Rethinking non-accountability and corruption in Botswana

Is Botswana’s once-vibrant democracy under threat from a pompous government which brooks little criticism and refuses to account for its actions?

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A general working definition of corruption in government is the abuse of public office for private gain. It accommodates various forms, and has wide applicability and acceptability.

Corruption is inherently and inescapably an ethically laden phenomenon: “To discuss corruption in a polity is to discuss the standards of right and wrong in that polity.” There is nothing neutral or value-free about corruption. It involves theft, abuse, and exploitation of the many by the comparatively few, and it “hinders economic performance, increases the cost of public investment, lowers the quality of public infrastructure, decreases government revenue, and makes it burdensome and costly for citizens – particularly the poor – to access public services.”

Corruption is usually closely associated with the absence or weakness of democracy. For instance, in the early modern patrimonial-bureaucratic state in Britain, 16th to 18th centuries, “officials were paid by those who needed to use their services”, and corrupt practices, according to Peck, were “the cement welding together the Crown and the political elite”. They were endemic, and served “to reinforce the status quo, primarily the interests of the landed aristocracy”.

In contemporary early capitalist dictatorships like King Hassan’s Morocco, Suharto’s Indonesia and Mobutu’s Zaire, corruption was similarly both endemic and systemic, entrenching the power and privileges of a small elite, and impoverishing and marginalising the people.

What ultimately cleaned up British politics was the transformations wrought by capitalist industrialisation, and the democratisation movement of the late 19th and early 20th centuries, which grew out of the burgeoning towns, factories, and improved communications systems. Within an expanding range of self-help groups, burial societies, savings clubs, co-operatives, and, local, later national, trade unions, later still, a Labour Party, a dense array of civic groups arose through which people tried to fashion a better life for themselves.

The process was both socio-economic and deeply political. The People’s Charter of 1838 had six basic demands: universal male
suffrage; secret ballots; annual parliaments; salaries for MPs; abolition of property qualifications for MPs; and an end to rotten boroughs.

This was democracy in aspiring practice, not just as voting in periodic free-and-fair elections, but as a drive towards increasing equality broadly. New urban working-class men and women began to look to the state for goods and services which it had never previously provided – education, better living and working conditions, organisational rights – and they demanded a new kind of government, an activist, embryonic welfare, democratic, and thus clean, state, in consequence.

It became “a time of glory and a time of hope” for the common man and woman, and the process of working-class self-determination swept aside the corrupt structures. It was this popular developmental movement which “almost extinguished” corruption in Britain, at a rate and to an extent that was “quite outstanding”. The legal reforms which parliament gradually conceded were the milestones to its progress and achievements: in 1832, for instance, parliament enfranchised the commercial and industrial middle classes; the Corrupt Practices Act in 1833 increased penalties for corruption and asserted centralised controls; vote-buying was restricted in 1854, and again in 1883; in 1867, the Reform Act gave the vote to most urban artisans (but not to the unskilled or women); and in 1872 the Ballot Act introduced the secret vote.

Something not dissimilar happened almost coincidentally elsewhere in Western Europe during the “first great wave of democratisation” under the banner of social democracy. But emphatically not in the United States, the world’s leading liberal polity, where “the majority of the population... did not place any value on an honest administration, or at least they never collectively manifested this.”

Today Finland and Sweden, viable social democracies still, score at the top of world indexes of clean and open government. In Stockholm the Prime Minister’s mail, both outgoing and incoming, is placed on public display each day, while the minority of Americans who bother to vote in presidential elections – around one-third of those eligible normally – choose a “Tricky Dicky” Nixon or an amoral Bill Clinton.

Both the positive evidence from Britain, the Scandinavian countries and, say, the Netherlands, and the negative inference from the United States, shows that it is an organised, democratic people which plays the fundamental role in cleaning-up corruption. This has been recognised by Americans as former Vice-President Al Gore, who told an anti-corruption conference in Durban in October 1999, “A vibrant democracy is the only enduring antidote to corruption”.

