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# The weakness of opposition parties in Botswana: A justification for more internal-party democracy in the dominant Botswana Democratic Party (BDP)

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**Botswana's opposition parties are too weak to unseat the Botswana Democratic Party (BDP). To substitute for weak opposition, this paper advocates for more internal democracy in the BDP for Botswana's democracy to consolidate. The BDP has leadership elections but few other elements of internal democracy. Policy-making is centralised on the party leadership to the exclusion of party membership. The leadership is also excessively intolerant of dissent and parliamentary backbench. Furthermore, the leadership dominates candidate selection, thus determining the composition of parliament. With membership excluded from policy-making, critics silenced and backbench disciplined, possibilities exist for the BDP government to become unresponsive, unaccountable and authoritarian. For internal democracy to substitute for weak opposition, the paper proposes that BDP factionalism should shift from opportunism to principle. Finally, considering that Botswana's constitution compounds autocracy in the BDP by centralising power on the president and granting him/her immunity from prosecution, the paper advocates for constitutional amendment.**

**Key words:** Botswana, democracy, consolidation, opposition, internal-democracy, party- factionalism.

## INTRODUCTION

Botswana's political opposition is old by African standards. When most African countries outlawed the opposition after independence, Botswana chose to retain the opposition and multi-party system. Opinion is divided as to why Botswana chose to retain multiparty democracy when majority of African countries adopted single party systems.

For John Wiseman (1977: 78), Botswana retained multiparty democracy because the BDP elite, especially Seretse Khama were committed to the system (multiparty democracy). However, Christopher Clapham (1997: 544) argues that the governing party tolerated the opposition as the latter had no chance of winning power due to its weakness. Clapham's assertion was somehow confirmed by longtime leader of the Botswana National Front (BNF),

Kenneth Koma who once stated that 'the government only allowed the opposition to thrive because they were weak and would muzzle them if they posed a serious threat to its rule' (Molomo, 2003: 297).

This article focuses on the weakness of opposition parties in Botswana. The opposition's weakness is signified by their failure to supplant the BDP in the nine general elections held since independence, let alone significantly challenge for power. With democratic alternation rendered impossible by the weakness of opposition, this paper argues that there is need for more internal democracy in the dominant BDP for Botswana's democracy to be consolidated. Not only could internal democracy in the BDP check against bad leadership decisions within the party but could also enhance government responsiveness and accountability. It could also guard against the development of authoritarianism and thus the erosion or slow death of democracy.

Currently, BDP operates in a centralized manner in which policy-making is totally dominated by the leadership

**Abbreviations:** BDP, Botswana Democratic Party; BNF, Botswana National Front; BCP, Congress Party.

at the expense of the membership or its delegates. This is somehow facilitated by the constitution of Botswana as it centralizes executive power on the president, who is the leader of the BDP. The national constitution also grants the president absolute immunity from prosecution, including for his/her actions within the party.

Lack of internal democracy in the BDP is also signaled by intolerance, which institutionalized during the leadership of Festus Mogae and now under Ian Khama. Independent minds and critics of the leadership have been marginalized while others have been given long suspensions. The leadership's intolerance has also been extended to the party's parliamentary backbench. Some vocal backbenchers have been threatened with recall from parliament while others have had abusive language hurled at them by the leadership. Furthermore, lack of internal democracy in the BDP is indicated by the leadership's continuing domination of the party's primary elections, especially at parliamentary level. Critics of the leadership have in the past been vetted out while the candidacy of others was recalled. Since most parliamentary constituencies are BDP safe seats, the BDP leadership effectively determines the composition of Botswana's parliament. Institutionalized intolerance, the vetting out and the recalling of critics have produced a weak parliament that is unable to exercise independent oversight over the executive or significantly influence public-policy. With parliament reduced to a rubber stamp, the executive is virtually unaccountable to parliament.

For BDP internal democracy to substitute for weak inter-party competition, the paper further argues that BDP factionalism should shift from opportunism to principle and policy differences. This could also promote both government responsiveness and accountability while also guarding against authoritarianism and bad leadership decisions. Since the constitution of Botswana also compounds the lack of internal party democracy in the BDP the paper also makes an argument for the amendment of the constitution of Botswana. In particular, there is need to review and make appropriate amendments to the president's sole executive powers and removal of presidential immunity over non-state matters.

