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Transition to bad governance in Botswana

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The celebratory rhetoric associated with Botswana is that of an “African miracle”, highlighting its exceptionalism in being able to transition towards a democratic state after it obtained independence from colonial power in 1966. Against all odds, it was able to develop a functioning multi-party democracy with relatively free and fair elections, rule of law and universal franchise. Several studies underline the structural and actionable causes that allowed democratic principles to rapidly spread: maintenance of pre-colonial political institutions, limited colonial exploitation by the British, endowment in natural resources, effective economic management and “enlightened” leadership¹. However, the most “senior” democracy in the African continent is undergoing a period of uncertainty and slowdown. An analysis of the indicators of good governance reveals how Botswana is not proceeding towards the successful path on which it embarked more than four decades ago, rather it is downgrading in several components over the 2008-2018 period². More specifically, even though Botswana maintains a fairly high absolute score in some of these dimensions, the country is negatively performing³ in terms of:

- *Budget transparency*: while almost any other Sub-Saharan country has been increasing with respect to the Online Services Index, Botswana has slightly decreased. This result is confirmed by the Ibrahim Index of African Governance (IIAG) by the Mo Ibrahim Foundation that analyses the access to public and legislative information. As a matter of fact, Botswana has yet to introduce a law on the declaration of assets and liabilities and on political party financing. The lack of these laws represents opportunities for corruption to arise.
- *Judicial independence*: according to the Global Competitiveness Report of the World Economic Forum and to the IIAG, Botswana is the worst performer in Sub-Saharan Africa. The independence of the judiciary is weakened by the influence of external actors, mainly the excessive power granted to the executive and the President.
- *E-citizenship*: even though Botswana has a fairly high Education Index, it has the highest negative change in terms of E-Participation Index⁴ provided by the United Nations Survey. This data is controversial especially considering that the Botswana population has the highest percentage of internet usage.
- *Freedom of the press*: as a result of constraints on press freedom, Botswana displays a negative change overtime in the Freedom House indicator. Even though no outright censorship is in place, the government tightly controls the public media (such as Radio Botswana, Botswana Television, and the Daily News) as they are departments in the Office of the President. Furthermore, the central government manages a national networks of news broadcasters under the state-controlled Botswana Press Agency whose task is to serve the ruling government, and by extension the ruling party. Such structure limits the possibilities of discussion and debates on national matters.

¹ Acemoglu, D., Johnson, S., & Robinson, J. A. (2002). *An African success story: Botswana*. MIT Department of Economics Working Paper Series, 01-37.

² The analysis considers the following components: administrative burden, trade openness, budget transparency, judicial independence, E-citizenship, freedom of the press.

³ The analysis considers the performance of Botswana in the context of the Sub-Saharan region; a country is defined as progressing (or regressing) in one dimension whether the change (namely the difference between the value of 2008 and the value of 2018) exceeds a pre-determined range of stability (mean +/- standard deviation). Therefore, it does not automatically mean that if a country is progressing (or regressing) in one dimension its absolute value is significantly higher (or lower) than before, but that it is relatively outperforming (or underperforming) in comparison with countries in the same region.

⁴ The E-participation index is a composite measure of E-information, E-consultation and E-decision-making.

Furthermore, Botswana is also decreasing in the index for Control of Corruption by -8,5% between 2008 and 2018. Such weak performance reflects the governance situation of the country: if control of corruption is defined as a fine balance between resources and constraints⁵, Botswana is currently experiencing a proliferation of opportunities for corruption. It is the result of limitations in judicial independence, freedom of the press and E-citizenship – which is a path towards particularism rather than ethical universalism.

Botswana is an open electoral democracy with periodical and fair elections that have constantly been won by the ruling party, the Botswana Democratic Party (BDP), since 1965. The first President Seretse Khama is considered a visionary leader that managed to blend modern democratic principles with existing traditional institutions. However, some arrangements of the system can unveil how the governance regime risks to subvert – rather than advance – democratic principles.

First, there is an established customary tradition for Presidents to step down one year before their second term officially ends, leaving their position to their Vice-presidents: this practice certainly portrays a seamless presidential alternation, but it also offers to the temporary President a significant advantage in the following-year election. As a result, despite a *de jure* multi-party system, the BDP has been governing undefeated since 1966.

Second, the control of diamond wealth is a source of controversy: the public-private partnership De Beers Botswana Mining Company (Debswana) is a key player in the national economy in terms of employment and revenue. Thanks to the vast revenues from diamonds, Botswana is officially defined as a middle-income country; however, the level of inequality is one of the highest in the world with half of the population (about 2.4 million people) living in poverty. It is evident that there is a structural inefficiency in the distribution of wealth. The structure of the partnership is sometimes unclear and as a private entity, the business partner De Beers is protected from scrutiny hindering the transparency of the relationship.

