

PROMOTING PARTNERSHIPS FOR CRIME PREVENTION BETWEEN THE STATE AND PRIVATE SECURITY PROVIDERS IN BOTSWANA

BY

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Introduction

Botswana stands out as the only African country to have sustained an unbroken record of liberal democracy and political stability since independence. The country has been dubbed the 'African Miracle' (Thumberg Hartland, 1978; Samatar, 1999). It is widely regarded as a success story arising from its exploitation and utilisation of natural resources, establishing a strong state, institutional and administrative capacity, prudent macro-economic stability and strong political leadership. These attributes, together with the careful blending of traditional and modern institutions have afforded Botswana a rare opportunity of political stability in the Africa region characterised by political and social strife. The expectation is that the economic growth will bring about development and security. However, a critical analysis of Botswana's development trajectory indicates that the country's prosperity has its attendant problems of poverty, unemployment, inequalities and crime. Historically crime prevention was a preserve of the state using state security agencies as the police, military, prisons and other state apparatus, such as, the courts and laws. However, since the late 1980s with the expanded definition of security from the narrow static conception to include human security, it has become apparent that state agencies alone cannot combat the rising levels of crime. The police in recognising that alone they cannot cope with the crime levels have been innovative and embarked on other models of public policing, such as, community policing as a public society partnership to combat crime. To further cater for the huge demand on policing, other actors, which are non-state actors; in particular private security firms have come in, especially in the urban market and occupy a special niche to provide a service to those who can afford to pay for it. However, unlike state security who provide the service for free or is funded from the state coffers (taxes and state revenue) private security providers are driven by the profit motive and render service to those who can pay for it. This shift in paradigm in the provision of security requires research on how it operates. More substantively, the establishment of collaborative networks and partnerships between public and private security providers has become more imperative than optional. The creation of an optimal and effective framework for combating crime is important because development can only take place in a secure environment. It is the intent of this report spell out the framework and environment of the interface between public and private security providers in Botswana.

The report is structured as follows: the first part briefly defines the subject matter and introduces the methodology guiding the report. The second part lays the contextual framework that underpins Botswana's political economy in which state-private security partnerships are embedded. The third aspect of the report grapples with the conceptual framework for understanding public and private security actors. More importantly, it embarks on a critical examination and analysis of the extent to which Botswana has realised and appreciated the role played by private security companies and whether the state has established and or nurtured partnerships between state institutions and private security firms in their crime prevention strategies. Fourth, the report discusses the nature and character of the Botswana state, and how it has shaped the interface between public-private security firms. The definition of the state is significant because it influences power relations in society. The underlying feature is to understand class relation in society because the poor tend to rely almost exclusively on the state to provide them with security while the rich are able to source it privately from the market. This analogy brings to the centre of analysis the concept of 'commodification' of security; as a product that can be sold and bought in the market. Related to class are issues of ethnicity and gender relations. The question is the conception of security mediated through ethnic lenses? Furthermore, has gender been incorporated in crime prevention

partnerships strategies by state and non-state actors? Fifth, after defining the nature of the state in Botswana, it is important to identify the security threats facing the country, and what sort of interventions are necessary for redress. The sixth aspect of the report analyses issues around partnerships, rivalry and incompatibility. Perhaps the important problematic in this discourse is how to manage relations between public and private security actors wherein the public security sector appreciates private security firms as partners rather competitors. It seeks to enhance the perspective of private security firms as legitimate players in the security sector and not as intruders who erode the importance and significance of public security providers. The seventh intent of this report is to identify entry points for the establishment and strengthening of crime prevention strategies/policies/ initiatives in order to ensure the security of the people. More succinctly, it suggests reforms necessary to enhance public-private partnerships. Eight, the report endeavours to provide an analysis on the legitimacy, accountability and oversight of the various security actors involved in crime prevention. The report underscores the fact that there is no specific law or Act governing the operations of private security providers. More importantly, there are no oversight structures to regulate private security companies, and also one that regulates public-private security partnerships. Ninth, there are also traditional institutions called *Mephato* (regiments), which are known in some instances to partner with state institution to maintain law and order in the rural villages. In some cases, as in Kgatleng District, *Mephato* were said to be sources of instability. However, *Mephato* will not be discussed as they are outside the scope of this report. Suffice to indicate them as an area of future report given their location in traditional settings. Lastly is the conclusion arguing that public-private partnerships on crime prevention are important and that Botswana should take them seriously? The report proceeds to address these issues, first by outlining the methodology used in this study.

Methodology

This report focuses primarily on the interface between public-private security partnerships. The methodology employed in this research was manifold. First, the study utilised a standard questionnaire supplied by Private Security Industry Regulatory Authority (PSIRA) that explores issues related to security threats, the existence or absence of public-private security partnerships, outsourcing and human rights abuses in the security sector. In measuring public-private partnership or its absence; the PSIRA questionnaire inquires about the existence or absence of legislation providing for formal working arrangements between the public and private security sectors; the existence or absence of informal operational cooperation between the public and private security sectors; the existence of, or initiatives to introduce, regulatory authority over the private security sector. In all three instances, we conducted interviews with various public and private security actors, as well as government officials who handle the licencing of security companies.

Second, the researchers conducted desk-top research that helped gain background information about Botswana's socio-economic structure and its security threats. Diverse sources were relied upon to map the security threats facing Botswana and its people. Third, a focus-group discussion was organised for police officers to explore challenges of partnering with the private security sector. Fourth, a validation workshop was organised which helped to further generate information, sharpen our thoughts and to correct the draft report. To this end a discussant was identify, who is an academic at the University of Botswana to review the report. In addition, invitations were extended to security stakeholders, the majority of whom were interviewed when researching for the first draft of the report and the authors of the report made a presentation that was further subjected to review. The report that follows is a result of an elaborate methodology that sought to provide rich empirical sources and a solid scholarly work that that could inform security policy.

Theoretical Framework

During the Cold war period, security was the preserve of the state, which had the monopoly of violence. The Post-Cold war period with the advent of market based economies have seen the rise of private security firms in the provision of security. Private security companies have become a

permanent feature of the security architecture and in many instances “outnumber their public counterparts by a considerable margin (Abrahamsen and Williams, 2011:1). Since the 9/11 attacks on the United States and the subsequent global war on terror, security has gain prominence in international relations discourse. More substantively, “globalisation has eroded traditional understandings of state sovereignty”(Abrahamsen and Williams, 2011:217). As part of the transformation in global governance, and the shifting of social forces and power relations, private security companies have come to occupy central position in international security. The interface between public and private security companies is conceptualised and formed by the nature and character of the state.

This report begins by making a theoretical expose of the state and how it refashioned itself to adapt to changes brought about by changes in the global political economy. The next level of discussion is an empirical investigation into how the public security sector works with the private security sector. The private security sector emerged in the 1980s, and has existed side by side with the public security sector. Its argument is that although there are no formal partnerships between the public and private security sectors constituted by the Botswana parliament, these partnerships have somewhat been forged by market forces. The report argues that the market has forged partnerships in some cases such money in transit, outsourcing security services such as guarding government buildings. These contradictions are expected to manifest themselves as local security companies feel excluded from the lucrative transportation of precious goods such as diamonds and money. Insecurity is a permanent feature of life in Botswana but it affects people differently. The poor tend to rely on the state to provide their security while the rich source it from private providers. In this regard, a country’s security architecture is one of the important pillars or indicators of a secure government. This will become clearer when we discuss the notion of commodification of security.

The report problematises the debate on what constitutes partnerships for crime prevention between the state and private security providers. An increase in the role of private security firms in Botswana’s security landscape is set to change the political discourse in the country. More often, we tend to conflate the conception of private security companies with private militaries, commonly known as mercenaries. To properly anchor the debate, private security companies are those that are mandated to “protect life and assets as opposed to support for military activities (Abrahamse and Williams, 2011:39).

The conception of security manifests in two basic forms: state security and human security. The first or perhaps the oldest conception of security is State security, sometimes referred to as national security; it entails building the capacity of the state to prevent internal insurrection and external aggression. State security invariably involves arming the state so that it could be more effective in warding off external aggression. It is a state centred approach that is interested in survival of the state.

This concept of state security is founded on the he realist and neorealist (Morgenthau, 1960; Keohane, 1986; Benjamin, 1996) perspectives that were more interested in state security, which were conceived in terms of sovereignty and territorial integrity. The state security paradigm was a dominant paradigm during the cold war period. The dominant feature during the post-Cold War period has been to link security and sustainable economic development. It also needs to be appreciated that the numerous security challenges that people face do not need guns to address but macro-economic planning and economic inputs that would increase would lead to sustainable development and equitable distribution of income and wealth. Invariably, prospects for redress do not require the military but a strong partnership between the state, the private sector and civil society.

It is appropriate to begin with a conceptual understanding of private security firms. Security beyond the State by (Abrahamsen and Williams, 2011:1) illustrates that the global security architecture “affect the distribution of social power, and the operations of the international political economy”

respecting who gets secure, how and by whom? Although this report does not engage in a substantial theoretical framework, it needs to be pointed out Botswana politics are influenced by the realist and neo-realist approaches. Realism is essentially about the role of states in international politics, and its role in preserving power and maintaining security in the nation-state (Keohane, 1986). This conception was based on the Machiavelian notion that good neighbours require good arms (Machiavelli, 1961).

Nevertheless, there has been a shift in paradigm from a state centric to a human security based approach. It goes without saying that in the discourse on security, the concern about the security of the state has long been replaced, or at least been matched, by concern for the security of the people. The post-Cold War period has not only shifted the balance of forces in the world but has also redirected the energies to a redefinition of the role of security agencies in a democracy. Security has shifted from being seen only as state security to include human security. People are now the referent objects of security. Increasingly the military are called upon to address internal threats by helping the police to curb crime. The fact that the conception of security is premised on people and human security is reflective of the multi-dimensional nature of security. This calls for the realisation that security is inexorably linked to economic and social development. Sustainable economic development and security are historically and socially constructed entities and are mediated through socio-economic factors in society, and constantly grapple to deepen and strengthen their institutional relevance. The trajectories that define these concepts, whilst some are hidden others are manifest, throw up possibilities for sustainable economic development and more secure forms of human existence. These shifts are occurring within the framework of globalisation, which not only yields loss of national sovereignty, but also leads to international flows in technology, international migration and the internationalisation of security, to mention but a few (Hettne et. al 1999). Although primarily economic in nature, globalization is conceived as a multidimensional phenomenon that embraces all aspects of human life and interactions between states. Globalization is a very complex phenomenon that creates both opportunities and challenges for all countries, but more so for small, developing countries like Botswana.

Although the link between security and sustainable economic development is complex and sometimes unclear; this dialectic raises distinct but related issues. This report presents the case for constructing a credible paradigm that links sustainable economic development to security, in particular public – private partnerships. It suggests a strong causal link between political institutions, strong macro-economic planning for sustainable economic development and security. It postulates that poverty and inequality breed social and personal and societal (and even state) insecurity. This problematic therefore suggests that state and human security are intricately entwined. Sustainable economic development is a complex, multifaceted and integrated process that entails the creation of an economic environment that will not only lead to economic growth but also alleviate poverty and secure livelihoods. It entails more than meeting people's material needs but also harnessing their ingenuity to actualise themselves and live their lives to the fullest. According to UNDP parlance entailed in the *Human Development Report* (1994:23), human development is seen as striving to achieve 'freedom from want' and freedom from fear', and perhaps most directly 'safety from such chronic threats as hunger, disease and repression' and protection from sudden and hurtful disruptions in daily life'. Moreover, sustainable economic development must take place in a positive political environment characterised by good governance and popular participation of people in the political life of a polity. This perspective links public safety to development and contend that the challenges facing developing countries are not only external but are essentially internal conflicts. Human security involves, among other things, the realization of human dignity, freedom from political repression and persecution, hunger, disease and ignorance. It also recognizes that civil society has a role to play in the realization of human development and security.

The broadening of the security discourse from its narrow concerns with state security to include public-private partnerships illustrates the primacy of human security as an important paradigm of security. In a real sense, discussing the role of private security forms is in essence addressing everyday security needs as these entities are increasingly called upon to provide for people security.

Private security firms are responsible for guarding public and private spaces. They control access in public places like government departments, universities, banks, mall and residential homes. The purview of private security companies also include monitoring of alarms and closed circuit televisions, cash on transit and loading Automated teller machines (ATM).

The privatization of security opens a new window in the security discourse. Whilst in the past the privatisation of security was linked to mercenaries and 'dogs' of war that were considered to undermine the authority of the state. Now, private security entities are considered auxiliary arms of the state. Abrahamsen and William (2011:3) suggest that:

Rather than private security eroding the power of the state, or threatening its power and authority, its proliferation is linked to changes inside the state, and its power stems not primarily from the barrel of the gun but from its embeddedness in contemporary structures of governance and its links to public forms of power and authority.

This neo-liberal paradigm suggests that "to govern less is to govern better" (Abrahamsen and Williams, 2011:63). This neo-liberal model of governance entails an increasing "fragmentation and pluralisation of decision-making" away from the state to more localised and autonomous and atomised levels the individual actors. In this new security architecture, state power and state-society relations are re-configured in a less threatening way than was conceived in a state centric mode. In this new framework, we are concerned with a new dialectic that recognizes a shift in power relations that cannot be easily contained within the nation-state as was conceived in westphalian terms but now mediated in state-society relations. In this dialectic, security actors are in constant tension between public and private domains of security mediated within the state and society.

The increasing role of private security companies needs to be situated in the emerging role of neo-liberalism in the global political economy. They also need to be seen within the framework of an increasing global agenda on the war on terror. Apart of the neo-liberal model and agenda of rolling back the state, making the state lean and outsourcing some of its duties. Whilst there was resistance to privatise security considered the last bastion of political power, it has now joined the main stream reforms. This was more of a watershed in that even traditional institutions such as the military, the police and prison were in varying degree and extent privatised. This theoretical discussion needs to begin with first order questions; the nature, form and character of the state. By definition, it is that institution that monopolises the use of violence. The question is, by outsourcing the supply of violence, is the state losing it sovereignty and its power. In the scheme of things and the shifting locus of power, the state itself gets to be reconfigured and conceptualized. In emerging global economic and monetary markets, security companies have come to play critical roles in global monetary capital and cash transfers. These companies became part of the value chain that revolutionarised banking and cash transfers. Through Automated Teller Machines (ATM), they have transformed banking into a 24 hour service. In addition the movement of cash and assets are secured by these companies. The security companies have acquired higher levels of technological advancement and sophistication. They have satellite tracking and communication devices that are at times more sophisticated than those used by the police.