The first section of the paper looks at the weakness of opposition parties, the second discusses democratic consolidation in the context of Botswana, the third focuses on lack of internal democracy in the BDP, the fourth looks at unprincipled factionalism in the BDP while the last makes for a case democratization of the BDP and the need to amend the national constitution.

## **THE WEAKNESS OF BOTSWANA'S OPPOSITION PARTIES**

Botswana's democracy is characterized by the dominance of the BDP and the weakness of opposition parties. Due to its weakness, the opposition has failed to

unseat the BDP, let alone significantly threaten to supplant it. The opposition's best electoral performance came in 1994, when the BNF won 13 or 37.1% of the 39 contested seats in parliament (Botswana election report 1994: 102). Several justifications have been advanced to explain the opposition's weakness and its subsequent failure to win power. These include lack of strategy and ideological weaknesses relative to the BDP (Selolwane, 2002), factionalism and fragmentation resulting in vote splitting (Osei-Hwedie, 2001), the first past the post electoral system which advantages the incumbent party (Molomo 2000a,) as well as lack of campaign resources in the absence of state funding of political parties in Botswana (Otlhogile, 1991; Sebudubudu, 2003).

Although the aforementioned factors have contributed to the weakness of opposition, this work argues that poor leadership, especially within the longtime main opposition BNF accounts for the weakness of opposition parties in Botswana. Destructive factionalism, recurring splits and lack of strategy are indeed reflections of poor leadership. With poor leadership, the opposition might still not benefit significantly from electoral reforms and the introduction of party funding. Over the years, poor leadership in the BNF manifested itself in the leadership's failure to preserve organizational unity.

This simultaneously weakened the BNF as a party while also producing weak splinter parties unable to challenge for power. First, the leadership failed to avert the exodus of some sections of the membership and top officials to other parties. In some instances, such exodus was even celebrated by the BNF leadership. For instance, when some members quit the BNF citing Bathoen Gaseitsiwe's authoritarian style of leadership, party founder Kenneth Koma's response was that 'a few more chaps would have to go for the BNF to advance' (Botswana Daily News, 21.01.1970). As more and more people left, among them it's founding President Ray Molomo who decamped to the BDP in 1976 citing BNF's loss of direction, the then party secretary general Mareledi Giddie stated that:

Every serious political party strengthened itself by occasional purge, expulsion and resignations of misplaced individuals, a process he referred to as 'purification by elimination' (Maundeni, 1998: 382).

Secondly, the BNF leadership has dismally failed to manage internal factional differences. Rather than remain above factional disputes, some dominant leaders would support one faction against the other whenever factional differences cropped up in the party. Not only did this make factional reconciliation difficult but also encouraged splits.

The 1998 BNF split is instructive in this regard. In the build up to the split, the BNF had been polarised into two hostile factions of socialists and social democrats (Molomo, 2000b:81; Makgala, 2003: 58). Instead of remaining above factions and reconciling them, Kenneth Koma supported the socialist faction and told the social

democrats to quit the BNF and form their own party if they did not want him as leader of the BNF (Tshukudu 1998). The social democrats quit the BNF and formed the Botswana Congress Party (BCP), currently the second largest opposition party in Botswana. Beside the 1998 split, BNF's other splits include the formation of Botswana Freedom Party (BFP) in 1989, Botswana Workers Front (BWF) in 1993 and the United Socialist Party (USP) and the Social Democratic Party (SDP), both in 1994 and New Democratic Front (NDF) in 2003. Poor leadership continued under Koma's successor, Otsweletse Moupo. Among others, Moupo nullified primary election victories of his critics and imposed his preferred candidates. As the 2009 elections approached the BNF spent most of the time in the courts of law as some members of the temporary platform (Letshabo faction) contested nullification of their primary election victories.

With the exception of the BCP which continues to grow, the BNF's splinter parties were numerically weak opposition parties that never won a legislative seat. Nevertheless, despite its growth, the BCP itself remains numerically weak and does not in any way threaten to unseat the BDP. For instance, it won only four or 7% of the 57 contested parliamentary seats in the 2009 general election while the BNF and BDP won six and 45 seats respectively. The remaining two seats were shared by the Botswana Alliance Movement (BAM) and an independent candidate (IEC, 2009).

