



## **BOTSWANA UNIFIED LOCAL GOVERNMENT SERVICE ASSOCIATION**

*P O Box 201042,  
BONTLENG, GABORONE, BOTSWANA*

***INTROSPECTION AND REFLECTION, REBUILDING BEYOND VISION 2004***

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# **PRESS RELEASE**

## **BULGSA PERCIEVES THE LATEST GOVERNMENT WHITE PAPER ON LOCAL GOVERNMENT STRUCTURE AS SEEKING TO WEAKEN LOCAL GOVERNANCE**

We, at BULGSA, wish to express concern on the manner in which matters affecting Local Authorities are handled by the Central Government. There are always unjustified delays when Local Authorities are to benefit from government reforms.

The second presidential commission was appointed on January 2001 to review the effectiveness of the structure of the Local Government institutions and recommend ways of coordination and efficient service delivery. The commission did its assignment and submitted its findings and recommendations as far back as the 17<sup>th</sup> September 2001. It took three (3) years for the government to consider the recommendations of the commission, as it is clear from the white paper that the National Assembly endorsed it on the 5<sup>th</sup> April 2004.

We perceive this a serious contradiction by the government to institute a commission under the pretext of enhancement of service delivery, while at the

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**President:** Mogakolodi Mokalake Cell: +267 71697735 **Secretary General:** Motelebane  
Motelebane Cell: +267 72213899

same time the government itself has failed to exercise efficiency on its decision-making.

It is evident from the recently released Government White Paper No. 1 of 2004, on Local Government Structure that the Central Government is undermining the Local Governance, forgetting that it plays a pivotal role on the provision of social services to the entire community, which adds value to the socio-economic development of this nation. This paper has clearly displayed the non-commitment of the Central Government towards empowering the Local Governance; it has rather reflected signs of disempowerment and intentions to destroy the Local Governance.

It is our noble view that as long as the Central Government is given liberty to decide for the Local Government, these kinds of decisions would continue to be the order of the day.

It is very clear that our country has adopted a two-tier governance system, composing of the Central Government and the Local Government. It is evident that when voters vote in the general elections, they cast two votes, one for a Member of Parliament (to appoint a representative of Central Government) and another for a Councillor (to appoint a representative of Local Government).

It is very clear from this that both the Central Government and Local Government are equally appointed by the people, it therefore passes our comprehension why the Local Government is considered as a subject of, managed and controlled by the Central Government, when it is supposed to be seen as the arm of the government just like the parliament because they are both appointed by the will of the people. We perceive subordinating the Local Government to the Central Government as subordinating the wish and the will of the people.

At BULGSA, we are disappointed by the fact that in this white paper, the Central Government has rejected a recommendation that was calling for the entrenchment of councils (as Local Government) in the constitution, and we deem the justification given as invalid.

One expected the Local Government to be accorded the recognition it deserves by entrenching it in the constitution as the second sphere of the government. One also expected the councils to be granted a full autonomous status with a clearly defined political structure. It is disappointing to learn that the Central Government has rejected a recommendation on the establishment of the position of the Executive Mayor.

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We are wondering if it has been possible to establish a position of Executive Mayor in other countries like Namibia and South Africa, what is it that makes it impossible in our country. We take it that the Central Government is contradicting itself by arguing for capacity building of the Local Authorities, when at the same time it is refusing to make decisions that seek to empower the Local Governance.

If the Central Government is serious about empowering the Local Government, it should upgrade it from a ministerial status to that of an arm of the government. In the current set-up the Local Government is just a ministry like other ministries under Central Government, which is under control of a Minister. It doesn't auger well with the principle of inner democracy to see the governance, which is appointed by the people being forced to fall under the authority of the Minister who is not appointed by the people.

We are concerned by the fact that the Central Government is not clearly pronouncing its position with regard to recommendations on the structural improvement and organisation of council departments. The government has modified the recommendations to include "subject to O& M findings" and that such recommendations are better to be addressed by specialists during the organisation and methods exercise.

This sounds as if the O&M exercise is on going. It seems as if the government is forgetting that it has already approved the findings and recommendations of the said O&M exercise which were to be implemented from 1<sup>st</sup> October 2003, which was unlawfully postponed by one of the Central Government bureaucrats, which culminated in BULGSA referring the matter to the court for judicial review.

We wish to clearly point out that the structural reforms under the Local Government Structure completely differs from those under O&M which has already been approved by the government, and we wonder how the government is going to harmonise the two.

It is shocking to note that the government has rejected a recommendation to the effect that relevant statutes be amended to allow the Department of Local Government Service Management to fall directly under Directorate of Public Service Management, when at the same time the very same government has appointed a Task Force to work on modalities of integrating the Public Service Act, Unified Local Government Service Act and Unified Teaching Service Act into a single comprehensive Act. We wonder whether this is an oversight or a contradiction.

