



The Need for Electoral Reform in Botswana

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Abstract

Botswana has been operating a First-Past-The-Post (FPTP) electoral system since her independence from Britain in 1965. Unlike other African countries, this system has not led to electoral violence or political instability. The system is not without its limitations, however. It lacks internal democracy and disadvantages the ruling party. Fair political competition cannot exist between the unequal. This hinges on the quality and depth of democracy. To enhance its democracy, Botswana needs to adopt a mix between Proportional Representation (PR) and FPTP.

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Introduction

Botswana, as the longest serving multiparty democracy in Africa, has been widely acclaimed as a beacon of democracy. Democracy and good governance must take place within a framework of constitutional and legal discipline based on a set of fundamental rules that are codified in a written constitution, which affords people popular participation in the political process. The constitution is a document that embodies or personifies the existence of a state and constitutes a social contract between the state and the people. Invariably, constitutional reform based on the will of the people represents a good step toward democratisation.

In Botswana electoral law is provided for in the constitution and provides the basis for electoral discourse. Since independence elections of 1965, Botswana has held seven successful parliamentary and council elections based on universal adult suffrage. Botswana's electoral model, which is based on the Westminster Parliamentary system operating the FPTP electoral system, has produced a stable and accountable political system, in contrast to other African countries that are characterised by political instability. Nevertheless, despite a good track record of periodic and regular elections, a closer introspection of the electoral system reveals serious flaws and limitations.

In discussing the exceptionality of Botswana's political system, this article is arranged in five broad areas. First, it provides the contextual framework within which to understand Botswana's uniqueness and compare its political stability with that of other African countries. In this regard, the article outlines the position and interface of traditional and modern political institutions in the process of democratic governance. Furthermore, it observes that beneath the veneer of formal structures of governance, these structures are often ineffective and sometimes manipulated by cultural stereotypes. Secondly, the article discusses the pros and cons of the FPTP electoral system as applied in Botswana. As it is already commonplace, it shows how the FPTP system has produced political stability as well as a predominant party system in Botswana. However, a critical evaluation exposes its inherent limitations, especially with regard to representative democracy. Thirdly, the article focuses on the fact that electoral democracy need not only deliver a stable and accountable political system, but also has to be representative of the popular will of the people. It therefore seeks to project Botswana's electoral democracy beyond the application of the FPTP,

to include possibilities that would make it more inclusive. It discusses the Mixed Member Proportionality, as a possibility for Botswana's electoral reform. The Mixed Member Proportional system (MMP) can be introduced to correct the imbalances of the FPTP electoral system. Whilst this system ensures that every constituency has a Member of Parliament (MP), it also ascertains that seats allocated to political parties are in accordance with the popular vote. Fourthly, it recognises the limitation that Botswana's electoral system does not provide for direct election of the president by the populace. Fifthly, while the article exposes the limitations of Botswana's electoral system, it nevertheless recognises Botswana's exceptionality as a stable democracy, and concludes that it can be used as a model for conflict prevention and policy development in Africa. In addressing these issues, it begins by laying out the contextual framework of understanding the electoral system.

Contextual Framework

In setting the context of understanding the effect of the electoral system on democracy, it is important to understand the role of other players in the democracy debate. It is important that one should understand the environment in which democracy is discharged. Such an environment includes the culture of the people, the structures of political parties, the funds at the disposal of political parties and their access to the media and the electoral system. What is also of utmost importance, is that voters must be informed about their political choices and they must also be educated about their civic and political rights, roles and responsibilities. It is essential that the electorate must understand key concepts of democratic governance, structure and relationships between political parties and government, the responsibilities of elected officials, and avenues of public accountability.

Botswana's electoral system cannot be discussed without locating it within the wider context of the country's culture and political economy. At independence in 1966, Botswana was one the poorest countries in the world. However, due to the discovery of minerals in the mid-1970s, especially diamonds, Botswana's economy grew to warrant it to be classified by the World Bank as a middle-income country. Nevertheless, Botswana's exceptionality as a fast growing economy cannot only be explained in terms of its mineral wealth but also its prudent economic management. Effective policy formulation and

implementation, good governance, a culture of openness and transparency, respect for human rights and the rule of law also complement the economic indicators.

However, Botswana cannot achieve political and economic stability in isolation; its efforts must also be complemented by regional and continental initiatives. Through the Southern African Development Community (SADC) and the New Partnership for Africa's Development (NEPAD), Botswana seeks to negotiate a meaningful integration into the global political economy, and bring about prosperity for all and end marginalisation in the global process. Through NEPAD it seeks to create a people-centred development that is based on democratic values (Cilliers & Sturman 2002). Through continental and regional bodies such as the SADC Parliamentary Forum and the SADC Electoral Commissioners Forum attempts are made to set regional norms and standards that regulate the conduct of elections and democracy.

