

QUALIFICATION SPECIFICATION SECTION A						
QUALIFICATION DEVELOPER	BA ISAGO University					
TITLE	Bachelor of Arts in Law and Public Administration				NCQF LEVEL	7
FIELD	Law and Security	SUB-FIELD		Law and Public Administration		
New qualification	✓	Review of existing qualification				
SUB-FRAMEWORK	General Education		TVET		Higher Education	✓
QUALIFICATION TYPE	Certificate		Diploma		Bachelor	✓
	Bachelor Honours		Master		Doctor	
CREDIT VALUE	480					
RATIONALE AND PURPOSE OF THE QUALIFICATION						
<p>The Government of Botswana is a large employer that requires diverse pool of employees to have knowledge of law and public administration. Apparently, there is greater judicial involvement in the public administration sector due to lack of adherence to the Public Service Act of 2008 which outlines the conduct standards of public administrators. Studying the law in principle and in practice enables people to honor the law when it works effectively and to reform it when it does not work effectively. Public administration and policy specialists should understand how law relates to public good. Plato once said, "The penalty good men pay for indifference to public affairs is to be ruled by evil men." Devotion must be given to the significance of rule of law principles in public service performance. Respect for rule of law principles in public administration ensures that people's expectations that the rule of law is respected resonate in the way in which services are delivered through public administration. The public sector bodies are often responsible for enacting regulations and policies, and take decisions which fundamentally affect the rights, liberty, and interests of individuals. Thus, rule of law has claimed a close association to governmental practice.</p>						

The Bachelor of Law and Public Administration is very competitive due to high demand of people who work as administrators in the field. The qualification will make a direct impact on the government of Botswana. The HRDC Data Management, Research and Innovation Report of 2016 established the gap that exists in the job market as follows; 8 percent public administration, education sector 9 percent, health sector 8 percent and agricultural sector 10 percent. The report also indicated that there were 967 job vacancies for legislatures, administrators and managers, and lastly 75 vacant posts were for clerks. Studying the law and public administration will help fill these gaps. Apparently, the Government of Botswana is a large employer that requires diverse pool of employees to have knowledge of law and public administration as indicated by the above statistics. The 10th National Development Plan 2009-2016 demonstrates that management of the public sector should play a strategic role in shaping the growth and success of the economy. Learners pursuing this qualification will understand how law relates to public good.

Pillar 4 of Botswana's Vision 2036, speaks to Governance, Peace and Security and advocates for the transformation through reviewing "the constitution and legal framework." This is key in Botswana's aspirations to attain progressive governance. The 1996 World Bank report reflects that the Government of Botswana serves to improve performance of the work force in the public sector. In a report made by the Division for Public Administration and Development Management (DPADM) in collaboration with the Department of Economic and Social Affairs (DESA) and United Nations in 2004, Botswana encountered lack of funds to provide for the great demand for training public officers and subsequently encouraged public officers to study through part time and correspondence learning. The qualification also responds to the HRDC 2016 Needs Assessment report which reflects shortage of legal personnel. Therefore, pursuing this BA in Law and Public Administration will expand learners' knowledge of public administration with an understanding of the rule of law within the government and will help familiarize them with legal and administrative workings of government; thus, be able to analyse and understand the relationship between law, politics and public administration.

Research on the relationship between law and public administration indicates an intricate association between the two because administration carries out activities within the confines of rules and regulations i.e., law. This qualification is unique and structured to close the gap between public governance and the law, in line with Pillar 4 of the Vision 2036.

The purpose of this qualification is to:

- produce a para legal cadre with requisite competencies for the performance of functions in relation to public administration.
- conduct of disciplinary and other proceedings, *quasi-judicial* decision making, in accordance with established codes of practice and prescribed legislation as well as international best practices.
- empower and develop a skillset that enables graduates to understand and identify the national legal framework, and administrative framework.
- critically analyse, design and create policy and legal systems.
- permit graduates to use their knowledge in political, government or non-profit domains.

