

Botswana

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Introduction

Botswana is a strongly unitary republic with a two-tier system of government, consisting of central and local levels. In line with the unitary character of Botswana, however, there is no constitutional provision for local government; the only references to local government in the constitution are of an extremely peripheral nature. Local government in Botswana exists only by reason of and in terms of legislation passed by the national legislature and can be abolished by an act of parliament without reference to the constitution. The main legislative enactments in terms of which local government exists are the Local Government (District Councils) Act, 1965 and the Township Act, 1965. In 2016 Botswana launched a development plan called Vision 2036 which states that decentralisation of power, decision-making, resources and service delivery will underpin the Botswana governance system. A process is under way to develop a decentralisation policy. However, the process appears to have been embarked upon reluctantly (see Poteete, Mothusi and Moloadi 2014); it has been said that ‘the system has always exhibited elements of centralisation, with the local government lacking autonomy and independence and operating as an extension and implementing arm of central government’, (Mooketsane, Bodilenyane and Motshekgwa 2017: 57).

About ICLD

The Swedish International Centre for Local Democracy (ICLD) is part of the Swedish development cooperation. The mandate of the organization is to contribute to poverty alleviation by strengthening local governments.

This report is part of a publication series that investigates local democracy in the 19 countries where the ICLD municipal partnership programme operates.

This report covers events up to 31 May 2019. Events occurring after this period are not considered.

The lack of enthusiasm for decentralisation and the dominance of the national government are the greatest barriers to local democracy. A further challenge is the lack of financial resources available to local government: ‘the limited financial strength of local authorities has been a critical factor inhibiting the effectiveness of local government in Botswana’, (Mooketsane et al. 2017: 49). On the other hand, a culture of good governance prevails in the country (ibid.), which supports local democracy.

General country analysis

There are two types of local administration: rural districts (of which there are 10) and urban districts (four town councils and two city

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councils). Under these are sub-districts and administrative authorities. Each district administration is headed by a district commissioner appointed by the permanent secretary to the president. District commissioners have authority over the development, implementation and monitoring of their local district/urban development plan.

Sub-council forums were established in 2009. These are empowered to make decisions on development issues, but not on raising of local revenue, on engaging in international relations and on formulating by-laws and guidelines. These remain the responsibility of the district headquarters. In practice, the councils have little discretionary authority (Commonwealth Local Government Forum 2018). The Ministry of Local Government and Rural Development is responsible for providing basic physical and social infrastructure, ensuring the efficient operation of all local authorities through good governance, serving as national government's focal point for local government policies and operational matters, coordinating the activities of national government at district level, and mobilising social welfare and community resources to facilitate community participation and coordination of rural development. The ministry provides policy guidance for socio-economic and rural development at local level, and formulates and monitors implementation of policies related to local government. It has certain powers over councils and is empowered by legislation to vary the number of councillors. There is thus a considerable degree of national government influence over local government.



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Fiscal decentralisation

Functions of councils include provision of primary education infrastructure, public health and sanitation, waste management, tertiary and secondary roads and other areas such as social welfare and community development, remote area development and maintenance of public facilities.

Local sources of revenue include rates, service levies and user charges. There is also a system of intergovernmental transfers. National government provides 90 percent and 80 percent respectively of district and urban councils' operating budgets, and all of their capital budgets (Commonwealth Local Government Forum 2018). Councils also receive development grants from national government. This clearly results in a considerable degree of grant dependency.

In terms of section 52 of the Local Government (District Councils) Act, councils are required to prepare budgets, but these are subject to national government approval. Under section 47 of the same Act, councils may borrow, but only subject to terms and conditions approved by the national government.

Political decentralisation

A mixed system of elected and appointed councillors applies in Botswana. There are currently 609 councillors, of whom 490 are elected (each representing a ward) and 119 are nominated by the relevant minister in the national government. Elections are held every five years by universal adult suffrage, on a first-past-the-post ward system. Candidates may stand independently for election. The national government, as has been shown above, nonetheless retains considerable influence over the affairs of local government.

Several accountability mechanisms have been established to ensure the accountability of local authorities. Provision is made for public participation processes. The Auditor General's Department audits the accounts of all councils annually. The Local Authorities Public Accounts Committee examines the accounts of local authorities periodically. The Ombudsman deals with complaints of maladministration. The Directorate on Economic Crime and Corruption investigates alleged cases of corruption in local authorities. These organisations derive their authority from the constitution and from acts of parliament.

Conclusion: possibilities and barriers for municipal partnerships

Despite the somewhat unenthusiastic attitude of the Botswana authorities towards decentralisation, which may or may not present a barrier to partnerships, the culture of good governance that prevails in Botswana support partnerships. Relative transparency, accessibility and the cooperative approach of Botswana authorities are likely to result in partnerships being more fruitful than elsewhere.

References

- Commonwealth Local Government Forum, 2018. 'Country profile 2017-18: The local government system in Botswana'. London: Commonwealth Local Government Forum
- Mooketsane, K., Bodilenyane, K. and Motshekgwa, B., 2017. 'Is decentralisation in Botswana a democratic fallacy?' *African Journal of Public Affairs*
- Poteete, A., Mothusi, B. and Moloadi, D., 2014. 'Botswana: Political and Economic Obstacles to Decentralization.' In: Dickovick, J. and Wunsch, J. (eds) *Decentralization in Africa: The Paradox of State Strength*, London and Boulder: Lynne Renier Publishers

Legislation

- The Local Government (District Councils) Act 1965
- The Township Act 1965