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## Legitimacy and succession in Tswana states: the case of BaKwena, 1930-1963

Titus Mbuya

*Succession to Tswana chiefship followed apparently clear rules, but could nonetheless be disputed, especially after colonial rule introduced the new requirement of the Administration's favour. Sebele II, who became chief of the BaKwena in 1918, was deposed by the Administration in 1931 for non-co-operation. His successor, Kgari Sechele II, was initially seen as simply a colonial government appointee, but eventually established his own legitimacy with his subjects. However, he had no children, and after his death in 1962 the problem of the succession returned.*

The various *merafe* of Botswana share a fairly well defined body of rules that govern the institution of chieftainship. Although these may represent an ideal situation which did not always conform to practice, there are definite prescriptions and rules that govern accession to chieftainship. As Chirenje correctly states, according to Tswana law and custom:

Chieftainship is generally hereditary primogenitural, in the sense that chieftainship usually passes from father to son. A chief was never elected in traditional times but his credentials could be questioned by people from within the aristocratic circles called *bagakolodi ba kgosi* (the chief's confidential advisors). When a chief was deposed his successor was invariably another royal (from the same family). Thus the change in chieftancy was effected from within and not imposed from outside.<sup>1</sup>

But this rule was often modified if an incumbent died without having sons. In that case his eldest brother of the second house automatically assumed the right of accession. Hence order of proximity to office was defined by age within ranked houses.<sup>2</sup> Among the Bakwena the first time this rule was violated was during the colonial period when Sebele II was deposed. Instead of his immediate younger brother being installed as his successor, his second younger brother was made chief. This contravened the Tswana standard practice of succession as stated by Schapera:

If a chief dies without leaving a male descendant, his office passes to the other brother immediately junior to him. If the latter is dead, it passes to his senior male descendants.<sup>3</sup>

Even though Tswana law and custom did not formally provide for a chief to be deposed, there are cases in Tswana history prior to the colonial era in which chiefs were deposed either by rivals of factions. Thus the deposition of a chief should not be seen as a phenomenon that was introduced into Tswana society by colonialism. The fact that a chief could in fact be deposed shows the extent to which the laws and rules governing chieftainship could be manipulated and violated depending on the political conditions at a particular point in time.<sup>4</sup> Among the Tswana, deposition at times meant not only being removed but also assassinated. Schapera correctly observes that, in pre-colonial times there were no peaceful remedies (such as punishment or suspension) against oppressive chiefs or in serious cases of dynastic dispute; normally the only

methods of dealing with them were assassination, civil war or secession.<sup>5</sup> For instance among the Bakwena, chief Motswasele II was assassinated in 1820 following accusations of misrule and oppression. In the majority of cases these depositions and assassinations were a result of conspiracies made by the ruling chief's relatives. Hence there were often succession disputes after the death of a deposed chief. Still among the Bakwena, a succession crisis which ended up in a split in the *morafe* occurred when the very same Motswasele died. His assassins Segokotlo (his younger brother) and Moruakgomo (his cousin) fought among themselves in order to take over. Ultimately they both led their respective followers in different directions from the main capital at Sokwane.<sup>6</sup>

The practice of polygamy also created a loophole in the rules governing succession and accession to power. Succession to the throne was determined by seniority of the royal wives rather than by the age of a particular candidate. The rule that stipulated that chieftainship should pass from father to son therefore, could be qualified by adding that his son should be from the senior house. The *mohumagadi* (the senior wife who provides the royal successor) was chosen by the heir's father and the important men in the realm who would consist of Bagakolodi ba kgosi (the chief's advisors).<sup>7</sup> At times, however, this created problems. For instance a chief would favour a particular wife who was not recognized as being senior by the *morafe*. Sechele I of the Bakwena, for instance, loved his wife Mogokgong and wanted her son, Kgari to succeed him. Unfortunately for him the *morafe* did not recognize Mogokgong, primarily because she was a Mongwato (and thus an alien) and moreover was not their choice. This is why when Sechele returned to Kweneng territory his people made arrangements that he married "their daughter" who would bear them an heir.<sup>8</sup> The woman that Sechele married was Selemeng who gave birth to Sebele I who was to become chief Sechele's successor after his death in 1892. This was in spite of the fact that Kgari was older than Sebele and the former's mother had been married first. Tlou alludes to this state of affairs when considering the Batawana:

A system was devised whereby heirship was determined by the seniority of the mother rather than by the age of the son. The senior wife was not necessarily the one first married but the one who had been betrothed and in most cases the senior wife, who had been betrothed was married after the *mmamoleta* (she who awaits the queen).<sup>9</sup>

The *mmamoleta's* son could not become chief unless the *mohumagadi* did not have a son. It is in this light therefore that Sebele I was declared the rightful heir and Kgari could not take the throne.