Reform measures to extend the vote, to establish special agencies, and so on, are vital, but they are secondary and derivative. In addition, a careful historical approach is important to the understanding of corruption in particular countries. Corrupt practices were systemic in Britain over some two centuries, but they were almost eradicated under specific conditions – although the likes of Jonathan Aitken and Lord Archer recur.

Informed, critical analysis is a better guide to an understanding of such changes than a reliance on “perceptions”, such as are largely used by bodies such as Transparency International. These may be overly dependent on accrued actual misconceptions, whether with regard to democracy and justice in the United States or the supposed “shining light” of pre-1990s Botswana when, in a sea of one-party states and the apartheid regime, its democracy and governance acquired exaggerated, fixed term lustre.

**History and Culture in Botswana**

Distinctive features exist in Botswana which warrant close examination. The keyword for a chief or leader in Setswana, kgosi, connotes someone who is both rich and politically powerful. Chiefs in the 19th and early 20th centuries were active, individual accumulators of cattle, land, and control over labour. Leadership in the inherited culture was based on a fusion of wealth and power, on a basis uncommon elsewhere in southern Africa and in modern liberal democracies.

The independent country’s first two presidents, over more than 30 years of its existence, co-founders of the ruling party, were both men of landed wealth, with a considerable personal stake in the economy. While this might have introduced an element of economic rationality into their policy making, it also raised fundamental problems of special interest, as when they made decisions on taxation policy on cattle exporters and state subsidies for the sector. These interests were nonetheless sanctioned within Tswana political culture.

Such wealth-accumulating leadership was located, furthermore, within what were in the 19th century and later highly stratified, sharply hierarchical societies. John Iliffe refers, in fact, to “the starkness of the dichotomy of rich and poor among the Tswana”, and to “the remarkable continuity between the pre-colonial poor and those of the late twentieth century” in Botswana. Thus, chiefs of both wealth and power are separated from the mass of the people by a deep and broad gap. Peter Fawcus and Alan Tilbury, leading participants in the transition to independence, also noted the “near omnipotence” of the chiefs, who amassed wealth through tributes, free labour, judicial fines, and cattle production.

Civil society, unlike 19th century Britain or South Africa during the industrialisation of the 1970s-1980s, was historically absent in Botswana. Occasional public assemblies of adult males took place to discuss critical issues, but “in all cases the chief made the final decision on policy”. The power of the ruling elite amounted to an autocracy, in possession of firm social control.

Elements of reciprocity within the chiefly system and cattle production served to disguise inequalities, and the kgotla functioned to mobilise support for policies and programmes which ruling elites had already decided upon.

**Liberal Democracy in Botswana**

It was upon this autocratic, elitist and wealth-accumulating inheritance that a modern liberal democratic system, emphasising multi-party politics and regular, free and (fairly) fair elections, was established. As one-party states and military regimes were rising and falling around Africa, it was in the genius of Botswana’s “founding fathers” that they established a stable and enduring system of liberal democracy – a politics of choice associated with an economy of choices, as CB Macpherson once put it. By the late 1990s, the system displayed the following characteristics: the President decides alone, both consti-
tionally and as president of the ruling party, 1966-2002. The single party has won every election to date under democratic conditions, and a predominant party system exists. Elections in Botswana, President Festus Mogae observed in late 1999, are dull, and the country is very proud of this dullness; participation by eligible voters in elections and referenda tends to be low to very low.20

Since 1999, more clearly than ever before, Botswana has become, in the words of Damoff and Holm, "a democracy without a credible opposition".21 This represents either a virtual contradiction in terms, or a severely limited form of liberal democracy. Perceptions of a 'shining light' were, on Botswana's own terms, as well as on post-1990 regional comparisons, misplaced.