To overcome their weakness, Botswana's opposition parties have in the past attempted to collaborate to unseat the BDP. However, these attempts have not been successful, some collapsing just before the elections they were meant to contest. One such was the Peoples Progressive Front (PPF) comprising of the BNF, the Botswana Peoples Party (BPP) and the Botswana Peoples Union (BPU). It was envisaged that the participating opposition parties would disband and merge to form a single opposition party to rival the BDP in the 1994 elections (Mokopagosi and Molomo, 2000:18). But the alliance collapsed just before the 1994 general election as the main party, the BNF pulled out claiming it had not been mandated by its members to enter a merger with other parties (Somolekae, 2005: 13). The Botswana Alliance Movement (BAM) of the same parties and the United Action Party (UAP) suffered the same fate just before the 1999 elections as the BNF wanted to only use its disk in the elections rather than that of the alliance (Ibid).

Furthermore, opposition parties also often disagree on the model of cooperation to use. In 2005, the BNF, BAM, and the BPP signed a memorandum of understanding to facilitate cooperation in the 2009 general election. However, the parties failed to agree on the model of cooperation to use. The BNF pulled out of the talks as the other parties rejected the alliance model it preferred. Under this model, the smaller opposition parties would align or affiliate with the BNF and thus use its symbol in the elections. But the other parties preferred an electoral pact model as they feared that they would be eclipsed by

the BNF if the alliance model was used (ISS 2009).

The collapse of opposition alliances and the failure to agree on the model of cooperation to use resulted in the opposition parties continuing to split their vote, thus posing no electoral threat to the BDP. However, while opposition cooperation could strengthen the opposition, worthy of mention is the fact that they cannot unseat the BDP as they are collectively weaker than the BDP. For instance, the opposition collectively won twelve or 21% of parliamentary seats in the 2009 general election. The BDP on the other hand won 45 or 79% of parliamentary seats. Furthermore, assuming that opposition cooperation delivered change of government, there is no guarantee that the opposition parties would not succumb to in-fighting characteristic of similar arrangements elsewhere in the continent. For instance, following its victory over the Kenya African National Union (KANU) in 2002, the rainbow coalition succumbed to infighting that often paralyzed the entire government machinery of the East African Nation (Steeves, 2006). With regard to Botswana, chances of this are even high if one considers the tension that exists between the BNF and BCP since the 1998 split. This makes internal democracy in the BDP even more crucial for Botswana's democracy is to be consolidated.

## CONSOLIDATION OF BOTSWANA'S DEMOCRACY

As with democracy itself, consolidation is a highly contested concept. To Juan Linz and Alfred Stepan, democracy has been consolidated if it has become the 'only game in town' (Linz and Stepan, 1996: 5). This occurs when all political groups in society seek power through elections only, rather than overthrowing government, when the public in times of political and economic crises believe the crises could be resolved in a democratic manner and there is recognition by all that violation of such norms is likely to be ineffective and costly (Linz and Stepan, 1996: 5-6). For Samuel P. Huntington, the measure of consolidation is the 'two turn over test' whereby a party that wins power in the first elections loses in the next elections and peacefully transfer power to the victor without seeking to overturn the election results. The new winners also have to peacefully transfer power to the winners of the next election (Huntington, 1991: 266-267).

However, the collapse of Venezuela's democracy in the early 1990's exposed the limitations of both conceptions. Before 1992, Venezuela had been considered a consolidated democracy as the two main political parties, the Accion Democratica (AD) and the Social Christian Party (COPEI) had alternated in power for five consecutive governments (Coppedge, 1994: 1). Furthermore, until the two unsuccessful military coups of 1992, democracy had also seemed the 'only game' in Venezuela (Ottaway, 2003: 71-90).