However, this situation changed with the advent of Christianity in the 1840s. Many Tswana chiefs, such as Sechele and Khama, were converted and as a result polygamy was discarded. According to Tswana tradition all the sons of the chiefs borne of the various wives of the chief were legitimate, while according to Christian morality there could only be one wife and hence the only legitimate children were those in the main house. Besides the *mohumagadi* therefore, any woman who had sexual relations with the chief was treated as a concubine and any child borne of that connection was illegitimate. Tswana law and custom stipulated that the chief's son by a concubine did not have the right to succeed even if there are no legitimate descendants. He became legitimised only if the chief subsequently married his mother. In that case he would have the right to succeed, assuming that no male descendants by a former wife survive.<sup>10</sup> This rule could be seen in operation among the Bakwena in the early 1960s after Kgari Sechele II's death. Moruakgomo, whose mother's marriage to the late

Sebele II was questioned by some members of the *morafe*, was denied chieftaincy. At times it happened that the rightful man to succeed a chief was a minor. According to Tswana custom an heir apparent could not succeed until he becomes of age—that is, until he has been to *bogwera*. Of course this has also been changed due to westernization and the demise of *bogwera*, and the eligible age is set at 21 years. In the event of a chief dying when his successor is still too young to take up as incumbent, the duties of the chieftainship are taken over by a regent or an acting chief. This regent is generally the man next in order of succession to the chieftainship, provided he is of suitable age. The regent, like a chief, is presented formally to the *morafe* in the *kgotla*. But according to Tswana tradition, "Ga a kake a apesiwa nkwe" (he can not be invested with a leopard's skin).<sup>11</sup>

The regent possesses almost all the rights and duties of a chief, and may retain assets accruing to him while acting as incumbent. Since the regent is only acting he is supposed to hand over to the legitimate heir when the *morafe* feels that the latter is ready to rule. If the regent refuses to hand over, or misrules, he may be removed from office.

Also related to these rules the Tswana place a high value upon consultation and participatory politics.<sup>12</sup> Hence it is recommended that a chief should seek the advice and help of his subjects, whether in the *kgotla* or informally. This practice of consultation was well demonstrated when Sechele II died. Even though Kgari was not legitimate, the majority of the *morafe* wanted him to take over instead of Sebele I (thus reversing their earlier verdict). One of paramount reasons why they wanted Kgari was that Sebele who had been groomed by his uncle Kgosidintsi when it was apparent that Sechele would die was a rather harsh young man in the event. Sebele proved to be a tyrant, a dictator and irreversible in his unique policies. He did not yield to persuasion. He was very violent and so oppressive that he even gained the nickname *Matsuatsue* (tornado) which was suggestive of his behaviour. On the other hand people supported Kgari for both his sober mindedness and calmness. But the attempt to install him as chief failed.

It can be noted from the above discussion of Tswana rules guiding chieftainship that there is always room for manipulation and whenever this occurs the contending parties would always justify their course of action along traditional lines, and hence legitimacy as a concept is rendered ambiguous. Also it should be observed these kinds of manipulations have always been inherent in the rules even before the advent of colonial rule. However, colonial rule represented a new element and of course introduced a new aspect of intervention into the institution. In the case of the Bakwena a clear-cut interference by the colonial power can be identified at two stages. The first manifested itself in the deposition of Sebele II in 1931 and the second in the arbitrary appointment of a successor in 1963 who was not the choice of the *morafe*. The first took place when Sebele II was deposed and succeeded by Kgari Sechele II and the second when Kgari himself died and was succeeded by Neale Molaodi Sechele.

Our main concern in this paper is with the deposition of Sebele II and the gradual legitimisation of his imposed successor, Kgari Sechele, in the eyes of his people.

### Why was Sebele deposed?

Oral traditions agree completely with archival evidence that Sebele II, who succeeded Kealeboga Sechele II in 1918, was an irresponsible chief. During his rule Sebele II was very harsh. He was given the nickname 'kgoma ya tlhaba' (wild ox). Sebele was stubborn even with respect to the British administration. He forced people to go to

*bogwera*. He punished them severely and boxed them in the streets and shebeens. This bred strong resentment towards him by his uncles and the Protectorate government itself.<sup>13</sup> It was due to his misconduct that Sebele lost popularity among government officials, his advisors and also members of the *morafe*. It is worth noting that from the outset officials of the colonial government were not content with his appointment as chief of the Bakwena in 1918. The Resident Commissioner when writing to the High Commissioner in Cape Town in 1918 after Kealeboga's death emphasised the fact that Sebele was rather an unstable character and addicted to drink.<sup>14</sup> It is for this reason that in another dispatch the Resident Commissioner requested the High Commissioner to withhold the Secretary of State's approval of Sebele until such time that he could report on his general behaviour and conduct of affairs.<sup>15</sup> Thus Sebele was put on probation for an indefinite period. In fact he was never confirmed as chief before he was deposed in 1931, undoubtedly because his conduct never satisfied the colonial government. It could be said therefore that in the eyes of the colonial government Sebele was not a chief hence it could decide whether he could continue to rule or not.

Some government officials in the Protectorate had as early as 1921 proposed that Sebele be deposed because he could not mend his ways.<sup>16</sup> Hence the High Commissioner in 1921 responding to a request made by the Resident Commissioner to expel Sebele pointed out that before government could take any action, it should be established that a substantial majority of the *morafe* favoured Sebele's removal from chieftainship.<sup>17</sup> The government officials then had to wait eagerly for the *morafe* to voice any grievance against Sebele which would justify his removal, which could be presented as the *morafe's* action.