Yet much as it is important to conceptualise these developments at a macro level, it is important to first lay the scene at the micro level. In providing the contextual framework for democracy and good governance in Botswana, it is imperative that the role of traditional leaders and institutions, especially in their political and juridical functions, is taken into account. Perhaps one of the variables that explain Botswana's political stability, a factor that tends to elude many African countries, is careful blending and grafting of traditional and liberal democratic institutions. As stated by Proctor (1968:59), one of the major problems faced by the architects of the new states of Africa has been to carve out a 'satisfactory position for tribal authorities in a more integrated and democratic political system.'

The greatest challenge that the majority of African countries face is that they are polarised by a 'dual political identity'. As Sklar (1999-2000:9) succinctly points out, people project ethnic as well as national identity. In Botswana, these identities are not only fostered by linguistic differences – although these are not as manifest as in other parts of Africa – but also by the territorial division of tribal and administrative districts. By and large, the administrative districts that are charged with local governance coincide with particular ethnic groups.

The independence constitution established Botswana as a unitary state with Parliament serving as the only legislative authority. As a cultural heritage and also recognising the influence that traditional leadership has on people, especially those in the rural areas, a House of Chiefs was created,

now known as *Ntlo ya Dikgosi*, as a second chamber without legislative powers, and only serving in an advisory capacity. During the pre-colonial period *Dikgosi* (chiefs) had legislative powers but various Acts curtailed these powers during the post-colonial period. Yet in spite of the severe erosion they suffered in terms of their powers, *Dikgosi* are still accorded a lot of respect and wield a lot of influence.

In spite of the tenuous relationship that exists between *Dikgosi* and politicians, a judicious balance exists between the two institutions and they complement one another in matters of governance. Perhaps the success of Botswana's liberal democratic model is partly due to the successful blend of the Westminster Parliamentary Model and the traditional institution of *Bogosi* (chieftainship). The *Kgotla* (village assembly) has also been harnessed and used effectively by government as a forum for consultation and dissemination and implementation of government programmes.

By and large, the ethnic question contests the notion of citizenship. As discussed by Kymlicka (2002), citizenship, under the liberal democratic set-up, guarantees the enjoyment of individual and civil rights as well as equality before the law, irrespective of race, class or tribe. Yet these rights are contested in Botswana given the perception that the constitution discriminates against certain ethnic groups. Even though the constitution does not refer to some ethnic groups as 'major' and others as 'minor', that interpretation is held by some citizens. This perception arises from the fact that the non-Tswana ethnic groups in the country are expected to assimilate Tswana culture and suppress their own under the guise of nation building. Ethnic minorities, therefore argue that their cultural heritage must be recognised in the public sphere leading to recognition of their language and ancestral land (Werbner 2001:1).

Moreover, the hierarchy of tribal administration implied in the constitution also suggested some discrimination. The constitution specified the *ex officio* status of the eight Tswana tribes as permanent members in the House of Chiefs, while chiefs from the north-east, Chobe, Kgalagadi and Ghanzi were designated sub-chiefs and periodically elected from these areas. The question then is, if Botswana are equal and the same in all respects, why are they then accorded differential treatment and status? In trying to explain this phenomenon, historians (Tlou 1984, Morton & Ramsay 1987) maintain that the present day Botswana was made up of several warrior nations that withstood the Boer and Zulu invasions, and groups that seem to occupy a

subordinate status sought refuge and protection from the dominant groups. It is, by and large, this hegemonic control that is being contested in the post-colonial period.

In a more profound way, the ethnic question was crystallised following a Parliamentary Motion that was tabled by the Member of Parliament for Sebina-Gweta constituency, Honourable Oliphant Mfa, in 1995, that sections 77, 78 and 79 discriminated against certain ethnic groups. Pursuant to this motion, His Excellency, President Festus Mogae, in 2000 appointed a commission of inquiry headed by a former cabinet minister, Mr Patrick Balopi, to make recommendations towards an ethnically neutral constitution. The public debates that came to light as a result of the Balopi commission indicated that the country was polarised along ethnic lines, differentiating between Tswana speaking and non-Tswana speaking ethnic groups.

A more practical expression of these ethnic debates is the polarisation of society into various civil society organisations designed to be mouthpieces of their ethnic groups. To cite only a few, these organs of civil society include the Society for the Promotion of Ikalanga Language (SPII), Pitso ya Batswana (PYB), Kamanakao Association and First People of the Kalahari (FPK). In a nutshell, SPII is a vehicle for Kalanga nationalism, which through the promotion of Ikalanga language seeks to foster Kalanga identity and self-actualisation. Pitso ya Batswana is an organisation that manifests the dominance of Tswana culture. Its ideals are to raise the consciousness of Tswana speaking Batswana, since they, even though they consider themselves to be a numerical majority, are increasingly marginalised by other ethnic groups, especially by Bakalanga, from strategic positions in government and other key sectors of the economy.