The notion of commodification of security has not received sufficient analysis. This is a situation where security instead of being perceived as a public good enjoyed by all in society is rendered a private good that is purchased in the private market. In this sense, the neo-liberal understanding of security does not only replace the public anchors of security with private ones but also reconfigures the mindset of conceiving power relations and access to resources. This conception brings back into academic discourse class analysis and class relations in society. Botswana cities and peri-urban areas are slowly emerging into cities of high wall, electric fences and security alarms. These routines in daily lives of people have exposed the class nature of security provision. The politics of private

security in urban spaces has exposed the class nature of private security. It juxtaposes and problematizes security as a public and private good.

The Post-Colonial State in Botswana

It is perhaps appropriate begin a discussion of public-private partnerships by understanding the nature of the state in post-colonial Botswana because it is within the realm of the state that these partnerships are mediated and formed. The state in Botswana remains a contested terrain; in some instances it is seen as privileging some people over others. We need to begin by defining the character and nature in order to comprehend its role in giving direction to the public-private interface in the security sector. The complexity of defining the state in Botswana arises from issues of class, ethnicity, gender, and social construction of understanding its identity. The state, according to the Marxist perspective, could be seen as an instrument of the dominant or ruling class. Still, according to the pluralist perspective, it could be viewed as a neutral actor acting on behalf of all classes in society. Polemics aside, its identity will be defined by the interests it represents. In more basic parlance, the state is essentially a cluster of interrelated institutions that make authoritative decisions about the distribution of resources and holds the monopoly of coercive power. As discussed in Mohiddin (2007:26)

The state is the main supplier of the basic and essential public goods and services, ranging from the management of law and order, creating and maintaining the enabling environment of peace, security and stability, so that people could pursue creative and productive activities of their own choices, to the health and education services for all citizens.

The central thrust of this report is not only to define the nature of the state but also discuss its dialogue with society. In light of the above quotation, the role and capacity of the state varies in time and space. In situating the state in the political economy of globalization, it is imperative to understand the balance between the state and developmental democracy and security. In most African countries, ethnic strife is problematic and contentious but the post-colonial state in Botswana negotiated a healthy balance between the various ethnic groups. Nevertheless, this is not to say that the ethnic question does not exist in Botswana. It exists albeit in latent form. The Botswana society is premised in unity in diversity. Although the country has several ethnic groups, people are never overtly discriminated on the basis of their ethnic origin. Moreover, a person can never be denied justice on account of their ethnic group. Nevertheless, given the historical hierarchies where some ethnic groups were accorded a lower status, Botswana needs to work hard to accord ethnic minorities, especially the *Basarwa* (San) a greater sense of inclusion and accommodation.

Ethnic minorities have historically argued for social inclusion, which is the recognition of their languages to be taught in the schools. The plight of *Basarwa* is perhaps appropriate to discuss the extent ethnic exclusion in Botswana. The *Basarwa* are the poorest of the poor, they are marginalised and considered a servile class (Werbner, 2002). Their relocation from the Central Kalahari Game Reserve (CKGR) is said to epitomize this marginalization, and their leader Roy Sesana calls this dislocation cultural *genocide*. Government in their characteristic paternalistic outlook maintains that they want to bring them into mainstream development. With the assistance of a British non-government organisation Survival International they maintain they are relocated to give way to diamond mining, and have labelled Botswana's diamonds 'blood' or 'conflict' diamonds (Taylor and Mokhawa, 2003). This campaign was meant to tarnish the country's impeccable human rights record and threaten Botswana's source of livelihood. The characterisation of Botswana as a pariah state also posed the danger of undermining Botswana's tourist industry projected as an alternative engine of growth envisaged to diversify the country's economy (Solway, 2009).

Gender equality is another development that has been underplayed and the human security paradigm recognised this. Since the 1990s, there has been a shift away from state security to human security and yet little attention has been placed on the interface between gender, security and development (Henry, 2007). Human security has been defined as being 'secure or safe from harm' but this cannot be comprehensive security until gender relations of domination and subordination are addressed, and probably eliminated (Henry, 2007:65). Gender relations are important when addressing power relations in society because women often shoulder the burden of insecurity and the bad effects of development policies.

State building in Europe was a function of wars; those with large and strong armies survived while the weak were vanquished. However, state building in Botswana assumed a different trajectory. The post-colonial state of Botswana was built without an army. Its defence was predicated on the goodwill of its neighbours and a small mobile police unit. Nevertheless, Botswana's developmental state facilitated the emergence of a strong state through a combination of several factors, which coalesced at different levels of state activity.

We need not take the emergence of a strong state in Botswana for granted. It came about as a result of an articulation of several forces and interests. Perhaps most paramount was the fact that before independence, Bechuanaland, as Botswana was called then, together with the other High Commission territories of Basutoland and Swaziland, were perceived as an "economic hostage" of South Africa with no prospect of sustaining an independent existence (Halpern, 1965). The salvation of these countries was considered as their incorporation into South Africa, which they strongly resisted. At the time Botswana was desolate without any obvious means of subsistence. When independence was granted in 1966, it was in the interest of the political elite who had strongly lobbied for independence to build a strong state and proof their viability. The important question is how was this possible?

The first area of contestation for the post-colonial state was to subdue the powers of *dikgosi* (chiefs) who hitherto were absolute sovereigns in their respective tribal areas. The independence constitution curtailed their powers by making them members of the House of Chiefs, constituting the second house of the National Assembly without legislative powers, serving only in an advisory capacity. The Chieftainship Act of 1965 (Proctor, 1968) usurped the power of *dikgosi* (chiefs) and subordinated them to the Central Government. In this new dispensation they no longer served as political leaders but civil servants, under the authority of the Minister of Local Government and Lands. This dispossession and subordination was not without contestation. The most visible contestation came from *Kgosi* Bathoen II and *Kgosi* Linchwe II of *Bangwaketse*² and *Bakgatla*³, respectively. *Kgosi* Linchwe II was visible in opposition politics as he provided the Botswana National Front (BNF) a platform to launch the party in Mochudi in 1965, after Kenneth Koma failed to unite the warring factions of the Botswana People's Party (BPP). In a move to neutralize his influence, government appointed *Kgosi* Linchwe II Botswana's ambassador to the United States of America. *Kgosi* Bathoen II, for his part, in registering his strongest dissent, stepped down from the throne (passing the baton to his son Seepapitso IV), and joined opposition politics, on the BNF ticket. Bathoen's political influence, as paramount chief of *Bangwaketse* made the *Ngwaketse* District a stronghold of the BNF; a legacy that is still evident despite the strong challenge by the ruling Botswana Democratic Party (BDP). The powers of *dikgosi* were further eroded by the creation of the Tribal Land Boards, which relieved them of their remaining powers of land allocation.

At independence, Botswana was one of the poorest countries in the world. Following the discovery of minerals in the 1970s and their subsequent exploitation, Botswana has been transformed to be an economic success story in Sub-Saharan Africa. Although there is famous cliché by De Beers that 'a diamond is forever', the reality is that they are a finite resource and will get depleted. Botswana's economy continues to be fragile due to over reliance on one export commodity, diamonds. Diamond revenues account for about 80 percent of the country's export revenue, 55 percent of government revenue and 35 percent Gross Domestic Product (GDP) (Throup, 2006). Arising from

the country's overdependence on diamonds, the country's sustainability is dependent on global fluctuations in the demand on these precious stones. The country was severely hit by the 2008 global recession and financial melt down. Moreover, a growth induced by export of a single commodity – diamonds – has not led to a diversified economy. The overreliance in one export commodity has not only made the economy vulnerable to the shocks in the international markets but has also led to lopsided development. The paradox of a diamond led growth has to increased levels of poverty and income inequalities. These income disparities have not only produced instability as evidenced by an unprecedented industrial action lasting eight weeks, and increased levels of crime, often involving armed robberies. As a landlocked and agriculturally unproductive country, its economy depends on South Africa for crucial supplies such as food, electricity and water. Despite this dependent status, Botswana has been able to produce a strong state with strong links with international capital, especially in the mining sector. In its partnership with De Beers, through a company called Debswana, the Botswana state has been able to develop into a strong state.

The second step in the creation of a strong state in Botswana was the creation of an institutional and administrative capacity to execute the ruling party's policies and programmes. This was done through the creation of a civil service, which for a long time relied on expatriate personnel. As more Botswana received education, they took over some of the responsibilities and developed a strong and effective civil service (Molomo, 1989). At independence, the dominant economic activity in Botswana was cattle farming. This enterprise, which was, and still remains a traditional mode of livelihood, was also facilitated by the protectorate administration through the sinking of boreholes as a source of water for cattle (Peters, 1984). This made cattle farming a sustainable enterprise for capital accumulation. The establishment of the Botswana Meat Commission (BMC) in 1954 was also instrumental in the creation of a cattle owning capitalist class. This class was largely drawn from traditional Tswana aristocracy comprising of chiefs, sub-chiefs and headmen (Tsie, 1996). The ruling BDP government was quick to establish strong alliances with the cattle owning elite and the rural peasantry. Seretse Khama and Quett Masire, the founding President and Vice President of the Republic of Botswana, epitomized this class. Civil servants also saw an opportunity in cattle farming and many of them became weekend farmers and retired into farming. During this period, the cattle owning class, to use the conception Gramsci, emerged as the hegemonic fraction of the ruling class (Hare and Smith, 1971). The government supported this sector by providing infrastructure, subsidies in vaccines and feeds, cordon fences to control the spread of diseases, veterinary services and agricultural extension services (Parson, 1981; Peters, 1984; Picard, 1980). Moreover, the profits that were made at BMC were distributed back to farmers at the end of the year in the form of bonuses. Arising from this, it was evident that interests of the ruling elite were congruent with those of cattle owning elite, civil servants and the rural peasantry (Parson, 1983). This alliance has over the years been a source of electoral support for the BDP. However, government has been relatively autonomous from the influence of the dominant class in that it has been able to put in place welfare programmes to benefit the poor.

Leftwich (1996:143) was incisive in articulating the parameters that define a developmental state, which include availability of natural resources, technological rationality, authoritarian rule, macro-economic planning, a bureaucracy and prudent leadership and relative autonomy of the ruling class. The technocratic-bureaucratic approach informed the country's developmental trajectory, which dominated the process of development planning and defined the path for capital accumulation. The discovery and exploitation of minerals, especially diamonds, gave government the ability to consolidate its position and control of state power. Mineral wealth gave government the capacity to deliver on development programmes and further consolidated state power by developing the military as the coercive arm of the state.

Whilst the cattle owning class remains significant for the Botswana economy, it was weakened considerably during the term of President Festus Mogae and now under President Ian Khama. The technocratic approach of President Mogae led him to question the economic sense of some of the subsidies and loan write off's that government extended to farmers (Molomo, 1998). It would appear

that President Mogae, well schooled in neo-liberal economics, wanted to give the economy macro-economic stability and efficiency in the capital accumulation process. Moreover, he endeavoured to give the country a competitive edge in global capital markets. It was during his administration that the idea of relocating the Diamond Trading Company from London to Gaborone was mooted. President Khama appears more inclined to tourism and conservation of natural resources. Whilst the agricultural elite are trying to regroup and maintain their dominance through the diversification of the agricultural sector to include poultry, piggy horticulture and young farmers' schemes; they seem to be losing ground to commercial interests associated with mining and tourism. The tourism sector, as a new engine of growth, is largely controlled by foreigners and concession companies and is likely to lead to the recolonization of Botswana's land. The emergence of strong elite based on tourism and mining fosters a new trajectory in capital accumulation process and in defining the state.

The emergence of a rent seeking characteristic of commercial cattle farmers, especially white farmers, some of who own feedlots, seek to end the monopoly of the BMC to benefit from the lucrative export market, manifests a new development in this sector. The challenge that this sector poses for the state is its pursuit to end the BMC monopoly, and this would deny the state the profits from the European Union (EU) market and the state would fail to continue to reward its traditional partners, the peasantry, with good beef prices. The fracture of the alliance might lead to reduced electoral support for the BDP. The cattle owning elite, which for many years was hegemonic appears to be losing ground to a new breed of politicians known as "tenderpreneurs"⁴. The term is used to refer to people who accumulate wealth through government tenders. These tenderpreneurs include, among others, Guma Moyo,⁵ Thapelo Opoleng⁶ and Mpho Balopi⁷. This is a group of young entrepreneurs who wish to attain political power in order to secure their business interests by benefitting from government tenders. This group has gained hegemonic influence through contesting and winning key party positions, and has been instrumental in financing party activities and campaigns. This group does not bring to the party any particular ideology except their insatiable appetite for capital accumulation.

Overall, the trajectory of Botswana's development strategy is premised on a contradictory reality, notwithstanding the economic melt-down and recession that characterize the world since 2008, of a country experiencing economic growth and rising levels of poverty and income inequalities. Moreover, attempts to diversify the economy, away from a mineral led growth to more sustainable alternatives based on harnessing renewable natural resources is occurring at a slow pace. The class character of the opposition is, by and large, an alliance with working class and a small fraction of the middle class. The working class, through the unprecedented public sector strike that lasted eight weeks parties bargained for increases of salaries and wages in solidarity with opposition, also called for regime change. However, they do not command the numerical strength to dislodge the BDP from power. The BDP enjoys the power of incumbency and is able to use reward power to consolidate its power base. Moreover, to assert its position, the state needs its coercive instruments and public-private partnerships are instrumental in defining this relationship.

