

THE INDEPENDENT ELECTORAL COMMISSION (IEC) : Its Role, Functions and Performance Thus Far.

1.1 INTRODUCTION:

1.1.1 Since the first pre-independence general election of March 1965, elections have been run by the Supervisor of Elections who fell under the Office of the President. As time went on the public, particularly members of the opposition parties, saw the Supervisor of Elections as being too much of a government employee who was controlled by the ruling party.

Opposition political parties then called for the formation of an Independent Electoral Commission to run the elections. Government heeded the call. This was followed by the Amendment of the Constitution to accommodate the establishment of the IEC. The IEC replaces the office of the Supervisor of Elections which ran elections since 1989

2.0 ESTABLISHMENT

2.1 The IEC was established by Section 65A of the Constitution of Botswana in 1997. The amendment of the Constitution also provided for the composition of the Commission.

3.0 COMPOSITION

3.1 The Commission consists of a Chairperson and a Deputy Chairperson appointed directly by the Judicial Service Commission and five other members appointed from a list of persons recommended by the All Party Conference. As stipulated in Section 65A, the Chairperson of the Commission shall be a Judge of the High Court while the Deputy Chairperson shall be a Legal Practitioner.

4.0 MISSION

4.1 The Commission is an autonomous, non-partisan body whose primary purpose is to conduct free, fair and correct elections efficiently and effectively in accordance with universally accepted electoral principles and practices.

5.0 GOALS OF THE COMMISSION

To establish an effective voting mechanism;

To ensure that voters are motivated to vote, informed about how to vote and are officially registered to vote;

To facilitate the creation of a climate in which political parties can freely communicate messages to the electorate for the latter to make informed choices of their leaders.

6.0 FUNCTIONS OF THE COMMISSION

6.1 Section 65A of the Constitution of Botswana defines the functions of the Commission as follows:

To conduct and supervise elections of members of the National Assembly and of a Local Authority;

To conduct a Referendum;

To ensure that elections are conducted efficiently, properly, freely and fairly;

To give instructions and directions to the Secretary of the Commission with regard to the exercise of their functions under the Constitution and Electoral Laws generally;

To perform such other functions as Parliament may by law prescribe.

7.0 SECRETARY

7.1 The Secretary is the Chief Executive Officer of the Commission, He/she is appointed by the President under Section 66 of the Constitution. His/her responsibilities include:

Management and administration of the Commission;

Implementation of decisions of the Commission;

Supervision of registration of voters;

Conduct of National Assembly elections;

Conduct of local authority elections.

The Secretary is assisted by such staff as the Commission may appoint. The staff compliment includes twenty Principal Elections Officers based in the electoral regions. Each officer is assisted by an Administrative Assistant.

8.0 REGIONAL OFFICES

8.1 As already mention there are t twenty District Offices (Regional Elections Offices) at district/constituency level. These posts have been created with a view to linking the districts with headquarters and making IEC presence at grassroots level felt. Seventeen of these offices are fully operational and they form a critical component of continuous voter education outreach programme.

8.2 The main functions of the Regional Officers are to co-ordinate registration and elections and to promote voter education initiatives. In this regard they will:

make preparation for the registration of voters;

recruit and supervise Registration Officers;

arrange for, and mount training sessions for the Registration Officers in conjunction with the Headquarters;

prepare estimates for the registration of voters including estimates for polling days;

maintain accurate voters rolls;

arrange for elections including by-elections and referendum and;

arrange for requisition of materials and financial resources needed for election processes within their regions in conjunction with Head Office and District authorities.

9.0 ESTABLISHING AND/OR STRENGTHENING LOCAL PERMANENT STRUCTURES (INSTITUTIONS) FOR DEMOCRACY PROMOTION

9.1 The purpose of elections is to entrench popular control over decision-making processes at national and local levels of government and to ensure equality of political rights and effective representation for all eligible voters. It is, therefore, critical that the electoral process is managed in a manner that promotes maximum participation by all stakeholders in voter education programme planning and implementation. To this end, the IEC is about to roll out a comprehensive voter education programme. Actually, some aspects of the voter education programme are already operational.

9.2 Nonetheless, the voter education programme is expected to set up national organisations, institutions or foundations, and establish operational guidelines for collaboration to take democratisation and the electoral process forward. Linkages and co-operation will be forged among NGOs, CBOs, educational institutions, government departments, political parties, community leaders, churches, the private sector and the international donor community. Training workshops, seminars and conferences shall become the basis for interactive involvement of people in democracy development and nation building. In this way, we shall ensure that the democratic reform agenda is both nationally produced and nationally driven.

9.3 Involving a select number of civil society organisations in the training and dissemination of voter education, utilising school children in dramatising democratic situations, and interacting with people using pictorial representations and other teaching-learning situations, our people should be able to distinguish and appreciate democratic as against non-democratic experiences.

9.4 In the long-term democracy development initiatives will be introduced in schools, even at lower elementary levels, for democracy begins when a child is born. Democracy is about tolerance and co-existence where opinions and view-points of others are mutually respected and the difference in perceptions endured by all. With education and training our people can judge fairly, and consciously make informed decisions and choices.