The ethnic contest in Botswana occupies a much wider sphere beyond the debates between Tswana speaking Batswana and Bakalanga, to include other ethnic minorities such as Batswapong, Babibrwa, Bakgalagadi, Basarwa and Bayeyi. Although it is beyond the scope of this article to discuss the plight of each and every one of these ethnic groups, it would suffice to isolate the cases of the Basarwa and the Bayeyi. The Bayeyi are mobilised by Kamanakao Association, which is a cultural organisation that wants government to recognise Kelvin Kamanakao as the paramount chief of the Bayeyi with jurisdiction over land occupied by the Bayeyi, and have designated Gumare, as opposed to Maun, their district headquarters. In addition, they also demand authority over Bayeyi customary courts and the recognition of Seyeyi as an official language and a language taught in the schools.

The First People of the Kalahari (FPK) organisation articulates the plight of the Basarwa as a marginalised community. The Basarwa, often referred to as remote area dwellers, are indeed remote in their spatial dimensions as well as their location in the axis to political power. They are remote area dwellers in the physical sense in that they are far removed from the major urban centres. They are stigmatised as a low class occupying the fringes of society, and as such, it is argued, there is need that they are assimilated into the mainstream Tswana Society. As a marginalised community, only a few of them have formal education and as a result they are not represented in key positions to influence government policy. Despite government's efforts on rural development and the provision of infrastructural services, facilities in their areas remain limited. Their relocation from the Central Kalahari Game Reserve (CKGR), a matter that is strongly contested not only by FPK and other national Non-Governmental Organisations but also by international NGOs, tends to underline the point of their marginalisation and dislocation.

Having laid the socio-cultural context of understanding Botswana's polity, it is in order to zero in on the political aspects. Politics in Botswana has manifested a multi-party predominantly one-party system. The ruling Botswana Democratic Party (BDP), although beset by factional fights, has won each and every election by a landslide victory. It would appear that what really threatens the ruling BDP is not so much the challenge from opposition parties but its lack of internal stability. The political battles are drawn between those who support the candidature of the party chairman, Ponatshego Kedikilwe, and those who support the incumbent party president and president of the country, Festus Mogae. However, during the April 2003 National Council meeting, Kedikilwe pledged not to challenge Mogae for the presidency of the party.

In spite of the manifestation of political pluralism marked by the existence of several political parties, a weak opposition characterises Botswana's democratic system. Nevertheless, it is an indisputable fact that a strong opposition is an indispensable part of a democracy. It keeps Government in check and accountable to the people. Yet splits and factionalism appear to be a defining characteristic of opposition parties in Botswana. Botswana has at least 14 registered political parties, and of these only four are represented in the Parliament. These are the BDP, the Botswana National Front (BNF), the Botswana Congress Party (BCP) and the New Democratic Front (NDF). All the opposition parties in parliament are breakaway factions from the BNF. Out of a total of 40, the entire opposition controls only seven seats. Apart from

the breakaway parties from the BNF, there are also the Botswana Peoples Party (BPP), the Movement for Marx, Lenin and Engels Party and the Botswana Alliance Movement, which is an alliance of the Independence Freedom Party (IFP) and the Botswana Action Party (BAC).

The fragmentation of political parties is in large measure a function of personalities and personal differences rather than substantive procedural or ideological differences. The most recent manifestation of this development is that in March 2003, Dr Kenneth Koma broke away from the BNF to form the NDF. This split was a result of irreconcilable differences between two factions within the BNF – the ‘concerned group’ and the ‘party line’. The ‘concerned group’, on the one hand, was a faction of young party enthusiasts who wanted to challenge Koma’s hegemonic control of the party, and also wanted a break with the past of building a personality cult of the party leader as if he personified the party. The ‘party line’, on the other hand, continued to hero worship Koma, and counted on his support to assume the leadership of the party. These differences, which were not as such ideological, came to the head at the Kanye Congress of November 2001, in which the ‘concerned group’ swept all the Central Committee positions by wide margins. On allegations of rigging, the ‘party line’ refused to accept the results and after a number of exchanges, which involved their suspension and subsequent expulsion from the party, formed the NDF.

Botswana’s Electoral System

When Botswana attained its political independence in 1966, it adopted a republican government, which operates a unicameral Westminster parliamentary system. According to the constitution, Parliament is the supreme legislative organ on the land, and comprises 57 elected Members of Parliament (MP), four members specially elected by the President, the Speaker, the Attorney General and the President, as an *ex officio* member.

The electoral law specifies that Botswana operates the FPTP electoral system, and that every five years there must be parliamentary and council elections. Following the October 4, 1997 referendum, a constitutional amendment was effected, which not only established the Independent Electoral Commission (IEC) but also lowered the voting age from 21 to 18 years and created an absentee ballot. These reforms were significant because they opened political participation to groups that were previously disenfranchised.