ENTRY REQUIREMENTS (including access and inclusion)

Entry into this qualification is through anyone of the following:

- Certificate IV, NCQF Level IV (e.g., BGCSE) or equivalent with a pass in English Language.
- There will be access through Recognition of Prior Learning (RPL) and Credit Accumulation and Transfer (CAT) in accordance with the RPL and CAT National Policies.

QUALIFICATION SPECIFICATION		SECTION B
GRADUATE PROFILE (LEARNING OUTCOMES)	ASSESSMENT CRITERIA	
The candidates will be able to;		
1. Apply knowledge of the Botswana legal system, statutory rules and case law principles in both the fundamental areas of legal knowledge and resolution of legal problems	1.1 Describe the basic characteristics and functioning of the legal systems 1.2 Discuss the sources of law in Botswana 1.3 Analyse the law-making roles of parliament in the enactment of primary legislations, and ministers in relation to delegated and subsidiary legislation 1.4 Scrutinize the rules of statutory interpretation 1.5 Explain legal issues comprehensibly	

<p>2. Demonstrate in-depth knowledge of the application of the 'rule of law' doctrine in Botswana</p>	<p>2.1 Justify the supremacy of the constitution relation to other laws in Botswana</p> <p>2.2 Critique the application on of the separation of power dogma in peace building and good governance of the country</p> <p>2.3 Examine key national institutions central to the goals of rule of law: executive, parliament, judiciary, law enforcement bodies, ombudsman and Human Rights Institutions.</p> <p>2.4 Develop knowledge of areas of public and private law, civil and criminal law, national and international law, substantive and procedural law, within the law of Botswana.</p> <p>2.5 Interpret the national legal framework and the national constitution and domestic laws in accordance with the Interpretation Act</p>
<p>3. Develop social policies and implement them effectively</p>	<p>3.1 Identify broad social development issues</p> <p>3.2 Analyse strategies for strengthening institutional capacity</p> <p>3.3 Understand statutes and ordinances upon which the authority to make policy is based</p>
<p>4. Evaluate the different government policies applicable to public administration</p>	<p>4.1 Explain the relationships between national income, unemployment, budget deficit, money supply, interest rate, inflation rate, exchange rate and trade deficit</p> <p>4.2 Propose new policies that govern the running and functioning of the government agencies'</p> <p>4.3 Select appropriate policies to resolve public issues</p>
<p>5. Evaluate the nature, sources, and scope of the customary and indigenous law in Botswana</p>	<p>5.1 Identify the sources, aims and functions of Customary Law</p>

	<p>5.2 Evaluate Customary Law material in relation to Common Law and Roman Dutch Law</p> <p>5.3 Assess the relationship between the constitution, common law and customary Law in Botswana</p>
6. Examine the principles and processes for the effective running and functioning of government institutions	<p>6.1 Describe the policy formulation processes</p> <p>6.2 Analyse the processes of law and policy formulation'</p> <p>6.3 Select efficient processes to administer legal functions</p>
7. Critically evaluate the impact of law on individuals and communities	<p>7.1. Identify the impact of economic, cultural and political changes on the law</p> <p>7.2. Explore the role of the law in improving social and economic conditions</p>
8. Apply the legislation governing the establishment and management of the public body	<p>8.1 Interpret the constitution of in relation to public sector management</p> <p>8.2 Explain the code of conduct of the public service and other relevant bodies</p> <p>8.3 Relate the public service charter to legislations governing public administration</p> <p>8.4 Recognize the legislations relating to the public</p> <p>8.5 Discuss administrative guiding principles and measures</p>
9. Utilise electronic legal databases for research purposes and communicate effectively electronically	<p>9.1 Discuss case laws related to a particular legal topic</p> <p>9.2 Draft legal documents electronically</p> <p>9.3 Perform comprehensive legal research</p> <p>9.4 Analyse the fundamental principles of law and the role and function of the legal system within legal research</p>

