



**Reinventing African Chieftaincy
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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15 Widening the Democracy Debate: *Bogosi* and Ethnicity in Botswana

Mpho G. Molomo

“... a nation without a past is a lost nation, and a people without a past are people without a soul.” – Sir Seretse Khama, President of Botswana, Address to graduates of the University of Botswana, Lesotho and Swaziland, 1970.

INTRODUCTION

As an ardent supporter of democracy, Seretse Khama, in the above passage cautioned that, as we embrace and nurture democracy, we must at the same time remember who we are and where we come from. The moral of the passage is that culture is an integral part of a peoples' existence and must be nurtured, promoted, and deepened as we develop and embrace other cultures and, perhaps more importantly, as we consolidate democracy. In this regard, *bogosi* (chieftaincy) and ethnicity as integral parts of the Tswana society must be preserved and strengthened in the process of

democratic consolidation. Khama was an icon of both traditionalism and republicanism.

William's incisive thesis of "leading from behind" (2004) in the characterization of democratic consolidation and the *bogosi* in South Africa has hugely influenced this chapter due to the great similarities that exist between Botswana and South Africa. It is undisputable that *dikgosi* are not in government but still have immense influence in people's lives. The debates on the role and relevance of *bogosi* with regard to democratization are continuing and are far from being concluded. In many parts of the Southern African region, the struggles between traditionalism and republicanism or traditionalism and modernity have characterized the politics of the post-colonial state. In Mozambique (Harrison 2002; Gonçalves 2002), for instance, when FRELIMO came to power in 1975, it abolished *bogosi*; in Lesotho (Southall 2003), the constant tensions between the monarchy and the republican government have been sources of political instability; in Swaziland (Takirambudde 1982), monarchy suspended the independence constitution and abolished political parties. More examples could be drawn from other African countries, and the lessons from these experiences are that relations between the two institutions are full of tension. Botswana is not an exception to this trend, but it articulated itself somewhat differently. In an intriguing way, Botswana has managed to graft a broad liberal democratic tradition since independence in 1966 by blending liberal democracy with traditional structures and institutions of governance. The phenomenon is quite unique in Africa.

Botswana's political stability must be unpacked to explain the basis of its stable democratic rule. Although at times characterized as a "fragile bloom,"¹ "an authoritarian liberal state,"² Botswana is generally regarded as a model of a working democracy in Africa. This chapter seeks to analyze the extent to which traditional institutions, especially *bogosi*, have contributed to the democracy debate. It shows how *bogosi* as a traditional system of governance has contributed to state democratic rule in the post-colonial state in Botswana. Second, it seeks to understand whether *bogosi* undermines democratic rule or is a partner in its development. The basic thesis of this chapter suggests that *bogosi* serves an important link between government and the people in the democratization process in Botswana. Government relies on the *kgotla* (village assembly) as a forum for consultation, communication, and dissemination of information, which is presided

over by *dikgosi*. Outside the *kgotla*, government does not have any reliable forum for a two-way communication with the people. Political rallies that take place at “freedom squares” are partisan and are characterized by volatility and often abusive language. As a result, the *kgotla* stands out as an important forum for democratic discourse in Botswana. Third, it addresses the important dialectic that exists between *bogosi* and ethnicity in Botswana. Perhaps the relation between *bogosi* and ethnicity constitutes a new site for democracy debates. As propounded by Muller (2008, 19), it shows how “ethnic nationalism has played a more profound and lasting role in modern history than is commonly understood” and, whether we like it or not, “ethnonationalism will continue to shape the world” in the new millennium. In the quest to expand the frontiers of democracy, ethnicity is used to question the notion of democratic citizenship. Citizenship within the liberal democratic setting guarantees people the enjoyment of individual and civil rights, as well as equality before the law, irrespective of class, race, or ethnicity. Fourth, the chapter concludes by addressing the process of democratic consolidation in Botswana. The problematic is to try to establish whether *bogosi* and ethnicity play important parts in democratic consolidation or whether they are anathema to democratic rule. Since elections have been embraced as one of the fundamental pillars of the liberal democratic process and are said to be essential conditions for regime change, the questions are: 1) how can *bogosi* be said to be assisting democratic consolidation, and yet remain a hereditary institution? 2) how can ethnicity consolidate democracy when the ethnic question presupposes that ethnic groups are not equal in the country? This chapter proceeds to address these issues, first by discussing the framework that underpins Botswana’s political reality.

CONTEXTUAL FRAMEWORK

A brief survey of Botswana’s political history could perhaps explain its exceptionality as a stable and successful democracy. Bechuanaland, as Botswana was called then, fell under British protectorate in 1885,³ as an attempt to ward off Boer encroachment from South Africa. Its relative unimportance to the colonizers, given its barren and semi-arid nature and

lack of economic potential, at the time, characterized the benign neglect of colonialism. More specifically, a system of indirect rule was put in place in which the British used *dikgosi* to maintain political control. Bechuanaland did not experience colonialism *par excellence* as was the case in situations where there was a significant white settler population. A dual political and legal structure existed during the protectorate period that was intended to handle European and “native” affairs separately. Although British protectorateship in Botswana, to some extent, undermined the essence of the traditional cultures and authority of traditional leaders, it did not supplant traditional institutions, as was the case in other parts of Africa.⁴ Traditional institutions, such as *bogosi*, although distorted in some instances, as was the case with the lineage of Bakwena,⁵ were by and large left intact. As stated by Wilmsen (1989, 273), “the policy of indirect rule never contemplated taking administrative control of minorities out of the hands of Tswana.” And this practice went a long way to institutionalize inherent inequalities in Tswana society, and these disparities found their way into the constitution. Moreover, traditional systems, such as *mafias* (cattle loaning system to less privileged members of society) continued, and this helped to reinforce patron-client relationships and a sense of paternalism in society.

Anthropologists (Schapera 1952; Wilmsen 1989), historians (Morton and Ramsay 1987), and sociologists and political scientists (Mafeje 1971; Mamdani 1996; Diamond 1987; Peters 1984) seem not to agree on the definition of a tribe. As a historical, anthropological, sociological, and political concept, ‘tribe’ means different things to different people. Mafeje (1971, 258), in his seminal work, “The ideology of tribalism,” engages in a substantial debate on what constitutes a “tribe.” He asserts that it refers to a “relatively undifferentiated society, practising a primitive subsistence economy and enjoying loyal autonomy.” With reference to Botswana, Peters (1984, 22) points out that the term “tribe that was used to denote *morafe* during the colonial period and is still used in modern Botswana, is misleading in that it connotes a group of persons identified by ethnic ties.” Peters (1984, 26) further pointed out that *morafe* was a political and cultural entity that owed allegiance to a *kgosi* and was internally differentiated by wealth and social standing. Invariably, *kgosi* was always the richest man because he enjoyed tribute, collected taxes, and also controlled *matimela* (stray cattle). The basic structure of *morafe* during the pre-colonial

period was that the *kgosing* ward where *kgosi* and his uncles resided was always at the centre, and around it were other wards that made up *morafe*. Outlying these wards were *Batlhanka* (commoners) and *Bafaladi* (aliens or refugees). *Batlhanka* were people who were captured during war and incorporated into *morafe* occupying a lower social status. *Bafaladi* were people who had emigrated from their places of origin either because of famine, wars, or internal dynastic rivalries, and decided to settle among a politically or economically powerful group for security.

Botswana's history is widely documented (Tlou and Campbell 1984; Mgadla and Campbell 1989; Ngcongo 1989; Holm and Molutsi 1989; Morton and Ramsay 1987), and this chapter seeks to comprehend it with a view to conceptualize *bogosi* and ethnicity in their socio-political and economic frameworks. Historical accounts suggest that Botswana has a long history with democracy. Although there are strong debates (Mgadla and Campbell 1989; Ngcongo 1989) about the substance and nature of democracy in Botswana, it is believed to be firmly rooted in traditional Tswana culture. It is anchored on the *kgotla* (village assembly) system of consultation, which is based on the assertion that *mafoko a kgotla a mantle otlhe* (free speech). As discussed in Mgadla and Campbell (1989, 49), *dikgosi* ruled their people, at least during the pre-colonial period, as absolute sovereigns who enjoyed hegemonic influence, and their decisions were almost always based on consensus. The assertion that *kgosi ke kgosi ka batho* (a chief is a chief by the grace of people) goes to the heart of the basis of rule by *dikgosi*. *Dikgosi* preside over *dikgotla*, which were, and still are, forums for deliberating public policy. A *kgosi* can only exercise his or her authority based on the respect he or she gets from the people, and one who rules against the wishes of his or her people, does so at their own peril. The above notwithstanding, historical evidence (Potholm 1979) suggests that during the pre-colonial period there were despotic *dikgosi* as there were benevolent ones. Similarly, in the liberal democratic setting, democracies and autocracies call themselves by the same name but these nomenclatures need not cloud political analysis.