9.5 The IEC hopes to initiate and promote a dialogue among the electorate; political parties; the media and civil society to institutionalise democratic practices and values. The research component of information, education and communication (IEC) programmes would conduct rapid democracy assessment surveys to feed into the democratic reform agenda.

9.6 The Regional Officers alluded to earlier will serve as a link between IEC headquarters and the regions to facilitate information flow to the clientele. The tasks of the IEC national and district structures, in general, are to:

initiate and oversee the implementation of the democratic reform agenda;

disseminate the assessment reports (rapid assessment survey results) nationally especially at the grassroots level;

encourage national and local debate about problem areas as identified by assessment reports and recommendations arising from evaluation research;

engage in the promotion and regular assessment of the democratisation process and;

ensure that there is continuous information flow from field experiences to IEC headquarters, and that through networking and sharing of experiences with their counterparts regionally and internationally, the IEC Secretariat contribute to the advancement of democracy in the country.

10.0 VOTER EDUCATION

10.1 DEFINITION/APPLICATION

Voter education is a form of education in support of elections. It essentially revolves around the mechanics of how to vote – though, of course, there are elements of why it is necessary to vote in it. As such, the voter is its primary target. Voter Education Programme is undertaken to ensure that voters are ready, willing and able to participate in electoral politics. The programme aims to provide basic understanding of election practices and procedures and knowledge of party symbols. The other major goal of the voter education programme is to cultivate trust and confidence in electoral processes so that the processes are seen and believed to be the most appropriate and effective means of choosing a government and the means of approving policies and socio-economic programmes that are relevant to the needs of the voter. Thus, the education of voters is not just about political issues – important as these are. It is also to give them an understanding so that they are in a position to compare parties and programmes when they ultimately vote on polling day.

11.0 IMPLEMENTORS/EXECUTIONERS

Voter Education programmes are usually planned, developed and implemented by an electoral authority/elections administration officials in collaboration with political parties and civil society organisations. The private sector and media houses may be sub-contracted to produce or publish voter Education materials but can also voluntarily engage in voter education activities on their own. Various government departments responsible for informing and educating citizens are also involved in it. The youth and children especially, can be encouraged to participate in elections by engaging in mock election games where they run for elections or campaign for others to promote the spirit of healthy competition.

A collaborative effort of civil society organisations, political parties and the general citizenry through seminars/conferences/workshops and round-table discussions will also be mounted.

12.0 THE RELEVANCE OF RESEARCH IN VOTER INFORMATION/EDUCATION INTERVENTIONS

12.1 The undertaking of social research has the potential to ensure that the opinions and views of the voters regarding matters of electoral policy and procedures are known and appropriately integrated into recommendations for policy changes. Social research allows for a greater appreciation of the level of understanding or lack thereof among electorates pertaining to electoral procedures, e.g. voter registration, vote casting, nominations, etc.; democracy as a way of governing and the role of elected officials. Social research will also allow us to identify reasons for voter apathy among the voting age population, especially among the youth. The youth did not vote in large numbers in the 1999 general elections. The election was the first in which the voting age had been lowered to eighteen years from twenty one years of age. Hopefully, research will continuously inform us about voter attitudes towards electoral processes in general, and in particular democracy as a system of government.

The IEC shall further endeavour to collaborate in areas such as a survey research with organisations such as yours to ensure that we are on the right track with regards to policy and program implementation.

13.0. Performance To date

13.1 Despite the limited time and human resource constraints, the IEC was able to arrange for and deliver the October 1999 general elections without any major negative incident. The election was described by international and local observers as free and fair. Although there were a couple of election outcomes that were petitioned at the High Court, these were mostly due to lack of understanding of procedures or flawed interpretation of the Electoral Act and other pieces of legislation that govern elections. Given that these were the first elections ever run by the IEC, the election administration and results should go into history as a notable achievement. Since then the IEC has been running several bye-elections at Ward level. These too have been run properly and efficiently.

13 . 2 An explanatory note is in order. Botswana's electoral system is a constituency-based first past the post. The country is divided into forty constituencies. These are likely to increase to at least forty five after the ongoing population census. The census is conducted every ten years and after it, a Presidential Delimitation Commission is appointed to determine whether or not the number of constituencies should be increased. Reverting back to the electoral system, each constituency is divided into wards or council seats which are also contested for in each general election. The advantage of this system is that Parliamentarians and Councillors are accountable to their voters – including those who did not vote for them. The major disadvantage is skewed representation of opposition parties in Parliament. For instance the main opposition party – the Botswana National Front – polled 37% of the national vote in the 1994 general election but only had 11% representation in Parliament. The same skewed representation was replicated in local political authorities which in Botswana are known as Councils. Other than that, the system has worked very well thus far.