In 1928 some members of the *morafe* led by a majority of headmen (who were mainly Sebele's advisors) drafted a petition and submitted it to the Protectorate Government. In fact a more or less similar petition had been made in 1926 and failed. The petitioners accused Sebele of misrule and claimed that,

He looks down upon us and does everything alone without any consultation. He thrashes people at their homes and on the streets. He imposes heavy fines at the kgotla. He also drinks heavily.<sup>18</sup>

Sebele had therefore lost favour among some of the most influential members of the *morafe*. The list of names of the petitioners shows that two-thirds of the signatories were the Kgositintsi's and Sechele's who were Sebele's uncles and cousins. It is in this light that when protesting against Sebele's deposition, chiefs Bathoen and Tshakedi of the Ngwaketse and Ngwato respectively alluded to the fact that "Family feuds between the ruling chief and his uncles will be found in every Bechuanaland tribe today."<sup>19</sup>

This argument was not accepted by government. Responding to the petition the Resident Magistrate wrote the Resident Commissioner in 1928 to say,

The petitioners are perfectly right in pointing out that the existing state of affairs with Sebele as irresponsible tyrannical and autocratic, without councillors, without kgotla, without advisors is untenable.<sup>20</sup>

The petitioners demanded an immediate abdication of Sebele.

It is, however, quite evident that the petitioners constituted a minority. The Resident Magistrate admitted that the petitioners consisted of headmen related to the chief's family, and were only supported by a handful of the common men of the *morafe*, whereas the opponents of the petition consisted of the chief, a few headmen

and three-quarters of the common people—thus forming a considerable majority.<sup>21</sup> Worst still the petition was headed by two members of the council who were unpopular among the *morafe*, Kebohula and Moitelasilo. These two, Sebele's immediate uncles, who were also his main advisors, were disliked by the people. For instance in 1927 the Resident Magistrate reported that the general dislike and distrust of Kebohula had existed for a long time. Kebohula had always been looked upon as corrupt and with no property of his own—constantly taking bribes and giving corrupt judgements in the kgotla.<sup>22</sup> On the other hand government liked Kebohula who did very well as an acting chief when Sebele had gone on leave in 1925. On 16 November 1925 the Resident Magistrate submitted that during Sebele's absence, Kebohula had been conducting affairs satisfactorily and had been zealous in frequently visiting the magistrate, and had co-operated with him. The Magistrate even intimated that he would be pleased if Sebele could have stayed away for good.<sup>23</sup> The Magistrate could not help observing that,

[despite being hated by the *morafe*] he has always been assiduous in carrying out his duties as Acting Chief—when he held this post—towards the Government, and this did not improve his popularity although he suited the Administration.<sup>24</sup>

Thus, any action taken by the government and associated with Kebohula could not enjoy the popular support of the people. Hence the Resident Magistrate could say,

The tribe as a whole agreed in principle with the object of the petition, but many considered it was brought in an unconstitutional manner, and they did not like two of the self-appointed members of the council, Kebohula and Moilelasilo.<sup>25</sup>

From the comments of the Magistrate about Kebohula, it is clear that he stressed that the acting chief was co-operative and hence suited the administration. Perhaps the factor that most worried government about Sebele was his failure to co-operate. Hence Molotsi correctly asserts that Sebele's activities in the Kweneng made the colonial government feel threatened. He had consistently refused to co-operate with councillors in the years between 1926 and 1929 in Molepolole, the capital, because he felt that his powers as chief in the kgotla would be reduced.<sup>26</sup> Apparently Sebele had perceived the appointment of these councillors as a reduction of his powers.

When addressing a kgotla meeting in Molepolole attended by the Resident Magistrate, Sebele attacked the councillors as being useless and inefficient. He therefore made an appeal to government that these councillors should be removed and all power should be given to him.<sup>27</sup> In order to prove that he was paramount to the councillors he consistently refused to attend kgotla meetings and cases, and also refused to take advice from other members of the council or headmen. He also felt that the council was collaborating with the Resident Magistrate. In response to Sebele's rather negative attitude and intransigence, the councillors wrote to the High Commissioner in October 1929 requesting Sebele II's abdication from chieftainship. It was these councillors who had led the petitioners in 1928 against Sebele. In 1931 the government used the action of these men as an excuse to get rid of him.

Oral tradition asserts that Sebele was deposed after he had summoned the Matlhaselwa regiment for *bogwera* in 1931.<sup>28</sup> Through the influence of Christian missionaries in the territory government had always been against the institution of *bogwera*. In spite of all attempts made by government to persuade Sebele to abolish the institution he adamantly continued it. In a despatch to the Secretary of State, the

High Commissioner pointed out that Sebele had revived the ceremonies of *bogwera* and *bojale* which had been voluntarily abolished some eight years earlier (1922).<sup>29</sup> Thus the revival of the this institution also underlined Sebele's progressive disregard of orders and policies imposed by the colonial government, and he was increasingly becoming difficult for government to contain. Hence the British decided they could not retain him. The summoning of the Matlhaselwa regiment sparked off the government's action to depose him. When Sebele was deposed and banished from Molepolole in 1931, the authorities gave reasons such as the embezzlement of £200 hut tax; his oppression and misrule of Bakwena; corruption in kgotla cases; seduction of the daughter of Corporal Moses; the assault of his principal wife Tlhalefang; and neglect of his duties.<sup>30</sup>

