of this power itself, rather serving as forum in which the protectorate, administration could demonstrate that it had consulted the people."

In reality therefore, the council acted merely as a rubber stamp and as such could not be seen as local legislative organ, i.e. an expression of the practice and spirit of local government. These changes heralded the beginning of the end to the system of parallel rule which had formed the bedrock of the incipient system of local government although the British administration did not formally define it as such.

3.2   Local government: 1934 to 1965

The character of the system of local government between 1934 and 1965 were largely defined by the 1934 proclamations which were promulgated in terms of Sir Pim's Report on the system, of parallel rule. In his report Sir Alan Pim (CMD 4907, 1935:49) remarked on a

"... policy of noninterference, of having two parallel governments to work in a state of detachment, unknown in tropical Africa ... there was then (1884) and there is now, no rule either direct or indirect by the British Government. The nation is ruled by its chiefs and the government can merely proffer advice ...",

Although this report focused on Basutoland (now Lesotho) it had far reaching implications for British colonial policy towards its colonies in Africa. Hence it had equal validity for Bechuanaland. For largely as a result of this report the British Government began an earnest assessment and reform of the system of native administration in its territories such as Basotuland, Tanganyika, Swaziland, Nigeria and Bechuanaland.

In 1934 two crucial proclamations were promulgated which had far reaching implications for indigenous political institutions in Bechuanaland. These were proclamations numbers 74 and 75. These proclamations introduced fundamental changes in the system of native administration as well as to the content and form of indigenous political institutions. They also abolished once and for all pretences about parallel rule. They formed the basis of the first attempt by the colonial administration to formally bureaucratize the system of chieftainship. The colonial administration saw these changes as heralding the democratization of the system of local government (Spence 1964).

In terms of these proclamations three major local institutions were introduced. These were the Tribal Council, the Judicial Tribunal and the Tribal Treasury. In the proclamations, numbers 74 and 75, a Tribal Council was introduced. It consisted of a number of councillors designated by a chief subject to the final approval by the kgotla. A chief was compelled to rule jointly with a council thereby drastically reducing the power and authority of a chief. The kgotla was reduced to the level of an advisory body to a Tribal Council.

Proclamation number 75 limited the juridical authority of the kgotla by introducing a system of judicial tribunals which had jurisdiction to hear cases involving whites. Tribal treasuries were set up to control the collection of taxes and their expenditure. Chiefs were no longer permitted to collect taxes, instead they received a fixed stipend paid by the colonial administration. Whilst these changes were allegedly introduced to reform and democratize the indigenous political systems and make them formal local governments, in practice however the changes strengthened and reinforced the centralization process. For "... the chief was legally obliged to obey the instructions of the Resident Commissioner, he was forbidden to demand tribal levies without the Resident Commissioner's permission ..." (Spence 1964:221).

The proclamations therefore not only led to further centralization of power and authority but also bureaucratized the system of chieftainship by making the chief a salaried employee of the central government. It is not surprising that the proclamations invoked a negative and bitter response from the chiefs who rejected them. Such was their opposition that they took the colonial administration to the Appellate Division of the Supreme Court of South Africa where they lost the case with Mr Justice Watermeyer concluding that

> "His Majesty has unfettered and unlimited power to legislate for the government and administration of justice among the native tribes of Bechuanaland protectorate". (Parson 1984:22).

The strong opposition by the chiefs and the public caused the colonial administration to compromise. This was expressed in the form of a new proclamation of 1943. In terms of this proclamation Tribal Councils set up in terms of the 1934 proclamations were abolished and the kgotla was re-elevated to its previous position as the main indigenous legislative body and a judicial organ. But Spence (1964:224) remarks in this regard:

"... judicial powers of administrative officers were considerably strenghtened by the right to revise the decisions of native courts, either on their own motion or on application."

The cumulative effect of this political and juridical engineering was the consolidation of legislative, administrative and judicial power and authority in the hands of central government bureaucracy. In the end the erstwhile proto system of local government based on the indigenous political institutions had crystallized into district administrations of the central government. The chief had become a mere transmission belt for the political whims and caprices of the colonial administration. It further reduced his status in the eyes of his people. This was especially so as he was required to enforce the collection of the unacceptable hut tax and cattle tax.

By 1947 Britain had begun to rethink its attitude towards a genuine system of local government in its colonies which would go beyond mere modernization and engineering of the emasculated indigenous political institutions which was to be known as native administration. This new direction was enunciated by the then Secretary of State for the colonies. Mr Creech Jones remarked in a speech to the Colonian African Governors in 1947:

"Since I took office in October I have been considering some of the basic problems of African Administration ... I believe the key to success lies in the development of an efficient and democratic system of local government. I wish to emphasize the words efficient, democratic and local ... **local** because the system of government must be close to the common people and their problems, **efficient** because it must be capable of managing the local services in a way which will help to raise the standard of living; and **democratic** because it must not only find a place for the growing class of educated men, but at the same time command the respect and support of the ways of the people". (Hicks 1961:4).

In pursuance of this new thinking, Britain introduced some fundamental changes in the then proto-system of local government throughout British Colonies.

This new policy could be defined as follows:

(i)   Local authorities should be institutionally separate from central government and assume responsibility for a significant range of local services (primary education, clinics and preventative health services, community development and secondary roads being the most common).

(ii)   These authorities should have their own funds and budgets and should raise a substantial part of their revenue through local direct taxation.

(iii)   Local authorities should employ their own qualified staff, who could be seconded from the civil service where necessary in the early stages.

(iv)   The authorities would be governed internally by councils, predominantly composed of popularly elected members.

(v)   Government administrators would withdraw from an executive to an advisory inspectorial role in relation to local government. (Olowu 1988:36).

These laudable innovations were overtaken by uhuru and as such were never implemented by the British government. They however provided the basis for the postcolonial systems of local government in the former British colonies.

Some of the suggested changes were implemented before British colonial Africa became independent. These included amongst others:

(i)   a tradition of elected local councils;

(ii)   a well defined local tax system (ranging from per capita flat rate in most parts to graduated personal tax in Uganda, local tax and wealth taxes in Nigeria, the cess in East Africa and the beginnings of property/land tax in the major urban centres of East, West and Central Africa;

(iii)   involvement of local government in a range of minimal infrastructural activities - notably education, health and agriculture - usually with government grants;

(iv)   involvement of local governments in capital investment in the cities and a positive role in rural cooperatives and community development activities. (Ibid, p.37).

In Bechuanaland the pace of the development of local government was extremely slow and changes such as the ones referred to above never took place until on the eve of independence.

It was not until 1963 that the colonial administration set up a Local Government Committee to assess the status of local government in Botswana and make recommendations for reforming and improving the system and structure of local government.

The motive force behind the new direction towards a formal "Westminster" system of local government was the sharpening of national consciousness which had already led to the birth of political parties. Griffiths (1970:64) refers to this impact of nationalism when he remarks:

"In the early 60's however, the Tswana were just beginning to become aware at least in some degree, that prolonged rule by an authority, i.e. a

chief, who was not constitutionally responsible to them was not likely to be acceptable for very much longer in this highly democratic world. In many quarters there was a feeling that there should be a change and this change included a change in the form of the tribal administration. The tribal administration was not measuring up to the needs and wishes of those who because they were better educated or relatively advanced in other ways, wanted modern services such as better roads, water supplies, etc; ...".

This uneasiness with the continued existence of Tribal administration was not however seen as a rejection of chieftainship as an institution as Griffiths seem to imply, but rather the rejection of the colonially engineered tribal administration which was seen as an adulteration of the indigenous institution of chieftainship. Batswana have continued to respect chieftainship and still respect this institution in the postcolonial period. Hence its parallel existence with the new system of local government (Griffiths 1970:64).

The rejection of the colonially engineered tribal administration had begun to rear its head as way back the early 1920's when chiefs began to represent the interests of the colonial administration rather than those of the people. The spokesman of the new breed of leaders in Bechuanaland who rejected the imposition of a tribal administration manufactured by the colonial administration was the articulate Simon Ratshosa. His main thrust of attack was the intimate relationship between the colonial administration, represented by the District Commissioners and the Tribal administration, represented by chiefs because according to Parsons (1973:102).

There existed a good understanding between the chiefs and magistrates who received presents and bonuses from the chiefs and district commissioners always sided with chiefs in cases of disputes.

Simon Ratshosa did not advocate the abolition of chieftainship but rather the restraining and reform of the system. He considered the then chiefs as corrupt (Parsons, 1974:102). He was therefore not a revolutionary but rather a reformer.

The Local Government Committee which was set up to investigate the possibility and viability of a Westminster system of local government being introduced in Botswana had the following terms of reference (Ibid:103):

(i)   To determine the relationship between local government and tribal administration

(ii)   To determine the structure, functions, finance and staffing of local government.

The Committee was composed of the Chief Secretary, *ex officio*, and chairman, three members chosen by the chiefs, three members elected by the African Council from amongst its members, three members appointed by the High Commissioner and three colonial officials.

In a summary form, the Committee recommended that:

(i)   the system of local administration should become the foundation of the envisaged system of local government;

(ii)   a democratic system of local government should be introduced;

(iii)   a district council should become the main local government authority;

(iv)   the country should be divided into nine district councils, i.e. North West, Central, Kgatleng, Kweneng, Ngwaketse, South East, Kgalagadi, Ghanzi and North East;

(v)   no specific recommendation be made regarding the status of town councils because they did not form the terms of reference;

(vi)   each district council should be composed of:

(a)   a majority of elected members;

(b)   in appropriate areas, chiefs should become *ex officio* members of councils, after consultation with the then existing local government authorities;

(c)   the Minister of Local Government, Lands and Housing should nominate a few councillors (Bechuanaland Protectorate, Legislative Council Paper, 1964:5);

(vii)   adequate revenue should be given to districts and town councils to ensure their success;

(viii)   the main source of revenue for district councils should be personal taxes;

(ix)   a system of uniform salaries and conditions of service for all local government employees should be introduced;

(x)   a common system of local government service for senior personnel should be introduced;

(xi)   the main functions of councils should be primary education, primary health, secondary roads, trade licensing but excluding liquor licensing, collection of matimela (stray cattle) and rural water supply.

On November 6, 1964, the Legislative Council accepted the recommendations of the Committee. As the Legislative Council Paper No. 21 of 1964 puts it:

"Government fully accepts the basic premises of the report ... government subscribes to the definition of local governments adopted by the committee and agrees with specific recommendations made in the report ..." (Report of the Local Government Committee S. 639/1 :1964).

The acceptance of the report was translated into the following main legislative instruments intended to put the recommendations into practice. Local Government (District Councils Act 1965 (Act No. 35 of 1965)) and Local Government Tax Law of 1965. A Local Government Advisory Board was set up in 1965 which was a successor to the Local Government Committee. It consisted of six members nominated by the Legislative Assembly, two members nominated by the Minister and three nominated by the House of Chiefs which had been set up as a national advisory body. The main and sole function of the board was to consider the proposals for setting up a system of local government. The Board approved them and the first formal system of local government modelled along the Westminster model was set up.

In defining local government, the Legislative Council proposed the definition by the Local Government Committee whose definition was:

"Local Government means a system of local authorities which embodies certain common principles. In this system the central government devolves certain definite powers on local authorities. These authorities represent the people locally; they are responsible both to the people and to the central government and they are legally constituted bodies. The characteristic feature of local government is that local authorities are given under supervision, a measure of discretion, power and financial autonomy in the management of local public affairs." (Bechuanaland Protectorate Legislative Council Paper No. 2 of 1964: 7-8).

As indicated above, town councils did not form part of the terms of reference of the Local Government Committee. This was largely due to the fact that town councils already existed. In the Report of the Local Government Committee (S.639/1, 1964:2) the following was reported:

"In 1955, to provide for the regulation of Townships, the Townships Proclamation empowered the High Commissioner to declare any place in the Territory to be a township, other than a place situated wholly or partly in any Tribal territory. In conformity with the powers vested in him the High Commissioner at various times declared Francistown, Gaberones, Ghanzi, Lobatsi and Tutitown to be townships and defined their boundaries and areas (but) it was not however, until 1962 that the first Township Regulations were made bringing Township authorities into existence in Francistown and Tatitown to be followed in 1964 in the case of Gaberones. No further action was taken to bring a Township Authority into existence in Ghanzi, and Lobatsi awaited the general local government legislation of 1965 ... before a duly constituted local authority was established".

These townships did not truly reflect the tenets of a true system of local government. In the Ministry of Local Government and Lands, Annual Report (1966:7) it was stated that:

"In the case of the three township authorities constituted only one, Francistown, constituted in any way with the modern conception of a democratically elected local authority. In both Tatitown and Gaberones the first constituted local authorities were for various reasons wholly appointed and even in the case of Francistown the elected members as distinct from the appointed members were elected on a restricted franchise."

Qualifications for election into the Francistown council were the following: a member's name had to appear on the voters roll and ownership or occupation of land assessed at not less than R170 in the valuation roll for the township. This property qualification prevented the majority of indigenous people from standing for election because they lived on communally owned land and as such had no individual land title. In addition to that, very few of them owned any land in the towns, and to compound the problem further they owned no other form of fixed property because of the long held colonial policy of preventing Batswana from

owning any businesses or property in towns (Ibid:8).

The result of this was that the elected members were predominantly whites. An important point to raise here is why town councils were introduced earlier than district councils? The main reason seem to have been to appease the agitation by whites to have a say in the running of their local affairs.

Although town councils preceded district councils in the process of introducing a formal and Westminster model of local government in reality they did not represent a genuine system of local government. Best, (1968:590-613) comments as follows:

> "At the end of 1965 with the promulgation **inter alia** of the Local Government (District Councils) Law it became apparent that the laws governing the constitution, powers and duties of the then existing township authorities should be amended in order that urban authorities should not lag behind the planned local government developments in the rural areas."

Once this was done a Preparatory Commission was set up to delimit the councils, both urban and rural, into polling districts and wards. The first elections for councils were only held on 13 June, 1966, almost six months after Botswana had become independent. It would therefore be correct to posit that formal and Westminster form of local government never really existed in colonial Botswana.

It is obvious from the above analysis that the process of introducing a system of local government was characterized by reluctance on the part of the British colonial administration to devolve power to local units. The absence of any nationalist movements prior to 1960 also contributed to the slowness with which Britain approached the issue of constitutional and political development in the territory. (Nengwekhulu, 1982: Pula Vol. 2).

The position of chieftainship in relation to local government was defined by the Chieftainship Law, 1965. (Chieftainship Law No.29 of 1965). The Legislative Council has this to say with regard to chieftainship in its comments on the Local Government Committee's recommendations;

" It is considered that the committee has provided a workable solution to a difficult problem. The chiefs, far from being reduced to figureheads, will in important respects be given a larger sphere of influence and of executive action in local government than they have at present, more over their residual powers as traditional authorities are of considerable significance to the members of the tribes. Their direct personal power will necessarily be reduced ... It is true that a chief of indifferent personality might well be overshadowed by the District Council or the Town Council ...".

In practice however, the postcolonial government has systematically undermined the place and role of chieftainship as a component of the system of local government. The chieftainship has become the instrument by means of which the systematic undermining process is undertaken (Sekgoma 1994).

4. SUMMARY

Chapter three begins from the premise that no genuine system of local government existed during the colonial period in Bechuanaland because of the lack of interest in local government by the British Colonial Administration. The study was to evaluate this assumption by undertaking a brief analysis of the nature of British colonial politics in Becuanaland. It did so by the assessment of the period between 1885 when Becuanaland was first colonized and 1965 when the colonial rule came to an end. It concluded that the colonial administration made only half-hearted attempts to introduce a system of local government but these only amounted to the conversion of the indigenous political institusions into some form of decentralized units. These did not resemble a genuine system of local government but rather field units of the central government administration for the district commisioner, a

central government official remained the dominant figure in the districts.

The chapter demonstrated that it was only towards the end of 1963 that the colonial administration set up a committee to investigate the feasibility and necessity of introducing a system of local government in Bechuanaland and it was not until 1965 that the country was divided into local government districts.

CHAPTER FOUR

POSTCOLONIAL OF LOCAL GOVERNMENT

1.   INTRODUCTION

The objective of this chapter is to assess the emergence of local government in post colonial Botswana. The focus will be to try to isolate and evaluate the reasons motivated post colonial Botswana to introduce the system of local government. An attempt will be made to assess and evaluate the impact or influence of colonial efforts at introducing local government. The chapter will try to assess whether the pre colonial system of local government has had any influence on the post colonial system of local government.

Botswana became independent on 3 September 1966 and became the Republic of Botswana. The dominant political system introduced at independence was the Westminster political system with some minor modifications such as the introduction of an executive president. The system of local government introduced, was the one bequeathed by the colonial administration. In fact the Constitution of Botswana, 1966 (Constitution of Botswana no 83 of 1966) does not make any provision for the establishment of a system of local government. It describes the organs and machinery of central government and various powers to be exercised by each organ of government. The system of local government was introduced in terms of the District Councils Act, 1965, (Act No.2 of 1965) with regard to District Councils Chieftainship Act, 1965 (Act No. 29 of 1965) with regard to Tribal administration; and Township Regulations, 1962 in respect of Town Councils. These Acts and Township Regulations have remained essentially the same, only minor amendments have been introduced. With regard to the Local Government Act, 1965, amendments relate to the removal of the provision which made the chief the *ex officio* chairman of the district council, and the removal of a provision which prevented councils from issuing liquor licences. With regard to the Chieftainship Act 1965, the only major amendment related to the removal of

a provision that placed chiefs under the direct control of the President and transferred this responsibility to the Ministry of Local Government, Lands and Housing.

The first post-colonial local government elections were held on 13 June 1966. According to the Ministry of Local Government and Lands', Annual Report at the close of nominations which took place on 23 May 1966, the following candidates were successfully nominated:

"... 81 Bechuanaland Democratic Party candidates unopposed, 1 Independent candidate unopposed. In contested districts the following were nominated - 82 Bechuanaland Democratic Party candidates, 49 Bechuanaland Peoples' Party candidates, 21 Botswana Independence Party candidates, 7 Botswana National Party candidates - 18 Independent candidates".

When the elections results were declared, they were as follows:

(i)	Bechuanaland Democratic Party -	136
(ii)	Bechuanaland Peoples' Party -	21
(iii)	Botswana Independence Party -	5
(iv)	Independent Candidates -	5
(v)	Botswana National Front -	0
		165 seats

(Annual Report, Ministry of Local Government and Lands, 1969)

The results showed the dominant role of the Botswana Democratic Party (BDP) in the local government system. The BDP was to hold this position in subsequent elections. This was the last election to be held separate from the national general election. Tordoff (1973:176) is wrong to argue that elections for councils were held at the same time as parliamentary elections in 1966 and 1969. The first time parliamentary and local government elections were held at the same time was in 1969 as the first parliamentary elections were held in 1965 before independence. These were won by the BDP by 75 per cent of the votes (Tordoff 1973:176).