In the case of Botswana, the 'two turn over test' is

inappropriate as the weakness of opposition has rendered alternation impossible for over four decades. Furthermore, the collapse of Venezuelan democracy shows that the condition of democracy as the 'only game in town' is not necessarily always a permanent one. This begs the question of how then should consolidation be understood in the case of Botswana? The most appropriate conception of democratic consolidation for Botswana is thus the one associated with O' Donnell (1992: 17-56) and Schedler (1998: 91-107). Rather than regular elections, their conception of consolidation considers the functioning and the quality of democracy itself. Most importantly, in this regard, is the need to avoid or guard against the 'gradual decay' or regression of liberal democracy into some form of unresponsive and unaccountable form of democracy amid regular elections. O'Donnell refers to this gradual decay or erosion of democracy as the 'slow death of democracy' (O'Donnell, 1995: 23-28). Thus, Botswana's democracy would be consolidated if the gradual decay or erosion of democracy under BDP dominance is avoided. Most importantly, this entails guarding against development of authoritarianism and retention of an accountable and responsive government under BDP in the long run.

#### **LACK OF INTERNAL-PARTY DEMOCRACY IN THE BDP**

Internal party democracy, as understood in the study of liberal democracies, emphasizes the need for participation by party membership and lower party structures in the decision-making processes of the party (Ware, 1979: 70-92; Teorell, 1999: 363-82). Participation in decision-making allows the selection of more capable leaders and the adoption of responsive policies, as well as the development of a democratic culture (Scarrow, 2005: 3). For a governing party, intra-party democracy is particularly important inasmuch as it makes government (and not just party leadership) responsive to popular demands. Participation by party membership and lower structures in decision-making also imposes checks and balances against bad leadership decisions (Ware, 1987: 33). For internal democracy to exist, a culture of tolerance of debate and dissenting opinion by the party leadership is a necessary precondition (Lotshwao, 2007).

In contrast, critics of internal party democracy, or advocates of an oligarchical or authoritarian style of party leadership, point to its potential to undermine party cohesion and thus efficiency. As Schattsneider (1942: 60) puts it, 'democracy is not to be found in the parties but between parties'. Furthermore, Maurice Durverger argues that 'an internally democratic party is not well armed for the struggle of politics and...a party that organizes itself along authoritarian and autocratic lines is superior to others (1954: 134). However, where there is single dominant party, with little prospect of change of government through elections, as in Botswana, the absence of

internal party democracy can become more important than the existence of democracy between parties and 'cohesion and efficiency' can become justification for executive control. Furthermore, in the absence of checks and balances imposed by internal democracy, the party leadership is exposed to gross policy mistakes and bad decisions.

Except for leadership elections, internal democracy in the BDP exists only in theory. In terms of the BDP constitution, the National congress which comprise of delegates is the supreme policy-making organ of the party. The National congress also elects the Central committee which runs the party in between congresses held every two years. Beside the National congress, there is the National council which reviews the party's programmes and National development policies (NDPs) (Constitution of the BDP, 2010). However, contrary to the BDP constitution, the National congress and the National council do not play any significant role in policy-making, except to endorse policies exclusively decided by the party leadership and senior state bureaucrats. In particular, BDP presidents who simultaneously serve as state presidents have in recent years come to dominate policy-making. Not only does this expose the leadership to gross policy mistakes and non accountability but it also creates an environment conducive for the development of authoritarianism which threatens the consolidation of democracy.

Unilateral policy decision-making worsened with the ascendance of Ian Khama into BDP and state presidency in April 2008. Acting outside the party, Khama has introduced several policies since assuming power. These include public works programme, constituency league and the integrated support for Arable Agricultural development (ISPAAD) among others. Except to mobilize support for him and the BDP, these programmes are not responsive do the majority's concerns such as permanent job creation and poverty eradication. Furthermore, Khama has militarized some top echelons of the bureaucracy with the appointment of active and retired soldiers to head some government departments such as the directorate of intelligence and security (DIS) and the Prisons department. Sensing the danger to democracy, former presidential advisor and longtime BDP member Sidney Pilane in 2009 observed that Ian Khama had not only militarized the government but was also ruling the country by fear and patronage. He stated:

The President must know that his style of governance, verging on authoritarianism as it does, has reduced what before were able and credible ministers into his mouthpieces...Dictatorships often start with an iron grip over the government. The grip gradually and stealthily extends to the ruling party where political parties exist. Before you know it, the president has absolute power over the government, the ruling party and the country' (Pilane, 2009).