In spite of the fact that Sebele was a bad chief, the government was quite aware that the *morafe* would not allow him to be deposed. They still felt that he could improve. In order to avert unrest and disorder among the *morafe*, a trap was laid by the government together with Sebele's notorious uncles, Moitelasilo and Kebohula, to persuade him to go and have an audience with the Resident Commissioner and other Tswana chiefs in Mafeking. It was when he was at Mafeking that Sebele was served with an order of deposition which banned him from all reserves in the Protectorate and sent him to Ghanzi which was crown land. Sebele challenged the legality of the order on the ground that the provision of section 3 of Proclamation No. 15 of 1907 stipulated that some form of inquiry should be held, (not necessarily a trial), and that in making such an inquiry the accused would be given a fair opportunity to make any relevant statement which he might desire to bring forward and be given opportunity to contradict or correct any relevant statement made to his prejudice.<sup>31</sup> Chief Sebele was not allowed to exercise his rights in this respect and his application was turned down. The *morafe* too queried the manner in which their chief was deposed. They felt that it was unfair of the Protectorate government to have called Sebele to Mafeking for interview without being informed of the purpose for which this "interview" was requested.<sup>32</sup> Molotsi contends that Sebele's expulsion was unjustified and arbitrary, on the grounds that during the reign of Sebeles's successor, Kgari Sechele II, there were numerous complaints by Bakwena of misconduct. For instance it was alleged that in 1936 Kgari attempted to rape Angelina Mmopi and also that in 1940 he had seduced Eurice Kraai. Nevertheless Kgari was never removed for chieftaiship on account of these allegations. Instead the administration made attempts to try and cover these misdemeanours.<sup>33</sup>

### **The rise of Kgari Sechele II**

After the deposition and banishment of Sebele in 1931, there was a period of uncertainty in Kweneng as to who was to succeed him. In fact the *morafe* remained confused for some time as to whether Sebele would come back or whether he had gone for good. The British authorities themselves did not explain Sebele's precise position to the people. For instance after the deposition the Resident Commissioner C.F. Rey almost avoided the use of the word 'deposed' for strategic purposes, but rather employed the words, 'relieved of his functions' whenever he talked of Sebele to the *morafe*. However Rey himself was convinced that the people regarded Sebele as having been deposed and had forgotten about him.<sup>34</sup> In any case, whether or not he had been deposed, there had to be someone to take his place. The issue was, who could replace him and in what capacity? At the time he was deposed, Sebele did not have a son. He only begot his first born son in exile in 1934. He did have four brothers,

Mosarwa, Kgari, Kgwanyakgwanyang and Molaodi (Neale). Beside the four, there was Bonewamang, the son of Sebele's late elder brother, Padi. Bonewamang was still a minor when Sebele was deposed. Regarding the issue of succession therefore, there were three names that were suggested in various quarters of the *morafe*: Mosarwa, Bonewamang and Kgari.<sup>35</sup> Mosarwa at the time of Sebele's deposition was working in Northern Rhodesia as a chauffeur. Oral tradition asserts that when he was asked to come back and take over he declined saying "I cannot take over while my elder brother (Sebele) is still alive."<sup>36</sup>

In fact my informants feel that he showed a correct attitude of mind in saying that, because Tswana tradition stipulates that a younger brother cannot take over chieftainship while his elder brother is still alive, unless the latter decides to step down, dies or is mentally or physically handicapped. Apparently attempts to recall Mosarwa back home were only made by members of the *morafe*, because records do not show that the government ever made such an attempt. Bonewamang himself was still a minor and so was overlooked by a majority of people.<sup>37</sup> Then there was Kgari, who was at the time studying at St. Mathews College in South Africa. Kgari was Mosarwa's immediate junior brother. He enjoyed the favour of his two most influential uncles (in so far as the Protectorate Government was concerned) Moitelasilo and Kebohula who were members of the interim council that ruled during the period between Sebele's deposition and Kgari's installation. In fact Moitelasilo had adopted Kgari when he was still a minor and acquainted him with kgotla matters.<sup>38</sup> In addition to this Kgari enjoyed the support of the British officials in the territory. During the time that, Sebele's fate was being discussed by the authorities, Kgari was suggested by the authorities as the only possible and eligible successor. In a confidential letter of 7 October 1980 to the High Commissioner the Resident Commissioner wrote that "The tribe should be invited to elect him and the election might then be approved provisionally".<sup>39</sup> On the other hand, the government dismissed Mosarwa as being irresponsible and also argued that no one knew exactly where he was in Northern Rhodesia. The Resident Magistrate noted on 25 August 1930 that,

he (Mosarwa) is much of the same type as Sebele, and when he was at home he was a drunkard.... Kgari is of a different type and one which I consider the government should support.<sup>40</sup>

It is against this background that Kgari emerged as the unchallenged successor in June 1931.

