

Chapter 2

Botswana

By Gape Kaboyakgosi, PhD

Summary

Since Transparency International's Corruption Perception Index (CPI) was introduced in the mid-1990s, Botswana has consistently been ranked as Africa's least corrupt country. The central theme of this chapter is that no single factor explains this ranking. Rather, it is a combination of factors including commitment to the ideals of a 'developmental state', a decentralised mode of governance, the creation of multiple points at which anti-corruption activity is exerted, support for the Directorate on Corruption and Economic Crime (DCEC) by the national leadership, good governance, multiple legal instruments that are often reinforcing and the separation of powers.

An important aspect of the strength of Botswana's anti-corruption management occurs in the socio-economic and political milieu in which the DCEC finds itself. The country's elites practice consensus building regularly, build support institutions to manage anti-corruption, have established a public administrative system that is relatively autonomous of political influence and (at least historically) have eschewed corruption.

The DCEC is the focal point for anti-corruption and has through the years built expertise in this regard. It has publicly investigated cases of suspected corruption including those involving senior officials in government. Public education and corruption prevention are among its major strategies and include multimedia approaches that range from radio messages to visits by DCEC staff to schools, malls and other public places.

However, while the DCEC has become an accepted aspect of public administration in Botswana, it might also appear to play a regime legitimisation role. The question arises as to whether or not its longevity, the respect of tenure of its directors general and its support by Parliament (through funding) are because the Botswana Democratic Party (BDP) needs the DCEC to legitimise its perpetual rule.

Other organisations involved in anti-corruption activities include the Ombudsman, the police, the private sector and the Public Procurement and Asset Disposal Board (PPADB). The institutional framework recognises the danger of fragmentation of efforts due to multiple actors, and thus co-ordinating strategies are built into anti-corruption measures.

An important aspect of the institutional landscape is Botswana's judiciary, which has historically been recognised as independent. To augment its capacity for anti-corruption measures, it has built a specialist corruption court as part of the high court. Challenges faced include the relative newness of anti-corruption in the jurisprudence, lack of online research resources for judges and the judiciary being

wrongfully accused of handing out lenient sentences even though they are following statutory guidance.

The laws of Botswana support the control of corruption. Moreover, the use of self-regulation among professionals such as accountants, lawyers, quantity surveyors and auditors provides another avenue for fighting corruption. However, the country lacks crucial laws for fighting corruption such as whistleblower protection law, laws on freedom of information and a law on declaration of assets and liabilities.

The challenge with the national leadership is that none of the country's presidents or deputies has championed anti-corruption or taken it up as a signature policy objective. This is unlike the case of HIV/AIDS prevention, which had President Mogae as champion, or poverty eradication, championed by President Khama. In addition, government ministers are increasingly remaining in office while under suspicion of unethical conduct.

Botswana's national anti-corruption approaches also learn from and interact with relevant international norms and standards. Botswana hosts the Commonwealth Africa Anti-Corruption Centre (CAACC) while also being an active member of the Southern African Forum Against Corruption and the East and Southern Africa Anti-Money Laundering Group (ESAAMLG).

2.1 Introduction

Botswana's anti-corruption ranking places it higher than even some of the Member States of the European Union (Gbadamosi 2006). Since the beginning of Transparency International's Corruption Perceptions Index, it has been ranked as the least corrupt African country, a position it has held without interruption (see Table 2.1). What factors account for this sustained performance? This case study shows that Botswana's political history and contemporary governance record as well as deliberate measures for fighting corruption all count in its favour. There are challenges, such as weak

Table 2.1 Transparency International's Corruption Perception Index (CPI) for Botswana, 1997–2016

Year	CPI score	Africa position	Global position
1997		1	23
2007	5.4	1	38
2008	5.8	1	36
2009	5.6	1	37
2010	5.8	1	33
2011	6.1	1	32
2012	6.5	1	30
2013	6.4	1	30
2014	6.3	1	31
2015	6.3	1	28
2016	6.0	1	35

Source: Transparency International.

legislative oversight, the internationalisation of corruption and general weakening attention to good governance (Good 1994; Sebudubudu 2009). However, the country's sustained ranking suggests a continuing commitment to ensuring that the challenges stay better managed (Kuris 2013).

On the other hand, the table also shows that Botswana's ranking globally has been consistently in or near the 30s in the last decade, an indication of possible stagnation. Such stagnation leads to the conclusion that the institutions (law, organisations and political culture) and the various tactics used by the DCEC need reviewing to ensure that the country's global ranking improves and is sustained. Indeed, the historically poor showing by other African nations in terms of this index suggests that Botswana's position as the best performer in the region is partially explainable by the poor performance of comparator nations.

This case study looks at the institutions and reforms that support Botswana's anti-corruption measures and some of the challenges it faces in maintaining and improving its global ranking.

2.1.1 Methodology

The study used several different sources of data. The first was qualitative data from DCEC staff and organisations that come into contact with the DCEC, the University of Botswana, the media fraternity, Members of Parliament and the Office of the Ombudsman. These data were collected during interviews carried out for input into the design of a national policy on anti-corruption. The interview questions asked for information on a number of variables related to fighting corruption, including:

- mandate in relation to combating corruption;
- adequacy of laws and policies;
- views on prevention;
- availability and adequacy of resources; and
- monitoring and evaluation.

Second, the author was invited to the inaugural Anti-Corruption *Pitso*,¹ an event used to mark the beginning of annual gatherings of stakeholders to assess anti-corruption initiatives. At the *pitso*, current and former national politicians, academics, auditors, investigators and legal practitioners exchanged views on progress on anti-corruption.

A third source of data was a legal review. Domestic legal instruments with direct and indirect relevance to anti-corruption were assessed in terms of a number of variables including whether or not the law provided any means for co-ordination and the punitive measures recommended.

The fourth source of data was archival material, including annual reports 10 years old or older showing the early years of the DCEC, and records from Hansard, which is the parliamentary record, particularly when the DCEC was introduced. The basis for selection of the institutions reviewed in this chapter was whether or not they shared an aspect of the anti-corruption mandate.

2.1.2 The socio-economic and political context

This section looks briefly at the political history of the country as well as contemporary governance and political issues to provide an understanding of the environment in which anti-corruption efforts take place. Botswana has long been touted as the 'African miracle' owing to a historically impressive developmental trajectory (Mkandawire 2001; Samatar 1999; Taylor 2003). Botswana's relative exceptionalism in comparison to other African countries was based on two factors, the country's consistent adherence to multi-party democracy and consistent economic growth (Mosime and Kaboyakgosi 2016; Kaboyakgosi and Marata 2012).

Strict observance of multiparty democracy since independence and the observance of basic rights such as that of association have made Botswana somewhat distinct owing to Africa's postindependence disappointments of one-party rule, corrupt, repressive governments and persistent civil wars (Kaunda 2008). Economic growth was so strong that the country was the only African entrant among the 13 fastest-growing economies globally for the years 1995–2005 (World Bank 2008).