However, worthy of mention is the fact that lack of democracy in the BDP is also compounded by the

constitution of Botswana. Section 47 (1) and (2) of the constitution of Botswana states that 'executive power of Botswana shall vest in the president...who shall unless if provided act in his own deliberate judgment and shall not be obliged to follow the advise tendered by any other person or authority'. Effectively, this clause empowers the president to bypass the party and impose policies. Furthermore, the national constitution grants the state president absolute immunity from prosecution, for both state and non-state matters. The aftermath of the BDP leadership elections of 2009 held in Kanye are instructive. In the elections, the Kwelagobe/Kedikilwe (Barata-Phathi) faction emerged victorious, defeating the Merafhe/Nkate (A-Team) faction which failed to win a single position in the party's central committee. However, BDP leader Ian Khama who sympathises with the Merafhe/Nkate faction quickly devised a strategy to neutralise Kedikilwe/Kwelagobe victory. He immediately used his powers in the BDP constitution to unilaterally nominate additional members from the Merafhe/Nkate faction, including the faction's leaders, Mompoti Merafhe and Jacob Nkate into the central committee. He also appointed 77 Merafhe/Nkate loyalists to various sub-committees of the party (Keoreng and Modise, 2009). Furthermore, Khama unilaterally renewed the contract of the party's executive secretary, Comma Serema said to sympathise with the Merafhe/Nkate (Modise 2009). Khama's actions infuriated the Kedikilwe/Kwelagobe faction whose victory was being neutralised. Its prominent member, Gomolemo Motswaledi who had just been elected party secretary general questioned Khama's powers to unilaterally nominate additional members into the central committee and with the support of most members of the central committee, sought legal opinion on the matter. In response, Khama slapped Motswaledi with a 60 days suspension and recalled him as the party's parliamentary candidate for Gaborone central. Motswaledi challenged his suspension and recall in the High Court of Botswana. However, he lost on grounds that Ian Khama as sitting state president had constitutional immunity from prosecution, even for non-state matters like his actions within the BDP (Motswaledi v BDP, Ian Khama and Chairman of Gaborone central branch, High Court case No: MAHLB-000486-09). The judgement was later upheld by the Court of Appeal (Motswaledi vs. BDP, Ian Khama and Chairman of Gaborone Central Branch, Court of Appeal case No: CACLB-053-2009).

The excessive intolerance of the leadership is another aspect of the lack of internal democracy in the BDP. Such intolerance institutionalized under Festus Mogae and now Ian Khama. The victims of the intolerant leadership are vocal BDP backbenchers and some independent minds in the party. In the recent years, the BDP backbench, which constitute majority of parliament, earned the wrath of the party leadership, for attempting to exercise oversight over the executive. Some members of the BDP

backbench have had abusive language hurled at them while others were threatened with recall as the party's parliamentary candidates. For instance, in the first half of 2007, parliament debated a motion seeking to halt the privatization of the national airline, Air Botswana. In their submissions, some BDP backbenchers criticized the proposed privatization as there had not been consultation of stakeholders. This genuine criticism did not go well with President Mogae. Addressing the party's National Council, Mogae criticized the vocal section of the backbench and declared: 'a member of parliament cannot denigrate, ridicule, disparage, malign, vilify, revile and cast dispersions on the BDP government and still expect the electorate to return the party to power' (Daily News, 02 April 2007). Mogae went further and referred to vocal backbenchers as 'un-castrated' male goats which were making 'unnecessary noise' (Gabathuse, 2007). As for the recalls, the 2008 Pono Moatlhodi debacle is instructive. Following the appointment of an army officer to head the Prisons unit in 2008, Moatlhodi complained in parliament about what he perceived to be the militarization of the civil service, especially since Khama's ascendance to the Presidency. The BDP leadership immediately recalled Moatlhodi as the BDP parliamentary candidate in Tonota South, accusing him of indiscipline (Nkala, 2008). Moatlhodi's recall was only lifted following the intervention of Tonota residents who rallied behind him.