Perhaps one of the setbacks of Botswana's electoral system is that it does not provide for direct presidential elections. Yet the office of President in Botswana enjoys executive authority. The electoral law provides that for a person to be a presidential candidate, he/she must be nominated and endorsed by at least 1 000 persons registered as voters for purposes of the National Assembly elections. Then the candidate of the party that wins the majority of seats in the National Assembly stands duly elected as President. So the President is only indirectly elected.

First-Past-The-Post Electoral System

Botswana operates the FPTP electoral system, sometimes referred to as the Winner-takes-all electoral system. If this system was a race or a marathon, it implies that the first to touch the line would be declared a winner, and since it's a zero-sum-game, the runner-ups, even those close to the winner, would be declared losers. What obtains in Botswana is a single member constituency system, where the candidate who gets a simple majority of the vote is duly elected as MP or Councillor.

The FPTP system is credited for producing stable governments that are accountable and lead to an effective link between MPs and the people. Its feature of a single MP constituency makes it clear whom the electorate should contact when they have a problem. The system also has inherent limitations in that it excludes opposition parties from government, and as such, lacks consensus building. Its winner-take-all phenomenon dilutes the most potent weapon that the electorate has – that is their vote – in shaping their political destiny. Moreover, this electoral system promotes a predominant party system, a feature that undermines the much-cherished ideal of a multiparty democracy.

Although elections are recognised as an essential component of democracy, they are not in themselves the only determinant of democracy. What is most crucial, is the content and character of a democracy. Reduced to simple terms, democracy is about empowering the people, and giving them the power to shape their political future. In essence, democracy is something beyond the ritual of casting a vote. It entails ensuring that institutions that are formed from the results of elections reflect the will of the people.

Without doubt, Botswana has institutionalised the phenomenon of regular elections. Botswana has religiously followed the constitutional provision of holding parliamentary and council elections every five years. Yet due to the winner-takes-all phenomenon of the FPTP system, legislative

bodies that are formed based on the results of these elections are not reflective of the popular vote or the will of the people. And this article submits that where the will of the people is undermined, democracy is subverted. Invariably, the results of elections based on the FPTP system show that the incumbent party tends to get a windfall of seats compared to their proportion of the popular vote. This tendency of rewarding incumbent parties tends to promote a predominant party system, such as in Botswana, and that undermines democracy.

The Ethnic Vote

One of the least theorised issues on Botswana is the effect of ethnicity in electoral outcomes, but unfortunately there is no empirical evidence to support such discourse. For inexplicable reasons, government appears wary of studying the ethnic question. The National Census data did not categorise people according to their ethnic group, and there are no studies in the country, at least among those I am aware of, that address voting patterns along ethnic lines.

A salient feature of Botswana politics is that despite being portrayed as ethnically homogeneous, there exist strong tendencies among the various ethnic groups in the country. In a latent manner, the country is polarised about the Tswana ethnic groups and the non-Tswana ethnic groups. There are perceptions among non-Tswana ethnic groups that the Tswana ethnic groups seek to maintain a hegemonic control over them. This polarity is most manifest in the composition of *Ntlo ya Dikgosi*, as well as the symbolic control of the tribal lands by *Dikgosi*.

Yet despite clear evidence that Botswana society is polarised along ethnic lines, political competition has not been manifested across ethnic lines. Although there is evidence that some parties are ethnically and regionally based such as the BPP and IFP, there is no empirical evidence that ethnicity is a factor in voting patterns. Nevertheless, it is a known fact that in some areas people vote in line with the political sentiments of their *kgosi*, but there is no empirical evidence to suggest that it is a widespread phenomenon. A dominant trend in voting patterns in Botswana is that the electorate votes for political parties rather than individuals. As a result, once a party has, in its primary elections, selected a candidate to contest the election on its ticket, the general membership of the party supports and votes for that candidate irrespective of their ethnic group. This point is supported by the fact that candidates who wield enormous popularity under the banner of a given

political party, when they resign from that party to contest elections as an independent candidate, find that electoral support is reduced to almost nothing. This feature is true across the political divide.

There have been allegations in the BDP, especially in the conduct of primary elections and party positions, that ethnicity does play a part in their power politics. There is no evidence to support that claim. However, one cannot deny that maybe individuals within parties play an ethnic card without it being a policy of the party. To demonstrate that ethnicity is not so much a factor in politics, the case of Francistown West may be taken. During the 1999 election, this constituency which is predominantly populated by Bakalanga, was won by a non-Kalanga, despite the fact that other parties fielded Kalanga candidates. Nevertheless, there are media reports that some candidates are using the ethnic card to unseat the incumbent during the 2004 elections.

