

A COMPARATIVE STUDY OF THE CHALLENGES OF BEING INDEPENDENT: CASE STUDIES (BOTSWANA INDEPENDENT ELECTORAL COMMISSION AND ELECTORAL COMMISSION OF ZAMBIA)

Leonard L. Sesa

Department of Political and Administrative Studies
University of Botswana
sesa@mopipi.ub.bw

Abstract

Elections in a democracy are a way to bring about a peaceful transfer of power in an organised and peaceful manner within a legal framework. However, this process, in most countries, carries with it elements of uncertainty and tension. Southern African countries like Botswana and Zambia have more experience with comparative democratic electoral politics than others. This article seeks to identify the legal framework that govern and the weaknesses and opportunities that exist in the electoral commissions of Botswana and Zambia in order to eradicate the current challenges faced by election management bodies (EMBs); more importantly, it seeks to understand their image as impartial players in the conduct of general and other elections that are held in Botswana and Zambia in order for the SADC region to learn from these two EMBs. The purpose of this article is to critically compare and analyse the independence of the Zambia Electoral Commission and the Botswana Independent Electoral Commission, in order to establish the extent of the adequacy of the legal frameworks that govern their independence. The article argues that an EMB has to win the confidence of all stakeholders in the electoral process.

Keywords: Botswana, elections, Zambia, electoral management body, democracy, commissioners

INTRODUCTION

Elections are a necessary component of democracy, since they provide the only peaceful and impartial mechanism through which well-informed and rights-conscious citizens can participate in the affairs of their government of the day. As a result, it is necessary that elections are conducted and administered by a body that is immune to political interference at all cost.

Democratic elections are based on the notion that elections should be free, fair and credible. The will of the people should be reflected in the electoral outcome, based on an independent and impartial EMB that administers elections. Despite different historical backgrounds, Botswana and Zambia have similar electoral systems and processes and the two were colonised and “protected” by the British. The two EMBs have come a long way, under severe criticism, especially at each and every general election. The most important question is the nature of this independence and a few questions need to be asked to tackle this: (1) Who funds the commission? (2) Who does the commission’s secretary report to? (For the two case studies chosen, one of the most common major follow-up questions asked is, “What is the direct role of the presidents of these countries in the electoral commissions?” The basis of this argument is that commissions cannot recruit, develop, deploy or discipline their own staff.) (3) Who decides on the composition and the roles of the EMBs? (4) What is the relationship between these commissions and other electoral stakeholders?

DEFINING THE CONCEPT OF AN INDEPENDENT EMB

The term “electoral management body” or EMB has been coined as a name to refer to the body or bodies responsible for electoral management, whatever wider institutional framework is in place (IDEA handbook 2006: 05). An independent body is one that is outside of government, whose members’ tenures are governed by appropriate appointment and removal provisions, which ensure that members are appropriately qualified and do not serve at the pleasure of the executive and can be removed only on objective grounds relating to job performance; one that is sufficiently well funded by parliament to enable it to perform its functions and has control over its own functions (White 2005).

In contemporary Africa, the centrality of elections presupposes the existence of an independent and impartial body to manage the elections. An independent body would, therefore, be important in levelling the political playing field and ensure that the political actors comply with the law.

FROM WHOM SHOULD EMBS BE INDEPENDENT?

EMBs should be independent from the government and any other party that is interested in the outcome of the elections such as private entities, public officials, politicians and political parties. There are some scholars, however, who are of the view that EMBs should be independent from the government more than any other category of individuals. This position appears to be influenced very much by a

number of factors such as the arrangement of state apparatus and the fact that the management of elections is usually undertaken by the government or government bodies (Okello 2006: 11).