<p>10. Apply knowledge of ethics and values of professional conduct in public sector administration</p>	<p>10.1 Explain the principles of “BOTHO” in the workplace</p> <p>10.2 Elucidate the public service ethics and their implication</p> <p>10.3 Illustrate the processes and dynamics involved in the management of working relationships in the context of the public sector</p>
<p>11. Apply the techniques of legal method and reasoning to analyze and legal problems using legal principles, legislation and caselaw</p>	<p>11.1 Identify legal issues relevant to a given set of facts</p> <p>11.2 Analyse a factual scenario by identifying the key facts from which legal issues arise</p> <p>11.3 Critically evaluate the strength and weaknesses of the argument</p> <p>11.4 Identify legal issues in a case using applicable legal rules and facts</p> <p>11.5 Analyse case law by using the doctrine of precedent</p> <p>11.6 Apply relevant legal principles to legal solutions</p>
<p>12. Demonstrate an ability to make assessments in the field of economic growth</p>	<p>12.1 Describe theories of growth and innovation</p> <p>12.2 understand the process of economic growth and the structures underlying it</p>
<p>13. Articulate distinct concepts of law, justice and human rights and demonstrate respect for human rights</p>	<p>13.1 Identify the major international declaration, treaties and covenants governing human rights and identify mechanisms for monitoring and enforcing human rights standards</p>

BQA NCQF Qualification Template

DNCQF.FDMD.GD04

Issue No.: 01

	<p>13.2 Construct effective legal and policy arguments using international human rights norms and discourse</p> <p>13.3 Evaluate human rights cases in to establish compliance to international treaties.</p>
14. Solve economic problems in different economic systems	<p>14.1 Explain the basic economic concepts</p> <p>14.2 Discuss the advantages and disadvantages of different market structure</p> <p>14.3 Identify macroeconomic variables and the measurement of such variables</p> <p>14.4 Select appropriate techniques to analyze macroeconomic equilibrium in the various markets</p>
15. Demonstrate competency in written and oral legal communication	<p>15.1. Draft a memorandum that predict how law applies to the client's circumstances</p> <p>15.2. Delineate the scope of the issue addressed and articulates relevant concepts accurately</p>

QUALIFICATION STRUCTURE		SECTION C	
FUNDAMENTAL COMPONENT	Title	Level	Credits
Subjects / Units / Modules /Courses	Not applicable		
CORE COMPONENT	Introduction to Law	6	12
Subjects / Units / Modules /Courses	Introduction to Public Administration	7	12
	Economics	6	12
	Introduction to Political Science	7	12
	Business Communication	6	12

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DNCQF.FDMD.GD04

Issue No.: 01

	Computing and Information Skills	6	12
	Immigration and refugee law	6	12
	Customary Law	7	12
	General Principles of the Law of Contract	7	12
	The Modern State	7	12
	Criminal Procedure, Evidence and Caseload Management	6	12
	Environmental Law	6	12
	Constitutional Law	6	12
	Organization Theories	7	12
	The Law of Delict	7	12
	Public Information Management	7	12
	Public Policy	7	12
	Human Resources Management	7	12
	Civil Procedure, Evidence and Case Flow Management	7	12
	Public Administration in Botswana	7	12
	Administrative Law	6	12
	Jurisprudence	7	12
	Human Rights Law	7	12
	Family Law	7	12
	Public Ethics & Accountability	7	12
	Development Administration and Policy	7	12
	Government Budgeting	7	12
	Criminal Law in Botswana	6	12
	Security Law	7	12
	Public Relations	7	12
	Employment Law	7	12
	Local Government and Administration	7	12
	Research Methods and Project	7	12
	Entrepreneurial Law	7	12
	Industrial Attachment	7	60

BQA NCQF Qualification Template

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Issue No.: 01

ELECTIVE COMPONENT Subjects / Units / Modules /Courses	(Choose 1)		
	International Law	7	12
	Intellectual property	7	12
	Specific contracts	7	12
	Principles of Management	7	12
Rules of combinations, Credit distribution (where applicable):			
<p>Level 6 Consists of 120 Credits</p> <p>Level 7 Consists of 360 Credits</p> <p>Total Credits = 480</p> <p>The credit combination for this qualification is made up of 468 credits from the core component and 12 credits from the elective component, where candidate choose only one module.</p>			

ASSESSMENT AND MODERATION ARRANGEMENTS

Assessment

All assessments which are leading to the award of the qualification should be based on learning outcomes and associated assessment criteria.