Yet both of the factors for which Botswana has been lauded have notable shortcomings. For example, its democratic system lacks the inclusion of women, youth and ethnic minorities (Good 1999; Melville and Mogwe 2012). It is also skewed in favour of the ruling party, which has unfair access to state resources – to the extent that the opposition has, for a long time, had no realistic chance of electoral success (Bothomilwe et al. 2011) and parliamentary oversight of the executive is notably weak (Botlhale 2012). Similarly, the economic growth occurs amidst gross income inequalities, and it is so dependent on diamond mining that economic diversification, or the lack of it, has been a major policy concern of the state over the last three decades (Jefferies 2014).

These challenges notwithstanding, Botswana is generally accepted as a country where the rule of law, management of corruption, voice and accountability, political stability, lack of violence, government effectiveness and regulatory quality prevail, at least in comparison with most of sub-Saharan Africa or indeed the world (Vision 2016 Council 2012; World Bank 2014). Its developmental achievements, it has been argued, are not only a result of its mineral endowment. They also stem from the country selecting the right policies and political cultures to engender development (Acemoglu et al. 2003; Robinson et al. 2006; Iimi 2006; Nordås et al. 1998).

Some of Botswana's contemporary policy choices can be explained by the country's political history. In the Protectorate era, it was deemed economically worthless by the British, who governed it through a system of indirect rule that largely preserved local governance systems. Little repression and other negative consequences of colonialism were felt, leaving indigenous political cultures such as the consensus culture through the indigenous *Kgotla* system² largely intact. The repression and violence associated with colonialism were thus not visited upon the country, making for a relatively smooth transition after independence. The emerging elite was quick to build consensus on the premise that development was the most important ideology for nationhood. A fortunate circumstance was that the overwhelming majority of

the population were Tswana-speaking ethnic groups, meaning that there was little opportunity for conflict once independence was attained (Molutsi 1998).

Transition to statehood was thus at the behest of local elites – teachers, farmers, the traditional leadership and others, including the protectorate-era administrative staff – forming consensus around the kind of country they wanted to build. Administrative capacities were maximised through retention of British-era public servants, as well as training locals, building a state machinery committed to the ethos of development and political neutrality, centring development on mid-term national development plans that were centrally determined and investing diamond revenues in health, education, infrastructure and other public goods (Somolekae 1998).

2.1.3 The genesis of current anti-corruption measures

Before the current legal and organisational infrastructure was set up to fight corruption in Botswana, a number of cases of mismanagement of public funds were discovered. These include, for example, the findings of a presidential commission in 1990 that revealed massive irregularities and widespread flouting of normal tender processes in the supply of textbooks to primary schools (Government of Botswana 1991a). Following this, in 1991, a commission of inquiry uncovered land scams in villages surrounding Gaborone, the capital, implicating the secretary general of the ruling party and its chairman, who resigned their positions but subsequently won their court cases (Government of Botswana 1991b). In 1992, another commission of inquiry revealed irregular contracting and abuse of public waiting lists by politicians who favoured their friends and associates in the award of houses by the state-owned Botswana Housing Corporation (Government of Botswana 1992).

Following these various scandals, the government contacted the Independent Commission Against Corruption (ICAC) in Hong Kong. The ICAC deputy chief executive officer, Graham Stockwell, suggested setting up an institution in the mould of ICAC and agreed to lead it on his retirement. He also agreed to bring experienced investigators from ICAC to train local Botswana investigators (Kuris 2013).

The government gave Mr Stockwell its full support in setting up the DCEC. Besides being allowed into meetings of the executive, and given the means to tour the country and alert members of the public to the coming of the institution and its supportive legal instruments, he notes the role of the president himself (then Sir Ketumile Masire):

He was very supportive as indeed were his other Ministers although we had one Minister who walked out during the parliamentary discussions. Also, we had to explain everything to Members of the House of Chiefs (Ntlo ya Dikgosi). That was very important because they rule their individual tribes (Stockwell, as cited in Kuris 2013).

Thus, the genesis of Botswana's anti-corruption institutions and laws was both home-grown and in direct response to a felt need. Anti-corruption measures had 'ownership' among the political leadership and were not imposed by external forces, so the local elites could be expected to support them.

2.2 Legal and institutional backing for anti-corruption measures

This section describes the aspects of the legal system that support anti-corruption and the institutional framework set up to ensure the laws are enforced.

2.2.1 The legal system

The main law dealing with corruption is the Corruption and Economic Crimes Act (CECA). In introducing the Corruption and Economic Crimes Bill, the then Minister for Presidential Affairs and Public Administration said:

Government wishes it to become known both within and outside Botswana that ours is a country in which public and private business can be carried out honestly... It is recognised that the current laws and the resources devoted to the fight against corruption and economic crime are inadequate to achieve that aim (Republic of Botswana 1994, 36–37).

Section 3 of the Act sets up the Directorate on Corruption and Economic Crime (DCEC) and lists the offences under the Act. These include corruption by a public officer, acceptance of bribes, conflict of interests, cheating of the public revenue and the promise of a bribe to a public officer among others.

Other laws with a bearing on fighting corruption include those dealing with general issues of serious crime, cross-border crime, money laundering and confiscation of the proceeds of crime (Khan undated; Bedham-Jones 2014; BIDPA 2014). Whereas a number of these legal instruments actually preceded the CECA, they are part of a system that supports anti-corruption measures. The following are some examples.

Box 2.1 Important anti corruption statutes in Botswana

1. Accountants Act (Cap 61.05)
2. Corruption and Economic Crime Act (Cap 08.05)
3. Engineers Registration Act (Cap 61.06)
4. Extraditions Act, 1990 (No. 18/1990)
5. Financial Intelligence Act (Cap 08:07)
6. Legal Practitioners Act (Cap. 61:01)
7. Mutual Assistance in Criminal Matters, 1990 (Cap. 08:04)
8. Penal Code (Cap. 08:01)
9. Public Procurement and Asset Disposal Act (Cap 42.08)
10. Proceeds of Serious Crimes Act, 1990 (Cap. 08:03)

Source: Author compiled from literature and DCEC publications.

Public Procurement and Asset Disposal Act

The Public Procurement and Asset Disposal (PPAD) Act enables the PPADB and its committees to implement major procurement, rentals and disposal of assets on behalf of the government and its agencies. It regulates public procurement by bringing transparency to all government procurement and asset disposal. The Local Authorities Public Procurement and Asset Disposal Act is the equivalent of the PPAD Act for local authorities (such as rural and urban councils). It sets out the principles for the procurement and disposal of goods and services for urban and rural councils.

The Proceeds of Serious Crimes Act

The Proceeds of Serious Crimes Act seeks to deprive individuals and corporate entities of the benefits obtained from serious crimes, of which corruption is one. The Act also gives the Director of Public Prosecutions the right to apply for a confiscation order to obtain the proceeds of anyone convicted of a serious crime.

The Financial Intelligence Act

The Financial Intelligence Act establishes the Financial Intelligence Agency, which is responsible for requesting, receiving, analysing and disseminating to an investigatory authority, supervisory authority or comparable body disclosures of financial information that concern suspicious transactions. It also establishes a National Coordinating Committee of financial intelligence as well as providing for mutual assistance with similar organisations outside the country to combat illicit financial transactions including money laundering.