CORE PILLARS OF INDEPENDENCE OF ELECTORAL MANAGEMENT BODIES

The core pillars of independence of any EMB are the normative standards that set the minimum attributes pertaining to independence of EMBs. They provide the conditions for the independence of EMBs (Okello 2006: 11). Formal independence is based on the law and deals with, inter alia, the establishment of EMBs and the mode of appointment of commissioners and their terms and conditions of service. Practical independence is concerned with the actual practice, that is, the operational independence of EMBs. Formal and practical independence must exist in order for an EMB to be regarded as fully independent. Therefore, the following core pillars determine the degree of independence:

Permanency and legal framework

My ideal independent electoral body must first be established permanently, either by the national constitution or by legislation, which provides for its powers. Establishment by law guarantees the independence of an EMB and, at the same time, provides it with its constitutional and statutory powers and functions, thus, insulating it from sudden changes. The establishment of a permanent secretariat is another way of ensuring the permanency of an EMB, as this enables it to engage permanent staff and guarantee their jobs.

Permanency and legal framework: The establishment of Botswana's Independent Electoral Commission

In Botswana, since the independence elections of 1965, the notion of the independence of the EMB has been a contentious issue. Initially, elections were run by the Permanent Secretary in the Office of the President (OP). Following concerted objections, especially from opposition parties, that the OP, as the institutional home of the president, who was himself a contender, could not conceivably be considered impartial, the Office of the Supervisor of Elections was created, but still within the Office of the President. This also failed to inspire confidence and trust, because it was perceived to be controlled from the Office of the President (Molomo 2006: 33–34).

Following a decision reached by government and the all-party conference, a national referendum was held in 1997, which resulted in the amendment of the Constitution to accommodate the establishment of the IEC. The IEC was established by section 65A of the Constitution of Botswana in 1997. The section also provides for the composition of the Commission. It also stated that the Commission shall be responsible for the conduct and supervision of elections at both parliamentary and local levels, but did not spell out any procedures or guidelines for achieving free, fair and credible results.

The legal framework governing elections in Botswana consists of various laws. The Constitution of Botswana guarantees the permanency of the IEC and indicates that it can only be amended by a two thirds majority in parliament, while, on the other side, the Electoral Act of 1968 and all its subsequent amendments explicitly details how elections are conducted and who is entitled to contest and vote. The IEC is responsible for, among other things, the conduct and supervision of the election of the members of the National Assembly and members of local authorities, the conduct of referenda; as well as giving instructions and directions to the Secretary of the Commission in regard to the exercise of his functions.

Permanency and legal framework: The Electoral Commission of Zambia (ECZ)

The Electoral Commission of Zambia is the body responsible for managing all elections in the country, that is, presidential, parliamentary and local government elections. Article 76 of Zambia's Constitution provides for the establishment of an autonomous electoral commission (FODEP and UNZA-PAS 2011:28)

In 1996, the ECZ was established, in terms of Article 76 of the Constitution of Zambia, as an autonomous body. The Commission is further mandated, by various statutes, to manage local government elections, to spearhead voter education and resolve minor electoral disputes. In addition, the Commission conducts referenda, as and when necessary. Before 1996, elections in Zambia were managed by an Elections Office, which fell directly under the Office of the Vice President and its officers (Secretariat); civil servants appointed by the government. The Republican President would appoint a three (3) member, part-time, electoral commission to give policy direction to the Secretariat (Mambilima 2013: 03)

Since its establishment in 1996, the Electoral Commission of Zambia has conducted five general elections and several by-elections. During this period, the commission has learned significant lessons and accumulated a wealth of experience. The structure of the institution has been tested to the limit and its strengths and challenges exposed.

FINANCIAL AUTONOMY

Financial autonomy implies the ability of the EMB to have access to funds reasonably required, to enable the Commission to discharge the functions it is obliged to perform, as stipulated and outlined under the Constitution and the Electoral Commission Act.

The effectiveness of an EMB is adversely affected by the availability of resources, especially its financial muscles. Elections require substantial financial resources for them not to compromise democracy with the election's outcome; therefore, it is important that an EMB enjoys financial autonomy from the government. One of the ways of ensuring financial autonomy is by enabling it to prepare its own budget. Financial autonomy allows EMBs to determine their priorities and activities throughout the electoral cycle, activities and attempts to achieve them in time, without interference from any quarter. It also enables them to raise funds from other sources such as foreign donors and agencies and, in this way, the financial independence of an EMB will be safeguarded.