According to Tswana custom Kgari could have been made a regent or acting chief and in fact this is what the colonial government had at one stage considered doing.<sup>41</sup> But in the end Kgari was installed as the paramount chief of the Bakwena on 5 June 1931 and garbed with a leopard's skin. Oral tradition contends that his being invested with a leopard's skin was a gross contravention of Tswana law and custom. It is even alleged that some elders refused to carry out the actual investing of the skin on him because they were aware that it was not according to tradition. It was done by his uncles, Moitelasilo and Kebohula, without the blessing of the people but with that of the government.<sup>42</sup> The reason why Kgari's appointment was not endorsed by the *morafe* is that he did not qualify to be chief in traditional terms. Oral tradition asserts that instead of being invested with a leopard's skin Kgari could have been made to sit on it (*oka bo a e gatitsiwe*) to show that he was just an acting chief or regent.<sup>43</sup> Hence there was widespread opposition among the Bakwena regarding the appointment of

chief Kgari. A group of petitioners numbering 1405 consisting of headmen and tribesmen declared to the High Commissioner that they did not intend to recognize Kgari as their chief, but took him to be "merely a government official placed at head of the morafe to see to the good order and peace of the morafe".<sup>44</sup> Other Tswana chiefs also viewed the case as having been unprocedural and undemocratic. In a despatch to High Commissioner Stanley in 1932, chiefs Tshekedi and Bathoen of the Bangwato and Bangwaketse respectively wrote to say,

and we again say the appointment of Kgari Kealeboga Sechele as the Paramount chief of the Bakwena was not at the request of the tribe but only at the behest of those few petitioners.<sup>45</sup>

Dr. Molema who was advisor to the Rolong chieftainship also in heated debate with Stanley alluded to this fact when he said,

The deposition of Sebele sometime ago without any semblance of trial, and the appointment of a successor contrary to our law and disregard to successors who were better entitled to the place [was an anomaly]

In reply the High Commissioner said,

His (Sebele) own people deposed him... and elected his successor. We simply confirmed their election. We did not choose the man.<sup>46</sup>

This defensive statement made by Stanley contradicts the one made by the Assistant District Commissioner writing from Molepolole on 1 April 1936 that "The administration's choice (Kgari) must be considered as a fortunate one indeed."<sup>47</sup>

Kgari himself was aware that he was not very popular with the majority of the morafe. In order to assert and consolidate his power he took a tough line with his people. Hence one official could observe that "He is more vindictive so that he had more authority than might be expected."<sup>48</sup>

In a confidential document entitled "Reports on Chiefs" the Resident Commissioner C.N.A. Clarke in 1937 correctly observed that,

Chief Kgari has a difficult task as he is not in the eyes of his people, the rightful chief. His brother Sebele who was exiled is still looked upon by the majority of the people as their chief.<sup>49</sup>

It is abundantly clear therefore that people still hoped that Sebele would be released and reinstated as their chief and were eagerly awaiting that moment. It is interesting also to note that the government officials themselves were quite aware that Kgari's rise to power had not been endorsed by the people. This is confirmed by the words of the Assistant District Commissioner in Molepolole in 1936 that

Kgari is not a chief in his own right and this is very serious handicap for any chief. A few of the older men of the tribe to this day openly declare that they would welcome Sebele back from exile.<sup>50</sup>

However, in public deliberations and in communications with other Tswana chiefs the colonial authorities created the impression that Kgari has been appointed by the morafe.<sup>51</sup>

## **Kgari's rule 1931–1962**

By virtue of his having gained power through the influence of the colonial government Kgari did all that was in his power to appease it. He was very cooperative and, successive magistrates who worked in Kweneng constantly commended him for this. It is obvious that if he became negative towards the government "which had made him what he is"<sup>52</sup> he would run the risk of being deposed since he did not enjoy the support of the *morafe*, and more so that the government officials knew that he was not the rightful chief. Resident Commissioner Clarke in 1939 described Kgari as being loyal to the government and always willing to offer co-operation.<sup>53</sup> It is for this reason that government consistently supported him.

On his appointment in 1931 Kgari chose as his immediate advisors such men as Mocwakhumo, Jakoba, and Phuthegelo, all of whom were experienced councillors. Initially these men who had been his early supporters helped Kgari in the running of the affairs of the *morafe*, for example by presiding over cases and organizing the efficient collection of taxes. But by 1936 all of them had been displaced and Kgari ruled all by himself. One explanation for this complete eclipse of these useful men is that the chief would not consult them and resented their advice.<sup>54</sup> The other explanation could be that Kgari wanted his own men who would be more loyal than these old men who were more experienced than him. He did this also because he banked on the support of the government. At one stage he said "It does not matter whether you are all against me for Government I know is with me."<sup>55</sup>

Kgari's relationship with his advisors had reached a critical point in 1936 when he moved the capital from Ntsweng to Mososope (the present site). The reason for the move was that lack of space forbade the installation of the whole *morafe* at the hill, and moreover, that the old site suffered from lack of water.<sup>56</sup> The town itself was fragmented and hence there was no cohesion and no discipline among the people. Wards lived in isolation, one from the other and from the chief. Ward heads tended to regard their wards as autonomous units within the town of Molepolole and as a result tribal administration became very difficult indeed.<sup>57</sup> The councillors complained that Kgari had not consulted them prior to his decision to move the capital. As a result of this disregard of his councillors and headmen the process of moving the capital became a very difficult one. People did not move. One informant said that they did not want to move because "We did not know where we were being moved."<sup>58</sup> Moving also meant inconvenience and expense and discomfort. The terrain of the new site itself was rocky and unattractive and the position remote from the mass of the people. Because of its unattractiveness it discouraged even those who might have desired to move nearer the chief.<sup>59</sup> Kgari had to employ force to move his people. He also acquired help from the government's police force. Anyone who refused to move was arrested and punished. The deployment of the police force to make these evictions serves to illustrate the fact that government propped up Kgari in order to maintain his position.