The Penal Code

Arguably Botswana's oldest piece of legislation dealing with malpractice in the public service, the Penal Code is administered by the police services. Corruption is dealt with under Part IV of the Code and includes corruption by public officer, corruption in respect of an official transaction, acceptance of a bribe by public officer, promise of a bribe to a public officer and bribery for giving assistance in regard to contracts.

The Extradition Act, number 18 of 1990

The Extradition Act enables the extradition of persons living in the country who may be of interest to foreign governments. While its scope spreads to matters beyond corruption, this law is important in ensuring that corrupt persons may not escape punishment from their countries of origin by hiding in Botswana.

The Mutual Assistance in Criminal Matters Act of 1990

The Mutual Assistance in Criminal Matters Act of 1990 aims to help Botswana seek persons outside the country who may have committed crimes in the country and need to stand trial. The law assists with the discovery of information and other forms of evidence that other countries may avail to Botswana. Such assistance may include

the request for documents, the identification of witnesses, freezing of assets and confiscation of proceeds of crime.

Competition Act of 2009

While the Competition Act of 2009 is applicable mainly to the private sector, its importance is in fighting anti-competitive behaviour in the private sector that, if unattended, might affect the public sector. Section 3 provides for the establishment of a Competition Authority to enforce the Act. The law covers control mergers, investigations of horizontal and vertical agreements, control of restrictive agreements, the abuse of dominant position and determination of cases, and applies penalties and remedies where necessary.

Self-regulatory statutes

Self-regulation measures are aimed at giving professionals some space to manage their own affairs, and they can be effective tools for the management of misconduct and corruption among professionals (Mooketsane 2013). The Legal Practitioners Act provides for both the registration and disciplining of errant attorneys, including striking them off the list of practising attorneys as a measure of last resort. The Engineers Registration Act establishes the Engineers Registration Board, which both registers and polices the conduct of engineers, including reprimanding, suspending or totally withdrawing their rights to practice. The Accountants Act and other similar self-regulatory statutes also allow self-policing by professionals under statutory law and create alternative measures for managing ethical conduct by appealing to professional integrity.

2.2.2 The institutional framework

As previously noted, the Directorate on Corruption and Economic Crime (DCEC) leads anti-corruption efforts. However, the strength of the anti-corruption approach comes from the support offered by other organisations as well as the strategies of prevention, education and prosecution. Added to that is the attention paid to the co-ordination of the various players as well as the deliberate efforts made to involve the private sector in anti-corruption efforts.

The public sector

The DCEC and its operations

After Parliament passed the Corruption and Economic Crimes Act (CECA) in 1994, the DCEC began operations in 1995. Its functions include receiving and investigating complaints; investigating corruption allegations; educating the public against the evils of corruption; and enlisting public support to fight corruption. It is made up of four divisions: Investigation, Corruption Prevention, Public Education and Corporate Services. Over the years it has built expertise in anti-corruption activities and sustained investigations, some of which have led to prosecution and even convictions of wrongdoers.

One of the criticisms of the DCEC is that it is more interested in ‘small fish’ than ‘big fish’. However, it often investigates prominent state personalities, challenging this notion (de Speville 2007; DCEC 2009; Sebudubudu 2014). DCEC investigations have led to the prosecution of government ministers, permanent secretaries, chief executive officers of state-owned corporations and other important persons. Its track record shows a reasonably high rate of convictions in comparison with investigations (see Figure 2.1).

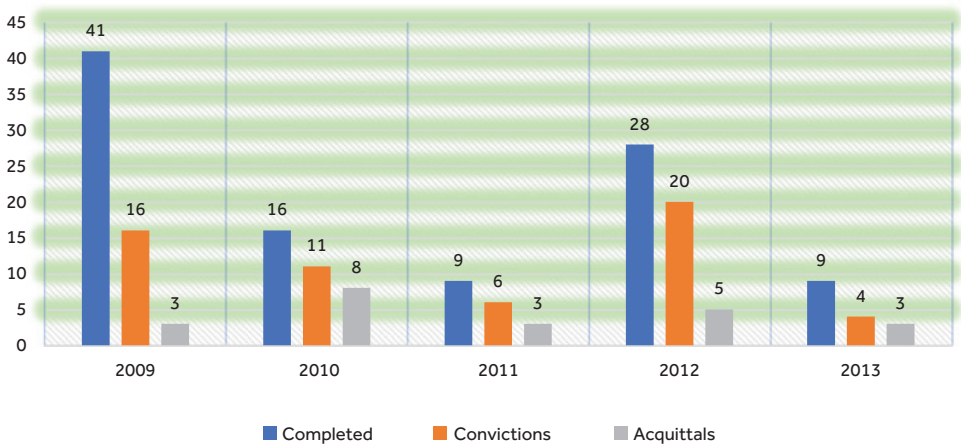
The DCEC has gained considerable support from the political leadership, as exemplified by the fact that the tenure of each of its directors has been respected (i.e. none of them has been terminated mid-contract). Indeed, both Tymon Katlholo and Rose Seretse have served more than one term. Stockwell, the founding director, served only one term but left voluntarily (Kuris 2013). The strength of the DCEC’s public information and education approach is in its all-encompassing nature. As viewed by the Centre for Public Impact (2018):

The DCEC’s public education programme has been one of its most important achievements, targeting schools, universities, ministries, churches and other organisations.

Continuous public education as an enabler

One of the important aspects of the DCEC is sustained public education. It has an array of strategies through which it educates the public about the evils of corruption. These include advertising on buses, the *Ra Boammaaruri* (Mr Upright) campaign, where the DCEC visits primary schools and preaches the spirit of uprightness to children (DCEC 2007, 2012), and forming anti-corruption clubs in secondary schools to sensitise students against the evils of corruption. According to the DCEC, it uses different themes – with Empowering Youth Today, Leaders of

Figure 2.1 DCEC case performance: 2009–2013



Source: DCEC (2009–2014).

Tomorrow chosen for the 2014/15 fiscal year, for example – under which a number of subjects are taught, including project management, team work and conducting meetings (DCEC 2014, 27).

Corruption prevention strategies

Another important stratagem for managing corruption in Botswana is to emphasise corruption prevention. As stated by President Khama:

To encourage the improvement of corruption prevention initiatives across government, the DCEC is now part of a review team that assesses ministries' performance. The Directorate has in this respect promoted the creation and functioning of Corruption Prevention Committees in each ministry (Khama 2013, 13).

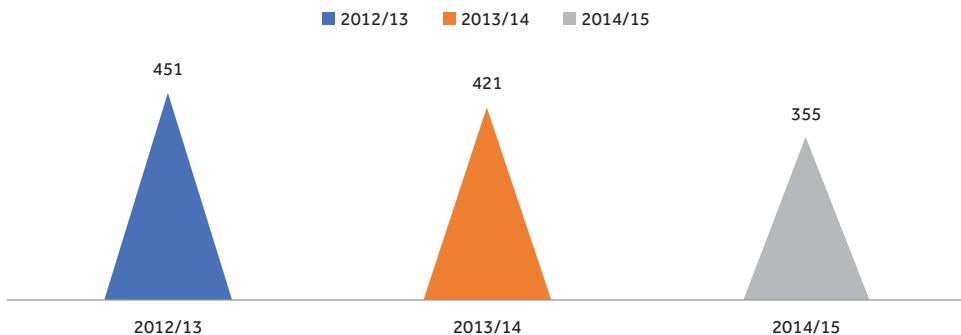
Corruption Prevention Committees (CPCs) co-ordinate anti-corruption strategies and prevention measures and review operations in order to limit opportunities for corruption. Commitment to CPCs is shown by, for example, training their staff. Training is given to as many officers as possible to build a critical mass of staff members who can assist in corruption prevention. Figure 2.2 shows the number of members of CPCs trained annually from 2012 to 2015.