A case could be made that the Botswana developmental state has redistributed the wealth acquired from mining in tangible areas such as the creation of infrastructure –roads, rural and urban electrification and water reticulation, hospital and schools. At independence, these services were non-existent. The redistribution has also been in the form of salaries to the huge government bureaucracy, including the police and military. However, with a low minimum wage, poverty and inequalities remain a security threat to the otherwise successful economy. The redistribution of resources also takes a token form in the provision of welfare serves, such as *ipelegeng* and backyards gardens. In what could only be seen as political patronage, the president periodically distributes blanket to the rural poor. Nevertheless, the trajectory of Botswana's development strategy has produced limited trickle down of wealth and income, and the country has institutionalised a culture of dependency rather than of entrepreneurship and job creation. Disaffection with the ruling elite was also evident from the just past election where the ruling party won the election with a reduced

simple majority of 47 percent against the combined poll of the opposition popular vote by 50 percent. The First-Past-the-Post (FPTP) electoral system guaranteed BDP win by 37 to 20 seats of the position.

At independence the dominant social formation comprised of the cattle owning class, which represented the mainstay of the economy supported by a strong civil service that benefitted from timely salaries reviews. Support for this ruling fraction of the dominant class was seen through subsidies in cattle vaccines and feeds. However, overtime this class was replaced by technocrats and now a new class that could be referred to as “tenderpreneurs” (a group relying on government tenders to enrich themselves) have gained hegemonic control of the state. Tourism has emerged as the second foreign exchange earner.

Botswana’s role in the world economy continues to evolve and change, as globalization throws new opportunities and challenges that redefine relations between countries and people of the world. Globalisation has opened the country’s borders to international communication technology, cyber-crime, thus making security an urgent undertaking. Botswana’s positioning in the global hierarchy may be marginal but its political, economic and strategic importance is enormous given its political stability and control of the international diamond trade. The Diamond Trading Company (DTC) has relocated to Botswana. As a result, the country’s security can no longer be taken for granted.

Botswana is considered a model of political and economic stability in Sub-Saharan Africa. According to the United States Department of State “Botswana has consistently maintained a democratic government, responsibly managed its natural resources, invested in its people and infrastructure (<http://www.state.gov/r/pa/ci/bgn/1830htm> accessed 05/27/13 p1). Since Khama became president in 2008, Botswana has been overzealous with the provision of security. Khama’s obsession with security has ensured the visibility of security institutions, especially the BDF, the Botswana Police Service, and in particular the Directorate Intelligence Service (DIS). In some instances the state security apparatus have gone overboard in the interventions to engage in extrajudicial killings. The case of John Kalafatis, who was killed in cold blood execution style, was instructive.

Security Situation and threats

Botswana’s defence and security policy was first conceived in 1977 out of a fragile sense of insecurity emanating from attacks from Rhodesia and South Africa. Following South Africa’s policy of ‘Total Strategy’ of the 1980s geared towards the destabilization of the region, the security of the people and state became the primary preoccupation of the Botswana state. Thus, regional aggression informed Botswana’s early security threats, and the BDF was established in that regard. Nevertheless, leaders of the public and private security sectors note that external aggression was no longer an issue threatening Botswana’s security, but that regional criminal gangs and poaching are high on the security alert. The end of the Cold War and the demise of apartheid and its destabilization campaign are replaced by regional criminal gangs and poachers as new security threats. In this regard, partnerships between the police, the army and wildlife rangers have been developed. Botswana has a unique history in Southern Africa compared to some of its neighbours who experienced a war of liberation. The country does not have the problem of proliferation of small arms. Moreover, it has a strict protocol regarding the acquisition and registration of small arms; in accordance with the amended Arms and Ammunition Act of 1979. Nevertheless, in spite of the stringent regulations and controls, Botswana is experiencing an increase in the number of firearm-related crimes

Botswana displays the full panoply of factors that account for insecurity. These are high urbanisation, unemployment, inequalities, poverty and increasing levels of crime. The report maps out the security threats facing Botswana, and whether there are formal or informal partnerships between public and private security sectors. More concretely, it examines whether there is competition, incompatibility and rivalry between them. The inequality gap is pronounced and youth unemployment is particularly

high. Although Botswana is well endowed with natural and human resources, it suffers from extreme poverty and deprivation. Botswana also bears a great burden of other socio-economic ills: the scourge of HIV/AIDS, which is among the highest in the world and other chronic diseases, compounds this dire situation. Nevertheless, Botswana aspires to build a strong state that has significant social depth, and are anchored on the virtues of a just and equitable society.

The perceived and actual security threats in Botswana are diverse and ever evolving. To begin with, leaders of both public and private security sectors share the opinion that security (and /or insecurity) is a multi-dimensional and multi-level phenomenon which can best be described as having different referent objects, requiring interventions of both statutory (public) and non-statutory (private) bodies. Public and private security leaders agree that the sources of insecurity in Botswana are deeply embedded in its socio-economic structure of society. As alluded to earlier, Botswana is widely regarded as an economic and political success story in Sub-Saharan Africa and is classified by the World Bank as a high middle income country. Its socio-economic and political success is measured by its high per capita income, relatively stable political system and a stable currency. Security sector leaders argue that, given the country's development trajectory, as an economy driven by diamonds whose exploitation is capital intensive, this development presents itself as a double edged sword. In the first instance, it provides development revenue for the state to undertake development projects and in providing security for the nation. Ironically, it also contributes to the growing wealth and income inequalities that have produced propertied classes and a reserve of the employed. The seemingly rich economy attracts investors of all sorts; some are bonafide investors while others are fly by night entities without credible credentials. The country's economic success has also led to the mushrooming of prosperity churches that swindle unsuspecting worshipers. As a stable country, Botswana also attracts political refugees who flee their countries due to political persecution. Botswana has also been a haven for illegal Zimbabwean immigrants who cross the border at ungazetted points along the 800 kilometer border between the two countries. These illegal immigrants have been both victims and perpetrators of crime.

The tourism sector in the Chobe and North Western parts of the country, including some areas in the North East (Mashatu) has blossomed into a second engine of growth. This growth has its attendant problems. It manifests what could be called reconolisation of Botswana. The tourism sector in Botswana is dominated by foreigners with very few Batswana elites having a stake in it. This sector has emerged as an enclave where the majority of Batswana are excluded, and this has led to tension among Batswana. Batawana (an ethnic groups in the North West) are at loggerheads with government over Moremi Game Reserve, which they claim is theirs and want to wrestle it from government.

The leaders of the security sectors also view the growth of the tourism industry as an important additional aspect of the Botswana economy that has generated massive property, jobs and insecurity as well. In this regard, Botswana established national wildlife parks as well as a Department of Wild-Life and National Parks, which employs permanent armed rangers that provide anti-poaching services, and help to ease human-animal interaction. As a result, Botswana has a huge wildlife population that has attracted the private and community tourism industry, as well as poaching. As a result of poaching, government has resorted to a policy of shooting on sight and this raises serious human rights concerns. Poachers are interested in elephant tusks and rhino horns. The tourism sector in the Okavango delta and other areas is dominated by private lodges and campsites that provide their own security and hire guards from private security companies whose guarding services are extremely required in that industry.

The diamond-rich economy has created an educated citizenry, but creates very few jobs for the young educated citizens who flood the army of the unemployed. The jobless diamond-led economy has also created space for the private sector to flourish, helping to create more wealth and jobs. @This prosperity has also created insecurity and rich individuals have resorted to hiring private

security guards for the private malls and property, installing security features into their residences and vehicles and guarding their parking spaces.

The growth of the criminal economy in SADC manifests in the growth of illicit trade in goods, illegal drug and black-market currency exchanges. The use of Botswana as a transit point for money laundering, drug trafficking and human trafficking has been a source of concern for the Botswana government and Interpol. The leaders of the security sectors also acknowledge that the upsurge of globalisation and its borderless characteristic poses threats, such as cyber crime that could undermine Botswana's prosperity (the so-called fire-churches and pyramid schemes were singled out in this regard), threaten the coherence of national development planning and the security of the nation state. Ironically, the public security sector sees the private security companies as part of the security threat, with the potential to employ a large army of foreign criminals and thus expose property to risk, and with the potential to allow foreign security companies that could endanger the security of the state.

Botswana's security challenges transcend traditional conceptions of security to include shortages in water and energy (frequent power outages have become a common feature in Botswana's urban centres in the first quarter of 2014) plunging cities and other urban centres into prolonged darkness that has become a heaven for criminals, including illegal immigrants and local criminals. The leaders of the public security sector also hold the opinion that heavy rainfalls have caused floods in the northern parts of the country and caused power cuts there too, while the southern parts –where the capital city is located- makes the provision of water (the very low water levels in the Gaborone dam as of April 2014 – 15% empty) a national security concern). They say energy insecurity (given the failure of Morupule B power plant and the constant threat by Eskom to prioritise South Africa's energy needs) amid the involvement of foreign contractors with uncertain track records, makes Botswana's energy supply extremely precarious and a security threat. Thus, policing (both public and private) will have to contend with long periods of power black-outs that make policing a very dangerous task.

In another twist, the private security sector sees unethical conduct by public security players with interest in the former, as a threat to the private security industry and to the security of the nation. Allegedly, this is so because some officials in the Ministry of Defence Justice and Security (MDJS), and operatives in the intelligence services (DIS), are alleged to have vested personal interest in the private security industry. It should also be recognised that the private security industry has proved to be a reliable retirement home for retiring police, intelligence and army officers who open up their own private security companies. What is more disturbing are allegations that ministry officials and their wives and friends such as the former MDJS minister's wife, own security companies that provide services to the police and other public security agencies, thus advantaging themselves over other companies. In another instance, the leaders of the private security industry allege that DIS operatives such as its director, own security companies that provide services to important companies in the country's economy. They hold the opinion that, the fact that both public officials and their friends and relatives have vested personal interests, have caused delays in legislation that could help clean the private security industry and enhance its growth.

Leaders of both public and private security sectors agree that Botswana's development trajectory as an economic success story in sub-Saharan Africa makes it a target for transnational and cross border crime and for economic migrants. They also say its porous borders make it vulnerable to illegal immigrants and to illicit trade of all sorts. Their views supplement those of the Head of the Sub-Regional Bureau of Interpol in Harare, Commissioner Frank Msutu (Gastow, 2002: 1) who previously stated:

There are very clear relationships and interlinking factors between crime syndicates operating in Southern Africa. It is not a secret to law enforcement agencies in the region

that the criminals in the region have better co-operation links than the police officers. They seem to know who to contact at all times and budgetary constraints, foreign currency shortages, visa problems or governmental authority to travel do not control their movements.

Thus, there is shared opinion among security players that regional criminal syndicates pose security threats to Botswana. It is therefore, not surprising that the country was concerned about the increasing cross-border crime occurring in the region.

According to Molomo et al (2007), the ethnic debate which was intended to make sections 77, 78 and 79 of the Botswana constitution ethnically neutral, healthy as it was, indicated that Botswana was not ethnically homogeneous, and was premised on a false sense of stability. In the new millennium, Botswana's security threats are primarily internal, including constitutional reforms that touch on sensitive issues such as ethnicity. As alluded to earlier, the relocation of *Basarwa* from the CKGR is another potential security threat for Botswana. Following the forced relocations and human rights abuse, a British NGO, Survival International, mounted campaign in which it labelled Botswana's diamonds, blood or conflict diamonds! Maundeni (2004) observes that it is a known fact that Botswana's political stability and economic success partly derive from diamonds, and that if these were to be boycotted by the international community, Botswana's sparkle would fade. He cautions that Botswana therefore needs to tread with great sensitivity in addressing this matter. Maundeni (2014) add that the poor handling of industrial strikes such as the public sector strike in 2011 posed security challenges and propose that state-trade union partnerships should be promoted instead of the seemingly unmanaged rivalry between them. In the run-up to the 2014 General elections the Botswana Federation of Public Officers Union (BOFEPUSO) formed an alliance and called for regime change. Maundeni (2014) quotes a newspaper article appearing on the 22nd -28th September 2013 issue of Sunday Standard headlined: 'civil servants sabotaging gov't service delivery projects', as demonstration that state-trade union rivalry threaten the country's prosperity. He notes that the newspaper story mention the slowdown of border crossing despite a P250million computerization of Botswana passports, slow financial transaction speed despite a P63million Accounting and Budgeting system (GABS) introduced in 2007 by the Ministry of Finance and Development Planning! Maundeni quotes the newspaper making the following observation: 'Botswana government's multi-million pula investments in information technology infrastructure is failing to speed up the sluggish service delivery in the public service because officers are sleeping on the job, the 2013 Public Survey Customer and Employee Satisfaction survey financed by UNDP has revealed'.

Maundeni (2014), further notes that, the poor handling of the 2011 industrial strike degenerated into resistance politics against the Khama regime, thus threatening the existence of the regime itself. In the 2014 elections, the combined opposition parties increased their fortunes by polling 20 to 37 seats of the ruling party. He continues to observe that resistance against the Ian Khama regime was building against the manner in which senior civil servants (about 19 in a space of 6 months) were expelled during that time, in which senior ruling party officers (including ruling party MPs) continued to be expelled without regard to human rights, in which senior army officers were being speedily retired, in which academics (the Zimbabwean lecturing in media studies immediately comes to mind) and priests who had lost favour with the regime were declared *persona non-grata*. Maundeni (2014) cites Gomolemo Motswaledi, a senior ruling party functionary who had taken President Khama to court over sharp differences over the running of the party, was suspended and his candidature recalled in manners that bordered on inhumanity (his candidature was withdrawn just before elections and was suspended from the ruling party for six months pending an investigation that led to his expulsion from the party. Maundeni (2014) adds that all that were retired or expelled after Motswaledi bore the same stamp of inhumanity and abuse of human rights.

Maundeni (2014) observes that in response, their supporters (including opposition parties) joined forces with the striking public servants to confront the Khama regime, spearheading a strike never

seen in Botswana's entire history, and the threatening collapse of service delivery that followed. All these serve to show that the Botswana government needed to partner with its people to pursue successful developmental goals. Refugees are always a potential threat to the security of any country. According to Molomo et al (2007), refugees and illegal immigrants have long been regarded as security threats to Botswana. Illegal immigrants are very difficult to keep track of because they crossed the border at un-gazetted points and also did not report their presence to the police. Often they are not only the originators of crime, but its victims as well. Botswana has always maintained an open door policy respecting refugees and always ensured that they are treated under the international legal instruments that apply.