The future direction of nation building that is unfolding in Botswana, is that ethnic groups are increasingly asserting their image. They negate notions of total *assimilation and conformity*, and propagate unity in diversity. There is every indication that politics may move in that direction, and there is need for research in this area. It is probable that political alignments in future may develop along these lines.

Political Parties as agents of political participation create a forum for exchange of political ideas and serve to institutionalise the development of democratic norms and values, and instil a culture of openness and tolerance of opposing political views. Through their voter education programmes they give the electorate a *comprehensive* understanding of the electoral system and the election management process, and it is only through this process that they can make ethnicity a factor in electoral support.

Internal Party Democracy

Inner party democracy is one of the fundamental attributes of democracy. It begs the whole question of democratisation that it does not make sense to profess democracy at the national level and not to have it within the structures of political parties. *Internal party democracy* refers to the process in which members are elected to positions within the party, and candidates are chosen to contest elections for the party. This process is usually referred to as primary elections. To be sure, the conduct of these elections has over the years been a source of discontent. Losing candidates usually claimed that they were either fixed or falsified to advantage some candidates. The conduct

of such elections often leads to discontent and factionalism within political parties. Following such incidents, affected candidates either resigned or were expelled from the party.

The BNF, as the main opposition party, has experienced factional fights arising from dissatisfaction with the outcomes of primary elections, and these have led to the splintering of the party on many occasions. Such discord within the party was a result of clashes of personalities, and lack of respect for established structures and regulations. Since 1989 the BNF suffered major splits. Following the 1988 party congress in Francistown where the BNF leader, Dr. Kenneth Koma, stated that the BNF was not as such a party, but a front for different tendencies, the southern region led by Leach Tlhomelang, broke away and formed the Freedom Party. The reasons for their resignation were that the party had lost its direction.

Perhaps, the most dramatic split was the one that took place during the run-up to the 1994 elections. In an unprecedented event, three splinter groups emerged from the BNF to form the Botswana Workers Front, the United Socialist Party and the Social Democratic Party. The 1988 and 1994 splits were significant because they dislodged the party from its base and stronghold of the Ngwaketse constituencies. During the 1994 election, due to a split in the opposition vote, these constituencies were won by the BDP.

In 1997 the BNF experienced the worst leadership crisis in its history, in which some of the party stalwarts lost Central Committee elections. The candidates who lost the elections formed themselves into a lobby group, which called itself the 'concerned group', and challenged the results as unconstitutional. When no compromise was in sight, the party was polarised into two factions. These factions manifested, on the one hand, the old guard of the party drawing sympathies from the leader of the party, Dr. Kenneth Koma, and on the other the majority of BNF MPs who were also elected into the Central Committee. In a measure to resolve this problem, a special congress was convened in Palapye in April 1998.

At that congress, the party was thrown into a worst crisis where delegates ended up fighting – leading not only to physical injury but also causing a serious dent in its credibility as a party that could take over from the ruling BDP. As a result of these problems, in July 1988 eleven MPs and 68 councillors from 33 constituencies resigned from the BNF and crossed the floor to form the Botswana Congress Party (BCP), making it the official opposition. The effect of this split is that during the 1999 election, the entire opposition got only seven out of a total of 40 seats.

As if the party had not learned a lesson, in the run-up to the 2001 congress the BNF was again split into two factions, the 'party line' and the 'concerned group'. The split followed the decision of Dr. Kenneth Koma to step down as party leader. But Koma intended to implement a succession plan in which the party Vice-President, Peter Woto, would take over as party president. The 'concerned group' who preferred a young lawyer, Otsweletse Moupo, to take over as party president, fouled this plan. As it turned out, the 'concerned group' emerged as the hegemonic group within the BNF, and swept all the Central Committee positions with wide margins. Against allegations that the elections were rigged, the rift between the two factions widened. The factional fights manifested themselves in suspensions and fierce media and freedom square campaigns. In the end, members of the 'party line' resigned from the BNF and in March 2003 formed a new party, the NDF with Dick Bayford as its president and Dr. Koma its patron.

Factionalism has not only been a factor in BNF politics; the ruling BDP has also had its fair share of it. Perhaps the BDP has been more successful in managing their differences, in that, even though some of them are debated publicly in the media, they are, by and large, resolved behind closed doors. What is certain about the BDP is that as much as they have differences, they are not oblivious of the fact that their ultimate goal is to attain state power, and try to do everything in their power to project an image of an orderly and organised party. Since mid 1990s, the BDP was polarised about the so-called Kedikilwe and Kwelagobe camps. The tussle by each faction has been to position itself as the hegemonic faction within the party and thereby to dominate party structures, especially the Central Committee, women and youth wings, and to influence the outcome of who emerges as the party president.

