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Ethnic Structure, Inequality and Governance of the Public Sector in Botswana

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Table of Contents

Introduction.....	1
Language and Linguistic Differences in Historical Perspective.....	3
Ethnic Identity, Tribe and Nation Building.....	9
Ethnic Trends in Parliament and Cabinet Since 1965.....	20
Ethnic Patterns in Party Support and Electoral Behaviour	31
Ethnicity, the Public Service Bureaucracy and the Judiciary.....	44
Sectional Interests and Governance Reforms	61
Women and Youth: Representation and Internal Party Democracy....	63
The Private Media and Freedom of Expression	67
Ethnic Minorities, Group Rights and Cultural Representation	70
Concluding Observations	74
BIBLIOGRAPHY	77

Ethnic Structure, Inequality and Governance of the Public Sector : Botswana Case Study

Onalenna Doo Selolwane

Introduction

Since 1966 when Botswana became an independent sovereignty, the country has been undergoing a stable process of institution building and reform that has given the state a level of legitimacy and moral authority quite rare in post-colonial Africa. Elsewhere¹ I have explained how this process of nation building and consolidation of modern state power occurred in the context of the challenges of the legacy of colonial administration, deteriorating conditions in the world economy, and the growth of civil society. Focusing my analysis mainly on the management of the economy and the political system, I argued that the nature and character of the state in Botswana reflects the outcome of an interplay of sectional interests and structural factors, and that therefore to understand the level of institutional development it is crucially important to examine the roles of both state and non-state agencies in the state building enterprise. For the current discussion I wish to take the argument further and examine Botswana's experience with managing ethnic inequalities in the process of public sector institution building and the consolidation of accountable governance.

The predominant discourse on the role of ethnicity in state building in Africa most often posits multi-ethnicity as a problem or a hindrance that undermines institutional development and is a major source of state failure. This perception has often been informed by the assumption that in Africa ethnic tensions necessarily manifest themselves in violent confrontations that require the use of state coercion to maintain order. Botswana's failure to exhibit these pathological

¹ Selolwane, O 'State-Craft in Botswana: Renegotiating Development, Legitimacy and Authority'

symptoms has sometimes been explained as due to the predominance of one ethnic group over small and segmented minorities [Bangura, 2002, Horowitz, 1991, Holm, 1987]. But most often it has been seen as a time bomb waiting to explode. This for instance was Parsons' position when he argued that the state would in future have to resort to a military solution to suppress people frustrated by their inability to change the situation of ethnic dominance peacefully (Parsons 1994). These positions will be critically reviewed in light of recent public debates and ethnic contestations on nationality and representation.

For even though official policy in Botswana has been to not publicly acknowledge ethnic differences and inequalities for fear of unleashing some primordial genie that the national leadership believed could scupper programs of developing a single national identity, ethnic under-currents have historically informed public policy and decision making. In fact ethnic under-currents have been an on-going subtext in Botswana's state building and modernization program throughout the post-independence era. These undercurrents have occasionally flared up to the surface at certain points. For instance in the late 1960's and early 1970's a group of southerners expressed concern over the apparent tendency for ethnic Kalanga to have favourable access to government bursaries and public sector jobs after someone had spread a rumour that senior Kalanga officials used a selection strategy that was ethnically biased. Some informants suggest that the tensions around this conflict necessitated a public address by the then president against tribalism².

Another major ethnic flare up happened in the 1980's over issues relating to competing interests following policy revisions allowing public servants to enter into

²Personal interview with Dr Gaositwe Chiepe, Ray Molomo, Bias Mookodi, Gobe Matenge and Hugh Murray-Hudson.

private business for property development³. The conflict centered around two major companies competing over pieces of prime property, and also highlighted tense ethnic relations between Tswana speakers and Kalanga speakers in the public service. Recently, there has been yet another major eruption when non-Tswana ethnic minorities, particularly the Kalanga, questioned the legitimacy of maintaining those sections of the national constitution that accorded unequal value to the constituent tribal groups and ethnic identities. By examining where and when these flare-ups have normally erupted and how the conflicts were mediated, this paper intends to demonstrate that these processes of contestation have served both to highlight citizens' confidence in the national governance institutions as well as to strengthen institutional capacity to mediate the conflicting elite interests.

To that end, the paper begins by mapping the ethnic structure of Botswana and problematizing how it manifests itself in key public governance institutions and arenas in terms of representation. This will be followed by an examination of case studies of issues over which there has been open ethnic contestation, social mobilization and public debate.

Language and Linguistic Differences in Historical Perspective.

Linguistic evidence suggests that at present, the people of Botswana can be generally grouped into nine fairly discernable classes of Bantu languages, ten or more Khoisan language groups and one indo-european language group [Hasselbring (2000); Janson, (2000); Janson & Tsonope, 1991]. This means a total of at least 20

³ The two companies at the center of the storm were Leno Holdings [purportedly formed with a deliberate policy to exclude Kalanga] and Land Holdings [formed by nine shareholders, five of who were ethnic Kalanga]. For more detail see Rirchard Werbner, (2002), 'Cosmopolitan Ethnicity, Entrepreneurship and the Nation: Minority Elites in Botswana' in Journal of African Studies vol 28, No. 4 December: pp731-753

language groups. There is a general consensus among linguists and other social scientists that the SeTswana language is the most dominant of all the language groups found in Botswana, with at least 70% of the population identifying it as a mother tongue and another 20% using it as a second language [Andersson and Janson, 2000; Hasselbring 2000; Janson, 2000; Janson & Tsonope, 1991]. Among the minority languages, Kalanga is also readily singled out as a significant language in terms of the proportion of people identifying with it as a mother tongue [approximately 11%] and as a second language. In the Khoesan language group the Naro speakers are estimated to constitute the most significant numbers [Andersson and Janson, 2000].

Table 1 below provides an indication of the various language groups that exist in Botswana today, and the ethnic groups associated with them. Two salient points are worth pointing out at this juncture. The first is that the exact number of languages spoken in Botswana is not absolutely certain due to the fact that for some, it has not been determined whether they are dialects of other languages or languages in their own right. Among the Bantu group of languages, for instance, there has been considerable debate over whether Setswapong, Sekgalagadi and Sebirwa are dialects or languages, and if dialects, of which languages in the mutually intelligible Sotho-Tswana family of languages [Anderson and Janson, 2000; Schapera, 1938; Neumann, 1990]. On the basis on current evidence, linguists now tend towards according these three the status of languages.

Among the Khoisan group of languages debate still continues where to separate languages from dialects. Because there is still quite a number of gaps in the linguistic study of these languages, the scientists still estimate the number

Table 1: Botswana's Linguistic and Ethnic Structure

Linguistic category	Language Family Group	Associated Ethnic Groups	Administrative District
SeTswana	Bantu, Southern	Bakgatla	Kgatleng
		Bakwena	Kweneng
		Bangwaketse	Southern: Ngwaketse
		Bangwato	Central
		Barolong	Southern: Barolonge
		Batlokwa	South East
		Batawana	North West
		Balete	South East
		Bakhurutshe	Central
IKalanga	Bantu, Eastern	Bakalanga	North East/ Central
Se-Birwa	Bantu, Southern	Babirwa	Central
Se-Tswapong	Bantu, Southern	Batswapong	Central
Se-Kgalagadi	Bantu, Southern	Bakgalagadi <ul style="list-style-type: none"> • Bangologa • Baboalongwe • Bangologa • Bashaga • Baphaleng 	Kgalagadi, Kweneng, North West
Shiyeyi	Bantu, Western?	Bayeyi	North West
Otjiherero	Bantu, Western	Baherero/Banderu	North West
Thimbukushu	Bantu, Western	Hambukushu	North West
Sesubiya	Bantu, Central	Basubiya/ Bekuhane	North West
Nama	Khoesan	Nama	Kgalagadi/Ghanzi
!Xoo	Khoesan, Southern	!Xoo	Kgalagadi & others
Ju/'hoan	Khoesan, Northern	Ju/'hoan	North West
Makaukau	Khoesan, Northern	Makaukau	Ghanzi
Naro	Khoesan, Central	Naro	Ghanzi
/Gwi	Khoesan, Central	/Gwi	Southern/Ghanzi
//Gana	Khoesan Central	//Gana	Central/Ghanzi
Kxoe	Khoesan, Central	Kxoe	North West
Shua	Khoesan, Cenral	Shua	Central
Tshwa	Khoesan, Central	Tshwa	Central/Kwenene
Afrikaans	Indo-European	Afrikaans	Ghanzi

Sources: Anderson and Janson, 2000; Hasselbring 2000; Alternative Report of the Botswana Coalition of NGOs for Margilised Ethnic Groups, submitted to the UN Committee on the Elimination of All Forms of Discrimination, August, 2002.

between ten and seventeen. For instance Shua may be treated as having four dialects made up of /Xaise, Deti, Cara, Ts'xa and Danisi, or these may be treated as languages in their own right. Similarly Tshwa is often recognized to have three dialects of Cua, Kua and Tsua or these might be regarded as languages

The second point is that there is uncertainty over the actual number of people associated with the languages and dialects. Given official antipathy towards sanctioning data collection that portrays ethnic affiliation, there are very few reliable figures on the size of these ethnic groups. Scholars are given to extrapolation and guesstimates with such wide differentials that no confidence can in fact be attached to them. This is further compounded by the fact that historically as well as in contemporary times, Batswana are and have maintained multiple and nesting ethnic identities, and constantly migrate and switch identities/languages. Recent linguistic studies have provided several cases demonstrating that people whose parents are mother tongue speakers of one language, may themselves claim a different mother tongue for themselves [Hasselbring, 2000; Chebanne 2002;].

Batibo [1997, 1998] further suggests that while people may take their ethnic identity from their father's line of descent, very often they speak the language of their mothers, which sometimes leads to divergence between social ethnic identity and the identity represented by the spoken mother tongue. Furthermore, among many of the minority language groups, the younger generations are losing allegiance to their mother tongue and adopting mainly the dominant ethnic Tswana identity, as well as other dominant regional or local level languages [Vossen, 1988; Hasselbring, 1996; Smeija, 1996; Batibo, 1996, 1997; Batibo and Tsonope,(eds), 2000]. This process has been accelerated by inter-ethnic marriages, urbanization and certain

development policies which will be discussed in more detail later. For now, suffice it to say that by and large language allegiance is increasingly favouring Tswana. The 2001 National Population Census confirms this trend by showing that 90% of the population claim Tswana as the language they speak.⁴

The languages of Botswana occupy overlapping geographical locations, and thus account for bi- and multi-lingual tendencies in affected administrative districts. The North West District around the Okavango Delta in particular is rich in cultural diversity represented by the convergence of several Bantu and Khoesan language groups over the past one thousand years. The Central District, which is by far the largest district in terms of population and geographical space, also represents a fair amount of cultural diversity from a convergence of several khoesan and Bantu languages. Other districts have at least two Bantu languages plus at least two Khoesan languages. The South East and Kgatleng Districts are probably the regions with the least cultural diversity in terms of the languages spoken.

Of particular relevance to the present discussion is that over time a process of social hierarchization of the languages has emerged in tandem with the social ranking of the speakers of these languages. Generally, all Khoesan languages occupy the lowest social ranking nationally as well as within district communities. The western, eastern and central Bantu languages also command lesser prestige than the southern Bantu languages. And within the southern Bantu group Sekgalagadi, Se-birwa, and Setswapong have lesser social prestige than Setswana, even though these languages belong to the same Sotho-Tswana sub-family and enjoy a high level of mutual intelligibility.

⁴ The manner in which the data on language was collected was heavily criticised for failure to open up the question so that respondents could differentiate between first language and language of choice. It also gave respondents only one choice of language. (Nyathi-Ramahobo and Chebanne, 2003).

The linguistic characters of the Khoesan languages suggest that although they have long historical contacts covering hundreds of years, among themselves they do not exhibit language domination tendencies that often characterize the language contacts with and among the more populous Bantu groups. As Traill and Nagasaka [2000, 14] observed, the pattern of bilingualism between khoesan contact zones is symmetrical and stable in that speakers of contact languages that are mutually unintelligible learn the language of the other for communication. That is, there is no language shift by the speakers, and this helps to maintain language diversity. This has led to Khoesan languages exhibiting much greater diversity and depth than the Bantu languages [Traill and Nagasaka, 2000].

The level of linguistic diversity and concentration also suggests that Khoesan languages have much longer roots in the region than any and all the Bantu languages. Arguably, therefore, patterns of language dominance and the social hierarchization of these languages must have come about with the advent of Bantu migration into the territory. According to Janson [2000; 8] the earliest Bantu migrants into the territory were the Kalanga, who settled in the North East and Central Districts. The Kgalagadi [speakers of Shekgaladi language] , who first settled in southeastern region were probably the next Bantu migrants more than 1,000 years ago. The Wayeyi [ie speakers of Shiyeyi language] appear to have been the first Bantu to settle in the Okavango Delta region where they lived side by side with the Khoesan groups they found in the area.

Approximately 500 years after the Kalanga and Kgalagadi arrival, the Tswana groups also entered Botswana and gradually spread out into various parts of the country: displacing, subjugating or absorbing the earlier groups of Bantu migrants and indigenous Khoesan. The hierarchical ranking of the languages and their speakers seems to have particularly intensified with the arrival of the Tswana as

they were more politically centralized than the other groups. Janson [2000: 8] argues that when they first arrived in Botswana, the Tswana speakers were a minority among many other minority groups, but that over a period of three hundred years, their language rose to majority status in proportion to their increasing territorial dominion over large sections of the country.

Linguistic associations are usually used by scholars to try and map out how people may or may not be related culturally. But they do not tell us how the speakers of the languages under observation define their ethnic boundaries and identify themselves. For purposes of this study however, that self identification is crucially important as it tells us the boundaries within which people may see themselves able to mobilize as a group for causes of common interest. To that end, the next section will discuss the ethnic identities the people of Botswana normally use for themselves in relation to others.

Ethnic Identity, Tribe and Nation Building

In most of Southern Africa people sharing common languages have not always used common names for their shared languages. The Setswana speakers, for instance, have historically named their language and themselves after the various particular individual polities they belonged to. The identity was usually based on the name of the founder leader of the group. In Botswana, the earliest Tswana speaking migrants called themselves BaNgwaketse after their founder leader Ngwaketse. When they later splintered, the seceding groups called themselves BaNgwato and BaKwena after their new leaders, Ngwato and Kwena respectively. And later another splinter group hived off from Bangwato and named itself BaTawana after their new leader, Tawana. Similar trends are found among other language speakers

(eg Ba-Birwa, after Mmirwa). In fact among the Khoesan speakers, some groups do not even have a specific name for their language.