Given the autocratic and hierarchical elements in both the inherited culture and the modern politics, accountability and openness is not easily achieved in this highly elitist system. Not only is an organised opposition absent, but civil society remains weak, within what remains an undiversified economy (despite sustained and rapid growth).22

While civics and other self-help groups acted as the font and force for democratisation in Britain and in South Africa, in Botswana they have barely limped behind the state-initiated endeavours, their role and contribution frequently discouraged by politicians and bureaucrats.23

"Civil servants and politicians in our sample rejected the idea that groups should get involved in election politics, other than to encourage people to vote", and Kenneth Koma, an enduringly unsuccessful opposition leader, "said unequivocally that citizens should support parties as 'individuals' and not through groups".24 If organisation is "the weapon of the weak in their
struggle with the strong”, Botswana in democratic terms are largely defenceless.25

Non-Accountability Continued
The 1990s offered numerous, well-documented examples of low or non-accountability in government. The commission of inquiry into illegal land transactions in villages adjacent to Gaborone, chaired by Englishman Kgabo, found evidence of the use of high office for personal gain, and named the Vice-President and Minister of Local Government, Lands and Housing, PS Mnusu, and the Minister of Agriculture, DK Kwalagobe. Kgabo reported that the names of the two ministers had “cropped up very frequently” before the commission, and “the public does not refer to them with any compliments”. He concluded that “government credibility and integrity are at stake” around Mogoditshane. Mnusu was also the national chairman of the governing Botswana Democratic Party (BDP), and Kwalagobe was its secretary-general.26

Not long after, a Presidential Commission into the operations of the Botswana Housing Corporation (BHC), chaired by Richard Christie, reporting late 1992, identified “gross mismanagement and dishonesty” in the corporation, “resulting in the loss of tens of millions of Pula”. It found also that a company called Spectra Botswana had earlier given an unsecured loan of P500 000 to one of its three directors, Michael Tshipinare, who was simultaneously an Assistant Minister of Local Government, Lands and Housing. Spectra’s parent company, the Premier Group of South Africa, thereafter made a successful tender-bid to build a new headquarters for the BHC at a planned cost of P53 million. The other Assistant Minister in Local Government, Ronald Sebego, was found to have used his position for the benefit of friends. Christie concluded that “ultimate administrative responsibility” was borne by the Permanent Secretary in the Ministry, who was also Chairman of the BHC, Pelonomi Venson, while Vice-President Mnusu held “political responsibility” for the massive corruption.27

Those accused and named in these two reports vigorously insisted that they had done no wrong and held no responsibility for the consequences. Mnusu and Kwalagobe resigned from government in March 1992, and held public rallies at which they continued to declare their innocence. Only in June was their suspension from party office announced.

The mismanagement in the Ministry of Local Government and the BHC came to light through public controversy fueled by good investigative reporting in the independent press. Internal government checking mechanisms were throughout either absent or ineffective. At the BDP congress in July 1993, Kwalagobe and Mnusu were re-elected to their former positions with large majorities, and Kwalagobe called this proof of his innocence. In the same month, Tshipinare was found guilty by the Chief Magistrate in Gaborone of corruptly obtaining a P500 000 loan from Spectra, and sentenced to four years in jail with three of them suspended.

Not four months later he was free, having been found not guilty on appeal to the High Court. The judgement of Justice Gyeke-Dako appeared to cast clear light on the accepted business practices of ministers. The quasi-judicial judgements of the two Commissions, popular opinion expressed in the newspapers and elsewhere, and the norms of responsible government were ignored by Tshipinare and Sebego, Mnusu and Kwalagobe.28

This was far from all. The National Development Bank (NDB) was “a pillar of our financial system”, in the words of the Minister of Finance and Development Planning, Festus Mogae, in 1991. By late 1993 the NDB was nearly bankrupt, with accumulated losses exceeding P40 million, and with loans outstanding of over P90 million. At a press conference in January 1994, Mogae stated that the key problem facing the Bank was the reluctance of borrowers to service their loans. Thanks to unofficial whistle-blower action from within the NDB, the identities of the Bank’s leading debtors were soon clear.29 Among the more prominent was the Minister of Commerce and Industry, PHK Kodikile, with an outstanding balance of P640 000, of which P260 000 was in arrears; his colleague at Labour and Home Affairs, Patrick Balopt, was indebted through his company Phuramarapo Investments P/L to the extent of P1.1 million, with arrears of P400 000; President Masisi owed P546 000; Tshipinare owed P600 000; and Sebego P1.5 million.