The poor performance of other parties in the 1966 local government elections could be attributed to a number of factors. For the Botswana Peoples' Party (BPP) the poor performance could be attributed to internal party conflicts and attrition before the elections which ultimately led to its splitting into two factions. (Mcartney, W 1971:32-37). As a result the BPP was not in a position to perform credibly in the election (Nengwekhulu 1981).

As for the Botswana Independence Party (BIP) it had just been formed from the splinter group of the BPP and as such not well organized for the elections (Nengwekhulu 1980). The situation with regard to the Botswana National Front (BNF) was almost identical to that which obtained with regard to the BIP. It had just been formed from elements which had previously belonged to the BPP as well as those who had no party alignments. The poor electoral performance of the opposition parties was to become an integral component of Botswana, with the BDP maintaining a superior role in subsequent elections as argued in subsequent analyses.

1.1 Rationale behind the establishment of Local Government in post colonial Botswana

Why did post colonial Botswana decide to introduce a system of local government? What was the rationale behind the system of local government? The following factors seem to have influenced Botswana to introduce a system of local government.

1.2 Influence of political history

As indicated in the chapter 2, a system of local government was an intrinsic component of the precolonial system of government. It formed the basic building block of the whole system of government. The ward was the smallest organizational political unit upon which a district organization was built which in

turn provided the basis on which the national political organization was built. This composition could not be ignored after independence. The electorated Batswana are used to participation in the decision making process at a local level. Any political system that undermined this tradition was therefore, likely to invoke resistance from the general public. Hence the retention of the kgotla as the hub centre and legislative organ of the tribal administration.

The ward system is an organizational and political unit on which the kgotla and the whole tribal administration have been based and retained. These two precolonial institutions - the kgotla and the ward still play a pivotal role in village politics. The introduction of a system of local government in postcolonial Botswana was partly a recognition of this fact.

Somolekae (1989:75) argues further than this in her comment regarding the relationship between the traditional and modern systems of government in post-colonial Botswana when she observes:

> "What is perhaps true and worth taking note of is the fact that liberal democracy and traditional Tswana democracy are two very different systems of government. In spite of this fact, it appears that the liberal democratic system (which is just over twenty years old) is being built on and continues to find its support and continuity in the foundations of the traditional political system."

The new system of local government is not fully founded on the old traditional political institutions, but takes cognizance of its existence. The new local government system it seems, intended to undermine the traditional political system. Hence it has taken most of the powers and authority which were previously exercised by the traditional institutions as will be demonstrated when the powers and authority of councils are discussed in chapter six.

1.3   **Recognition in Local Differences**

Recognition of local differences is another factor which seem to have played a crucial role in influencing postcolonial Botswana to adopt a system of local government. The differences referred to here concern differences in subcultural norms, ethics usages and history resulting from Botswana's multi ethnic diversity. There seem to have been a recognition that such subcultural differences could only be adequately dealt with by a local authority.

One of the main roles of the tribal administration, through the kgotla, as a unit of the local government system is the protection and development of local customs, ethnicity and usages as building blocks for a new independent nation (Kgosi, see Papitsolv 1994).

As Kiyaga-Mulindwa (1994:381) puts it although elliptically:

> "The architects of Botswana's independence were also quite aware of the
> cultural and racial differences of the country's population. In his address to
> the African Advisory Council in 1958, Tshekedi Khama pondered the kind
> of nation independent Botswana would be, given the strong separate tribal
> element ... The 1965 Botswana Democratic Party (BDP) election manifesto
> brings out the dilemma between ethnicity and other sectional differences, on
> the one hand and national unity on the other. The BDP stood for laws that
> do not recognize preferential consideration of political, economic or social
> nature for any tribal or racial group in Bechuanaland. But, on the other hand,
> the BDP opposed any laws which would destroy any communal associations
> or bands based on such common interest as language or culture where those
> associations or bands do not undermine the unity and progress of state".

The system of local government was seen as a solution to the seeming insolvable contradictions. It must be mentioned that tribalism and ethnicity have played a minor role in the struggle of sections within the ruling petty bourgeoisie.

In Botswana no section of the petty bourgeoisie class has so far been able to use tribalism to mobilize the people in order to advance its interest. No political party in Botswana can therefore be termed a tribal party because they have members from the different ethnic groups.

1.4 Leadership and political ambitions of chiefs

The need to pacify traditional leaders was also an important factor in influencing the government into introducing a system of local government. The traditional leaders saw the new system of government modelled along Westminster lines as a threat to their rule. Regarding the role of chiefs during the independence negotiations with the colonial administration, the president, Dr Q Masire, argued:

" The role of chiefs was almost nothing. If anything it was inclined to be on the negative side. They were ambivalent. In the first place they envisaged that when we became independent we would only be reverting to the old times when each one would be a boss in his area. Now we as politicians felt of course, greatly opposed to this relegation of what had become a nation into tribal groups ... they became obviously opposed to political parties". (1978)

The fears and apprehensions of the traditional leaders were to be realized with the enactment of the District Councils Act, 1965, the Matimela Act, 1968 and the Land Board Act, 1969. The District Councils Act, 1965 took away most of the legislative functions from the chiefs (kgotla) whilst the Matimela Act, 1968, deprived them of the right to collect stray cattle and transferred this right to the district councils. The landboards enacted in terms of the Land Board Act, 1969, took away the right of chiefs to allocate land to their subjects. The right to allocate land was perhaps one of the most important rights enjoyed by chiefs for it gave them political leverage with regard to their subjects. For any subject who showed some inclination to challenge the chief could be threatened with deprivation of land and land was central to the survival of individuals. Without land no individual could

exist. The peasant needed land for crop cultivation and animal husbandry.

The enactment of the Chieftainship Act, 1965, as amended, also added to this uneasiness on the part of the traditional leadership. The Chieftainship Act, (1965:4) states that:

"... no person shall hold or assume the chieftainship of any tribe or exercise or perform any of the powers or duties appertaining thereto unless he has been recognized as chief of such tribe under the provisions of this law ... subject to the provisions of sections 6 and 8. Her Majesty's Commissioner (now Minister of Local Government Lands and Housing) shall, by notice in the Gazette, recognize the person so designated as chief of such a tribe."

In terms of the Chieftainship Act, 1965, the chief is appointed by the Government through the Minister of Local Government, Lands and Housing. Legally speaking a chief, is not born but appointed although such an appointment is based on the designation by the tribe meeting at the kgotla and acting in terms of the customary laws of succession. The retention of chieftainship and the kgotla system as units of the system of local government in postcolonial Botswana seem to have been done in order to quell the anxieties expressed by the traditional leaders regarding their role in a new and alien political system.

Why did the new government pursue these seemingly contradictory objectives i.e. the retention of the traditional system of government as a unit of the new system of local government, whilst at the same time systematically emasculating and mutilating it through a variety of laws and other policies? The reason essentially is that the essence of chieftainship and that of the kgotla has changed. In addition to that the system has lost support as a political entity amongst the majority of the people, especially the younger generation.

Somolekae (1989:80) posits that elections perform a crucial role in a democratic system but poses the question as to whether the public is willing to accept whether this should be the process by which their leaders should be selected. She argues that 64% of people surveyed preferred elected leaders over hereditary leaders such as chiefs. Only 27% was found to prefer the system of hereditary leadership. The reason why the government decided to retain chieftainship as a unit is that chieftainship as a historical and cultural institution is still very popular among Batswana, especially among the older generation.

Somolekae (Ibid p.80) states that:

"... among those 65 (years) and over there is a strong tendency to support the chieftaincy. That does not seem surprising since this age group was close to 40 (years) at the time of independence. Even among those between 52 and 65 (years) that is those who were in their late 20's or 30's at the time of independence, two-fifths still prefer the chieftaincy".

As a political institution, chieftainship has lost a great deal of its legitimacy. The majority of Batswana prefer a system of elected political leadership rather than a hereditary one. According to the research results of the University of Botswana Democracy Project, about 64 percent prefer an elected political leadership, and only about 27 percent prefer hereditary political leadership i.e. chieftaincy. (University of Botswana Project, 1989). Support is even bigger for those with education. For instance 95 percent of those with post-secondary education support an elected leadership; whilst 94.6 percent with secondary school education, and 86 percent of those with less than secondary school education supported an elected leadership; 70 percent of those with less than seven years of school education also supported the system. Support amongst those with standard seven education was 27 percent, and amongst those with no education at all was 56.5 per cent. This clearly demonstrates the perpendicular decline of chieftainship as a source of

political leadership. As a cultural phenomenon and part of cultural history of Botswana, its popularity is still very high.

The institution therefore still plays a crucial and unique role in the cultural life of the people. It is thus able to stabilize and solidify the loyalties of the different ethnic groups whose cultural and sub cultural identities it is seen to personify.

Secondly, as a judicial institution chieftainship still enjoys unparalleled popularity amongst Batswana, especially in the rural areas. According to the National Development Plan (1991:447)

> "... chiefs preside over customary courts, which handle over 80% of criminal and civil cases in Botswana."

To completely eliminate the chieftainship, would have been politically suicidal. Hence the retention of chieftainship as a unit of the new system of local government. Secondly, because of the cultural charisma of chiefs it was imperative for the government to retain the institution in order to harness them for the political mobilization of the masses, especially the peasants who are the strongest supporters of the institution. So far the strategy has worked successfully for the ruling Botswana Democratic Party which has ruled Botswana since independence. Its success at national level was accompanied by exceptional successes at local government level. According to Molamu (1985:125):

> "One can confirm that the expression of a preference for the BDP is more often the case in rural than urban areas. Sixty eight percent of the rural sample as opposed to 53 percent of the urban sample expressed a preference for the BDP".

The third reason why chieftainship was retained and incorporated into a system of local government seems to have been an attempt to minimize class conflicts between the "new" social classes composed of business people, rich farmers and

peasants, professional people and senior officials and the traditional leadership, especially since contradictions had begun to manifest themselves during the independence negotiations regarding the place and role of chieftainship in post-colonial Botswana. At independence the struggle between chiefs and the "new" social classes concerned the inheritance of the state from the colonial administration, which group was to inherit the state as a crucial instrument for the control of the means of production. Chiefs wanted to inherit the state because they had traditionally been the ruling class before colonization and control of the state would guarantee them continued control of the means of production. The "new" class opposed the inheritance of the state by the chiefs and went further by opposing participating in politics by the chiefs as chiefs. The struggle culminated in the victory of the "new" class which was consummated in the passing of the 1965 Chieftainship Act and the District Councils Act, 1965, which established elected councils.

The incorporation of chieftainship into the modern political system as a subsidiary political entity became the only viable option if intra class attrition was to be minimized and intra class harmony and national stability was to be promoted. Commenting on the continued existence of liberal democracy in Botswana, Tsie (1984:19) remarks as follows:

> "The stability of multiparty democracy in Botswana is a function of the balance of class forces at independence. The nationalist petty bourgeois struck a unique grand alliance between itself and the chiefs. These two forces coalesced under the organizational umbrella of the Botswana Democratic Party (BDP) 1962 ... With this grand alliance the BDP easily defeated its opponents in the first general election in 1965. This alliance subsequently remained intact although it suffered a serious setback in the Ngwaktse area in 1969 when former Chief Bathoen joined politics as a leader of the opposition Botswana National Front (BNF). 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 realizing that its policies were not necessarily antithetical to their long term interests. The BDP was keen to maintain this alliance for even as it stripped chiefs of their traditional powers ... chiefs and sub chiefs continued to occupy strategic positions in the Land Board and other local government institutions".

This strategy of incorporating chiefs in the modern political system and making chiefs allies of the ruling party was also given concrete expression in the appointment of chiefs as chairpersons of district councils when councils were first introduced although the system was later stopped and today chiefs are mere *ex officio* members of district councils.

The strategy of retaining chieftainship as a unit of local government was motivated by political self-interest and the spirit of self-preservation on the part of the government. It had nothing necessarily to do with commitment to a system of local government. This is of course not to question the personal motives of the members of the government, rather to posit that the primary drivig force was the promotion and preservation of class interests.

This strategy did of course minimize contradiction between the government and the chiefs. Like all political marriages of convenience minor conflicts have continued to bedevil the alliance. These are becoming pronounced as size of the national wealth begins to shrink and the ability of government to dish out spoils becomes increasingly constrained. Some chiefs, especially chiefs Seepapitso and Linchwe have increasingly begun to question and challenge government policies towards chieftainship. These appear to be a feeble action of a dying system. For the chances of the traditional leadership assuming a dominant political and economic power in the society are non-existent and chiefs seem to have accepted this reality. Their complaints are thus not aimed at regaining their lost power but rather to stem the tide of reforms and policies aimed at reducing their present limited political space.

The continued existence of chieftainship as a unit of local government will depend, it seems, on its ability and capacity to adapt to the changing socio-economic and political environment. More specifically it will depend on its usefulness to the government, i.e. as a mechanism to mobilize the masses behind the modern fraction of the ruling class as well as its potential in the hands of the opposition parties. Kgosi Linchwe (1994:399-400) has admitted as much when he observes:

"The institution of chieftaincy, which is intertwined with that of the kgotla, has undergone major changes since Botswana's independence in the 1960's. From tense and sometimes antagonistic relationships with the newly established, local institutions of District Council, Land Board and District Administration, the chieftaincy has been articulated into a blend of mutually respecting and coordinated systems with modern institutions of local government. Current developments, however, show that as District Councils grow stronger, Tribal Administration tends to decline in influence".

If chiefs are to continue to play any meaningful role in the society they would therefore need to adapt to changing circumstances. This will entail improving their levels of education and training.

1.5 Extension of democracy and participation

The introduction of local government was also predicated upon the need to extend democracy and participation. This was clearly stated in the Legislative Council Paper which stated that (Legislative Council Paper no. 2, 1994:4):

"It is essential that constitutional development at the centre should be balanced by the growth of democratic institutions throughout the country. Freedom and responsibility in thought and action must be stimulated at every level if they are to be fully understood and given effective expression, and one of the best checks to any tendency to authoritarianism is a widespread cultivation of these habits of mind and the readiness of people at every level

of society to play their part in the conduct of local affairs".

The extension of democracy to all corners of the country and the encouraging people to participate in the decision-making processes was one of the factors behind the introduction of the system of local government in post colonial Botswana. The system of local government was thus seen as an integral and intrinsic part of accountable governance and participation by people.

This commitment has been reiterated and reaffirmed in the National Development Plan 7, (1991:445) where it is observed that:

"... The machinery of local government in Botswana has been designed to facilitate people's participation in development. It reflects a long tradition of democratic contribution and devolved decision-making".

This commitment to extend democracy to the people and encourage participation in decision-making processes has, however, remained largely theoretical. In practice the tendency has been to exclude the people from meaningful participation in the decision-making processes.

At the political level, participation and involvement in decision-making has largely remained at the level of voting for elements of the petty bourgeois class into the council. Little room exists for "ordinary" people to become councillors. Molutsi (1989:124-125) remarks that:

"Class, status and gender have remained important factors in determining access to elected representative roles in Botswana's democracy. Most of those who stand as members of parliament or as councillors are people with some form of status in their communities. Such status is usually obtained from high levels of education and/or substantial property holdings (e.g. a large herd of cattle, a ranch, a tractor, a restaurant, or a general dealership)... Councillors are clearly people of high social and political

status".

According to the survey of elites by the Democracy Project 38 some 66 percent of councillors were farmers, whilst those who own businesses constituted 37,5 percent. Only 23,9 percent of councillors claimed not to own any property. (Democracy Project Survey, University of Botswana, Gaborone, 1989).

Cohen (1974:124) commenting on the results of the 1974 general election in Botswana observed that:

"... the political elite in Botswana is in comparison with the people of Botswana, also an elite of wealth".

This was also confirmed by the 1984 General Elections in Botswana Survey conducted by the University Election Survey Unit. According to this Survey:

"Nearly three-quarters (74.1%) of the sample were members of one or another strata of the bourgeois which are described below. A much smaller proportion (12.3%) were semi-proletarianized wage workers who also engage in direct agricultural subsistence production. Overall then those who ran for office in 1984 were among the wealthiest in the country, a finding which is consistent with the findings in the 1974 candidates survey". (Somolekae, 1984:134).

Parson (1984:83) concurs with this observation. He argues that wealth played a role in the selection and nomination of candidates for election into Parliament and councils. Education and wealth, determine whether one qualifies or not for seats in these institutions. According to him the influence of wealth cuts across party affiliation.

It is clear that the influence of wealth has reproduced itself throughout the successive elections, guaranteeing that political leadership positions and roles circulate amongst members of the elite. The implication of this argument is that Parliament and councils are class institutions which are controlled by those who have wealth. Elections merely serve to legitimize their class character by making them appear to be classless activities. This would mean that councils are not extensions of democracy but rather institutions for the consolidation of class rule.

The introduction of the system of local government has in practice become a mechanism for providing institutional avenues for the incorporation of those members of the ruling elites who could not be accommodated in the national political institutions such as Parliament.

In the light of the above analysis, it is therefore doubtful whether it could be seriously argued that the system of local government is satisfying the demand for extending democracy to the people. Democracy means and should mean much more than the circulation of decision making roles in the hands of the petty bourgeois and thereby reducing the members of "ordinary" members of the society. Democracy as Lively (1975:30), puts it graphically, means:

"1) that all should govern in the sense that all should be involved in legislating, in deciding in applying laws and in governmental administration. 2) that all should be personally involved in crucial decision-making, that is to say in deciding general laws and matters of general policy ..."

The monopolization of political leadership positions, including those of local government by the petty bourgeoisie, is not a unique and peculiar feature of Botswana's political system, rather an inherent weakness of liberal democracy. (Molomo 1989:242).

At the development level participation has been limited to the level of implementation. Active participation in the identification of their development

needs, and the formulation of plans to translate these needs into actual development projects has been replaced by consultation. Even this consultation is somewhat vitiated for in most cases it involves consulting prominent people such as chiefs, a local councillor or a member of Parliament. As Molomo (1989:242) remarks:

"The foregoing discussion of post colonial state of Botswana shows that the dominance of bureaucratic institutions undermines the realization of both participatory and representative democracy. The dominant trend has been that government officials address people to inform them of the range of programmes and to encourage them to participate in development efforts".

Part of the reason for the low popular participation in the decision-making process has been the absence of any serious programme of socio-political mobilization of the people, by local government, authorities, central government and non governmental organizations such as political parties, interest and pressure groups (Etzioni 1961:493-513).

In this analysis, by political mobilization is meant a conscious and deliberate process whereby the awareness and consiousness of the masses of the socio-economic and political conditions of the society in which they live is heightened and sharpened in order to promote and increase their level of political understanding. This enables them to make critical choices whether these are political, social or economic choices and thereby increase and heighten their level of participation. This process may.take the form of organizational and educational initiatives. Viewed from this perspective, political mobilization is thus a process of imbuing and inculcating political consciousness and awareness amongst the people so that they may understand the need for their participation in the decision-making. The higher the level of political consciousness, the higher the level of understanding and the higher the level of participation (Rudebeck 1974).