So although linguistically Botswana seems to have one dominant ethnic group [ie. the Tswana], the speakers of that language are segmented into various groups and only began to develop a common identity with the building of the modern nation state. But generally they are still segmented according to the varying political identities that were created earlier when they were building the centralized states that came to be recognized by the British colonial administration as tribes headed by a paramount chief. The Tswana ethno-polities tended to be more centralized and faster growing than other groups as they absorbed migrants or subjugated speakers of other languages.

These subject groups varyingly came to owe allegiance to the Tswana polities. Generally the non-Tswana groups did not have these centralizing tendencies, and remained much more segmented even where they shared a common ancestry and language. They therefore quite easily came to be subjugated by the various Tswana groups: particularly the Ngwato [who subjugated dispersed groups of BaKalanga, BaBirwa, BaTswapong, BaKhurutshe, BaKgalagadi, BaTalaote and various Khoesan], the Kwena [whose subjects included Kgalagadi and various Khoesan], the Tawana [who subjugated WaYeyi, HaMbukushu, BaKgalagadi, BaHerero, BaSubiya and various Khoesan] and the Ngwaketse [who subjugated BaKgalagadi and some Khoesan]. In the 1991 Population Census the proportion of the national population falling within the jurisdiction of these former Tswana tribal states was as follows:- Ngwato, 31%; Kwena, 13%; Ngwaketse, 10%; Tawana, 8% and Kgatla, 4%; There were also three tiny Tswana polities of the Rolong, Tlokwa, and Lete, whose population in 1991 totaled just 4% of the national population [ie less than 2% each]. The total population distribution by District is indicated on table 2.

Table 2: District Population by 1991 POPULATION CENSUS

District	Subdistrict	Population	% national	Former Tribal Polity
Southern	Ngwaketse	128,989		Ngwaketse
	Barolong	18,400		Rolong,
	Total	147, 389	11%	
South East		43,584	3%	Tlokwa and Lete
Kweneng		170, 437	13%	Kwena
Kgatleng		57, 770	4%	Kgatla
Central	Serowe/Palapye	128, 471		Ngwato
	Mahalapye	95, 433		Ngwato
	Bobonong	53, 558		Ngwato
	Boteti	35,459		Ngwato
	Tutume	100,049		Ngwato
	Total	412, 970	31%	Ngwato
North West	Ngamiland South	54, 469		Tawana
	Okavango	36,723		Tawana
	Chobe	14,126		Tawana
	Total	108, 650	8%	Tawana
Ghanzi		23,725	2%	
Kgalagadi		31, 134	2%	
North East		43,354	3%	Various Kalanga
ALL RURAL		1,040,077	78%	
All Urban		286, 719	22%	
NATIONAL		1, 326, 796	100%	

Source: 1991 Population Census

With the ascendancy of the Republic and the institutionalization of equality of citizenship in the mid 1960's, the former Tswana tribal states were transformed into administrative districts subordinated to a nationally elected government. Most still bear the identity of their former tribal names, except the Ngwato state which is now the Central District and has five sub-districts. To understand the significance of ethnicity in the nation-building exercise, it is critically important to recognize that Botswana was highly segmented in terms of how the people identified themselves. The apparently dominant Tswana ethnic group was in fact fragmented into five major and three minor groups that saw themselves as

separate and autonomous. None of them was large enough on its own to have any significant domination over the rest. Rather each existed as an autonomous tribal state that was largely multi-ethnic [in terms of both historical identities and the languages spoken by the tribal citizens] and co-existed with several, fairly autonomous groups under the overarching authority of an external colonial administration. Some of the small, segmented groups had jurisdiction not extending beyond a single village or settlement.

In the run-up to independence the leaders of these fragmented ethno-tribal polities, together a small group of educated elites and a small but relatively powerful group of white settlers, had to negotiate a constitution to which they could all subscribe, and which would enable the transfer of power from the colonial administration. The tribal leaders, who had enjoyed some considerable autonomy under indirect and parallel rule, wanted the hand over of power to be transferred to them as a college of hereditary rulers, with limited accommodation for those without that traditional authority. Not surprisingly, these tribal authorities, particularly the more powerful ones in the former Tswana states, were interested in a constitution that would perpetuate their traditional authority with some minor modification allowing for their collective rule over the entire territory of the British Protectorate [Selolwane, 2002; Fawcus and Tilbury, 2000]. They saw themselves as the legitimate heirs of the polity created through colonial administration.

But across the various tribal and ethnic groups there was a small group of educated elites who were interested in a completely new constitution in which the power of traditional leaders would be subjugated to government based on popular conferment of power and greater participation by people who had no traditional or hereditary power base. These tended therefore to look beyond the contemporary ethnic

structures towards a detribalized nation of equal citizens [Selolwane, 2002]. Many among this small minority had served in the colonial administration while others had served as teachers⁵. The white settlers were interested in the territory being incorporated into South Africa where they could enjoy the continued privileges of institutionalized racism.

But there were a number of subject groups that were very unhappy about their subject status and had much distrust for the Tswana speaking overlords who had subjugated them. In the BaTswana tribal territory, for instance, the Bayeyi had been very restive and were agitating for relief from the oppressive conditions of their subject status under Batawana. But one of their new national leaders, Motsamai Mpho, persuaded them that under the new constitution in the making, they would be conferred the same equality as their BaTswana overlords in terms of individual rights and citizenship [Selolwane, 2002; Edge, 1996]. According to previous censuses, the Bayeyi accounted for a significant majority of all the population groups within the territory in which they had come to be subjugated (Mpho, 1989). It was therefore of paramount importance to such formerly subjugated ethnic groups that the architects of the nation's building should demonstrate a commitment to equal representation..

For Bakgalagadi who had similarly endured adverse subject conditions under Bangwaketse and Bakwena, it was also critical that they be won over by some demonstration that they would be accorded equality and respect in the new constitution and political dispensation. The issue of how to make the new constitution ethnically fair and be seen to accord equality across regions and ethnic groups was therefore also very important for these former subjects. Equally, the

⁵ Before independence the few primary and secondary schools were owned and managed by tribal authorities. Only the teacher training colleges were under the control of the colonial administration..

Bakalanga had endured land dispossession by a British Company and subjugation by the BaNgwato, and were therefore looking for a dispensation that would guarantee them greater protection than they had endured as a subject and dispossessed people. Arguably the ethnic minorities stood to gain greatly from a constitution that reduced the power of the Tswana tribal authorities.

Seretse Khama who combined the representative qualities of tribal leader, educated elite and husband to a white woman, was able to persuade a broad section of the fragmented local elite and leaders of former subject people that they had a common destiny in building a nation state that would a) confer equal status on all individuals irrespective of race, ethnicity, sex or class, b) protect the rights of individuals to private accumulation as well as b) stimulate economic growth that would alleviate poverty for the majority of rural and tribal communities. These interests coalesced into the Botswana Democratic Party [Selolwane, 2002; Fawcus and Tilbury, 2000]. Those opposed to some aspects of Khama's vision tended to precipitate towards political parties that in rhetoric professed to espouse socialist principles and outright rejection of any accommodation of hereditary rulers. Their ideological stance thus repulsed a critical mass of tribal leaders and other elites who were drawn to the potential for personal accumulation that was portended by the Colonial administration's release of state lands and development grants for commercial agriculture.

The constitution that was crafted by these competing interests had certain critical elements of compromise as far as the issue of ethnicity, tribal authority and nationality were concerned. The first one was that while maintaining the former tribal administrative districts and even the tribal names of most, it would transfer major decision making power to elected offices: thus greatly reducing the power of traditional authorities and subordinating them to institutions of elected

government. This assured the former subject people that although still under the local jurisdiction of their former overlords, they were now in fact going to be under a centralized governing structure in which they had constitutionally enshrined equal rights of participation and access both as voters and as potential candidates for government office. This was further buttressed by a commitment on the part of the transitional government, to adopt a modernization agenda whose development programmes would be spread as equitably as practical across all regions where the various ethnic groups had their traditional bases (Selolwane, 2002). In the run-up to independence these were of course promises whose merit would be tested by actual delivery. But it was a testament to the trust people had in Seretse Khama, that went along with this promise, as probably happened in many parts of Africa in the run up to independence.

The second area of compromise was that all the leaders of the Tswana polities were constitutionally recognized as tribal sovereigns with some jurisdiction over particular tribal territory. This gave these traditional leaders the right to be constituent members of the newly created House of Chiefs which would be an advisory body to parliament. These tribal sovereigns would also be ex-officio members of various committees in the districts and settlements which would include officers of the new government: thus maintaining the structures of traditional hierarchies of power, but with less authority than before. Further, in the advisory House of Chiefs where the paramount chiefs of all Tswana groups became members, other ethnic groups with no paramount chiefs would elect representatives to the House on a rotational basis. The chiefs in the North east District for instance, where there was no history of paramountcy, elected a representative from among themselves to sit for a limited period of time in the House. Likewise those in the Kgalagadi and Ghanzi districts. These constitutionally sanctioned tribal inequalities were to become sources of grievance and debate much

much later after the nation building agenda had been consolidated and the promised modernization delivered. But during the crafting of the constitution, this compromise was achieved to accommodate the powerful Tswana even as most of their substantive powers were transferred elsewhere.

Yet another area of compromise arrived at was with regards to the selection of the national language. For purposes of establishing unity and a single national identity, the negotiators agreed on the adoption of Setswana as the national language and English as the official language. This meant that all minority languages would not be taught in school or developed in any substantive ways. By the 1990's this language policy had also become an issue of debate when speakers of minority languages began to question the validity of privileging Setswana at the expense of other languages and cultures. But in the run up to independence where the various peoples did not really have much to bind them together in the enterprise of state nation building, many of the elites from ethnic minority languages believed it was a cultural sacrifice well worth making.

As will be demonstrated by the electoral trends discussed later, Seretse Khama's Botswana Democratic Party was initially given a vote of confidence by a wide section of people who endorsed his government on faith. But to consolidate that faith, the Botswana Democratic Party as Government, chose a development path whose critical selling points were that a] the state would play a leading economic role in resource mobilization and direct investment to provide the wherewithal to modernize the lives of the citizenry and increase their incomes; b] as resources increased, these development funds would be distributed as evenly as practical cross the regions where tribal and ethnic communities lived so as to mitigate against the possible politicization of ethnic inequalities that could be divisive and scupper prospects for national unity. This strategy was adopted at a time when the state did not even

have adequate resources to meet its recurrent budget such as basic payments of the salaries of civil servants. For that, the State relied initially on British grants in aid! The imperative to find a niche for rapid and sustained economic growth was fully appreciated as a critical core of establishing independent sovereignty and winning the people's confidence in the new modern state and its institutions of governance.

The discovery of diamonds soon after independence provided the impetus that would drive the national development strategy. As diamond revenues increased, government focused on a planned programme of building the nations non existent social and physical infrastructure as the foundation of its modernization strategy. The first major investment here was in the building of the national capital which had previously been located outside Botswana. Then against the counsel of its economic advisors, government also launched an rural infrastural programme aimed at bringing the new fruits of independence to as wide a section of the population as possible. Guided by the Accelerated Rural Development Programme and a Rural Development Policy many of the large to medium rural villages were soon provided with roads, primary schools, health facilities, water, government offices and various extension services that brought government to the door step of the rural communities. And over time these programmes have been extended to smaller settlements.

By the late 1979's government followed its infrastructural development programmes with projects aimed specifically at boosting the productive capacity of rural households. These included several programmes for livestock and arable agriculture, as well as other income generating activities. The programmes included direct transfer of grants to help farming households increase their productive assets such as drought power, seeds and fertilizers, as well as support services for

animal health, improved farming methods, and producer/consumer marketing. As well as these there were also programmes to assist rural and farming communities cope with the adverse effects of Botswana's periodic outbreaks of drought and the foot and mouth disease.

Over time, this concrete transfer of public resources earned government the confidence of its citizens. That confidence has been demonstrated by the voters returning the same political party to power in eight successive general elections. This did not mean that the development programmes were adequate or that everybody in fact had access to them⁶. Rather they were more often than not grossly inadequate in relation to the number of beneficiaries within the targeted populations. But they won over people's confidence because they were fairly evenly spread across the regions where they were highly visible and therefore could be appreciated as being available to all within the practical limits of implementation. This point is worth emphasizing in light of the fact that critics of the African state normally perceive the distribution of state benefits only in terms of tribal biases that enhance deep divisions and undermine the authority and legitimacy of the state.

One of the most critical policies that have enabled government to succeed in molding the various peoples of Botswana and bring former subjects and overlords on level footing in the nation building agenda was the provision of education. Botswana started off independence as one of the most educationally backward of the colonial territories of Britain in terms of the proportion of people who had had access beyond primary school. Up to independence, most tribal authorities had to provide their own schools and recruit and pay staff to maintain those schools. A few of the

⁶ On the contrary, they tended to benefit the wealthier people more than the target beneficiaries. And in terms of actual impact on production, that also tended to be negligible. In the end they were effectively welfare programmes for most of the target beneficiaries

larger and wealthier tribal states had done so and were able to recruit and retain teachers on relatively attractive packages. But by and large many families took some time to appreciate the potential value of education and preferred instead to send their boy to cattle posts to look after the family's primary source of wealth. Instead, they sent their daughters. The few who got good passes at the end of primary school had a chance to win the handful or so bursaries for tertiary education that the colonial administration provided in the administrative capital in Mafikeng, South Africa.

In 1965 the transitional government thus initiated a programme of accelerated school development and provision of bursaries which would enable as many Batswana youth as possible to gain an education and build the social infrastructural capacity of the nation. These bursaries were initially limited to students with good passes and limited family resources. But they were later extended to low passes in recognition of the historical inequalities in access to good schools and good teachers, thus vastly expanding young people's access to education. By the 1970s it was thus easier for Batswana youth to go through primary school up to University level as facilities continued expanding and school fees were removed. The even distribution of education has thus ensured that by the late 1990s even the most historically disadvantaged youth from minorities groups in small and remote settlements arrived at tertiary institutions.