However, it is worth sharing that, like any other state agency, the independence of an EMB is not absolute. The independence does not mean that it is completely divorced from the government of the day in its operations. Absolute independence is not possible, as this can lead to undesirable consequences. An EMB has to cooperate with other government agencies in order to achieve its objectives, but this should not affect its independence (Okello 2006: 14).

Electoral Commission of Zambia and its financial autonomy

Funding of the ECZ may be generated from a number of sources of revenue. Pursuant to the Electoral Commission Act, funds for the commission may be derived from the government budget and, subject to the approval from the President, the Commission may accept money by way of grants or donations from any source, raised by way of loans or otherwise, such money as it may require for the discharge of its functions (Electoral Act 1996).

Two questions can be asked: Who finances EMBs and how? Is it the state or public funding? In Zambia, like any other country, electoral events are a core function of a democratic state. The state remains the primary source of funding for the core costs of most EMBs. The electoral budget forms part of the consolidated national budget on an annual cycle. In Zambia, the ECZ budget is released through the Minister of Finance and National Planning. It is undeniable that no government institution can thrive without funding. However, what is in dispute here is the mode of funding and not the funding itself. For instance, there is no way by which ECZ could raise funds on its own. Otherwise, it cannot sustain itself. Therefore, instead of receiving

money directly from the government ministry, which forms part of the executive, it is better that government funding comes through the national assembly, which is more neutral and credible than a government ministry (Muchangani 2012: 25).

The financial year of the commission shall be the period of twelve months ending on 31 December of each year. The commission shall cause to be kept, proper books of account and other records relating to its accounts. The accounts of the Commission shall be audited, annually, by independent auditors appointed by the Commission (Electoral Act 1996).

Financial autonomy: Independent Electoral Commission of Botswana

There is a clear understanding that the IEC is a public institution and, therefore, that it must be financed by public funds, whose management and use has been conferred by the government of the day by popular vote. It is also understood that the money financing the IEC comes, not from the ruling party, but from the public purse. The Commission is required, by law, to account for the funds it uses through the Public Accounts Committee of Parliament (PAC). It is the minister responsible for Presidential Affairs and Public Administration, who appears before the Committee to explain, in detail, the use of the funds.

Financial resources available for the functioning of the IEC are adequate, as the Commission is fully funded through the public budget. The IEC's capacity to perform electoral functions is not constrained by funding difficulties, because Botswana does not suffer significant fiscal problems. The government has always shown a willingness to fund the Commission (Sebudubudu and Osie-Hwedie 2005).

The IEC also receives financial assistance, support and capacity building or technical assistance from international development partners, including organisations such as the British High Commission, the Embassy of the United States of America, the Friedrich Ebert Stiftung (FES) and the International Institute for Democracy and Electoral Assistance (IDEA). These partners have variously assisted the IEC. For example, the IEC conducted a performance audit of the 1999 General Elections with the assistance of the British High Commission in Gaborone, Botswana, while the audit of the 2004 General Elections was sponsored by IDEA. The Embassy of the United States of America sponsored two workshops in 2005 to evaluate the 2004 General Elections (Sebudubudu 2008). The FES started cooperating with the IEC shortly after the 2009 elections, which were characterised by a low voter turn-out. With the support of the FES, the IEC produced a comprehensive study on voter apathy. For the preparation of the 2009 General Elections, a nationwide tour was

organised to discuss guidelines for transparent elections and to train trainers for election observers (Rukambe 2010).

The Constitution and the Electoral Act do not expressly address the mode of funding of the IEC. The government of Botswana, through the Ministry of Presidential Affairs and Public Administration, funds the IEC. The IEC motivates its budget proposals and submits them to the Estimates Committee in the Ministry of Finance and Development Planning. The ministry does all allocation, taking into account other national interests. The ministry may approve the IEC's budget proposals. In the event of the latter, the IEC may lobby members of parliament to persuade the ministry to increase its budget when the matter comes before parliament.