Political mobilization has been lacking in Botswana and as such the system of local government has not been able to sufficiently perform the function of promoting participation in decision-making. Commenting on the results of the survey conducted by the University of Botswana Democracy Project, Somolekae (1989:86) commented on the low level of political mobilization:

"The results of the foregoing analysis indicate the need for all involved in mobilization and education to sensitize people to realities and values that are involved in a democratic system. The structure alone, without working on the cultivation of complementary attitudes to support them, are not likely to be able to strengthen and sustain our still fragile democracy in the public mind".

Thus the commitment by the central government to make the system of local government an instrument or medium through which mass participation in the decision-making process becomes an intrinsic ingredient of Botswana's democracy has so far largely remained at the rhetorical level. Institutions i.e. councils and dikgotla, have a high potential to become vehicles for political mobilization and participation. This would entail, however government officials and politicians abandoning the tendency of using them as mere administrative tools for informing people about decisions already taken. The Village Development Committee (VDC) set up by government to facilitate rural mass participation in the decision-making process have not lived up to expectations. They are dominated by members of the ruling class who monopolize most if not all leadership positions, for instance the VDC's are chaired by the chief or headman. According to the National Development Plan 7, Gaborone (1991:447):

"The VDC coordinates development in a village through self-help efforts and proposing projects for the District Council to consider for inclusion in its development plan. It is estimated that there were about 580 VDCs in Botswana in 1990".

Most of the VDCs are moribund and their input into the decision-making process is almost non-existent. More important also, their participation in the District Development Committees (DDC) is through the District Development Officer (Development) who is an employee of the central government (DDC's) are very crucial in the development of the district.

They serve as planning vehicles for the district. They co-ordinate the work of various central and local government agencies. Their work involves preparing development plans and supervising the implementations of district development plans.

According to Ellison's (1990:25) report commissioned by the Ministry of Local Government, Lands and Housing there is no cooperation between extension staff, forming part of the Village Extension Team and Village Development Committees because the linkage between the two is weak.

The result is that projects continue to be vertically managed from top to bottom. This has weakened the spirit of self-reliance. He argues that extension continue to treat cnsultations to tell people what to do and not to do rather than listening to what people would like to say.

As a solution to this problem, Ellison recommended that government pay more (Ibid p.27 of 114):

> "Attention to a more effective village consultation system combined with a revitalization of extension services and greater district-level control over project coordination should be accelerated ... The methods, planning, approach and delivery system associated with village development ...

Revision of District Planning Handbook should include extensive attention to improving the methods of working with VDC linkages to VETS (Village Extension Teams), kgotla and the community in general".

Government's response to the recommendations of the Ellison report was to commission another consultancy in 1994 to undertake a revision and review the District Planning Handbook. This consultancy has still to submit its recommendation. Participation in the decision-making process is thus still largely a mirage, despite the statement of the National Development Plan 7, (Gaborone 1991:465) that government is committed to the principle of "bottom-up" planning. Whether the government will ultimately translate this ideological commitment to popular participation in the decision-making process into concrete reality is difficult to predict. What is certain, however, according to Julius Nyerere, Finucane (1974:19) is that:

> "Leadership means talking and discussing with the people, explaining and persuading. It means making constructive suggestions, and working with the people to show by actions what is it you are urging them to do. It means being one of the people and recognizing, your equality with them. But giving leadership does not mean usurping the role of the people. The people must make decisions about their own future through democratic procedures. Leadership cannot replace democracy, it must be a part of democracy".

Therefore the Botswana government will have to improve its present system of planning. The tendency of the government institutions to define what the needs of the people are and to plan how those needs are to be achieved and only involve the people at the level of implementation would need to be minimized, if not completely removed, if planning and development are to become a democratic process. In a democracy (Ibid, p.1)

"Development brings freedom, provided it is development of people. But people cannot be developed; they can only develop themselves ... A man develops himself by joining in free discussion of a new venture and participating in the subsequent decision, he is not being developed if he is herded like an animal into a new venture". (Ibid, p1).

This kind of attitude towards participation in the decision-making process is still lacking in Botswana. Rhetoric still requires translation into practice in order to create conducive conditions which will transform people from being mere objects of decisions and make them subjects of the decisions which affect them. Viewed from this perspective people cease to be merely targets of decisions and resources to be managed and utilized by "experts". This will entail class suicide on the part of the petty bourgeois class in the sense that it will require distilling the current local government structures and institutions including the village development committees of their class content (Poulantzas 1978).

1.6 Local Government Development

It has been argued that local government is an instrument for development because it facilitates participation by people in the process of development. According to the National Development Plan 7 (1991:445):

"Local government plays a crucial part in the development process: it helps to administer the transformation of Botswana's mineral based revenues into sustainable development for people ..."

Their role is however largely concerned with programmes and project implementation. The formulation and design of development policies, programmes and projects have so far, however been largely the preserve of the central government. In theory, councils should formulate and design development policies, programmes and projects that should form the basis of the national development plans. This is the official "bottom-up" development policy formulation and design

of the government. According to the official policy of "bottom-up" development planning, policy formulation and design, councils, as local governments formulate their own District Development Plans (DDP). This means that district plans serve the same purpose as the national development plans. The assumption is that they are more familiar with the needs of their own districts than the central government. Danevad (1972:122) remarks that:

> "In addition to being a guideline for the development at the district level, one official objective of district planning is to incorporate the priorities of the DDPs into the programmes of Central Government. Ideally, the planners in the ministries should have the DDPs at hand when they start the preparation of the National Development Plan (NDP). The national plan might thus have been the aggregation of the planning activities at the district level".

In practice, central government planners invariably ignore district plans, programmes and projects when preparing central government plans. Where they recognize them, they used them as working or reference papers.

As if to emphasise the low priority given to district development plans, programmes and projects, line ministries prepare parallel plans, programmes and projects which are located and implemented in the districts. To make the situation even more bizarre, the preparation of district plans, programmes and projects do not coincide with the preparation of the national development plan. In fact district plans are usually three to four years behind the national development plan. As a result according to Ellison (43:114):

> "It is widely assumed by district personnel that planners located in Gaborone never look at DDPs. This view is not without justification. Many planners have never read a DDP and some admit to not even knowing what they are. Some planning officers have candidly reported that even if they did have a district plan, in the end their ministry will proceed without reference to project specific activities".

The central government has admitted that local government's input in the preparation of district plans, programmes and projects described in the National Development Plan 7 (1991:80) is minimal:

"District planning was introduced in the late 1960's with the intention of making the districts more effective instruments of economic and social development. Developments needs identified in the Districts by project and temporal priorities would provide pertinent information for sectoral ministries and feed indirectly into the National Development Plan. Some difficulties with this approach have emerged in previous National Development Plans. District plans have been given inadequate attention in the formulation of most sectoral plans ... as a result sectoral and district plans are often not consistent with each other. Finally, the planning period for Districts is not coincident with the period covered by the National Development Plan: These factors have contributed to the disenchantment of many district planning officers and other district officials with the planning process".

The National Development Plan 7 has attempted to remedy this situation, but the extent to which district plans will form the basis of future National Development Plans is difficult to predict. What is clear however, is that the Government's philosophy of making districts, especially local governments, the bedrock of the process of development has largely remained at the rhetorical level. This has created implementation problems for the councils. Councils have found it difficult to meet their development targets. Egner (1978:186) comments as follows:

"There was an overall implementation rate of 55% on MLGL (Ministry of Local Government Lands and Housing) rural projects in 1979/85. compared with 70% in 1973/76 (NDPIV) and 51% in 1976/79. This result is disappointing in view of the growth of Council recurrent budgets from P10.3 million in 1979 to P70.2 million in 1988 ... There are two versions of why councils did not meet their development targets in 1979/85. MLGL officers take for granted that councils must have failed to organize themselves

properly. Council officers state (a) they were never told what the targets were, so cannot be blamed for not achieving them, and (b) they spent all or almost all the money the ministry allowed them ..."

Although other factors, such as shortage of trained personnel have contributed to the failure by councils to meet their development implementation targets, it is obvious that the over centralization and bureaucratization of the planning process have played an important perhaps crucial role in delayed project implementation as well as complete failure to meet development targets.

Whilst increased involvement of councils in the process of development policy formulation, development planning and programme and project identification will not necessarily be a panacea for development policies, programmes and project implementation problems so far experienced, it would seem however, that it will go a long way in minimizing them. Government seems to be moving towards that direction and with increased pressure from councils for a more meaningful decentralization of district development efforts, the possibility of this becoming a reality seems brighter than before (National Development Plan 7). As the situation presently stands the philosophy of making councils vehicles for development is still largely theoretical.

1.7   Local Government: administrative efficiency and effectiveness

The efficient and effective provision of services have been advanced as one of the reasons behind the decision by Botswana to establish a system of local government. (Legislative Council, Local Government, Legislative Council Paper No. 2 of 1964). Implied here is that because of their closeness to the needs of the people local government authorities are in a better position to identify the real and correct needs of the people and thereby be able to provide the required service at the time it is required.

The question is whether the establishment of local government authorities has indeed led to the improvement in the provision of services. Suffice it to state that in theory, it is true that the nearer the institution of government is to the people, the better informed it is with regard to the needs, aspirations, dreams and frustrations of the people. In practice however, this has not always been the case. There is ample evidence that on a comparative scale with central government departments, local government does improve the management and provision of services by reducing unnecessary delays, by increasing flexibility and general responsiveness by reducing administrative and management costs. (National Development Plan 1991-1997).

The Legislative Council Paper No. 21 of 1964 which laid the foundation stone for the system of local government, describes it as:

"Equally important of course is the efficient and economic provision of services which people today demand even in a rural environment, and which because they vary in kind and quantity from one area to another, should not be provided by the central government".

2.   SUMMARY

This chapter was intended to identify and evaluate the reasons behind the introduction of a system of local government in post-colonial Botswana. It came to the conclusion that there were six reasons why post-colonial Botswana decided to introduce a system of local government. These were: the influence of the political history of Botswana; the need to recognize and accommodate local differences; the need to satisfy the political and leadership ambitions of chiefs; the desire to extend the frontiers of democracy and participation in the decision-making processes, the recognition of the role local government plays in development and the impact of local government in the improvement of administrative efficiency and effectiveness.

CHAPTER FIVE

THE STRUCTURE AND MEMBERSHIP OF THE COUNCIL

1. INTRODUCTION

The aim of this chapter is to describe and evaluate the structure and membership of the municipal council in Botswana. This is important because in Botswana, council membership is made up of different categories. Some of the council members are elected whilst others are nominated by the Minister of Local Government, Lands and Housing. In addition to these two categories there are those who occupy their positions by virtue of their official positions.

The structure and organization of councils in Botswana are defined and determined by the Town Councils Regulations; 1966 and District Councils Law, 1965, as amended. (District Councils Act, 1966 (Act No. 35 of 1965) and Townships Regulations 1966, (Regulations No. 40 of 1966)). The size of each council is defined and laid down in the order establishing each council. (District Councils Act, 1965 (Act No. 35 of 1965 and Townships Regulations, 1966, (No. 40 of 1966)). Councils are composed of two entities or components i.e, the political and administrative. (Ministry of Local Government, Lands and Housing, (1974)).

1.1 The Political Arm or Component

This component consists of the politicians i.e. councillors. This is the organ which is charged with the responsibility of local law enactment and policy formulations, the control and management of policy objectives and goal implementation as well as kindling local public interest and enthusiasm in the affairs of the council. They are therefore the key to the success or failure of local popular participation in the local activities such as development and elections. In Botswana there are nine

district councils and five town councils. District councils operate in the rural areas whilst town councils operate in the urban areas. The smallest council is the South East District Council and the Central District Council is the biggest council in Botswana. The Gaborone City Council is the wealthiest council.

(See Table 1)

Botswana has three categories of council members:

- the elected councillors;
- the nominated councillors, and
- the *ex officio* councillors.

1.1.1 The elected council members

Councillors are elected by the public in a general election or by-election, and represent specific wards. They are elected on a party political basis or as independents. Elected councillors form the majority in the council. (District Councils Act 1965 (Act No. 35 of 1965) and Township Regulations 1966 (No. 490 of 1966)). Each council has been divided into wards. Each ward is represented by an elected councillor who represents the ward for a period of five years and is eligible for re-election.

1.1.2 Nominated councillors

Nominated councillors form a second category of councillors. In terms of the District Councils Act, 1965, as amended, and the Township Regulations, 1966 as amended, the Minister of Local Government, Lands and Housing, is empowered to nominate additional councillors to each council. The Minister has used this authority since the introduction of councils in 1966. Nominated councillors do not represent a specific ward within the district or town, they are supposed to represent the whole district or town. According to the Ministry of Local Government, Lands and Housing:

"Those councillors who have been nominated by the Minister of Local Government and Lands have a wider constituency in the sense that their

appointment is not specific to any single ward, but rather to the council area as a whole. Nominated councillors can take a wider view and specialise in problems affecting the whole council area, such as roads, water supplies and health facilities. They can support and enhance the work of the elected councillors by providing a link and a source of information about common interests and problems. Nominated councillors build up and maintain contacts in the same way as elected representatives.

Nominated councillors are however discouraged from undermining elected councillors. According to the Ministry of Local Government, Lands and Housing, (Ibid p.26):

"A nominated member should not however, use his position in a party political way to challenge the authority of an elected councillor in that councillors ward. He should be supportive not competitive".

In theory, nominated councillors are nominated on the basis of merit, that is, their expertise in the social, economic and educational fields. This means that no party political considerations are taken into account. In practice, however, the ruling party has used this provision to nominate its own party supporters into the council. In some instances it has used this provison to nominate its own party members who have lost in the general election. Thus prior to the 1984 general election this provision was used to nominate only members of the ruling Botswana Democratic Party. Egner (1986:4) observes as follows:

"The Minister used his statutory nominating power in 1969, 1974 and 1979 to ensure that there was a voting majority for the ruling Botswana Democratic Party in all councils. He frequently nominated BDP candidates who have been defeated in the elections".

This obviously was a gross nullification of the democratic wishes of the voters and undermining of the elementary principles of democracy. It is therefore not true that:

"The councillor will have been selected for nomination solely because of the contribution which the Minister believes he can make to the conduct of public business in that council area". (Op cit p.27).

Since the 1984 general election, however the Minister has also included members of opposition parties in the list of nominated councillors. This was in response to widespread criticism not against the nomination of only the BDP members but also against the whole system of nominated councillors which the public considered undemocratic. The majority of nominated councillors, however, remain BDP members and the system remains controversial and there is a growing rejection of the system. There is no indication that the government is about to abandon the system, perhaps the fact that opposition parties have accepted the nomination of their members into the council has influenced the government to believe that the system is generally acceptable.

1.1.3   *Ex officio* council members

Ex officio councillors are the third category of council members. This category comprises the district commissioner and the chief. The district commissioner is an *ex officio* member of the council of the district under his jurisdition. The district commissioner sits on the council as a representative of the central government. He can also be seen as a transmission belt or a communication channel between the central government and the council. In this capacity he or she communicates central government views, policies, programmes and projects to the council whilst also transmitting council's views, policies, programmes and projects to the central government.

The district commissioner can be seen as a coordinator, coordinating the activities of central and local governments. In practice the district commissioner is much more than the coordinator. The central government has tended to use him or her as an instrument by means of which it controls and monitors the activities of councils and tribal authorities. In fact until the establishment of the Department of

Tribal Administration under the leadership of the Commissioner for Customary Law, the district commissioner acted as the overall supervisor and boss of the tribal administration in his or her district. This placed the chief as head of the tribal administration directly under the control of the district commissioner. This led in most cases to conflicts and clashes between the district commissioner on the one hand, and chiefs on the other. There were three reasons why the relationship between the chiefs and district commissioners, in most cases were characterized by an undeclared civil war. Firstly, chiefs objected to being placed under the control of bureaucrats whom they considered not knowlegeable in customary law and a whole range of Tswana customs, ethics and norms. Secondly, some chiefs objected to the manner in which district commissioners treated them, i.e. being "bossed" around by bureaucrats whom they considered their subjects. This "bossing" around included amongst other requirements being required to keep official office hours and their court cases being reviewed by district commissioners etc. Thirdly, some chiefs objected to what they considered the subtle political manipulation by some district commissioners. These chiefs claimed that some district commissioners not only spied on them on behalf of the ruling party in order to identify their political inclinations, but also try to make them toe the ruling party line.

In some instances the tensions between the chiefs and district commissioners have resulted in a situation where there is absolutely no communication and contact between the chief and district commissioner. In 1982 for instance, the tension between the district commissioner and chiefs surfaced during the June meeting of the House of Chiefs. Some chiefs went to the extent of claiming that district commissioners during the colonial period were better than the present district commissioners. Tensions flared up again in August 1982, during an administrative conference. During this conference chief Linchwe of Bakgatla walked out of the meeting accusing district commissioners of gross interference in the administration of tribal affairs. He also complained about what he called a lack of respect by district commissioners and their staff in the district. In Ngwaketse for instance the tension between the district commissioner and the chief has been an integral

Table 1: List of Urban and District Councils, and Land Boards, 1991

Urban Councils	District Councils	Land Boards
City council: Gaborone	Central Ghanzi Kgalagadi	Ngwato Ghanzi Kgalagadi
Town Councils: Francistown Jwaneng Lobatse Selebi-Phikwe Sowa Township[b]	Kgatleng Kweneng North East North West[b] South East Southern	Kgatleng Kweneng Tati Chobe Tawana Malete Tlokweng Ngwaketse Rolong

Notes: (a) Comprises Ngamiland and Chobe districts.
(b) Sowa Township was gazetted in 1991.

component of their relationship. In some instances it reached a point where they were not even talking to each other. The district commissioner was even banned from entering the chief's residence where the tribal administration is housed.

Whilst the district commissioner is no longer the direct supervisor of tribal administration another bureaucrat in the form of the Commissioner of Customary Law has been put in charge of the tribal administration. Whether his appointment as supervisor of tribal administration and of chiefs will generate the same tensions is difficult to predict. If part of the problem that gave rise to tension between chiefs and district commissioners was the feeling by chiefs that they did not want to be supervised by bureaucrats the chances are that the relationship between chiefs and his office will be characterized by possible tension.

Whilst the district commissioner has no formal and official control over district and town councils in practice, he/she has a very powerful influence over the councils. This is so powerful that it borders on control. This is due to the fact that apart from being the most senior central government or public officer in the district, he or she is also a representative of central government in the district, a sort of central government ambassador. Hence he or she receives foreign visitors to the district on behalf of the central government. He or she also receives senior government officials such as permanent secretaries, government ministers and the Head of State.

The district commissioner's presence in the council meetings as *ex officio* member influence council decisions. For instance if he or she opposes a council decision because it conflicts with central government policy, council is unlikely to pursue such a decision with the enthusiasm it deserves. More important also the district commissioner has inspection powers over council finances, these powers include audit authority over council fiances. In addition to that, the district commissioner has unlimited access to council information. This gives the district commissioner indirect control over council activities. Until recently the district commissioner had overall control over the integrated offices. These are offices which incorporate

both the council and district administration offices, the intention is to make both central and local government services easily accessible to the public. Until 1994, the control of the whole complex *was ex officio* under the district commissioner. This created unhappiness amongst council members, both personnel and councillors. The overall control of the complex of offices by the district commissioner was seen by councils as an indirect form of re-centralization. As one council official remarked:

> "The District Commissioner represents central government. Councils provide services and not the District Commissioner. His presence stifles local autonomy". (Interview with Nengwekhulu, 1986).