Third, the electoral system that has been inherited by its past as British protectorate is that of first-past-the-post, in which the party with a simple majority of votes wins. Also known as winner-takes-all system, it does not account for margins of victory and voter turnout. As a clear example, in the election of 2019 the BDP gained 53% of the votes (for a total of 406,561 votes) and was allocated 38 of the 57 elected seats in the National Parliament. Instead, the opposition parties collectively had 365,647 votes, but ultimately gained only 19 parliamentary seats. The result is a skewed electoral system that allows the BDP to remain in power even if with only limited popular support.

Finally, General Ian Khama (the founding President's son and former head of the army) ruled for ten years starting from 2008, a period in which worrisome signs of authoritarianism have been observed. Judicial independence has been impaired because of frequent threats and intimidation directed against judges. Journalists were targeted by the Directorate on Corruption and Economic Crime (DCEC) and the Directorate for Intelligence and Security Services (DISS) through arrests and detention for reporting allegations of corruption. The latter agency was established by Khama himself but it is the result of the centralisation of anti-corruption bodies under the President's office. Despite the creation of this agency, elite corruption has been flourishing under Khama, who was one of its early beneficiaries. The procurement deals associated to the Botswana Defence Force have made Ian Khama and his relative so wealthy that they have been referred to as

⁵ Mungiu-Pippidi, A. & Dadašov, R. (2016). Measuring Control of Corruption by a New Index of Public Integrity. *European Journal on Criminal Policy and Research*, 22(3), 415-438.

“military millionaires”⁶. The link between politicians, businessmen and the military illustrates a form of self-perpetuating power elite that permeates the structure of the society.

Therefore, leadership has been playing a relevant role in Botswana development: the enlightened first President Seretse Khama accomplished democratic transition and economic growth while ensuring political stability and property rights. However, his son Ian Khama did not embark on the same democratic path but managed to subvert some of the principles on which Botswana was built. This was possible because that democratic basis is frail: despite it is a seemingly well-functioning democracy, it has severe structural shortcomings.

For these reasons, the quality of democracy in Botswana is questioned such that it is often regarded as “authoritarian liberalism”⁷ or “minimalist democracy”⁸. The elitist top-down structure paired with institutional paternalism destabilize the horizontal liabilities between and among institutions. The population directly elects only the Parliament while the President is placed outside the electoral process and has a dominant position: this system potentially limits the effectiveness of checks and balances. Voter turnout is usually below half of those eligible to vote. Freedom of expression is enshrined in Section 12(1) of the Botswana constitution; yet, state media is tightly controlled by the government and there has been an attempt to also control private media through the Media Practitioners’ Bill of 2008. Judicial officers are appointed by the President and there are accusations that the appointment process is not fully transparent. Anti-corruption agencies exist but their head is appointed by the President (with the current head being a relative to President Khama), limiting their independence.

The picture that emerges from these practices seems to confirm the principal-agent theory: the leadership behaviour highly affects the performance of the country, for better – as in the case of the founding President Seretse Khama – or for worse – as with Ian Khama. In the political process, citizens are the principals while rulers are the agents; however, the information asymmetry that characterizes this relationship is affected by the structure of incentives that the two actors face: it implies that the principal is not able to successfully control the agent who will act in its own interest. However, the assumptions of the principal-agent theory are not adequate to effectively describe the governance development of a country; thus, it has to be complemented by a macro analysis under state theory, according to which leaders are embedded in a political context through a shared social contract that defines and limits their behaviour.

In the context of Botswana, the role of civil society is modest; in particular, interest groups are weak because of the dominant role played by the government in the political and economic sphere and the sheer size and the underdevelopment of the private sector. Furthermore, in the occasion of strikes in 2011 guided by the Botswana Federation of Public Sector Unions (BOFEPUSU), the government of President Khama was reluctant to engage with trade unions and subsequently increased the list of essential public services with the Trade Disputes Act of 2016, thus reducing the number of public employees that can participate in strikes and weakening the Union party. Yet, such advocacy groups are vital for a vibrant democracy.

This approach reveals a government strategy to discourage pluralism and limit the rise of strong interest groups, especially of those that are considered a threat to the ruling party.

⁶ Motlogelwa, T., and M. Civilini. (2015). *The Khamas – The Making of Military Millionaires*.

⁷ Good, K. (1996). Authoritarian liberalism: A defining characteristic of Botswana. *Journal of Contemporary African Studies*, 14(1).

⁸ Kenneth Good & Ian Taylor (2008). Botswana: A Minimalist Democracy, *Democratization*, 15(4), 750-765.

Yet, such advocacy groups are vital for a vibrant democracy. If a government impedes a broad-based participation of civil society, it does not embrace substantive liberal democracy with consistent checks and balances.

Without any doubt, Botswana experienced a transition towards democracy but its consolidation is challenged today and the democratic credentials are questioned. The newly elected President Masisi – former Vice-President of Ian Khama – has taken measures to contrast corruption among which the prosecutions of the former Chief of Security and of the Presidential Secretary of General Ian Khama. The hope is that under the new President, constitutional reforms will take place in order to successfully transition from a minimalistic, formal democracy to a comprehensive liberal democracy.

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