Due to the historical processes that "tribes" have gone through, it is perhaps no longer accurate to refer to them as such because they have lost the social structure that defined them; *dikgosi* who preside over them have lost their power, wealth, and sovereignty. During the pre-colonial period, tribalism was perhaps the highest form of nationalism because it

implied complete loyalty to the *kgosi* and recognition that he or she was the absolute sovereign, controlled the political and economic well being of the polity, and also had divine powers for rain-making. However, in the post-colonial period, 'tribes' denotes entities that were infiltrated and undermined by colonialism, their powers having been usurped by the post-colonial state. Economically, they are no longer self-sustaining entities and depend on the central government for financial support. To this end, scholars (Sklar 1979; Diamond 1987, 119; Mafeje 1971, 258–59) have asserted it is a misnomer to talk of tribalism in the post-colonial period because tribes have been transformed and have lost their traditional essence. Nevertheless, this is not to deny that 'tribal' sentiments still exist among people; rather they manifest themselves not to restore the autonomy of the *kgosi* and *morafe* but often as a ploy to advantage the petty bourgeoisie. In this sense, tribalism is seen as a "false consciousness" that tends to "mask for class privilege." The ruling elite often invokes tribal sentiments as a stepping-stone for a position of political power.

Scholars have suggested that perhaps ethnicity would be a more value-free term to refer to manifestations of 'tribal' feelings during the post-colonial period. Goldsworthy (1982, 107) defines ethnicity, as "a form of consciousness, a sense of identity, that is usually associated with" language and kinship. Other scholars, such as Horowitz (1985) and Diamond (1987, 117), concur and conceptualize ethnicity as "based on a myth of collective ancestry, which usually carries with it traits believed to be innate" and which gives rise to a sense of group identity, affinity, and solidarity. Schraeder (2000, 138) defines 'ethnicity' as a sense of "collective identity in which a people (the ethnic group) perceives itself as sharing a common historical past and a variety of social norms and customs." These social norms and customs also define "relationships between males and females, rites and practices of marriage and divorce, legitimate forms of governance, and the proper means of resolving conflict." The struggles by ethnic minorities to have their languages recognized as national and official languages, according to Horowitz (1985, cited in Diamond, 1987, 122), "encompasses much more than access to education and jobs in the modern sector" but also notions of peoples dignity and recognition. Although cultural attributes are not tangible, they form an essential part of people's identity, self-esteem, and dignity. Horowitz (1985) further delves into the

realm of “social psychology” and argues that there is nothing more degrading than to deny a person his or her self-esteem and dignity. In what he calls the “politics of ethnic entitlement,” Horowitz (1985) outlines that the fear of “domination” and exclusion by far outweighs the drive for material gain (Diamond 1987, 122). This explains why people would rally behind an ethnic course that does not have any apparent economic gains.

Arising from the modernization theory (Apter 1965; Lerner 1958; Rostow 1971) of social change, there was a strong perception that, in order for Africa to develop, it needed to transcend the parochial traditional institutions and embark on the road to modernization. Lerner (1958), in particular, talked about *The Passing of the Traditional Society* and argued that with the application of modern political institutions, ethnic identities and traditional values would disappear. The cultural values theories (Almond and Powell 1963) assert that attitudes towards democracy proceed from values that are socially constructed and culturally embedded. Perhaps in a more profound way, people who retain traditional identities (based on language, ethnicity, and place of origin) rather than modern identities (such as class or occupation) are said to develop a low sense of political efficacy, develop low levels of interpersonal trust, and hence low levels of what Putnam (1993) would refer to as ‘social capital.’ As a result, attachment to primordial loyalties is said to undermine political development or democratic consolidation. Under this framework, tribalism was viewed as negative and backward, and progress meant shedding the ethnic loyalties.

Perhaps it is also in order to point out that sociological approaches emphasize the demographic features of society, wherein age, gender, location, and ethnicity influence the manner in which people form political attitudes. Young people, who invariably have higher levels of education and are often located in urban centres, are less inclined to traditional values and are receptive to new ideas. Rural people are often more inclined to primordial loyalties and hence support traditional institutions, whereas urbanites are exposed to divergent views and are stimulated by a variety of social engagements and are usually receptive to change. The patriarchal structures that are embedded in traditional societies tend to constrain women’s engagement and participation in politics and leadership roles. While *dikgotla* are said to form the basis of democratic rule in Botswana,

they cannot be said to encourage popular participation. In the past, women and children were not allowed to take part in *kgotla* proceedings, let alone assume office. Moreover, according to Peters (1984), the *kgotla* as a forum for public discourse excluded ethnic minorities, such as *Bakgalagadi* and *Basarwa*. Nevertheless, the installment of *Kgosi* Mosadi Seboko in September 2003 as *kgosi kgolo* (paramount chief) of Balete was a clear indication that *bogosi* is adapting to a “new wave” of democratization and is beginning to be more inclusive.

Given the multi-ethnic nature of post-colonial societies, ethnicity is often seen to structure society along the dominant and minority societal groups, and it is perhaps at this level that we seek to enter the cultural-political discourse in Botswana. In a more profound way, institutional approaches to political development negate the relevance of traditional institutions (*bogosi* and *dikgotla*) in advancing democracy, and of necessity these institutions need to be replaced by modern ones (parliaments, courts, political parties, voting). Moreover, the hierarchical structure of the Tswana society tended to undermine the non-Tswana ethnic groups who settled in their areas, and this is in part reflected in sections of the constitution and the Chieftaincy Act. While this chapter does not argue at tandem with the above theoretical approaches, they seem to miss the essential fabric of traditional societies; new reforms must take into account what already exists on the ground.

Perhaps, the greatest challenge that the majority of African countries face is that they are polarized by a “dual political identity”; manifesting both an “ethnic identity” and “national citizenship” (Sklar 2000, 9). These identities are not only imaginary but are also real, and understanding them would go a long way to understanding the dynamics of African social formations. In Botswana, these identities are fostered, not only by linguistic differences (though not as pronounced as in other parts of Africa), but also by the territorial division of tribal and administrative districts.

Political and theoretical discourses that try to understand the relationship between *bogosi* and ethnicity, on the one hand, and democratic consolidation, on the other, are limited because they depart from the basic premise that *bogosi* and *ethnicity* are institutions from the authoritarian past, hence anathema to democracy. As stated by Proctor (1968, 59), one of the major problems faced by the architects of the new states of Africa was to carve out a “satisfactory position for tribal authorities in a

more integrated and democratic political system.” As Sklar (1999–2000, 9) succinctly pointed out, the nation-states in Africa appear to be polarized by a “dual identity,” that is identity, at one level, accorded to the “ethnic group,” and, at the other level, to the “nation-state” manifesting a “common citizenship.” Furthermore, given the arbitrary manner in which colonial boundaries were drawn, eroding a sense of “national identity,” the effect was that the nation-states that emerged had low levels of cohesion, making political competition a zero-sum game.

Following from cultural and modernization theories, Mamdani (1996) concluded that *bogosi* is a hindrance to the development of democracy. He asserts that *bogosi* leads to “decentralized despotism” as well as the “bifurcation” of society in “citizens and subjects.” While his formulation clearly captures important trends during the colonial period and has validity in some African social formation, this position does not enjoy universal validity. The argument that *bogosi* is repugnant to democratization is a simplistic and perhaps Eurocentric way of looking at social reality. Democracy must be seen as a socially constructed and contested process that is mediated by prevailing cultural institutions. In Botswana, as clearly articulated by Nyamnjoh (2003, 111) *bogosi* is a “dynamic institution, constantly reinventing itself to accommodate and be accommodated by new exigencies” of democratization. The interface between *bogosi* and democracy constitutes an “unending project, an aspiration that is subject to renegotiation with changing circumstances and growing claims by individuals and communities for recognition and representation” (ibid.).

BOGOSI AND ETHNICITY

The ethnic question in Botswana can only be understood if placed within a historical context. In the period before the establishment of the Bechuanaland Protectorate in 1885, Southern Africa was characterized by migrations and population movements resulting from conquest and wars. These wars were known as *Mfecane* and were largely attributed to the rise of the Zulu State under Shaka and its subsequent break-up, which led to migrations that disrupted the entire Southern African region. The Boer expansion also disrupted large populations. *Merafè* that constitute

present-day Botswana suffered major upheavals as a result of these wars and expansion, and forms that they took thereafter constitute the basis of the Tswana tribal existence, which formed the basis of the post-colonial state.

In the period before the protectorate, Tswana *dikgosi* controlled large *merafe* (nations) that were multi-ethnic. *Merafe* were built through conquest⁶ and assimilation of weaker groups. However, other forms of assimilation were voluntary, as people who were displaced by wars, famine, and dynastic rivalries joined stronger and more-established *merafe*.⁷ With the advent of the protectorate period, the colonial government recognized *dikgosi* of these five *merafe* – Bakwena, Bangwato, Bangwaketse, Bakgatla,⁸ and Batawana – as *dikgosi kgolo* (paramount chiefs), and this designation was later extended to three other *merafe* – Balete, Batlokwa, and Barolong. The land that they occupied was called “native reserves,” and the remaining land, which was placed under the jurisdiction of the colonial administration was called “crown land.” By 1899 the colonial administration had established the boundaries of the “native reserves,” and this helped to consolidate and define the territorial control of the eight *dikgosi kgolo*. In the same vein, this process also undermined the autonomy of the so-called subordinate groups,⁹ and came to be known as minority groups (derogatorily known as *meratsbwana*) and their *dikgosi* came to be known as *dikgosana* (sub-chiefs).

