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in the Age of AIDS, Gender,
Governance, and Development**

Edited by Donald I. Ray, Tim Quinlan,
Keshav Sharma, and Tacita A.O. Clarke

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9 Gender and Traditional Leadership in Botswana

Mogopodi H. Lekorwe

INTRODUCTION

The end of protectorate rule ushered in a new political base rooted in non-arbitrary power in Botswana. When the country gained independence in 1966, it was conferred with a constitution, which gave individual equality of status and the right to participate in decision-making, including women. However, Botswana women, though they have consistently participated in voting, have not enjoyed their constitutional rights like their male counterparts. This participation is limited by certain customs, traditions, and laws, which subordinate them to men. These constraints derive from the common law based on the Roman Dutch law and the Acts of Parliament as well as from customary laws and cultural practices.

This chapter examines the role of women with respect to traditional leadership in Botswana. It also discusses some of the cultural values giving rise to such practices which too often are invoked to counter any advocacy

for change, even where it is obvious that the social and economic conditions under which these cultural practices evolved are no longer tenable. Such cultural practices have socialized women into accepting a subservient position in society and as such they have been reluctant to take on some challenging roles. The chapter begins by discussing the context of gender in an African setting. It goes further to consider some of the cultural practices and laws that have been used to exclude women from taking an active leadership role in society specifically in the context of Botswana. Then the research findings are presented, followed by a conclusion.

THE CONTEXT OF GENDER RELATIONS

The gender concept exposes the fact that in various societies women are socialized to believe that they are subordinate to men. They also accept a culture that is largely defined by men, where society condones the subordination of women to men. In many cases men relate to women as they do to children (McFadden 1992). Sakala (1996) also argues that women have continued to suffer all forms of abuse in the name of culture. Women are physically, emotionally, sexually, and economically abused by men. Their roles are defined in terms of wives, mother, daughters, and sisters.

Sakala goes further to argue that culture has been twisted to benefit men. One form of culture that is twisted to favour men is the institution of marriage. Once a woman is married, she is treated as a property of the man. It is not uncommon in some urban areas to come across women who surrender all their earnings to their husbands as men see it as “their money” since they paid *lobola* (bride price). Indeed, such traditions and cultures have reduced the capacity of women. In Uganda, for example, such traditional systems have kept women isolated to socially inferior positions prescribing norms of total obedience and strict adherence to a system that ensures the maintenance of specific roles for men and women. Mugo (1995) points out that history is constructed around men’s achievements since they dominate the position of power that define the direction the world takes. Historically, men are associated with strength, protection, and security while women are regarded as dependents and fragile, requiring protection. Because of this conceptualization of women as the

weaker sex, they have been marginalized and this is visible in the following areas:

- Patriarchal abduction of history, which gives token to women's achievement which in many cases subject them to alienation or exclusion where women were not allowed to become chiefs.
- Control of the institution of marriage, which places them under patriarchal possession where women become part of the male's possessions, even to the extent of changing names.
- Subject to gender-targeted forms of violence including rape, prostitution, and battering.
- Sexist discrimination accompanied by the stereotyping and objectification of women that rob them of their dignity and human uniqueness as a gender.
- Consequent imposition of silence and in some cases strangulating female voices when they dare explode the silence.

These attitudes have led women to wage struggles for equality and participation for their governance.

One of the landmark cases that Batswana women used in their struggle for equality in the 1980s is the 1982 Citizenship Act.¹ During that time, a number of seminars, conferences, research activities, and workshops were held to enlighten women and society in general on the provisions of the law, the status it accorded women, and the social and economic consequences arising therefrom (Selolwane 1997).

Prior to 1995, the Act provided that a person born in Botswana acquired citizenship by birth and descent, that is if at the time of birth his or her father or mother (where born outside wedlock) was a citizen of Botswana. Those who are born outside Botswana are to acquire their citizenship by descent under some stated conditions. Adopted children under the age of three years could become Botswana citizens if at the time of the adoption, the adopter, or in the case of a joint adoption the male adopter, was a citizen. Equally so, children under the age of twenty-one could be registered as citizens where their father was a citizen, and in the case of

children born out of wedlock, where their mother was a citizen (Report of a Review of All Laws Affecting the Status of Women in Botswana, 1998).