APPOINTMENT OF COMMISSIONERS AND COMPOSITION OF EMBs

The mode of appointment of commissioners is crucial in ensuring the independence of an EMB. It is a confidence building exercise and contributes greatly to the image and integrity of the EMB. The mode of appointment of commissioners is, however, dependent on the nature of the EMB in question. Regardless of the nature of the EMB, the mode of appointment of commissioners must be provided by the law. The mode of appointment must be clear, transparent and inclusive in order to increase operational independence and effectiveness of the EMB. The participation of the legislature in the appointment process is important and necessary at all levels. The mode of re-appointment of commissioners must be transparent, clear and inclusive. With regard to the composition, it must be broad based with a manageable number of commissioners. This ensures that people with the right qualifications and background credentials are appointed as commissioners (Okello 2006: 11–12).

Controversies have arisen with respect to the appointment procedures and tenure of members of the EMB, which undermines the legitimacy and credibility of the electoral process. The appointment and dismissal procedures should be clearly articulated and the process undertaken in a manner that is impartial, accountable and transparent. These procedures should also take into consideration the need to ensure institutional continuity (Mwaba 2011: 34–35).

The provision of satisfactory conditions of service is a prerequisite for the independence of EMBs. Satisfactory conditions of service for commissioners would enable them to perform their duties without fear of prosecution or dismissal. The conditions of service in this respect include the salaries, allowances, term of office and legal immunity. Due to the importance of the conditions of service in determining

the independence of an EMB, it is necessary that the law provides for them. A regular review of the conditions of service needs to be conducted by an independent body specifically created for this purpose. This is important, since it reduces the executive involvement in the process, which can undermine the independence of the EMB. In this regard, the term of office must not be too short to create uncertainty on the part of the commissioners, nor should it be too long to entrench them in their offices. The remuneration of commissioners needs to reinforce integrity, independence and professionalism. Protection of the commissioners, from legal action arising from any action taken in good faith in their official capacity, is also necessary in ensuring that they act without fear or favour. However, the immunity must not cover corruption or actions taken in bad faith (Okello 2006: 12).

The critical issues on the removal of commissioners concern the mode of removal and the institution to undertake it. It is important that commissioners enjoy security of tenure of office. In this regard, there needs to be a stringent procedure for the removal of commissioners. A stringent removal procedure may serve to insulate them from arbitrary removal from office and, therefore, ensure their independence.

Appointment of commissioners and composition: Independent Electoral Commission of Botswana.

The composition of the IEC, as stipulated in section 65A of the Constitution, consists of seven members made up of: the Chairperson (a Judge of the High Court), legal practitioner, both of whom are appointed by the Judicial Service Commission (JSC) as well as five other members recommended to the JSC by the All-Party Conference. Appointment to the IEC is for a two to five-year term, coinciding with a two to five-year electoral term of members of parliament. The Chairperson is also subject to the same conditions of tenure as the other members. However, the Constitution is silent on whether the members are eligible for reappointment when their term expires or at some later time in life. A person may be barred from IEC membership if they have been declared insolvent or bankrupt in any Commonwealth country and/or if they have been convicted for dishonesty anywhere in the world (Phirinyane 2013: 47).

The new members of the IEC Botswana as of October 2014:

- | | |
|--|-----------------|
| 1. Hon Justice Abednigo Batshani Tafa- | Chairman |
| 2. Mr John Carr-Hartley – | Deputy Chairman |
| 3. Mrs Shaboyo Motsamai – | Commissioner |

- 4. Mrs Martha Judith Sayed – Commissioner
- 5. Mrs Agnes Bame Setlhogile – Commissioner
- 6. Mr Alpheus Matlhaku – Commissioner
- 7. Dr Molefe Phirinyane – Commissioner

Conditions of service:	Chairperson	Commissioners
Botswana	Part time employment Judge - earns judge salary - Government employee No extra allowances	Part time employment Sitting allowance for meetings No other benefits

The All-Party Conference, which is a meeting of all registered political parties in the country, is convened from time to time at the pleasure of the Minister of Presidential Affairs and Public Administration. If the All-Party Conference fails to agree on the list of commissioners to be submitted to the JSC for appointment, as occurred in 2004, the JSC is empowered to proceed with the appointment of new commissioners.