The government’s supervision of its financial flagship had contributed to the collapse.30 Government had injected considerable funds to cover the write-offs of bad debts by the NDB on a number of occasions through the 1980s, and it sanctioned the rescheduling of loans on an across-the-board basis. It had effectively indicated to borrowers that loans need never be repaid since their cancellation might be expected.31

The response of the ministers concerned to the revelations took a number of decidedly negative forms. One was to assert that their loans and indebtedness were the fault of the NDB. Another was to claim that “we are human too”, and “like all farmers” are sometimes in arrears; a third response was to criticise the exposure and to attack those who tried to investigate the role of the ruling elite in the Bank’s collapse. President Masisi said the furore itself was “unethical”, and declared that “the media should refrain from this witch hunt”. The Minister of Foreign Affairs, Dr Gaositwe Chiepe, similarly claimed: “We are breathing… a culture of mistrust and abuse where you bundle everyone into one group without verifying the facts”.

What was not offered, nonetheless, was any solid rebuttal or revision of the figures over several weeks of commotion, including two lively protest demonstrations by students and others in Gaborone. But the government was not pressed for further information, and it failed to explain the circumstances under which ministers had acquired their loans, and how these had been maintained and accumulated. No resignations resulted.

President Masisi offered a fourth argument against the exposure which carried definite weight within the distinctive political culture of Botswana. The issue had to be seen, he said, “in its context”. Botswana, especially in its agricultural sector, was “a highly risky area”. But “the people who venture”, as he put it, were “the hope of our society”. Entrepreneurship - true venture capital - he seemed to be saying, must be accorded free rein. This was the basis on which Botswana had grown. He did not elaborate.32

No area of governmental activity shows less accountability, however, than the military... the failure to explain, justify and account also characterised the country’s extraordinary military expansion programme...
ON GUARD A Botswana Defence Force soldier facing a future of increasing militarisation in his country.

told the deputy leader of the Opposition that it was "unacceptable for the Honourable Member... to expect me to reveal such sensitive information".36

The International Institute for Strategic Studies (IISS) in London reported that Botswana had earlier bought 36 British Scorpion light tanks, and it said that the country's military expenditure had risen from P214 million in 1992 to P625 million in 1995. Unaffected by the revelations, Lieutenant-General Ian Khama told a reporter in April 1996 that "it is not in the nature of any army in the world to discuss its strength".37

Botswana's military expenditure as a percentage of GDP was 4.9% in 1993 as opposed to 4.6% by South Africa. It was high by world standards too - higher even than the United States then. When such outlays were combined with the leadership's refusal to explain, the results were regionally de-stabilising. Jackie Cilliers, of the Institute for Defence Policy in Johannesburg, was quoted as saying that Botswana had no known enemies: "If you build up a large military without a purpose, it becomes a threat to the country [itself]." Jane's Defence Weekly agreed that it was a large and surprising expansion, and it emphasised too that actually acquiring an operational battle tank capacity from a zero base "will take 10 years or more" in training and acquiring field experience.38

Military expansion jumped further forward in June 1996 when press reports indicated that Botswana had purchased 13 CF-5 (or F-5) fighter-bomber aircraft from Canada, at a cost of $49 million. These were comparable in performance to Zimbabwe's Mig-21s and South Africa's Mirage F-3s. Again, this was just the first step in a long programme of training and development. Ross Herbert in Johannesburg estimated the costs to Botswana of training 13 pilots for the F-5s as $50 million. The necessary maintenance, fuel, radar systems, munitions, and storage would constitute additional expenditures.39

President Masire stood by his ministers and his Force commander in refusing to explain what was happening. "An army is an army because it is equipped as an army", he said in July. "We therefore are getting equipment adequate to our needs and we need no apology to anybody for doing that."40