The effects of all these provisions were seen to be discriminatory against married women, compared to their male and female counterparts. This is because these provisions denied married women the capacity to pass on their Botswana citizenship to their children irrespective of where they were born. The clause went further to make a special provision for the granting of a certificate of naturalization of a woman married to a Botswana citizen if they satisfied certain conditions. For example, it was possible for wives of Botswana citizens to acquire Botswana citizenship after a period of two and half years, as compared to the normal requirement of ten years. This provision was however, not extended to a foreign male married to a Botswana citizen, thus discriminating against Botswana female citizens.

The constitutionality of these provisions was however successfully challenged by Unity Dow, who was then a woman activist and currently the judge of the High Court of Botswana, and this resulted in the amendment in 1995 of the constitution to become gender neutral in this respect. Although developments such as these have been embraced as positive developments in Botswana, there are still some gaps to be looked into which were not anticipated at the time.

EXCLUSIONARY CUSTOMS AND TRADITIONS

There are a number of traditions, customs, and laws that have historically been used to deny women their rightful place in decision-making positions. One of the customs that hindered women from ascending to power is that they had no legitimate claim to hereditary power, unlike their male counterparts. The right of succession was only guaranteed to male heirs. In fact the closest women came to assuming such office previously was as regents where the legitimate heir was either too young or for some reason unable to take office. Furthermore, women were excluded from taking part in public assemblies as it was argued men could represent them adequately. Not much has changed with regard to the perception of men being regarded as legitimate leaders. Several legal provisions and

practices still exist that guarantee men the right to certain positions. This position tends to perpetuate traditional forms of arbitrary conferment of power to men. Such cultural practices have led to capable women being reluctant to come forward to assume leadership positions, either as chiefs or in politics. Because of the socialization process stemming from such traditions and cultural practices, potential female candidates deem themselves incapable and presume that they may not garner support for the task from the public, even from their own female counterparts. Customary law recognizes women as minors, including those married in community of property according to common law. In the following paragraphs, we discuss some of the laws based on tradition and custom which have been in use and were considered discriminatory against women. These include, among others, the legal status of unmarried women, property rights, and marriage. Though it is not discussed here, it should be noted that there are many other practices that hamper the participation and enjoyment of full rights by women.

THE LEGAL STATUS OF WOMEN IN BOTSWANA

As mentioned earlier, the legal-rational constitution that was bestowed on Botswana at the time of independence guaranteed and protected individual rights and freedoms, including the right not to be discriminated against. This meant each individual had the right to act freely in making choices about his or her life, including participation in deciding who takes power. This is reflected under the constitution of Botswana under the Bill of Rights (Section 3), which is in line with the Universal Declaration of Human Rights and provides that every person in Botswana is entitled to certain fundamental rights and freedoms, irrespective of their race, place of origin, political opinions, colour, creed, or sex.

THE LEGAL CAPACITY OF UNMARRIED WOMEN UNDER COMMON AND CUSTOMARY LAWS

The legal status of women in Botswana is affected by both common and customary laws. These laws also affect women differently depending on their marital status. Under common law, the “age of majority” is defined as twenty-one years of age for both men and women. Similarly, the Age of Majority Act (Cap. 15:04) provides this but does not go any further to state that this person should have full legal capacity irrespective of their sex.

Traditional customary law, however, recognizes unmarried men and women as falling under the guardianship of the male head of the family. They can acquire property rights through their guardians. In some communities, customary law grants men their full capacity when they get married, whereas with women this is passed from the guardianship of the father to that of the husband. Under customary law, as Molokomme (1990) points out, women remain minors for the rest of their lives. In reality, however, due to changing circumstances, some customary courts tend to be flexible with the application of this principle and sometimes allow women to represent themselves without being asked to be accompanied by a male guardian.