Not only has this opened up job opportunities, but their successful academic and professional development has provided the historically disadvantaged with a voice to articulate other areas where Botswana still lags behind in ensuring equality of citizenship. Since the 1980s, and with greater numbers in the 1990s, the educated elites from minorities ethnic groups have been making demands for institutional and legal reform which would accord all cultures and languages equality and equal right

to development. Similarly, women have also questioned historical gender inequalities embedded in tradition and certain legal provisions which made their citizenship less than that of males. These issues of representation and equal citizenship will be taken up later when discussing how they have impacted on governance reforms in the more recent years.

Here the important point to emphasize is that the Botswana state deliberately took a certain path to develop the nation and institutionalize the modern state in a manner that gained it the confidence of the citizenry. Next we examine some of the key institutions of governance with specific reference to their ethnic patterns.

Ethnic Trends in Parliament and Cabinet Since 1965

The institution of Parliament lies at the center of Botswana's representative government and rule based on the popular mandate. Its structure and composition have over time reflected the dominant patterns of power and transformation that have characterized the transition from ethno-tribal political formations to a broader based state-nation. This was also a shift from a predominantly rural population to a rapidly urbanizing society where the divisions between town and country are getting blurred, as are the tendencies for settlements to reflect the dominance of particular ethnic tribal groups. By examining the structure of the ethnic composition of parliament we can get an indication of both the extent to which the various constituent ethnic groups are represented at this level of decision making and the pattern of change in institutional structure, the behaviour of the voters, party political support and political decision making among those who occupy positions of power in both parliament and political parties.

The Botswana cabinet is essentially an outcome of parliamentary elections. But it is composed exclusively of members of the ruling party drawn from parliament. So its ethnic composition largely reflects the internal distribution of power in the ruling party, and therefore indicates what the ruling party sees as the key issues of ethnic balance of power that must be maintained to provide legitimacy and political stability. Except for the president, the Attorney General and Specially elected members of parliament, all other members of cabinet are also parliamentary representatives of constituencies that elected them and are usually candidates affiliated to those constituencies. As will be demonstrated below, the Botswana cabinet has historically excluded some ethnic groups while favouring others. What role has this fact played in people's perception of legitimacy and representation? This is one of the questions this section will address when examining the pattern of ethnic inequalities in parliament, cabinet and the patterns of electoral support.

Table 3 illustrates trends in the ethnic share of parliamentary positions which include elected posts, specially elected posts as well as non-elected seats such as that of the Presidency, the Attorney General, the Speaker and Deputy Speaker [although the last two have often been filled from the elected membership]. I cannot comment on how the distribution compares with the national population structure as the collection of such information has been consistently discouraged by Government. But certain salient patterns in the trends of ethnic composition and representation can be highlighted.

The first observation is that ethnic Khoesan do not seem to have ever contributed any representatives to Parliament throughout the whole post-independence period. This is consistent with many other areas of Botswana's structure of power where the Khoesan speakers are always at the bottom in terms of access and representation. Their position contrasts sharply with the situation of other ethnic

groups who, though originally excluded, have over time, been able to make a presence in Parliament. For instance the Lete [ethnic Tswana], Birwa, Tswapong, Yeyi, and Mbukushu did not have a member in the first two or three Parliaments, but have since been able to participate as successive elections widened representation.

Table 3: Ethnic Composition of Botswana Parliament After Successive General Elections

Ethnic group	1966	1970	1975	1980	1985	1990	1995	2000
Asians	0	0	0	0	0	0	0	2%
Babirwa	0	0	0	3%	2%	3%	4%	2%
Bakalanga	11%	11%	11%	13%	15%	13%	17%	17%
Bakgalagadi	3%	6%	5%	5%	6%	8%	6%	6%
Bakgatla	11%	6%	5%	5%	6%	5%	9%	11%
Bakwena	11%	14%	14%	16%	11%	10%	6%	6%
Balete	0	0	3%	3%	5%	3%	2%	2%
Bangwaketse	8%	8%	14%	13%	13%	10%	13%	11%
Bangwato	22%	25%	24%	21%	19%	30%	21%	23%
Barolong	3%	3%	3%	3%	4%	3%	2%	2%
Batawana	8%	8%	5%	5%	2%	5%	2%	2%
Batlowa	3%	3%	3%	3%	2%	3%	2%	2%
Batswapong	0	0	3%	3%	2%	3%	2%	2%
Bayeyi	0	0	3%	3%	2%	3%	2%	2%
Europeans	16%	8%	5%	5%	4%	3%	2%	0%
Hambukushu	0	0	0	0	2%	5%	4%	2%
Other	5%	3%	3%	0	0	0	6%	6%
TOTAL %	100%	100%	100%	100%	100%	100%	100%	100%
TOTAL NO.*	37	37	37	38	40	40	47	47
% Tswana	65%	72%	70%	68%	61%	62%	57%	61%

Note: * Total number includes elected seats, Attorney General, Speaker and Deputy Speaker (if appointed from outside elected MPs), four members specially elected by parliament after general elections, and the president.

Sources: Hansard of Parliamentary Debates, 1966 to 2000; personal interviews

The Birwa and Tswapong groups were initially represented respectively by a national of Lesotho, AM Tsoebebe, and two ethnic Ngwato, GG Sebeso [for Tswapong South constituency] and MPK Nwako [for Tswapong North constituency]. For the Birwa, this situation continued till the 1989 elections when they elected Mr WG Mosweu to Parliament. Batswapong had their first representation in Parliament when the post of Attorney General was localized by Moleleki Mokama. But elected office only yielded representation when TD Mogami, a former civil servant, joined parliament. With the exception of the Lete, all ethnic Tswana groups have consistently enjoyed some representation for most of the period since the advent of Parliament. But small ethnic minority groups generally only began to participate later with the expansion of parliamentary seats. They were initially represented by the dominant ethnic Tswana group under whose jurisdiction they had been subjected during colonial times. The Asian community has been the latest ethnic minority group to have a member in parliament. Table 4 shows the ethnic groups with the least level of participation in all Parliaments since 1965, while table 5 shows those that have had least representation.

Table 4: Ethnic Groups with the least Representation in Parliament

1965	1970	1975	1980	1985	1990	1995	2000
Birwa	Birwa	Birwa	Mbukushu	Birwa	Birwa	Birwa	Birwa
Lete	Lete	Mbukushu	Birwa	Lete	Lete	Lete	Lete
Mbukushu	Mbukushu	Lete	Lete	Tawana	Rolong	Rolong	Rolong
Tswapong	Tswapong	Rolong	Rolong	Tlokwa	Tlokwa	Tlokwa	Tlokwa
Yeyi	Yeyi	Tlokwa	Tlokwa	Tswapong	Tswapong	Tswapong	Tswapong
		Tswapong	Tswapong	Yeyi	Yeyi	Yeyi	Yeyi
		Yeyi	Yeyi				

Source: General Elections Reports, various years; interviews

Note: The prefix "Ba" has been removed to accommodate information on the table

Table 5: Ethnic Groups with the Most Representation in Parliament

1965	1970	1975	1980	1985	1990	1995	2000
Ngwato	Ngwato	Ngwato	Ngwato	Ngwato	Ngwato	Ngwato	Ngwato
Europeans	Kwena	Kwena	Kwena	Ngwaketse	Kalanga	Kalanga	Kalanga
kalanga	kalanga	Ngwaketse	Kalanga	Kalanga	Kwena	Ngwaketse	Kgatla
Kgatla	Europeans	Kalanga	Ngwaketse	Kwena	Ngwaketse	Kgatla	Ngwaketse
Kwena	Ngwaketse	Europeans	Europeans	Kgalagadi	Kgalagadi	Kgalagadi	Kgalagadi

Source: General Elections Reports, various years; interviews

Note: The prefix “Ba” has been removed to accommodate information on the table

Among the ethnic minorities, the special case of the Kalanga requires commentary here, because they are the only minority to have enjoyed representation as substantive as that of the larger ethnic Tswana groups. This is most probably a reflection of their share of the population. Their share of parliamentary seats has increased from 11% in 1965 to 17% in the Seventh and Eighth Parliaments [Table 3], and, as illustrated on table 5 this has kept them consistently in the top three groups with the largest share of members of parliament. For instance, during the first five Parliaments they were the third most significant group, then they moved up to second position where they have remained since. Although, like other non-Tswana ethnic minorities, they had been subjected to ethnic Tswana [ie Ngwato] overlordship, their early access to education gave them certain advantages that the other ethnic minorities did not initially have.

In the early years of parliament, this enabled the Kalanga to send elected representatives from constituencies in which they formed the majority language group. But by the 4th Parliament, they had begun to make inroads into other constituencies such as Serowe South in the heartland of Ngwato territory [where they were a significant minority] and the more cosmopolitan urban areas. This process was also enhanced by the increase in opposition political party seats: particularly in urban areas. The other minority group to have consistently made a presence in Parliament are the Kgalagadi. Their representation has been very

modest most likely due to their share of the national population. Europeans were quite significantly represented in the transitional years from colonial administration. But their share gradually dropped from almost 20% in 1965 to 2% in 1995 and then faded out in 2000.

The ethnic group with the biggest share of parliamentary seats has been the Ngwato. This dominance partly reflects the large territory under their traditional jurisdiction which encompasses a very significant population [31% in 1991 and 2001]. But even in constituencies where other language groups are predominant [ie their former subject ethnic groups], it is still mainly candidates of Ngwato descent who have persistently stood for and won parliamentary elections. So that in spite of the conferment of equal citizenship to all and the shift to electoral ascendancy to power, there has been a general tendency for non-ethnic Ngwato to fail to break through Ngwato monopoly in most of the constituencies which were formerly subjected to Ngwato rule. This therefore perpetuates Ngwato dominance through elected office, as evidenced by the situation in the Tswapong, Mahalapye, Boteti, and Mmadinare parliamentary constituencies. Only in the Kalanga and Khurutshe constituencies has there consistently been a Kalanga or Khurutshe representative. Similarly, at the capital of the Ngwato tribal territory there has been much more sharing of power with non-Ngwato (usually with Kalanga, but this has also included a Ngwato tribal citizen of European descent, Colin Blackbeard).

Overall, the peak of Ngwato domination was in the Sixth Parliament [1989-94] when they increased their share of parliamentary positions from an average 22% to 30%. This was due to two significant factors. Earlier in 1984 when the Gaborone South constituency fell to the opposition party, that seat was taken by a person of Ngwato descent, Kenneth Koma, who was also leader of the opposition. The seat has remained under Koma since. After the 1989 Elections, one of the specially elected

members brought to Parliament was Ngwato while the other was a Motlale (a group that has been assimilated into the Ngwato) and this further boosted the number of those already elected by the traditional Ngwato constituencies.

Table 6: Ethnic Composition of Cabinet

	1965	1970	1975	1980	1985	1990	1995	2000
European	25%	11%	7%	7%	6%	0%	6%	0
BaKalanga	13%	11%	7%	13%	13%	12%	13%	18%
BaKgalagadi	0	0%	7%	7%	6%	0%	13%	12%
BaKgatl	0	11%	0%	0%	6%	6%	0%	6%
BaKwena	0	11%	14%	20%	19%	18%	13%	12%
BaLete	0	0%	0%	0%	6%	6%	0%	0%
BaNgwaketse	13%	11%	14%	13%	19%	18%	13%	6%
BaNgwato	25%	22%	36%	27%	19%	29%	25%	35%
BaRolong	13%	0%	0%	0%	0%	6%	6%	0%
BaTawana	13%	0%	0%	0%	0%	0%	6%	0%
BaTlokwa	0%	11%	7%	7%	0%	0%	0%	0%
BaTswapong	0%	11%	7%	7%	6%	6%	0%	6%
BaYeyi	0%	0%	0%	0%	0%	0%	0%	6%
Other	0%	0%	0%	0%	0%	0%	6%	0%
TOTAL	100%	100%	100%	100%	100%	100%	100%	100%
Size of cabinet	8	9	14	15	16	17	17	17
% Tswana	62%	67%	72%	60%	69%	82%	62%	58%

Source: Hanzard of Parliamentary Debates, 1965 - 2000

The dominance of the Ngwato, Kwena, Ngwaketse and Kalanga in Parliament (with a total average of 60%) has also been consistently reflected in the composition of Botswana's small cabinet where altogether they account for an average 70% as table 6 illustrates. Europeans, who started off at a quarter of the cabinet during the transition from colonial administration, have declined proportionately over the various parliaments. Not surprisingly, the Ngwato always accounted for a larger share of Cabinet positions than the other three principal participants: the Kalanga, Kwena and Ngwaketse. This ethnic structure of Cabinet warrants commentary because it sheds considerable light on the nature of Botswana's negotiations for ethnic balance of power.

With regards to the Kalanga, as earlier indicated, they are the only non-Tswana ethnic minority to have consistently participated at the top echelons of power with the most powerful of the Tswana groups. As a very significant minority their inclusion in power sharing has been critical to a nation building agenda aiming to be non-tribalistic. They are obviously numerically significant and have been able to field parliamentary representatives from their tribal constituencies [numbering about 150,000 people in 1991] principally from the Tutume sub-district, North East District as well as urban districts. This has warranted inclusion in Cabinet. They have benefited from only three out of seventeen cases of specially elected positions that led to a Cabinet position.

The Ngwaketse present a uniquely interesting case in that historically, the electoral constituencies in their tribal territory have systematically favoured opposition parties, and thereby ensured that within the ruling party there were no popularly elected representatives. But, given the numerical and historical significance of this ethnic group, the ruling party has usually compensated for lack of popularity there by using special elections⁷ to bring Ngwaketse candidates into the Legislature, from where they have also consistently been included in cabinet. The Ngwaketse elected three members of parliament within the Botswana Democratic Party in the first general elections in 1965. One of those was Quett Masire who went on to be Vice President and member of the Cabinet, and eventually became the president in 1980. But after that 1965 electoral support, the next five general elections saw the Ngwaketse switching allegiance⁸ from the ruling party to

⁷ In accordance with section 58(2)(b) of the Constitution of Botswana and its schedule thereto, the President is entitled to nominate four names of Botswana citizens who have attained 21 years and present them to Parliament for election as specially elected candidates

⁸ The Ngwaketse tribal sovereign was strongly opposed to the erosion of hereditary power, and in protest took his tribal constituencies with him to support a rival party.

the opposition Botswana National Front which contested the elections for the first time in 1969.