It is worth noting that although the independence of the JSC is expressly guaranteed constitutionally, it has also not escaped the questioning of its nature of independence. This is in part because, of the six members of the commission, five are appointed by the president, while the sixth is a representative of the Law Society. The presidential appointees are the Chief Justice (Chairperson), the President of the Court of Appeal, the Attorney General, the Chairperson of the Public Service Commission and a person appointed by the president (Constitution of Botswana 1966). This simply means that the JSC, who are appointees of the president, also appoint IEC commissioners. The IEC is, therefore, technically an appendage of the Presidency. This arrangement has naturally not gone down well with those who are sceptical about the independence of the IEC.

It is important to note that Tsie (2003) argued strongly that the IEC enjoys “unlimited independence” from government. He has, however, recently stated that his assertion no longer holds (Tsie 2008). Since 2003, he argues, there have been persistent attempts by the Permanent Secretary to the President to control the activities of the IEC, especially in relation to staff deployment (Sebudubudu and Botlhomilwe 2010: 69–70). This admission lends credence to the call for the IEC to be given responsibility for its staffing needs and recruitment policy. (Tsie has been a Commissioner with the IEC for two terms.)

The Constitution also establishes the Office of the Secretary to the IEC. Although the Secretary performs his or her duties under the discretion and supervision of the IEC, the appointment of the Secretary is the discretionary prerogative of the President, according to the relevant provisions of the Constitution.

Appointment of commissioners and composition: Electoral Commission of Zambia (ECZ)

In Zambia, the Electoral Commission Act provides for the composition of the ECZ and its operations. The Commission consists of a Chairperson and not more than four other members appointed by the President, subject to ratification by the National Assembly (Electoral Act 1996), for a term not exceeding seven years. The Chairperson of the ECZ must be a person who has held or has qualifications to hold high judicial office or any other suitably qualified person. In addition, the Act sets out the circumstances under which the President may remove a member of the Commission. Accordingly, a member may be removed on the grounds of insanity and when declared bankrupt.

The Chairperson and members of the ECZ serve on full-time basis and constitute the policy-making body of the Commission. The Commission members, as of November 2012, were:

Hon Madam Justice Irene C. Mambilima -	Chairperson
Minerva K Tembo (deceased) -	Commissioner
Hon Justice Mr. Esau E. Chulu –	Commissioner
Hon Justice Mr. Mushabati –	Commissioner
Dr Fredrick Ng’andu –	Commissioner

Conditions of service:	Chairperson	Commissioners
Zambia	Full time employment Most utilities are paid by the commission Entitled to two vehicles, one for business and the other for private use. Receive gratuity and medical aid	Full time employment Most utilities are paid by the commission Entitled to two vehicles, one for business and the other for private use. Receive gratuity and medical aid

The Electoral Commission Act empowers the Commission to appoint a Director, who is the Chief Executive Officer of the Commission and is responsible for the management and administration of the Commission; for the implementation of the management and administration of the Commission and for the implementation of the decisions of the Commission. The ECZ has regulatory powers to determine how all the elections activities should be managed. The Electoral Commission sits at the pinnacle of a tiered management structure. In theory, it appears that the Commission

has powers to administer and enforce election laws and regulations. On the contrary, it is important to note that the Electoral Code of Conduct is enforced by the Police and Anti-Corruption Commission (ACC) and the Electoral Commission itself (Commonwealth Observer Report 2006: 122).