The military expansion, and the secrecy surrounding it, apparently goes on. Newspaper reports in July 2001 indicated that Botswana had purchased 20 tanks from Austria, and that some or all of these had already arrived the previous year. An Austrian diplomat based in Pretoria, Caroline Gudenus, said that the deal had been negotiated in 1998, at a reported cost of $32.5 million. An option for a further purchase existed. A BDF spokesman would neither confirm nor deny the report.41 In 2000, military expenditure in Botswana represented over 5% of GDP, while it was 3.5% in Zimbabwe, and just over 2% in both South Africa and Namibia.42 Zimbabwe was then heavily involved in conflict in Congo-Kinshasa, where Namibia was also engaged on a smaller scale.
The Ombudsman, Lethebe Maine, called for the enactment of a Freedom of Information Act in late 1999. Glowing words about the Ombudsman as a pillar of democratic government, he noted, meant very little unless the right to complain and to raise issues was fully available to all sectors of the public. "The effective flow of information about policy and administrative matters", he added, "are fundamental to the role of the Ombudsman."43

What exists in Botswana approximates closely to what John Ryle calls a government that "does not engage with its critics".44 Even questioners, as during the NDB loans scandal, are readily labelled and dismissed as "breeding a culture of contempt", of being "abusive", and the mere act of asking questions is portrayed as "a witch hunt". Silence, and a contrived amnesia, are the further consequences. Recently Outsa Mokone, editor of The Botswana Guardian, saw Botswana afflicted by what he termed "the battered wife syndrome" - "each time we are short changed by our leadership, we try to make excuses for them, for fear of appearing disrespectful." But the reality was that the media had great responsibility, especially in the wake of the 1999 elections: "The political opposition is fragmented and weak. The parliamentary watchdog role has been eroded... [and] the civil society is small and still developing."45

The government soon showed its dislike of the Guardian's questioning and critical style. On or around 23 April, President Mogae issued a verbal directive that all state and parastatal bodies, and private companies in which the state had a majority shareholding, should cease placing advertisements in The Botswana Guardian and its associate The Midweek Sun.46

Chris Bishop, short-lived editor of news and current affairs at Botswana Television (BTV), experienced direct interference from ministers in his choice of programmes. When he proposed to show a documentary film on the convicted murdered Marietta Bosch, the director of information and broadcasting, Andrew Sestiny, informed him (as Bishop stated in an affidavit) that "a government decision had been taken and that [he] would not be permitted to broadcast the feature". The instruction came directly from the Vice-President, Ian Khama.47

A planned story on the Basarwa - an indigenous group then facing removal from ancestral lands - was also opposed from on high. Bishop declared that during his time at BTV there were other incidents of harassment "including veiled threats directed against me". "Certain ministers," he also stated, "considered the television station as their personal privilege to use at will." Editorial independence did not exist at BTV, and Bishop was obliged to resign.48

Fairly clearly, on the record of the 1990s, good governance suffers when a ruling elite refuses to explain and account for its actions. The biggest losers are unlikely to be among the educated and professional middle classes, who have resources to hand to discover the truth. In the early 1990s passivity and deference was widely inculcated among youth in Botswana.49 The "real losers" within an elite-promoted obscurity and silence are probably "the poor and the voiceless".50 In other words, democracy worsens in its fundamentals as this is sustained over time, and increasing openings arise for corruption.

Mismanagement and Actual or Potential Corruption

Tendering procedures are another area of documented concern. The contract for the supply of teaching materials for primary schools in 1990 was awarded to International Project Managers (IPM). It resulted in the dissipation of P27 million, largely unaudited. Responsibility for primary education was shared between the Ministry of Local Government and that of Education. No tender competition was conducted, and no proper study of experienced agencies in the area of educational procurement was made. IPM was essentially Robert Paul Castro and his wife. Castro had neither educational qualifications nor technical experience, but what he did have, on late assessment, was "quick wits and a persuasive tongue".51

There was in fact "no apparent analysis whatever of the persons employed by the company or their qualifications". Castro was allowed to draft his own contract, which had no financial ceiling, and which was not approved by the Central Tender Board. He was "overpaid an ascertainable sum of P383 302,26", but the actual overpayment could not be determined.
Nevertheless, for the subsequent 1991 school year the consultancy was again awarded without a competitive tender. Problems seemingly continue. The former minister, Ponaatshego Kodikile, declared in August 2001 that tendering procedures were being manipulated by what he called a “mafia clique.”