Ngwaketse participation in parliament on the ruling party card for those five parliaments relied primarily on special elections and presidential incumbency. The following Ngwaketse candidates enjoyed the privilege of special elections:- Quett Masire (1969- 1974 Parliament), Mrs K Disele (1975-79 and 1979-85 parliaments), Archie Mogwe (1975-79 and 1979-85 parliaments), and Margaret Nasha (1994-99 parliament). As President, Quett Masire also enjoyed the privilege of unelected office from 1980 when his predecessor, Seretse Khama died in office, to 1997 when he retired before end of term. All these Ngwaketse specially elected candidates also enjoyed the privilege of cabinet positions: making the Ngwaketse the ethnic group with the largest number of unelected [ie by popular mandate] members of Botswana's highest governing bodies. This has ensured a permanent Ngwaketse presence in Cabinet through all parliaments.

In more recent years the Ngwaketse constituencies have begun to elect candidates from the ruling party, and thus passed on the privilege of special elections and unelected office to other ethnic groups. This has also been helped by the fact that in urban constituencies such as Gaborone and Lobatse, Ngwaketse candidates have in recent years won electoral support.

In contrast to the special privileges of the Ngwaketse, the Kwenya constituencies have consistently supported candidates within the ruling party and have thus maintained a permanent presence in parliament which ensured representation in cabinet as well. They have been advantaged by population size [ie 170,000 in 1991] and their overwhelming support for the ruling party to maintain significant positions in both parliament and cabinet without having to rely on special elections. And in the

past few parliaments the ruling party candidates elected from Kwena constituencies have all headed into cabinet. But the privilege of elected office from these constituencies have been monopolized by the ethnic Kwena to the exclusion of ethnic minorities in their tribal territory: a characteristic they share with their Ngwato cousins.

Of all four key ethnic players in Cabinet, the Ngwato have been the best represented as illustrated on table 6. They have rarely had to boost the level of their representation through special elections because all constituencies under Ngwato tribal authority have habitually returned Ngwato representatives to parliament who were in turn appointed to cabinet. During the 1989-94 Parliament, however, special elections were used to boost the size of Ngwato representation in Cabinet. Generally therefore, the composition of both Cabinet and Parliament has been essentially characterized by the balance of power primarily among the Ngwato, Kwena, Ngwaketse and Kalanga, with other ethnic groups filling in practically on a rotational basis with regards to Cabinet. The dispensation of specially elected positions [up to four parliamentary candidates] has frequently been used by the party in power to ensure that this ethnic balance is maintained: particularly where the general elections might have upset this balancing act as consistently happened with regards to the Ngwaketse candidates.

This political balancing act has never been challenged by any political organization, despite the fact that it has consistently been biased in favour of the four. The reasons for that include firstly, the fact that both the opposition and ruling parties reflect similar ethnic structures in their parliamentary representation. For instance of the cumulative opposition parliamentary seats since 1965, 69% have been occupied by candidates from the four dominant ethnic groups. The main difference has been that in the ruling party the Ngwato rank at the top, followed by Kalanga

and Kwena, with Ngwaketse trailing last, while in the opposition, the Ngwaketse rank at the top also followed by Kalanga, then Ngwato. The Kwena do not even feature among the top four main sources of opposition candidates in Parliament. Instead, ethnic Mbukushu and Kgatla have featured much more strongly for the opposition than Kwena candidates.

In the First parliament when the main opposition party was the Botswana Peoples Party (BPP) there were only three members elected to parliament including one each of Ngwato, Kalanga and Kgatla. In the next two parliaments the main opposition became the Botswana National Front and this change brought with it Ngwaketse candidates while the Kgatla candidates were replaced by those representing the ruling party. A splinter party of the opposition BPP yielded a MoYeyi member for just those two parliaments, after which no more BaYei members were elected to parliament on the opposition ticket. The Mbukushu began to feature from the Fifth Parliament representing the Botswana National Front. But by the Eighth parliament the only Mbukushu elected to parliament represented a splinter group of the BNF. The Seventh Parliament was the first to have the widest ethnic representation in the opposition camp when the Birwa and Kwena came on board for the first time.

The second reason for the silence of the opposition on the ethnic balancing act of the ruling party is that the opposition recognized that the electorate in Botswana came from a history where tribal identities and loyalties had defined political boundaries, and that it was the role of political parties to exploit this historical fact in the process of transformation. Thus for instance the Botswana National Front had no qualms about exploiting the tribal competition for power between the dominant Ngwato and Ngwaketse by handing over the leadership of the party to the Ngwaketse tribal leader, Bathoen II, to counter-balance the weight that Seretse Khama, leader of the ruling party, commanded for the ruling party in terms of votes

in his extensive Ngwato tribal territory of Central District. The pay off was that for successive parliaments after that the Ngwaketse tribal votes remained consistently in favour of the Botswana National Front.

But to have a fuller appreciation of the nuances of the ethno-tribal structure and patterns of representation in elective positions of public institutions we need to analyse not just of the ethnic identity of the individuals who won elections and the parties they represented, but also the voting patterns as a whole and levels of party support in the constituencies. In terms of actual votes cast, and in the absence of specifically ethnic sensitive data, Council elections give us more refined details that allow us to examine the ethnic structure of electoral support. This is particularly so in rural settlements which, while going through radical transformation in terms of ethnic composition, still generally reflect the spatial locations of ethnic communities and thus provide proxy estimates for ethnic identity of polling areas.

Ethnic Patterns in Party Support and Electoral Behaviour

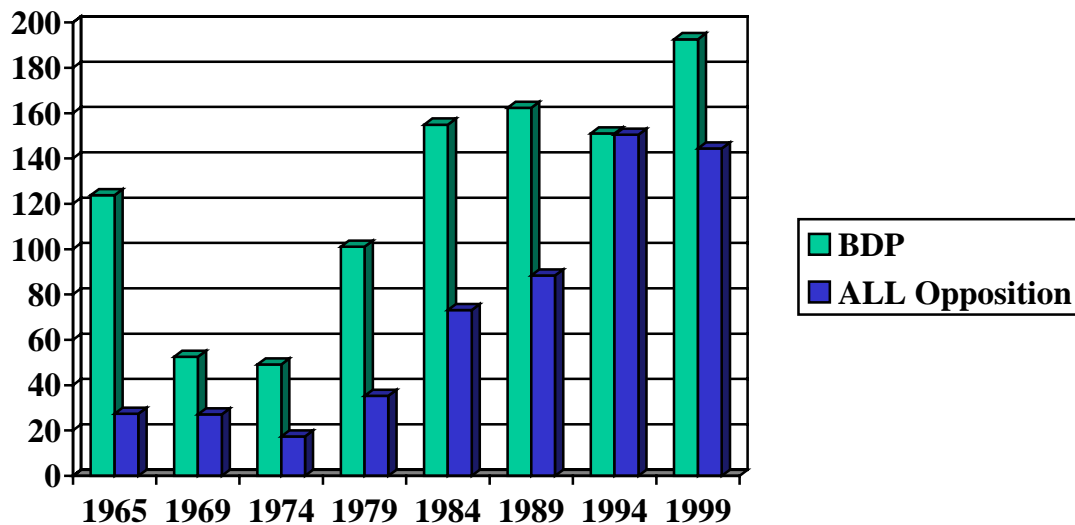
A significant point to note from the outset is that when political parties came into existence in Botswana during the run-up to independence, there was a general distrust of these institutions among tribal communities as they stood to challenge the established legitimacy of tribal leaders and the tribal constitutions from which the chiefs derived their power. This was true for all political parties. As the first national party to be formerly established in the territory, the Bechualand Peoples Party (later Botswana People's Party, BPP) thus came to bear the brunt of that hostility and distrust firstly because it was a political party and therefore alien to customary forms of legitimizing governing power, and secondly because this political party stated very unequivocally its antipathy towards hereditary power. None of its

leaders actually had any link to tribal authority and its associated legitimacy. They were exclusively commoners and therefore perceived as potential usurpers of legitimate authority (Selolwane, 2002). So right from the outset, the party had a crisis of legitimacy at a critical point when it needed to win over the electoral support of predominantly tribal citizens (ie more than 90% of potential supporters were rural and used to the legitimacy of hereditary rulers).

In contrast, when the Botswana Democratic Party later came into existence, it played down its position concerning the eventual supremacy of elected office in the transition from colonial administration to state nationhood. The party never made any commitment to preserving the powers of chiefs, but it was led by a tribal leader of the most significant tribal states. Therefore when the attempt by the tribal authorities to have the colonial administration hand over power to a college of hereditary rulers failed, the chiefs realigned themselves behind the party which was led by one of them. They believed that this party would be more sympathetic to the role of chiefs and therefore accord them a meaningful share of power.

This was a misconception the Botswana Democratic Party was happy not to openly contradict because it would ensure that the support of tribal leaders would translate into the electoral support from their subjects. Table 7 below illustrates the resulting disparity in support between the opposition BPP and its splinter groups on the one hand and the ruling party on the other in the first general elections and subsequently. From the 1980s, the share of the opposition votes began an inexorable ascent which saw them almost on par with the ruling party by 1994. Where was this support coming from and why?

Table 7: Distribution of actual votes between ruling and opposition parties: (Parliament) from 1965 to 1999



In 1965 most of the votes from all tribal constituencies went to the Botswana Democratic Party which won the mandate to lead Botswana to independent nationhood. The main exception was in the Tati and Francistown constituencies where colonial history had resulted in the territory coming under the ownership of a private British company and thus the dispossession of the tribal groups of their homeland. This is where the Botswana People's Party, by appealing to the general disgruntlement of the disposed and urban workers, first found a home: resulting in two members of parliament winning the support of the predominantly Kalanga constituencies. The elected representatives were one Kalanga and one Ngwato. At Council level this support for the opposition was countered by the ruling party when it used special elections to shift the balance of power in its favour. This was a strategy the party used consistently for several years and which earned it considerable distrust among opposition parties. They wondered at the extent to which the BDP might in fact be abusing its position in power to thwart the decisions

of the voters. The next elections took place in 1969 and were generally characterized by exceptionally low voter turn out: most likely on account of the fact that the Botswana electorate was still largely rural and possibly saw themselves as having already chosen their new leaders in 1965, and thereby not needing to do it again as if they had made a mistake the first time. The same pattern repeated itself in the 1974 elections.

A significant fact about the 1969 elections is that one of the most important tribal leaders, Bathoen II, had become disillusioned with the ruling party and had come to realize that he had been mistaken in assuming that it would accommodate tribal leaders in meaningful share of power. Instead, the party had gone about systematically transferring the powers of chiefs to the elected government and its new institutions, thereby reducing the chiefs to advisory leaders and practical civil servants. In a counter move he shifted his allegiance [and practically the tribal votes of his subjects] to a newly established party, the Botswana National Front which promised to give hereditary authorities much greater power within the modern institutions of governance than the ruling party in fact did.

Further, as a result of splits in the Botswana People's Party (BPP) and failure of reconciliation efforts, the splinter Botswana Independence Party (BIP) won enough support from the tribal home of the leader, a Moyeyi, to see BaYeyi representation in the next two parliaments. So for all intents and purposes Botswana's opposition parties in the 1969 and 1974 elections seemed to be polarized into different ethnic homes: the BIP among the BaYeyi, Hambukushu and other ethnic minorities in the Okavango constituency of the North West District, the BPP among the Kalanga of the Tati area in the North East and Francistown districts, and BNF among the Ngwaketse in the south. The BNF also enjoyed enough support among the Kgatla, in their tribal capital near the Gaborone to win a parliamentary seat in that

constituency. But that tribal support was unstable and tended generally to be split between the opposition and the ruling party. Notably, the Kalanga members of this tribal constituency tended to support the ruling party against the general thrust of support for the BNF. Similarly in the North West, support for the BIP was divided, with two out of three constituencies favouring the ruling party and Tawana candidates. Support for the BDP remained national in character, despite varying levels of voter confidence. But it was the apparent ethnic division among opposition parties that led western political observers to conclude that politics in Botswana was influenced by tribal allegiance (Holm, 1987; Horowitz, 1991).

Table 8: Distribution of Elected Seats Between Ruling and Opposition Parties: (Parliament) from 1965 to 1999

Election Year	Total Contested Seats	BDP Elected Seats	Opposition Elected Seats	Per cent opposition seats	Per cent opposition votes
1965	32	29	3	9%	18%
1969	32	26	6	19%	34%
1974	32	27	5	16%	26%
1979	32	29	3	9%	26%
1984	33	27	6	18%	32%
1989	34	31	3	9%	35%
1994	40	27	13	33%	47%
1999	40	33	7	18%	45%

Source: General Election Reports various years.

This was a rather short sighted view of a dynamic situation because as table 8 above illustrates, in terms of actual votes (as opposed to seats) support for opposition parties, particularly the Botswana National Front which took over the position of main opposition, was mounting across the nation: particularly after 1979 when the opposition broke through to more than 30% of the actual votes cast as had happened in 1969. In terms of ethnic representation the 1984 elections were a major breakthrough when the Botswana National Front also won the two

parliamentary seats in the capital town, Gaborone. The party had complained previously that the ruling party rigged elections to ensure winning, but no evidence was ever actually provided or found to substantiate these allegations.

However, in 1984, after the results had indicated that one of the Gaborone constituencies had been won by the ruling party, an unopened ballot box was accidentally found by a cleaner and reported to the authorities. Re-elections were ordered and the constituency was won by the opposition. This incidence highlighted several critical points about governance and politics in Botswana. Firstly it revealed that members of the opposition parties had not always kept themselves as well informed about the electoral rules and as involved in the monitoring processes as the regulations allowed and required. So they had not been vigilant in ascertaining that the number of ballot boxes provided was consistent with the number opened to minimise any possibilities of undue discrepancies. But then too neither had candidates from the ruling party who had less to lose. In the end the opposition were lucky that a cleaner discovered by accident what vigilant, interested observers should have picked up. The mistake seemed genuine as, apparently, the ballot had been used as a seat by one or more electoral officers during the counting and was promptly forgotten and overlooked.

Another significant point about the incidence was that the ruling party did not attempt to cover up the discovery of the ballot box. Instead, the fact was made public and re- elections conducted: thus demonstrating accountability on the part of government. Since then, candidates and their parties have been far more vigilant over the election process and the counting of ballot papers. And with that level of involvement and heightened appreciation of the various aspects of the process, there was demand for an independent electoral commission that would oversee this process with greater impartiality. That did not happen, however, until the

Constitutional Amendment Act no 18 of 1997 which constituted the Independent Electoral Commission (IEC) to be headed by a judge of the High Court and deputized by another legal practitioner, both appointed directly by the Judicial Service Commission.