Ethnic minorities in Botswana, although they cannot be discussed fully in this chapter, deserve some special discussion because the stability of the post-colonial state is predicated on the extent of their inclusion in the socio-political setting. *Babirwa* were alienated from their land during the colonial period. Following the representation of the three Tswana *dikgosi* (Khama III, Sebele, and Bathoen) to seek British protection in the face of Boer expansion, Khama ceded the area in the Tuli block in lieu of protection. The Tuli Block, which was transformed into crown land, was handed over to the British South Africa Company (BSACo) with a view to build a railway line linking Mafikeng and Bulawayo. In 1904, when the BSACo realized that the land was not suitable for the construction of the railway line, it sold it to white commercial farmers as freehold farms. These developments were oblivious of the fact that *Babirwa* had historically owned this land. As a result, *Babirwa* were reduced to tenants and squatters on their own land.

In 1920, to assert effective occupation of the land, the colonial administration acting on behalf of the white settler farmers asked Khama to move his people from the land, and Khama, without regard to *Babirwa* property and crops, sent a regiment to forcefully remove them. While some *Babirwa* were dispersed and forced to flee to South Africa and Rhodesia, *Kgosi* Malema (with some of his people) stood his ground and fought dispossession. Needless to say, he was defeated and forced to settle at Molalatau; he had sowed the seeds of *Babirwa* nationalism¹⁰ against Ngwato hegemony. Ngwato hegemony extends over the *Babirwa* and the *Bakalanga* as well.

Bakalanga as a linguistic group comprises two major divisions. As discussed in Morton and Ramsay (1987, 74–81), they are *Bakalanga Dumdu* (original *Bakalanga*), who originate from Masvingo in eastern Zimbabwe. They are an extraction of a *shona* ethnic group, who have a close affinity to *Mnyika*, *Zezeru*, and *Kwerekwere* and are comprised of the *Balilima* and the *BaaMe'we*. The *BaaMe'we* trace their origins from the Butua Kingdom, while the *Balilima* came from the Mutapa Kingdom. Descendants of this group are found in Maitengwe in Botswana. The second group of *Bakalanga* comprises groups of Sotho-Tswana who have been assimilated into the *Ikalanga* language. This group is comprised of *Bakalanga* found in the North East.¹¹ In the Boteti, Mokubilo, and Nata areas, *Bakalanga* have coexisted with *Basarwa*.

Perhaps the origins of ethnic tension between *Bakalanga*- and Tswana-speaking groups involved disputes between *Bakalanga ba ga Nswazwi* and *Bangwato*. *Bakalanga ba ga Nswazwi* originated as a group of Bapedi who resided in the area around Tutume and because of the *Mfecane* wars found refuge among *Bangwato* in the Ngwato Reserve. They occupied a subordinate status compared to *Bangwato* but assumed a higher position under the reign of Khama III and collected tax from *Bakalanga*¹²-speaking people for *Bangwato*. However, things changed during Tshekedi's rule. Tshekedi bypassed *Bakalanga ba ga Nswazwi* and used his own appointees from Serowe to collect tax. More specifically, in 1926 he ordered *Bakalanga* (including *ba ga Nswazwi*) to build a fence along the border with Southern Rhodesia. *Bakalanga* resented this imposition because the assignment coincided with the ploughing season. In the meantime, John Nswazwi and his people had not paid tax, and when the Ngwato tax collector came to Nswazwi village to collect tax, John Nswazwi used this

as a pretext to stop the fencing project. Tshekedi perceived this as insubordination and he fined Nswazwi and his people two beasts each.

Infuriated by what he called *Ngwato* domination, Nswazwi in October 1929 petitioned Tshekedi with the resident commissioner. Nswazwi argued that, despite the heavy burden of tax imposed on his people by Tshekedi, his people were not supplied with community services, in particular, education. The bitter clashes that ensued between Nswazwi and Tshekedi led to Nswazwi to go into exile in Southern Rhodesia in 1948 where he later died in 1960.¹³ In 1958 some of his followers returned to Bechuanaland and settled at Marapong. Stories of *Bakalanga* ill-treatment by Tshekedi, in part, form the basis of Kalanga nationalism.¹⁴ To escape *Ngwato* oppression, a lot of *Bakalanga* children attended schools and are now articulate to advance their cause. The tale of ethnic subjugation does not end with *Bakalanga*; *Bayei* in *Ngamiland* suffered a similar fate.

The history of *Ngamiland* is well documented (Tlou and Campbell 1984; Morton and Ramsay 1987). After *Batawana* broke away from *Ngwato* State, Tawana moved to *Ngamiland*, where he conquered the *Bayeyi*, *Ovaherero*, *Basarwa*, *Basubia* and *Bambukushu*¹⁵ population groups who are the early inhabitants of the area. In the post-World War II period, *Bayei*, who were primarily fishermen and agriculturalists, were probably the largest single ethnic group in *Ngamiland*. Nevertheless, they suffered the *Batawana* cultural and military onslaught because they did not have a centralized state. They lived in scattered homesteads and, as Murray (1990, 11) put it, “had no tradition of *bogosi*.” *Batawana* introduced a system of *botlbanka* (servitude) in order to subordinate *Bayeyi*.¹⁶ Unlike *Ovaherero*, who settled in *Ngamiland* after they suffered German onslaught in South West Africa (now Namibia) and enjoyed greater autonomy and emerged into prosperous pastoral farmers, *Bayeyi* were denied a voice in the *Batawana kgotla* system and were denied fundamental human rights as freedom of speech and freedom to own property. The other groups that were marginalized in *Ngamiland* were *Basarwa* and *Bakgalagadi*, who were mainly cattle herders (discussed later in the chapter).

Bayeyi articulated nationalist tendencies as far back as 1948, when they demanded that they be accorded their own *dikgotla* and given a voice in tribal administration. They also demanded the restoration of their land rights and right to property. In recent years, *Bayeyi* have coalesced into a cultural association called Kamanakao. On 24 April 1999, this association

enthroned Calvin Kamanakao as *Shikati* (paramount chief) of *Bayeyi* and demanded his recognition by government and that Gumare be designated their district headquarters. They also demanded jurisdiction over their tribal land. *Bayeyi* nationalism does not only demand official recognition of their *Shikati* but also demands that the *Shiyeyi* language be recognized as an official language and be introduced into the school system.¹⁷

A discussion of ethnic minorities would not be complete without reference to *Bakgalagadi* and *Basarwa*, who are perhaps the most marginalized of ethnic minorities. These people are often referred to as remote area dwellers. Their designation as remote area dwellers has connotations of spatial dimensions,¹⁸ material well-being,¹⁹ and ethnicity.²⁰ Perhaps the remoteness could also be attributed to being remote from the Tswana societies. The designation of a people as *Bakgalagadi* is perhaps a misnomer in the sense that there is no ethnic group known as such. *Kgalagadi* refers to a place with heavy sands where after it rains the water is quickly absorbed by the sand. It refers to a place that is thirsty and readily absorbs water. So the term *Bakgalagadi*²¹ is used as a blanket term to refer to people from this area. All these groups derive from the Sotho-Tswana stock, and were traditionally subjugated²² by *Bangwaketse* and *Bakwena*.

In addition to the *Bakgalagadi*, the San-speaking people in the *Kgalagadi*, referred to by Europeans as Bushmen, have been, according to Wilmsen (1989, 175), “lumped undifferentially” and labelled by Batswana as *Basarwa*, despite the fact that the San comprise about ten “unintelligible San languages.”²³ It is perhaps this “homogenous treat of a diverse people” under one name that led the ethnic Tswana’s to be dismissive of them. The stem *Barwa*, perhaps signifying people from the south, was originally value-free but later derived a negative connotation, as they were also seen as “Bushman” (people from the bush) who came from an “uncontrolled wild nature.”

The advent of the borehole technology and its association with the mafia system were forces that helped to consolidate the Tswana hegemony over other ethnic groups. Perhaps more profoundly, the introduction of money economy in southern Africa and the emergence of a regional labour market were factors that facilitated the institutionalization of subjugation. The introduction of the hut tax by the colonial administration forced young Tswana men to work in the South African mines, and this created a void in the labour supply; *Bakgalagadi* and *Basarwa* were then

grafted as cattle herders. In a more profound way, the cattle post facilitated the process of “social marginality, with its attendant economic poverty coupled with stigmatised group identification” (Wilmsen 1989, 277). This economic marginalization was further augmented by the privatization of land under the Tribal Grazing Land Policy and is perhaps going to be further consolidated by the relocation of *Basarwa* from the Central Kalahari Game Reserve.

The dominance of the Tswana ethnic groups as a result of conquest and state-formation during the pre-colonial period, the resultant dominant position they acquired during the colonial period, and the subsequent manifestations of nationalism ensured that the Tswana ethnic groups wrote their history and culture into the independence constitution. For many ethnic minorities in Botswana, the attainment of independence was perceived as the creation of a republic and end to the autocratic rule of *dikgosi*. However, the independence constitution defined Botswana as a unitary state comprising parliament as the only legislative body and the House of Chiefs (*Ntlo ya Dikgosi*) as a second chamber without legislative powers. The social stratification that was developed during the pre-colonial and colonial periods formed the basis of the composition of *Ntlo ya Dikgosi*. The eight *dikgosi kgolo* were accorded an ex-officio status, and *dikgosana* of *merafé* outside the “native reserves” came into the house by election on a rotational basis. Yet the advent of political independence was widely perceived, especially by ethnic minorities, as a process that would liberate them from the “authoritarian” rule of *dikgosi*.