Whilst the district commissioner has been replaced by the council secretary as the overall controller of the integrated complex, he/she remains a very dominant figure in the affairs of the local government. The central government has been reluctant to drastically modify the status of the district commissioner in relation to his/her role in the affairs of the local government. This is especially so with regard to his *ex officio* position in the council affairs. This is in spite of the fact that there is opposition against his/her presence in the council deliberations from both sides of the political spectrum. His/her presence is seen as a mechanism by the central government to maintain a listening post in the council.

There is likely to be more resistance on the part of the central government to accept the removal of the district commissioner from council meetings now that some councils such as the Gaborone, Jwaneng, Selibepikwe, North East and Francistown are now firmly under the control of the opposition parties and chances are that more may come under the control of opposition parties (Molutsi 1989).

In these circumstances, the position of the district commissioner as an *ex officio* member of the council will become even more crucial for the central government. He/she will guarantee that the central government is not taken by surprise with regard to opposition parties controlling councils' political and ideological orientation

and direction with regard to their activities.

The chief is also an *ex officio* member of the district council in which he is a chief. He sits on the council as a representative of the tribe, and advises the council on matters relating to Tswana customs, ethics, norms and customary law. Like the district commissioner the chief can speak at council meetings but cannot vote.

Until some years ago chiefs were allowed to serve as chairpersons of councils. They were however expected to separate their activities as chiefs from their activities as chairpersons of councils. (explanatory guide for District and Town councils 1985:27).

Until 1974, some councils had chiefs as their chairmen, but this has now been effectively stopped. In terms of the Government White Paper (No.1 of 1981:3) :

> "The role of chiefs as heads of the various tribes and customary courts is accepted. However their role as ceremonial heads of districts would be likely to confuse their relationships with the councils and would be misunderstood".

Despite these legal and legislative limitations, chiefs have remained influenced personalities in the districts in which they are chiefs. They still enjoy respect. Generally speaking councils do take into account suggestions made by chiefs during council debates, largely because the success of council policies, programmes and projects depends on the support they enjoy from the chiefs (Brothers 1994). A remarkable feature of the relationship between chiefs and councils in Botswana has been the absence of a real conflict between the two local institutions. This is in spite of the fact that councils have usurped almost the powers and privileges previously enjoyed by chiefs. More importantly also has been the absence of any conflict regarding their respective areas of jurisdiction. This is in spite of the fact that they operate within the same geographical

jurisdiction. The authority of the chief extends as far as the geographical boundaries of the council. The reason why perhaps there has not been any serious conflicts between the chiefs and councils may lie in the clarity of their respective legal jurisdictions. There is also strong evidence to suggest that the fact that most council politicians still recognize chieftainship as an integral component of Botswana society has contributed greatly to the absence of any secessionist jurisdictional conflicts. Chief Linchwe II (1989:102) comments as follows:

> "Perhaps one of the reasons why there is relatively permanent stability in Botswana is the fact that, while there is multi party democracy in our country, even members of political parties still rally behind the chiefs, divest themselves of party affiliations ..."

Whilst the relationship between the councils and chiefs has been marked by an absence of any serious conflicts the relationship between the chiefs and the central government, is increasingly becoming untenable. This has been especially so with regard to the gwaketse and kgatla chiefs - the two chiefs who have always been critical of central government policies towards chieftainship in Botswana. The transfer of chieftainship affairs from the office of the President to the Minister of Local Government, Lands and Housing, has also greatly exarcebated the relationship between the central government and the chiefs. Chiefs saw this as an indication of central government's negative attitude towards the institution of chieftainship. More important also they saw the transfer as a lowering of the status of chieftainship, since they considered being under the office of the President as a sign of an elevated status.

The question of whether the cordial relationship that currently exists between the councils and chiefs will continue to flourish, is difficult to predict. Indications are that as councils continue to grow stronger by taking more functions and responsibilities, tribal administrations will continue to decline in importance. The involvement of younger and more educated Botswanans whose knowledge, understanding and appreciation of chieftainship are likely to be lower than the

present councillors, is also likely to generate strain between councils and chiefs (Sekgoma 1994, Molutsi 1989).

There are clear indications that the government is intent on reducing and ultimately eliminating the little political role that chiefs play within the framework of the kgotla. The aim seems to make them dispensers of customary law through customary courts. (Hermans, S J & Neta, D, 1994).

2.   THE STATUS OF COUNCIL MEMBERS

The focus of the current analysis will be an attempt to assess and evaluate the nature and character of the council leadership. This will be done in terms of class, gender, education, age, occupation and administrative experience. These features or indicators will provide a more objective profile of the leadership of councillors

2.1   Class position

By class position reference is made to the relationship that people have to the means of production. A social class is therefore

> "... large groups of people differing from each other by the place they occupy in the historically determined system of social production, by their relation (in some cases fixed and formulated in law) to the means of production, by their role in the social organization of labour, and consequently by the dimensions and mode of acquiring the share of social wealth of which they dispose." (Lenin, Selected Works, Vol 3, 1971:248).

Thus a social class is composed of people who stand in a common position with the process of production. In its fullest sense, the notion of class goes beyond merely describing a person's place in the process of production. It also explains and signifies the essential and basic mould of social existence in the society. A

person's position in relation to the means of production also defines his or her place in the social and political systems. The implication is that class organization is necessarily a political organization, class consciousness encapsulates political consciousness, and class conflict embodies political conflict. An analysis of relations between classes is thus necessarily included in a political analysis that incorporates an analysis of the economic structures and institutions.

Viewed from this perspective, to understand and appreciate the nature and content of political institutions in a society, the actions and activities of political parties, interest groups and political leaders, it is essential to first analyze and assess the class structure and the nature and intensity of the class struggle in the society under investigation. The question of who rules or governs must be preceded by who owns the basic means of production. This is the definition of a social class that will be used in this analysis to determine and situate the class position of the council members in Botswana.

Defining the composition and limits of specific classes and their internal strata in Botswana is a complex process. Two difficulties create this complexity: one is the constantly changing character of the composition of specific classes and the presence of intermediate strata; the second difficulty is the diverse character of the socio-economic formation of Botswana. This arises from the presence of pre-capitalist modes of production or their relics in a society which is otherwise predominantly capitalist. These difficulties explain why classes in Botswana do not always stand out on the surface of social reality and often appear as transitional phenomena. Despite these difficulties, it is still possible to identify the class position of the councillors. According to Molutsi (1989:124):

> "Most who stand as ... councillors are people with some form of status in their communities. Such status is usually obtained from high levels of ... substantial property holdings e.g. a large herd of cattle, a ranch, a tractor, a restaurant or a general dealership".

Most councillors are members of the petty bourgeois class. No attempt will be made to become involved in the controversy as to whether a national bourgeoisie exists or does not exist in Africa. Suffice it so say that several studies seem to indicate that a national bourgeoisie in the mould of that of developed countries of Europe and North America does not exist, African bourgeoisie according to Shivj (1975:20) seems to:

> "... lack the historical maturity of their metropolitan counterpart and the latter's objective economic base. The natural process of the development of the authentic national bourgeoisie and the national capitalism in Africa was irreversibly arrested by these countries coming into contact with advanced capitalism".

It seems therefore hardly correct to talk of a national bourgeoisie in Africa. Hence many scholars have tended to identify the petty bourgeoisie as the ruling class in Africa, but unlike the classical petty bourgeoisie : (Ibid 22).

> "The petty bourgeoisie in Africa, on the other hand ... came to control the state apparatus thus becoming a ruling class ... This is the most distinguishing feature of the African petty bourgeoisie".

It is in this context that the petty bourgeoisie will be used in the case of Botswana and in our analysis and assessment of council members. Like in other African countries, the petty bourgeoisie in Botswana does not constitute or form a homogeneous and undifferentiated mass although in its defence of its class interests it normally presents a united and common front. In Botswana the petty bourgeoisie can be divided into different categories and fractions in terms of their relationship to the means of production as well as their role in the process of labour organization. It can also be divided or categorized, according to the relationship each category has to the state and its apparatuses. It is therefore possible to categorize the petty bourgeoisie in Botswana into the "national" petty bourgeoisie

and the local petty bourgeoisie. This is a functional categorization rather than an intraclass categorization.

The "national" petty bourgeoisie is the category that is in charge of the state and its apparatuses or institutions at the national level. It is the category that controls the national government, the House of Chiefs and the national assembly or Parliament. The local petty bourgeois category is the category which controls state apparatuses or institutions at the local level. These institutions include amongst others, councils, landboards and kgotla. The petty bourgeoisie in Botswana can also be further divided into upper, middle and lower layers. The upper layer is largely composed of intellectuals, senior civil servants, wealthy cattle barons, wealthy crop farmers, wealthy business and professional people, higher military and police personnel. The middle layer is made up of e.g. middle ranking civil servants, medium-scale farmers, traders.   The lower layers consist of petty traders, shopkeepers and lower salaried in the services sector. It is also possible to further divide the petty bourgeois class in Botswana into an agrarian rural petty bourgeoisie and an urban petty bourgeoisie.

This heterogeneity in its composition has been the source of intra petty bourgeois contradictions and conflicts.   The principal contradiction within the petty bourgeoisie in Botswana involves the struggle to assume monopoly control of the state and its apparatuses. More specifically, the struggle involves the control of the means of production and the process of the accumulation and appropriation of surplus value.   Despite these intra class differences, the petty bourgeoisie in Botswana has displayed a durable class cohesion which is probably unparalled elsewhere in Africa.

The following categories of the petty bourgeoisie at council level can be identified.

2.1.1 Agrarian or rural petty bourgeoisie

According to the general election survey conducted by the University of Botswana General Election Project (1984), 53.6 per cent of the candidates who stood for both district and town council elections were members of the rural or agrarian petty bourgeoisie. This was also confirmed by the Study of Democracy in Botswana (1989). This study indicated that 38.60 per cent of the councillors were members of the agrarian or rural petty bourgeoisie. Previous studies by Hitchcock on the Central District and Camoroff on the Barolong area, have concluded that the rural bourgeoisie in the rural areas constitute the dominant group in the councils. ColClough, McCarthy and Lipton have also demonstrated their predominance in the councils. (Hitchcock, Camoroff and Lipton:1978). Molutsi (Op cit, 1978) argues that councillors are generally people of wealth and social status in the society.

An important point that needs to be emphasized is that some of the agrarian petty bourgeois councillors have also diversified into the commercial area, in short, into agro business. This is largely due to the penetration of capitalism in the rural areas and the continuing decline of agriculture as a source of accumulation especially in the area of crop production. Commenting on this dualism or split personality of the agrarian petty bourgeoisie Masale ((1984:135) remarks that:

> "The agrarian/commercial bourgeoisie had agricultural holdings similar to those of the agrarian bourgeoisie but in addition reported that they owned business. The agrarian/commercial bourgeoisie constituted 32.7 per cent of the sample, the largest single component of the candidate group. Like the agrarian bourgeoisie, the agrarian Commercial Stratum was more likely to be the class of district/town council candidates (34.5%) than of national assembly candidates (19.2%)".

2.1.2 Commercial petty bourgeoisie

The second fraction or stratum of the petty bourgeoisie dominant in the council is the commercial petty bourgeoisie. This is the stratum that derives its livelihood

almost exclusively from commercial activities. This stratum represents only 3.6 per cent in the council. This may be because most councils are based in the rural areas and therefore the majority of their councillors are rural-based which may explain the predominance of the agrarian petty bourgeoisie or kulaks.

2.1.3　　　Bureaucratic petty bourgeoisie

The bureaucratic category consists of former civil servants. This category or stratum constitutes 6,7 per cent of council members. Its representation in the council is slightly higher than that of the commercial petty bourgeoisie. This indicates clearly that more and more former public servants are entering the political fray. For most of them the council provides a useful stepping stone into the lofty and greener pastures of national politics. Most of them occupy dominant positions within the council's political structures such as chairmen of council committees. In fact, most of the chair persons of the council committees are former public servants. This is largely due to their higher levels of education as compared to that of the other council members, as well as their technical knowledge of government machinery because of their previous experience in government, either at council level or central government level.

From the above analysis of the class position of council members it is quite clear that the petty bourgeoisie monopolizes the council membership. Only 12,3 per cent of the council members comes from a working class background according to the 1984 University of Botswana Election Study Project. This is a clear demonstration of the crucial and decisive link between wealth and political leadership in a class divided society. According to Molutsi (1989:129):

> "Botswana's political elite has come from a position of social privilege and economic influence. This was the case at independence and it remains so to date".

According to Benjamin Watkins (1975:66):

Table 2 : Class Position and Gender, 1984

Class	Male No.	%	Female No.	%
Agrarian bourgeoisie	46	24.3	7	23.4
Agrarian/commercial bourgeoisie	63	33.3	9	30.0
Bureaucratic/agrarian bourgeoisie	11	5.8	0	0.0
Bureaucratic/agrarian/commercial bourgeoisie	11	5.8	1	3.3
Other bourgeoisie	6	3.2	2	6.7
Small peasant	22	11.6	7	23.3
Semi-proletarianised	23	12.2	4	13.3
Total 189		100.0	30	100.0

Source: Parton J: 1984. Election Study Survey, Parson, J., Nengwekhulu, R., and Cliffe, L. (Eds) Gaborone, 1984.

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Small peasant	22	11.6	7	23.3
Semi-proletarianised	23	12.2	4	13.3
Total 189		100.0	30	100.0

"Power and property may be separated for a time by force or fraud but divorced never. For so soon as the pang of separation is felt ... property will purchase power or power will take over property. And either way, there must be an end to free government".

Masale (1984:137) raises another profound question regarding the nature of Botswana's political elite when she remarks:

"These results raise certain questions ... about the nature of political parties and the public policy decision making process. The fact that the rate at which candidates own businesses and that the types of businesses owned were very similar between the BDP and BNF questions the extent to which they really were different".

Ideological uniformity based on shared socio-economic characterists is more to be expected. This also means in general that candidates constitute the socio-economic entity and therefore the proliferation of political parties in Botswana is nothing more than an expression of intense competition within the bourgeois class for the control of the state and the resources it commands ... These similarities explain why it is the case that the opposition parties and in particular the BNF have not formulated a clear policy alternative to "the manifesto of the BDP".

What this means is that the number of political parties represented in the councils mean very little for genuine democracy, for they in general, represent the same class interests, i.e. the interests of the ruling petty bourgeois class. Multipartism in a liberal democracy based on class merely means the continuous circulation and recycling of leaders from the same ruling class.

2.1.4 Gender representation

Gender is an issue that should be focused on in the analysis of the nature of council members. This is because as Molutsi (1989:125) argues:

"Gender also remains an important factor with regard to entry into Botswana's politics. To be male increases the candidate's chances of being selected by his/her party and his/her chances for winning the election e.g. (over 40% of our survey respondents expressed reservations on women in leadership positions)".

This is not surprising for Botswana, like most societies is a male-dominated society. Kimble and Molokomme (1984:144) concur with this observation when they remarks:

"In the Botswana political system where the neo-colonial state embraced within its institutional structure the apparatuses of the colonial state, which were based on elements of the precolonial state (bogosi and dikgotla), there were certain political offices which were gender specific. Thus ... despite a few historical cases of regency, it was virtually impossible for a woman to hold office within the upper echelons of the tribal administration or to sit in the House of Chiefs - The fact that since independence the government ... has theoretically acquired the power to appoint women to particular posts within these state apparatuses, did not change either the reality or the perception of that reality. The reality in this sphere is of politics remain a masculine on both the traditional and modern conceptions of gender ... women are not fully integrated into the political process ... it is a comment on the overall limits to the democratic character of the Botswana political system".

The tendency to prefer men to women for political positions either within political parties or in the organs of government cuts across political party lines. During the 1984 general election, only 13.7 per cent of the sample were women. This was an improvement from the 1969 and 1974 general elections. An interesting aspect of the women elected into the councils is that they share the same characteristics of their male counterparts, meaning that they come from the petty bourgeois class. In fact, according to the 1984 general election survey, sixty three per cent of women elected into the councils were from the petty bourgeois class. This

compares favourably with almost three quarters of men who stood for election. This was a continuation of the trend observed in 1974 general election. In the 1989 General Election Report is was observed that women candidates were poorer than men. Civil service positions were also less often a route for women than men to achieve positions of political status.

The irony of women representation on the councils is that they are generally more politically active than men. In addition to this, the *de facto* population of Botswana is heavily weighted in favour of women. Jack Parson's data analysis of the 1984 general election shows women were 56.4 per cent of the eligible voters and 56.0 per cent registered to vote. This showed that women registered more or less in proportion to their eligibility, indicating a clear interest in politics in general and voting in particular. This trend was repeated during the 1989 and 1994 general elections.

Table 2 shows the male and female class position and table 3 shows male and female registered voters as a proportion of the *de facto* population. The most common explanation for the small number of women in the councils is that women are not interested in political positions (Holm 1989). Some councillors feel that it is contrary to the traditions of Botswana for women to hold positions of political power. Tradition for women therefore seems immutable and static whilst for men it is dynamic and always moving forward. This is in spite of the fact that women have been the most active organizers for political parties for both council and national elections. Kimble and Molokomme (Ibid p.148) comment as follows:

> "Women tend to be activists. This is well-known in Botswana. The women are responsible for the grass roots, concrete work in all organisations, even in the political sphere itself. You go to meetings, and it is the women there. Men's conception of politics is to go for the leadership, they are interested in positions ... At the lower level of offices, secretaries, etc of the organisations it is the women's consistency which keeps the organisations going. But now when it comes to standing for office and getting elected,

the people will say 'leadership is for men'. A man who has no claim to political knowledge or experience can stand and get elected, merely because he is seen as a father figure, a figure of authority".

The 1989 and 1994 general elections have seen a marked increase in the number of female councillors, but they still constitute a very small number of councillors. (General Election Reports 1989 & 1994). The discrepancy between political activism and political power opportunity for women is likely to remain very much alive for women for a forseable future as long as male prejudice and the culturally imposed female self-doubt remain strong. The situation is not likely to be drastically changed in spite of the Government's commitments that (Ministry of Finance, National Development Plan 7 1991-1997), it will continue to strengthen and revamp the Women's Affairs Unit of the Ministry of Labour and Home Affairs, as well as finalizing Women in Development Policy.

This Unit was established in 1981 (Ibid:388). Its objective is to promote the integration of women in national development. The Unit is expected to achieve this objective through the dissemination of information and incorporating gender issues in the information the unit generates. So far the Women's Unit has not been an effective instrument for the advancement of the political ambitions and interests of women either at the national or local levels. In fact it has so far never focused its attention on the under representation of women in the municipal councils or Parliament.