The 1984 winning of the Gaborone constituencies signaled the beginning of a truly national stature in terms of electoral support for the opposition parties. To start off with, this is where the beginnings of clear class divisions in party affiliation first appear with the opposition BNF appealing to industrial working class communities in the capital city which was rapidly growing and drawing people from all corners of the country. Sixty-five per cent of the Gaborone population is found in the overcrowded, inadequately serviced areas of the city some of which started their existence as squatters that were then upgraded and provided with certain social amenities but no electricity or bitumized roads or standard housing. The BNF got increasingly effective in articulating the issues of income inequalities and substandard living conditions of the lower income groups in their election campaigns. This secured them an electoral hold on to the city that led to increased parliamentary seats due to population increase and the consequent delineation of constituencies.

By 1994 the pattern emerging from votes was that electoral support had now taken on the character of urban opposition and rural ruling party where the majority of voters were still predominantly rural. To get a clearer picture of the changing pattern and the ethnic overtones of electoral behaviour its is easier to do so by examining the community votes at council level (ie local government) polling districts. We will illustrate that behaviour change by comparing and closely examining two electoral years, 1989 and 1999.

As table 9a illustrates in 1989 seventy percent of the rural votes at council level were still solidly in favour of the ruling Botswana Democratic Party. The opposition as a whole commanded just 30% voter confidence, most of which went to the Botswana National Front. In the large Central District (ie former tribal territory of the Ngwato) where 39% of the rural votes were concentrated, the BDP commanded 81% of the votes. The least support was in the predominantly Kalanga district on the North East where there was serious contestation with the Botswana People's Party for the historical reasons advanced earlier. Here, therefore, the votes were split. But already the Botswana National Front commanded respectable support in the rural constituencies of the North West⁹, Ghanzi¹⁰, Kgatleng (former tribal territory of the Kgatla state), Southern (tribal territories of the Ngwaketse and Barolong), and South East (former tribal territories of the Tlokwa and Lete). In these constituencies, electoral support for the BNF ranged from a quarter to 43% of the actual votes cast at Council level.

In the urban districts there was much greater contestation for the votes, but with the opposition BNF commanding a slight edge over the ruling party. In the capital city and the diamond mining town of Jwaneng (ie part of the former tribal territory of the Ngwaketse) support for the BNF was unequivocal at more than 60%. These two urban settlements accounted for 46% of the urban votes. Francistown had split votes mainly between the opposition and the ruling party, with the contest being, as in the rural North East, mainly between the ruling party and the Botswana Peoples Party. In Lobatse and the copper nickel mining town of Selibe Phikwe the votes were very evenly split between the ruling party and the main opposition, BNF. Overall in 1989 the ruling party enjoyed a fairly comfortable 64% of the council votes in all districts while the BNF had 28% and the smaller parties just 8%.

⁹ This is the homeland of the BaYei, HaMbukushu, Basubiya various Khoisan, and BaHerero as well as the former tribal territory of the Tswana State. See tables 2 and 3 in preceding sections.

¹⁰ This the homeland of various khoisan groups, Afrikaans speakers and some Kgalagadi.

Table 9a: 1989 Council Votes and Support for Various Parties by Administrative District

Rural Districts	Total 1989 Votes cast	District Distribution	BDP share	BNF share	Other Parties
North West	22655	12	54%	26%	20%
Ghanzi	4951	3	67%	33%	0%
Kgalagadi	4977	3	74%	21%	5%
North East	7940	4	48%	7%	45%
Central	73917	39	81%	14%	5%
Kgatleng	8226	4	55%	43%	2%
Kweneng	26115	14	74%	26%	0%
Southern	33874	18	61%	35%	4%
South East	6408	3	70%	26%	4%
Total Rural	189063	100	70%	23%	7%
Urban Districts					
Francistown	11525	23	44%	21%	35%
Gaborone	20213	41	39%	61%	0%
Jwaneng	2234	5	38%	62%	0%
Lobatse	6743	14	50%	49%	1%
Selibe Phikwe	8878	18	50%	50%	0%
Total Urban	49593	100	44%	48%	8%
All Districts	238656		64%	28%	8%
%urban	21%		14%	36%	1%

Source: 1989 General Elections Report

Ten years later that pattern had altered very dramatically in favour of the opposition. As table 9b illustrates the BDP support had dropped down by almost 20% points in rural polling districts, bringing that to an average of 58% of the rural votes. Only in the Kalanga dominated North East District had there been some gains of 5% points from 1989. The BDP losses were most spectacular in Kgalagadi and Ghanzi, and very strong in the south East, Kgatleng , Kweneng. The Central District also accounted for significant losses. In the urban areas the ruling party held on to its share of the votes which had experienced decline in earlier times.

Between 1989 and 1999 the loss was therefore insignificant at one percent point. BDP loss of votes was a gain to the opposition block generally, but this was tampered with spectacular splits which made that gain practically meaningless in terms of translation of support into seats.

Table 9b: 1999 Council Votes and Support for Various Parties by Administrative District

Rural Districts	Total 1999 Votes cast	District Distribution	BDP share	BNF share	Other Parties	%BNF &BCP
North West	32244	12	51%	8%	41%	29%
Ghanzi	7703	3	50%	38%	11%	50%
Kgalagadi	11516	4	52%	41%	7%	48%
North East	10549	4	53%	10%	37%	11%
Central	89126	34	69%	17%	11%	28%
Kgatleng	17230	6	42%	34%	24%	58%
Kweneng	43689	16	61%	34%	5%	39%
Southern	43746	16	49%	43%	8%	48%
South East	10024	4	55%	30%	15%	44%
Total Rural	265827	100	58%	26%	16%	36%
Urban Districts						
Francistown	16547	25	45%	19%	36%	37%
Gaborone	28589	43	39%	44%	17%	60%
Lobatse	7607	12	42%	50%	8%	58%
Selibe Phikwe	13273	20	49%	20%	32%	51%
Total Urban	66016	100	43%	34%	24%	52%
All Districts	331843		55%	27%	18%	40%
%urban	20		16%	24%	27%	26%

Source: 1999 General Elections Report

The main opposition, BNF had made spectacular inroads into BDP strongholds and actually translated that into a historical number of seats at both local government and parliamentary levels in 1994. But in the run up to the 1999 elections the party experienced factional splits which led to reversal of the 1994 gains. The 1999

combined votes of the BNF and its splinter faction, the Botswana Congress Party (BCP) shows that they were the net recipients of the BDP rural votes. They increased their rural support by 13% points, with the highest gains being where the BDP lost the greatest volume of votes. Their ascent was only thwarted in the two rural constituencies where minor opposition parties already had a significant voter confidence. These were the North West and the North East: the historical homes of the Botswana Independence Party and the Botswana Peoples Party respectively. In the Central District the combined forces of the BPP and Botswana Peoples Union (one of the old splinter parties) also checked the BCP/BNF advance. Significantly the BNF/BCP made gains in Kweneng, the only former citadel of the ruling party to have consistently rebuffed the opposition.

In the urban constituencies the combined BNF/BCP votes showed a modest incline of 4% overall from the 1989 BNF position. In Gaborone, which had long become the home of the BNF, the combined share of votes did not change at all. But in Selibe Phikwe and Lobatse the BNF/BCP increased their share by 11% points in each town from their 1989 level. In total the 1999 general elections gave the BNF/BCP control of 40% of all votes, which was a significant improvement from their 1989 position of 28% of the votes. This was a clear testament of the support they still enjoyed from their 1994 gains. As already mentioned, this obvious increase in voter support was dissipated by the split. The BNF was left holding just 26% of the rural votes and 34% of the urban votes while the BCP ran off with 10% of the rural and 19% of the urban.

The largest punctures the split made on the BNF were in Selibe Phikwe (loss of 31% votes), Kgatleng (loss of 24% votes), North West (loss of 21% votes) Francistown (loss of 19% votes) and the city of Gaborone (loss of 16% votes) where the BCP took away what would certainly have been parliamentary seats for the BNF had the

votes not been split. The split votes resulted in the BNF losing in all seven of the 13 parliamentary seats it had gained in 1994. The BCP managed to retain only one of these seven seats while the rest reverted to the ruling party. For the electorate, as will be demonstrated later, this was a frustrating state of affairs as their increasing support for the opposition was not yielding significant dividends in terms of parliamentary seats and representation.

The structure of the votes also revealed certain salient features about political participation and representation that are important to underline here. Firstly the structure clearly demonstrates that at local government level where it is easier to read the mood of communities, electoral participation and choice of representation through parties have significantly moved away from the independence era when most voters were still largely tribal citizens and subjects of their traditional rulers. It therefore no longer holds that electoral support for political parties is influenced by ethno-tribal affiliation. Or that certain parties represent or are taken by ethno-tribal communities, to represent ethnic interests. In every electoral community now, there is much more diversity and therefore wider choice of political representation. This fact may be obscured when focus is on parliamentary representation where the number of candidates is too small to capture diversity and difference. But it becomes very obvious when community level votes are analysed.

With increasing population and delineation of constituencies, the ethnic diversity that is characteristic of electoral participation is increasingly reflected in the ethnic composition of candidates winning the parliamentary mandate. For example, in the North West District (formerly BaTswana tribal territory), constituency representation has moved from exclusively Tswana candidates (Tsheko Tsheko and Monwela in 1965) to inclusion of candidates from other ethnic groups. For instance

BaYei candidates like Motsamai Mpho, (BIP: 1969 to 1980), Salepito Salepito, (BDP, 1980/84), Jacob Nkate, (BDP, 1994 to present), and then HaMbukushu like Joseph Kavindama (BNF and BCP, since 1994) and then Rotsi like Bahiti Temane (BDP, 1989 till now). The last Tawana candidate was in the 1989/94 parliament. The 1994/99 and 1999/04 parliaments have been based on representatives from the ethnic minorities of BaTawana tribal territory.

This pattern certainly controverts Horowitz's ascertainment that Botswana elections are merely a question of ethnic demographics that naturally privilege one party. It also explains why ethnic inequalities in parliamentary representation have never been a political issue. Contrary to what Horowitz, Holm and other political analysts assert, the ruling party itself has never been a party mainly for the Tswana speaking ethnic groups. Instead it has historically won support across Botswana's ethnic mosaic, much like the opposition parties have been doing as their share of votes has increased. To that end, as BDP votes decline, what is created is competitive positions rather than a wholesale slide towards the opposition.

While the ethnic question has not been a political issue in terms of parliamentary and cabinet representation in Botswana, the issues of representation and the accountability of state institutions have been on the agendas of several political arenas. Inequality in parliamentary representation, for example has been at the heart of the women's movement which had given political impetus to examining both the internal party politics and processes of selecting candidates. The youth have also taken up issues of elected representation and party leadership with a slant towards those factors that have historically favoured the old and made it difficult for young people to penetrate the echelons of power. As will be later demonstrated these interest groups have canvassed for reforms within the party structures as well as in terms of broad governance practice and openness in state institutions.

In these as well as other arenas there has also been pressure for electoral reforms that would facilitate a closer relationship between votes and representation. This has also meant a critical examination of the extent to which Cabinet and the whole Executive arm of government have in fact been separate from the Legislature. The issue of party representation and how the votes translate into parliamentary seats thus enters into the arena of debate about the extent to which, in a situation where a single party dominates in Parliament and therefore automatically in Cabinet and the whole Executive, there is in fact a separation of the powers that can facilitate proper accountability and oversight. We will therefore examine these issues and their interconnectedness when discussing organizational pressure for reform.

Ethnicity, the Public Service Bureaucracy and the Judiciary

The public service bureaucracy and judiciary are both employment sectors as well as key sites of public governance in terms of policy making and implementation on the one hand, and the upholding of law and oversight on the other. Public confidence in their impartiality and capacity to deliver efficiently relies considerably on the extent to which both recruitment into office and the decision making processes are not biased by arbitrary affiliations. Much of the criticisms that have been leveled against African bureaucracies stem from the fact that far too often these institutions have shown tendencies of favouring some ethnic groups to the exclusion of others, and are therefore not always guided by professional ethics and the ideals of the common weal. In examining the Botswana case, therefore this paper will look at both the ethnic structure of the institutions and how it relates to the delivery of service. Specifically this section seeks to answer the question, "Does

ethnicity influence public decision making in terms of recruitment and public service delivery?"

Botswana started off at independence severely handicapped by a skeletal administrative structure that was a legacy of Britain's indirect rule. Due to the exceptional poverty of this territory, it had been largely neglected and the tribal authorities left for the most part to govern their subjects according to their traditions, and with limited administrative resources from the colonial administration. That situation was captured by the fact that until the decision to move in preparation for self rule, the administrative headquarters of the territory was based outside the country in the South African town of Mafikeng. The construction of the new capital inside the country started in 1964 at the end of which the administrative institution was transferred to Gaborone. Only a handful of citizens had served in the colonial administrative structure in junior positions. So in the run-up to independence, the colonial administration belatedly started planning on training and human resource development aimed at preparing the country for self rule. This had included identifying training needs and increasing the number of bursaries aimed available to train the locals for public service.

According to informants bursaries for university only began to appear in 1962/63. These were allocated by a Bursary Allocation Committee comprising of four white administrators and two locals, viz:- The paramount Chief of Bangwaketse, Kgosi Bathoen II and a coopted member, Mr M Segokgo from the Batlokwa tribal group. In its meeting of 23rd October, 1963 in Lobatse, it was chaired by JA Allison and included a CJ Hunter, LJ MacCarthy the Honanable GW Sim as well as the two locals. It recommended 14 continuing citizen students for tertiary training. Among these students were those destined for early localization of key senior posts in the public sector, viz:- Julian Nganunu (current Chief Justice), Baledzi Gaolatlhe

(current Minister of Finance and Development Planning), S Malope, M Masisi and Ben Makobole. Additionally the committee recommended that three more students should be fitted into a training programme by the Establishment Officer. Among them was another individual destined for high office in the public sector, D Mogami.

The same committee also awarded new bursaries to ten students, most of who would feature in top positions in the public sector from the late 1960s. Among them were G Sekalesele, C Tibone, Sam Mphuchane, EM Matenge, GG Garebabomono, P Bagwasi, J Hulela, BK Setshogo and F Kgotlhane. Almost half of the bursaries awarded by this committee of four white administrators, a Ngwaketse tribal leader and a Tlokwa went to BaKalanga students on the basis of academic performance. This pattern of large numbers of Bakalanga bursary winners would recur several times into the independence period when the allocations were now done by locals. In October 1963, the minutes of the predominantly white committee also indicate that another meritorious student, Ephraim Setshwaelo (Baletse ethnic group), had withdrawn his application due to family circumstances. They recommended that the father be interviewed to persuade him to allow him to proceed for university training, and to enquire from secondary bursaries office the possibility of his siblings being awarded bursaries so that he could be relieved of the burden of helping his father educate them.