The fact that the numbers of public officials trained annually are declining may signify that fewer civil servants need training, as more have been trained in the past. Anti-corruption units also conduct initial investigations of transactions within ministries and local government agencies and submit reports to relevant authorities for action. Figure 2.3 shows that the DCEC receives fewer reports of corruption each year, which may be attributable to corruption prevention efforts.

Financial support for the DCEC

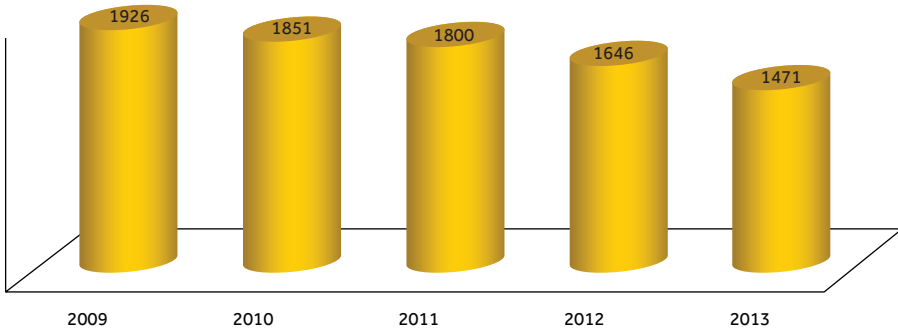
Anti-corruption is further strengthened by the commitment by Parliament to funding the DCEC. A review of the anti-corruption strategy in 2007 found that some of the constraints faced by the DCEC were not related to refusal of funds but rather were

Figure 2.2 Number of staff trained in corruption prevention, 2012–2015



Source: DCEC (2013, 2014 and 2015).

Figure 2.3 Corruption reports received by the DCEC, 2009–2013



Source: DCEC (2009–2013).

‘the result of the DCEC not fully appreciating the need to extend its operations and its presence over the whole country’ (de Speville 2007, 47).

Where the training budget falls short, financial support has been obtained from development partners, including the United Nations Development Programme (UNDP), the US Government and the Australian Government (DCEC 2012, 35).

The National Assembly

As part of its oversight and regulatory roles, Parliament has a Public Accounts Committee and a Committee on Statutory Bodies and Public Enterprises. Its other contribution to anti-corruption measures is setting up commissions of inquiry when suspicions of corruption are reported in the media. In recent years these have included inquiries into the Botswana Meat Commission, where gross mismanagement was confirmed by Parliament (Government of Botswana 2013), and the Botswana Development Corporation (Government of Botswana 2012).

What is instructive about these processes is that Parliament, with the active participation of ruling party legislators, often agitates for investigations that may involve backbenchers from the ruling party and going against the wishes of the executive. Thus, it provides an alternative source of investigations that, owing to the nature of Parliament, is carried out in public.

The police

The mandate of the Botswana Police Service is the prevention, detection and investigation of crimes in the country, and it relies on the Penal Code for the enforcement of anti-corruption matters. It has an ongoing partnership with the Federal Government of the United States to operate the International Law Enforcement Agency (ILEA). The ILEA runs training for the police force in Botswana and other countries in southern Africa for law enforcement, including for transnational crime. Through this mechanism, the police builds networks with other police forces for the purpose of enhancing its law enforcement capacity.

The Office of the Ombudsman

Founded by the Ombudsman Act of 1995, the Office of the Ombudsman has the mandate to investigate cases related to maladministration and recommend action for redress. Investigation and monitoring of maladministration is important, according to the Office of the Ombudsman, because:

Where there are inefficiency even good people become corrupt. Monitoring is also important to ensure that everyone does what they are supposed to do and that they are aware and well informed of what is expected of them. Individuals should take responsibility to inform them (interview at the Office of the Ombudsman).

The Office of the Ombudsman is thus a part of the continuum of enforcing ethical conduct in the public service and forms part of the preventative aspect to corruption.

The Directorate of Public Prosecutions

Founded on section 51 of the Constitution, the Directorate of Public Prosecutions (DPP) is a department in the Attorney General's Chambers whose primary duty is to prosecute matters on behalf of the state (Khan undated). The DPP has a specialised anti-corruption unit to try to build speciality on the subject.

The Public Procurement and Asset Disposal Board

The PPADB was formed under section 3 of the PPAD Act of 2001 as the body primarily in charge of managing government procurement. The PPADB mandate is to adjudicate over the tendering process where public finance is concerned, including setting standards for public procurement and ensuring proper competition over public procurement. The public sector in this case includes civil service and parastatals as well as the local authorities.

The judiciary

Botswana's judiciary is founded on section 95 of the Constitution. It is renowned for its independence (Transparency International undated) and also continually reviews its approaches to make it more relevant to fighting corruption (Dambe undated). An addition to the judicial branch in 2013 was the formation of the Corruption Court, a section of the High Court solely dedicated to trying corruption cases. The court came about owing to the realisation that corruption was becoming more complex, and thus needed closer attention, as well as the realisation that corruption cases took longer than desirable to be prosecuted.

In a response to the suggestion that the judiciary perpetuates corruption by giving light sentences, a high court justice points out that this is a result of structural constraints:

It is how the laws are crafted by the legislature and the courts can only implement the laws as written. Courts are loath about the minimum sentences prescribed and feel circumstances should determine the minimum sentence given. Courts must be given the discretion to penalize. There shouldn't be minimum penalties, these make judges' decisions look ridiculous, and legislatures should only set the maximum sentence and allow the judges to use their discretion (Dambe, undated).

The Competition Authority

The role of the Competition Authority is to enforce the Competition Act. The Act prohibits certain uncompetitive business practises such as price fixing, collusion, bid rigging and abuse of dominance. While the Competition Authority does not address corruption as it is defined in the CECA, it is an important part of the management of business-related malpractices, which may end up compromising ethical practices in the economy. The importance of managing anti-competitive practices lies in the fact that it is often the private sector that implements public sector programmes and it may thus bring such practices to the public services.

Memoranda of understanding

A number of memoranda of understanding (MoUs) provide co-ordination in anti-corruption and related law enforcement matters. In 2010, the DCEC, the Competition Authority and the PPADB signed an MoU to facilitate information exchange. It set up a joint working committee that implements the provisions of the MoU and monitors progress. The DCEC and the Ombudsman also have an MoU, which is predominantly about resource sharing and governance matters (interview at the Office of the Ombudsman). Another MoU exists between the Competition Authority and the Non-Bank Institutions Financial Regulatory Authority.³

The private sector

Business

In recognising challenges of corruption in the private sector, the DCEC has enrolled private businesses into anti-corruption efforts (Bertelsmann Transformation Index 2014). An important result of the partnership between Business Botswana (formerly known as BOCCIM), an umbrella organisation of businesses in Botswana, and DCEC is the creation of a Code of Conduct Against Corruption. The code has a number of objectives including developing and observing compliance with business ethics; avoidance of conflict of interest by members; prohibition of solicitation of, offering, acceptance and promising of bribes for favourable consideration in doing business; and high amounts of commitment of ethical conduct and legal procurement and tendering.