It is perhaps in the choice of the party president and ultimately the country's president, that democracy has been faulted in Botswana. As discussed in other sections of the article, there are no presidential elections in Botswana and the presidential candidate of the party that attains the majority of the seats in parliament becomes President of the country. Taking it from the era of Sir Seretse Khama, after he died in office in 1980, the BDP party caucus decided that his Vice-President, Quett Masire should succeed him as president. Although there were others in the party, such as Moutlakgola Ngwako, who had ambitions for the high office, the appointment met wider expectations.

Perhaps the greatest setback of BDPs internal democracy came with the retirement of Sir Ketumile Masire from the presidency in 1998. Masire

stepped down during the middle of his term as president. In spite of the fact that the move accorded the party and country enormous goodwill, the manner in which it was done cast serious aspersions on BDP's internal democracy. The country's constitution specifies that, in the event of the Office of President being vacant for one reason or another, the Vice-President would automatically ascend to the presidency. Much as the provision was made with good intentions to guard against uncertainty that would breed instability, say when a President died in office, it has now been used to subvert the democratic process. By stepping down during the middle of his term, Masire ensured that he gave his successor, Festus Mogae, the advantage of incumbency during the 1999 election. The manoeuvre was also intended to thwart any opposition from within the party for the position.

Internal party democracy was also faulted when President Mogae, when deciding on the Vice-President, overlooked all long serving members of the party, and made Lt. Gen. Ian Khama retire from his position as commander of the Botswana Defence Force to become the country's Vice-President. Such a manoeuvre can only happen in a situation where the constitutions of the party as well as the country do not provide for an election of the President and the Vice-President by the electorate. As things stand, the BDP is the dominant party in the country and there is no evidence that the opposition is regrouping to present a strong challenge to it during the 2004 general elections. Assuming the status quo obtains, the BDP will be in power for the foreseeable future and according to Mogae's succession plan, if nothing dramatic happens, much to the disdain of some members of the BDP, Lt. Gen. Ian Khama is set to be the country's next president after Mogae has served his second term.

On primary elections, the BDP has also had its fair share of setbacks. Until 2002, the party had primary elections where an Electoral College was constituted from the various structures of the party. During the primary elections, delegates from these structures were designated to vote. The effect of this practice was that people who were dominant in the party structures were able to influence the composition of party committees, and through that control were able to determine the composition of the Electoral College. In effect primary elections were only mechanisms of legitimating candidates who were already handpicked by kingmakers of the party. Furthermore, the Central Committee that was also dominated by some factions had the veto power of overturning the verdict of the Electoral College. As it happened in the past, the Central Committee declared candidates who lost primary

elections winners. The Cases of Archie Mogwe and C. Batsile in Kanye in 1984 and Gladys Kokorwe and Kabo Morwaeng in 1999 in Thamaga constituencies come to light. Over the years, this practice proved to be divisive and undermined party unity, in that candidates who lost embarked on negative campaigning and in some instances defected to opposition parties.

Arising from these concerns, in March 2002, the BDP National Council adopted a new framework of conducting primary elections, known as *bulela di tswe* – meaning open the floodgates – that is more open and democratic. The new guidelines empowered every card-carrying member of the party in a particular ward or constituency to vote during the primary elections. Whilst the system is democratic, it also suggests that those with sufficient financial backing stand a good chance of being elected. This system was first tried in the Lentsweletau by-election, and while it has some teething problems, it is widely acclaimed to be democratic.

Gender Balance

The National Census has established that women constitute the majority of the population. Yet it has become apparent in Botswana's democratic politics that there is lack of effective representation of women in the governing structures of *political parties and the country*. Although women play a major part in party activities, in fundraising and political campaigns, their representation in decision-making structures is scanty. Through cultural stereotypes, which are informed by the patriarchal structures of society, women face major difficulties to *enter institutions of governance*.

As a way to enhance gender equality, SADC has adopted a policy, following the Nairobi and Beijing platforms, that by the year 2005, 30 per cent of women should be included in decision-making bodies, including the National Assembly. In 2003, Botswana is far from *meeting that quota*. Nevertheless, women organisations have been in the forefront of their empowerment and democracy debates. A women NGO, Emang Basadi, has been instrumental in the mobilisation of women and in the amendment of the Citizenship Act to make it gender neutral. During the 1994 election Emang Basadi mobilised the women coalition and developed a women's manifesto through which they pressurised political parties to have women candidates for the election. Even though this campaign has had limited successes, there is evidence of movement in the right direction. At present (2003), there are eight women members of parliament, and four of them hold full cabinet positions while two are assistant ministers. Although the opposition has

returned several women council candidates, it is yet to return a woman MP. Nevertheless, at the level of government two women have been appointed to the bench as High Court judges. There are also several appointments of women in senior level jobs in government.

Debates for Electoral Reform

As pointed out by Reynolds and Reilly (1997:7), the choice of an electoral system can effectively determine who is elected and which party gains power. Just like democracy, electoral systems can never be said to be absolute or perfect. Depending on people's struggles, they need to be constantly reformed or reformulated. Yet since independence, Botswana has only had minor electoral reforms but has never embarked on any far-reaching overhaul of the system.