When they graduated in the late 1960s, these young locals would form the foundation core of the localization of the senior posts in the public service, the foreign service and the judiciary. In 1963, they were just a small, but critical number of young citizens at the center of a capacity building programme for the governance of public institutions that still had to be constituted. So it was accepted that while they were undergoing training, their new country would have to rely on the experience of expatriate staff supplied through the colonial

administration and paid for by grants-in-aid. The first decade of independence was therefore largely the decade where seniority in the civil service was synonymous with white expatriate males. As table 10 illustrates, in the transitional year of self rule in 1965, this meant that 90% of senior posts were in expatriate hands. In the first year of full independence a number of locals who had served in the colonial administration were given accelerated promotion in recognition of the experience they had gained moving through the ranks under conditions where being black automatically conferred junior position. In 1966 their promotion reduced the share of expatriate positions from 90% to 80%. By the end of the decade, that share had dropped down to 35% as citizen graduates began to come in and go through a process of apprenticeship and relatively rapid promotion, given their lack of experience.

Table 10: Localization of Senior Public Service Bureaucracy Since 1965

Ethnic group	1965	1966	1970	1975	1980	2003
Total Number	45	51	72	97	127	170
Expatriates	40	41	42	35	43	4
Locals	5	10	30	62	84	166
% Expatriate	89%	80%	58%	36%	35%	2%

Notes: 2003 figures include only permanent secretaries, their deputies and assistants, as well as District commissioners and Directors. The bureaucracy has grown very large, with more than 300 posts at decision making level.

Source: Central Government Directories, 1965, 1966, to 1977; Government Gazette various years; Botswana Daily News, 2002, 2003; Telephone interviews; Interviews with various retired and current public service officers.

According to the testimonies of citizen staff who localized these senior posts in that first decade of independence the expatriate staff set a certain standard of professional ethics and management of the public bureaucracy which the new entrants followed and adhered to. Opportunities were availed to those with the right academic background to go for graduate training, especially in fields like law, economics and international relations. This was taken up by Archie Mogwe, M

Sikunyane and Richard Mannathoko, for instance, who would immediately localize the very top positions. The Botswana Training Center was set up to provide locals with training in office procedures. When the first crop of inexperienced graduates came out in 1967 and 1968, they were favourably positioned to go from examination rooms through a quick process of orientation and apprenticeship into senior administrative posts. Not surprisingly, given the number who had won bursaries for university training, the Kalanga began to take a very sizeable proportion of the localized posts as indicated on table 11.

Table 11: Ethnic Structure of Localized Senior Public Service Bureaucracy Since 1966

Ethnic group	1965	1966	1970	1975	1980	2003
Babirwa					5%	3%
Bakalanga	40%	30%	30%	31%	26%	24%
Bakgatla			17%	6%	5%	7%
Bakwena	40%	20%	7%	8%	11%	6%
Balete				3%	4%	6%
Bangwaketse		20%	17%	10%	8%	6%
Bangwato		10%	13%	18%	18%	10%
Barolong				8%	6%	4%
Batlowa	20%	10%	3%	2%	1%	1%
Batswapong			7%	5%	5%	3%
Bayeyi						1%
Baherero						2%
Other		10%	7%	10%	10%	7%
unconfirmed						20%
Total localised	100%	100%	100%	100%	100%	100%
Total number	5	10	30	62	84	166

Notes: 2003 figures include only permanent secretaries, their deputies and assistants, as well as District commissioners and Directors. The bureaucracy has grown very large, with more than 300 posts at decision making level.

Source: Central Government Directories, 1965, 1966, to 1977; Government Gazette various years; Botswana Daily News, 2002, 2003; Telephone interviews; Interviews with various retired and current public service officers

In the first decade, Kalanga share of localized senior posts average 30%, but has since dropped to a quarter. Behind the Bakalanga came the other three ethnic groups who have shared dominance with the Kalanga in terms of parliamentary and cabinet representation. These are the Bangwato, Bakwena and Bangwaketse. As with elected office, these four groups collectively account for almost 70% of the senior posts in the 1970s. Their share has dropped to almost 50% in 2003, with the Kalanga taking the same share as that shared by the other three. The second cohort of ethnic groups with sizeable representation in the top bureaucracy have been the Bakgatla, Batlokwa, Barolong and Balete: all Tswana speakers and collectively accounting for almost 20% of the posts since the 1970s. But all round, there has been a gradual move towards ethnic diversity, at the top. 2003 indicates just how much there has been, even though we have been unable to account for 20% of the posts.

The ethnic bias in favour largely of Bakalanga and secondly of the three former tribal powerhouses, mainly reflects patterns of inequality in education which began during colonial times. In interviews with the early group of civil servants most indicated that at primary school level their education was financed by parents as there were no bursaries available for that level of education. Access to primary school was therefore mainly a product of the capacity of tribal authorities to develop educational institutions as well as the readiness of parents to pay for their children's education. In some cases the parents worked outside the country where educational opportunities were better, and therefore the children had greater access. Most of those who won bursaries for tertiary education passed primary school with first class or very good second class.

This information was corroborated by minutes of various bursary committees in the early 1960s. In all the tribal administrative districts, there was a bursary

committee which identified students to recommend for bursary awards. Minutes of the 1963, 1964 and 1965 committees indicated that these meetings were chaired by District administrators and included the tribal leaders as well as other members. From these minutes it is clear that the committees normally recommended awards for first class and second class passes. In the lists of recommendations the students were arranged by order of priority and their names forwarded to the Director of Education Mafeking for final consideration based on availability of funds. Until the transitional government in 1965, that Director was a white colonial administrator. From 1965, Gaositwe Chiepe, was promoted to Deputy Director, and three years later in 1968 to full director. It was under her directorship that non Kalanga civil servants began to question the criteria of bursary allocations which seemed to favour Bakalanga students disproportionately to other groups.

The Current Speaker of parliament, Ray Molomo acknowledges that someone had spread a rumour that the Kalanga, who held key positions in the Ministry then, were using a strategy meant to ensure higher awards for Kalanga students. He and others confronted the relevant Kalanga officers who have also affirmed that indeed these queries were raised and that upon checking they found that the observation had merit in so far as the proportion of bursaries awarded Bakalanga students were concerned¹¹..

According to the key informants¹² the situation arose from the criterion used: which was academic achievement at secondary school. This was the same criterion that the earlier colonial administration committee had also used. But given the continued bias of that criterion in favour of Bakalanga and those from historically advantaged schools, a decision was then taken that in the spirit of nation building

¹¹ Personal interviews with Gobe Matenge, Bias Mookodi, Ray Molomo and C Murray-Hudson

¹². Including Gobe Matenge, and C Murray-Hudson

and equitable distribution of bursaries regionally, account should be taken of the fact that academic achievement was partly a result of favourable resources. And that students coming from communities where schools were historically scarce and resources limited, would not perform at the standard of those from good schools. Informants suggest that it was decided to treat third class passes from remote schools like Kgalagadi and Ghanzi districts as equivalent to first or good second classes from schools close to the railway line. This policy was later extended to third class passes from all districts. The 1969 bursary lists, for instance, include many students with third class passes from primary schools across all districts. One per cent of those entering secondary school that year would proceed to tertiary education and graduate in the late 1970s to join the rapidly expanding civil service (Selolwane, 1995).

The dispute over bursary allocations was one of the first ethnic flare-ups between Kalanga and non-Kalanga speakers in the public service. According to some of the key players of the time, it threatened to raise ethnic conflicts which the then president, Seretse Khama felt obliged to rebuke in public address to the nation.¹³ Ray Molomo has suggested that after that rebuke the ethnic tensions died down. Most of the senior civil servants of that period who were interviewed attest that when they joined the public service the culture of the environment was that they were expected to serve with a high degree of professionalism and impartiality. Most importantly they acknowledge that in Seretse Khama, they had a leader who demanded integrity and led by example and fairness, and was determined to build a professional public service to serve a united nation.

One example given was that when the older citizens pushed for faster rates of localization and compiled lists of citizens they felt could be promoted, Seretse

¹³ Interviews with Ray Molomo, Bias Mookodi, Ephraim Setshwaelo, Gobe Matenge, Gaositwe Chiepe.

Khama preferred a less radical change and advised caution and patience¹⁴. Those who entered the public then as young and inexperienced graduates given very senior posts, also agree that in their time, they felt the public service was not politicized and that reward was based on merit¹⁵. In fact according to Ephraim Setshwaelo (now leader of opposition Botswana Alliance Movement), the promotion of one officer did not cause much anxiety because people believed that as long as they worked hard as demanded by the president, their promotion was only a matter of time. That collegial and professional environment of the early public service has also been attested by the younger cohorts of graduates who joined the public service in the late 1970s and also rose to the top.

But a glaring gap is that despite access to graduate studies, women have tended to lag behind men in reaching the top. For instance while a number of bright young males who left university examinations rooms in the late 1960s headed straight for the top, their female counterparts have only begun to reach the middle levels two decades later. Most have not even reached the pinnacle of the public service, but have rather been overtaken by younger males from the generation after them. Asked to account for this discrepancy, respondents suggest that it was partly the culture of the day and partly because of the professional careers women tended to precipitate towards. For example most women graduates went into teaching careers while their male counterparts chose administrative and other professional careers. The women themselves also attest to the fact that they had to make sacrifices to enable their graduate husbands to take up offers of promotion which often saw them sent into the diplomatic service. There was also social pressure, they reveal, to follow career paths deemed safe for women.

¹⁴ Interviews with Diphetogo Lekalake and Gobe Matenge.

¹⁵ Interviews with Ephraim Setshwaelo, Lebang Mpotokwane, Sam Mphuchane, and Chris Tiboni.

It has been difficult to follow with precision and analytical depth the trends in the public service between 1980 and 2003 due to the sheer size of the rapidly expanding public bureaucracy and lack of access to comparable directories of office holders such as existed between 1965 to 1982 period. But interviews with current office holders suggests that progression to the top has been uneven and has also slowed down considerably as most top posts became localized by citizens who have till the age of 65 to retire. The Ministry of Education has been fingered as one of those with the least progression possibilities, irrespective of the type of professional degree qualification. Informants have noted that degrees in administration, followed by careers in certain ministries such as Local Government, provide much quicker upward mobility than other degrees and other positions. Localization of senior posts has thus been most rapid in administrative positions, and slower in technical and other professions.

For those minorities who are still relatively insignificant at the top, the climb has become much more competitive and most likely to raise questions of ethnic affiliation and criteria used for determining promotion. For instance in October 2001 when a Member of Parliament tabled a motion asking questions about the predominance of the Kalanga in one particular private company the newspapers reported one former top civil servant arguing that in companies that are headed by the BaKalanga, the majority of the workers are invariably BaKalanga. He reportedly argued that such cases of nepotism should be addressed and the composition of any organization made to fully reflect the country's ethnic diversity [Botswana Guardian, October 12, 2001].

Similar concerns have also been raised against the apparent dominance of the ethnic BaKalanga, in the judiciary. So much so that when Bakalanga made a submission during a national consultative process to solicit ideas on how to amend

the constitution and make it tribally neutral, a group of Tswana speaking nationalists formed an organization through which they hoped to arrest what they perceived as a continuing onslaught of Bakalanga to establish hegemony over the country. One member, Metlhaetsile Leepile, wrote a report in which he not only tried to show how the Kalanga dominate the judiciary, which they do, but also alleged that that domination was a result of plotting and nepotism. And when a referendum was held to change the constitution and increase the retirement age of judges from 65 to 70 years, this was interpreted by members of Pitso ya Batswana as an attempt by the Kalanga to extend their domination and control of the judiciary. The organization tried to dissuade others from conceding to the amendments. And though that attempt failed it nonetheless demonstrated how deeply some nationals felt about the obvious advantages that the BaKalanga have that are much greater than average. For instance in the referendum, the emphasis on higher education qualifications for judges were interpreted by Pitso Ya Batswana as tribalistic given that the Bakalanga are already educationally more advantaged and would therefore be the ones qualifying better than other nationals.

The mid to late 1980s mark a break in the history of the public service in terms of the level of public confidence it had built and its reputation for delivery and quality of service. First there began to emerge a large and increasing gap between national development plans¹⁶ and the actual implementation of the programmes, and this raised considerable concern given the past records of close relationship between Plan and the implementation. Secondly, and against the background of global criticisms of inefficient economic management and public governance by many African governments, the increasing inability of Botswana's public sector to implement planned programmes was being linked by critics to the size of the bureaucracy and apparent decline in meritorious award.

¹⁶ Botswana is in the process of embarking on its Ninth National Development Plan, NDP 2003/ - 2008/9

There was therefore some under currents of citizen disenchantment and loss of confidence in the public sector that began to translate into heavy voter losses for the ruling party. Since Government had historically relied on the professional bureaucracy to provide ideas for development, its apparent failure seemed to suggest a new approach. This led to a national consultative exercise commissioned by the state president to collect ideas from the nation. By 1997 the appointed Task Force produced a report, the Vision 2016 document, which identified what citizens thought was the malaise in the public sector and the society which ought to have been demanding accountability. Some of the short comings included increasingly poor service delivery, lack of proper accountability and general slide towards rewards based on nepotism and other unprofessional criteria which undermined morale and led to decline in productivity.

Within the public service itself, many of those who had earlier risen to top as new graduates and had now served for two decades or more, began to agitate for a change of policy that would allow public servants to engage in private business to realize the national strategy of economic diversification and citizen empowerment. In anticipation of the opportunities such a policy would avail, many in the political leadership and senior civil service grouped themselves into private companies that would buy state land for property development. In that scramble more ethnic tensions threatened to erupt as newspaper reports alleged that one of the main competing companies, Leno Real Estates had been formed with the deliberate intension of excluding people of BaKalanga ethnicity who were believed to have taken more than their fair share of advantage in the public service and other areas of development. A rival company, Land Holdings was formed to ensure that Leno should not monopolize the benefits of prime land. This company of nine members included five Bakalalanga, and was immediately seen by its detractors as a

BaKalanga company. In the end both companies got their share of prime property, although questions were asked about the privileged position the members used as policy makers and therefore insiders.