2.2   Age Distribution of Councillors

An assessment of the average age of councillors has revealed that there is a great deal of turnover of council members. In fact there has been much greater turnover of council members than of national assembly members. During the Botswana General Elections (1984) it was observed that:

"Forty-two percent of the BDP's candidates for the national assembly in 1984 had also been candidates in 1969. More than half of the BDP's candidates in 1984 stood for the BDP in 1974. Twenty five of the thirty-four BDP candidates were incumbents".

There is still a noticeable continuity at the council level (Ibid:86):

"About one-quarter of the BDP candidates were incumbents and just under one-third had been candidates in 1979".

Masale confirms Jack Parson's conclusion. This was also confirmed by the 1989 and 1993 election study surveys undertaken by the Democracy Project of the University of Botswana (1993). An interesting dimension of Gloriah Masale's (Op cit:138) observation is that:

"The average age of candidates responding to the survey in 1984 was 46.3 years. This compared with an average age of 50 years in 1974. The pool of candidates was becoming younger during the intervening decade. At the same time the candidate pool in 1984 continued to be much older than the general population. About half of the general population aged 21 years or older was in the age group 21 to 39 years while only about 31 per cent of the candidates were in the age group 21 to 40 years".

The low level of continuity of local government or council members seem to indicate a more open and competitive arena of electoral politics at the local level than in Parliament. This may be a reflection of the fact that rewards for being a councillor are less than those of being a member of Parliament. The significance of the open space for political competition at the council level lies in the fact that it allows the infusion of new blood and also of other strata of the population whilst the membership of the national assembly is characterized by an aging generation. This may lead, as it seems, to have an inability to adapt policies to a rapidly changing society. The continuity of the older generation in the Parliament indicates

commitment to the *status quo*. Table 4 shows a comparative analysis of continuity and change of council members.

2.3   Educational Level of Councillors

An assessment of the educational levels of councillors is essential for it seems the lower the level of education the lower the level of political understanding. More important also it seems that the lower the level of education the lower the level of understanding and management of the modern complex and complicated government machinery. A study conducted by the Democracy Project of the University of Botswana (Molutsi (1993:22):

> "After some 25 years or so after independence Botswana's councillors are still predominantly semi-illiterate. The majority have primary (education) only".

This is further emphasized by the extent of the gap between local and national politicians.   Members of Parliament are relatively more educated than their municipal council counterparts. This is perhaps not surprising since members of Parliament are required by law to have a minimum of junior certificate or a certificate of proficiency in English. No such a requirement is necessary for councillors, so that even a completely illiterate person can and does become a councillor. Yet the District Councils Act, 1965:65) Chapter 40.01, section 21 and requires categorically that:

> "Minutes of proceedings of every meeting of a council and of every committee thereof shall be kept in English and shall be regurlarly entered in a book kept for that purpose and shall be confirmed at the next ordinary meeting".

Whilst, in general, communication skills in Eglish do not necessarily depend on a school certification, it is however very rare that people who have never been to

Table 4: Candidate[a] Continuity in Local Government Elections, 1969-1984

Same candidate in:	As in 1969	1974	1979	Total Candidates	Number of Incumbents
1969					
BDP				165	
BIP				16	
BPP				43	
BNF				72	
Total				296	
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	71	118	510[b]	76

a Excluding independents

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

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

school or left school with very low educational qualification, are able to communicate in English sufficiently articulate unless English is their mother tongue. Most importantly also is the fact that councillors without any education cannot read the minutes, even though these minutes, are always translated into Setswana.

Table 5 shows educational qualifications of councillors interviewed during the survey by the Democracy Research Project in mid 1991 and early 1992. From the data in this table it can be observed that 65.4 per cent of the councillors have only a standard 7 qualification and below whilst 88.5 per cent have the Junior Certificate and below. These qualifications are not sufficiently adequate for understanding the complexities of modern government. This is especially so with regard to public finance, technical documents such as contracts, tenders etc. (Nengwekhulu 1993). Surprisingly though councillors themselves do admit that they find it difficult and sometimes impossible to understand the technical aspects of modern government.

An analysis of the cross-tabulation in terms of the gender of the respondents reveals significant dimension. According to this table women have a higher basic literacy rate than their male counterparts. This is a reflection of the national trend. As a person moves up the educational step ladder there are more men than women. The National Development Plan 7 confirms this phenomenon. According to National Development Plan 7 (1991-1997:330):

"There has always been a relatively high proportion of girls in Botswana's primary schools. This was related to their traditional roles, with boys more likely to be at cattle posts and therefore away from the villages (and hence the schools). As Botswana moves closer to universal primary education, male enrolment in primary schools is catching up ... However, in general the balance shifts towards males higher up the educational ladder..."

Table 6 illustrates this phenomenon clearly, but as already indicated despite the fact that there are more women with basic education than men in the councils,

Table 5: The Educational Qualifications of Councillors Interviewed

Education Level	Number	Percentage	Cumulative %
No Education	7	6.7	6.7
Below Std 7	20	19.2	26.0
Std 7	41	39.4	65.4
J.C.	24	23.1	88.5
O'Level	8	7.7	96.2
Post Secondary	4	3.8	100.0
TOTAL	104	100.0	100.0

Source: Survey Data. Democracy Research Project of the University of Botswana.

Table 6: Education of Respondents by Sex

Education Level	Gender Female	Gender Male	Total
None	0 (0.0)	7 (6.7)	7 (6.7)
Below Std 7	1 (1.0)	19 (18.3)	20 (19.2)
Std 7	7 (6.7)	34 (32.7)	41 (39.4)
J.C.	8 (7.7)	16 (15.4)	24 (23.1)
O'Level	1 (1.0)	7 (6.7)	8 (7.7)
Post Secondary	0 (0.0)	4 (3.8)	4 (3.8)
TOTAL	17 (16.3)	87 (83.7)	104 (100.0)

women are still under represented. To be more specific only 16.3 per cent of the respondents during the survey by the Democracy Research Project were women.

The under qualification of councillors becomes even more glaring when it is compared with the educational qualifications of the council administrative personnel. Table 8 illustrates this disparity graphically. In terms of this table the lowest educational standard attained by the upper level of the council administrative personnel is the Junior Certificate, i.e. 26,8 per cent as compared to 23.1 per cent of the councillors, 9.8 per cent of the council officials had the "o" level or Matriculation qualifications compared to 7.7 per cent of the councillors. More importantly also about 34.1 per cent of the officials had post secondary school qualifications compared to a mere 3.8 per cent of the councillors. It must be mentioned, that the wide gap between officials and politicians is not peculiar to the local government level sphere. It is also found at the national level. In addition to that, it is not unique to Botswana. The point needs to be emphasized that what makes the council level situation in Botswana a serious problem, is that this gap is coupled with the rate of under qualification, which borders on illiteracy, of councillors. Molutsi (1991:25) remarks as follows:

"Recent recruitment into the councils have not changed the quality of the councillors that much ... New council members do not appear to have come with substantially better education because the overall quality of council politicians in terms of education remains fairly low".

Part of the reason for the councils' failure to attract well educationally qualified people to become councillors seems to be the tendency by the well educated to look down upon the councils. Most of the educated petty bourgeoisie seem to see the Parliament as their prime prize.

The problem of under qualified councillors has been a cause for concern by council officials who complain about the high level of illiteracy of councillors which they claim contributed to their high level of ignorance. The survey by the Democracy

Table 7: Educational Levels of Local Level Officers

Education	Number	Percentage	Cumulative %
J.C.	11	26.8	26.8
O' Level	4	9.8	36.6
Post Secondary/Cert/Dip	12	29.3	65.9
Degree	14	34.1	100.0
TOTAL	41	100.0	-

Research Project also found that the general view amongst the majority of council bureaucrats was that councillors needed some further training, even if this meant short courses which could improve their general knowledge about council operations. In fact 82.9 per cent of public officers employed by councils feel that councillors need further training which will help them understand e.g. council procedures and financial management.

The fact that most councillors are barely literate makes them maleable to the influence of bureaucrats. In some cases it forces them to leave the function of governing to bureaucrats. In a democracy decision making, which means policy formulation, is or should be the responsibility of elected representatives, that is politicians. Elected representatives are elected by the people on the basis of the policies they advocate. The principal role of the bureaucracy is to advise politicians and to implement policies articulated and proposed by politicians. In practice, things do not work as neatly as they are theoretically articulated. More often than not bureaucrats formulate policies for politicians. This is the trend in the modern world. This is largely due to the fact that bureaucrats are generally experts in the running of the modern government which has become a complicated function. This situation is further aggrevated by the educational and professional gap between bureaucrats and politicians. Thus the council situation in Botswana is not unique, but in the local government in Botswana, the dominance of council bureaucracy is made easier by the semi-literacy of most of the councillors. Molutsi (1993:25) explains thus:

> "Many senior civil servants interviewed alleged that if policy making was left to the politicians there would be chaos ... Asked to explain why councils are centrally so controlled, senior civil servants categorically said councillors were not educated or informed enough to make intelligible decisions ... Thus while councillors ... do endorse policy decisions, in practice they have little control over policy".

This situation has serious implications for the quality of democracy in general and

local democracy in particular. Democracy means government by elected representatives and not by unelected bureaucrats. If local government is a mechanism for the extension of democracy to the people, it is difficult to establish to what extent the assumption is true in the case of Botswana, if bureaucrats are so dominant to the extent that some commentators on Botswana have termed the state in Botswana an administrative state. (Picard 1987)

In the case of Botswana devolution has become a mere deconcentration of power or rather authority from the central government bureaucrats to the local government officials. Holm (1987:198) believes that civil servants are too dominant. He argues that there is a tendency by civil servants to emasculate elected representatives. He contends that councils have very little freedom because council civil servants formulate appropriation with no more input than mere pleadings from councillors to include their project. The net result is that councillors play a marginal role in policy determination.

Holm, Molutsi and Picard seem to exaggerate the weaknesses of councillors, in most instances politicians do override civil servants in instances where they feel policy decisions taken by bureaucrats are contradictory to their fundamental class interests, which also applies to councils. Although the bureaucracy is powerful and dominant, politicians retain their political leadership. Picard's assertion that Botswana has become an administrative state, whatever that means, is theoretically flawed. Miliband (1968:48) remarks that:

"For officialdom is at the service of the political executive, its obedient instrument the tool of its will. In actual fact it is nothing of the kind. Everywhere and inevitably the administrative process is also part of the political process; administration is always political as well as executive at least at the levels where policy-making is relevant, that is to some in the upper layers of administrative life. That this is so is not necessarily due to administrator's desire that it should be so. On the contrary, many of them may well wish to shun politics altogether and to leave 'political' matters to

the politicians; or alternatively to "depoliticize' the issues under discussion. If the regime is weak, with a rapid ministerial turnover and with no possibility of sustained ministerial direction ... Civil servants will step into the vacuum and play an often dominant part in decision making. But even where the political executive is strong and stable, top administrators are still able to play an important role in critical areas of policy ... However much argument there may be over the nature and extent of bureaucratic power in these societies, the range of possibilities must exclude the idea that top civil servants can be reduced to the role of mere instruments of policy".

This seems to be the correct assessment of the place and role of the bureaucracy in the political system. Picard's (1987) conclusion that the state in Botswana is an administrative state because of the dominant role of public servants seems to be based on a Weberian notion of bureaucracy in which there is an assumed complete separation between the political and administrative sectors of the political system. (Weber 1971:). This is merely a theoretical and juridical fiction which is not borne out of practice.

3.   SUMMARY

It has been shown that the organization of councils in Botswana is divided into three categories of members, i.e. elected council members, nominated councillors and *ex officio* members. The nominated members were intended to maintain the balance of power in the council in favour of the ruling party. The presence of the district commissioner, a central government public official, in the council as an *ex officio* member is meant to facilitate the central government control of councils.

The chapter analyzed the nature of council members in terms of class position within the society and concluded that council members were predominantly members of the ruling petty bourgeois class. They can be divided into three sections, i.e. argrarian or rural petty bourgeoisie, commercial petty bourgeoisie and bureaucratic petty bourgeoisie.

Council members were also assessed in terms of age and it was concluded that, unlike in the early years of independence, when the majority of councillors were in the age category of 50 years, the younger people are being elected into councils. It was observed from the perspective of gender that councils in Botswana are essentially the preserves of males with very few women being elected into councils. This, was in spite of women who are more active in politics than men. Councillors were evaluated in terms of their levels of educational qualifications, and it was demonstrated that most council members are either semi-literate or completely illiterate, this affected their performance as councillors.

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
Primary Education			
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
Junior Secondary Education			
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
Senior Secondary Education			
Total enrolment	1990	15 341	17 048
Teacher Training			
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
Vocational Training			
New VTCs opened	1985-91	4	4
Total VTC enrolment	1989	1 100	1 170
Polytechnic enrolment	1989	1 350	868
University			
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 acknowlegement 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 constructued. 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 inadeguacies 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 siutation 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 strenous 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 reinculcate 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 of 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 manupilating boundries 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 disk 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 her 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 primar 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.).

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 Batswana 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.

CHAPTER EIGHT

THE NATURE OF LOCAL GOVERNMENT RESOURCES

1.   INTRODUCTION

The availability or non-availability and the size or quantity of resources and their efficient or inefficient management and utilization determine, to a large extent, the success or failure of an organization. This is equally true of government whether central or local. It is this centrality of resources which makes it imperative to assess and evaluate the nature of local government in Botswana. In this analysis the focus will be on the characteristics of local government resources in Botswana and specifically on local government finance and human resources.

1.1   Local government finance

Money is the key to unlock many opportunities for people in the societies. It is able to help an individual to camouflage, enhance or promote his or her social status in the society. It also helps a person, at least in a majority of cases, to translate such potential opportunities into reality. This applies with equal validity to local government. For councils to be able to provide existing and potential services to the communities which they serve, they need money. In the analysis which follows an attempt will be made to determine the sources, size and utilization of local government finance in Botswana.

The committee which was appointed by the High Commissioner in 1963 to investigate and report on the necessity and viability of local government in Botswana, emphasized the significance and crucial role played by finance to enable local government authorities to provide the services they would be required to provide. The Committee accepted that finance was central to the success of the operations of local government. It agreed that it was essential that

adequate revenue is made available to local government to enable them to perform their functions efficiently and efectively and render the services they are required to provide. The Committee considered the use of central government subventions as an essential method of assisting local governments to establish themselves.

This recommendation was accepted by the protectorate government (Legislative Council Paper No 21:1964). The Local Government Act, 1965, as amended, adopted this recommendation without any modifications.

According to the Local Government Act, 1965 as amended, the main sources of finance for local government are Local Government Tax, which has since been abolished because of the inability of most residents to pay as well as the cost involved in its collection e.g. land rent, beer levy (traditional beer - chibuku), matimela (stray cattle), game licences, clinic fees, hawkers and vendors' licences, deficit grants from central government, service levies, trade licences and rates. The Act also stipulates that councils must raise their own recurrent revenues. In practice, they have not been able to do so since 1966.

In terms of government policy, urban councils are expected to meet almost all their expenditure because of their stronger revenue base. This is especially so with regard to Gaborone City Council, which receives no grant because it has a strong rate base and is expected to balance its budget without receiving a grant. Whilst urban councils are expected to balance up to 95 per cent of their budgets, in practice they have often fallen short of this requirement. In terms of the 1992-1995 National Development Plan 7, they were expected to finance 85 per cent of their expenditure from their own revenue sources. They were however only able to finance 40 per cent of their expenditure with 60 per cent being provided by the central government deficit grants. Table 12 illustrates this point clearly.

Urban councils derived almost two-thirds of their revenues from rates, with the remainder coming from abattoir fees, sales tax on beer, clinic fees, building material, loans, rents, trade licences, market fees and service levies. High rates of

default on loan repayments and arrears in service levies and building material loans on the Self-Help Housing Agencies (SHHA) and on property rates result in urban councils' revenues falling drastically in real terms over expenditure. This is in spite of the number of properties and the value of urban properties, during the last fifteen years, when the property market was booming, Whilst urban councils' revenues are declining, expenditure has been increasing sharply as the demand for services increases.

The revenue base for the rural or district councils is extremely weak compared to that of the urban or town councils. Their sources of revenue are identical to that of urban councils i.e. abattoir fees, beer levy, clinic fees, matimela (stray cattle), rents, trade licences, and water and sanitation fees. The size of these sources is smaller than that of urban councils hence the lower revenue. More importantly also rural councils have very few businesses from which to collect rates. According to the Ministry of Finance and Development Planning (1991:455) the result was that during the 1989/90 financial year revenue collected by district councils amounted to 5 percent of the total expenditure budget for district councils, in 1985/86 revenue from rates amounted to 18 percent.

For statistical comparison, see Tables 13, 14 and 15. The perpendicular decline in revenues generated by rural councils reflect the economic decline of the rural areas due to long periods of droughts as well as the reluctance of the business community to invest in rural areas. The abolition of local government tax also contributed to this sharp fall in locally generated revenues.

As a result of this steep decline, central government deficit grants accounted for 95 per cent of the total expenditure of rural councils. The dependence of councils especially rural councils, on central government deficit grants seem destined to continue (Recurrent and Development Budgets:1994). The situation is exacerbated by the increase in rural population which has grown by about 45 per cent in the last fifteen years and primary school enrolment by about 75 per cent. This meant an increase in the size and quantity of services which councils are required to

Table 13: Urban Council's Revenue and Expenditure, 1985/86-1989/90

	1985/86	1986/87	1987/88	1988/89	1989/90
Revenue:					
NDP 6 forecast	23 113	24 269	25 483	26 248	27 559
Actual	24 706	27 953	23 559	19 420	23 544
Expenditure:					
NDP 6 forecast	28 069	29 224	30 439	31 203	32 515
Actual	30 483	36 323	38 621	44 196	58 404
Revenue compared to expenditure					
NDP 6 forecast	82,3%	83,0%	83 7%	84,1%	84,8%
Actual	81,1%	77,0%	61.0%	43,9%	40,3%
Deficit:					
NDP 6 forecast	4 956	4 956	4 956	4 956	4 956
Actual	5 776	8 370	15 062	24 776	34 860

Source: Ministry of Local Government and Lands.
Note: Deficit grants to Urban Councils were not always equal to the actual deficits in a given year, which has resulted in some Councils accumulating deficits.

Table 14: District Councils' Recurrent Budget Forecasts, 1991-1997

	91/92	92/93	93/94	94/95	95/96	96/97
Expenditure	171 391	189 623	209 824	232 208	257 012	284 500
Target income:						
% of expenditure	3,8	4,2	4,8	5,5	6,2	7,0
Amount	6 521	7 964	10 072	12 771	15 935	19 915
Income from existing						
revenue base [a]	6 521	6 782	7 053	7 335	7 629	7 934
Income shortfall[b]	-					
Deficit grants and		3 018	3 018	5 436	8 306	11 981
revenue sharing[c]	164 870	199 659	199 752	219 436	241 077	264 585

Source: Ministry of Local Government and Lands
Note: Includes Land Boards
    (a)   Assumes no change in revenue base or real revenue rates. Growth reflects increases in population, higher real per capita incomes and reduced arrears.
    (b)   To be financed by broadening the revenue base and/or higher real rates. Any remaining shortfall to be covered either by higher deficit grants or revenue sharing, or a curtailment of expenditure, or some combination of all.
    (c)   Expenditure less target income.