The important Financial Assistance Policy (FAP) was also highly problematic. The Minister of Commerce and Industry, George Kgoroba, told parliament in March 1998 that there was widespread abuse of FAP, especially on the part of small companies. FAP recipients and suppliers colluded together to defraud the government and public.

Suppliers promised to meet the equity contribution of the FAP applicant, and recovered their costs through inflated quotations and premature invoicing.

The consequences were projects that were severely undercapitalised and quickly collapsed. New and extraordinary methods of project approval were necessary, he said, to combat this corruption and waste.

Progress remains limited. In his Budget Speech, 2001, the Minister of Finance and Development Planning, B Gaolathe, noted that a recently completed fourth evaluation of FAP had revealed “widespread abuse” of the scheme, and it confirmed that about 75% of small-scale FAP projects had not survived beyond their period of assistance.

Mismanagement may act, of course, as a cloak for corruption. Certainly another area for concern is irresponsible and incompetent parastatals. When Christie identified “gross mismanagement and dishonesty” within the BHC, he stressed specifically that the Corporation’s maverick manager had acted out of public control. Part of the problems experienced at the NDB seemed to relate to the composition and competence of its Board. Civil servants predominated in 1994, and their autonomy, independence, and collective strength relative to decision-making Ministers was questionable.

On the testimony of the whistle-blowing employees, interest rates on NDB loans were not set by the Board but by government. Various review and restructuring programmes had been announced since 1989 but not implemented.

The competence of the key parastatal, the Botswana Development Corporation (BDC), is very doubtful. When Beach Club Clothing collapsed at Selebi-Phikwe in April 1999 it held outstanding loans and guarantees with the BDC worth P7.7 million, dating back to 1993, extended in 1995. It too had FAP grants.

It moved out overnight, and left a notice at the gate telling its workers — some 2,000 of them — of the closure. The BDC managing director, Kenneth Matambo, disclaimed responsibility, on grounds of corporate incapacity: “We at the BDC, technically speaking, do not have the experience in running any other business other than issuing loans.”

The collapse of Beach Club and many other textile firms paled into insignificance, in terms of long-term development and diversification, when car assembly in Gaborone was terminated. This resulted in part because the BDC had entered into a partnership with Motor Company of Botswana (MCD) in which Billy Rautenbach, a highly politicised Zimbabwean entrepreneur (with active financial and political interests in Congo-Kinshasa), was a co-owner. Ownership and control in this and two associated firms was, in fact, loose, complex, and suspicious.

The assembly of Hyundai and Volvo cars in Gaborone faced intense opposition from South Africa. Final bankruptcy quickly resulted when the National Director of Public Prosecutions in South Africa, in November 1999, publicly named Rautenbach as a leading criminal in the country, embroiled in warlord activities in Congo. The Completely-Knocked Down (CKD) car facility in Gaborone had a value of over P200 million in 1998, and represented considerable skills and technology transfers; Hyundai had invested around 30% of the capital sum, and BDC put P85.6 million into the project.

By 1999 Hyundai exports had narrowed the balance of trade between Botswana and South Africa from 1:25 to 1:6. But BDC failed to recognise the rather patent incapacities and the tainted character of Rautenbach. He and his family firm, Wheels of Africa, were inexperienced in car assembly, and by 1998 it was clear that continuing association with this vulnerable figure threatened the sustainability of the project.

Quill Hermans observed in 1995 that the efficiency of the public sector in managing development had diminished, and projects were no longer well coordinated. The record on policy implementation was “lamentable.” The record with regard to FAP, to the management of projects at Selebi-Phikwe, and to car assembly, suggests that little or nothing had improved.