Up until 1939 Kgari could be said to have been rather unpopular. The reasons for this course of hinge on the fact that he was not the people's choice and hence had no support at the grass-root level. The Resident Commissioner Rey observed in 1937 that

Possibly owing to the circumstances of his appointment he leans very much on the Government and wishes their assistance in lieu of dealing with tribal difficulties on his own bat: This weakens his influence within the tribe, and I have continually urged him to take a stronger position, remembering that Government is behind him as long as he administers in the interests of his people.<sup>60</sup>

The Resident Commissioner alluded to his weakness when he pointed out that,

He is too inclined to look at the Government to make decisions for him and appears afraid to take responsibility... he has no personal prestige and very little authority. His tribe does not regard him as the rightful chief but knowing he has the backing of the government they do not openly defy him.<sup>61</sup>

In this connection Comaroff contends that the degree to which an incumbent's performance is considered to be satisfactory is thought to determine the extent of the holder's legitimacy expressed in the willingness of the public to execute his decisions.<sup>62</sup> There are several instances whereby the *morafe* defied orders given by Kgari during his reign—perhaps a proof that he was not a "complete chief". They reluctantly attended kgotla meetings which he called from time to time. His orders were either disobeyed or ignored, and also people failed to carry out his judgements.<sup>63</sup>

However, it is quite interesting to note that despite the fact that for the best part of the 1930s Kgari was not very popular, this state of affairs changed at the close of the decade. In a way Kgari was legitimized and without doubt by the time he died he was seen as the father of the nation by a majority of his people. The manner in which Kgari was legitimized over time tallies well with Schapera's assertion that the chief may gain or lose legitimacy during his rule as one of the discontinuities between what could be called ideal and actual patterns of succession.<sup>64</sup> In fact by 1936 the Assistant District Commissioner could state that "backed by the Administration's influence the authority of this young chief is gaining strength from year to year".<sup>65</sup>

Above all the death of Sebele in 1939 served to increase people's allegiance to Kgari.<sup>66</sup> Kgari therefore succeeded in re-establishing himself as father figure and won the approbation of most of most of his people in the absence of any serious alternative after 1939. Even though he was intensely disliked and distrusted by a majority of the people they gradually acquiesced in his system of rule.

In 1941 Kgari applied to the colonial government to join the African Auxilliary Pioneer Corps (AAPC). The AAPC was formed in 1941 following the colonial government's change of mind from its initial stance which did not allow any Tswana polity to help in the Second World War. The various Tswana chiefs had indicated willingness to help the 'mother country' just when the war started in 1939 but their offer was declined. A triumvirate of regents consisting of Jakoba, Letlamma Sechele and Martinus Seboni was appointed. Oral tradition asserts that Kgari who was a Sergeant Major in the war did very well and that in fact he was an inspiration not only to Kwena servicemen but other Batswana servicemen. Kgari made himself a name at he warfront and there are stories in the Kweneng which are meant to show how powerful he was. For instance one informant who was a serviceman himself recalls an incident whereby an enemy squad (probably German) failed to kill the chief when it bombarded the tent in which he was sleeping at the time of the explosion. He escaped without any injuries. This particular incident served to demonstrate that Kgari was a powerful chief. By gaining more popularity and respect, it seems Kgari achieved just what he wanted when went to war. It is believed in Tswana custom that a chief goes to war in order to prove his might and quality of leadership. That Kgari went to war not just to defend the 'mother country' but also to enhance his position is demonstrated by an incident which occurred in 1943. He wrote a letter to one of his subchiefs in Molepolole asking him to invite other headmen and tribesmen to urge the government to recall him back because the triumvirate was incompetent and inefficient.<sup>67</sup> This was

an attempt made by Kgari probably to show government and the *morafe* that he Bakwena could not do without him. The plot, though did not materialise.

Kgari returned from the war in 1945 and resumed his duties as chief. In 1949 he threatened to retire from chieftainship and when he announced his intention to do so in a kgotla meeting his people pleaded with him not to do so. He made yet another threat in 1954 when he was having problems with his wife. Still the *morafe* asked him to retain the throne. They no longer resented him. It is not clear why Kgari wanted to retire. Some people believe it was because he felt he had been in power for too long. Others argue that he wanted to retire especially in 1954 because of the misunderstandings that existed between him and his wife. On both occasions when he declared his intention to resign, Kgari suggested that Bonewamang (Padi's son) succeed him. Kgari's threats to resign could also be seen as a tactic to test how much popularity he commanded among the *morafe*. The same tactic has been used by other African leaders such as Nasser of Egypt and Kaunda of Zambia, who have made such threats on several occasions just to test their popularity. By 1954 of course it was quite clear that he had won the hearts of many.

Kgari also managed to gain his new status and reverence because of the infrastructural developments that were undertaken during his reign. One informant said that when Kgari took over as chief, the only "modern" building in Molepolole was the London Missionary Society church which had been erected in 1857. He renovated it in 1957. The hospital, which was owned by the church mission, was built in 1931 just after he had taken over. He also took active participation in the erection of schools such as the Bakwena National School in 1938. In 1959 the first secondary school in Molepolole was built. Of significance too was the construction of the current council chamber in 1945. The chamber was built with contributions collected abroad from Kwena servicemen during the Second World War in 1945 in memory of their sacrifice.<sup>68</sup>

Kgari died in 1962 and his death was mourned by the whole *morafe* for a long time because he had eventually proved to be a good leader and had been accepted as a true *kgosi*. His death marked the occasion of a succession dispute that nearly split the *morafe*.