The ethnic question in Botswana contests the notion of citizenship. Citizenship under the liberal democratic setup guarantees the enjoyment of individual and civil rights as well as equality before the law, irrespective of race, class, or ethnic group. Yet these rights are contested in Botswana, given the perception that some ethnic groups are major and others are minor. The issue is that the so-called minorities reject the expectation that they should assimilate Tswana culture and suppress their own under the guise of nation-building. Ethnic minorities argue that their cultural heritage must be recognized in the public sphere so that their languages are not only recognized as official languages but also taught in the schools. What was also contested was the hierarchy of tribal administration implied in the constitution.

Section 3 of the constitution of Botswana guarantees fundamental human rights to every Motswana, irrespective of race, place of origin, political opinion, colour, creed, or sex. Yet there is a perception in Botswana that Sections 77, 78, and 79 discriminated against the so-called ethnic minorities. As a result, on 17 February 1995, Parliament debated and adopted a motion tabled by the Honourable Member of Parliament for Sebina/Gweta, Oliphant Mfa, with a view to amend these sections to make them ethnically neutral. In addressing the issue, His Excellency the President, Festus Mogae, in July 2002, appointed a commission of enquiry and mandated it to make recommendations that would render those sections of the constitution ethnically neutral. More concretely, the people of North East, Ghanzi, Chobe, and Kgalagadi felt discriminated based on the perception that the constitution did not recognize that they have *dikgosi kgolo* and are represented in *Ntlo ya Dikgosi* by *dikgosana* (sub-chiefs). Public discussion of issues surrounding ethnicity, following the consultation of the Balopi Commission, revealed deep-seated ethnic tensions and in a real sense brought back ethnicity as an important dialectic of understanding politics and society in Botswana. Ethnicity has continued to be a contentious political and constitutional issue.

Democratic consolidation should be a process in which these tensions are discussed and resolved in a way that recognizes the plurality of nations founded on unity in diversity. In short, the existence of multiethnic and multiple identities, where the notion of citizenship is contested, does not make consolidation of democracy impossible, but only difficult. Moreover, the stability that the country enjoys is not so much a result of the cultural homogeneity of the country but more profoundly of the nature of the struggles of inclusion. The struggles by the so-called ethnic minorities for inclusion and recognition as equals are negotiated on the basis of a stable democratic rule, which does not challenge the existence of the state.

Perhaps now, during the “third wave” of democratization, ethnicity is taking primacy as a new site for democratization. Now that independence has been won, ethnic minorities who had accepted their low status are increasingly questioning the social ordering in society. Without questioning the legitimacy of the post-colonial state, they demand that, as a part of democratic consolidation, the state should be more inclusive and accommodating. The ethnic question in Botswana is intimately bound up with the issue of *hogosi*, which is the subject of discussion in the next section.

BOGOSI AND DEMOCRACY

The interface between *bogosi* and democracy constitutes an “unending project, an aspiration that is subject to renegotiation with changing circumstances and growing claims by individuals and communities for recognition and representation” (Nyamnjoh 2003, 111). Botswana’s exceptionality in creating a stable democratic state when most sub-Saharan states have experienced phases of political instability could be attributed to Tswana traditions and cultures. Needless to say, Batswana are well known to be a peace-loving people; it is argued that Botswana’s stability is premised on a successfully blending of Westminster parliamentary institutions and the traditional institution of *bogosi*. The continuity between the modern and traditional elites was borne out of the fact that Khama, who became the first prime minister (and later became president) was a figure that straddled both elites (traditional and modern) and was able to facilitate a reciprocal assimilation of these elites and thereby diffused the inherent tension between republicanism and *bogosi*.

The creation of the Republic of Botswana as a unitary state based on the Westminster parliamentary system with parliament as the only legislative authority and the House of Chiefs (*Ntlo ya Dikgosi*) as a second chamber with no legislative powers defined the power relations between *dikgosi* and the republican government. In addition to the provisions made in the Constitution, the Chieftainship Act, the Tribal Land Act, and the Matimela Act, among others, circumscribed the political, judicial, and economic roles of *dikgosi*. The Chieftainship Act curtailed their political powers as absolute sovereigns; they play second fiddle to politicians. Their involvement in politics is only incidental, and where they take overt political roles, they are expected to resign²⁴ their positions as *dikgosi*. Perhaps more importantly, the Tribal Land Act relieved them of their important function of land allocation, which was given to newly established institutions, the Land Boards. Moreover, the Matimela Act also relieved them of the economic power of collecting stray cattle. Although these developments did not completely destroy the authority of *dikgosi*, it undermined their “potential ... as a counter-hegemonic site” for claim to political power. Despite its severely curtailed powers, the maintenance of the institution was recognition of the Tswana cultural heritage and also of the

influence that traditional leadership has on people, especially in the rural areas.

After independence, numerous studies speculated on the future and survival of *bogosi* in Botswana (Proctor 1968; Picard 1980; Gillett 1973; Jones 1983). As stated above, with the adoption of the independence constitution, *dikgosi* lost the mantle of political power, and they were statutorily relegated to a second position in terms of legislative authority. More precisely, they do not have legislative powers; they only advise government on matters relating to tradition and custom. They now operate as civil servants under the political authority of the minister of local government. *Bogosi* constitutes one of the four structures of local authorities, which include the district council, the land board and district commissioners office. *Dikgosi* are ex-officio members of district councils and village development committees and are central to the lives of rural people. *Dikgosi* also preside over customary courts.²⁵

Despite the tenuous relationship that exists between *dikgosi* and politicians, a judicious balance between the two institutions, they complement one another in matters of governance. Although the post-colonial state has curtailed the powers of *dikgosi* in their judicial, political, and administrative powers, they are still accorded a lot of respect and also have a lot of influence. The primary functions of *dikgosi* are to mobilize *morafe* for development purposes and also to play an important judicial function. They have a responsibility to instill a sense of community, discipline, and stability within their areas of jurisdiction.²⁶ The structure of *bogosi* is decentralized. The *kgosi* presides over the main *kgotla*; *dikgosana* (headmen) preside over wards.²⁷ All the wards are courts of arbitration, which resolve disputes within communities. In this way, *bogosi* has the effect of omnipresence among the people. However, it is only when a headman of record heads a ward that evidence of their court proceedings can be admitted in the magistrates' court. In civil cases, *dikgosi* have limited warrants.²⁸ On matters of culture, *dikgosi kgolo* (paramount chiefs) have unlimited powers. However, respecting criminal cases, the penal code specifies cases they can try.

In the words of Sir Seretse Khama (1970, 468), the founding father of the Republic of Botswana:

Modern democracy in Botswana does not rest on the formal institutions of representative democracy alone. Parliament and the District Councils are virtually augmented by the institutions of participatory democracy, notably Village Development committees, cooperatives and a wide range of voluntary organizations, including woman organizations, including parent teachers associations, through which people can exert direct influence on decisions concerning the quality of their lives.... The president and parliament can govern effectively only with the consent and active participation of the people. The institutional framework has changed, but the fundamental principle, that decisions which affect the lives of the people must have the consent of the people, has not been modified. Indeed it has been strengthened, since these modern institutions are more flexible, and of course better suited to the increasing complexities of development and economic growth.

Since independence, the post-colonial state has recognized the essential role that pre-colonial structures and institutions such as *dikgosi* and *dikgotla*²⁹ (village assembly) could play in Botswana politics. *Dikgosi* remain the traditional heads of districts and government uses *dikgotla* as forums for public consultation and dissemination of government policies. This interface between traditional and modern institutions of governance has created the basis of a stable democratic rule. The then minister of local government, Michael Tshipinare (Bopa 2004, 1), commended *dikgosi* for enhancing Botswana's development goals for 2016 by "reconcil[ing] the differences that exist in their communities." Through the *kgotla* system, "justice" is brought to the people. He further observed that if customary courts did not exist to try cases within their warrant, magistrate courts would be brought to a grinding halt. In many ways, it is argued that democracy in Setswana culture³⁰ existed long before modern forms of government or judicial system. Speaking on the theme of culture democracy, commemorating the Culture Day in Lobatse, the then minister of science and technology, Boyce Sebetela, maintained that "democracy is part of Botswana culture ... Botswana practiced democracy through *dikgosi* ... before the modern form of government was introduced ... the *kgotla*

system where everyone was allowed to speak is a demonstration [that] democracy exists within the Setswana culture.”³¹

However, this is not to suggest that emergence of the Westminster parliamentary democracy as a dominant political paradigm was a smooth one; it manifested serious political contests, which are defining characteristics of Botswana politics. An analysis of democratic consolidation in Botswana must take into account the struggles between *dikgosi* and government; these tensions have been major but have never reached breaking point. The alliance between the two institutions has not been an easy one; it has been one of love and hate, and political pragmatism won the day. Based on the erosion of their authority (Gillett 1973), the cohesion or the traditional alliance that existed between *dikgosi* and the Botswana Democratic Party (BDP) experienced some noticeable, although not complete, rupture. *Dikgosi* are now transformed into civil servants and are expected to be non-partisan, and their association in politics can only be incidental.