There were a number of other similar companies, but these did not attract the same level of scrutiny as they were not as top heavy with senior officials as the other two. But public concern over the issue of possible abuse of office for personal accumulation continued to increase as government officials looked for opportunities for property development in many other areas away from prime state land. So much that in 1991 a commission of inquiry was set up to examine the legality of some of the transactions particularly relating to per-urban land on the outskirts of the capital city Gaborone (Botswana Government, 1991). In its report, the Kgabo Commission pointed a finger at two senior politicians and suggested a level of collusion in which ministers of state used their position to get public servants to allocate them land illegally.

By the late 1990s therefore, with voter confidence having dropped to a historical low of 55% of the votes, Government accepted the need for major policy reform in the public sector which had earned itself a reputation for inefficiency, poor delivery of service and long delays.. Some of the ways in which this reputation was been earned include: evidence of wide and increasing gaps between planned development programmes and policy implementation, leading to escalating costs; sub-standard infrastructural developments suggesting poor and indifferent monitoring and oversight; long and slow queues at most points of service delivery: particularly where there is heavy demand¹⁷; frequent and repeated loss or misplacement of files, applications and other documents submitted by members of the public for processing; further compounded by antiquated filing and registry

¹⁷ For instance hospitals, licensing offices, registration offices, revenue offices, immigration, etc

systems; poor maintenance of public infrastructure and facilities; increasing reports of corruption and economic crime as well as the tolerance for multi-level channels of service which allow for private clientelism with public goods and services; increasing levels of tolerance for disrespect for law as evidenced by the mushrooming of squatters which were allowed to persist for years before action was taken to curb them. And the heavy toll of road accidents which suggested disregard for traffic rules. Lastly public servants had come to be seen as complacent and indifferent.

A key strategy in the reform process has been the decentralization effort which is intended to ensure that decision making power and budgetary control are devolved to ministries, local authorities and independent authorities or agencies. For instance recruitment, promotion and disciplining of officers up to D1 grade has been targeted for devolution from Ministry of State President to other ministries (Botswana Government, 2002, 2003). And in each ministry a department has been created to deal specifically with strategic planning and the management of that ministry. This process has been further facilitated by wider institutionalization of computerization of personnel management system to enable ready availability of personnel information needed for strategic planning by ministries and departments. Staff training and recruitment has also been targeted for improvement, and is being complimented by strategic re-deployment of staff which involves some freezing of certain non-critical vacancies and a negotiated transfer of these vacancies to critical areas of need to enable recruitment.

Another key strategy has been institutional reorganization for purposes of streamlining public services and right-sizing government. This has involved the restructuring of ministries to establish, at one level new, ministries such as a) Communications, Science and Technology and b) Environment, Wildlife and Tourism .

At another level certain responsibilities have been or are in the process of being hived off and devolved to newly established autonomous authorities and boards such as the Public Enterprise Evaluation and Privatization Agency (PEEPA); the Public Procurement and Asset Disposal Board (PPADB), the Botswana Export Development and Investment Authority (BEDIA), the Botswana Tourism Board (BTB) ; the Civil Aviation Authority and the Local Enterprise Agency (LEA)]. The LEA and BTB, for instance, are being established on the basis of the reorganization of the Ministry of Trade, Industry, Wildlife and Tourism whereby policy formulation and monitoring will be retained by the ministry while implementation devolves to the new agencies as autonomous implementing bodies. Consideration has also been given to establishing unified revenue service by merging the existing revenue collecting departments into an autonomous authority.

At yet another level internal restructuring and reorganization is taking place within units of ministries, such as the AIDS/STD unit in the Ministry of Health, the merger of work and residence permits in Labour and Home Affairs, and the reorganization and rationalization of the service Departments of Architectural and Building Services [DABS] and Electrical and Mechanical Services [DEMS]. These departments have been merged. The purpose of such restructuring and reorganization is to enhance effective and accountable management, raise productivity and increase efficiency in service delivery. Other efforts that have been made to enhance accountable management include the adoption of policies and practices for financial discipline such as cost-cutting and cost recovery measures; the strengthening of accounting process of Local Authorities by introducing computerized accounting systems; the introduction of performance management system and performance based pay. The devolution of strategic planning to departments and ministries is similarly meant to encourage accountability and efficiency in their management responsibilities.

The ministries are also formulating and adopting various policies that will give meaning to their reorganization and restructuring exercises and thus improve their capacity to provide timely, effective and efficient implementation of regulations, procedures, policies and services, as well as infrastructure. This involves reviews of some regulations and policies, revisions of regulations and regulatory liberalization. For example regulations governing the delivery of water, energy, works, transport and communication have been revised and liberalized to enhance efficiency. This process has been complimented by computerization and relevant staff training in most of theses service departments and units as a way of modernizing customer services. The computerization of border-posts and passport issuing centers as well as the introduction of machine readable passports are some of the ways in which the relevant service providers are trying to improve the quality and efficiency of service delivery.

In recognition of the important role the public sector must play in the provision of infrastructure in a developing economy, Government has maintained the responsibility for the development and maintenance of strategic and basic infrastructure. With regards to the ideals of Vision 2016 however, it is recognized that such provisioning must now be more rationalized, cost effective and complemented by efficient maintenance and upgrading of existing facilities. Key among the strategic infrastructural developments are the upgrading and expansion of telecommunications, transport, electricity and water. To that end Government has embarked on the modernization of the telecommunications network so that it could handle voice, data and video on a single network and with facilities that meet international standards. There is a recognition that such infrastructure is critical to enhancing Botswana's competitiveness in trade and tourism as well as for enhancing productivity and efficient and effective delivery of services. It is

particularly necessary for supporting the International Financial Services Center, enhancing the as yet under-exploited tourism sector, providing ATM connectivity across financial institutions and generally facilitating improved delivery of financial services.

Other key infrastructural developments are focusing on expansion, upgrading and maintenance of educational and training facilities (eg. brigades, technical colleges, senior secondary schools and special education), health facilities, national parks and game reserves, agricultural facilities, factory shells and other facilities specific to sectoral development. To that end, Government has deliberately financed these strategic developments through budgetary deficits as a temporary short term measure to be followed by stricter budgetary restraint (Botswana Government, 2002, 2003). Government has also embarked on a strategy to improve the coordination and efficiency in delivery of service and projects as well as a comprehensive plan to eliminate the maintenance backlog. To finance the construction and maintenance of such infrastructure, user charges have either been introduced or increased to augment cost recovery levels.

With regards to creating an enabling environment for private sector development, one of the key instruments has been the adoption of a privatization policy by which government intends to implement an organized transfer of ownership and control of most profit parastatal corporations to private business or business partnerships. The other has been the creation and consolidation of various programmes to enhance access to finance and credit, markets, information and technology. For instance the Local Enterprise Agency (LEA) is mandated to provide training and mentoring support to local enterprises and to coordinate the activities of Integrated Field Services, Small Business Agency and Enterprise Botswana. BEDIA and BDC are responsible for intensifying efforts to promote investment while the

Local Economic Development Initiative programme has the responsibility of identifying and harnessing resources and opportunities needed for stimulating sustainable economic development at local level.

The ministries have overall responsibility to implement appropriate policies, strategies and programs such as provision of requisite good quality infrastructure, maintenance of macro-economic policy that is conducive for private sector initiatives, increasing labour productivity through human resource development and encouraging the development of science and technology. To that end Government has introduced various citizen empowerment schemes such as the policy on Small Medium and Micro Enterprises, Citizen Entrepreneurial Development Agency (CEDA), the Revised National Policy for Rural Development, the Industrial Development Policy etc. Government has therefore clearly demonstrated its commitment to the development of the private sector as a key economic actor. This commitment is further underlined by the regular annual meetings between the leaders of the business community and the top echelons of public policy making. These meetings have now become a regular event at which the private and public sector jointly map a way forward and review the environment of enabling and disabling factors. This leads directly into policy re-formulation and fine tuning.

Sectional Interests and Governance Reforms

In the first two decades after independence, the Government of Botswana tended to be very suspicious of sectional interests and their potential to divide a nation that was still in formation. Given also the considerably large mandate that the ruling party had won from across the ethnic spectrum in terms of the share of votes, government also tended to see itself as the only legitimate authority to determine what was in the best interests of the nation. The fear of being derailed

from its lofty agenda of developing a united nation and a government for all was reflected, for instance in the tendencies to use special elections (ie where its parliamentary majority could vote for additional members or the cabinet Minister responsible for Local government could nominate additional members to district councils) to change the verdict of general elections in the few cases where the votes had gone in favour of the opposition. It was also evident in the 1970s when government repressed the industrial strikes of trade unions in the mines where the state was a major shareholder. The labour laws were also aimed at ensuring minimal disruptions of production through labour unrest.

To a very significant extent, the state was able to get away with such undemocratic behaviour because the large majority of the citizenry at the time was still traditional in orientation and had a high degree of respect for legitimate authority and tolerance for what was deemed minor indiscretions. Even among the small educated elite, the state as a major source of employment provided a site around which interests coalesced since alternative opportunities were practically non-existent. There was therefore also a tendency for silence against government actions for which account should have been demanded in accordance with the ideals of the constitution and the principles of liberal democracy.

But after two decades of rapid economic growth and redistributive development management, the educational system had produced a critical mass of educated and youthful citizens for who modernity, urban life and the principles of liberal rights and freedoms were taken for granted. They were much more questioning, therefore than the older generations. Further the environment for questioning the behaviour of government and the efficacy of its decisions was assisted by the fact that it had become clear that government was fallible and no longer a miracle performer. The increasing difficulty of creating more employment and achieving the goals of

economic diversification had become too apparent to both government officials and the citizenry. In that atmosphere a number of sectional interests began to manifest themselves more overtly and mobilize in non governmental organizations in order to make an impact on policy direction and change. In this section I will quickly review a few of these sectional interests and the impact they have made on the reorientation of political behaviour and governance reforms. The examples used here will be the women's and youth movements and their demands for expanded democratization in political institutions; ethnic minorities and their struggles for group rights and equal representation; the private media and its struggle for openness and information sharing.

Women and Youth: Representation and Internal Party Democracy

Botswana women began to seriously interrogate the extent to which their citizenship was accorded equality with that of men when some young academics studying law began to appreciate the incredible powers that were conferred on married men over their wives. But the catalysts for social mobilization was specifically the amendment of the Citizenship Act which sought to erode women's rights further by taking away their rights to pass on their citizenship to their offspring if they were married to foreign nationals. No such provision was made for men married to foreign nationals because it was believed that only men had a right to pass their citizenship to their children. Attempts to lobby against the discriminatory content of this law were met with resistance by the law establishment which saw this law and other legal enactments as enshrining certain traditional values and customs that the national constitution had also sought to protect. The ensuing debate highlighted certain contradictions in a constitution that sought to both confer individual rights and freedoms equally on all citizens,

but also protected traditional and other conventions that undermined the very liberal freedoms that guaranteed the integrity of democratic practice.

Simply put, the laws of the country conferred on men the right to be sovereigns in their private lives and liberal democrats in the public lives of politics and public decision making. For women the same laws conferred the status of minority subjects in their private lives but also expected them to be able to exercise in public lives liberal rights and freedoms conferred on all. What the law makers had failed to appreciate, which the women's lobby was trying to expose, was the direct link between the private lives of minority status and the public life of liberal democracy. That is, they tried to show that the minority status conferred on them in fact also affected the extent to which they can exercise their liberal rights. The laws gave husbands sole control for instance over family property, which had a direct consequence for how women could fund political careers if they wanted.¹⁸ The Botswana Government only conceded to the review of all laws affecting the status of women after the case was tested in Court to determine just how much in fact Botswana's liberal laws and freedoms applied to women.

The case also encouraged women to go farther than asking for legal reforms. The campaign was redirected towards ensuring that in the law making establishment women had representation while demanding various other changes in governance that affected their private and public lives. In the early 1990s they began a social mobilization campaign aimed at both political parties and government, as well as the

¹⁸ For detailed discussions see Selolwane, O (1998), "Equality of Citizenship and the Gendering of Democracy in Botswana" in W. Edge and M Lekorwe (eds) **Botswana: Politics and Society** (JL van Schaik, Hatfield); Selolwane, O (1997) "Gender and Democracy in Botswana: Women's Struggle for Equality and Political Participation" in MC Lee and G Nzongola-Ntalaja (eds) **The State and Democracy in Africa** (Print Holdings, Harare), Selolwane O.(2001) "Civil Society, Citizenship and Women's Rights in Botswana" In Shirin M Rai (ed), **International Perspectives on Gender and Democratisation**: Basingstoke and London: Macmillan Publishers.

ordinary citizenry the majority of who were women. The content of this campaign was that political parties and government should make specific commitment to enhance the status of women in Botswana society and thus be held politically accountable to those commitments both during their canvassing of the mandate to rule and after they have been voted into power by the female majority. Equally the women leaders realized that political parties had been able to get away with disregarding women because the female electorate had not appreciated the bargaining power the vote conferred on them. So part of the social mobilization campaign targeted the female electorate with the aim of making these voters appreciate the link between the vote and the decisions made by those that that vote put in government. A centerpiece of the national campaign was the production of a Women's Manifesto, the first of its kind on the African continent, which spelt out in specific details the advantages women suffered and the forms of redress they demanded. This document became a reference point for negotiations with political leaders and resource tool for women activists to have readily available information at their fingertips.

The women's campaign thus radically changed the face of politics away from the genre of oppositional confrontations to cross party political demands; and from an exclusively male activity for political parties, to one where the voters were engaging with the parties and setting the political agenda. In the process it also revealed the extent to which within the political parties democratic practice was indeed in serious deficit. For as women campaigned for greater inclusion in party structures as a means to access the Legislature, they discovered that all the political parties were tightly controlled by the executive committees, and internal elections for both party structures and identification of candidates to contest the general elections, were not open and free for the participation of all members. So having won the initial concession from all parties to get a few women candidates

through the rites of passage to the general elections and into the Legislature in the 1994 elections, the women then turned their full attention immediately to the process of democratization within political. The belief was that if political parties indeed allowed free and fair elections within, this would create more opportunity for women candidates and female voters, thus greatly increasing the chances of better representation for women.