As a signatory of international conventions concerning people who flee their countries for political reasons, Botswana welcomes bonafide refugees. Asylum seekers constitute a security threat if they use the host country to attack or destabilize their home country. However, the long standing foreign policy of Botswana is that it does not allow refugees to attack their countries using Botswana as a springboard. The case of Meshake Muyongo of the Caprivi Liberation Army in Namibia is a case in point. Muyongo crossed into Botswana armed with a group that wanted to break away from Namibia and form their own independent state. Botswana tried to diffuse this problem by handing the problem of refugees to the United Nations High Commissioner for Refugees. For example, the Government of Botswana allowed the Namibian Minister of Foreign Affairs to come and view the Namibian refugee camp on its border. Following bilateral discussions (state-state partnership) between the two countries, some of these refugees were given amnesty and repatriated back to Namibia. Nevertheless, Namibia has not found closure to this issue; Muyongo is still in exile in Denmark while others still in Namibian jails.

According to Molomo et al (2001), many of the prisons within Botswana were filled with large populations of illegal immigrants who often created misunderstandings due to their perception that they were "ill-treated prisoners", creating potential problems with Botswana's neighbours. The former Vice President and Minister of Foreign Affairs, Mr. Mompoti Merafhe said illegal immigrants and refugees were also potential contributors to both the problems of poverty and HIV/AIDS. The presence of large numbers of refugees and Zimbabweans illegal immigrants has led to increased pressure on the provision of public security and safety. In most cases the police find themselves overstretched and private security providers have often filled the gap left by the police.

According to Maundeni, Bwalya and Kwerepe (2014), separatist nationalism of the Barotse of Zambia is also emerging as a serious security threat to Botswana. They say this is because Botswana's tourism is in the region bordering Zambia, that is, near Barotseland. They quote the Botswana Tourism Board (2012) that confirmed that, Kasane, in the northern part of Botswana, is the country's top safari destination and home to the magnificent Chobe River and Chobe National Park. The tourism board regards it as the perfect location where the Botswana safari provides visitors easy and trouble-free admission to the Chobe National Park, which is the best reserve for game viewing and bird-watching. The Botswana Tourism Board further observes that the mesmerizing wilderness of this wildlife park just amazes the visitors with its diversified eco-system and magnitude of wild animals. It further notes that Namibia's Zambezi and Victoria Falls are two widely visited tourist destinations which can be explored from Kasane. According to the Tourism Board (2012:1)

Inching fishing camp is a renowned fishing safari destination and Kasane hot springs are the natural mineral spots which are also widely visited spots). Kasane has a lot of safari activities which include: Boat excursions, sunset boat cruises, fishing, game drives, Day-excursions to Victoria Falls, Seboba water springs, Kasika village cultural tour and cultural activities through Mowana Lodge. All these activities are what tourists expect to find when they go to Kasane-scenic views and wildlife. Kasane also offers a wide range of hotels, lodges, guest houses and camping sites.

According to the Botswana Tourism Board, Kasane is also Botswana's important gateway to Central Africa. "At Kasane, one can expect to cross the Chobe River through the ferry from Botswana to Zambia. Strategically located by the Chobe River's convergence with the Zambezi river, where Botswana, Zambia, Zimbabwe, and Namibia meet, it is clear to see that Kasane is a gateway to the three other countries in the region" (Botswana Tourism Board, 2012). In addition, "Kasane is an important point of debarkation for the Victoria Falls in Zimbabwe, Livingstone in Zambia, and Namibia's Caprivi Strip. All of these countries share a natural boarder being the river. Namibia, Botswana, Zambia and Zimbabwe are also jointly marketing their touristic natural resources and wildlife packages for the Victoria Falls/Chobe/Okavango region which become very attractive and economical for tourists whilst the four countries have a share of the tourism market" (Botswana Tourism Board, 2012). All these tourism activities face threats from the separatist nationalism of the Barotse of Zambia. This calls for a working partnership with the security forces of the neighbouring countries, and with the private security forces working for lodges in the area.

Maundeni, Bwalya and Kwerepe (2014) argue that in the past, the border between Botswana, Namibia and Zambia has always been marred with some controversies and disputes. They say, first, Botswana had a dispute with Namibia over the small river islands. Second, Namibia accused Botswana of helping the Caprivi nationalist movement of Mishake Muyongo in his search for independence for the Caprivi from Namibia. Barotse people in that region of Namibia share a common kinship with those in Barotseland in Zambia and those in Botswana in the Kasane region. Maundeni, Bwalya and Kwerepe (2014) say the then Caprivi secessionist leadership chose Botswana for political asylum in October 1998 when it became known that the Namibian government was about to arrest him and his group of agitators. They quote the Namibian Windhoek (1998) that noted that by December 1998 more than 2 200 Caprivi secessionists, including some 700 from the Linyanti area alone, had fled into Botswana to escape possible persecution from the Namibian government. Namibia's Barotse chief, Boniface Mamili, fled to Botswana claiming persecution and seeking asylum. He was linked to a separatist movement in the Caprivi Strip.¹ Presently, the Barotse of Zambia are mounting a separatist bid to establish an independent state.

Public Security Sector

The peaceful predisposition of Botswana as a peace loving nation has enabled the Botswana Police Service substantial mileage in maintaining public order and public safety. A renowned Setswana dictum that *ntwakgolo keya a molomo* (it is better to dialogue rather than to embark on war) underlies Botswana's preoccupation with peace rather than war, and a predisposition to resolve differences through dialogue and negotiations. Moreover, the conception of multiple actors in the security domain have led to the development of new concepts such as "plural policing" (Stenning, :31). Plural policing arose out of the awareness that the police alone cannot cope with the level of crime and maintain law and order. Plural policing recognizes the multiplicity of state and non-state policing providers.

As a precursor to a detailed discussion of the Botswana Police Service (BPS), it is important to have an overview of constitutional and legal framework that guides the operations of the police. The Botswana Constitution represents the supreme law on the land. It provides the legal framework upon which all laws are premised. The Police exist primarily to protect and based on its laws provide public safety. Nevertheless, for Botswana, only first generation rights are entrenched in the constitution; they involve civil and political liberties. The constitution is silent on second and third generation rights. Second generation rights manifest socio-economic rights, which entail cultural and workers rights. Third generation rights include the right to development.

The BPS has a broad mandate of maintaining law and order, and providing law enforcement to the people of Botswana. Its core functions include protecting life and property, preventing and detecting

¹ Minorities at Risk Project, *Chronology for Lozi in Zambia*, 2004) available at: <http://www.refworld.org/docid/469f38f71e.html> [accessed 16 October 2013].

crime, repressing internal disturbances, maintaining security and public tranquility, apprehending offenders, bringing offenders to justice, duly enforcing all written laws with which it is charged and generally maintaining the peace². The BPS is a huge organization that was initially located in the Ministry of the State President but now in the new Ministry of Justice, Defence and Security. It comprises of two broad sections: operations and support services. On the one hand, operations division comprises of the Criminal Investigations Department, Traffic, General Duties, Forensic Science Laboratory, and Crime Intelligence. The Support Services, on the other hand, consists of the Special Support Group (SSG); Transport and Communications; Departmental Management; Police College; Air Support; and Finance, Development and Procurement.

The Botswana Police pre-dates the post-colonial state of Botswana, while private security companies only started to exist in the 1980s. The Bechuanaland Mount Police, as it was initially called, evolved over the years into the Bechuanaland Border Police, into the Bechuanaland Protectorate Police, into the Botswana Police Force, and lately into the Botswana Police Service³. At independence, it was constituted into a Police Force that took on board paramilitary operations because the country did not have a defence force. Even after the BDF was established in 1977, the police force retained its Para-military operations in the form of the Special Support Group (SSG). Generally, the police are unarmed except for their special units such as the Special Support Group (SSG). The SSG⁴ unit within the police service is a paramilitary wing primarily concerned with monitoring and “policing public situations”⁵. They are often called upon when there are riots or public disturbances to institute public order. However, there are still uncertainties as to what types of weapons they should carry in relations to the military. In the 2011 public sector strike, although they were on the alert, the police maintained a low profile and acted in a highly professional manner in monitoring the disturbances.

Public security leaders acknowledge that public-public partnerships exist between the police and the army, and that even joint patrols have been mounted through presidential directives. They observe that given the nature of some internal security challenges that are beyond the capacity of the police, the military is often asked to render them assistance. The President, as Commander-in-Chief of the armed forces, has the prerogative, as mandated by the constitution, to deploy the army in other duties as national security may determine. Under the auspices of aid to civil authority, the army cooperated with the police on an operation called ‘Kalola Matlho’, which involved surveillance on matters of armed robbery, high-jacking and other related robberies. In this operation, over 100 soldiers were attached to the Serious Crime Squad of the Criminal Investigation Department (CID) of the Police Services. In addition, the army was engaged in low intensity operations, such as anti-poaching patrols. It also deployed along the borders between Botswana and Zimbabwe to reinforce police operations in curbing the movement of illegal immigrants.

Police officials observe that the Botswana Police Force rebranded itself in 1996 from a police force into a police service suited for democratic policing. The rebranding included public education meant to foster an image of collaborative work with local communities (urban and rural residences). The police has established a community police service where it works with communities under the auspices of “*Twantsho borukutlhi*” (fight against crime) and neighbourhood watches, neighbourhood horse patrols and neighbourhood bicycle patrols. Community policing by its nature requires cooperation and team work. Policing is a vocation that entails a lot of responsibility on the part of officers; they are entrusted with the coercive instruments of the state and as such they must not use them at the detriment of the people. The interface between the police and local communities has made significant inroads in narrowing the avenues for crime in various areas in Botswana. Through the crime prevention Unit at the Central Intelligence Division (CID), the BPS has embarked on an

² [http://www.gov.bw/en/Ministries--Authorities/Ministries/State-President/Botswana Police-...](http://www.gov.bw/en/Ministries--Authorities/Ministries/State-President/Botswana%20Police-...) Accessed 09 December 2011, p. 1.

³ [http://www.gov.bw/en/Ministries--Authorities/Ministries/State-President/Botswana Police-...](http://www.gov.bw/en/Ministries--Authorities/Ministries/State-President/Botswana%20Police-...) Accessed 09 December 2011, p. 1.

⁴ . Perhaps an incident where they were most visible was during the disturbances in Mochudi in 1995 resulting from the murder, allegedly for ritual purposes, of Segametsi Mogomotsi. In the whole process, a certain youth Binto Moroke was shot and killed in cold blood for his involvement and killing of a police officer during the strike.

⁵ [http://www.gov.bw/en/Ministries--Authorities/Ministries/State-President/Botswana Police-...](http://www.gov.bw/en/Ministries--Authorities/Ministries/State-President/Botswana%20Police-...) Accessed 09 December 2011, p. 1.

outreach programme that educates the public about crime through workshops, bill boards, radio and televisions programmes etc. The BPS recognizes that its strength lies in a “skilled, well trained, motivated and developed officers who enjoy equal opportunities and proper deployment”⁶. It also recognizes that teamwork based on “collective effort, trust, understanding, support, hard work, perseverance and respect irrespective of rank and gender”⁷ are critical to the success of their mission.

BPS operates in a complex environment in which crime has not only increased in sheer frequency but has an unparalleled level of sophistication. The BPS has divided the country into three zones; the north⁸, the south central⁹ and the south¹⁰. Most crime is located in the south central where there are greater job opportunities, better road networks, greater internet access and where the majority of the population resides. In particular, the areas that are most affected by crime are Serowe, Mogoditshane and Gaborone. In addition, given the large size of the country and the sparsely populated areas in the Western parts and the high rate of urbanisation, policing has become a real challenge, calling for partnerships of all sorts. The paradox is that given the size of the country and population, is it improbable, on the one hand, that the state could create a police service that could meet all public safety needs. This gap has secured a market for private security. Private security companies operate more like an axillary service to the BPS. They fill the gap that the police cannot cover. But proper partnerships have not yet been worked out between them.

Due to increased incidents of armed robberies, carjacking, cross-border crime, including poaching involving automatic weapons; the police often go on joint patrols with the military. In some of these incidents, there are reports of excessive use of force resulting in fatalities. Democratic policing entails the “use of force in a manner in keeping with the maintenance of constitutional rights” (Hutchful, 1997:536). However, the Police maintain that where, for one reason or the other, there is an incident that results in a fatality; it is usually because of negligence on the part of the police officer, and usually necessary steps are undertaken to punish wrong doing.

The Botswana Police College and International Law Enforcement Agency (ILEA) have been in the forefront of offering police officers quality education and training to ensure that Botswana is safe and secure. The Botswana Police College stands out as an important role player in ensuring that the BPS adheres to its mission, vision and values. The college is a tertiary institution within BPS established through Section 66 of the Police Act Cap 21:01 as amended by Act No. 15 of 2002. The college is registered with the Botswana Training Authority and its programmes are the University of Portsmouth in the United Kingdom. The work of the Police College is augmented by the International Law Enforcement Academy (ILEA)¹¹, a joint venture between the Botswana and United States¹² governments. It was established in 2000 out of the desire to combat transnational crime and cooperate in law enforcement to make the world, in particular sub-Saharan Africa safe and secure. ILEA provides training for middle level managers in law enforce with a view to support “criminal justice institution-building in Africa; to provide capacity building to combat transnational crime including terrorism, narcotics trafficking, financial crime, cyber crime, illegal firearms trafficking and migrant smuggling”¹³.

⁶ [http://www.gov.bw/en/Ministries--Authorities/Ministries/State-President/Botswana Police-...](http://www.gov.bw/en/Ministries--Authorities/Ministries/State-President/Botswana%20Police-...) Accessed 09 December 2011, p. 1.

⁷ [http://www.gov.bw/en/Ministries--Authorities/Ministries/State-President/Botswana Police-...](http://www.gov.bw/en/Ministries--Authorities/Ministries/State-President/Botswana%20Police-...) Accessed 09 December 2011, p. 1.