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It should be understood that the Parliament has conferred powers to the Establishment Secretary under ULGS Act Cap 40:06 to appoint and determine conditions of service of all employees of Local Authorities, including Chief Executives. The commission came up with an informed recommendation of elevating the position of the Establishment Secretary, as it does not give any logical sense to see the employer being at par with his employees. We are surprised to note that this recommendation has been rejected by government arguing that the O& M and job evaluation would grade the post accordingly, and we wonder which O&M and job evaluation is this government referring to.

BULGSA, since its inception, has been agitating that conditions of service under Central Government completely differ from those under Local Government. It is therefore wrong to see the government replicating conditions set for Central Government to Local Government, which is not only wrong but also contravening the ULGS Act. We are puzzled by the fact that the government has rejected a recommendation to the effect that a deliberate decision be taken to ensure that conditions of service of Local Authorities are designed specifically for them and not copied directly from Central Government.

It appears that when the National Assembly reached this decision, it was either not aware or has forgotten the wisdom that it made on 29<sup>th</sup> June 1973, when enacting the ULGS Act to confer powers to the Establishment Secretary to determine conditions of service of employees of Local Authorities under section 5(2), (a) thereof. It is a matter of serious concern to observe that the National Assembly is making decisions that are contradicting the statutes it formulated.

BULGSA has also been engaging the government to remove disparities between the employees of Central Government and those of Local Government, but now it appears the government want to use the word disparities to shift the goal posts. The government has rejected a recommendation calling for placing Local Authorities employees three notches higher than those in Central Government, justifying that *“the ideal approach is to remove disparities between the Local and Central Government, and therefore the uniformity between the two services is being encouraged”*.

We are of the opinion that if the government was consistent in making decisions towards removing disparities, it could have accepted the recommendation that was calling for all council departments to be headed by officers of a Director level for all headquarters staff. We don't see reason why Directors should not head departments in Local Government when it is possible at Central Government. In this particular matter the government is making reference to the job evaluation Paterson model, as if the government now is a specialist on issues relating to job grading and evaluation.

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The commission recommended that a decentralisation programme be worked out and agreed between BALA, BULGSA and Department of Local Government Service Management. The government has deliberately modified this recommendation to replace these associations with “all stakeholders”. We wish to point out that we know very well at BULGSA that this “all stakeholders” refers to the officials of the Central Government, who are given the whole liberty of making decisions on our behalf and impose them on us.

We want to make it very clear to the government that we at BULGSA cannot tolerate this anymore; we believe that under a democratic climate we have a right to be directly involved in all matters affecting us, and therefore stand by the recommendation of the commission.

It is our considered view that the government’s reaction to the recommendations of the commission defeats the overall purpose of instituting this commission and its terms of reference. We are of a view that the government has purposely rejected the core recommendations to enhance the role of councils (as Local Government), which was going to necessitate efficiency in performing functions conferred to them, and facilitate a fundamental right to decision making.

The government fails to understand that denying councils these powers is more like declaring the Vision 2016 a doomed dream. We perceive the motive of the government as of frustrating workers of the Local Authorities failing to understand that at the end of the day it is the community that we serve that suffer most, which apparently is the one that mandated the government.

It is not a surprise for BULGSA to note that the government has endorsed all recommendations pertaining to privatising of most of council services. One is tempted to associate the rejection of core recommendations as a move to simplify the privatisation process, since the government knows that giving out powers to the Local Governance would minimise its access to prospects of privatising council services.

Instead of seeing Central Government empowering the Local Governance through devolution of powers, we realise a clear move of disempowerment. We then ask ourselves the following questions:

- ❖ Does the Central Government intend to build capacity of the Local Governance or to weaken it further?
- ❖ Why is the government eager to privatise the services that are provided by the Local Governance?

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- ❖ If most of the socio-political obligations of the Local Governance are to be hived to the private sector, what would be the use of having a structures like councils?
- ❖ What is going to happen to employees who have been delivering these services?

BULGSA expects the government to device remedies to address the unemployment situation experienced by this nation, but it is very clear from this that the government is encouraging and worsening this situation.

BULGSA wants to make it very clear to the government that since it has decided to impress or satisfy owners of capital by exploiting the working class by privatising the services which we are employed to provide, it should be aware that the interest of our fellow citizens comes first and that the employment of our members is not for sale.

In conclusion, we at BULGSA are totally against privatisation as it necessitates handing over public institutions and services to the owners of capital, who are aiming at maximising profits through cutting down labour costs by laying off workers. As a result, privatisation would see to it that people loose jobs and would worsen poverty.

As a President of BULGSA, an organisation legally established to protect the interests of the employees of Local Authorities, I want to send a very precise message to the government that since it has deemed it fit to move towards selling the employment of our members and the source of employment of other suffering fellow citizens, we are ready and determined to intensify our struggle to guard against this horrible and disgusting approach.

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**Mr Mogakolodi Mokalake**  
**BULGSA PRESIDENT**

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