This change from strict adherence to tradition and custom is necessitated by the increase in the number of female-headed families in Botswana. In some areas such as Molepolole, Kanye, and Hukuntsi, there is still a strong feeling that unmarried women should not be allowed to bring cases to the *Kgotla* unaccompanied by male relatives. In Kang, Gantsi, Gumare, and Tutume, some chiefs said they allow women to bring their cases alone as they treat them as adults. Thus, attempts are being made to give women access to the *Kgotla*, but there is a perception by women that they are not taken seriously, and as such this prevents them from seeking redress from the *Kgotla*. There is also another unsubstantiated view from men, which claims that, in their attempt to show neutrality, chiefs tend to favour women when handling complaints brought to them. These changes are sporadic and are taking place unevenly in the country to the extent that it is difficult to generalize on their precise application.

Another area of concern for unmarried women that perpetuates unequal access to justice in the *Kgotla* are some socio-economic practices that are anchored in culture. For example, during the rituals and the negotiation processes of their own children, unmarried mothers are excluded from taking part on the basis that they are not married. Another practice in some areas such as Kanye is that, when the child of an unmarried mother dies, the corpse is not allowed to be taken through the normal front entrance to the yard, but instead must enter through an opening at the rear of the compound. According to the prevailing custom, this was intended to demonstrate that the child was illegitimate and came through the backdoor.

Another custom, although it is supposed to be applicable to both men and women but tends to oppress women more than men, pertains to the death of one party in a marriage. According to custom, when one party dies, the surviving spouse has to undergo a period of mourning. During this period, the surviving spouse is regarded as hot and as a result is a danger to crops and people and may also scare away rain. Thus, this person is expected to refrain from mixing with people freely, and, whenever the person goes out, he or she was expected to scatter the peels of the mogaga bulb on the ground especially at road crossings. Women were expected to wear a black gear from toe to top, including a black umbrella (wherever she uses one normally) for a period lasting a year. More importantly, they were expected to refrain from sexual intercourse as they may cause the other person to fall ill and even die. The period of mourning is to give formal expression to the sorrow that is felt by the loss of the dead spouse.

Although both spouses were supposed to undergo the period of mourning, the way it was implemented discriminated against women as their period of mourning was expected to be for about a year, whereas with men the mourning period was between three and six months. Moreover, men were not required to put on black gear such as trousers and shirts, but in some tribes a simple black cloth around the arm would do. The plausible explanation was that traditionally men were supposed to be the breadwinners and therefore could not be expected to spend more time mourning. Today it is accepted that circumstances have changed such that more and more women are now engaged in the cash economy, and also with the decline of the marriage institution, the burden of family responsibility is equally shared, if not more so by women. Some women still

undergo the rituals of death, but it differs from place to place. Even those who undergo these rituals, go through them not because they want to but partly due to fears that they would be frowned upon by society and harm may befall them if they did not.

PROPERTY RIGHTS

Under customary law, with respect to property rights, valuable resources such as land and cattle are normally allocated to families and lineages through male heads. This meant that women had no direct control of these resources except through the male guardian, that is, the father, husband, or uncle.

Under customary law of inheritance, when a husband dies, the eldest son becomes the principal heir (*mojaboswa*) of the deceased's estates (Schapera 1984). Traditionally, the motive behind this was that the principal heir only took over the management of the estate, not the sole ownership, and was expected to take care of the other people, including the surviving spouse of the deceased and the siblings. This meant daughters generally had no rights to inheritance, except of property that belonged to their mother, or any that was earmarked for them during their father's lifetime. In the olden days it was easy to administer such an estate as many of the family members lived in the same yard and were in many cases engaged in communal production. Today, however, residential patterns have changed and new forms of property such as cash have emerged. As a result, some heirs are able to individualize this inherited property and fail to support the other female dependants of the deceased father. In recognition of these changes, some traditional leaders have taken a pro-active stance in handling such cases. Chief Linchwe II of the Bakgatla tribe has from time to time handed down a number of decisions in which the property of a deceased man was distributed equally between the children irrespective of their gender. The mood is changing and there is a feeling that the principal heir should of necessity give the sisters something as a form of inheritance. Oftentimes, depending on the personality of the principal heir, tensions exist between the male heir and his father's wife.