Table 15: Urban Councils' Recurrent Budget Forecasts, 1991-1997

	91/92	92/93	93/94	94/95	95/96	96/97
Expenditure	72 614	79 441	86 947	95 203	104 284	114 278
Target income compared to expenditure	30,6%	31,6%	33,4%	35,6%	37,8%	40,4%
Amount	22 197	25 103	29 040	33 892	39 419	45 711
Income from existing revenue base[a]	22 197	23 529	24 941	26 437	28 023	29 705
Income shortfall[b]	-	1 575	4 100	7 455	11 396	16 007
Deficit grants and revenue sharing[c]	50 417	54 338	57 907	61 865	64 865	68 567

Source: Ministry of Local Government and Lands

Note: (a)   Assumes no change in revenue base or real revenue rates. Growth reflects increases in population, higher real per capital incomes and reduced arrears.

(b)   To be financed by broadening the revenue base and/or higher real rates. Any remaining shortfall to be covered either by higher deficit grants or revenue sharing, or curtailment of expenditure, or some combination of all.

(c)   Expenditure less target income.

provide as well as an increase in council expenditure. Under normal circumstances an increase in the number of people should also mean an increase in the revenue available for collection by councils. In the rural areas the increase will add very little revenue because of the high level of poverty and unemployment. There is no indication that government strategy for rural industrialization is likely to become a reality.

Table 16 show the estimated recurrent budgets for district and urban councils respectively. An analysis of the estimates indicates an attempt by government to reverse the trend towards the growing perpendicular decline of self-generated revenues that has been the hallmark of local government finance since independence in 1966. What the estimates attempt to do, is to reverse the decline as a percentage of the estimated budgets. To achieve this, the 1991-1997 National Development Plan SADP 7(457), has established targets for self-generated revenues. For local government to achieve these targets, their revenue base will have to be expanded. There will also be the need to raise their real revenue rates. This will have to be preceded by improvements in *per capita* incomes.

Incomes especially in the rural areas have remained largely static and whatever increases have taken place have been marginal. This has been especially so with regard to wage earners. In the rural areas average monthly wages range between P60 - P80, and a percentage of it is paid in kind with no actual money being passed onto workers. Perhaps the most inhibiting factor would be the growing unemployment in urban and rural areas. The most conservative current estimates of unemployment are ± 30 per cent (NDP 7:45). This excludes those underemployed. With Botswana's economy presently experiencing a decline, it is doubtful whether the economy would be able to generate enough work opportunities to absorb the large army of unemployed who represent a potential source of revenue for local government. Government has already clapped down on wage and salary increases. In 1994 no wage and salary increases were given to government employees and the private sector was discouraged from making significant wage and salary increases. It does not seem likely that the current

Table 16: District councils' Recurrent Budget Forecasts, 1991-1997

	91/92	92/93	93/94	94/95	95/96	96/97
Expenditure	171 391	189 623	209 824	232 208	257 012	284 500
Target income: % of expenditure Amount	3,8 6 521	4,2 7 964	4,8 10 072	5,5 12 771	6,2 15 935	7,0 19 915
Income from existing revenue base [a]	6 521	6 782	7 053	7 335	7 629	7 934
Income shortfall[b]	-	1 182	3 018	5 306	8 306	11 981
Deficit grants and revenue sharing[c]	164 870	181 659	199 752	219 436	241 077	264 585

Source: Ministry of Local Government and Lands

Note: Includes Land Boards

(a)   Assumes no change in revenue or real revenue rates.   Growth reflects increases in population, higher real per capita incomes and reduced arrears.

(b)   To be financed by broadening the revenue base and/or higher rates. Any remaining shortfall to be covered either by higher deficit grants or revenue sharing, or a curtailment of expenditure or some combination of all.

(c)   Expenditure less target income.

economic situation will undergo a radical metamorphosis during the life span of the National Development Plan 7. The implication is that raising real revenue rates such as service levies, rents, property rates in a stagnant property market is unlikely to be a financially feasible exercise and political popular move. What is likely to happen is that the shortfall will either have to be made good by additional deficit grants and revenue sharing or a severe curtailment of expenditure programmes or a combination of both options.

In an attempt to reduce council expenditure on the provision of services the Gaborone City Council in 1994 started with an experiment of privatization of refuse, collection and removal in a section of Gaborone. Whether privatization of some services provided by councils will become a viable and politically acceptable solution to the problem of reducing dependence on deficit grants by both urban and rural councils, will have to be established. Judging by experiences in other countries such as the United Kingdom, it is likely to be a politically unpopular alternative, because privatization tends to increase the price of services provided because of the private concerns having to maintain the principle of profitability.

The long-term sustainability of local government services will continue to depend on deficit grants or some permutation of the system of central government financing. Central government has both political and social responsibility to ensure and guarantee that the services provided by local government authorities are provided at an affordable price and where possible free as it is the present case. In developed and highly industrialized countries, local government authorities have not been able to serve the needs of their communities adequately without central government financial support. It is not a unique and peculiar phenomenon that local government in Botswana have not been able to balance their budgets without central government deficit grants.

The same situation obtains in Indonesia, Phillipines, Thailand, South Korea, India and Malaysia. Writing about the state of local government finance in Indonesia, Ramachandra (1989:55) comments that:

"Local revenue sources finance only 10 per cent of the budget ... authorities ... of which 5 per cent is largely derived from charges on markets, hospitals, clinics, building permits and bus/taxi stations. Local taxes contribute a mere 2,5 per cent from taxes on entertainment, hotels/restaurants and street lighting ... A further contribution of 6 per cent comes from assigned revenues most of which is represented by the share of property tax".

This inability for self-financing by local government for their development projects afflicts most, if not all, local government authorties including South African local government authorities. The situation was even worse in South Africa during the years of apartheid, especially with regard to the pseudo black local government authorities. This situation was aggrevated by the boycotting of the payment of rent and service charges to an illegitimate racially based local government system.

Whether this situation will change after November 1995 local government elections, remains to be seen. If the world wide trend serves as an indication, central government grants will remain a crucial factor in local government finance.

The Botswana government (National Development Plan 7 1991:469) believes that there is considerable viability in the extent to which local government authorities can become self-sufficient in terms of generating their own income.

This appears to be a too optimistic assessment of the viability of local government in Botswana, especially with regard to rural councils. Even urban councils with their relatively stronger revenue base will find it impossible to generate sufficient own revenues. With the growing population and the resultant expansion of services, this growing population will demand the prospects for self-sufficiency is likely to remain largely a distant and tantalizing mirage (Kweneng District Council Development Plan 4 1989).

The government concedes that expenditure has been growing faster than self-generated revenues. According to the National Development No 7 (Supra:455)

Expenditure by local government authority has grown rapidly. It has grown by 13 per cent over the period 1985/86 and 1990/91 in real prices. Real value revenues collected by urban and district councils fell during the same peirod. In recent years expenditures by councils have exceeded the amounts budgeted for and as a result they had to balance their budgets through central government deficit grants.

Figure 4 illustrates this situation clearly. On the basis of these statistics, it is difficult to understand government's optimism about the possibility of councils being able to finance the bulk of their services through self-generated revenues. Even improved collection of revenue is not likely to make any significant impact on the inability of councils to self-finance the bulk of their services.

2. MANAGEMENT OF LOCAL GOVERNMENT FINANCE

2.1 The central tool in the management of public finance, is the budget. Mikesell (1982:23) describes the budget process as follows:

> "The budget process - a formalized routine involving legislative and executive branches of government - plays a key role in the provision of public goods and services. This process fulfils tasks similar to those of an economic market as it determines what government services are provided, what individuals will receive these services, and how these services will be provided. Except for the limited number of town meetings and referenda decisions, elected representatives make the primary spending decision. In budget preparation, non elected public employees make many crucial decisions".

The budget is a tool by means of which local government allocates and manages its finances. The procedures which are intimately associated with the preparation of, and controls exercised through the budget, also provide the basis for regulating

and managing local government expenditure and income, and determining and fixing the size of the rate levy in Botswana. The local government budget-day is similar to that in Parliament.

The purpose of the local government budget or estimates is:

(i)   to force councils to comply with the requirements of Local Government Act, 1965

(ii)   to enable local government authorities to review and evaluate their finances once a year so as to be able to revise rates, rents, service levies and other charges where they consider it necessary

(iii)to enable local governments to determine and fix the maximum expenditure to be incurred for the financial year and to forecast the likely amount of income to be self-generated and to be received in deficit grants

(iv)   to determine and establish instruments of budgetary control as a particular form of control which local governments are able to exercise over their income and expenditure

(v)   to provide for a working balance which the amount of surplus funds required by councils to enable them to meet their current expenditure before the receipt of their current income, especially rates.

The process of local government budgeting in Botswana starts in July of each year. The process starts with the treasurer of each council sending a memo to all council departmental heads, requesting them to present their estimates to his/her office not later than a specified date. In the submissions of their estimates, officials are required to supply back-up information on how they arrived at each item of expenditure, reasons for increases over the previous year, and the rationale behind

their requests should be clearly stipulated. The council's treasury department, after discussing the budgets with the respective heads of departments, prepares the agreed departmental estimates for the presentation to the Finance and General Purpose Committee of the council. Before the treasury presents the budget to the committee, it must balance the budget.

The preparation of the budgets of local governments in Botswana is undertaken within the ceilings set by the central government. These ceilings relate to deficit grants. In other words, councils are prevented from budgeting beyond the deficit ceilings. This means any excess estimates by councils would not be paid for by the central government.

A council which exceeds the deficit ceilings will have to find its own funds to pay for excess activities unless it convinces the central government of the justification of such activities. Theoretically the ceilings are intended to be a part of long term financial planning by central government. The ceilings are calculated on the basis of estimated growth rates for different sectors. In practice, however, ceilings are used to control financial spending by council and are integral components of central government control of councils. They therefore undermine the relative autonomy of councils.

The use of ceilings by the central government has caused concern in the local governments because councils feel that they hamper their activities. To make the situation more incomprehensive with regard to the relative autonomy of councils, is that the level of central government deficit and development grants decisions regarding ceilings are taken by central government officials. The result is that councillors who are elected by the people are forced to provide services which are largely determined by unelected officials. This arbitrary way of deciding on the levels of ceilings in deficit grants or refunds to fund extra-ceilings services can harm the political integrity of councillors. In fact, the system of bureaucratically determined deficit ceilings undermines the basic norms and rules of democracy for it empowers civil servants to giving orders to elected representatives.

The Local Government Structure Commission recommended that the system be ended for it reduces councillors to the level of beggars who go hand in cap to central government officials pleading for deficit funding. The central government has so far been reluctant to change this system. This raises the fundamental question of political accountability. For only elected representatives are politically accountable for the management of public finance. How can councillors be held politically accountable when they have no say in the financial allocation of funds required to pay for the services they provide or fail to provide?

2.2 Council Finance Committee

The Local Government Act, 1965 (No 35 1965:78) as amended, requires every council to appoint a Finance Committee at its first meeting. The Finance Committee, which is a counterpart of the National Assembly's Select Committee on Public Accounts, is the political instrument of the council with regard to public finance. Its main role is to scrutinize and assess all financial estimates submitted by the council's treasury department before their submission to the full council for approval. In terms of the Local Government Act, 1965, (Ibid:32):

> "The finance committee shall review estimates as approved by the committee of the council and submit them to the council not later than four months before the commencement of the financial year together with such summaries, statements, reports and recommendations in relation thereto as they consider desirable and shall recommend the rate, tax, tariffs and fees to be levied for the ensuing financial year".

This demonstrates clearly that the finance committee plays a crucial role in the financial affairs of the council. It is considered the expert and technical arm of the council whose decision with regard to council's income and expenditure is rarely rejected by the full council. This central role of the finance committee is clearly

indicated by the fact that section 31 of the Local Government Act, 1965, stipulates that the council shall not consider any proposal to raise a loan except on the recommendation of the Finance Committee (Local Government Act, 1965:31).

In order to guarantee financial control over income and expenditure the Local Government Act, 1965, (No 35, 1965:29) stipulates that a committee shall not consider any proposal even if it is included in the annual estimates for the current financial year, involving expenditure or diminution of income on capital or revenue account unless the committee shall have before it can estimate of the initial cost of the proposal and of the annual cost of diminution.

Technically, Botswana has a very sound system of political control over local government finances. In practice however, the situation leaves much to be desired. This is because of the level of financial knowledge of finance committee members. Most of the Finance Committee members have very little knowledge of public finance and the intricate processes that are involved in the budgeting process. This is largely due to the fact that the majority of the committee members are either semi-literate or have low educational qualifications, which prevent them from understanding the complexities of local government income and expenditure processes and other related financial technicalities (Moluts, 1993:20). The result is that the deliberations of finance committees of councils are dominated by one or two individuals who are knowledgeable. In most cases budget estimates presented by council bureaucrats are rarely rejected. The same problems afflict the full council (Somolekae 1989:75).

The next stage in the process of examination and approval of council estimates, is the submission by the finance committee of the recommended estimates with the necessary recommendation to full council for approval. After the full council has approved the budget, is submitted with supporting notes to the Ministry of Local Government, Lands and Housing. These estimates are received by the Ministry's Estimates Committee. After reviewing and examining the estimates, the Ministry

includes in its annual estimates an amount equal to the deficits of councils and this is presented to Parliament together with all government estimates.

2.3 Management of public finance

According to the Handbook for Chairmen, Mayors, Secretaries and Members of District Town Councils (Ibid:34), the town clerk/secretary is responsible in consultation with the treasurer of the council, for the finance, supervision and control of all accounting, stores and cost systems and financial records of the council. These records must be kept in terms of Accounting Instructions to Staff.

The town clerk, in the case of town councils, and the secretary in the case of district councils, is the chief accounting officer of the council and is answerable for the management of council's finance and stores. In the performance of his or her duties, the chief accounting officer is required to be guided by the following principles (Ibid:34-35):

"(a)   The duty of providing information, calculating, checking and recording the sums due to or from the council shall be separated as completely as possible from the duty of collecting or disbursing these sums.

(b)   Officers charged with the duty of examining and checking the accounts of cash transactions shall not themselves be engaged in any of those transactions ... All cheques, official receipt forms, books, and tickets, licences and other documents and vouchers and tax stamps representing money or money's worth shall be in a form approved by the town/secretary ... Whenever any matter arises which may involve irregularity in financial, stores or accounting transactions, the town clerk/secretary in consultation, where appropriate, with the treasurer, shall investigate the same and if an irregularity is disclosed he shall refer the matter to the Finance Committee".

Whilst in theory, the instruments and principles designed to ensure an efficient and effective management of local government finances and stores affective in practice their application have been inadequate. According to the (National Development Plan 7 1991:453):

"Audits of the local authorities have revealed shortcomings including lack of expenditure control due to inadequate bookkeeping, failure to account for losses and abuse of privileges".

The major cause of this shortcoming is the continued shortage of trained accounting and purchasing and supplies staff. Shortages range between 30 - 40 per cent. These shortages are certainly a major constraint on the efficient and effective management councils finances and stores (Ministry of Local Government, Lands and Housing, The Working Group on Training Needs and Logistics, 1989:4).

2.4 Internal Audit

An internal audit is a management arrangement which is aimed at carrying out a continuous appraisal, evaluation and monitoring of accounting, financial, stores and other essential processes and systems within the local government authorities. It is in essence a reviewing, advisory and protective service available to the council and intended to keep the council informed of the status of local government finance and stores. In order to enhance its effectiveness internal audit units in the councils in Botswana are relatively autonomous because they report directly to the chief accounting officer, i.e. the town clerk/secretary. The ability of internal audit units in the councils have been effectively undermined by staff shortages (National Development Plan 7 1991:453). The units lack educationally and professionally qualified personnel. The problem is one of both quality and quantity. For the councils to improve the quality of their internal audits it is necessary for them to improve the quality and quantity of their internal audit personnel because the

quality of internal audits falls short of the basic requirements of an efficient internal audit system which is capable of spotting financial discrepancies and leakages of stores (NDP 7:448).

The problem of personnel shortages is compounded by the siphoning of quality accountants by the central government to personnel the central government finance units, i.e. by the Ministry of Local Government, Lands and Housing. Most of the siphoned off audit staff are usually absorbed by the Local Government Audit.

2.5　　　External auditing

The external audit of the councils' finances, i.e. auditing by auditors from outside the councils, is provided in terms of Cap 40:01 and Cap 40:22 of the Local Government Act, 1965 (No 35, 1965:448). In practice:

> "... council's accounts are audited by the Department of Local Government Audit. Legislation requires that each ... council must produce its annual financial statements within three months of the end of each fiscal year, i.e. by 30 June each year. The Department of Local Government Audit aims to issue annual audit reports within six months of receiving annual reports from ... councils".

This Department is situated in the Ministry of Local Government, Lands and Housing and as such it is an integral component of the central government. The main objective of this Department is:

(i)　　　To review the systems of decision making of councils, budgeting and the authorization of expenditure;

(ii)　　　To review the adequacy of the design and operation of accounting systems, and inventory controls; and

(iii)   To review the system of internal audit control systems and recommend the introduction of internal audit systems where applicable.

The Department has so far been hampered in its attempts to achieve its objectives because of the poor accounting and internal audit systems in the councils. In a number of instances councils have been operating without any reliable accounting systems. This means accounting and audit records on which the department could base its reviews and audits are inadequate and fail to produce a reliable audit. The accounting instructions designed for council personnel are not comprehensive enough to assist them to maintain adequate accounting and audit controls. As a result the Department has recommended in the Report on Audits of the Accounts of Local Authorities in Botswana (1988:35) that:

"The Local Authorities also need an Accounting Handbook which will detail the accounting process. This would not only bring uniformity to the authorities accounting records, but will also assist those treasurers who introduce accounting practices which are not internationally accepted ... I recommend that the Ministry address itself urgently to this need as it is impractical to expect local authorities to follow sound accounting practice without a guideline".

The situation has not improved fundamentally since this report was produced. The management and control of the finances and of councils still remain largely poor. This has resulted in wastage, under utilization of financial resources and stores, and in certain instances of theft of the property of councils (National Development Plan 7 1991-1997). The solution seems to lie in the training of accounting and audit personnel and proper and adequate personnel of councils' treasuries.

3.   COUNCIL PERSONNEL

Local government authorities in Botswana are the second largest single employers in Botswana. In March 1989, local government authorities employed about 12 000 people. This accounted for 7 per cent of the total formal sector employment in Botswana, this number does not include primary school teachers who are employed by the Unified Teaching Service of the Ministry of Education, despite the fact that Local Government Authorities maintain schools and also provide teachers' accommodation. See Table 17 for local government establishment posts and vacancies. It is clear from the table that health personnel constitute the largest component of the local government personnel. This reflects the extent of decentralization of health services in Botswana, especially primary health care which is the statutory responsibility of local government authorities. Despite the fact that local government authorities are the second largest formal employers, second to the central government, the level of vacancies is still relatively high. According to the 1990 statistics, the vacancy rate was 13 per cent, this average disguises a 30 to 40 per cent vacancy rate in the professional and technical fields. The high vacancy rate is a constraint on the performance of the councils.