OPERATIONAL AND ADMINISTRATIVE AUTONOMY

The term ‘operational autonomy’ relates to the daily activities of an EMB such as the planning, supervision and formulation of elections. Operational autonomy is important, since it enables the EMB to determine its own activities and agenda. It also enables the EMB to operate without receiving instructions or directions from any quarter. Autonomy operates at all stages of the electoral process. However, this does not mean that it can operate outside its powers or functions. Similarly, it does not mean that it cannot cooperate with other bodies in the performance of its functions. Cooperation with other bodies is important, but this needs to be done carefully so that it does not impair the EMB’s operational independence (Okello 2006: 13).

On the other hand or interchangeably, administrative independence should be understood as the concept that implies that there will be control over those matters directly connected with the functions that an institution has to perform. This independence is usually safeguarded through express legal provisions and practice.

Operational and administrative autonomy in the Independent Electoral Commission of Botswana (IEC)

Neither the Constitution nor the Electoral Act expressly guarantees the independence of the IEC. The administrative arrangements between the government and the IEC have also given rise to sentiments that, for example, include the IEC’s use of government vehicles and the application of the public service conditions of employment to the IEC’s staff. Although these may be seen as trivial issues, they do impact on how the IEC is perceived by the public. The current administrative arrangements have resulted in the IEC being perceived by a number of critics as an extension of the government. However, there are no recorded incidents where the IEC has been instructed by the Executive on how to carry out its functions.

Another issue that impacts on the administrative independence of the IEC Botswana is the recruitment and conditions of employment of its staff. The Constitution and Electoral Act do not address these issues. The latter only addresses the appointment of registration officers and returning officers in the various

constituencies. The power to appoint these officers vests in the Secretary of the IEC, who is also empowered to give them instructions on how to perform their duties.

Although the appointment of the IEC staff is not expressly addressed, the IEC has been directly recruiting its staff. The general procedure is to advertise the available posts. A serious anomaly is that it is not clear what regulations govern the IEC's staff terms of employment. The perception seems to be that, with the exception of the secretary, the IEC employees are regulated by the General Orders regulating the conduct of public servants. This perception is further reinforced by the fact that the majority of the IEC's staff is recruited from the civil service. Given the restrictive nature of the General Orders, they are not suitable for governing employees of a supposedly independent institution such as the IEC.

Operational and administrative autonomy within the Electoral Commission of Zambia

In theory, an independent EMB, made up of non-aligned "expert" appointees, might be best able to achieve this. Other independent EMBs, for example where nominees of the contesting political parties are appointed to the EMB, may have a more difficult time establishing their credentials with the public as completely impartial bodies. In Zambia, the ECZ has been rejected by many stakeholders, except the politicians themselves. There is a Director of Elections, who heads the ECZ's executive arm. The Director and staff are appointed by the ECZ and their role is to support the ECZ in its work and to implement its policies (Commonwealth Report 2011).

In Zambia, the ECZ has introduced rapport with political parties by establishing a Standing Committee, known as the "Political Parties/ECZ Liaison Committee", through which it disseminates all its activities to the political parties. This was in line with the recommendation of a consultancy team on the *Zambian electoral process*, which recommended that the ECZ should establish and maintain liaison with the parties and civic society organisations.

This committee is represented by heads of the national secretariats of the political parties on the one hand, while on the other hand the ECZ is represented by its senior management team and is chaired by the Director of the ECZ. The ECZ also invites representatives of political parties to witness such crucial activities as the printing of elections ballot papers. It is encouraging to note that the ECZ has tried very hard to be transparent in its operations. This fact was observed by one non-governmental organisation (NGO), the Southern African Centre for Constructive Resolution of Disputes (SACCORD), in its 2006 report, when it stated that the 2006 Tripartite Elections could be said to have been much more credible, mainly due to

the transparency with which the preparations were handled by the ECZ (Mwaba 2011: 36–37).