The dissent of some independent minds in the BDP has also attracted harsh criticism and marginalization by the BDP leadership. Although there are many instances, a few suffice. In 2009, BDP leader Ian Khama decreed that cabinet ministers must choose between remaining in cabinet and holding positions within the party. Whereas majority succumbed and chose cabinet over central committee, Daniel Kwelagobe made it clear that he would contest for BDP chairmanship. Khama immediately dropped Kwelagobe from cabinet, although he retained Lesego Motsumi who had also communicated her intention to contest for the post of secretary general under Merafhe/Nkate faction. To demonstrate his intolerance of Kwelagobe's defiant position, Khama started decampaigning Kwelagobe in favour of Tebelelo Seretse of Merafhe/Nkate for the BDP chairpersonship. Addressing the Central district councilors, Khama reportedly stated that he would have difficulty working with Kwelagobe whom he also declared was 'so old and in poor health' to resuscitate party structures (Sunday Standard 28 June to 04 July 2009). In 1999, Lesang Magang also became a victim of the intolerant BDP leadership. Under Magang's leadership, the BDP Youth Wing openly criticized President Mogae's decision to grant Ian Khama a year long sabbatical leave from the Vice-Presidency. The Youth league suggested that Khama should instead resign and settle his personal matters (Midweek Sun, 19 January 2000). However, the BDP leadership did not take the criticism kindly. Magang had to decline re-election as Youth Wing leader as the leadership was unhappy about

how he had handled the issue of Khama's sabbatical leave (Molomo, 2000b: 102).

The leadership's domination of candidate selection, especially at the level of parliament is the other aspect of the lack of internal democracy in the BDP. Considering that the BDP is dominant and most seats safe for it, the BDP leadership effectively determines the composition of parliament by endorsing lame ducks while the vocal and independent candidates are rejected. This has significantly weakened parliament's ability to either influence public policy or hold the executive accountable. Until 1984, candidate selection in the BDP was totally dominated by the leadership which imposed candidates without reference to the membership (Lekorwe, 2005: 134). Although primary elections were introduced after 1984, only constituency and ward delegates took part while the leadership retained power to override decisions of such delegates and impose its preferred candidates (Lotshwao, 2007). For instance in 1989, Calvin Batsile defeated Archibald Mogwe in the Kanye parliamentary primary elections.

However, the leadership rejected Batsile and imposed Mogwe on the Kanye constituents (Molomo and Mokopakgosi, 2000: 14-15). In 1995, Kabo Morwaeng defeated Gladys Kokorwe in the Thamaga constituency. In the same vein, the leadership imposed Kokorwe who had got 16 votes compared to Morwaeng's 58 (Good, 1996:69). In both cases, the imposed candidates made it to parliament. Although the BDP liberalized candidate selection with the introduction of a system in which all card carrying members could vote or be voted for in 2003, the leadership still retained control over candidate selection thereby undermining the role of the membership. In some instances, the party leadership barred some members from contesting primary elections by vetting them out. For instance Tawana Moremi was barred from contesting party primary elections in Maun West constituency in 2003 despite him being unopposed in the constituency (Lekorwe, 2005: 144). Moremi is known to be independent minded and had among others criticized Ian Khama for flying army helicopters (Mooketsi, 2005). In the worst scenarios, the leadership bypasses the primary elections and imposes candidates and recalls them when they fall out with the leadership. Gaborone central is the case in point. Initially, the leadership imposed Gomolemo Motswaledi as BDP parliamentary candidate in Gaborone central. But when he fell out with Ian Khama after criticizing his unilateral appointment of additional members into the BDP central committee, Khama recalled Motswaledi and imposed Kgomotso Mogami on the constituency. Previously, Motswaledi had also shown interest to stand in Serowe North West in a vacancy created by Ian Khama's ascendance to the state presidency in 2008.

However, the BDP leadership endorsed Tshekedi Khama to replace his brother Ian Khama without primary elections. Out of frustration over lack of democracy in the

BDP, some members of the Barata-Phathi faction split from the BDP to form the Botswana Movement for Democracy (BMD). Currently, BMD has six MPs, five of them having defected from the BDP. Two more have rejoined BDP, amid reports that BDP was luring them with money.