As a result, there has been a continuing process of political reform within Botswana's political parties. So that despite considerable resistance and increasingly fierce competition unleashed by a widening of participation, the direction of change is towards greater democracy and public ownership of political parties. This has also been assisted by pressure from youth who got frustrated by the tendency for the old guard to play musical chairs with positions within the party, and in the selection of candidates for the Legislature. Their campaign for opening up contestation for office resulted in the introduction of limited terms for office, and securing the youth wing of political parties in fact for the youth. The women on the other hand had managed to wrest the Women's Wings from the wives of party leaders and turned them into sites for mobilizing in the interests of women as voters and potential candidates.

These contestations also revealed yet another side of the weaknesses that had prevailed in Botswana's political system un-remarked on. And that was that the existing electoral system was not sufficiently sensitive to change in voting patterns. Since the 1980s and with greater emphasis in the 1994 and 1999 elections, a sizeable proportion of the votes cast had shifted in favor of the opposition parties without making much of a dent on the structure of the Legislature and political representation. For campaigners who needed the vote to send signals for which there would be immediate response, this was a serious flow

that could frustrate instead of enhance respect for democratic competition. There has therefore been increasing interest in overhauling the winner-takes all system and replacing it with one that would be more voter sensitive, and thus reduce the anomalies where almost half the voters go without the representation of choice on account of being a few numbers short. The example of Lesotho¹⁹ where the same system resulted in one party winning all seats and 25% voters going without representation and therefore turning violent was a reminder of the frustrations that can build up when an electoral system is perceived to be unjust. Among the member states of the Southern African Development Community (SADC), issues of electoral reforms and strategies for consolidating democracy have thus been placed very high on the agenda.

The Private Media and Freedom of Expression

The private media also emerged in the mid 1980s to play a role that Zaffiro (1989) said, reflected an increasingly competitive party system in which news media had come "to serve as important non-traditional mechanisms of national political acculturation, providing new political language and unifying images of public interpretation of threatening political and economic problems". Unlike the state media which had a tradition of simply reflecting government information, the private media has been much more critical and has positioned itself to inform the nation on matters it deemed required public scrutiny and debate. In the late 1980s when senior politicians and public officers began to position themselves as the primary beneficiaries of privatization policies they developed as government, the whistle was blown by the private press which interrogated the ethics of that

¹⁹ See for instance Khabele Matlosa, "Electoral reforms and Political Stability in Southern Africa" Paper prepared for the Training Workshop on Election Observation, SADC Parliamentary Forum, Windhoek Namibia, 18th – 22nd September, 2000.

process and demanded openness in the dealings and the identity of the beneficiaries (Selolwane, 2002, Makgala, 2004).

The media took the lead in exposing irregularities in award of tenders in which high ranking officials stood to gain and illegal land transactions where ministers of state had used their office for personal gain, thus inviting comment and debate by members of the public and demanding accountability on the part of the nation's leaders. Among some of the exposés included the extent of mismanagement and corrupt practices in parastatal organizations such as the Botswana Housing Corporation where both the ministers and civil servants had used the parastatal for personal advantage, and the abuse of the National Development Bank (NDB) by government ministers who accumulated huge loans from the bank but were unwilling to pay back, thus nearly driving the bank to bankruptcy. Not surprising this public exposure to which public officers were not accustomed caused considerable anxiety among leaders who had built an international and national reputation for sound public governance and integrity.

One impulse was to muzzle such over exposure through legislation and withdrawal of advertising patronage: particularly for those papers that government officials felt had crossed the line between respect for the leadership and freedom of the press. The other impulse, which became more pronounced with increasing factionalism within the government and ruling party in the era of privatization and transfer of government resources, was to use the media to expose competing interests within government. In a paper presented at a University of Botswana staff seminar in February 2004 Makgala argued that since the 1990s the ruling party has forsaken its old tradition where internal squabbles were resolved within relevant structures and suggested that aggrieved members have now taken to airing their squabbles publicly at rallies or through the private press.

Amidst threats of legislation to bring the private press to book for what is perceived by government as recklessness and lack of respect for the rights of those in power, the media has fought vigorously to defend freedom of the press and of expression. In 2002, for instance the Botswana Chapter of the Media Institute for Southern Africa (MISA) carried out a survey²⁰ on people's perceptions of freedom of expression. The intension of the survey was to establish the extent to which freedom of expression is accepted and institutionalized as a democratic value in Botswana. And among the questions asked were issues relating specifically to what should constitute guiding principles in news reporting and how much freedom the editors of most information providers actually had. Besides soliciting people's perception, the survey was also intending to identify strategies for enhancing press freedom.

In a land mark case where the Botswana government had instructed all state departments and parastatal organizations to stop advertising in two newspapers that were felt to be too aggressive in their criticisms of officials, the affected newspapers took their case to Court on the grounds that this was a blatant attempt by the state to silence them. The presiding judge found in favour of the papers and reminded government that like every other legal entity, they had a right to seek relief from the courts if they felt aggrieved, rather than use state power to muzzle differences of opinion. The government was ordered to reinstate advertising in these papers and to pay all the legal costs (*Government of Botswana, Botswana daily News*, 18th September, 2001).

²⁰ Nyamnjoh, Francis, Ntonghanwah Forcheh and Modise Maphanyane (2002) "Survey on the Level and Perception of Freedom of Expression in Botswana" Gaborone, Media Institute of Southern Africa: Botswana Chapter.

The Judge conceded that government had a right to withdraw patronage where it had bought advertising space in any paper, but emphasized that that should not be done in order to demonstrate its displeasure at what it considered irresponsible reporting and excess of editorial freedom. The judge also explained that " It is the press which in many occasions has been in the forefront in the fight against abuse of power, corruption, dictatorship and other ills like blatant disregard of the rule of law committed by those that govern" (Botswana Government, **Botswana Daily News**, 2001) and that therefore the courts of law must jealously guard their freedom of expression.

As Fombar, (2003), observed, the tradition of rights consciousness that is embodied in Botswana's legal tradition provides an avenue for citizens to express their grievances against the state by resort to the courts. The Botswana media as well as other citizens have in recent years and with increasing frequency due to greater awareness, resorted to the courts to seek relief against government actions or even unfair legal enactments. And in so doing they have helped to concretize the liberal laws and democratic principles that are enshrined in the constitution while at the same time also defining the limits of the power of the state and concretizing plurality. That course of action has been used for instance by ethnic minorities in specific instances where they wanted to pressure government to concede to reform and broadening of representation of cultures and rights.

Ethnic Minorities, Group Rights and Cultural Representation

Early in Botswana's parliamentary history the opposition parties had unsuccessfully tried to persuade government of the need to amend certain sections of the constitution relating to definitions of who constitutes a tribe and therefore the

powers of their chiefs of those groups and their right to representation in the House of Chiefs. When the Botswana National Front, for instance, tabled a motion in Parliament calling for a constitutional amendment [Hansard, 1988] the motion was rejected by the ruling Botswana Democratic Party on the grounds that a) it had been tabled as a political ploy, and not in good faith; and b) it was divisive and would raise tribal animosity; and c) there was no need to provide group rights when the constitution guaranteed equal individual rights and freedoms as a fundamental principle. Government believed that with such guarantee and active protection, no citizen could ever suffer discrimination or be deprived of their rights on account of belonging to a particular ethnic group.

But in 1990s however, the issue of just how far individual rights in fact protected all individuals equally when the same constitution also seemed to protect the group rights of others by protecting their cultural heritage became major points of debate. The situation of the Khoe speaking San for instance, indicated that despite efforts to extend equal access to the fruits of development, they invariably always lagged behind other groups in all areas: including political representation, economic development, access to the courts and legal security, etc. In fact what was becoming apparent was that the very notion that they could be served the same development dish as everybody without taking into account the historical and cultural factors that had led to their subjugation and continued to exclude them from contributing to decision-making undermined the chances of attaining equal development²¹.

For instance Botswana's Bantu customary laws differed very fundamentally from the principles and procedures of San customary laws which were founded on

²¹ Boko, Duma Gideon (2002) "Integrating basarwa under Botswana's Remote Area Development programme: Empowerment or marginalization?" in IN Mazonde, ed, **Minorities in the Millenium. Perspectives from Botswana** (Gaborone: Lightbooks)

egalitarian rather than hierarchical values. Marriage according to the dominant Bantu ethnic groups involved processes whereby marriage was validated by an exchange of animals and the children's affiliation transferred from the mother's family to the father's family. The egalitarian Khoesan traditions in contrast, recognized the rights of children to have equal affiliation to both sides of the family and therefore to have freedom to choose domicile and change it as they willed. This apparently simple difference meant that since only the Bantu traditions are recognized by the numerically superior Bantu ethnic groups, ethnic San suffered enormously from non recognition of the validity of their unions as well as the affiliation of their children.

Their rights, in case of disputes involving inter-ethnic marriages could therefore never be upheld or protected by courts that did not even recognize the validity of such laws²². And the situation would be further compounded by the fact that the language of communication in the courts is invariably the language of the dominant group to which San communities often do not have sufficient command to enable competent exchange in formal communication (See for instance Hasellbring, 2002). Miscarriage of justice was therefore inevitable for Khoesan people as was tragically highlighted by a case where two young San males were sentenced to death after a murder trial where they had not had competent interpreters.

Similarly the customary legal definitions of land use rights and territorial boundaries were heavily stacked differed fundamentally, were heavily stacked in favour of the customary laws and land use practices of the Bantu ethnic majorities. This resulted thus in considerable loss of rights for all San communities. Government's policy of even-handed development programming means that the San's

²² For a detailed discussion Molokomme, Athaliah, et al: (1998) **Report on A Review of the Laws Affecting Women in Botswana** Prepared for the Women's Affairs Department, Ministry of Labour and Home Affairs, Botswana Government, Gaborone

development programmes entail removal from the few remaining ancestral lands to areas where they could be availed with what is defined as proper development, but which the San often see as assimilationist policies which invariably leave them even poorer. At a recent International Conference on Khoesan Development at the University of Botswana (September, 2003) San delegates accused government of trying to make them cattle owners at a time when the cattle herding ethnic groups are being encouraged to venture into natural resource based commercial enterprises and tourism. They argued that their historical economic strategies are based on natural resources which they are now being pushed out of.²³

For Khoesan, the national language and education policy which recognizes Setswana as the only national language that should be used in schools and formal public meetings, has also been recognized to undermine the rights of San youth to equal access education²⁴. In recognition of the inequalities perpetuated and exacerbated by development programmes, policies and laws that attempt to equalize citizens using the Bantu situation as a standard marker, there has been much political mobilization to bring light to the negative consequences of not recognizing and respecting groups rights and different cultures equally.

Together with other ethnic minorities, the Khoesan have lent their voice to demands for constitutional amendments that would confer equality among all ethnic groups and their cultures. The call has been given considerable weight by the involvement of the politically and economically powerful Bakalanga. So that it was a Bakalanga Member of Parliament for the ruling party who in 1995 tabled a motion calling for the amendment of the three sections that refer to chieftainship and

²³ Roy Sesana, San Juman Rights leader and activist.

²⁴ The problem has been identified as partly a factor of having to acquire literacy in a language foreign to the children, and partly the cultural baggage that comes with school instruction and curriculum which derogates San culture and San people.

tribal representation. This time the motion was carried, and after much discussion, Parliament mandated the setting up of a Commission to solicit the views of the public on how the constitution could be amended to make it tribally neutral. This led to public debates which for the first time in Botswana, were carried out openly after years of suppression of such for fear of stoking ethnic hatred. Arguably, this was because the nation building enterprise had become a secure reality and the leaders were now confident that issues of ethnic inequality could now be examined without endangering the state nation or undermining the legitimacy of governing institutions.

For the ethnicity and representation debate, a land mark court case was one brought by Bayeyi under the Kamanakao Association. The Bayeyi wanted the courts to pronounce on whether the sections effectively perpetuating their minority status in relation to the Batawana were democratic and in the spirit of the principle of equal rights. They also wanted the courts to pronounce on the sittings of the House of Chiefs as unconstitutional while they excluded the tribal representation of some groups like themselves. While the court found in favour of them with regards to the principle of equality, the judge also pronounced that the courts had no jurisdiction to dissolve the House of Chiefs.

Concluding Observations

I would like to argue that Botswana does have an ethnic diversity which has been obscured by the assumption that language equals ethnic identity. However, a combination of factors has given Botswana an advantage that many other African seemed to have missed, which thus enabled the state to maintain governance based solidly on respect for the rule of law. The development path that Botswana followed in many ways mirrors that which was followed by many other African countries in

terms of the dominant role played by the state as a key economic actor and distributor of national development resources. The advantage Botswana had was that economic success came much later than independence, so that there was no wealth initially for the elites to scramble over. What there was was potential for wealth to be developed provided there was unity and sound laws and principles which would allow for the coaxing out of this wealth under very unfavourable conditions of low human and physical and political resources.

The process of wealth creation has thus been closely woven into the process of nation building and state reconstitution from the transition from colonial to post independence and finally to the current phase of privatization and rolling back of the state. The Botswana state has very often displayed tendencies of intolerance for dissent. But because of the security of the wealth it commanded from diamond revenues, it has consistently submitted to the rule of law when challenged. Botswana's success in managing a development strategy that maintained public confidence across the ethnic and regional spectrum, transformed its citizenry from ethnic rural communities whose core values included great respect for legitimate authority and excluded questioning, to liberal democrats who have consistently exercised and tested those rights through the courts and through open criticism. That process has helped to constantly define and refine the limits of the power of the state. This point is worth emphasizing because far too often in academic discourse on democracy and political participation, the issue of numbers and size of civil society organization is often used as an indicator of their capacity to hold government to account.

The notion, for instance that minorities have little chance of bringing about change, as was argued by Horowitz in relation to ethnic minorities in political parties in Botswana, and has been argued by Holm and Molutsi in relation to civil society in

Botswana, suggests that analysts too often equate democracy with majority numbers. But the principle of individual rights suggests that in a democracy even the rights of nominal minorities should be protected as a basic principle. That is what the courts are there for: to ensure that individuals rights are not left to simple majority decisions. When for instance, Unity Dow took the government of Botswana to court in the landmark Citizenship case, she tested just how far her rights as a woman were protected in the context of majoritarian cultural values that derogated women to a lower status than men. Similarly when the Kamanakao Association took the same government to court over laws that designated their ethnic group a lower status than the Tswana speaking Batawana, and in a country where the overwhelming majority of citizens are Setswana speakers, this was to underline the fact that at the end of the day, the judiciary has to be able to pronounce how far the rights of individuals should be subjugated to beliefs and values of dominant groups.

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