### **The succession dispute 1962–63**

After Kgari's death in 1962 the question of who was to take over recurred. Since Kgari had been installed as a fully-fledged chief then his son should have taken over from him. But unfortunately Kgari had no children. This created a problem and as a result a succession dispute ensued. The two contenders in this dispute were Moruakgomo and Bonewamang. The former was Sebele's son by his wife Susan (Susu). He was born when Sebele was in exile in Ghanzi in 1934. Susan and his children returned from Ghanzi shortly after Sebele's death in 1939 and settled in Tlokweg. Susan herself was a Coloured whose parents (who originated from South Africa) stayed in Tlokweg. Bonewamang as has been mentioned above was Padi's son and was at the time of Kgari's death a headman in Letlhakeng.<sup>69</sup>

The people who wanted Moruakgomo were arguing that since he was Sebele's son that he could take over. "Bogosi bo tshwanetse jwa boela tlhakung"—meaning the chieftaincy must go back to the rightful owner i.e. Moruakgomo—a direct descendant of Sebele. They contended that "bogosi ga bonke bo ya ko godimo, bo ya ko tlase"—which literally means that "chieftaincy does not go up but down", meaning that Bonewamang had missed his turn by being passed over when Kgari came to power.

This group was led by Kenalekgesi who was acting chief after Kgari's death. It was also supported by Kgari's elder brother Mosarwa, who was now back home.<sup>70</sup> In fact this group formed a majority. In a meeting held on 26 November the majority of participants favoured Moruakgomo and in fact the District Commissioner himself confirmed it.<sup>71</sup>

The Bonewamang group, in their objection to Moruakgomo's takeover, clung to the argument that Moruakgomo's mother Susan "ga a batlwa"—that is, she had not been chosen by the elders and presented to the *morafe* formally. According to Tswana law and custom when a chief wants to marry a woman, some elders must be sent to the parents of the woman as a traditional formality to ask for her. Subsequently *bogadi* can follow after all the necessary negotiations have been finalised. But, according to the pro-Bonewamang faction, these formalities and procedures had not been followed in the marriage of Sebele to Susan. As a result they regarded her as a concubine and hence her son could not rule them. On the other hand the Moruakgomo faction claimed that this argument was null and void in that *bogadi* had been submitted to Susan's parents in Tlokweg. This group also argued that Susan herself stayed with Sebele in the chief's compound when he was still chief and this was proof that she was the wife. They also argued that when Sebele was in Ghanzi, Tlhalefang (Sebele's senior wife) left him and he remained with Susan.<sup>72</sup>

On the question raised by Bonewamang's faction that Susan "one a sa batlwa" it can be argued that the statement was unfounded. According to Tswana custom, for the second wife or any other junior wife such formalities are not necessary, except that the woman should be introduced to the *morafe*.<sup>73</sup> A close assessment of the submissions made by the pro-Bonewamang group in court shows that their rejection of Moruakgomo was not based on the issue of *bogadi per se*, but more on prejudice against his mother's colour. This is confirmed by one subchief who supported Bonewamang considerably when he said:

I do not know Susu's marriage to Sebele II. I only know that Sebele wanted to marry Susu and being coloured the Bakwena were annoyed and felt that their chief was not acting according to the law and custom.<sup>74</sup>

In fact it was not the first time that a prince who was not born of a Mokwena woman was rejected in Kweneng. In the 1890s Kgari Sechele I was rejected on the grounds that his mother Mogokgong was a Mongwato. This affirms Schapera's assertion that the fact that a man's mother was a foreigner could also be a disadvantage especially in succession disputes.<sup>75</sup> Bonewamang's faction also argued that Kgari had declared that Bonewamang would succeed him. Tswana law and custom does not under any circumstances give an incumbent the mandate to appoint a successor.

To break the deadlock the case was taken to the High Court at Lobatse. Apparently the High Court too reached a deadlock. To resolve the matter, the Court decided on a compromise candidate, Molaodi (Neale). It had never occurred to members of the *morafe* that Molaodi could take over and in fact throughout the period of the dispute no mention of him had ever been made. Molaodi was late Kgari's youngest brother. At the time of Kgari's death in fact when he was appointed chief he was not working and was known to have a weak character (for example he drank heavily). The British Government hoped to resolve the conflict, and to appease both factions by supporting neither candidate proposed Molaodi as a compromise *kgosi*.<sup>76</sup> The appointment of Molaodi was yet another violation of Tswana law and custom by

the judiciary. Even after being garbed with the leopard's skin the Bakwena considered Molaodi to be a *kgosi* created by Government.<sup>77</sup> He took over in 1963.

## Conclusion

This study focused on the deposition of Sebele II, the imposition by the Protectorate Government of his successor, Kgari Sechele II, and to a less extent the imposition of Neale when Kgari died. All three cases represented a violation of Tswana law of succession, but we have shown that in the case of Kgari Sechele he was, particularly after the death of his predecessor (Sebele) able to legitimize himself. While it has been argued that the British in deposing and imposing chiefs were acting contrary to Tswana custom we have shown that in fact even in the pre-colonial Tswana state deposition system the deposition came either from forces within the state itself or from forces outside the state but still Tswana. During the colonial era, though, the force was non-Tswana, that is, the British Protectorate Government in Kgari's case and the High Court in the case of Neale. But in both pre-colonial and colonial Kweneng we can argue that the basic rules of succession to kingship were not always observed.