### **UNPRINCIPLED FACTIONALISM IN THE BDP**

The BDP has been afflicted by factionalism since the beginning of the 1990's. Raphael Zariski (1960: 33) defines a faction as any intra-party combination, clique, or grouping whose members have a sense of common identity and common purpose and are organized to act collectively-as a distinct bloc within the party -to achieve their goals. These goals may include any, several, or all of the following: patronage (control of party and government office by members of the faction), the fulfilment of local, regional, or group interests, influence on party strategy, influence on party and governmental policy, and the promotion of discrete set of values to which members of the faction subscribe (Ibid). Two factions have been predominant in the BDP. These are the Kwelagobe/Mmusi faction (now Kwelagobe/Kedikilwe after Mmusi's death) and the Merafhe faction (now Merafhe/Nkate). These factions are also referred to as Barata-Phathi and A-Team for Kwelagobe/Kedikilwe and Merafhe/Nkate respectively. Maundeni (1998) and Makgala (2006) trace the origin of BDP factions to the 1991 report of the Kgabo commission. The report had implicated BDP National Chairman and Vice President of Botswana Peter Mmusi as well as party Secretary General and Minister of Agriculture Daniel Kwelagobe in the illegal accumulation of land in peri-urban villages around Gaborone, especially Mogoditshane (Republic of Botswana, 1991; Good, 1994). The findings led to open clashes between Mmusi/Kwelagobe faction and the Merafhe faction which supported and defended the commission's report and condemned corruption in general (Makgala, 2006; 115, 173).

However, the BDP factions are based on opportunism rather than any principle or policy differences. Devoid of principle, they do not play any role in shaping public policy or enhancing government's responsiveness and accountability. They have thus failed to substitute for lack of inter-party competition in the country or to constitute an 'internal opposition' within the BDP. As Belloni and Beller (1976) argues, factions could represent varied interests within the party and thus place pressure on power holders to take into account competing factional interests and values in policy decision-making.

Sartori (1976: 77) and Bettcher (2005: 344) refer to such factions as 'factions of principle'. To demonstrate the lack of principle and opportunism of the BDP factions, a few examples suffice. While the Merafhe faction initially condemned corruption associated with the Kwelagobe/

Mmusi faction, the same faction (Merafhe/Nkate) has not shown any commitment to fighting corruption in Botswana. The faction only attacked corruption to vilify and score victory against the Kwelagobe/Mmusi. For instance, parliament adopted a motion on declaration of assets by public office holders in 1996. After 14 years, the executive continues to refuse to implement the motion. However the Merafhe/Nkate faction has not pushed for the implementation of the motion on declaration of assets. The faction has even been critical of those calling for the motion's implementation. When Dumelang Saleshando of the BCP sought to re-table the motion on declaration of assets, it was crashed by the BDP whose crusade against the motion was led by none other than Merafhe himself. In dismissing the motion, Merafhe declared that 'we have to stop Saleshando from making himself popular with the motion...we are a majority and everything should be done on our own terms' (Mooketsi 2010). Neither is the faction concerned about good governance in a broader sense. Following public outcry on the execution without trial of John Kalafatis by state security agents in May 2009, Vice President Merafhe showed no concern to human rights violations and non accountability of state security agencies and declared that 'one or two' shootings could not dent the country's reputation on rule of law (Piet and Modise, 2009).

In the same vein the Kwelagobe/Kedikilwe faction also lacks principle. For instance, the faction is reportedly opposed to automatic succession to the presidency and special nominations of MPs and councillors. In 2009, one of its prominent members Botsalo Ntuane told parliament that 'automatic succession was not democratic as it empowered one individual to determine who succeeds him' (Mooketsi, 2009). Yet, acting cohesively, including the Kwelagobe/Kedikilwe faction, the BDP used its parliamentary majority to defeat an opposition motion calling for the introduction of direct presidential elections and abolition of presidential automatic succession in 2008. In dismissing the motion tabled by BNF's Akanyang Magama, the BDP MPs argued that automatic succession should be retained as it had served the country well (Mooketsi 2008). Another case regards declaration of assets discussed earlier on. With the BDP on the verge of split in 2010, the Barata-Phathi made some demands to be met by President Ian Khama. Among them, Barata-Phathi wanted the implementation of the law on declaration of assets. Yet, as with the Merafhe/Nkate, Barata-Phathi are also not committed to declaration of assets as they never pushed for the motion's implementation since 1996.