The recruitment and employment of personnel for local government is undertaken for them by the central government through the Directorate of Local Government Management Service, previously the Unified Local Government Service, which was established in 1974. Before 1974 each council recruited its own staff. This system prevented the transfer of staff from one council to another, without prior approval of the responsible council. The system lacked a career structure for personnel, especially in smaller councils such as the South East Council. The system was accused of promoting ethnic chauvinism, nepotism and political patronage. Hence its replacement by a central government department, situated in the Ministry of Local Government, Lands and Housing. This means that the planning, recruitment, selection, appointment, training, personnel development, promotion, transfers and discipline are now the responsibility of the Directorate of Local Government Management Service (Unified Local Government Service Act,

1970 (No 70 of 1970).

Councils have no say in the management of their personnel but are accountable to the public they serve for the services these personnel provide. They bear the brunt of criticism for the poor quality delivered by the council staff, even though they did not recruit them. This has recently caused unhappiness among councillors, especially with regard to the un-coordinated and haphazard transfers of personnel which are carried out without their approval and without consulting them.

The Local Government Structure Commission (1979:79) reported intense dissatisfaction with the way the Directorate of Local Government Management Service at Headquarters in Gaborone operates. The Commission recommended the strengthening and refurbishing of the Local Government Service Commission which is almost moribund since it meets very sporadically and it is almost a toothless bulldog. The ultimate goal of this recommendation was (Ibid:80):

> "... to place the ultimate responsibility for all local authority staff in the hands of this commission, rather than in the ULGS Headquarters which is a department of MLGL (Ministry of Local Government and Lands)".

The rationale behind this recommendation was an attempt by the commission to place all staff matters in the hands of an independent body. The central government rejected these recommendations and instead introduced some cosmetic changes in the operation of the Directorate of Local government Management Service such as decentralizing some minor aspects of personnel. It was however not until 1994 that the central government began a programme at the Institute of Development Management of training staff from councils' personnel departments in personnel management. The overall control and management of councils' staff will remain in the hands of the Directorate Management Service. But the recentralization of the management of local government staff has not led to a remarkable improvement in the quality and performance of local government personnel.

In most cases, it has led to the decline in the efficiency, effectiveness and productivity of local government personnel. This is especially so with regard to the manner of transfers which have caused a great deal of unhappiness among council personnel. The selection of candidates for training has also been marked by controversies, local government personnel accuses the Directorate of Local Government Management Service of corruption, nepotism and inefficiency (R Nengwekhulu 1992). The ferocity and persistence of criticisms forced the central government to transfer the Director and some of his senior personnel in 1993. This has not completely silenced the critics, for councils are now demanding that the management of local government staff be retransferred back to them.

There are three main characteristics of local government personnel in Botswana. In the first place the local government personnel in Botswana is characterized by low morale. The causes of the low morale are multifaceted, but the principal ones are transfers without consultation, feelings of being looked down upon by central government personnel, inadequate incentives for those who work in remote areas, poor accommodation, and lack of adequate office accommodation. The second main feature of local government staff in Botswana is the underqualification of many staff members. Local Government authorities are unable to attract graduates. The National Development Plan 7 (1991:467) comments as follows:

> "Recruitment and retaining staff in the Local Authorities especially in the more remote areas, is a challenging task. Social amenities and physical infrastructure are often below urban standards, which makes staff, especially those with families, reluctant to accept or continue assignments in outlying areas. Incentive pay and special allowances for such services may not overcome these natural inhibitions for many families, but government will continue to investigate incentives as a means of overcoming the problem".

The rationale behind the efforts by government is to try to reduce the level of vacancy rates in rural councils which are the hardest hit by staff shortages, underqualified and demoralized staff. The Directorate of Local Government Management Service has been focusing its attention on filling senior management positions, especially in the technical and professional areas. So far it has proved to be a very difficult exercise because of the reasons advanced above. One of the strategies that the Directorate has embarked on in its attempts to fill senior and middle management posts in the remote rural councils, is the coupling of promotion with transfer to any of the remote areas.

The efforts has not reduced the level of unhappiness amongst those personnel members who do not want to work in the remote areas. And whilst staff have no right to refuse to be transferred, the impact of such involuntary transfers has largely been reflected in low morale. The Directorate tends to compound these problems by the manner in which postings and transfers are handled. The tendency has been to use methods of postings and transfers, i.e. postings and transfers without any consultation with the personnel concerned. The general explanation offered personnel concerned in the transfer or redeployment is that in terms of the Local Government's conditions of employment, all personnel employed by councils are transferable every three years at the discretion of the Director of Local Government Management Service. Whilst from a legal and administrative point of view councils' staff can be voluntarily transferred or redeployed at the discretion of the director. From a human resource management point of view, personnel transfers and postings without proper consultation usually lead to the demotivation of personnel (Local Government Structure Commission 1979:79).

It seem necessary that the Directorate of Local Government Management Service should change its personnel management. Instead of a curt statement in the interest of public service you are required to transfer yourself from point A to point B which characterizes almost all letters of transfer issued by the Directorate, a more consultative approach should perhaps be adopted.

Whether the recent reshuffling of the top management personnel within the Directorate will lead to a fundamental shift in personnel management style, is difficult to predict. What is clear according to Egner, (1986:29) is that:

"Centralization of the personnel functions in Gaborone did not succeed in practice in increasing efficiency or improving morale among council staff ..."

4. SUMMARY

One of the main problems facing councils in Botswana is the shortage of material and human resources to fulfil their statutory obligations. Councils have limited independent sources of revenues. This is especially so with regard to rural councils or district councils. Urban councils also suffer from this problem. It was estimated that only Gaborone has a reasonably viable independent source of revenue, and unable to meet its budgetary requirements from its own sources. The result is that councils in Botswana depend for a substantial part of their budgetary requirements on subventions from the central government. It was argued that this leads to the undermining of the relative autonomy of councils because it opens the way for a tighter central government control.

The central government has total control and freedom over how much money councils received and how and where it should be used. Councils have no freedom to manoeuvre in terms of the extent of their development and recurrent expenditure.

The analysis of the management of council resources by councils was found to be inadequate, this was especially with regard to internal accounting and auditing and attributed to the shortage of skilled personnel and the semi-literacy and illiteracy of councillors.

CHAPTER NINE

THE CONTROL OF LOCAL GOVERNMENT BY THE CENTRAL GOVERNMENT IN BOTSWANA

1.   INTRODUCTION

Understanding the essence of the relationship between the central government and local government authorities poses fundamental conceptual, theoretical and analytical problems and challenges. It is possible to view local government as merely extensions and apparatuses of the central government. Similarly it is also possible to question whether the form and functions of local government authorities differ fundamentally from those of the nation-state i.e. central government. More importantly, it could be asked as to the extent and degree to which local government is autonomous from the central government. The issue of local government autonomy is central to any assessment of the central local, government relations. The higher the level of local government autonomy the higher the potential for the local government to threaten the basis of the nation-state. The issue of local government autonomy questions the essence of the local government as an independent or autonomous entity. Without some form of relative autonomy local government authorities would be simply political instruments through which central government orders are implemented.

Traditionally notions or theories of local government have however, tended to favour the idea of semi-autonomous local government authorities. These theories are largely products of an obsession with the models of the so called political pluralism. As a result, emphasis has been placed on local control of the allocation and provision of services and self-determination. This obsession with relative autonomy of local government authorities has tended to obscure the central issue of where to situate local government authorities within the state apparatus. Perhaps this tendency reflects the unquestioned acceptance of the notion of local

government autonomy and commitment to theory of political pluralism (Held 1987:186).

A deeper analysis and assessment of these notions is beyond the scope of this thesis, for it requires an extended theoretical and empirical investigation. Suffice it to state that, traditional theories of local government have tended to be structural - functional which has expressed itself essentially through a systematic cataloguing of the structures and functions of local government authorities. This tendency has largely reduced local government authorities to mere administrative apparatuses of the central government. In the analysis which follows, the focus will be on the nature of the local government autonomy and the mechanisms by which the central government controls local government in Botswana.

In this analysis an attempt will be made to assess the capacity of local government to initiate socio-economic and political change and transformation within the spaces allocated. More importantly it will be demonstrated that local government authorities are political institutions, situated within the political and social fabric of society. It will also be argued that local government authorities are both vehicles or instruments of central government and democratic institutions on their own right. An assessment of the limits and possibilities of local government authorities to become genuine vehicles for the extension of democracy in Botswana will also be made. The following are the main methods and techniques which the central government employs in its control of local government in Botswana:

1.2   Nomination of some councillors

The fact that the Local Government Act, 1965 empowers the Minister of Local Government, Lands and Housing the power to nominate additional councillors, has given the central government an effective weapon to control local government authorities. Until 1984, the central government used this power to nominate additional councillors from members of its own party. This was obviously to make sure that councils would be dominated by people who are not only loyal to the

ruling party but also to the central government. This was especially so since this allowed the ruling party to control all the councils.

1.3   Suspension of councillors

An important method which is used by the central government to control local government authorities in Botswana, is the power entrusted to the Minister of Local Government, Lands and Housing to suspend a councillor whether popularly elected or nominated and declare the seat held by such a councillor vacant (Explanatory Guide for District and Town Councils (1985:3)). The fact that no reasons for suspension are laid down, gives the Minister wide discretion as to what constitutes grounds for suspension. This opens the door for the Minister to abuse his or her power because it is possible that the Minister may suspend a councillor for personal and political reasons. This certainly gives the central government a very strong mechanism to indirectly and directly intimidate councillors who may be considered too hostile to central government policies. The central government has hardly used this power, in fact there is no evidence that a councillor has been suspended by the Minister since the establishment of local governments in 1966. But the fact that the central government has this power at its disposal constitutes potential control mechanism.

It is a constant reminder to councillors that the central government can suspend and even remove any one of them at its own discretion. This compels them to toe the line set by the central government or not to deviate from the invisible political and ideological line which the central government would use to determine whether or not to remove or suspend a councillor. In practice, however, there is no evidence that councillors are constrained by the fact that the Minister can suspend or remove them and declare their seats vacant. No single councillor interviewed admitted ever being influenced by the fact that the Minister has the power to suspend and even remove a councillor on the grounds not specified in the Act which established the system of local government in Botswana.

1.4   Establishment of local government

The Constitution of Botswana Act 1965, does not make provision for the establishment of a system of local government. It is totally silent about local government for it makes no mention of local government (Constitution of Botswana:3). According to An Explanatory Guide for District and Town Councils in Botswana (1985:3):

> "Parliament has empowered the President and the Minister of Local Government and Lands respectively to establish District Councils and Town Councils to serve as local authorities for any area of the country".

Ultimately according to the Constitution of Botswana (3) it is stated that:

> "Parliament decides which legal powers and responsibilities can best be handled by local rather than central government".

Legal powers given to local government authorities by Parliament are in reality determined and defined by the Minister of Local Government and Lands in consultation with the President and recommended to Parliament for approval through a bill. The powers and responsibilities are devolved to local government and is dependent on the political and ideological views of the Minister of Local Government and Lands in consultation with the President. This means that the jurisdiction, both legal and geographical, of local government can change depending on the political mood of central government, since the powers and responsibilities of local government are not constitutionally entrenched.   This allows for manipulation of local government authorities by central government. While constitutional entrenchment does not and cannot prevent a determined central government to reduce the power and responsibilities of local governments or to control them, it does minimize the reckless use of central government control mechanisms. In Botswana local government authorities are extremely susceptible to the political manipulations by central government.

1.5   Dissolution of councils

In terms of the Local Government Act 1965, (Act No.35, 1965:3) the Minister of Local Government, Lands and Housing is empowered to dissolve a council or suspend its sittings for an indefinite period.   The Minister considers this a mechanism in the hands of central government for controlling local government authorities, for there is no definition of what is "expedient". The determination of the meaning and scope of what is expedient depends on the meaning and scope the Minister attaches to the word.   This amounts to giving the Minister in particular, and the central government in general, a blank cheque on which to write whatever amount of discretion he or she gives to himself or herself. This can lead to an abuse of power by the Minister, and is especially so in situations in which the Minister does not favour the council in power, for instance where the opposition parties are in power. It is possible that in a situation in which the Minister is in disagreement with the council on specific issues, he or she may use this authority to suspend the council. More importantly, giving unlimited power to the Minister to dissolve or suspend any council undermines the whole principle of political accountability for how does one challenge the Minister's abuse of power when there are no defined boundaries within which he or she should exercise his or her discretion.

1.6   Requirement for ministerial approval

In terms of of the Handbook for Chairmen, Mayors, Secretaries and Members of District and Town Councils (1974:10):

> "In certain cases the decision of the council may not be put into effect without the approval of the Minister such cases are the making of bye-laws section 12 of the Law and incurring expenditure (Estimates, Section 49(3))".

The implication of this statutory requirement is that councils do not make laws but merely recommend resolutions to the Minister for him or her to transform into laws. This is a serious and fundamental infringement on the generally and universally accepted principle of the relative autonomy of local government authorities. In an interview with Mr R Nengwekhulu (1986) a senior public servant remarked as follows:

> "It is just a dream to expect local government authorities to be autonomous".

This statement reflects the reality of local government relative autonomy in Botswana. In practice, the Minister must approve all and not specific decisions and he does insist to approve all decisions of councils before they can become bye-laws. In an interview with Mr R Nengwekhulu (1986) a senior council officer put it this way:

> "There is no real difference between the colonial system of local government and the present one. We must refer everything to the Ministry of Local Government and Lands. They can reject our recommendations. This calls for the central government to review the situation".

The central government has recently indicated that it intends annulling the statutory requirement for ministerial approval of decisions of council. It made this announcement during the 1993 parliamentary sessions, but so far no legislation to amending the section in question has been put before Parliament. The central government's announcement may have been prompted by the fact that the requirement is not only opposed by opposition parties, but also by members of the ruling party. It is doubtful whether the central government would have decided to repeal the section on the basis of opposition parties' criticism of the offending section. It would appear that the rationale behind the introduction of this requirement by the British Colonial Administration and its adoption in toto by the post colonial government was intended to prevent the enactment of bye-laws

contradictory to the policies of the ruling party by opposition parties.

Whether the central government will ultimately translate the intention to repeal the section into law is difficult to predict, but on the balance of probability it seems that is likely to do so. This is because of the mounting pressure from councillors from both sides who want some modicum of autonomy. Whilst this phenomenon is not peculiar to Botswana, it does raise serious questions about Botswana's commitment to a genuine system of local government with some appreciable degree of relative autonomy (Wraith 1972). As a means of controlling local government the requirement for ministerial approval is certainly the most effective and direct method. There is no attempt to disguise its ultimate objective i.e. controlling local government authorities.

1.7   The ultra-vires principle

The principle of ultra-vires has also been used by the central government to control councils. According to Wraith (1972:560):

"... there is an important legal doctrine that may restrict the discretionary activities of a local authority - that of ultra-vires, the effect of which is that local authorities may do only those things which an Act specifically says they may do".

De Smith (1973:564) on the notion or doctrine of ultra-vires approach observes as follows:

"The ordinary courts have long exercised the important constitutional function of containing both the Executive and inferior tribunals within the limits of their authority. It was firmly established in the seventeen century that the Crown could not set itself above the law ... Clearly, then if the Crown exceeded statutory powers vested in it, the courts could pronounce its acts invalid, and similarly if ... local authorities proceeded to exceed their

powers, the courts had a like authority ... Nowadays we say that ... (they) must act, intra-vires (within their powers). They can only do what the law permits them do, they cannot do what the law forbids them to do".

The validity of the doctrine of ultra-vires emanates from the fact that the local authorities are creatures of statute enacted by Parliament. Their legal and geographical jurisdiction only extends as far as the contents of the statute. This is in contrast to the central government whose jurisdiction is limited by the national geographical boundaries. But De Smith (1973:564) argues that:

"By contrast, the work of municipalities in West Germany and Sweden is based on the opposite doctrine of intra-vires, i.e. they may spend their money on whatever activities they choose, providing that such activities are themselves legal and provided that there is no existing legislation which already allocates them to some other arm or agency of government".

Botswana has adopted the system of local government in which the doctrine of ultra-vires is the fundamental mechanism for containing and restricting the actions of local government authorities. This means that local government authorities in Botswana can only undertake those activities which the Act does not expressly and implicity forbids them to do. More importantly also is that the Act specifies which activities local government authorities can undertake. The result is that local government authorities in Botswana undertake identical activities except in instances where some local government authorities may perform additional functions, not expressly or implicity prevented.

The ultra-vires doctrine is one of the control mechanisms by which the central government is able to regulate local government authorities and quarantee that they would not behave in the manner incompatible with its political and ideological interests. This minimizes the development of power conflicts between the central government and local government authorities, at least from a legal point of view. More importantly also the doctrine emphasises the subordinate nature of local

government authorities.

There are very few instances in Botswana involving the transgression of the ultra-vires doctrine by local government authorities, there is only one known instance which involved such transgressions. This was in 1984 when the Francistown Town Council passed a resolution, abolishing the system of levies for the Self Help Housing Agency residents. The Minister of Local Government, Lands and Housing refused to accede to the resolution on the grounds that it was ultra-vires. The ordinary courts of law have not had the opportunity to make pronouncements on the doctrine because no cases involving the doctrine concerning local government activities have ever been brought before the courts. It would not be an exaggeration to assume that they are likely to follow the British tradition and pronounces any ultra-vires action null and void since the system of local government in Botswana is an inheritance from the British colonial administration.

1.8 Personnel appointment, dismissals, transfers and promotions

The recruitment, selection, appointments, promotions, transfers and dismissals of personnel also serve as control mechanisms by the central government. This is because the recruitment, selection, appointments, promotions, transfers and dismissals of the non-industrial class council employees are the responsibility of the central governmental through the Directorate of Local Government Management Service (Egner 1978-1986).

By virtue of the power to appoint, promote, transfer and dismiss local government personnel, the central government is able to control councils through the appointment of personnel sympathetic to its policies. This is especially so with regard to senior and strategic council personnel. Although it is difficult to prove the existence of political patronage in the appointment, promotion and transfer of senior local government personnel such as town clerks and council secretaries, suspicions by councils have always lingered that political patronage has played a role in the appointment, promotion and transfer of senior personnel by the

directorate of Local Government Management Service (Interviews: 1991).

This suspicion has been more clearly articulated with regard to the transfer of council secretaries and town clerks. Botswana practices the merit system in the recruitment, selection, appointment, promotion, demotion, transfer and dismissal of persons. In practice however there have been indications that political considerations have played a role in the appointment, promotion and transfer of top local government personnel. In any case no country anywhere in the world, has a watertight merit system. In an interview during 1986 a senior local government employee observed as follows:

"Staff appointments by the Establishment Secretary is not fair. We are not happy with the centrally appointed staff. No allegiance to councils if staff is centrally appointed. Councils have no control over their own staff".