Formative Assessment

The weightings for the Formative Assessment component which contributes to the awarding of credits is to be weighted as follows: The weighting of formative assessment is 40 % of the Final assessment mark.

Summative Assessment

The weighting of summative assessment is 60 % of the Final assessment mark.

Moderation

Internal and external moderators to be engaged will be BQA accredited subject specialists in relevant fields with relevant industry experience and academic qualifications.

Both internal and external moderation shall be done in accordance with applicable policies and regulations.

RECOGNITION OF PRIOR LEARNING (if applicable)

Recognition of Prior Learning (RPL) is a form of assessment for eligibility into the qualification. It allows recognition of skills and knowledge acquired through informal learning such as work or life experience. Recognition of Prior Learning (RPL) and Credit Accumulation Transfer (CAT) will be applicable for consideration for award in this qualification.

PROGRESSION PATHWAYS (LEARNING AND EMPLOYMENT)

Learning Pathway

Vertical articulation

- Master of Science in Public Administration
- Master of Arts in Law
- Master of Arts in Public Law

Horizontal articulation

- Bachelor of Science in Public Administration
- Bachelor of Arts in Law
- Bachelor of Arts in Public Law

Employment Pathway

- Prosecutor
- Civil Servant
- Executive Director
- Land Boards officials
- Public Advocate
- Researcher
- Law Enforcer
- Lecturer (colleges of education)
- Policy advisor
- Politician
- Public Administration Consultant
- Education administrators
- Administrative manager

QUALIFICATION AWARD AND CERTIFICATION

Candidates meeting the prescribed requirements will be awarded the qualification in accordance with the qualification composition rules and applicable policies. To be eligible for the award of the Bachelor of Arts in Law and Public Administration, candidates should have completed all the core and elective modules and have accumulated a minimum of 480 credits.

REGIONAL AND INTERNATIONAL COMPARABILITY

This qualification compares with the following:

- Stellenbosch University's National Diploma in Public Administration

- Florida Memorial University BA in Law and Government
- Western Nevada Institute, Bachelor of Public Administration in Law Enforcement
- University of Zululand

Comparability of the Bachelor of Arts in Law and Public Administration with other qualifications

Stellenbosch University's National Diploma in Public Administration, which is a conventional Diploma in Public Administration worth 144 credits and does not have any law modules in the manner that the Degree qualification has. It is therefore very different from and does not sufficiently cover the areas of focus of the proposed Degree offering.

Western Nevada Institute offers a Bachelor of Public Administration in Law Enforcement. This qualification is almost similar to the one proposed. They both possess 480 credits. These qualifications give learners a plan for successful completion of their programme in four years. On the other side, the Western Nevada Institute is mostly focused on public policy and law enforcement whilst the proposed qualification provides a dual qualification that comprises of the law and public administration. The field of law enforcement is basically about the protection of citizens and enforcement of the laws passed by legislators whilst the legal fraternity incorporates legal services offered to the public and individuals.

Florida Memorial University offers a BA in Law and Government that fuses law, political science and public administration. Compared to the proposed qualification, this qualification runs for four years and has 120 credits. In contrast the qualification is excessively merged into law, political science and public administration. The proposed offers a dual qualification comprising of the law and public administration only.

The University of Zululand offers a Public Administration & Political Science qualification in the faculty of law, commerce and administration. The programme is at NQF EXIT Level 7 just like this proposed qualification. It is offered for duration of 3 Years. The qualification possesses 390 credits in total. The learners under this qualification pursue public laws such as criminal law, constitutional and administrative law.

REVIEW PERIOD

This qualification will be reviewed after 5 years upon registration.