CONCLUSION

The comparative analysis of the independence of EMBs of Botswana and Zambia in this article has demonstrated that strong legal safeguards are necessary for their independence. However, serious challenges that need legal, administrative and financial solutions are still present. As the two countries continue to conduct elections in the 21st century, their EMBs will definitely continue to play a crucial role in the democratisation processes in the two countries. This calls for further strengthening of the autonomy of these bodies to ensure that they remain the “islands of integrity”, legal statutes must be revisited and amended to incorporate the 21st century electoral challenges. The two electoral processes have been dynamic. The electoral commissions of the two countries have come a long way and have recorded improvements with each election. Over the years, the commissions have surely learnt some valuable lessons. These lessons have enabled them to respond better to the demands and expectations of stakeholders.

Some success has been recorded; the Electoral Commissions of Botswana and Zambia have also encountered some challenges. There is, therefore, room for much improvement in the future. Yet again, much depends on political will, competence and independence of the two commissions and adequate funding. There has to be benchmarking from other electoral commissions, like that of South Africa, especially on conditions of service for commissioners.

REFERENCE

- Commonwealth Observer Report 2006. *Zambia Presidential National Assembly and Local Government Elections: 28 September 2006*. Commonwealth Secretariat: Zambia.
- FODEP Report 2002. *Electoral reform strategy: past, present and future activities*. The foundation for Democratic Process: Zambia, Lusaka.
- Mambilima, J.I. C. 2013. *Paper presented on experiences and lessons from Zambia's 2011 elections*: Electoral Commission of Zambia: Lusaka.
- Molomo, M.G. 2006. Democracy and Botswana's electoral system. *Journal of African Elections*, vol 5, no. 2: 33–34.
- Muchangani K. 2012. *The independence of the Electoral Commission of Zambia and the appointment of the election date by the president*. University of Zambia: Zambia.
- Mwaba, C.E. 2011. *The Electoral Commission of Zambia: the challenge of being autonomous and independent*. University of Zambia- School of Law Zambia.

- Okello, E.O. 2006. *Guaranteeing the independence of election management bodies in Africa: a study of the electoral commission of Kenya and South Africa*. University of Pretoria: Pretoria.
- Phirinyane, M.B. 2013. *The dynamics of electoral governance*. Botswana Institute of development Policy Analysis (BIDPA): Light Books: BOTSWANA.
- Republic of Botswana 1966. *Constitution of Botswana*. Government Printer: Gaborone.
- Republic of Botswana 1968. *Electoral Act*. Government Printer: Gaborone.
- Rukambe, J. 2010. *Performance audit of the Independent Electoral Commission (IEC) in respect of the Botswana 2009 general elections*. IEC: Gaborone.
- Sebudubudu, D. and Osei- Hwedie, B. Z. 2005. *Democratic consolidation in SABC: Botswana's 2004 elections*. EISA Research Report No 11. Electoral Institute of Southern Africa (EISA): Johannesburg.
- Sebudubudu, D. and Botlhomilwe, M. Z. 2010. The management of elections: The case of Botswana. *Politeia* vol 29 no. 1.
- Sebudubudu, D. 2008. *Enhancing democratic governance through credible elections in the SADC Region Symposium to mark the 10th Anniversary of the Electoral Commissions Forum of SADC Countries (ECF-SADC)*, Bwawani Hotel Conference Hall, Zanzibar United Republic of Tanzania, 26 July.
- The International IDEA Handbook. 2006. International IDEA: Sweden.
- The Government of Zambia. 1996. *The Constitution of Zambia*. Government Printer: Lusaka, Zambia.
- Tsie, B. 2003. The role, functions and performance of Botswana's Independent Electoral Commission. *Journal of African Election*, vol. 2, no. 1: 145–151.
- Tsie, B. 2008. *The Independent Electoral Commission (IEC) of Botswana at ten achievements and challenges*. Paper presented at a symposium on Transparency and fairness. Ten years of Building Credibility and trust in the Electoral Process, 11 December, Phakalane Golf Estate Resort, Gaborone.
- White, J. 2005. 'Independent Communications Authority of South Africa. In *Constitutional Law of South Africa*, ed. Woolman, S; Roux, T., Klaaren, J., Stein, A, and Chaskalson M. Johannesburg: Juta.