Just to recap issues, the BDP was formed in 1962, at the instigation of the colonial administration, with the express aim of neutralizing the militancy of the Botswana Peoples Party (BPP). The BDP emerged as an alliance of the traditional aristocracy of *dikgosi* and *dikgosana* (headmen), the traditional cattle-owning elite,³² teachers, civil servants, and small traders. With the support they got from *dikgosi* and *merafe* (nations) they preside over, BDP was guaranteed a landslide victory in the independence election of 1965 and have won every election since. Moreover, the disparities in wealth and income³³ distribution have aided the development of a system of patronage between rural peasants and *dikgosi*, and the new ruling elite.

Dikgosi are eminent persons within their *merafe*, and their influence often transcends their ethnic domain and, although indirectly, influences political fortunes of political parties. Although Seretse Khama did not take up the throne of *Bangwato* when he decided to join politics and form the BDP, he continued to wield enormous influence, and the Central District became the heartland of his party. The legacy of the Khama dynasty remains an important in Botswana politics, especially within the BDP.

The decision by government to make *Kgosi* Linchwe II of Bakgatla Botswana’s ambassador to the United States in 1968 was perhaps out of the recognition that his presence in Mochudi³⁴ confused the political fortunes of the ruling party. Subsequently,³⁵ and after he was out of the scene,

the BDP was able to work on the Kgatleng parliamentary constituency and subsequently won it. Manifesting the ongoing battles between *bogosi* and government, *Kgosi* Bathoen II of Bangwaketse resigned from *bogosi* in 1969 to join politics on the ticket of the opposition Botswana National Front (BNF). In what appeared to be an uneasy alliance between traditionalists and Marxists, Kanye and its outlying areas became the stronghold³⁶ of the BNF, a legacy that continues today. In the run-up to the 1994 election, perhaps in a bid to remove *Kgosi* Bathoen II from the political scene or to appease him and his people,³⁷ government appoint him customary court president.

The outcry of Bangwaketse, following the suspension of their *kgosi*, *Kgosi* Seepapitso IV, demonstrated that people still accord *bogosi* a lot of respect and support. *Kgosi* Seepapitso IV was suspended from the throne by government for alleged “lack of co-operation with the authorities and disregard for government policy.”³⁸ Exercising his constitutional powers, the minister of local government and lands appointed to the throne, Le-ema Gaseitsiwe, Seepapitso’s son, as acting *kgosi* of Bangwaketse.³⁹

The collusion between civil society and political society for the reinstatement of *Kgosi* Seepapitso was also significant. The BNF, as the main opposition, said, “the treatment meted out to *Kgosi* Seepapitso IV was spurious and fell far short of what might normally be expected of a so-called democratically elected government.” Eitlhopha Mosinyi of the Lesedi La Botswana (LLB) said the suspension of *Kgosi* Seepapitso was “unfair, oppressive and out of our tradition as Batswana.”⁴⁰ Tribesmen were also up in arms at a *kgotla* meeting addressed by the then president Sir Ketumile Masire.⁴¹ Bangwaketse complained that, despite the various representations they made, government was not paying heed to their request to reinstate *Kgosi* Seepapitso IV.

The words of an elderly tribesman summarizes it all:

You in person [President Masire] told us that your government is a government of the people by the people, a government of consultation. Today you have reneged those words.... I tell you that *bogosi* is a serious matter. We tell you that you have spoiled your chances; you have undermined your dignity by discarding your own *kgosi* and you made his own son, without proper consultation, to act in his throne. The enthronement

of Leema is not proper because it did not follow tradition.
[translation]⁴²

Kgosi Seepapitso was subsequently reinstated to the throne, he later took leave of absence to join the diplomatic service. He returned to his *kgotla* and became the chairman of *Ntlo ya Dikgosi*.

Over the years there have been debates as to whether or not *bogosi* as a traditional institution is losing its dignity because it is being politicized. As an institution of government, it is used as an instrument for political patronage. Retired politicians and civil servants are made *dikgosi*, and this ensures that government has control over the institution, and it does not emerge as a counter-hegemonic site. Government has also in a subtle way, because it cannot antagonize the institution, devalued it by not upgrading it in terms of support services, infrastructure and pay structure. As a result, young educated chiefs find it uninspiring, and some have made attempts to join power politics.⁴³ But the big question is whether *bogosi* is dying?⁴⁴ I submit that it would take time for it to die. Perhaps it is repositioning itself in the post-colonial state. As a traditional institution; it enjoys legitimacy, especially among the rural people.

Perhaps it is in order to conclude this section with a cautionary note from Keane (1989, 9) who maintains that:

... in matters concerning democracy the past is crucial for the present; that tradition is not the private property of conservatives; and that a key element of a modernist outlook is the presence of the past in the present that attempts constantly to claim and supersede the past ... the viability of democratic theory and politics depends not on their capacity to forget about the past, but at least in part on their ability to retrieve, reconstruct and imaginatively transform the old.

DEMOCRATIC CONSOLIDATION

It is almost four decades since Botswana began what has turned out to be Africa's most enduring experience with liberal democracy. When most of

Africa opted for one party and military governments, which was the norm during the 1960s and 1970s, Botswana remained resolute in its adherence to multi-party democracy⁴⁵ (Dahl 1989; Diamond 1991; Huntington 1991; Linz and Stepan 1996). Having met its minimum attributes, as discussed by various scholars (Przeworski 1991; Huntington 1991, Linz and Stepan 1996; Diamond 1999), it qualifies as a democracy. Perhaps in what Huntington (1991) refers to as a “third wave” of democratization, it is instructive to go beyond identifying the formal appearance of democracy to determining the extent of democratic consolidation. In what Przeworski (1991), Linz and Stepan (1996), and Diamond (1996) conceive as the “the only game in town,” democracy has become a universal ideology.

Linz and Stepan (1996, 15) define a consolidated democracy as “a political regime in which democracy as a complex set of institutions, rules, and patterned incentives and disincentives has become, in a phrase, the only game in town.” Democracy is consolidating if the processes of electing leaders into office and holding them accountable are widely accepted by the populace and are taken as the norm for regime change. More substantively, it entails the establishment of an institutional framework for facilitating free and fair elections, the separation of powers, and effective oversight of democratic procedures to ensure transparency and accountability. Diamond (1999) refers both to “institutionalization” and “legitimation” as key variables that underpin democratic consolidation. Institutionalization refers to the existence and adherence to codified rules and procedures in dispensing democratic practice. And with respect to legitimation, the existence of institutional structures that supply democracy is not enough; democracy is said to be consolidating if citizens also demand it. Yet Botswana demonstrates that institutions, which are defined to be outside the structure of democracy or that are said to be inherently authoritarian, operate within the structures of democratic institutions. The unity or convergence of opposites (parliamentary institutions and *bogosi*) in what in other traditions would manifest the reification or bifurcation of the state perhaps explains Botswana’s exceptionality.

Democracy is understood to mean regular free and fair elections, enjoyment of civil liberties and political freedoms, and a military that is subordinate to civil authorities. Such a system exists in Botswana but co-exists with the traditional institution of *bogosi*. Democracy should be understood as a contested process that is evolving and ever-changing.

Democracy, like society itself, is a dynamic process that is forever seeking to widen and deepen its frontiers. The challenge that social scientists face is to integrate *bogosi* into the conceptual and theoretical map of democratic consolidation.

To comprehend democracy at the local level, “we need to ask ourselves not only how people understand and interpret basic democratic institutions such as elections but also what value people attach to [*bogosi*].” The fundamental conceptual issue to grapple with is that elections are one of the fundamental tenets of democracy without which we cannot say we are democratizing, let alone consolidating democracy. Yet *dikgosi* assume office through hereditary means, which are not always based on merit. However, a way out of this seeming paradox is that *bogosi* is no longer contending for political power; the institution helps to legitimate the Westminster parliamentary system. Through their respect and influence in the rural areas, they are able to deepen democracy. For many rural people, *bogosi* is not an “obstacle to democracy, but a necessary intermediary which will ensure that change occurs in an orderly and familiar way” (William 2004, 121). *Dikgosi* are an embodiment of identity and belonging, and in the rural areas they are there among the people, and their identity with government helps to legitimize government to the people.

The basic thesis of this chapter is that, instead of conceiving *bogosi* and democracy as inevitable opposites, we need to reconfigure our conceptual tools and see the co-existence of the two institutions more positively. *Dikgosi* have accepted their position in the political structures of the polity. The constitution defines them as a second chamber of the legislature, without any legislative authority. *Dikgosi* are no longer contesting this position, although they would be happy with enhanced powers but are resigned to being civil servants operating under the minister of local government. In addition to accepting their advisory role to government on matters of tradition and culture, they have also availed the *kgotla* to communicate with the people, thereby legitimating the new governing structures.