The media

The media environment is relatively free, with comparatively few cases of prosecution of journalists and at the same time very robust reporting about corruption matters (Ndlovu 2012). The DCEC has a media and public relations unit to apprise the media of important aspects of its mandate. However, there is some friction between the media and the executive (see Challenges below).

The international dimension

Botswana actively participates in international forums against corruption, thus creating a sense of commitment to the general ethos on ethical governance. Besides being host to the Commonwealth Africa Anti-Corruption Centre, the country is

also a member of and active participant in the SADC Forum Against Corruption (SAFAC). The Centre allows Botswana to bring the anti-corruption agenda into the public sphere owing to its high-profile nature, while membership of SAFAC enables the country to exchange notes with regional peers on anti-corruption measures. In addition, Botswana is a member of the ESAAMLG.

2.3 Conclusion: lessons, challenges and recommendations

2.3.1 Lessons

Several facets of Botswana's efforts to tackle corruption provide valuable lessons for other countries.

Putting the right laws in place

A number of points can be made about how the law facilitates anti-corruption management in Botswana. First, the comprehensiveness of the law sends a consistent message that anti-corruption is taken seriously. It creates a nexus between several organisations implementing anti-corruption and related activities, and most of the new laws are crafted with the intent to co-ordinate activities between various actors. Section 13 of the Financial Intelligence Agency (FIA) Act and schedule C of the Competition Act remain two of the laws with this virtue. Botswana also applies the Mutual Legal Assistance in Criminal Matters Act of 1990 to fight crime in other jurisdictions. It helps even where it has no specific agreement with the country making the request (Dambe undated).

Second, the PPAD Act recognises the importance of government procurement to development as well as its capacity to lead to corruption. By publicly listing all details about major public procurements, the PPADB brings transparency to public procurement. Added to that, its capacity to blacklist companies that offend the spirit of the law enforces honesty and good practice.

Third, in passing the Competition Act, the government recognised that illicit conduct may take place outside the public sector. Indeed, most public works in the country are undertaken by the private sector, and such practices as may occur between private sector companies may actually be transferred to the public sector.

A fourth characteristic of the legal system is the exploitation of the possibilities presented by self-regulation. While the idea that self-interested professionals can best manage the conduct of their own colleagues is controversial, this self-regulatory system is actually enforced through public statute. Thus, self-regulation extends enforcement capacity beyond just the state institutions, allowing unethical practices to be fought on many fronts.

Building consensus for development

Botswana emphasises consensus-building models for its developmental efforts. Its national principles – from its early days of democracy, development, unity and self-reliance – were followed by its Vision 2016 and, latterly, Vision 2036. The

High-Level Consultative Council, chaired by the President, co-ordinates public and private sector developmental initiatives (Mosime and Kaboyakgosi 2017). The country's creation of a national ideology with development at its centre arguably led to an environment in which the DCEC was crafted. It is an environment in which elites take regular turns at openly reinforcing developmental ethos in an open and transparent manner.

The importance of a professional public administrative machinery

Another important factor to explain Botswana's anti-corruption management approaches is the country's professional civil service. Among the notable characteristics of the bureaucratic machinery are:

1. rigorous commitment to state-funded training to build capacity for development as opposed to maintenance of law and order;
2. a central planning system that emphasises equitable access to resources nationally;
3. central management of all mineral proceeds, with the government initially owning all these and later a public-private system with DeBeers Diamond Mining Company partnering with the government (the presence of DeBeers meant mining was efficient, and enhanced state coffers for development); and
4. a politically insulated bureaucracy that could theoretically answer to any change in government.

From the start, the DCEC could depend on a civil service ethos that was relatively clean, development focused and with a national leadership that by and large was prepared to eschew corruption.

Leadership commitment and parliamentary oversight

A number of leadership positives have contributed to Botswana's relatively successful approach to managing corruption. These include:

1. supporting the DCEC financially, politically and legally; and
2. strong public statements against corruption by national leaders.

Botswana's Parliament plays an oversight role that belies the majority of the BDP. To fight corruption, it uses parliamentary oversight committees and regularly sets up commissions of inquiry in order to bring pressure to bear on the executive.

A resilient private media

Botswana's private media plays a crucial role in exposing corrupt practices in the country. It faces numerous challenges (discussed below) but remains unbowed.

Dispersal of power

Botswana's decentralised governance systems have the effect of preventing and deterring corruption. For example:

1. Using regulators to provide market governance – from the pensions industry, to construction, teaching and others – provides corporate governance practices that help avert wrongdoing.
2. Central–local relations, particularly through the PPAD Act and LAPAD Act, ensure that bodies other than the government may exercise oversight over the spending of government finance.

Optimising co-ordination

Botswana has set up co-ordinating mechanisms, including information-sharing committees, memoranda of understanding and fighting maladministration, which could lead to corruption, in order to maximise its efforts in anti-corruption. The Criminal Justice Forum exists primarily to co-ordinate Botswana's criminal justice system and includes the Registrar of the High Court, the DPP, the DCEC, the Botswana Police and Tribal Administration. The Intelligence and Security Community consists of the Military Intelligence, the Botswana Police, the Immigration Department, Customs and the Directorate of Intelligence and Security. It holds quarterly scheduled meetings with the possibility for more meetings if need be.

2.3.2 Challenges

A number of factors present important challenges to Botswana's ability to tackle corruption. These are legal, social, institutional, political and governance related.

Overall, one of the worrying aspects of the anti-corruption fight is perhaps summed up by the Director General of DCEC in a recent parliamentary Public Accounts Committee appearance, where Mrs Seretse is said to have informed MPs that, since the DPP is not compelled to give reasons for not prosecuting cases referred to them, there was not much the DCEC could do – except to ask DPP for such reasons – without the backing of any legal means (Letswamotse 2016). The many cases that fall into this category (investigated and referred to the DPP but not prosecuted) include:

1. two dockets on the Botswana Development Corporation alleging corruption;
2. one docket on the Botswana Meat Commission alleging corruption;
3. two dockets on the Botswana Railways alleging corruption;
4. one docket on the director general of intelligence alleging corruption (Letswamotse 2017).

Challenges related to the law

The Penal Code is out-dated and most punitive measures would not act as deterrent. Added to that, it does not emphasise prevention, which is a more effective method of fighting corruption. Moreover, the Penal Code and the Corruption and Economic Crimes Act (CECA) prescribe different sentences for corruption. The CECA did not

prescribe an asset forfeiture unit for the DCEC, leaving it without the capacity or authority to impound the proceeds of crime.

There is also a lack of laws that support transparency. For instance, there is no law on the declaration of assets and liabilities, freedom of information act or law to protect whistleblowers.