The availability of easy credit, of debt roll-overs, and of financial bailouts to indebted small companies are interrelated and highly problematic areas. They characterised much of the 1990s.

Considerable evidence suggests that the trade in military equipment is inherently corrupt world-wide. Middlemen and brokers are important in the arranging and fixing of deals, wherein the material might have no fixed price, and sales are arranged through kick-backs to the purchasers. Witness the Bofors gun scandal involving the highly reputable government of Olaf Palme in Sweden and that of Rajiv Ghandi in India, beginning in 1985-1986. No evidence suggests that Botswana’s military expansion has been influenced by corruption. But with accountability so conspicuously absent in this area there is no reason for complacency either.

Non-accountability in government is the greatest area of weakness overall, and it relates to the fundamentals of Botswana culture and the limitations of its liberal or elitist form of democracy. The cures here are not only a Freedom of Information Act, a long-awaited Register of Members’ Assets, protection for whistle-blowers, a strengthened Ombudsman and an anti-corruption agency independent of presidential control. These and other reforms are important, but a prerequisite is heightened political participation, a stronger civil society and improved popular decision-making generally.

The broad record shows that clean and accountable government is a long-term process, which necessarily starts from the socio-economic ground up. It got underway in Botswana in the early 1990s, and the three Presidential Commissions of Inquiry, the NDB exposures, on the one hand, and the establishment of the...
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Directorate on Crime and Economic Corruption and the office of the Ombudsman, on the other, were its early fruits forced on the government by manifest public concern. Citizens demonstrated in the streets, and journalists unearthed some facts.

The 1994 elections, when the opposition made its biggest gains ever in Botswana, were the further product of the protest against non-accountability and corruption. Popular momentum was soon dissipated, however, and the "dull" normality so favourable to the governing elite was restored.63

But the vital role of the press in striving for accountability was endorsed by the courts in September 2001, when Justice Lesetedi ordered the government to end its advertising ban on the Guardian and Midweek Sun.

His judgement affirmed that freedom of expression was a fundamental cornerstone of a democracy, and a free media was a large part of that. The press had been in the forefront of the fight against corruption and the abuse of power. The courts of law, he said, must jealously guard the freedom of the media.

He emphasised too that government must accept more scrutiny of their actions than the ordinary person. Precisely because of their high office and responsibilities, they should be more tolerant of criticism.64

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Notes & references


4 See, for example, John Waterbury, ‘Endemic and Planned Corruption in a Monarchical Regime’, in Heinseidener 1993, pp 221-222.


6 The Economist, 1 July 2001.


10 Holm, Molutsi and Somolekae 1996, p 43.


12 Holm and Molutsi and Somolekae 1996, p 59.


16 Good 1994, pp 505-506; 520-521.

17 An unsigned document listing NDB loans to Ministers and MPs, the names of the top 15 defaults as of September 1993, and other details, was faxed to various recipients, and the information appeared in the independent press, notably The Botswana Gazette, 9 February 1994.

18 The ministry with direct supervisory responsibility was Finance and Development Planning, the keystones of state capacity in Botswana. Samatar 1999, pp 82-88, 141.


20 Interview in Mmegi, 18 February 1994.

21 Moody Mail (Johannesburg), 6 November 1992.


25 Ibid.

26 Ibid.

27 Star, 18 June 1996.


31 The Botswana Gazette, 3 November 1999.


34 From the subsequent ruling of Justice Isaac Lesetedi, reported by Inathi Letzisdidi, Midweek Sun, 19 September 2001.


41 The Botswana Gazette, 28 April 1998.


43 Good 1994, pp 504, 510.

44 The Midweek Sun and The Botswana Gazette, 28 April 1999.


46 Ex-President Maire, interview with Ray Hartley, Sunday Times (Johannesburg), 7 June 1998; Mmegi, 7 May 1999.


48 Excerpts of his speech, Mmegi, 30 June 1995.

49 Budget Speech 2001, pp 6, 10.