To say that “democracy is the only game in town,” according to the cultural values theory, is to suggest that modern values have replaced traditional values, but in Botswana people still have multiple affiliations, such as ethnic identity, which are presided over by *dikgosi*. According to the Afrobarometer (2003) data, 27 per cent of Botswana identified with

their ethnic group, while 42 per cent maintained a national identity. In any society, “innumerable collective entities exist to which citizens may be attached” (Dahl 1989, 46), but such attachments do not weaken their democratic probity. To argue that *bogosi* is inconsistent with democratization is to fall into the trap that “the development of democratic institutions, and consequently democratisation,” at least insofar as Botswana is concerned, “are inappropriate for non-western societies” (Huntington 1991, 22). Democracy is universal in character but in every situation is anchored on the prevailing cultural and socio-economic conditions. Arising from this specificity, no two democracies can be identical, as they are socially embedded.

In a more profound way, *dikgosi* can make a contribution to the deepening of democracy in the rural setting. The Botswana government has come to terms with the fact that it would be a mistake to make people choose between liberal democracy and *bogosi*. *Bogosi* has embraced democracy. The challenge for social science research is to develop a paradigm that would unpack this relationship and develop a comprehensive theory that would explain the endurance of democratic transitions in traditional societies. This would be an attempt to go beyond the simplistic notion of viewing democratic consolidation in a linear fashion where the west is seen as a paragon of excellence. To a limited extent, democratic consolidation implies the emulation of western ideals, but more fundamentally it is a process that is nurtured and given form and content by conditions that prevail in every society. For democracy to be relevant, it has to be based on local conditions and mediated through peoples’ dreams, aspirations, and struggles. Botswana’s exceptionality bears testimony to this fact; its democracy is a reflection of the blending of the Westminster model and the traditional institution of *bogosi*. *Dikgosi* should be seen as intermediaries, who in a manner different from civil society “straddle the space between the state and society” (William 2004, 122).

In the Afrobarometer (2003) survey, 66 per cent of the respondents said democracy is a preferable form of government. When they are forced to reject non-democratic alternatives, 50 per cent said they would “disapprove all decisions made by *dikgosi*” and 41 per cent said they would approve of *dikgosi* making decisions. This should make us pause and think. It suggests that it is wrong to regard politics as a zero-sum game – that you either support a parliamentary democracy or *bogosi*. To do that is to miss

the point altogether. Moreover, the question is a bit out of context in that respondents are being forced to make a judgment about a process that cannot take place. Perhaps the question should have been, should *dikgosi* have a role in making decisions? Botswana is clearly a republican government, and there is no way that *dikgosi* can make all decisions. Nevertheless, support of rule by *dikgosi* is still a significant factor, and people are saying that they should play a role in advancing the course of democracy. What the data suggests is that, while people support democratic rule, their attitudes reflect that they still pay homage to traditional rule. And in the Botswana context, it should not be interpreted to mean a return to rule by *dikgosi* but simply that *dikgosi* also have a role to play in advancing democracy.

Still using the Afrobaroter (2003) data, respondents were asked how much trust they have in institutions. In a liberal democratic setting, elections cannot take place without political parties. Although Botswana is widely perceived as the longest surviving multi-party democracy in sub-Saharan Africa, political parties are the least trusted political institutions in Botswana. In combining the scores of "I trust them somewhat and I trust them a lot," the National Assembly scored 79 per cent, while *Ntlo ya Dikgosi* scored 83 per cent; *dikgosi* scored 73 per cent, while political parties scored 43 per cent.

CONCLUSION

The overall conclusions that emerge from this chapter are that, much as Botswana are being socialized into liberal democratic institutions, based on the Westminster parliamentary system, their perceptions are still rooted in the traditional institutions. Despite the fact that the authority of *dikgosi* is significantly eroded, their influence over people is still an important political reality and does not show any signs of receding. In a more profound way, the *kgotla* remains a focal point for public consultation, discussion, and dissemination of information. What is needed is to adapt it more to liberal democratic procedures, to make it more inclusive and democratic. Therefore democracy as a contested process must be seen as a socially contested process that involves a synergy of liberal democratic institutions and *bogosi*. These processes must not be seen as mutually ex-

clusive but as complementary processes geared toward good governance and democratic consolidation. Instead of being perceived as anathema to democratic rule, they should be seen as a source of legitimacy and basis for consolidating enduring democratic rule. *Bogosi* has been reinvented to play a supporting role in the process of democratization.

Moreover, instead of modernization eroding peoples primordial loyalties, i.e. belonging to a particular ethnic group, there is growing evidence that people, while they do not challenge the basis of the nation-state, their primary form of identity is with their places of origin. Ethnicity should not be wished away as an identity of the past but must be recognized as forming a core identity, with people simply adding on other forms of identity and not replacing it. Increasingly ethnicity is emerging as a new site of democratization as people require that constitutions should be ethnically neutral and accord people equality of citizenship. These observations constitute the greatest challenge for democratic theory and suggest that social scientists need to develop conceptual tools of comprehending this social reality.

NOTES

- 1 National Democratic Institute for International Affairs (1990), 8.
- 2 Good (1996): 1.
- 3 This was following the request for British protection of the three Tswana chiefs: Khama, Sebele, and Bathoen.
- 4 This was the case in areas where there were significant white settler populations.
- 5 The banishment of Bakwena Kgosi Sechele to Ghanzi created serious succession disputes.
- 6 Kgosi Linchwe II of Bakgatla made representation to the Balopi Commission, since nations were built on conquest and domination, most of the Tswana ethnic groups are not monolithic units; rather, they are an amalgamation of several ethnic groups. Ethnic groups are made up of ethnic minorities. For example, he pointed out that Bakgatla ba ga Kgafela in Mochudi are made up of Bakgatla, Batlokwa, Bakwena, Bakalanga, Bapedi, Bakgalagadi, Basarwa, Baherero, Matebele, and other groups.
- 7 According to Morton and Ramsay (1987, 65), these established *merafê* were Bakwena, Bangwato, Bangwaketse, Bakgatla ba-ga Kgafela, and Batawana.
- 8 Bakgatla, as an ethnic group, are made up of five groups, namely:

those of Moseitlha, Kgafela, Mocha, Kau, and Mmanaana. Moseitlha was born as the eldest daughter of the Bakgatla *Kgosi*, but some Bakgatla refused to recognize her authority and broke away with the first son of the second house Kgafela and moved westwards towards present-day Botswana. On the way, group that later on came to be identified as Bakgatla-ba-ga-Mmanaana broke away and perhaps were the first Bakgatla to settle in Botswana. Due to the fact that they did not have land, they settled among the Bagwaketse and Bakwena and were reduced to a minority status. Upon arrival in Botswana, they settled among Bangwaketse. Though subordinate to Bangwaketse, they did not pay tribute to them and had good relations with them. However, relations between the two groups deteriorated after *Kgosi* Gaseitsiwe Bathoen assumed the reigns of power in 1928. Gbuamang, *Kgosi* of Bakgatla-ba-ga-Mmanaana, who had had good relations with Bathoen's father and was already old, assumed the young Bangwaketse *Kgosi* (Bathoen) would rely on his experience. Instead, Bathoen had a different style of leadership; he did not consult with Gbuamang. After all, he was an absolute sovereign and Gbuamang was his subordinate. Problems between the two started, as discussed in Morton and Ramsay (1987: 69), after the Seventh Day Adventist Mission decided to extend health services to cover the entire Ngwaketse Native Reserve in return for a fixed annual premium. *Kgosi* Bathoen, after only consulting Bangwaketse in Kanye, imposed a levy of 2 shil-

lings on every adult in the reserve. Gbuamang did not take kindly to this; he refused to collect the levy from his people, arguing that it would impose a heavy financial burden on them. He asserted that "the hills and planes of [Moshupa] belonged to Bangwaketse, but the Bakgatla belonged to [him]" (Morton and Ramsay 1987, 69). Bathoen viewed Gbuamang's reaction as insubordination, which was not at all acceptable to him. He enlisted the support of the colonial administration and tried to depose Gbuamang from the throne. Following the misunderstanding and ill-treatment he received from Bathoen, he decided to go into exile. He and his people settled in Thamaga in the Kweneng Reserve.

- 9 These included, among others, Babirwa, Bakgalagadi, Bakalaka, Bayei, Hambukushu, Basarwa and Bakgatla ba-ga-Mmanaana, Baherero, Bapedi, and Bakhurutshe.
- 10 Interview with Mmirwa Malema at Molalatau, 23 June 2001.
- 11 They include Barolong in Matsiloje and Moroka; Bapedi in Tutume, Nswazi, Masunga, Mathangwane, and Nkange; Bahurutshe in Makaleng and Kalakamati; Bakaa of Sebina, Ndebeles of Ramakgwebana, Jackalas No. 1 and No. 2. Bakalanga are also found in the Central District in places like Serowe, Palapye, Mahalapye Tonota, Mmadinare, and Pilikwe.
- 12 The BB1 *kgotla* in Sebina was created by Serowe to oversee the Bakalanga, who were under Bangwato control.