In terms of public procurement, the PPAD Act has a number of limitations. First, since the Act targets the conduct of corporate entities, it is easy for unscrupulous individuals to evade punishment by forming new companies to bid for public projects. Second, procurement by state-owned enterprises (SOEs) is not covered by the Act, as this is regulated by the individual statutes setting up the various SOEs. A recent example of possible corruption in the parastatal sector is that of the government-owned Botswana Railways, where company management had been found by auditors to have a large sum of money without the approval of the board (Lute and Modiakgotla 2016).

The self-regulatory statutes have a number of shortcomings (Mooketsane 2013). These include lack of visibility due to self-regulating professionals managing what are essentially public matters privately, and particularly because the management of lawyers may lead to illicitly gained finances being laundered, since, once such money is deposited into a trust account before being detected as illicit, it is usually easier to partake of its use afterwards (Dambe undated).

In addition, extradition treaties with some of the country's major trading partners are lacking, making it difficult for law enforcement agencies if someone commits a crime in Botswana and relocates to his/her country of origin. As described by Khan (undated, 165):

The absence of an extradition treaty with a requested state often makes it difficult to get the required assistance. Even where these instruments are in place, various legal requirements and restrictions, jurisdictional problems and differences in criminal law and procedure often pose serious barriers to co-operation and mutual legal assistance... Resort to informal requests which are less cumbersome and capable of yielding quick results may not always pass constitutional muster.

Capacity challenges in the judiciary

The judiciary faces a number of capacity challenges, including that corruption is a relatively new form of offence under Botswana's jurisprudence and thus members of the bench and the magistracy largely lack requisite skills to tackle it, leading to backlogs. Another challenge comes from the insufficiency of resources for the judicial branch, including electronic journals that are not readily available to judges (interview with High Court Justice).

Capacity challenges in the Directorate of Public Prosecutions (DPP)

As an important aspect of the anti-corruption machinery in Botswana, the DPP's credibility is as critical as that of the DCEC. A number of issues challenge its capacity to be effective (interview at the DPP):

- inability to retain professional staff in the face of competition from the private sector;
- potential witnesses refusing to testify owing to the lack of a witness protection law;
- doubts about the DPP's autonomy because the Director was appointed by the executive; and
- the length of time it takes to prosecute matters, as the DPP often gets inundated with corruption issues to prosecute and anti-corruption is just one of its mandates.

Questions about the independence of the DCEC

Though through the years the DCEC has found acceptance in Botswana's governance structures and processes, a negative view of anti-corruption agencies suggests some may only be set up for appearance's sake (Heilbrunn 2004; Nwokorie and Vinamakie 2017). In the case of Botswana, it can be argued that, since the investigative role of the DCEC invariably leads to no convictions while suggesting that 'something is being done' about errant public leaders, the role of the DCEC is that of ensuring regime survival by the ruling BDP.

On the one hand, it can be argued that the government sourced internationally renowned personnel at great expense. The early ICAC commissioners were globally respected figures in anti-corruption reform. Foreign experts would be averse to working in an environment where they might have to be compromised by local elites, and their engagement gave the appearance of fairness and commitment to transparency. Furthermore, the DCEC's anti-corruption units have had some success in reducing anti-corruption reports and incidences (Mwamba 2014). The DCEC continues to investigate and prosecute (and recommend for prosecution) high-ranking state figures, and the tenures of the directors general have been respected (Kaboyakgosi 2017). It is accepted in most analyses as a well-performing anti-corruption agency (Heilebrunn 2004).

On the other hand, however, while the agency does have a record of publicly pursuing cases, observers have argued that these are simply 'small fish'. With a few minor exceptions, the DCEC has never obtained a conviction of any senior ranking member of the government. Several parliamentary commissions of enquiry have recommended further action, to no avail, though there are clear cases of public funds being misused or paid out for no delivery.

The appointment of the DCEC director general and the Ombudsman by the executive also raises suspicions that neither can be independent of the executive. As observed by one of the members of the opposition in Parliament:

The institutional make-up of the DCEC is important, e.g., reporting to the Office of the President de-values their legitimacy, even where the intention is noble and on the right track... This is about checks and balances; they run the risk of being suffocated/manipulated. (interview with former Member of Parliament).

Parliamentary shortcomings

Parliament's major shortcoming is its failure to come up with laws to bolster transparency. Added to that, its incapacity to enforce its own findings means it often has to rely on the executive to enforce disciplinary action against members

of the executive – for example, civil servants who run afoul of the law – which is a clear contradiction (Marata 2014; Kaboyakgosi 2011). The BDP majorities in Parliament have of late been accused of stifling debates in the National Assembly, something buttressed by the fact that the majority of BDP MPs now sit in the expanded Cabinet.

Strained media relations

The unhealthy relationship between the executive and the media – leading to regular skirmishes that include detention of media personalities and threats of legal suits – creates a lack of trust and threatens self-censorship on the part of the media. It also leads to suspicions that the executive is hiding something.

Section 44 of the CECA forbids that anyone:

without authority or reasonable excuse disclose[s] to any person who is the subject of an investigation in respect of an offence alleged or suspected to have been committed by him under this Act the fact that he is subject to such an investigation or publishes or discloses to any other person either the identity of the person who is subject to an investigation...

This creates friction between the media's need to inform the public and the DCEC's need to keep the subjects of its investigations unaware they are being investigated. A standoff between the *Botswana Gazette* and the DCEC proved the difficulty of enforcing this section, with the newspaper saying that the DCEC was invading its privacy by trying to forcefully enter the newspapers' premises. On the other hand, the DCEC charged that a recent story written by the newspaper was compromising the sanctity of the DCEC's investigations.

Competition for human resources

Owing to uncompetitive pay, the DCEC, DPP, Botswana Police and the Financial Intelligence Agency invariably lose experienced personnel to the private sector.

Lack of a 'champion' for anti-corruption

Unlike financial prudence (Ketumile Masire), HIV/AIDS prevention (Festus Mogae) and poverty eradication (Ian Khama), anti-corruption is not readily identifiable with any of Botswana's presidents as a signature policy issue.

A voluntary Code of Conduct for the private sector

As the Code of Conduct managing private sector anti-corruption activity is voluntary (interview at Business Botswana), it is not enforceable in terms of the law and infractions of it cannot be prosecuted in court, unless the action is brought about in terms of other laws.

2.3.3 Recommendations

1. The DPP's discretion to prosecute or not to prosecute needs to be backed up with reasons. Failure to proffer reasons may play into the notion that the DPP is playing political games by not prosecuting.

2. To strengthen the capacity of the law to address corruption, Botswana must institute a freedom of information law, a law on declaration of assets and liabilities and a whistleblower protection law.
3. To enhance the DCEC's autonomy, its director general should be appointed by the President in consultation with Parliament. Similarly, the executive must share with Parliament the authority to fire the director general.
4. The DCEC should find proactive means of alerting media houses to the cases they are investigating, so that the latter may allow the former the space to investigate without reporting on matters of investigative interest.
5. To improve private sector anti-corruption capacities, the PPADB should consider making it a condition of doing business with the government for people to sign up to the Code of Conduct.
6. In order to bolster the capacity of the Office of the Ombudsman, the government should consider joint authority between the executive and the legislature in appointing the Ombudsman.
7. In order to assist the members of the magistracy and the bench to understand the challenges of corruption and be better judges of the matter, training specific to anti-corruption is needed for these cadres.
8. The challenging human resources situation in the frontline organisations against corruption requires more training for all the organisations, as well as measures being taken to share what expertise may exist in any of them.
9. To provide more uniformity of the public procurement regime, government must consider making it compulsory for SOEs to align their procurement regimes with those of the PPADB.
10. Anti-corruption is an important national policy matter that needs a champion. Important persons – or groups of persons – at a national level need to take the issue up as a signature political issue to keep it on the national agenda.