Some administer the estate in consultation with the mother, while some would administer it as if it were their individual property.

Another valuable resource that has an impact on the status of women is land. Although there is no legal requirement that unmarried women be accompanied by a male elder when applying for a piece of land, some male land board members still ask questions suggesting that these people have no legal right to a piece of land on their own. Traditionally, unmarried women could not directly be allocated a piece of land without first acquiring the consent of their parents irrespective of age. The same reasoning is used to refuse a married woman a plot without the consent of her husband as it is regarded as encouraging divorce and unruly behaviour in the household.

MARRIAGE UNDER COMMON AND CUSTOMARY LAWS

Botswana law recognizes two systems of marriage – customary law and common law. Both these lay down some requirements to be complied with by those wishing to marry. Individuals are expected to choose between these two regimes. The Marriage Act (Cap. 29:01) lays down the different ages for which one is eligible to marry at sixteen years for males and fourteen years for females. Under customary law, there is no precise age at which people can marry, except that traditionally they could marry after going through an initiation school. It is not our intention here to discuss in detail the process of going about the two marriages, but the task is to show the consequences of the two and the effect on the status of women. Both customary and common law do not provide equality between the two as the husband is made the head of the household, with final decision-making powers on family matters. Thus under customary law, the husband assumes a superior position to the wife as a woman is said to be *ngwana wa monna* (a woman is treated like a child). Under common law, the husband is given marital power in its personal aspects, which means a woman has no *locus standi in judicio* because the husband is the sole guardian who can bring and defend legal suits on her behalf and is also expected to assist her in entering into contracts.

This also means that, upon marriage, the wife loses the capacity to acquire a domicile of her own choice, the choice being that of the husband. The effect of this is that the consequences of marriage are now determined by the law of the husband's domicile.

There is therefore a view expressed that this rule under both customary and common law undermines the legal status of women. Married women are also affected in many different ways. It is expected that whenever they have a complaint/case, this has to be reported through their in-laws who are supposed to speak on their behalf and represent them at *Kgotla* meetings. Traditional leaders do not normally take on such cases brought by women until they are satisfied that all levels of communication have been exhausted within the family setting before the case is brought to the *Kgotla*. Traditionally, this was meant to protect the family name from being ridiculed by people from outsiders such as the daughter-in-law. The effect of this is that a married woman is at the mercy of the in-laws and is expected to trust and have confidence in their good judgment in dealing with complaints against her husband. However, it is being recognized that in modern days, the in-laws do not necessarily exercise impartiality as expected when dealing with conflicts between the couple.

The property consequences of women married under common law depends on whether they are married in or out of community of property.² When married under community of property, both spouses hold equal individual shares and there is a community of profit and loss. However, in practice this is nullified by the fact that the law grants marital power to the husband, which means the woman is reduced to a legal minor as she requires the consent of the husband to deal with family property. Based on this principle, the Deeds Registry Act (section 18) used to provide that immovable property may not be transferred or ceded to a woman married in community of property unless this was expressly excluded from the community or the marital power by law. The section also required that a woman be assisted by her husband in executing any deed or other document. This section was amended in 1996. A woman, whether married in or out of community of property and whether or not the marital power has been exercised, is allowed to execute deeds and other document without the husband's consent. Though this amendment goes a long way in addressing the property rights and status of women, it does not go far enough. This Act only deals with marital powers with respect to movable

property such as cattle, vehicles, and cash. To achieve full equality in law, the marital powers of the husband over the joint property have to be removed from common law.