- 13 His remains have recently been exhumed and re-buried in Botswana.
- 14 It is in line with these sentiments that we should understand why residents of Mathangwane were up in arms protesting the decision to make Tonota a sub-district of the Central District (*Botswana Gazette*, 18 April 2001, p. 1). Manifesting ethnic sentiments, the residents who feel a closer cultural affinity to Tutume (both Kalanga-speaking) than to Tonota (Tswana-speaking) would rather join Tutume sub-district rather than be a part of Tonota sub-district. Interviews with *Kgosi* Masunga, 25 June 2001, Masunga; interviews with *Kgosi* Ramokate Makaleng, 25 June 2001; interview with *Kgosi* Selolwane, 26 June 2001, Tutume.
- 15 Bambukushu who resided in the villages between Mohembo and Seronga escaped the harsh Tawana rule in part because of their distance away from Maun and also because Batawana used them as rainmakers. For detail see Morton and Ramsay (1987, 112).
- 16 They were derogatorily referred to as *Makoba*. Interview with Motsamai Mpho in Maun.
- 17 Interview with Motsamai Mpho, 10 August 2000, Maun.
- 18 The Kalahari, where most of them are found, is part of the hinterland, which is difficult to access, and is far removed from the major urban areas.
- 19 Some of these people are found in nearby areas is the Kgatlang District as Khurutse, Bodungwe, and Kweneng in the Kweneng district. So their designation as remote area dwellers does not manifest distance per se but the extent of poverty. They are the poorest of the poor. Interviews in Khurutse and Bodungwane, 7 August 2002.
- 20 They are regarded as ethnic minorities who were oppressed by the Tswana ethnic groups.
- 21 These include Bashaga, Bangologa, Baboloongwe, Bathlaping, Batlharo, Bahurutshe, Baphaleng, Bathlaping, and Barolong.
- 22 Interview with *Kgosi* Church Seipone, 2 August 2000, Kang; Interview with *Kgosi* Anthony Moopare, 3 August 2000, Hukuntsi.
- 23 These include, among others Babolongwe, Baxuikwe, Xankwe, Banao, Makaukau, and Baxong. Interview with Mothusa *Kgosi* Mr. Tuelo Sekalabue, 5 August 2000, New Xhadi; interview with Roy Sesana. They also include BaQoo, Batshila, BaG//kwe, Babukakwe Bazunxese, Bag/aneko, and Bag/orokwe, 7 August 2000, Ghanzi.
- 24 There are precedents to this effect as Bathoen II resigned his position of Bangwaketse when he joined politics. A close reading of the Constitution and the Chieftainship Act does not clearly spell this out. Matters are confused further by the fact that Khama did not rescind his throne when he entered politics. Perhaps the difference is that he never practised as *kgosi* but he was installed as *Kgosi* Kgolo of Bangwato and *Kgosi* Sediegeng Kgamane is Acting *Kgosi* Kgolo.

- 25 Botswana has a dual legal system, namely received law (i.e., Roman Dutch Law) and customary law. Following the declaration of the Bechuanaland protectorate in 1885 (but more specifically in 1909), the common law of the Cape colony became law of the protectorate. This law was applicable only to Europeans. The law governing the affairs of Botswana remained customary law.
- 26 Interview with *Kgosi* Mothibe Linchwe, acting paramount chief of Bakgatla, 25 July 2004, Gaborone, Botswana.
- 27 Every village has wards, which are used for arbitration. For instance, in Mochudi, main wards in the village according to seniority are Kgosing, Morema, Mabudisa, Tshukudu, and Manamakgota. Two other wards, Phaphane and Boseja (north and south), were created as a result of the expansion of the village.
- 28 The structure of the institution is that it is headed by paramount chief (*kgosi kgolo*), followed by deputy *kgosi kgolo*, senior chief representative, chief representative, and headman. Cases beyond P4,000 are referred to the magistrates court. Cases up to P4,000 are tried by the *kgosi kgolo* and his deputy, senior chief P2,500, chief representative P10,000 and headman P500.
- 29 Traditionally the *kgotla* (assembly) served as a forum for customary court and a platform where political and economic matters pertaining to the community were discussed. Its significance and meaning has somewhat changed with the advent of the colonial and post-colonial states which not only curtailed its judicial functions, to only try civil cases, but also strip it of its political functions. For details, see L.D. Ngcongco (1989), 42–47; P.T. Mgadla, and A.C. Campbell, “Dikgotla, Dikgosi and the Protectorate Administration,” in Holm and Molutsi (1989), 48–56.
- 30 Raditladi maintains that democracy existed before the advent of colonialism. During the rule of *dikgosi*, there was constant consultation between a council of elders and *dikgosana* before a decision was taken or a judgment was handed down. In a more fundamental way, culture plays a role in democracy. And in the present representative government, government ministers and members of parliament consult with the people through the *kgotla*. Bopa (2004a), “Democracy is our culture – Historian,” p. 1.
- 31 Bopa emphasized that “all ethnic cultures are equal” and Botswana must find ways of sharing their culture with other people. He said, “culture must be digitalized to preserve it and share it with other people ... products and goods depicting Setswana culture could be marketed globally and that an academy of *bojale* (female initiation school) and *bogwera* (male initiation school) through which nations could teach their youth about Setswana culture.” Bopa (2004b), “Ethnic Cultures are Equal,” pp. 1–2.
- 32 Although cattle contribute only 2 per cent of the gross domestic product and their ownership is skewed, they remain the mainstay of the rural economy. It is estimated that

- 45 per cent of the rural households own no cattle, and 60 per cent of the cattle are owned by only 5 per cent of the population.
- 33 Botswana is a success story in terms of economic growth, it is one of the richest countries in sub-Saharan Africa (its per capita income only exceeded by that of Mauritius). Though a market-led economy, there are huge disparities between the rich and poor. Botswana is only exceeded by Brazil in this regard.
- 34 Mochudi is the administrative and political seat of the Kgatleng District.
- 35 Although not immediately, because, in 1969, the Botswana Peoples' Party candidate, T.W. Motlhagodi, defeated the BDP candidate, Norman Molomo, but in 1974 Greek Ruele won it on the BDP ticket. Since then, the seat has oscillated between the BDP and BNF.
- 36 The BNF lost their hold of the area during the 1994 due the splits and internal wrangles in the party. However, during the 1999 election, the party reclaimed the seats.
- 37 Notwithstanding the fact that Kgosi Bathoen was then the most senior of the Dikgosi Kgolo, government may have appointed him in recognition of the contribution he would make to the institution, but the politics of cooptation can never be ruled out.
- 38 T. Boitumelo, "Re-instate Seepapitso, Opposition Says," *Midweek Sun* (4 May 1999), 1.
- 39 Ibid.
- 40 Ibid.
- 41 Sir Ketumile Masire is a member of the Bangwaketse ethnic group, of which Seepapitso IV is *kgosi*.
- 42 For details, see M. Mothibi, "Tlho-baelo ya Bangwaketse: Kgosi Leema ga a Tshegelwa," *Mmegi* 11, 34 (September 1994): 4.
- 43 In fact the sitting president, Ian Khama Seretse Khama, is paramount chief of Banwato. *Kgosi* Tawana of Batawana left the throne in a bid, though not successful, to join the ruling party as a candidate for one of the constituencies for his village on Maun.
- 44 There is a lurking danger that *bogosi* is a dying institution. Stalwarts of the institution such as *Kogi* Linchwe II of the Bakgatla are showing signs of fatigue and disillusionment with the institution. In an interview with the *Botswana Gazette* (2004, 1), he is alleged to have said that Bakgatla are no longer "cooperative," they have "lost their culture," and this makes him "reluctant to lead them." Part of his unhappiness arises from the fact that in 1994, when Mochudi was engulfed in major disturbances following the murder of Segametsi Mogomotsi, a pupil of Radikolo Community Junior Secondary School, some members of his *marafe* "accused" him of being "involved in the killing." He said he was "insulted by the youth and some parents encouraged them to do so," including some community leaders. However, despite saying that he would never take up his traditional role again of leading his *marafe*, he said he would not abdicate *bogosi* as it is his birth right and would pass it on to his heir, Kgafela. On whether he would join

politics, he said as *kgosi* he would not “interfere in politics.”

- 45 To situate the democratization debate in its proper perspective, democracy requires: (1) the existence of a multi-party framework underpinned by basic freedoms to articulate divergent political views; (2) the existence of universal adult suffrage; (3) regular free and fair elections conducted in a competitive atmosphere; (4) the

existence of a vibrant civil society, and the existence of alternative sources of information; (5) the existence of the rule of law in accordance with constitutional provisions; (6) a bureaucracy impartial in its implementation of government policy and neutral and willing to serve any government that comes into power; and (7) democratic control of the military.