Since the choice of an electoral system is always a political decision, this article also discusses the various positions taken by political parties. By and large, the ruling BDP, on the one hand, which not only enjoys the advantage of incumbency but has also won all the elections, seems to be complacent and not ready for change. After all, the FPTP system has served them well, and has consolidated their hold to political power. Opposition parties, on the other hand, which face declining electoral fortunes, have since the early 1980s talked about the need for electoral reform with a view to level the political playing field. Initially, the debate centred on removing the election from the Office of the President and also making it independent from government by creating an Independent Electoral Commission (IEC). It also provided for the absentee ballot and lowered the voting age from 21 to 18 years.

The idea of an electoral reform is to deepen and widen the frontiers of democracy. In Botswana, while the electoral reforms of 1997 were significant in terms of entrenching democracy, the electoral system is still limited in many respects. Botswana's electoral system does not provide for direct presidential elections and the FPTP system computes the election outcomes in a manner that is not representative of the popular vote. Furthermore, due to the lack of political party funding, political parties do not have equal chances of canvassing for political support. Moreover, to enhance democratic choice, the electoral system must ensure that every vote counts in the making and unmaking of government. Where the political playing field is not level, democracy is compromised.

Presidential Election

Mosca and Pareto in Bill and Hardgrave (1973:148-153) talk about the circulation of the elite as an essential attribute of democracy and good governance. Democracy requires that every five years or so leaders should renew their mandate to rule through the ballot box. Such a process in Botswana is well entrenched respecting parliamentary and council elections. Yet the presidency is elected in a manner that is not democratic, at least in terms of popular participation of the electorate.

The president in Botswana is *not* elected through universal adult suffrage as would be expected from a country enjoying so much goodwill in *democratic practice*. The President is only indirectly elected in that the presidential candidate of the party that attains the majority of seats in parliament becomes the country's president. Therefore the presidential elections are tied to parliamentary elections. As people vote for an MP they are indirectly also voting for president. There is a story that during the era of Sir Seretse Khama, the first President of the Republic of Botswana, an old man asked him in a *kgotla* meeting how he could vote for him without voting for the local MP. Wittingly, Seretse assured him that as he was voting for the MP he was also voting for him. But the truth of the matter was that the old man had asked a fundamental question that was at the heart of the theory and practice of democracy and political legitimacy.

It hardly needs emphasis that the presidency is the highest political office in the country, which enjoys extensive executive powers but is not directly accountable to the people. Furthermore, since the succession plan to the presidency is not democratic, Botswana's image as a shining example of democracy is slowly being tarnished. It is overdue that Botswana should reform its electoral system with a view to have direct presidential elections based on universal adult suffrage.

Political Party Funding

Political party funding is one of the new areas of the democracy debate. This position is informed by the assertion that democracy is a rare species and where it exists, it must be nurtured and made to work. One way of nurturing it is by ensuring that political parties are given the resources to mount effective civic and voter education campaigns. Without doubt, political parties need to effectively articulate their ideology and also to sell their manifesto. Moreover, in a difficult terrain, such as that of Botswana, where most of the rural areas are heavy sand terrain and marshes, it is necessary to have robust four-wheel

drive vehicles to access these areas. Constrained by limited resources, opposition parties do not have adequate resources to effectively canvass for political support. Furthermore, the fairness of elections is also measured by the ability of political parties to have equal chances of canvassing for political support.

In Botswana the political playing field is not level because opposition parties suffer from the lack of funds while the ruling BDP takes advantage of incumbency by taking advantage of government resources. Cabinet ministers are able to piggyback on their official trips to make their presence felt in their constituencies. Moreover, they are able to enjoy political visibility and gain political mileage as they launch various government programmes and are covered by the official media. Other politicians like Lt. Gen. Ian Khama have unscrupulously used public resources for partisan political gain. The Ombudsman is currently handling a case in which the Vice-President used government resources and civil servants when addressing a political rally in the Nkange Constituency in 1999.

Mixed Member Proportional System

The MMP system is an innovative electoral system that recognises both the strengths and limitations of the FPTP and PR electoral systems. It is sometimes referred to as the semi-PR or the hybrid system. As has already been pointed out, the FPTP system promotes stable and effective parliaments that exclude opposition parties from participating in government. Cabinet is solely drawn from the majority party, and that party alone forms government. The virtue of that system is that only one political party takes responsibility of government. There is no question of indecision or delays in taking decisions as result of consultation in the case of a coalition government that is inherent with PR systems. Furthermore, since the FPTP system provides for single member constituencies, there is clear accountability, as the electorate know the MP.