In 2004, Kwelagobe, even told a BDP rally in Maun that he did not support declaration of assets (Nkala, 2004). However, his faction is now using declaration of assets as a bargaining chip in the BDP factional wars to both score victory against A-Team and gain public sympathy. When parliament voted on the Saleshando motion on declaration of assets, BDP MPs including the Barata- Phathi withheld their votes (Modise, 2010). The motion was

easily defeated, with 11 and 16 MPs voting for and against respectively (Ntshole). The 11 MPs correspond with the opposition in parliament. Had the Barata-Phathi been principled and in support of declaration of assets as well as opposed to automatic succession, one would have expected the faction to lead a BDP backbench rebellion and end automatic succession and also compel the executive to implement the law on declaration of assets. As a result, automatic succession remains intact and elite corruption has flourished in Botswana.

Furthermore, after the 2004 general election, Ponatshego Kedikilwe tabled a motion calling for the abolition of the special nomination of councillors by Local government minister. Kedikilwe argued that that the system promoted patronage and was no longer necessary as it rewarded loyalty to the party leadership rather than injecting needed skills into councils as initially intended. However, Kedikilwe simply abandoned the motion on appointment to cabinet. Asked about the motion he stated that 'all I can say is that I came up with a motion...now I am a cabinet minister and motions are proposed by the backbench' (Botswana Gazette, 24-30.07.2007). As a result, this patronage system remains intact to the benefit of the BDP which mostly nominate its members. When parliament debated this motion in 2005, Kavis Kario told parliament that this system was his party's funding strategy as the nominated councillors contribute part of their earnings to the party (Piet, 2005).

Elsewhere principled factionalism based on ideological and policy differences did substitute for lack of inter-party competition. The Australian Labour Party (ALP) in the 1980s is a case in point. In particular, the centre and left factions played roles in shaping public policy (McAllister, 1991). Although predominantly self interested and patronage oriented, the Liberal Democratic Party (LDP) factions in Japan also influenced public policy during the long LDP rule (Bettcher, 2005: 345), there by substituting for weak opposition.

#### **A CASE FOR DEMOCRATIZATION OF THE BDP AND AMENDMENT OF THE NATIONAL CONSTITUTION**

Botswana's democracy to be consolidated, the BDP must democratize. Among others, the policy-making powers of the National congress must be restored while leadership needs to become more tolerant of diverging opinions. Furthermore, candidate selection at the level of parliament should be democratized with the abolition of the leadership's power to vet out, recall or impose candidates. In this way the National congress could both shape public-policy and thus check against bad decisions by the party leadership. In the same vein, tolerance could not only promote a democratic political culture within the BDP but also guard against bad leadership decisions within the party while the democratization of candidate selection could strengthen parliament and thus its ability to exercise executive accountability.

For its facilitation of autocracy in the BDP or any future ruling party, the national constitution also requires amendment, in particular sections 47 and 41. Effectively, the centralization of executive powers on the president excludes the BDP membership or its delegates from playing any significant role in policy-making at the party level. Even if the BDP democratizes and section 47 remains effective, unilateral policy-making would continue. Furthermore, although presidential immunity is justifiable, such immunity should not be absolute. By granting the president absolute immunity from prosecution for their actions, even non state ones, the national constitution undermines leadership accountability within the party. Immune from prosecution, presidents could act as they so wish within the party. With no other legal mechanism in place to hold the president accountable internally, the national congress remains the only safety valve. So a balance must be found between absolute immunity and constant threats of litigation against a sitting president. The overall aim is to ensure that a sitting president is accountable but safe from frivolous and malicious litigations.

## CONCLUSION

This article has argued that the opposition parties in Botswana are too weak to unseat the dominant BDP. The article blames this on poor leadership, especially within the main opposition Botswana national front. In order to consolidate democracy or guard against gradual erosion under BDP dominance, the article also argues that there is need for more internal party democracy in the BDP to substitute for weak inter party competition. For internal party democracy to substitute for weak inter party competition, the article also proposes that BDP factionalism should shift from opportunism to principle and policy differences. This could enhance government responsiveness and accountability as the faction outside government could check and balance the one in government. Finally, the article has made a case for national constitutional reform as the national constitution compounds the lack of internal party democracy in the BDP by centralizing political power on the sitting state president and granting him or her absolute immunity from prosecution.

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