REFERENCES

- Afrobarometer. 2003. <http://www.Afrobarometer.org>
- Almond, G., and B. Powell. 1966. *Comparative Politics: A Developmental Approach*. Boston: Little Brown and Co.
- Apter, D. 1965. *The Politics of Modernization*. Chicago: Chicago University Press.
- Bopa. 2004a. “Democracy is our Culture – Historian.” *Daily News* Gaborone: Government Printing (1 June); <http://www.gov.bw/cgi-bin/news.cgi?>
- Bopa. 2004b. “Ethnic Cultures are Equal.” *Daily News*. Gaborone: Government Printing (31 May); <http://www.gov.bw/cgi-bin/news.cgi?>
- Dahl, R. 1989. *Democracy, Liberty, and Equality*. Oxford: Oxford University Press.
- Diamond, L. 1987. “Ethnicity and Ethnic Conflict.” *Journal of Modern African Studies* 25, 1: 117–28.
- Diamond, L., and M. Plattner. 1999. *Democratization in Africa*. Baltimore: Johns Hopkins University Press.
- Gillett, S. 1973. “The Survival of Chieftainship in Botswana.” *African Affairs* 72, no. 287: 179–85.
- Goldsworthy, D. 1982. “Ethnicity and Leadership in Africa: The Untypical Case of Tom Mboya.” *Journal of Modern African Studies* 20, no. 1: 107–26.
- Gonçalves, E. 2002. “Perceptions of Traditional Authority in Mozambique, 1992–2002: A Case of Study of Mocumbi District, Inhambane.” BA (Hons) dissertation. University of Cape Town.

- Good, K. 1996. "Authoritarian Liberalism: A Defining Characteristic of Botswana." *Journal of Contemporary African Politics* 14, no. 1: 29–51.
- Government of Botswana. 1977. *Matimela Chapter 36:06*. Gaborone: Government Printer.
- Government of Botswana. 1977. *Tribal Land Chapter 32:02*. Gaborone: Government Printer.
- Government of Botswana. 1983. *Report of the Presidential Commission on Land Tenure*. Gaborone: Government Printer.
- Government of Botswana. 1987. *Constitution of Botswana Chapter 1*. Gaborone: Government Printer.
- Government of Botswana. 1991. *Report of the Presidential Commission of Inquiry into Land Problems in Mogoditshane and Other Peri-Urban Villages*. Gaborone: Government Printer.
- Government of Botswana. 1992. *Government Paper No. 1 of 1992 Land Problems in Mogoditshane and Other Peri-Urban Villages*. Gaborone: Government Printer.
- Government of Botswana. 1993. *Implementation of the Tribal Land (Amendment) Act*. Gaborone: Government Printer.
- Government of Botswana. 1994a. *Government Gazette xxxii, 34*. Gaborone: Government Printer.
- Government of Botswana. 1994b. *Government Gazette xxxii, 35*. Gaborone: Government Printer.
- Government of Botswana. 1997. *National Development Plan 8: 1997/98–2002/03*. Gaborone: Government Printer.
- Government of Botswana. 2000. *Report of the Presidential Commission of Inquiry into Sections 77, 78 and 79 of the Constitution of Botswana*. Gaborone: Government Printer.
- Government of Botswana. 2001. *Report of the Second Presidential Commission on the Local Government Structure*. Gaborone: Government Printer.
- Harrison, G. 2002. "Traditional Power and its absence in Mecúfi, Mozambique." *Journal of Contemporary African Studies*, 20: 107–30.
- Horowitz, D. 1985. *Ethnic Groups in Conflict*. Berkeley: University of California Press.
- Jones, D. 1983. "Traditional Authority and State Administration in Botswana." *Journal of Modern African Studies* 21, no. 1:133-139.
- Keane, J. 1998. *Civil Society: Old Images, New Visions*. Cambridge: Polity Press.

- Khama, S. 1970. "Botswana: Developing a Democracy in Southern Africa." Address at the Dahammerskjold. Uppsala, Sweden (11 November). In *Politics and Society in Botswana*, ed. D.L. Cohen and Jack Parson, 465–73. Gaborone: Department of Political and Administrative Studies, University of Botswana.
- Lerner, D. 1958. *The Passing of Traditional Society: Modernising the Middle East*. New York: Free Press.
- Linz, J., and A. Stepan. 1996. "Towards Consolidated Democracies." *Journal of Democracy* 7, no. 2: 14–32.
- Mafeje, A. 1971. "The Ideology of Tribalism." *Journal of Modern African Studies* 9, no. 2: 253–61.
- Mamdani, M. 1996. *Citizen and Subject: Contemporary Africa and the Legacy of Colonialism*. Princeton, NJ: Princeton University Press.
- Markovitz, I. 1977. *Power and Class in Africa*. Englewood Cliffs, NJ: Prentice-Hall.
- Mgadla, P.T., and A.C. Campbell. 1989. "Dikgotla, Dikgosi and the Protectorate Administration." In J. D. Holm and Patrick Molutsi (eds.), 48–56. *Democracy in Botswana*. Athens, Ohio: Ohio University Press
- Morton, F., and J. Ramsay. 1987. *The Birth of Botswana: A History of Bechuanaland Protectorate from 1910–1966*. Gaborone: Longman.
- Muller, J.Z. 2008. "Us and them: The Enduring Power of Ethnic Nationalism." *Foreign Affairs* 87, no. 2: 18–35.
- Murray, A. 1990. *Peoples' Rights: The Case of BaYei Separatism*. Human and Peoples' Rights Project Monograph No. 9. Maseru: National University of Lesotho.
- National Democratic Institute for International Affairs. 1990. *Botswana Costa Rica Israel: Democracies in Regions of Crisis*. Washington, DC: National Democratic Institute for International Affairs.
- Ngcongco, L.D. 1989. "Tswana Political Tradition: How Democratic." In *Democracy in Botswana*, ed. J.D. Holm and P.P. Molutsi, 42–47. Gaborone: Macmillan.
- Nyamnjoh, F. 2003. "Chieftaincy and Negotiation of Might and Right in Botswana's Democracy." In *The Limits to Liberation in Southern Africa: The Unfinished Business of Democratic Consolidation*, ed. Henning Melber, 93–114. Cape Town: HSRC Press.
- Peters, P. 1984. "Struggles Over Water, Struggles Over Meaning: Cattle, Water, and the State in Botswana." *Africa: Journal of International African Institute* 54: 29–49.
- Picard, L. 1980. "Bureaucrates, Cattle, and Public Policy: Land Tenure Changes in Botswana." *Comparative Political Studies* 13: 313–56.

- Proctor, J.H. 1968. "The House of Chiefs and the Political Development of Botswana." *Journal of Modern African Studies* 6, no. 1: 59–79.
- Przeworski, A., M. Alvarez, J.A. Cheibub, and F. Limongi. 1996. "What Makes Democracies Endure?" *Journal of Democracy* 7, no. 1: 39–55.
- Putnam, R. 1993. *Making Democracy Work: Civic Traditions in Modern Italy*. Princeton, NJ: Princeton University Press.
- Rostow, W.W. 1971. *Politics and Stages of Growth*. Cambridge: Cambridge University Press.
- Schapera, I. 1952. *The Ethnic Composition of Tswana Tribes* London: London School of Economics and Political Science.
- Schraeder, P. 2000. *African Politics and Society: A Mosaic in Transformation*. London: Macmillan.
- Sklar, R. 1979. "The Nature of Class Domination in Africa." *Journal of Modern African Studies* 17, no. 4: 531–52.
- Sklar, R. 2000. "Ethnicity and Traditionalism in the Quest for New Democracies." *Journal of African Studies* 17, no. 1: 7–11.
- Southall, R. 2003. "Between Competing Paradigms: Post-Colonial Legacy in Lesotho." In *The Limits to Liberation in Southern Africa: The Unfinished Business of Democratic Consolidation*, ed. Henning Melber, 115–33. Cape Town: HSRC Press.
- Takirambudde, P. 1982. "Law and Policy in Post Independence Swaziland." *Seminar Paper*, University of Botswana.
- Tlou, T. 1974. "The Nature of Batswana States: Towards a Theory of Batswana Traditional Government." In *Botswana Notes and Records* 6: 57–76.
- Tlou, T., and A. Campbell. 1984. *The History of Botswana* Gaborone: Macmillian Botswana.
- William, M.J. 2004. "Leading from Behind." *Journal of Modern African Studies* 42, no. 1: 113–36.
- Wilmsen, E. 1989. *Land Filled with Flies: A Political Economy of the Kalahari*. Chicago: University of Chicago Press.

INTERVIEWS

Kgosi Church Seipone, 2 August 2000, Kang

Kgosi Anthony Moapare, 3 August 2000, Hukuntsi

Kgosi Tuelo Sekalabue, 5 August 2000, New Xhadi

Roy Sesana, 7 August 2000, Ghanzi

Mpho Motsamai, 10 August 2000, Maun

Kgosi Mmirwa Malema, 23 June 2001, Molalatau

Kgosi Christopher Masunga, 25 June 2001, Masunga

Kgosi Ramokate Ramokate, 25 June 2001, Makaleng

Kgosi Selolwane, 26 June 2001, Tutume

Maggie Kebopetswe, 7 August 2002, Bodungwane

Kgosi Mothibe Linchwe, 25 July 2004, Gaborone

A LIST OF ETHNIC GROUPS IN BOTSWANA

Babirwa, Bakgalagadi, Bakalanga, Bayei, Hambukushu, *Basarwa*, Bakgatla, Ovaherero, Bapedi, Bakhurutshe, Bakwena, Bangwato, Bangwaketse, Batawana, Balete, Batlokwa, Basubiya, Bayei and Barolong, Babanderu.