13 . 3 The secret behind Botswana's relative democratic success lies in four principal factors. One is that historically, Tswana society has been run on consensual democracy. In each of the former autonomous Tswana Chiefdoms (these were amalgamated into a single nation at independence – including non-Tswana speaking ethnic groups) there was – and still is – a tribal assembly point where male adults debated and resolved major political and administrative issues in a meeting presided over by the Chief. At root then is that Botswana's modern liberal democracy is anchored on traditional consensual democracy. The second is that Botswana's political elite is very small by international standards. This political elite is by and large related by either marriage or tribal totem. It is also drawn from people who went to school together at primary, secondary and tertiary education levels. So then, members of this elite know each other quite closely and even on a first name basis. The third factor is a long history of capable state administration. As is now well established, successful democracies rest on a capable state.

Both the modern and pre-colonial Tswana states have been very strong states. Indeed, there is a general consensus among scholars in and outside Botswana that the Botswana state is an exception in Sub-Saharan Africa in that it is a developmental state. This is what sets it apart from soft, weak, predatory and vampire states in most of Black Africa. The fourth and perhaps critical factor is economic success. Since the discovery of minerals in the late 1960s, especially diamonds, Botswana has enjoyed tremendous economic growth and development. Its human development index bears testimony to this observation. Until the onset of the AIDS/HIV pandemic, Botswana's human development ranking was quite high, especially when compared to other African countries. Stripped to its bare essentials the issue at stake here is that successful democracies are founded upon socio-economic development. Without, there are little prospects of democratic consolidation. Comparative examples here are Mauritius and the Gambia. These two and Botswana are arguably the oldest democracies in Sub-Saharan Africa.

Botswana and Mauritius are successful liberal democracies because they have been successful on the economic-developmental front. Not so with the Gambia. Hence democratic reversal there through a military coup in the early 1990s. Two additional points to make are in order here. One is that historically, the state in Botswana has not been the only avenue of accumulation. Cattle raising and other private sector pursuits have long paralleled the state as avenues of accumulation. This has had the effect of mitigating political competition. Political competition has not been a life and death matter as perhaps is the case in poorer societies such as Lesotho. Hence the prevailing political stability in Botswana as compared to Lesotho. The second is relative ethnic homogeneity. Close to 80% of the population is drawn from the Tswana ethnic group. And let it be said, the norm in Tswana society is to resolve political disputes by negotiation and compromise and not by physical confrontation as is seemingly the case in places like Sudan and Eritria. In sum, Botswana is a successful liberal democratic society because of sound management and a strong developmental state.

Conclusion

This paper is by no means exhaustive in terms of the role, functions and performance to date of the IEC. What it has done is to outline the salient points that account for the sterling performance of the IEC. As mentioned in the body of the paper the IEC in Botswana is an autonomous organization created by an Act of Parliament. All stakeholders respect and abide by the constitutional provision that created the IEC.

There is no interference whatsoever by the government in the operations of the IEC even though it is the state that finances the IEC. There is a clear understanding that the IEC is a public institution and therefore it must be financed by public funds whose management and use has been conferred on the government of the day by popular vote. It is well understood in this context that the money financing the IEC is not from the ruling party but from the public purse. The IEC is also required by law to account for the funds it uses through the Public Accounts Committee of Parliament. It is the Minister responsible for Presidential Affairs and Public Administration who appears before the Committee to explain in detail how and why such funds were used in that and not in this manner.

The paper has also attempted to outline how the IEC intends to carry out the voter and civic education programme and what progress has been made thus far. The programme is a very ambitious one indeed and not surprisingly so since it seeks to combat voter apathy. The IEC views voter apathy as one of the serious threats to vibrant democracy. It is therefore befitting that the IEC should relentlessly pursue voter education throughout the country – vast and sparsely populated as it is.

Currently, the IEC has launched a massive research or study on Voter Apathy. The study – funded to the tune of close to US\$300,000 – is being conducted by the Democracy Research Project of the University of Botswana. The findings of this study are expected by the end of this year and hopefully, those findings will enable the IEC to carry out a vigorous and comprehensive voter education programme.

The other issue that the paper dealt with – though briefly – is Botswana's electoral system. As said earlier, the system has served the country very well to date. Botswana now understands quite well. It is therefore very unlikely that it will be changed. If anything, stakeholders want to be improved and made more inclusive. Hence the reduction of the voting age from 21 to 18 years of age. Other improvements such as the 30% quota for women in all political parties are in process and will hopefully bear results in the fullness of time. Here the major issue is gender balance preferably of the Nordic type. Last but not least in importance is that the paper attempted to explain the sources or factors behind Botswana's relative democratic success. The factors isolated were traditional consensual democracy, a capable state, a small political elite and above all, economic growth and development. Finally, it was pointed out that Botswana sincerely believes in settling political disputes by deliberation, negotiation and compromise. In this regard, it may be the case that Botswana's former head of state was appointed by the UN as Facilitator of the Congolese Dialogue because of his proven experience in democratic governance. It is indeed an honour for Botswana and we in Botswana are confident that Sir Ketumile Masire will acquit himself admirably since he is a statesman par excellence. Besides, we trust that there are invaluable lessons that Botswana offers to sister African countries, especially on how to successfully blend modern democratic governance with traditional political institutions such as Chieftainship.