According to Egner (1986:32):

"Fewer councillors these days are prepared to be treated as window-dressing to cover up the realities by centralised power. They believe they have a mandate from the electorate to run the councils and a prerogative which entitles them to give orders to those who work for them, not to play second fiddle to Gaborone-based civil servants. They hear the complaints from councillors about the staff without themselves being able to do much to change matters. The non-political civil servants who control Unified Local Government Service are not well equipped to deal with the growing resentment among the councillors who have to account to the public for the actions of their staff. The civil servants have tended either to ignore this unmanageable factor or to redouble their efforts to find administrative solutions to what is essentially a political problem".

The centralization of the procurement of council personnel by the central government might have been justified in the last twenty years, but it would appear to be purely a question of controlling councils now. Councils have despite some gaps and weaknesses in their performances, now relatively matured to be able to rise above the problems applicable prior 1974 which prevented them from managing and controlling their own personnel. It does appear unlikely that the central government will willingly relinquish this lucrative power in the immediate future. Central governments anywhere in the world have always found it difficult to relinquish power to local government authorities for the accumulation of power ensures their almost total hegemony over local government authorities. The central government in Botswana is therefore not likely to be an exception.

1.9   Financial control

The central government is also able to control local government authorities financially. The degree of control is determined by the amount of deficit grants the central government provides to local government authorities to balance their budgets. The higher the level of deficit grants the higher the level or degree of control. In Botswana the central government provides almost 80 per cent of deficit grants to councils. This is especially so with regard to rural councils. It is a fallacy to posit that central and local government authorities represent a viable partnership essential for the development of the society. De Smith (1973:473-474) observes as follows:

> "Central - local government relationship are sometimes described in the language of partnership. The foregoing account has implied that if this is partnership, it is a partnership (to use an analogy taken from a different context) between the rider and the horse".

The use of deficit grants as an instrument by which the central government has been able to exercise effective control over the development priorities and objectives of councils has not gone unnoticed by councils. Hence the demand that

deficit grants be phased out and be replaced by direct and unfettered grants which would allow councils to determine their own development priorities.

So far the central government has resisted this pressure from councils to give them the freedom to spend their funds according to priorities determined by them. Instead, the central government has been content to pressurize councils to generate of their own funds from their own sources (National Development Plan 1991-1997).

1.10   District Commissioner

The District Commissioner is another institution of central government control over councils. Although this is not expressly stated as such, the fact that the District Commissioner is an ex-official member of the council provides the central government with a useful mechanism, to influence, directly and indirectly, council deliberations. Outwardly or in theory, the District Commissioner is merely a link between councils and the central government, in practice he or she serves to make sure that councils do not stray very far, if they are allowed to stray, from the policies of the central government. Occasional conflicts between councils and the District Commissioner occur.

2.   SUMMARY

Central government control over local government is generally premised on a number of assumptions. In the first place, it is argued that central governments aim to control the activities of local government for macro-economic and financial reasons, particularly with regard to those concerning expenditure because expenditure has a crucial impact on inflation, balance of payments, savings and capital investments. Secondly, that government seeks to control local governments to ensure that essential and basic needs such as education and health care are provided by local governments in terms of acceptable standards set by the central government for the country as a whole.

Thirdly, it is posited that central government controls are necessary to ensure administrative efficiency and effectiveness in local government. These are the same premises used by the central government in Botswana to justify its control over local government. Mechanisms have been designed to ensure this control. They are e.g.:

(i)   the nomination of some councillors by central government

(ii)   the authority to suspend councillors

(iii) the authority to dissolve a council

(iv)   the requirement that council resolutions first be approved by the Minister of Local Government, Lands and Housing, before they can become bye-laws and financial control over income and expenditure.

These controls are also designed to make sure that councils operate within the ideological parameters of the ruling party. More importantly also, it was demonstrated that the fear of opposition parties taking control of councils was also an underlying principle which influenced the central government to design these controls.

CHAPTER TEN

1.   SUMMARY AND CONCLUSION

Chapter one was concerned with providing a descriptive outline of the contents of each chapter, as well as the conclusions arrived at. It also contained the problem statement, the objectives and hypotheses which formed the guiding principles. It can be concluded that the chapter succeeded in achieving this objective.

Chapter two assessed and analyzed the concepts of decentralization and local government. It identified and considered the rationale behind decentralization and its disadvantages and advantages. It argued that meaningful decentralization requires political commitment on the part of the central government, a reasonably high level of political understanding on the part of the leaders of decentralized units as well as politically fluent communities which are supposed to be the beneficiaries of decentralization. The chapter also surveyed the different definitions of decentralization, in addition it also looked at the two main categories of decentralization, i.e. devolution and deconcentration. It was demonstrated that it is possible to clearly differentiate between two categories at a conceptual and theoretical level. It is however difficult to do so at the practical level for political systems invariably contain elements of both categories. More importantly also is that there is a tendency by some scholars on decentralization to manufacture new concepts intended to capture the essence of decentralization. The existing two concepts, i.e. devolution and deconcentration, whilst not perfect, are still useful mechanisms for differentiating different categories of decentralization.

A survey of different definitions and types of local government was attempted. The conclusion was arrived at that local government was a product of devolution rather than deconcentration and looked at the reasons behind the significance of local government in the society. Local government is generally accepted as a

political mechanism for the extension of democracy to the people. It is seen as an instrument by means of which sound "grass roots" involvement and participation in government can be facilitated and guaranteed. It is an intrinsic and integral part of democracy. The implication being that without a system of local government democracy is considered largely an empty shell. It was demonstrated however, that whilst that maybe so in theory, in practice local government in a class divided society is largely a preserve and monopoly of elements of the ruling petty bourgeois class. "Ordinary" people only participate in local government largely as perpetual voters.

The mere existence of local government cannot automatically lead to the development, nourishment and maturation of political awareness and participation amongst "ordinary" people. Intensive political mobilization programmes must be introduced by these institutions to galvanize the public into active political involvement so that they begin to clearly understand the role that local government can play in improving their lives. This will require conscious political work by local government politicians carried out with the explicit objective of intensifying, accelerating and directing participation by "ordinary" people in local government politics.

The discussion was **inter alia** focused on the alleged role of local government in providing training political leadership for later involvement in national leadership. Whilst there is still merit in this logic there is no evidence to suggest that local government councillors consider their service in local government as some form of training for national political leadership. It cannot be logically deduced that legislators with experience in local government politics are better national leaders than those without such experience.

Facilitation of government accountability was identified as one of the reasons, generally advanced to justify the establishment of local government. Implied here is that the system of local government serves as a defence mechanism against

arbitrary exercise of power by the central government by preventing the concentration of power.

It was argued that it would depend on the power and authority devolved to local government, it could be stated that local government is a creature of statute which enjoys limited autonomy and is easily manipulated by the central government. Its capacity to limit the tyranny of centralization is greatly limited.

Fourthly, the desire to accommodate local differences was identified as another reason for the necessity to introduce a system of local government in the society. These differences have been identified as cultural or sub cultural variations, uneven socio-economic and political uneven development, emphasizing ethnic diversity and ideological differences. It was indicated that the need to recognize and accommodate local differences cannot be overemphasized because if they are ignored they could destabilize the political system. Local government can go a long way in dealing with local issues which cannot be adequately dealt with at the national level.

Finally the need to promote political stability and minimizing secession was identified as one of the reasons advanced in support of the system of local government. In a number of countries such as Canada, India and Nigeria the system has encouraged secessionist tendencies. Different types of local government was assessed and analyzed i.e. the French, Anglo-Saxon, Communist, and traditional systems. The chapter came to the conclusion that their differences are essentially the differences of emphasis rather than of content.

Chapter three assessed and evaluated the nature of the system of local government in pre-colonial Bechuanaland, and concluded that contrary to the generally accepted view, pre-colonial Botswana had a system of local government. This system consisted of ward organization which formed the smallest organizational unit within the political system. Each ward consisted of a kgotla, which means a people's

assembly. The kgotla was the main institution for the enactment of bye-laws within the ward. Each ward was presided over by a headman whose duties resemble those of the chair person. Every adult male Motswana was entitled and expected to participate in the kgotla, because to a considerable extent governance in pre-colonial Botswana took place in the wards. A number of wards formed a district, each district was presided over by a chief and had its own district kgotla in which most government activities took place.

It was endeavoured to demonstrate the democratic character not only of the-pre-colonial political system but also of its system of local government. The alleged democracy was a system of discrimination against women who were not allowed to participate in the kgotla. It was shown that the system discriminated against subject groups such as Bakgalagadi, Bakkalanga and Basarwa.

The character of the system of local government in Colonial Bechuanaland was also analyzed, it demonstrated that no system of genuine local government existed during this period. It was not until 1963, three years before the territory became independent, that the colonial administration set in motion the process investigating the necessity and feasibility of introducing a system of local government. The system was introduced in 1966 after the territory had become independent.

Chapter four focused on the analysis and evaluation of local government in post-colonial Botswana. It was attempted to explain why post-colonial Botswana introduced a system of local government, and concluded that:

(i)   it was due to the influence of political history

(ii)   the need to satisfy the political aspirations of some elements of the petty bourgeois and chief

(iii)   the need to be seen extending the frontiers of democracy, and

(iv)   the need to promote participation in development and administrative efficiency and effectiveness.

It was demonstrated that whilst there is some evidence, these reasons played a role in influencing Botswana to introduce a system of government and motivated the desire to limit the political influence of chiefs.

Chapter five was aimed at describing and explaining the structure and membership of councils and the character of council members. It was indicated that Botswana has three types of council members i.e.

(i)   elected members

(ii)   nominated councillors, and

(iii)   ex-officio councillors.

The inclusion of nominated and ex-officio councillors was designed to provide the central government with a mechanism to control and manipulate councils, and the fear of opposition parties taking over control of councils and use them to advance their own ideological interests. Councillors in Botswana, seen from the view of class position, are members of petty bourgeois class. Male domination of councils was a characteristic of council members in Botswana, women were shown to be poorly represented, despite their active participation in politics. The majority of councillors in Botswana are either semi-illiterate or totally illiterate, this hampers their performance in the council.

Chapter six analyzed and evaluated the responsibilities and functions of councils and divided them into two main categories, i.e. mandatory and permissive functions and indicated that councils have not been able to adequately fulfil their responsibilities and meet their performance targets. This was largely due to the

shortages of material and human resources. Council committees were the instruments by means of which councils transact their business.

Chapter seven dealt with the nature of council politics focusing specifically on the nature of council election process. The most important factor identified in the process of the council elections was that they have been dominated by the ruling Botswana Democratic Party since the first local government elections in 1969. It has been able to do this because it has a wide political base from which it drew support, and enabled it to build an alliance of both traditional leaders and modern petty bourgeois elements. With this durable alliance it has been able to win support in both rural and urban areas. It was indicated that the weakness of the opposition parties has also contributed significantly to the political hegemony of the Botswana Democratic Party in the councils. Opposition parties have been unable to construct a viable and durable alliance to challenge the electoral dominance of the Botswana Democratic Party.

Chapter eight discussed the nature of local government material and human resources, and the manner in which the resources are managed. It was indicated that control and management of resources are inadequate due to the shortage of skilled personnel, and the semi-illiteracy and illiteracy of the majority of councillors.

Chapter nine focused on the control of local government by central government. It demonstrated that in Botswana the central government has an almost total control of local government. It has been able to achieve this through a number of mechanisms such as:

(i)   the nomination of some councillors by the central government

(ii)   the power and authority to suspend councillors

(iii)   the power to dissolve councils

(iv)   the existence of the doctrine of ultra-vires

(v)   the authority to appoint council personnel

(vi)   through the presence of the District Commissioner in the Council, and

(vii)   the requirement that the Minister of Local Government, Lands and Housing must first approve all council resolutions before they can become bye-laws.

These requirements have reduced councils to the level approximating that of administrative agencies. The Government of Botswana has still some way to go before it can be seen to have a genuine form of a local state with relative autonomy.

2.   RECOMMENDATIONS

The foregoing analysis and assessment of post-colonial local government in Botswana has demonstrated it has weak local government institutions and as such have not been able to translate their potential into reality. The focus of these recommendations is to suggest possible solutions to this problem.

Firstly, it is suggested that the central government should remove the requirement that all council resolutions must be approved by the Minister of Local Government, Lands and Housing because this requirement undermines the relative autonomy of local government. More importantly it devalues the whole notion of local government as an extension of democracy as well as an instrument to promote community participation in the decision-making process.

Secondly, it is recommended that the central government changes the system of financial assistance to local government from deficit grants to outright grants. This

will give the council the freedom to decide how and where to use the funds. As the situation stands, it is the central government, through the system of deficit grants, which decides how and where to use the funds. This limits the council's freedom to decide on which projects to use the funds.

Thirdly, it is recommended that councils be allowed to employ its own personnel instead of the central government doing that through the Directorate of Local Government's, Management Service. This could be done either through the existing Local Government Public Service Commission or some other structure designed by councils themselves. It is possible that each council could be allowed to employ its own personnel as is the case in countries such as South Africa and Britain. This will allow councils to hire or dismiss personnel according to its own needs. Whilst there might have been good reasons to centralize the employment of personnel, there seem to be credible reasons exist now for the central government to continue to employ personnel on behalf of councils.

Fourthly it is essential that the training of councillors in the main aspects of council activities become a formal and integral component of the central government's assistance to councils. This will help improve the quality of councillors. This is especially so with regard to the area of financial management. Councillors need to be equipped with some basic understanding of public finance, in particular the process of budgeting.

Fifthly it is recommended that the training of local government personnel be accelerated in order to lessen the backlog of untrained personnel, and that training be provided an on going basis since modern government machinery becomes more complex everyday. Tailor-made short-term and long-term training courses, especially the supervisory and managerial levels need to be designed.

In the sixth place, it is recommended that both government and political parties adopt deliberate policies which are designed to increase the number of women in

the councils. This could take the form of reserving some seats for women or parties nominating more women for council elections.

These strategies are not likely to resolve the problem of under representation of women. Firstly, because the dynamics of political mobility of women within the leadership hierarchy must be understood within the context of the party structures within which they operate. And the party structures of Botswana's political parties are designed in such a way that women will find it difficult to obtain majority support for reserving a number of seats for women. For example the executive committees of all the parties are dominated by men who are unlikely to give up their opportunities to be nominated or to be elected as councillors. Secondly, even if more women are nominated and elected into councils, it is likely that those elected will be elected on the basis of their class affinity, for class interests normally supersede gender issues. This will still leave the majority of women who belong to the working class or peasantry outside the corridors of power. Because in a class divided society, class interests and affinities are usually more dominant than gender issues. This is the cardinal principle of class politics.

In the seventh place, it is recommended that the district commissioners should cease to be members of councils since as representatives of central government, they inhibit free discussion in the council. If there is any need for co-ordination, they can be served by strengthening the existing co-ordination machinery between the District Commissioner and the council secretary/clerk. These suggestions can go a long way in improving the status, authority and power of councils. Ultimately their adoption and implementation will depend on the political will of the central government to genuine and relatively autonomous institutions capable of making local governance a political reality. More significantly are that their successful implementation will depend on the balance of class forces. As long as the ruling section of the petty bourgeois class which is in control of central government perceives local government as a potential threat to its interests it is unlikely that it will be interested in strengthening local government. The success of opposition

parties in local government elections, as evidenced by the 1995 national and council elections is likely to deter the ruling Botswana Democratic Party from extending the autonomy of local government. Without that extension local government in Botswana will remain largely an exercise in extending and camouflaging central government control over local government rather than making local government a medium through which communities participate in the decision-making processes which affect their daily lives. Genuine, relatively autonomous local governments are the positories of genuine participatory democracy and local governance. Participatory democracy and local governance express, the notion of power to the people. It should not be assumed that decentralization of political institutions in the form of local government necessarily ensures participation at the grassroots. At the core of politics in a divided society is the notion of class and as such political power is essentially the organized power of one class for dominating another. This class hegemony undermines the essence of decentralization as an instrument for the extension of participatory democracy.

Liberal democrats and scholars have argued and continue to argue that grassroots participation is facilitated by the electoral process. But the electoral process has fundamental inadequacies and as such is unlikely to distribute political power equitably, let alone equally and proportionately. Its effectiveness in translating mass wants and needs to political and social realities is therefore questionable. This is especially so in a class divided society in which the social class relations become structured into relations of representation. Hence legislatures become representative institutions which seat individuals, not "masses" and women.

In addition to this problem, in a class divided society women, workers and poor peasants who are normally excluded from the corridors of power compete with each other unless they are organized. Similarity of class position and gender do not result in solidarity in the electoral process. Thus whilst the rules of liberal democratic electoral games are normally fair, they show no mercy for those who do not win majority representation. This means that for women, workers and poor

peasants to gain control of councils in Botswana, they will need to win a majority votes and this is unlikely unless they vote as a block.

Even if women manage to forge solidarity, they will still have to contend with the problem of inequality of material resources essential for participation in the electoral process. Thus the electoral process in a class divided society such as Botswana, functions to legitimize the political hegemony of the petty bourgeois class. The petty bourgeoisie is able to use the symbolism of voting and other peripheral acts of participation by the "masses" to give credence to their actions and policies. The electoral process is being used to maintain *status quo*. More importantly also, the process has a palliative effect on the "masses" because it assures them that what they say has an impact on policy making and implementation. The argument that the system of local government was introduced to provide opportunities for "mass" participation in the decision making processes is largely untenable in a society riddled with antagonistic and contradictory class divisions.

Whether this political scenario will change and if it does change to what extent, is difficult to predict. What is certain however, is that no historical and political period lasts indefinitely. A new historical and political period always appears on the societal horizon, but it only does so when the old one has created the seeds of its own demise and the political and institutional possibilities of a new one. This entails the ripening of objective and subjective conditions, for without the ripening of objective and subjective conditions no radical transformation of the old political order is possible. So far it does not seem that objective and subjective conditions exist at the moment in Botswana which will serve as the locomotive for the transformation of the system of local government and make it a genuine vehicle for "mass" participation in decision making. Nor do they exist to facilitate the political leadership mobility of women. This is however not to question the commitment of the male-dominated councils to make the system of local government an instrument for "mass" participation, rather to posit that political

change is not a question of the commitment of individuals, but rather of the material conditions. No amount of political and social zeal can transform a social and political system unless objective or material conditions are ripe enough to be ignited into a fundamental transformation process. This is not to suggest that social and political changes in the society are automatic and inevitable, for that would imply a metaphysical rather than an empirical conception of social and political changes. Social and political changes are brought about by the active and conscious involvement of people. It is people who set in motion objective conditions towards a process of social and political change.

In conclusion, it can therefore be generally posited that the content of local government politics has been and continues to be defined by the dimension of class and the class struggles which are being waged between and amongst the different classes. But whether the male petty bourgeoisie will continue to monopolize the control of local government in Botswana cannot be predicted. What is clear, however, is that their continued political hegemony will depend on the balance of class forces between and amongst the contending classes.

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