Another observation to be made is with regard to women's rights to property following a divorce. According to custom, grounds for divorce are available to both men and women, with sterility, infidelity, and witchcraft giving the husband full justification for the divorce. The above were not readily available to the wife. However, due to changed circumstances, the record of cases at the Customary Court of Appeal indicates that traditional leaders now treat infidelity of husbands with the same seriousness as those of wives.

The property entitlement of women following divorce under customary law is as fluid as their rights during marriage. In many cases, it is said to be dependent on who is responsible for the break-up of marriage. Generally, it is believed that the person who is responsible for the break-up of marriage should be punished by being deprived of property. In practice, however, to arrive at who is guilty involves all sorts of behaviour that often puts women at a disadvantage. Where women are not at fault and are supposed to receive benefits, especially in the form of cattle, this is vague as to what the number should be. This is usually left to the discretion of the traditional leaders as the presiding officers, and in many cases they tend to assume that cattle belong to the husband, even though women contribute to their accumulation. Thus, due to the fluid nature of customary law in such cases, women tend to lose out on property following a divorce, especially cattle, which according to tradition are regarded as the domain of men.

The foregoing discussion has indicated that Tswana culture and traditions have for a long time considered women as minors and for all intents and purposes has treated them as children who needed assistance from the husband based on the notion of *Phuti tla oje letlhodi*.³ These traditions and customs have been used over many decades to portray women as the weaker sex that constantly needs the protection of a man. These have also been used to perpetuate and undermine the legal capacity of women as persons and human beings. Consequently they were not regarded as capable enough to assume responsibilities in society, including becoming chiefs.

Based on these customs and traditions, some tribal communities in Botswana were of the view that they could not have a woman chief. In the interviews conducted during this research, the majority of respondents said they have never had a woman chief and some said they can never have one, except at the lowest level of a headman (D'kar, Maun, Bobonong). In almost all the areas visited, the view expressed was that they can have a woman chief only as a regent (Maun) or at the lowest level. Reasons given for this were not convincing enough except to refer to tradition and custom where in Kang one leader said tradition does not allow a woman to become a chief.

Another reason that seemed to be the preoccupation of many is that a woman cannot be a chief because this would create succession disputes as the blood would be contaminated. According to Tswana custom, chieftainship is hereditary and succession is along the male lines. A long tradition in various communities in Botswana is that chieftainship is reserved exclusively for males. A paradox however emerges as we probed them more about the issue of traditional leadership. When asked what would be their reaction if they suddenly had a female chief, the majority of respondents said there was no problem in having women as chiefs as long as she demonstrates that she is a capable leader. From the discussion we had, we could discern that there were really no sufficient reasons advanced for not allowing women to become chiefs except tradition. Moreover, others argued further to say this would be a welcome development as it would help address the issue of gender inequality.

Traditional leaders are charged with responsibility of enforcing customary and statutory law in the customary courts. Because the majority of them are men, we wanted to find out how they deal with the cases and whether there is a feeling that justice is dispensed impartially despite these imbalances. We asked whether there are many more cases brought by women to the chiefs to adjudicate and who is actually involved between the two sexes. The response was that indeed the number of cases brought by women has increased and in many of them men are at fault (Tutume, Bobonong, Maun, D'kar). Generally, cases of violence against women are prevalent in Botswana, and this has been a subject of discussion in several conferences and workshops convened by government departments and non-governmental organizations.

Legally, there are no specific rules that protect women from being beaten or abused by their husbands. Such cases are treated like all the others under common assault. Some police officers do not take cases of battered women seriously as they are dismissed as private matters to be dealt with in the home. Traditional leaders also do not intervene at the appropriate time since they normally insist that such cases should be dealt with by the relatives within the household before it reaches them. Different tribes in the country treat wife-battering differently. In some areas, it is argued that wife-beating is allowed as long as it is not excessive and it is done in private. Those who said custom allows wife-beating said it was meant to discipline a disobedient woman and it served that purpose. Moreover, a woman is a child who can be chastized if she incurs the husband's discipline. The handling of such cases will also have effect on whether the judgment handed out satisfies both parties. Opinions were divided on this issue where male respondents felt that traditional leaders were biased and tend to favour women in their judgments. In many of the cases, especially those of violence, men are perpetrators and traditional leaders have no option but to sympathize with the victims, in this case, women. Again due to pressure mounted by women's organizations about the plight of women, traditional leaders have to respond by protecting women.