⁸ . Comprises places such as Semolale, Bobonong, Selebi Phikwe, Francistown, North East, Kasane and Maun

⁹ . Comprises of Serowe, Palapye, Mahalapye, Mochudi, Gaborone, Tlokweng, Mogoditshane and Ramotswa

¹⁰ . Comprises of Molepolole, Lobatse, Kanye, Ghanzi, Kang and Tsabong.

¹¹ . In addition to ILEA Gaborone, there are four other ILEAs located around the world: ILEA Budapest in Hungary, ILEA Bangkok in Thailand, ILEA Roswell in New Mexico, USA, and ILEA San Salvador in El Salvador. There is also an ILEA Regional Training Centre in Lima, Peru, supervised by ILEA San Salvador known as ILEA Latin America. For detail see <http://www.ileagaborone.co.bw/Objectives.htm> accessed 10/05/2010, p1.

¹² . It was set up under the leadership of the US Federal Law Enforcement Centre working under the Department of Homeland Security. <http://www.ileagaborone.co.bw/Objectives.htm> accessed 10/05/2010, p1.

¹³ <http://www.ileagaborone.co.bw/Objectives.htm> accessed 10/05/2010, p1.

In its efforts of becoming a 21st Century Police Service, the BPS has developed a corporate development strategy¹⁴ focused on public education, crime prevention, community policing and human resource development to support its key performance areas. The overall thrust of this strategy, in line with the national vision 2016, is “to achieve a safe and secure nation.”¹⁵ Notwithstanding its stated objectives of community policing, the BPS does not have a formal relationship with civil society.

Arising from the fact that crime transcends national borders, the Botswana Police Service (BPS) realises that it cannot combat crime alone. The BPS is affiliated to the Southern African Regional Police Chiefs Cooperation Organisation (SARPPCO), which is a forum of police chiefs formed in 1995 with a view to foster greater cooperation and collaboration of the police in the Southern African region. It was formed out of the realization that with greater cooperation and sharing of information, the region could be a safer and more secure place. The aims and objectives of SARPPCO are to harmonise regional public safety and security by coordinating regional police efforts geared toward carrying out regular reviews of joint crime management strategies and curbing cross-border crime. Moreover, it endeavours to build confidence and trust among police officers and the communities they serve with a view to network and coordinate regional security concerns (Dissel and Tait, 2011:2).

The SARPPCO Code of Conduct represents an agreed standard of operation by the police chiefs of Southern Africa that clearly sets out principles of integrity, respect for life and the rule of law, which if adhered to, could avoid or at least minimise human rights violations. This Code of Conduct talks strongly against torture, inhuman and degrading treatment of people, including detention without trial. The SARPPCO code of conduct is derived from and borrowed a leaf from best international practice, drawing from international and regional norms and standards on human rights, accountability, democratic governance, and ethical and professional policing. Nevertheless, the SARPPCO constitution and Code of Conduct are as based on respect for national sovereignty, equality of police services, non-political professionalism, observance of human rights, non-discrimination and flexibility in working methods, mutual respect and goodwill.

Policing in Botswana is anchored on observance of human rights, which depart from the basic premise that all human beings must be afforded dignity, freedom, security and equality. Human rights are based on the ethical consideration that human beings are “born free and equal in dignity and rights”¹⁶. According to the United Nations code of conduct for law enforcement officials, they are expected at all times to “respect and protect human dignity, maintain and uphold the human rights of all persons” (Dissel and Tait, 2011: 7). Nevertheless, despite the human treatment of people by the police, there are allegations of abuses by the BPS. Human rights organizations like Ditshwanelo are inundated with reports from members of the public complaining about the police. These cases range from negligence to ill-treatment in the handling of suspects of suspects. The law requires that persons apprehended by the police should be accorded the dignity they deserve. However, one case brought before the courts in which five security officers, two of them special constables on a security patrol in Ramotswa village in November 2005 allegedly forced “arrested and forced Zimbabweans to have group sex, while they watched”¹⁷. Media reports, over the years, are awash with stories “arbitrary and unlawful killings”¹⁸ and deaths in police custody¹⁹. The case of John Kalafatis on 13 March 2009, who was murdered execution style, in a joint operation of the police

¹⁴ . [http://www.gov.bw/en/Ministries--Authorities/Ministries/State-President/Botswana Police-...Accessed 09 December 2011](http://www.gov.bw/en/Ministries--Authorities/Ministries/State-President/Botswana%20Police-...Accessed%2009%20December%202011), p. 1.

¹⁵ . Botswana Government, Vision 2016

¹⁶ . United Nations General Assembly Resolution 217 A(III), 10 December 1948. Referred to in Amanda Dissel and Sean Tait, “Implementing the Southern African Regional Police Chiefs Cooperation Organisation (SARPPCO) Code of Conduct, Cape Town, APCOF (2011), p. 7.

¹⁷ . Isaiah Morewagare, “Lawyer quits group sex case,” Mmegi 27 August 2009, p. 3

¹⁸ . According to the U.S report, during 2009, there were eight incidents of police shooting during apprehension, in which 11 civilians were killed. For detail see U.S Department of State, “2009 Human Rights Report: Botswana (March 11, 2010) <http://www.state.gov/j/drl/rls/hrrpt/2009/af/135939.htm> accessed 25 January 2012, p.1. These allegations involve cases like: On January 4, 2009, the police shot and killed Mothusinyana Moag[i], who reportedly fled from the police who confronted him because he fit the description of a suspect; on March 4, 2009, the police shot and killed Mark Gumbo while in pursuit of Gumbo and others suspected of armed robbery; on March 9, 2009, the police shot Tshepo Molefe during an attempted robbery. The police claimed that Molefe and other suspects in the group fired at police and that Molefe ran toward the police officers, who then shot him.

¹⁹ . An incident that was an eye opener was the death in police custody of Peter Mokgware in the mid 1980s.

and the military, was dramatic and perhaps unprecedented in the history of police killings in Botswana⁸. Kalafatis was a wanted criminal who was killed during a lawful arrest and his killers are facing prosecution in the courts. In 2009, there are incidents of two people who died in police custody. On March 5, 2009, David Monggae collapsed during interrogation on accusations of cattle theft and subsequently died. In another incident, on July 29, 2009, Italy Setlampoloka was arrested for series of robberies and died in police custody²⁰. “It is alleged that the suspect died under torture as the police tried to extract a confession from him”²¹. Upon realizing that they had caused the death of Setlaamoloka, “police allegedly took his body to Senamakola farm lands near Gabane where they simulated suicide by hanging his body from a tree”²².

Although the constitution and the law prohibits torture and inhuman treatment of people, there are reports that the police often “beat and abuse suspects to obtain evidence or elicit confessions”²³ from persons under their custody. There are also allegations that the police use force and torture to extract confessions from people in custody. It is alleged that torture is rife among suspects who are categorized as “high risk”, diamonds and narcotics, serious crime, car theft and armed robbery. The units that are alleged to be notorious of torture and inhuman treatment are said to be Military Intelligence (MI), Crime Intelligence Division (CID) and lately the Directorate of Intelligence Service (DIS)²⁴. The security agencies have been under the spotlight since the advent of Directorate of Intelligence Services (DIS).

Public-Private Security Partnerships and rivalry

Public-Private Partnerships need to be contextualised in the national and global contexts. The expanded or broadened conception of security to include human security has led to a number of functions that were traditionally the domain of the state performed by other actors such as private security firms. There is a growing awareness world over, including the developing world that policing is not only a domain of state actors but that non-state actors are also proficient actors in that market. This section explores the existence or absence of public-private security partnerships in Botswana. More substantively, it observes that there is no legal instrument that formalises public-private security partnership in Botswana. Second, it observes that there are instances of informal public-private security partnership, and competition and rivalry as well. The interface or partnership between the police and private security providers varies from state to state and situation to situation. More substantively, it depends on the nature of the state. Some states are highly centralised and prefer to keep power rather than share it with other actors. In Botswana, leaders of private security companies say they are on good informal working relations with the police. Often times, synergies develop out of personal relationships where a security manager previously worked in the police or military. In such a situation the public security sector is likely to forge a productive relationship with private security providers. For instance, after Keabetswe Makgophe was appointed Commissioner of Police, the private security providers were some of the first stakeholders he addressed, and referred to them as “brothers” in the security sector. The private security providers reminisce that they also had good working relationships with previous Police Commissioners. However, none of these cordial relations were sanctioned by law. Equally important is that in some jurisdictions, there is a tense relationship between public and private security providers. In some instances, the police may feel threatened by private security providers that they take their jobs and may eventually render them unemployed. Yet, in some situations, the police may feel that private security firms exacerbate or compound criminality rather than reduce it. Such situations occur when private security personnel are not properly screened of criminal behaviour, and perhaps not properly trained to do their job.

²⁰ . Isaiah Morewagae, “Police Officers in Court over Killing,” *Mmegi* 25 March 2011, p. 4

²¹ . Isaiah Morewagae, “Police Officers in Court over Killing,” *Mmegi* 25 March 2011, p. 4

²² . Isaiah Morewagae, “Police Officers in Court over Killing,” *Mmegi* 25 March 2011, p. 4

²³ . U.S Department of State, “2009 Human Rights Report: Botswana (March 11, 2010) <http://www.state.gov/j/drl/rls/hrpt/2009/af/135939.htm> accessed 25 January 2012, p.1.

²⁴ . Interview with a human rights activist 1st February 2012. Gaborone.

The first private security company to operate in Botswana was Way Guard security, which was a joint venture between the Botswana Development Corporation (BDC) and a citizen of Botswana. This partnership was par excellence a public-private partnership because BDC is a government owned parastatal created to promote private investment and diversify the Botswana economy. It would be simplistic to assume that the interface between state and private security providers is smooth without tensions. Wayguard folded because the marriage between Mr Bothongo and BDC could not be sustained. Public-private partnerships have mushroomed and proliferated. In the arena of technology, which includes fitting alarm systems and automated security, private security companies have grown in numbers and expertise. They have developed a niche in this area and the public security has secured their specialised services in, among others Close Circuit Television (CCTV) and vehicle tracking devices. The gadgets help the police to monitor and investigate crime. G4S is said to be the largest security company in the world having offices not only in the advanced countries of the west but also many of the developing world. G4S and Security systems are market leaders in the Botswana context, and they are able to use their social capital and corporate responsibility to consolidate their standing in the local market. Nevertheless, this is not a smooth trajectory; their space is highly contested. The activities of private security companies acting at the service of international capital are fairly nuanced and constitute an interesting dialectic that does not project a natural convergence of national and international interests. The predatory tendencies of private security firms, especially those with transnational connections tend to upset the local balance. These relations need to be politically and socially mediated and negotiated. Community policing is one model of public private partnership. Other models of this partnership include the privatisation of prisons and airport security system, and G4S, among others has become a big player in the market. G4S is one of the big actors in the security as has a market share in security valuable assets such as diamonds. This unequal access to this lucrative market has led to a concerted consternation where smaller companies, largely citizen owned, demand a fair share of the market. G4S in introducing another security model in Botswana of a one stop model where one company does you security and cleaning needs.

In contrast, private security only emerged in the 1980s, and has had no formal relations with the public security sector. The private security industry is complex and diverse; it also includes alarm installation and response, CCTV and surveillance monitoring, guarding Automated Teller Machines (ATMs), cash in transit, vehicle tracking devices, crowd control at events and festivals, to mention but a few. According to the chairman of the Security Association Botswana (SAB), Gaolathe Modongo, there are 2 377 registered private security companies in Botswana. Industry leaders says the then Vice President now President Ian Khama encouraged them to form an association. But out of the above total registered, only about 70 companies are visible in the market and are registered with SAB. The voluntary SAB does not know where the other companies are and where they operate. Officials at the MDJS estimate that over eighty per cent of the companies were either small entities or not operating at all. Once registered with the ministry, security companies are free to bid for projects and the clients make their own assessments and decide what security companies to hire and for what purposes. According to the common view, the few better managed security companies win most of the tenders, particularly the more lucrative ones from big and wealthy institutions such as banks. In contrast, small companies allegedly win tenders with the district council authorities where corruption is suspected to be high. According to Mr Modongo of SAB, there is a misconception that security is an easy job that once you are registered you would get a job. He says the reality is that security is a low profit margin job and most companies are not able to withstand competition in the market. Leaders of the private security industry share the view that there are also numerous "briefcase" security companies that are only active after they win tenders, and as a result, they deploy untrained workers in the market.

Unaccountability about the rest of the private security companies is a disadvantage because both the association and the ministry need the strength of numbers to lobby government for a regulatory framework and for reforms that would improve the image and advance the interests of the industry and its clientele. In contrast, as the licencing agency, the MDJS never carryout surveys on operations

and does not even know the number of security companies in operation in each city, yet it continues to approve new applications, thus saturating the market in some places. In short, the licencing authority has no capacity to manage the growth of the industry which is a risky phenomenon. Meanwhile, the regulator spends more time mediating between disgruntled guards and some of their employers who fail to pay up as shall be shown below.

Nevertheless, the active members of the private security industry constitute a lobby and are transacting business with public state holders. As a member of the Botswana Confederation of Commerce Industry and Manpower (BOCCIM), issues concerning the private security industry are discussed at the High Level Consultative Council (HLCC), which is chaired by the President of the Republic of Botswana. Thus, by partnering with the larger private sector, private security industry has been able to reach the highest levels of power and interacted with the president of the republic.

The private security industry is currently legally reserved for citizens only as foreign ownership is partly illegal, and partly considered a national security threat and is opposed by powerful interests in the private security industry and in the intelligence sector. But according to MDJC officials (who are pushing for opening the private security sector market to foreigners), citizen ownership has limited its growth in terms of technological advances and sophistication. According to the ministry officials, most security companies in Botswana are less technologically sophisticated and cannot cope with the security demands of modern clients such as those brought in by diamond beneficiation.