In the same vein, much as the FPTP has strengths, it also has limitations. Perhaps its greatest limitation is that it marginalises smaller parties and promotes the emergence of a one-party predominant party system or a two-party system. More fundamentally, it discourages the proliferation of small parties. Its greatest weakness is that it is not representative, as councils and parliaments created from the election outcomes of this system are not representative of the popular vote.

Proportional Representation on the other hand is an electoral system that is gaining popularity because it is in line with the new wave of democratisation. Representation is now the catchword of democratisation. This electoral system, more than any other system, faithfully translates the votes in an election into the number of seats in parliament or council. Since democracy is about openness, transparency and respecting the will of the people, this system is desirable. This system is inclusive because it recognises all shades of political opinion. Perhaps more importantly, it provides for multi-member constituencies, and ensures that every shade of political opinion is not only represented but also heard. Since this system is amenable to coalition governments, it embodies a government that rules by consensus and believes in power sharing. Critics of the PR system contend that it does not provide for a stable government and also tends to polarise society into various shades of cultural and political opinion.

As the debates between the two electoral systems indicate, there is no perfect electoral system, and this article argues that perhaps the best way out is to borrow the best from each tradition. It is in this regard that I recommend the MMP system for Botswana because it draws from the better of the two worlds. It draws the good attributes of both the FPTP and PR systems. The good virtues of a stable, effective and accountable government are attributes that must be promoted in an electoral system. These good attributes can further be reinforced by the strengths of the PR system such as representation and consensus building. This marriage of the two systems is what is being proposed by the MMP.

Furthermore, through the party list component the PR system is able to address inequities that characterise the FPTP system. In the FPTP system women and youth are usually excluded from the process. However, through the zebra system, the party list is often assisted to ensure that there is a balance in gender as well as age in selecting candidates for political office. The list can deliberately ensure that every other person in the list is a youth or a woman.

In Southern Africa, the MMP is only used in Lesotho, and following the 2002 elections, it appears to be working well. The MMP system is also used in Germany and New Zealand. In Germany 50 per cent of the seats are voted on FPTP system while the other 50 per cent are on PR. In New Zealand 58 per cent are on FPTP and 42 per cent PR. The mixture of PR and FPTP depends on the circumstances of a country, but its import is to produce a government that is balanced on being representative and accountable.

The adoption of the MMP in Botswana would require considerable debate. However, in broad outline it would entail increasing the number of seats beyond 57 as recommended by the delimitation commission. First of all the system suggests the retention of the 57 seats, which would be contested on the FPTP system. To enhance proportionality, it is suggested that an additional 29 seats be introduced and these be contested on the party list proportional system. In effect, the electorate would be provided with two votes, the constituency vote and the party vote. The constituency vote represents who will represent the constituency in Parliament. The party vote determines the overall composition of Parliament based on the popular vote.

As pointed out by Elklit (2002), to determine the proportions of seats each party is entitled to in Parliament, you first determine the quota of votes. The quota is the sum of the party vote cast divided by the total number of seats. To determine the number of seats each party is entitled to, divide the total votes cast for the party by the quota. Considering the election outcomes, if a party acquires more seats in the constituency election or the same number of seats they would have acquired under PR, their allocation of seats would be considered as final. The compensatory seats work or the PR component works where a party gets fewer seats under the constituency than they would have been entitled to under PR.

Conclusion

This article concludes that while Botswana is hailed as a success story in democratic politics in Sub-Saharan Africa, its achievement can never be absolute. Democracy must be seen as an ever-evolving process that must be constantly reformulated to make it better. More fundamentally, the deepening of democracy requires popular control of the decision-making structures. Democracy will forever remain an aspiration, which people would forever strive to achieve. At the minimum, democratic theory is concerned with the process through which the electorate hold their leaders accountable and responsive to their needs. As a rule, citizens must always strive to understand their rights and responsibilities.

Botswana's democracy is rooted in the Westminster parliamentary model as well as traditional institutions. Despite the fact that the authority of *diKgosi* is significantly eroded, their influence over people is still an important political reality, and does not show any signs of receding. And this accounts

for Botswana's political stability. While this article underscores the strengths of Botswana's democracy, it exposes its limitations. The weakest aspect of democracy is the electoral system. A characteristic feature of Botswana politics is that it lacks internal democracy and also does not have presidential elections.

Much as the FPTP system that Botswana operates produces a stable form of government, such a government is not representative of the popular vote. It also advantages incumbent parties and marginalises opposition parties. Furthermore, free political competition that is assumed in democratic governance cannot exist among unevenly matched political parties. The ability of political parties to equally compete for political support determines the quality and depth of a democracy. As a result, political party funding is suggested as one of the ways of levelling the political playing field. To enhance democracy, this article concludes that Botswana must adopt a mixed member proportional system that would ensure that it enjoys the positive attributes of the FPTP system as well as those of proportional representation. The conclusion that emerges from this article is that the MMP is the best system that would ensure that the system is not only accountable but also representative.

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