CULTURE AND TRADITION: THE CHANGING CONTEXT

There are indications that the attitude towards women is slowly changing where society in general expects them to take part in some activities that were solely regarded as the preserve of men. We now observe that the majority of tribal communities expect women to take leadership positions in many organizations, including government and political parties. In fact, women have demonstrated good leadership qualities in the few cases where they have been afforded the opportunity; the main undoing has been that their ascent of the career ladder to the same extent as men has been hindered by various factors already alluded to. This includes the socialization of girls into traditionally female activities, thus reducing them to a subordinate position (*National Gender Programme Framework* 1998). Things are now changing where we have witnessed a major development

in 2003 in the succession of a female chief to the throne in one of the hitherto constitutionally recognized eight tribes. The Balete tribe in the South-East district of the country has for the first time given the throne to a female who has for some time now been presiding over *Kgotla* meetings and participating in the deliberations of the House of Chiefs. She is the first woman paramount chief to sit in the House of Chiefs, again the first to break the long-held tradition that chieftainship is reserved exclusively for sons. *Kgosi* Mosadi Seboko succeeds her younger brother who died after a long illness. Because of tradition, it was felt that Mosadi could not be a chief even though she was older. Yet others argued in the same *Kgotla* meeting that chieftainship had already passed to her.

The significant point here is not only the fact that a female has taken this office but, more importantly (as she pointed out during the interview), the fact that she faced very little resistance from the *Kgotla* in the process of her nomination by the tribe in the traditional manner. According to her own observation, the reservation and resistance was primarily from within some members of the royal family who said the throne should not be passed to a woman. The same principle has been applied to Ian Khama, who was installed while he had an elder sister. The main reason given was that royalty will be diluted as it is supposed to be kept along the male lines. Moreover, it is argued that it is against culture and traditional practice for a woman to take over. An agreement was reached to the effect that her children will not claim the throne. As she put it, "I am a daughter of a chief, but my children's father is not a chief. So they will have no right to claim the throne. I am claiming it because it was my father's" (*The Gazette*, December 2001).

Many of those who spoke in support of her at the *Kgotla* meeting said there was no valid reason preventing her from ascending the throne except male chauvinism. Attesting to the capable leadership of women in different walks of life, the former member of parliament for the area argued that, if chieftainship is about leadership, it should also be susceptible to change. Numerous examples were given where women have been successful in positions of leadership such as heading schools in the country. In addition to the fact of her assumption of office, it is also significant to note that she is an educated person who has been employed in a responsible position in the private sector for some years (banker) and has started performing a very active role in leadership to the community with regard to

the handling of the problem of the youth, unemployment, alcohol abuse, and crime.

Before the assumption of office by this female *kgosi* in the South-East district, the House of Chiefs some years back for the first time welcomed a female chief (Banika) from Kasane as she was elected to represent their tribe (being a sub-chief) of the area. *Kgosi* Banika has made her mark in the deliberations of the House of Chiefs and has been quite progressive in her outlook. Her progressive approach could be discerned from her view, expressed in the House of Chiefs, where she argued that, contrary to prevalent tradition, the females should also be treated equally with their male counterparts and whipped as a punishment if found guilty of offences similar to those for which males are whipped. In her view this will not only promote the principle of equal treatment to male and female but will also reduce the hardship on the female head of the household whose family has to undergo greater suffering if she is imprisoned and taken away from the family as a result of punishment. The punishment of whipping could be more reasonable as it will not take her away from her family and she could continue with her domestic responsibilities. This way could be less painful to her and family.