The ministry hold the view that only international security companies like G4S, and the locally owned Security Systems²⁵ and a few others are technologically sophisticated, and that this gives them an edge over others. Both companies have operations throughout the country and command a workforce of about 7 000 employees. G4S has been in the Botswana market since 1998. The original company was Automated Security, which later evolved into Securicor and later bought by G4S. G4S strives to become a 'one stop shop' security company where it would do everything under one contract, including cleaning services. To this end, G4S acquired companies like Facilities Management and PS Cleaning.²⁶ G4S has about 25 percent local holding and is the only security company operating in Botswana that is listed in Botswana's stock Exchange. G4S has an in-house training facility which is BOTA (training accreditation authority) accredited. The setback is that competitors poach its trained workers. In addition, only G4S is known to have informal working relations with the police and the intelligence sectors. Its cash centre in the City of Francistown is guarded by the police and intelligence officers. G4S alerted them of the centre and asked them to help secure it and the police and intelligence have been assisting since then.

There is rivalry within the private security industry. G4S's entry into the Botswana market was vigorously contested by local leaders of the private security industry who were however warned to back-off by the presidency then. Its existence in the country is also opposed by the intelligence sector that sees foreign ownership of private security as a national security threat. In the views of industry leaders, G4S is operating illegally as there are no laws allowing foreign-owned security companies in the country! The intelligence directorate – DIS, has been issuing warning to all private security companies not to employ foreigners. Even institutions such as mines and Bank of Botswana have been warned not to employ foreigners in their internal security sector. The DIS is legally authorised to screen all private security guards and to disqualify any that are of doubtful character. It is also authorised to screen all new public servants who are recruited into sensitive ministries and departments of government.

In contrast, Security Systems (a locally owned company) is giving G4S stiff competition as some companies (primarily those owned by the government or that have government shares) prefer to

²⁵ . Its Headquarters are in Tlokweng, near Gaborone and has 15 branches located at Mahalapye, Letlhakane, Molopolole, Francistown, Selebi-Phikwe, Maun, Kanye, Ghanzi, Orapa, Kasane, Palapye, Lobatse, Jwaneng, Mochudi and Moshupa. Interview with Titus Modongo, Security System in Tlokweng 5 March 2014.

²⁶ . Ibid.

work with locally controlled companies, than one that is controlled from outside²⁷. Security Systems prides itself as the second security company to operate in Botswana and receives preferential treatment. It has a covert task force, which can gather intelligence information on demand by individuals and companies (Interview with Modongo, T: 2014). Thus, there is rivalry within the private security sector that extends to government security actors.

However, compromising the capacity of locally owned private security companies is the fact that, there is no formal training provided to their guards. It was reported at the validation workshop that Security Systems' training institute collapsed and that it no longer has accreditation with BOTA. Lack of training of security guards also makes it difficult for them to work with the police and with other public sector security agencies who subject their own to rigorous training in various security aspects. It should be appreciated that each public security agency has its own training. For instance, the army trains separately from the police who also train separately from prison guards, from wildlife rangers and from intelligence operatives. In short, there is not much cooperation regarding the training of public security operatives. Only the army and wild life rangers share some training facilities.

While the local training institutions do not cater for private security companies, the industry has failed to fill the gap with a formal training facility for security guards. Part of the reason why Security System's institute collapsed was that other private security companies were not sending their guards for training. Worse still, there was no specified educational requirement for the security guards. According to leaders in the private security industry, the absence of educational requirements exposes it to those who failed to advance in their educational pursuits, and are therefore largely untrainable. They say, initially, guards were restricted to old men who had long retired from their manual work careers, and had a strong sense of duty. This only shows that historically, training was never part of the culture in the private security industry.

In contrast, the MDJS insists that private security companies should limit themselves to hiring people who obtained a junior certificate or more. But the industry says while this is a welcome development, young educated people do not fit very well in the private security business. First, educated young people who have not been exposed to any serious training, lack discipline and respect, such that they fail to open gates of important clients at their residences. For instance, in the diamond town of Jwaneng where mine executives have security guards posted at the residences, the clients commonly open gates for themselves because the young guards ignore their presence. Young educated guards are also un-disciplined, sleeping on the job (literally), deserting their work stations without giving notice, sometimes abandoning their positions to go and congregate and chat at a common place, and also dent the image of the industry by doing wee-wee in public. In addition, young educated guards also refuse to wear boots! Thus, the insistence on educated young people for personnel without affording them proper training, is not working well for the security industry and for their clients. This is an area public-private partnership could help the industry to instil discipline on its young guards. With the BDF, police and wild life sectors, running training institutes, there is no reason why security companies should be struggling with indiscipline among their ranks. There is also no need for them to invent the wheel. Public-private security partnerships should be able to avail expertise for the benefit of the private security industry.

Security companies are open to the idea of gender equality, and they have made some efforts to employ women in the industry that is still predominantly male. Although private security firms neither have a gender quota nor policy on the employment of the disabled, they always strive to abide by the laws of Botswana. Their estimation is that their workforce maintain about a 50:50 gender balance. However, the situation is different on the ground. For instance, G4S in Jwaneng has 28 employees and 12 are women! In contrast, Anaconda in Jwaneng has 47 guards and other employees, and 18 of them are women. This does not translate into 50:50 gender ratios. Women

²⁷ . Sun Reporter, "G4S Results Fall on Slow Revenue Growth", The Midweek Sun 5 march 2014, p.11.

are mainly employed during the day for access control in shops and industries and also guarding ATMs. The woman workforce are said to be more stable and majority do not drink. . Women allegedly pose challenges for security companies: they ask for leave too many times in an industry in which physical presence counts for more. As a result, women do not quite fit the industry. But this is a challenge that public security sector players also long experienced. While the defence force is still struggling with it, the police and wild life sectors have actually overcome it. Thus, sharing experiences with the private security sector could easily help it overcome similar gender challenges. Men are mainly deployed at night and at risky guarding jobs. Despite the fact that there is no policy on people with disabilities, those who meet disability at work are given jobs in offices and control rooms etc. as shown above, young educated males also pose challenges of a different sort, indiscipline.

In addition, large private security companies that have branches all over the country, such as Nynex which employs 234 guards who remain un-unionised, could learn from the public security sector that also remains un-unionised. Ministry officials see unionisation as a security threat and do not allow it for either the public or private security sectors. In contrast, conditions of service of the public sector forces remain some of the best in the country, while that of the private security sector remains one of the worst. This is a disparity that also works against possible partnerships between the two sectors. While members in the private security industry hold the view that the sector promises to generate employment in an economy that fails to create jobs, they hold that government has largely marginalised it.

Entry into the private security industry is open to every citizen who can afford to buy a shelf company or to register a company. However, the successful private security companies are allegedly owned by retired security personnel such as former police officers and soldiers. In one case, it was reported to the researchers that when Coin Botswana folded its operations in the country, some of its former employees formed a new company called Anaconda, and is one of the successful companies in Jwaneng town. It employs 47 people (primarily guards) and has expanded its operations to Molepolole Township. Criteria for employment include availability of accommodation for the concerned individuals in the area of operation. That is, for one to be employed in the private security sector in Jwaneng, s/he must have his/her home village in the vicinity of the town for accommodation purposes.

However, as noted before, most of the small companies that are owned by ordinary citizens have either collapsed or remained small and ineffective. According to MDJC officials, many security companies under-price to win bids (these are the types that win bids particularly at district councils), and fail to pay guards in accordance with the government minimum wage policy, creating endless labour disputes that place guarded property at risk. In fact private security leaders confessed at the validation workshop that they are the biggest client of the Industrial Court! They even admitted that sometimes their lives are in danger from guards who had lost their jobs and come charging and threatening their employers with knives!

But what has also come up in the research is that government labour laws work against the private security industry. For instance, labour laws stipulate eight working hours, and anything beyond is considered as over-time and is to be compensated as such. However, government tenders do not cater for over-time in an industry in which the normal working hours is twelve and not eight. So, security companies end up paying for overtime which is not included in the tender. The industry is pushing for reforms in the labour laws to accommodate its needs.

Private security companies hold the view that they are in the “frontline”; they are “eyes on the ground” and do what could be perceived as citizen’s arrests²⁸. In most crime situations, involving burglary and house breaking, they are usually the first to arrive at the crime scene, arrest the

²⁸ . Interview with Fariied van Wyk owner of Nova Security, a private security firm based in Gaborone in 13 November 2013 in Gaborone.

suspects and report the matter to the police. The industry leaders argue that in this area, they have cordial relationships with the police. However, they observe that the police are clueless on the use of CCTV surveillance cameras and do not know how to use them for evidence in the courts of law.

Private security companies call for the police to outsource activities to them, and not for formal partnership as such. They say outsourcing could allow the police to focus on its core business of policing. For example, private security leaders say as an attempt to control traffic congestion, the police control traffic and such a necessary but menial task could be outsourced from private security companies. They acknowledge that most government buildings in Botswana are secured by private security guards but strategic installations such as Bank of Botswana and the Diamond Trading Centre use own security or state security forces. The business community such as the retail sector and the construction industry use private security firms to transport money to the banks. When arrangements are done on time, the police are always willing to escort the transfer of money.

The police also see private security as a threat to its own credibility, and therefore regard private security as rivals. The advantages of private security companies are that unlike the police who respond to crime, they wait for crime; where a crime is committed there is usually a private security officer nearby. In this regard, private security firms consider themselves as “an extended arm of the police” (Modongo, 2014). The advantages that private security providers bring involve capability enhancement, and simply the strength of numbers. Private security providers fill the gaps that the police are not able to address; they provide security where public security is deficient. In most situations, it is efficient and cost effective to deploy private security firms than the police. For instance, leaving menial tasks to private security firms allows the police focus on the core business of policing. Private policing is demand and market driven. Private security guards endear themselves to the public due to their quick response to crime situations while the police often take long time to respond. The police consider private security firms as support staff who occupy a special niche such as guarding shops, private homes and also install and monitor alarms and CCTVs.

According to the BPS, private security companies are slowly encroaching into areas that used to be their core business. The danger of this development is that the people may lose confidence in the police and use the service provided by private security companies. The private security companies felt that their relationship with the BPS should be institutionalised to the extent of having joint patrols and regular forums. In operational terms, often when crime is reported to the police, their response is that they do not have any transport. But at every corner of the street there is a security vehicle that could be of service to the police. The SAB wonders why the police cannot enter into an agreement with private security firms that when such a situation presents itself, they simply jump into a private security vehicle and attend to the crime.

However, there are a number of areas in which the police collaborate with private security firms. Private security firms have contracts with commercial banks to replenish ATMs with cash when they dry out. According to a source in the private security industry, when they do these transactions, they are usually supported by an undercover unit of the SSG. Respecting the cash in transit operations, private security firms often get intelligence information that their operations are targeted and that way they avoid being robbed. The lack of a policy governing the relationship between private security firms and the police is that there is no framework that regulates their informal cooperative endeavours. When private security companies go to the bank to collect or deposit money, they do not queue. But when private security companies go to the police to report a crime, they are made to queue. Time is of essence here, why do the police not create a special desk for private security firms use when reporting crime? This clearly shows poor cooperation between the two security services.

Private security is completely excluded in matters concerning diamond security. In the mining town of Jwaneng, the Debswana mine provides its own security. Debswana's security personnel are integrated into company operations. Even the mine gate is manned by company security officers! In

short, diamond mining is more or less not part of the clientele of security companies. Escorting the transportation of diamonds between the mine and the Jwaneng airport is done by armed police officers, and recently by the armed Special Support Unit (SSG). Escorting diamonds is a no-go area for private security companies in Botswana. However, cash in transit for the mines to and from the banks is handled by private security companies. While some private security companies provide guarding and alarm services at the residences of mine executives, others provide cleaning services to the mine offices. For instance, G4S private security company provides cleaning services to the offices of the Jwaneng diamond mine. G4S has a small branch in Jwaneng town that manages its cleaning services to Debswana offices. Thus, the relationship between mining and private security companies in Botswana has been restricted to non-diamond operations. In Jwaneng town there are three dominant private security companies: G4S, Security Systems and Anaconda

Botswana's security framework, as a developing country, has been a matter of serious concern, particularly since the relocation of the Diamond Trading Centre (DTC) from London to Gaborone. Despite the fact that Botswana is by value the largest producer of diamonds, over the years there has been scepticism that relocating the DTC (Botswana) to Botswana and the beneficiation of diamond through value addition in diamond polishing and jewellery manufacturing would not be viable. This relocation has been an act of monumental proportions that is likely to change the nature and worth of the Botswana economy and its security. The critical question that should occupy the minds of security personnel is whether the country has the capacity to counter sophisticated criminal syndicates.

Despite still being at the formative stages, the diamond sights held in Botswana have surpassed expectations. Moreover, the establishment of the Diamond Technology Park (DTP) is a strategy of the Botswana Government to move the country from a mere diamond producer to an international diamond centre. The overall strategy is geared to promote direct foreign investment by providing a favourable environment for international diamond companies to buy into the local industry²⁹. For instance, diamond polishers, international jewellery manufacturers and other support services already operate in Botswana. Nevertheless, the emerging diamond beneficiation enterprise, including the relocation of DTC (Botswana) to Gaborone poses big security challenges for Botswana. According to government officials, this is an industry requiring high-tech security, and diamond mining companies hardly outsource security services to local security companies. What more of the finished product?

The Botswana Diamond mines are owned 50:50 by De Beers and Botswana Government under a partnership called Debswana. It sells its rough diamonds to DTC (Botswana), which is also jointly owned (50:50) by the Botswana Government and De Beers. De Beers' diamonds – from its mines in Canada, South Africa and Namibia - are all sent to DTC (Botswana) for aggregation. De Beers and the Botswana Government each have 10 different sights where they sell their diamonds. Okavango, a company wholly owned by the Botswana government, buys 10 percent of DTC (Botswana) diamonds, which it sell at its sights by auction. De Beers buys 90 percent of the diamonds from DTC (Botswana), which it sells to its sight holders by allocation. There is already 3-4 diamond polishing industries operating at the DTP.