Notes

- 1 *Pitso* is the Setswana word for 'consultation'.
- 2 The *Kgotla* is a gathering of adult males in Botswana where, traditionally, decisions of importance were made by royalty in consultation with tribesmen. Now the *kgotla* practice has been opened to include females over the age of 18 years, and is still used for democratic consultation, though excluding party political activity.
- 3 Interview at the Office of the Ombudsman. <<http://www.competitionauthority.co.bw/competition-authority-and-nbira-pave-way-cooperation>>

References

- Acemoglu, D., S. Johnson and J. Robinson. 2003. 'An African Success Story: Botswana'. In Rodrik, D. (ed.). *In Search of Prosperity: Analytical Narratives on Economic Growth*, 80–119. Princeton, NJ: Princeton University Press.

- Bedham-Jones, M. 2014. *Overview of Corruption and Anticorruption in Botswana*, Transparency International, Munich.
- Bertelsmann Transformation Index (BTI). 2014. 'Botswana Country Report'. Gutersloh: Bertelsmann Stiftung.
- Bothale, E. 2012. 'Accountability and Democracy'. In Alexander, K. and G. Kaboyakgosi (eds). *A Fine Balance: Assessing the Quality of Governance in Botswana*. Johannesburg: Institute for Democratic Alternatives in South Africa (IDASA).
- Bothomilwe, M.Z., D. Sebudubudu and B. Maripe. 2011. 'Limited Freedom and Intolerance in Botswana'. *Journal of Contemporary African Studies*, Vol. 29 (3): 331–348.
- Botswana Institute for Development Policy Analysis (BIDPA). 2014. Presentation to the Stakeholder Seminar on the Draft National Anti Corruption Conference, Cresta Lodge, 18 April 2014, Gaborone.
- Centre for Public Impact. 2018. 'Fighting Corruption in Botswana-A Case Study', available at: <https://www.centreforpublicimpact.org/case-study/fighting-corruption-botswana/> (accessed, 14 October 2018).
- Chingainpe, H. 2017. 'Malawi'. In Open Society Initiative for Southern Africa (OSISA). *Effectiveness of Anti-Corruption Agencies in Southern Africa: Angola, Botswana, DRC, Lesotho, Malawi, Mozambique, Namibia, South Africa, Swaziland, Zambia, Zimbabwe*, 132–166. Johannesburg: OSISA and African Minds.
- Dambe, L. Undated. 'Botswana Law Enforcement: Lessons for Investigators and Prosecutors'. A conference paper presented at an anti-money laundering conference. DCEC, Gaborone.
- DCEC (Directorate on Corruption and Economic Crime). 2009. 'DCEC Annual Report for 2008'. Gaborone: DCEC.
- de Speville, B. 2007. 'Review of Botswana's National Anticorruption Strategy and its Implementation'. Delegation of the European Commission to Botswana, Gaborone.
- _____. 2011. 'Deepening the Fight Against Corruption in the SADC Region'. Report by the Directorate on Corruption and Economic Crime for the 9th SAFAC Annual General Meeting. Hilton Hotel, Windhoek, Namibia.
- _____. 2012. 'DCEC Annual Report for 2011'. Gaborone: DCEC.
- _____. 2013. 'DCEC Annual Report for 2012'. Gaborone: DCEC.
- _____. 2014. 'DCEC Annual Report for 2013'. Gaborone: DCEC.
- _____. 2015. 'DCEC Annual Report for 2014'. Gaborone: DCEC.
- Gbadamoosi, G. 2006. 'Corruption Perception and Sustainable Development: Sharing Botswana's Anti-Graft Agency Experiences'. *South African Journal of Economic and Management Studies*, NS9, No. 2.
- Good, K. 1994. 'Corruption and Mismanagement in Botswana: A Best-Case Example?'. *Journal of Modern African Studies*, Vol. 32 (3): 499–521.
- _____. 1996. 'Authoritarian Liberalism: A defining characteristic of Botswana'. *Journal of Contemporary African Studies*, Vol. 14 (1): 29–51.
- _____. 1999. 'The State and Extreme Poverty in Botswana: The San and Destitutes'. *Journal of Modern African Studies*. Vol. 37 (2):185–205.
- Government of Botswana. 1991a. 'The Report of the Presidential Commission of Inquiry into IPM Consultancy'. Gaborone: Government Printers.

- _____. 1991b. 'The Report of the Presidential Commission of Inquiry into Land Problems in Mogoditshane and Other Peri-Urban Villages.' Gaborone: Government Printers.
- _____. 1992. 'The Report of the Presidential Commission of Inquiry into the Botswana Housing Corporation.' Gaborone: Government Printers.
- Government of Botswana. 2012. *The Report of the Republic of Botswana's Parliamentary Special Committee into the Botswana Development Corporation's Fengyue Glass Manufacturing Project*, Government Printer, Gaborone.
- Government of Botswana. 2013. *The Report of the Republic of Botswana Special Committee into the Botswana Meat Commission and the Decline of the Beef Industry*, Government Printer, Gaborone.
- Heilebrunn, J. 2004. 'Anti-Corruption Commissions: Panacea or Real Medicine to Fight Corruption?' Washington, DC: World Bank Institute.
- Imi, A. 2006. 'Did Botswana Escape the Resource Curse?' IMF Working Paper # 138. International Monetary Fund Africa Department.
- Jefferies, K. 2014. 'The Botswana Development Model Since 1996: An Evaluation of Diversification Efforts – What Worked and What Didn't?'. In *Are Diamonds Forever? Prospects of a Sustainable Developmental Model for Botswana*. Gaborone: BIDPA/Friederich Ebert Stiftung/University of Botswana.
- Kaboyakgosi, G. 2011. 'Enhancing Public Budget Transparency in Botswana: Why and How?', *BIDPA Policy Brief*, Number 10, BIDPA, Gaborone.
- Kaboyakgosi, G. 2017. 'Botswana'. In Open Society Initiative for Southern Africa (OSISA). *Effectiveness of Anti-Corruption Agencies in Southern Africa: Angola, Botswana, DRC, Lesotho, Malawi, Mozambique, Namibia, South Africa, Swaziland, Zambia, Zimbabwe*, 42–71. Johannesburg: OSISA and African Minds.
- Kaboyakgosi, G. and K. Marata. 2012. 'Introduction' In Alexander, K. and G. Kaboyakgos (eds). *A Fine Balance: Assessing the Quality of Governance in Botswana*, Institute for Democratic Alternatives in South Africa (IDASA), Johannesburg.
- Kapa, M.A. 2017. 'Lesotho'. In Open Society Initiative for Southern Africa (OSISA). *The Effectiveness of Anti-Corruption Agencies in Southern Africa: Angola, Botswana, DRC, Lesotho, Malawi, Mozambique, Namibia, South Africa, Swaziland, Zambia, Zimbabwe*, 104–131. Johannesburg: OSISA and African Minds.
- Kaunda, J.M. 2008. *The Progress of Good Governance in Botswana 2008: Final Report of the UNECA Project Measuring and Monitoring Progress Towards Good Governance in Africa – African Governance Report II*. Gaborone: Botswana Institute for Development Policy Analysis (BIDPA) and United States Economic Commission for Africa (UNECA).
- Khama, I.S.K. 2013. 'State of the Nation Address by His Excellency Lieutenant General Seretse Khama Ian Khama, President of the Republic of Botswana to the Third Session of the Tenth Parliament'. Gaborone: Government Printing, Publishing and Broadcasting Services.
- _____. 2014. 'State of the Nation Address by His Excellency Lieutenant General Seretse Khama Ian Khama, President of the Republic of Botswana to the Third Session of the Tenth Parliament'. Gaborone: Government Printing, Publishing and Broadcasting Services.