So far, women who have ascended to the position of chief and have served in the House of Chiefs (*Ntlo ya Dikgosi*) have executed themselves well and there is no doubt that they have brought power to bear on social and political reform.

Gradually changing place of females in the traditional setting could also be discerned from some other positions held by the lower levels of hierarchy of traditional leadership. The information obtained from the office of the Customary Courts Commissioner (2001) indicated that the females have held positions such as: female regent for the Batawana, the sub-chief of Moroka in the North-East, sub-chief of Kgalagadi, a court president in the town of Selebi-Phikwe, a deputy court president of Selebi-Phikwe, a deputy court president in the city of Francistown, a sub-tribal authority in Mmadinare, and a court president in Lobatse. In addition, the customary courts commissioner was a female for quite a long time and has performed her role diligently with regard to certain matters falling under the authority and jurisdiction of the traditional courts commissioner. At the time of carrying out the research in 2002 the director of

tribal administration in the Ministry of Local Government was a female and has been in the position for some time.

In yet another move, the Batawana once again endorsed a woman to become their regent following the resignation of their chief – *Kgosi Tawana* in a bid to join politics. The Batawana royal family went ahead to install Kealetile Moremi (Tawana's sister) the regent amid some opposition from some members of the tribe. The fear amongst those who opposed Kealetile's choice was that when the time comes for Tawana's son to take over as a chief, some women's organizations, mainly organizations such as Emang Basadi, may rally behind Kealetile to cling to the throne, arguing that she has equal rights to chieftainship (Mmegi, 30 January 2004).

Emang Basadi is a women's organization that was established in 1986 by a group of women interested in improving the legal, social, cultural, and economic status of women in Botswana. The main objectives of Emang Basadi ("stand up women") include the identification of problems related to women through discussion and research, development of action-oriented strategies with a view to changing the socio-economic and legal status of women. Furthermore, the association aims at mobilizing and increasing awareness in women and the public regarding specific problems faced by women. Emang Basadi also aims to emphasize the role of women and enhance recognition of women's participation in national development. Issues relating to greater social equality and removal of cultural and legal barriers that prohibit the advancement of women are an integral part of Emang Basadi's mandate.

CONCLUSION

There is no doubt that the world is experiencing rapid changes in almost every field. Following on these global trends, Botswana is also witnessing a change in the status of women. As the world conferences have operated as strong pressure groups, Botswana also began to organize and put pressure on their government to review all legislation that seems to hinder women's full participation in the political domain. Though the government of Botswana has welcomed such developments, the biggest challenge to gender equality is the deeply-rooted culture that is founded on a patriarchal sys-

tem that subordinates women to men. For the plight of women to change for the better, the culture in which some of the laws are embedded has to change. One such indication of positive change in Botswana is the installation of a woman paramount chief, *Kgosi* Mosadi Seboko of the Bamalete tribe in 2001. This is a historic and humble beginning of a new era. Botswana's development initiatives and traditional leadership need people who are modern and yet rooted in tradition. Women's voices must be heard in all institutions for balanced development. This can also give women an opportunity to resist some of the laws that are discriminatory. Through their roles as chiefs, women are better positioned to influence legislation in a positive way as traditionally they have been regarded as the bearers of culture.

Botswana's government has taken positive steps regarding women's issues. A number of policies, programs and institutions have been put in place. A Women's Affairs department in the government coordinates and evaluates women's activities at local, national, regional, and international levels. The Women's Affairs department has executed its mandate well in certain areas, although its capacity is limited and needs to be developed.

NOTES

- 1 The law regarding citizenship is contained in the Citizenship Act of 1982, as amended in 1984 and 1995.
- 2 According to the married persons property law in Botswana, "in community of property" means property accumulated belongs equally to both spouses while "out of community" means what one accumulates belongs to him or her.
- 3 In Tswana custom when a man marries a woman, it is expected that he will provide for her.

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