Based on the forgoing, security is of great essence to Debswana and DTC (Botswana). At any given time diamonds worth billions of Pula are at De Beers, DTC (Botswana) and DTP. Diamonds are flown from the mines into Gaborone by a private jet and the security at the airport is also beefed up. It is important that diamonds are transported safely from the mines to Gaborone and from Gaborone to its various destinations. Botswana needs to be secure such that De Beers and DTC (Botswana) as well as high profile sight holders are not exposed to danger. The diamond enclave, hotels, restaurants and taxi's that high profile use must be up to the standard and secure. In the wake of the 'Brussels Airport diamond heist', wherein a developed country, Belgium, experienced an

²⁹. (<http://www.diamonds.net/News/NewsItem.aspx?articleID=45205&ArticleTitle=profiles>) (Accessed 4 March 2014).

armed attack in which diamonds worth about US\$50m were stolen from a Swiss jet preparing to fly to Zurich (Lloyd, 2014). Without doubting the prowess of Botswana's security establishment, the precision with which the robbery was done, within record time of about 20 minutes, makes one wonder whether Botswana's security structures would match that sophistication of armed robbery. The relocation of DTC to Botswana demands a high level of readiness and intelligence to counter such moves by criminals.

Private security companies that work with diamonds are Brinks, Malca-Amit and to some extent G4S International. De Beers, Debswana, DTC (Botswana), police, civil aviation authority, Air Botswana, BDF, Brinks and Malca-Amit meet regularly to up the security situation. Debswana, De Beers and DTC (Botswana) work closely with the Botswana Government in securing what Lloyd (2014) referred to as "the wealth of the nation". A reconfigured Diamond and Narcotic Squad known as the Diamond Protection Unit, the SSG and the Botswana Defence Force work together in securing the diamonds. Although private security is said to be restricted to 100 percent citizen owned companies, international players have entered the market without reforming the laws to accommodate them. For instance, the entry of Brinks Global Services Botswana³⁰ and Malca-Amit³¹ is not sanctioned by any law. According to Modongo (2014) and other stake holders at the validation workshop, the diamond industry is not open to local security providers. When SAB challenges the status of the above two international security firms, they are told that these are courier companies and not security companies! The security association holds that at least if they were told they do not meet the standards of transporting diamonds and precious mineral, they would enhance their capacity gain entry into the diamond security market. Brinks issued a press release on 12 November 2013 that it was

proud to announce...the first international rough diamonds sight shipment from Botswana left Gaborone airport under [its] supervision making a new era in the diamond industry...this is a landmark moment in the diamond industry and we feel privileged to play an integral part in it (<http://www.diamonds.net/News/NewsItem.aspx?articleID=45205&ArticleTitle=Brinks> Accessed 03 March 2014).

It seems that the negotiations for relocation of the DTC to Gaborone, included assurances from the Botswana government that the law would be reformed to allow international security players to ensure the safety of the diamonds on transit. The perceived security challenges involved in protecting and shipping of diamonds to their international destinations prompted the De Beers to put pressure on the Botswana government to seek to introduce the Private Security Bill which sought to open up the industry to international players (Brinks Global and Malca-Amit) who were already involved in diamond protection and transportation. Unfortunately, this is one of the stalled reforms as shall be shown below.

The private security industry has also been excluded in terms of work-shopping. For instance, an important initiative made by former participants of workshops that had been organised by the United States of America's Africa centre for Strategic Studies, came together in 2005 to form the Africa Centre for Strategic Studies-Botswana Chapter. Its members consisted of retired army officers, practicing soldiers, academics, police officers, politicians, members of the Red Cross, and members of NGOs. The training focused on security studies, counterterrorism, civil-military relations and defence economics. Facilitators came from different militaries in the continent and abroad and civil society leaders and academics. A cordial working relationship exists between the

³⁰ . Brinks were founded by Perry Brinks in Chicago, Illinois in the United States of America (USA) in 1859. Its headquarters are in Richmond, Virginia in the USA. Brinks is said to be a global leader in security related services for the diamond and jewellery industry, banks, retailers and a variety of other commercial and governmental customers. Their services include armoured car transportation, money processing, and long-distance transport of valuables, vaulting and other value-added solutions. Employs about 70 000 personnel around the world. For detail see (<http://www.diamonds.net/News/NewsItem.aspx?articleID=45205&ArticleTitle=Brinks> (Accessed 03 March 2014).

³¹ . Malca-Amit is an international security company that deals with the movement of money and precious assets since 1963. It has secure vaults and storage facilities. It has a reputation of successfully transporting valuable assets in armoured vehicles. It has expert knowledge, established networks and integrated technology in moving precious assets worldwide. For details see, <http://www.malcaamit.com/company> (accessed 4 March 2014).

security forces and civil servants. In one instance, the ministry of trade and industry organized a breakfast briefing on the Local Enterprise Authority, for all permanent secretaries and special institutions (such as Ombudsman, IEC, and Auditor General, Directorate on Corruption and Economic crime), the BDF and the Botswana Police Service. In this one also, private security was ignored.

In another instance, the army organized a seminar on counter terrorism, aimed at bringing together civil servants and the military officers in 2001. It is interesting to note that leaders of private security companies were not invited. The purpose of the seminar was to educate stakeholders on their expected role in the case of a terrorist attack, especially in a hostage-taking situation. This was initiated based on assessment from the military point of view that the concerned ministries and departments did not know their role in a hostage situation. The army believed that if nothing was done to bring awareness to them, such a situation would present a real problem in case of a hostage-taking situation in that the army would be expected to do all the work despite the fact that such operations are multi agency and inter department type, not a purely military operation. The attendance was very disappointing because almost all ministries failed to attend except just a few. Most of the attendees were members of the Police, Prisons department, civil aviation and Air Botswana. The point here is that the private security industry that is in the 'front-line', was not invited and did not participate in workshops aimed at preparing the nation on terrorist attacks and hostage taking! Thus, the army failed to notice the importance of private security companies and did not invite them to such as important seminar on terrorism. Even regional and international security bodies have failed to notice the relevance of private security services. For instance, in 2006, the army attended a conference on combating and preventing terrorism in Africa that was held in Johannesburg. There is no evidence that private security was also invited there. The BDF was also invited by the International Centre for National Security Studies to an international conference on terrorism in the Middle East. This shows the growing importance of the issue of terrorism in Africa and the importance that the army attaches to it. Yet, private security companies have generally been ignored on matters of terrorism.

In contrast, civil society and governmental institutions have organised numerous workshops and activities and have invited the security forces, but have also ignored the private security sector. For instance, the prisons and the army have confirmed attending many such workshops, but the private security sector never attended any of them. Members of the Prisons Department attended workshops on HIV/AIDS, gender equity, crime prevention, defence driving, fire fighting, and so on. But members of the private security sector never heard of such workshops! In another instance, members of the army attended seminars in Francistown and Gaborone organized by the judiciary on maintenance of wives and children. This was after the recognition that there was an increase in cases on such matters involving soldiers. In contrast, no such has ever been organised for the private security sector whose involvement in domestic violence is not even known.

In 2006, members of the security services were also invited and attended conferences organised by the Public Procurement and Asset Disposal Board (PPADB) 'towards attaining service excellence in public procurement and asset disposal'. The public security sector also attended seminars on discipline and administration of military justice in which Justice Ian Kirby facilitated. Thus, there is mutual cooperation between the security forces and civil administration to help improve the administration of military assets and military justice. On the other hand, the Prisons Services and the army have also attended joint workshops with civil society and civil servants, on strategic planning, gender and energy, dissemination and training in human rights and humanitarian principles and on HIV/AIDS. According to the Prison Service Department, such interaction is important for sharing ideas and benchmarking. While some investment was made towards educating parts of the security sector on numerous dangers, not much has been done to include the private security sector.

Privatisation of Security and Human Rights

Botswana is a State party to numerous regional and international treaties and protocols that guarantee peoples human rights. It has ratified a number of these protocols. These include welfare of women and children, which are meant to protect women and children from harsh treatment such as being denied food and rest. Domestic violence and gender based violence are problems that are rife in the developing world, including Botswana. Sections 3-19 of the Botswana Constitution address the fundamental human rights that Botswana should enjoy. There are also statutes that address specific issues affecting the lives and welfare of people. These include the employment Act and labour laws.

Guards carry handcuffs and are empowered to detain suspects and hand them over to the police. The act of arrest may infringe on personal and human rights of people, and needs proper regulation. Botswana has a strict protocol on the use of fire arms. The army and the Special Support Group (SSG) of the Botswana Police Service are the only security actors that are allowed to carry fire arms. The use of fire arms by citizens is limited to riffles and to shot guns for livestock protection and for trophy hunting when licences to do so are available. In contrast, private security companies are not allowed to carry fire arms. However, SAB (2014) is of the view that while it accepts the law as it stands, it requests that private security personnel be allowed to carry arms on special assignments (such as transporting precious items, cash in transit and while responding to alarms). At present when private security companies have long distance cash in transit, they are expected to inform the police to keep surveillance on their armoured vehicles. However, this surveillance system has its own blind spots, which compromise the security of the operation and place the lives of guards in danger. There are reported cases where guards transporting cash on transit see unknown vehicles following them without any information that these are surveillance police vehicles! This subjects guards to fear that robbery is immanent!

In addition, guards are neither clearly defined in the labour laws of the country, nor unionised. Yet according to ILO, unionisation is a human right that all employees (including guards) should enjoy. According to Botswana labour officials, the labour department has addressed private security companies on numerous occasions respecting the need to form a labour union that could address their specific needs. As a result of lack of norms and standards, security companies are lumped together with industrial workers and this undermines the integrity of the industry and violates the human rights of the guards. According to private security officials, private security needs to be properly defined to take its place as a professional entity commensurate with the type of work it does. For instance, private security guards secure Automated Teller Machines (ATMs), which is a big responsibility as they are required to know safety procedures like fire drills in case there is fire. Also, in handling cash on transit, they play a vital role in protecting the integrity of the currency, and as such, should not be treated at the same level as *Namola Leuba* (drought relief workers), *Ipelegeng* (Self-Reliance) and other manual workers. Private security officials emphasise the point that the minimum wage of all industrial workers is set at P4.50 an hour, which translates to P36.00 on an eight hour day and P40.50 on a nine hour day. This rate is low for security personnel who not only work in high risk jobs but also require personal and professional integrity. With this minimum wage private security workers are under paid and a company cannot increase wages knowing that they would be unattractive when they bid for tenders, as the market usually prefer the lowest bidder. As a result, private security companies need to be detached from industrial workers to help professionalise the industry and to help it become competitive.

Private security companies have problems with the eight hours day (that is meant to provide resting which is an international human right) because they operate on 24 hour day and seven day week. According to SAB what works for the industry is 12 hour day³² with two shifts, which violates the labour laws and violate the human rights of guards. The idea is that with a regulatory framework that appreciates the industry a dispensation that works for guards and employers could be developed. The private security association also has difficulties with the new dispensation of severance benefit that replaced gratuity. It says this does not work for private security firms as it does not promote

³² . For a 6 day week it translates to 8 hours day plus 4 hours overtime = 12 hours. For a 5 day week it translates to 9 hours plus 3 hours overtime = 12 hours.

continuity and skills transfer. The spirit of the new dispensation is understood as it was meant, among other things, to protect guards where unscrupulous employers would expel a worker who has worked for 4 years and deny them their benefits. Severance benefit affords guards benefits even when they have worked for one month. However, guards have found a loop hole in severance pay where after one year, especially towards Christmas vacation when workers want to raise quick money, they give notice for termination of employment knowing that they would cash their terminal benefits and secure new employment from another company in the New Year. SAB feels that some safety measure needs to be put in place to protect employers from this unstable situation.

Outsourcing has also proved to be a threat to human rights. It is ironic that when government had its own security company to guard government buildings, it had an elaborate structure that allowed for progression and the development of a clear career structure with pension and support structures. It appears that when government out -source this service, it was simply a cost saving measure. According to the Chairman of SAB, government award tenders to the lowest bidder who often undercuts the minimum wage, and collapses the pay structure into one layer. These bids do not accommodate the development of private security companies into a full-fledged career structure.

Stalled reforms

Efforts to establish a regulatory framework for the private security industry have not borne fruits. The leaders of the private security sector have been calling for a regulatory authority without much success. For instance, a Private Security Bill was initiated as far back as 2007, and various stakeholders and private security firms were consulted. The intent of the bill was to provide a legal framework for the operations of private security firms. The proposed reform would improve the integrity and professional standards and thereby inspire confidence for effective work between the police and private security companies. However, the MDJS wants that Bill to include the opening up of the private security market to foreign investors, and this is causing divisions in the whole security sector and stalled the Bill.

There is talk of “corporate good practices” as part of a system to oversee private security companies. Currently, the private security industry is unregulated, exposing it to fly-by-night entities that damage its image. It is for this reason that the industry urges the government to tighten the rules. According to leaders of the private security sector, private security is a multifaceted industry that involves fitting of automated alarm systems and facilitating cash in transit. Yet what is surprising is that people who install automated alarms do not need a licence in spite of the fact that they fit them inside residential and business premises. The industry calls for reforms that will include regulating alarm equipment and those who fit it in residences. Moreover, regarding transporting cash all one needs is permission from Bank of Botswana but vehicles that do the business are not inspected road worthiness and safety standards. All these aspects should also be regulated.

In contrast, the government’s interest (through the MDJS) is more into opening up the private security industry to international competition. This position is opposed by the industry that primarily consists of citizen-owned companies, and by the intelligence agency - DIS. As a result of the divergent positions, there has been little progress in completing the reforms which stalled for several years now. But a regulatory framework would have helped to define all the trades that fall under the purview of private security. Activities such as vehicle tracking systems do not fall under the purview of private security and is not regulated. It is clear that people who operate explosives in the mines and elsewhere require a licence to do their work, and that there is a regulatory framework that oversee their work. Leaders of the private security industry say over the years, there has been an increase in robbery activities in which explosives were used against Automated Teller Machines (ATM), this indicates loopholes in the existing regulations and calls for reforms. Thus, there is need for review over the handling of explosives and all other security related matters.

It is clear that the operations of private security companies are constrained by a number of unresolved issues. Security companies hold the view that a regulatory authority that is independent of government is required to regulate the industry. The SAB calls for a regulatory authority that is established by an Act of Parliament operating as an autonomous entity which will establish ethics, norms and standards regarding their operations. At present private security companies are loosely regulated by the “Controller” whose substantive position is the Deputy Permanent Secretary in the MDJS. SAB is of the opinion that this arrangement is not working for the industry as the Controller is not dedicated to overseeing private security.