- Khan, R. Undated. 'Effective Legal and Practical Measures for Combating Corruption.' *Training Course on the Criminal Justice Response to Corruption: Participants' Papers*, 159–165.
- Kuris, G. 2013. 'Managing Corruption Risks: Botswana Builds and Anti-Graft Agency, 1994–2012'. *Innovations for Successful Societies*, Princeton University. Available at: <http://www.princeton.edu/successfulsocieties/content/superfocusareas/traps/RT/policynotes/view.xml?id=233>
- Letswamotse, P. 2016. 'DPP May Be Blocking Criminal Prosecutions against Big Fishes'. *Sunday Standard Newspaper*, 22 May.
- _____. 2017. 'DPP Sitting on High Profile Cases'. *Sunday Standard Newspaper*, 13 February.
- Lute, A. and O. Modiakgotla. 2016. 'Botswana Railways Vulnerable to Fraud-Audit Report', *Weekend Post*, available at: <http://www.weekendpost.co.bw/wp-news-details.php?nid=2307>, (accessed 14 October 2018).
- Marata, K. 2014. *Effective Budget Oversight in Botswana. Role of the Legislature and the Office of the Auditor General*, BIDPA, Gaborone.
- Mathekg, R. 2017. 'South Africa'. In Open Society Initiative for Southern Africa (OSISA). *Effectiveness of Anti-Corruption Agencies in Southern Africa: Angola, Botswana, DRC, Lesotho, Malawi, Mozambique, Namibia, South Africa, Swaziland, Zambia, Zimbabwe*, 221–261. Johannesburg: OSISA and African Minds.
- Mkandawire, T. 2001. 'Thinking about Developmental States in Africa'. *Cambridge Journal of Economics*, Vol. 25: 289–313.
- Mogwe, A. and A. Melville. 2012. 'Human Rights and Dignity', in Alexander, K. and G. Kaboyakgosi (eds). *A Fine Balance: Assessing the Quality of Governance in Botswana*, Institute for Democratic Alternatives in South Africa (IDASA), Johannesburg.
- Molutsi, P. 1998. 'The Ruling Class in Botswana'. In Holm, J. and P. Molutsi (eds). *Democracy in Botswana: The Proceedings of a Symposium Held in Gaborone, 1–5 August 1998*. Gaborone: Macmillan.
- Mooketsane, K. 2013. 'Self-Regulation at the Law Society of Botswana: Private Management of Public Affairs?'. In Kaboyakgosi, G., M. Sengwaketse and T. Balule (eds). *Industry Regulation in Botswana: Case Studies in Industry Governance, Implementation and Public Accountability in Botswana*. Gaborone: Botswana Institute for Development Policy Analysis (BIDPA).
- Mosime, S. and G. Kaboyakgosi. 2017. 'Botswana: Africa's Democratic Developmental State or Outright Flattery?' In Kanyendze, G., H. Jauch, J.D. Kanengoni, M. Madzwamuse and D. Muchena (eds). *Towards Democratic Developmental States in Southern Africa*, 106–134. Harare: Weaver Press.
- Mwamba, L.T. 2014. 'An Evaluation of the Anti-Corruption Initiatives in Botswana and their Relation to Botswana's Development'. Master's Degree Thesis for the University of South Africa.
- Ndlovu, T. 2012. 'Political Freedoms and Democracy'. In Alexander, K. and G. Kaboyakgosi (eds). *A Fine Balance: Assessing the Quality of Governance in Botswana*. Johannesburg: Institute for Democratic Alternatives in South Africa (IDASA).

- Nordås, et al. 1998. 'Managing Good Fortune: Macroeconomic Management and the Role of Aid in Botswana'. Evaluation Report 6/98. Oslo: Ministry of Foreign Affairs.
- Nwokorie, E.C. and O.P. Viinamäki 2017. *Legitimacy Building of Anti-Corruption Agencies in Five Countries*. Vaasa, Finland: University of Vaasa.
- Open Society Initiative for Southern Africa (OSISA). 2017. *Effectiveness of Anti-Corruption Agencies in Southern Africa-Angola, Botswana, DRC, Lesotho, Mozambique, Namibia, South Africa, Swaziland, Zambia and Zimbabwe*. Johannesburg: OSISA and African Minds.
- Republic of Botswana. 1994. *National Assembly Weekly Parliamentary Updates, Official Report, 9–15 July, 1994*. Government Printer. Gaborone, Botswana.
- Robinson, J.A., Torvik, R. and Verdier T. 2006. 'Political Foundations of the Resource Curse', *Journal of Development Economics*, Vol. 79 (4), 447–468.
- Samatar, A. 1999. *An African Miracle: State and Class Leadership and Colonial Legacy in Botswana's Development*. Portsmouth: Heinemann Press.
- Sebudubudu, D. 2009. 'Corruption and its Control in Botswana'. *Botswana Notes and Records*, Vol 35: 125–139.
- _____. 2014. 'The Evolving State of Corruption and Anti-Corruption Debates in Botswana: Issues in Good Governance'. In *Anti-Corruption Policies Revisited*. EU Grant Agreement Number: 290529. Berlin: The Hertie School of Governance.
- Somolekae, G. 1998. 'A Brief History of the Botswana Public Service'. In Edge, W.A. and M.H. Lekorwe (eds). *Botswana Politics and Society*. Johannesburg: J.L. van Schaik Publishers.
- Swartz, J.K. 2011. Official Opening Speech. Construction Pitso, Gaborone
- Taylor, I. 2003. 'As Good as It Gets? Botswana's "Democratic Development"'. *Journal of Contemporary African Studies*, Vol. 21 (2), 215–231.
- Transparency International. Accessed on several dates. Available at: www.transparency.org
- _____. Undated. 'Avoiding the Resource Curse: What Can We Learn from the Case of Botswana?' Available at: www.transparency.org.
- Vision 2016 Council. 2012. 'Botswana Performance Report: A Report on the Progress Being Achieved against the Vision 2016 Goals'. Gaborone: Lentswe La Lesedi.
- World Bank. 2008. 'The Growth Report: Strategies for Sustained Growth and Inclusive Development'. Washington, DC, World Bank.
- _____. 2014. *Worldwide Governance Indicators*. Washington, DC: World Bank.