In contrast, the police observe that private security companies are always the first at the scene of crime and where they are not trained to “protect the scene of crime, they may contaminate evidence” (Interview, 6 March 2014). This view is corroborated by the Chairman of SAB that such a situation calls for joint training of the police and private security personnel in recognition of the integrity of evidence that must be protected. Where training is not done there is need to establish norms and standards that inform training of private security personnel. Security guards should know what to do in situations of burglary, ATM robbery and fire, and this requires elaborate training. Reforms are expected to address these issues.

Private security companies also hold the view that there is no adequate flow of information between themselves and the police. There is need for joint meetings between police and private security managers. For example, private security companies install automated alarms and CCTV cameras, and in the event of a break-in the police conduct investigations but never give private security managers feedback on what transpired and what corrective measures are necessary to close gaps in fighting crime. Private security managers say perhaps the police also need to be trained in alarm technology. In accordance with the Criminal Procedure and Evidence Act, private security providers are allowed to make citizen arrests and hand the perpetrators over to the police to do further investigations and prosecute where there is a case to answer. Lack of training of private security personnel on criminal law led to contradictory behaviours from that of the police. For instance, suspects who are released on bail usually get caught up again in criminal activity, and private security arrests them and only to be told that they are on bail. It ends up appearing as if private security chases after the same criminals over and over again without proper custody. This ends up demoralising the guards because they feel they are chasing the same criminals. Formal partnerships would compel the police to provide regular reporting and debriefing exercises with the private security sector. Private Security providers also report that many times when they ask for crime statistics from the police with a view to strategically position themselves in the market such information is not readily available. These are instances that require legislation to compel the police to share information with private security.

Oversight of the security sector

Botswana could be said to be experiencing parallel policing in which there are no formal arrangements for public-private partnerships. While there are administrative and politically sanctioned partnerships between the police, army and wild life rangers, such do not currently exist with the private security sector. Botswana does not have a regulatory framework like the Private Security Industry Regulatory Authority (PSIRA) to regulate the work of private security companies. Neither is there an overarching framework like a national security policy that coordinates all security policies. There are actually complains within the security sector that in the absence of a National Security policy, there tends to be a conflation of roles by security actors. The problem has been most evident with the establishment of the DIS in 2008.

Perhaps what is lacking in Botswana which could inspire confidence is lack of a legal framework that sets out the parameters of private security practice. Equally important is the setting up of norms and standards and a regulatory framework that would not only enhance professionalism in the industry but would also inspire confidence in the police to work with them. Both the police and private security companies require effective means of oversight and accountability. The lack of a human

rights commission to oversee the police, a police ombudsman or a dedicate parliamentary committee to oversee the police is a serious omission in Botswana's policing sector.

In line with their professional conduct based on integrity, police officers are not expected to abuse the rights and privileges of their office, and are expected at all times to display "ethical behavior that appreciates the need for confidentiality", respect for human rights and zero tolerance to corruption³³. However, according to the 2009 U.S. Human Rights report on Botswana, "police officials acknowledge that corruption was a problem in the lower ranks. Some officers took advantage of illegal immigrants and traffic violations"³⁴. Although there are cases of corruption by the Police, the problem is not as entrenched. Perhaps what is more prevalent is abuse of power.

Safe for the courts of law, which enforce juridical justice, the Directorate on Corruption and Economic Crime (DCEC) and the Ombudsman remain the only statutory bodies that can bring relief against corruption and unfair treatment. DCEC investigates cases of fraud, money laundering, tax evasion etc. The law does not provide for public access to government information, and government generally restricts access to it³⁵. The Ombudsman, as the public protector, handles complaints of wrongdoing in the public sector. In democratic theory, the Ombudsman should be free from bureaucratic and executive control to investigate complaints and make recommendations for redress without fear or favour. However, in the specific case of Botswana, the Ombudsman, as the public protector is statutorily precluded from monitoring and investigating security and intelligence issues. Moreover, public awareness of these institutions is limited. Besides, both the DCEC and the Ombudsman are not fully effective respecting their reporting lines. Their independence and effectiveness could be enhanced if their reports were tabled directly in parliament strengthen their oversight role. The robust oversight by these public interest organisations are constrained by their reporting lines. Instead of reporting to Parliament they report to the president. Under the current setup, they are perceived as toothless bulldogs.

The Police Council is the only statutory body that exists to oversee the work of the BPS. This entails internal structures such as disciplinary proceedings to ensure that institutions do not engage in unlawful conduct. However, the bulk of its work is to review disciplinary cases and conditions of service. It does not in the strict sense perform an oversight function. It is generally perceived as a toothless bull-dog. As part of a system of accountability, Botswana should consider creating "external police oversight mechanisms, which can provide an important complement to internal police investigations, internal discipline, the criminal justice system, and legislative oversight"³⁶ In addition to public interest institutions such as the DCEC, Ombudsman, Auditor General, it is important to have parliamentary oversight, which goes beyond the criminality of the matter to include "corporate governance, maladministration, ethics, fair business practices etc"³⁷

External oversight is done by institutions external to the State. External oversight is also supported by independent institutions such as civil society, human rights organizations, academia and research think tanks. According to Diamond (1994), civil society is an intermediary, bridge builder that facilitates dialogue between state organs of the state and the people and also serves as a watch-dog of people's rights. Broadly defined, it includes the media, trade unions, business associations, non-governmental organizations, human rights groups, churches and academia, and can serve as intermediaries between the people and organs of the state. What is lacking in Botswana is that there is no independent human right inspectorate to oversee the police. Moreover, the biggest problem that Botswana faces in terms of oversight of security agencies is lack of a national security policy that would be overarching and define and harmonise the various security agencies.

³³ . Botswana Government, Botswana Police college: Prospectus 2011, Botswana Police College, Otse, p. 3.

³⁴ . U.S Department of State, "2009 Human Rights Report: Botswana (March 11, 2010) <http://www.state.gov/j/drl/rls/hrrpt/2009/af/135939.htm> accessed 25 January 2012, p. 3.

³⁵ . U.S Department of State, "2009 Human Rights Report: Botswana (March 11, 2010) <http://www.state.gov/j/drl/rls/hrrpt/2009/af/135939.htm> accessed 25 January 2012, p. 7.

³⁶ . Philip Alston, "Report of the special rapporteur on extrajudicial, summary or arbitrary executions," United Nations General Assembly Human Rights Council 28 May 2010, p. 1.

³⁷ . Tshireletso Motlogelwa, "I want justice to be done- Motlhale," *Mmegi*, 16 December 2011, 4.

The greater calls for democratization of the developing world have also led to demands for security sector reform. This has not only created an awareness of democratic policing in creating and strengthening the greater probity of the democratic state, and also demanding different forms of accountability and oversight of the police. These include oversight committees of parliament and independent civilian oversight bodies like Human Rights Commissions.

Conclusion

This empirical paper on security threats and on crime prevention has explored the likelihood of public-private partnerships and has exposed the dangers of competition and rivalry between public and private security sectors. It observed that while the public security sector was extremely old (particularly the police), dating to the entry of colonialism in the 1890s, the private security only arose in the 1980s. Until then, the Botswana economy and society did not promote the growth of the private security sector. It is ironic that the growth of the mining sector (the richest sector in terms of value in the Botswana economy) promoted embedded security in which mining companies established security personnel that was integrated into the workforce. This embedded security was assisted by public security through the police, intelligence and army. Even up-to today, the mining sector has largely ignored the private security sector, marginalising it to guarding residences of mining executives, handling cash-in transit and cleaning at the mine headquarters.

It was only after the growth of the private sector (banks, retailers, malls and so on) and the tourism sector that private security established a strong footing in the Botswana economy. The private sector pins its security hopes on private security. However, slowly the government has also been hiring private security guards to secure its buildings and parking spaces. We have noted the irony that the public security sector views the private security sector with suspicion as an employer of criminal elements and as having the potential to endanger the security of the state by opening the industry to foreign investors. This unresolved issue of opening up the market to foreign investors threatens all reforms related to the private security industry. This issue should be left out if the country is not ready for it. Unfortunately, the government has already allowed international private security companies to operate illegally, creating a very difficult situation for reforms to go ahead without it.

We have shown that the growth of the private sector necessitated the growth of the private security sector. Currently the thinking is that the relocation of DTC to Gaborone necessitates the participation of foreign investors – a hotly contested view that divides the public security sector. But we have also shown that mining in general, and diamond mining and handling in particular, has never been friendly to private security companies. This may imply that the reforms make a distinction and allow international security companies for this sector only, rather than opening up the whole private security industry to foreign competition.

We noted that there were more informal partnerships between the public security sector and the foreign owned G4S that runs a huge warehouse for cash in transit. The informal 'partnership' is partly anchored on risk analysis, regarding it too risky that a private warehouse holding large sums of money could be guarded by a foreign owned security company alone! Thus, the presence and visibility of the police and intelligence operatives guarding the G4S warehouse together with private security guards should be seen in the context of high risk factor, not trusting the foreign owned company. So Botswana needs partnerships based on trust, and not on mistrust as it is now.

Botswana enjoys more public-public security partnerships in which the army aids and cooperate, with the police, or with wild life rangers. Joint (police-army) night patrols are common, as are joint (wild life rangers-army) anti-poaching patrols. Presidential directives have been issues to make these possible. In the case of diamonds, joint (mine security-armed police) operations are the order of the day. In contrast, banks and other businesses are legally required by law to inform the police and

intelligence so that they provide surveillance over cash-in transit operations by private security companies. This cannot be regarded as partnership because it does not involve the security companies themselves that may not even know that they are under surveillance. However, in other instances, private security companies themselves contact the police and ask for escort, in this case, informal partnership is in place. In addition, while police commissioners are known to address meetings of the private security association, the leaders of the latter are not known to have ever addressed police meetings and workshops.

Botswana lacks legislation formalising the interaction between public and private security sectors. In addition, Botswana lacks a regulatory authority that could help grow the private security industry, to impose some discipline, to introduce standards and to protect the industry and clients from fly-by-night companies that swindle the economy. On the one hand, the absence of legislation means that public-private security partnerships can only be informal. On the other hand, the absence of a regulatory authority means that there are no norms and standards, and that everything is permissible, thus, placing clients and their property in danger. Botswana has even allowed the entry of foreign private security operators without the necessary legal framework to control their operations.

We have also noted that the growth of the private sector and the insufficiency of public security to protect it triggered the unplanned growth of the private security industry. While there is still instability within the private security industry (with numerous companies collapsing and new ones registering all the time, and with poor training and lack of standardisation), the sector is growing fast, diversifying its services and complementing the inefficiencies of the public security sector. This has reached a point where public-private security partnerships become a requirement. However, the paper showed that such partnerships were not yet in place, limiting the benefits that could accrue from it.

Interviews

1. Faried van Wyk, Nova Security Gaborone in 13 November 2013, Gaborone.
2. More Gondo, Assistant Commissioner, Botswana Police, Desk Officer at the Ministry of Justice Defence and Security 3 March 2014, Gaborone.
3. Victor Baiketsi, Head of Security (G4S Botswana), 3 March 2014, Gaborone.
4. Titus Modongo, Manager, Security Systems, 5 March 2014, Gaborone.
5. Gaolatlhe Modongo, Chairman Security Association Botswana and Managing Director Nynex Security Services, 6 March 2014, Gaborone.
6. Focused Group Discussion with officers at the Botswana Police Service on 6 March 2014 in Gaborone. The Group comprised of:
 - Mr. F. Majingo, Assistant Commissioner, Police Head Quarters
 - Mrs K. Malete, Senior Superintendent, Crime Prevention Unit, CID, Police Headquarters
 - Mr. D. Motube, Senior Superintendent, Public Relations Unit, Police Headquarters
 - Mr. A.B.Taliyana, Assistant Superintendent, Traffic, Police Headquarters
 - Mr. M Mmalane, Senior Superintendent, Police Headquarters
 - Mrs C.B. Ncube, Inspector, Police Headquarters
 - Mr. C. Ndlovu, Senior Superintendent, Traffic, Police Headquarters
 - Ms C. Mokhanya, Superintendent, Central Intelligence Division, Police Headquarters
 - Mr. M. Tlhalefang, Senior Superintendent, Police Headquarters
7. Chris Lloyd, Security Operations Manager, De Beers Group of Companies, Gaborone 13 March 2014.
8. Official of Naconda Security Company, Jwaneng Township, 15 November 2013
9. Official of G4S Jwaneng Office, 15 November 2013.
10. Bonnie Mokalane, Department of Wild Life, Gaborone, 9th January 2014.

Endnotes

- 1 . Kgosi means chief.
- 2 . Bangwaketse are an ethnic group in the Southern part of Botswana.
- 3 . Bakgatla are an ethnic group located on the South eastern part of Botswana.
- 4 . Ryder Gabathuse, "Party Position Bought in the BDP? Mmegi. 07 June 2013, p. 3.
- 5 . He is said to be a long time business associate of President Khama. Khama is said to have endorsed Moyo in his speech at the Congress when he said, "we are a forgiving party". This was seen to be referring to the fact that Guma left the BDP to form BMD and the returned to the BDP. For detail see Joel Konopo, "When Business Comes to the Party", Botswana *Guardian* 12 July 2013, p.4.
- 6 . His professional and personal relationship with Khama is from the time when he was a captain in the BDF. He is now said to be a business associate of Khama. He is known to have travelled with Khama on official trips abroad. For detail see Joel Konopo, "When Business Comes to the Party", Botswana *Guardian* 12 July 2013, p.4.
- 7 . also said to be Khama's business associate. He was directly endorsed by Khama at the congress when he said "Balopi has brought with him energy and enthusiasm in the party. He has raised the profile of the BDP in the media and region. Thanks for stepping in." For detail see Joel Konopo, "When Business Comes to the party", Botswana *Guardian* 12 July 2013, p.4.
- 8 John Kalafatis was a wanted criminal who was killed by the Botswana Police Service and the Botswana Defence Force execution style.

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