## Notes

Titus Mbuya is Editor of *Mmegi: The Reporter*. This essay, supervised by Michael Crowder and Brian Mokopakgosi, was completed in 1984.

<sup>1</sup> J. M. Cherenje, *A History of Northern Botswana, 1850-1910*. (London: Associated University Press, 1977) pp. 131,132.

<sup>2</sup> J. L. Comaroff, "Rules and Rulers: political process in Tswana chiefdom", *Man*. Vol. 13. 1978 Royal Anthropological Institute, p.5.

<sup>3</sup> I. Schapera, *A Handbook of Tswana Law and Custom*. (London, Frank Cass, 1970) p.54

<sup>4</sup> J. L. Comaroff, "Rules and Rulers" p. 5

<sup>5</sup> I. Schapera, "Kingship and Politics in Tswana History" Royal Anthropological Institute. Vol. 23, 1963. p. 169.

<sup>6</sup> I. Schapera, "Notes on the Early History of the Kwena". *Botswana Notes and Records*. Vol. 12., 1980. p. 85.

<sup>7</sup> T. Tlou, "The Nature of Botswana States: Towards a Theory of Batswana Traditional Government: *Botswana Notes and Records*. Vol. 6, 1974 p. 64.

<sup>8</sup> *Kweneng interviews*, L.D. Potongwana, 68 years. Farmer. Okodisa Ward. July 1983.

<sup>9</sup> T. Tlou, "The Nature of Botswana States", p. 64.

<sup>10</sup> Schapera, *A Handbook of Tswana Law and Custom*, p. 55

<sup>11</sup> *Kweneng interviews* A. Baikakedi, farmer (former deputy chief, former BDP councillor), Matlhalerwa ward. July 1983.

<sup>12</sup> Shatiso Buba Tambula, "The Sebele-Kgari dispute", B.A. dissertation, University College of Botswana, Gaborone, 1977, p. 18

<sup>13</sup> *Kweneng interviews* L.D. Potongwana

<sup>14</sup> Botswana National Archives (hereafter BNA) S. 122/10. Report by Resident Commissioner on Chief Sebele II.

<sup>15</sup> *Ibid.*

<sup>16</sup> *Ibid.*

<sup>17</sup> *Ibid.*

<sup>18</sup> BNA, SR. 23/6/1. Petition against Sebele II, Misrule 1928.

<sup>19</sup> BNA SR. 238/11. Petition of Chiefs Tshakedi and Bathoen against removal of Chief Sebele.

<sup>20</sup> BNA SR. 23/6/1.

<sup>21</sup> BNA. SR. 26/6/1. Petition against Sebele II.

- <sup>22</sup> BNA 122/10.
- <sup>23</sup> BNA. S. 23/3. Death of Chief Sechele. Appointment of Sebele
- <sup>24</sup> II BNA. S. 122/10
- <sup>25</sup> BNA SR. 26/6/1.A.
- <sup>26</sup> A. M. Molotsi, "The impact of colonialism on the institution of chieftainship: The Kweneng case, 1885–1961". B.A. dissertation, University College of Botswana, 1981, p. 8.
- <sup>27</sup> BNA. S. 172/15. Sebele Affairs-Kgotla matters.
- <sup>28</sup> *Kweneng interviews* M Kgabo, 71 years, headman, Botlhajane ward, July 1983.
- <sup>29</sup> BNA. S. 125/1. Sebele Sechele: removal
- <sup>30</sup> Molotsi., "The impact of Colonialism" p. 9
- <sup>31</sup> BNA S. 225/3. Removal and banishment
- <sup>32</sup> *Ibid.*
- <sup>33</sup> Molotsi., "The impact of Colonialism" p. 10.
- <sup>34</sup> BNA. S. 214/10. Sebele Sechele—Removal and Installation of Kgari Sechele in the chieftainship.
- <sup>35</sup> *Kweneng interviews*: B. Molo. 70 years, headman, Molo. ward, July 1983.
- <sup>36</sup> *Kweneng interviews*: R. Leshona, 71 years, farmer, Molo. ward, July 1983
- <sup>37</sup> *Kweneng interviews*: M. Kemorile, 63 years, farmer, Ntloedibe ward, July 1983..
- <sup>38</sup> *Kweneng interviews*: M Kgabo
- <sup>39</sup> BNA. S122/10
- <sup>40</sup> BNA. S225/4
- <sup>41</sup> *Ibid.*
- <sup>42</sup> *Kweneng interviews*: J. Mhiko, 75 years, former teacher, Difetlhamallo ward, July 1983.
- <sup>43</sup> *Kweneng interviews*: Mr. J. Popego, 67 years, farmer, Maunatlala ward. August 1983.
- <sup>44</sup> BNA. S225/3. I am grateful to Prof. Crowder for having referred me to this file.
- <sup>45</sup> BNA S.238/11.
- <sup>46</sup> BNA DCS 16/9.
- <sup>47</sup> *Ibid.*
- <sup>48</sup> *Ibid.*
- <sup>49</sup> BNA S. 433/9.
- <sup>50</sup> *Ibid.*
- <sup>51</sup> BNA. DCS.16/9
- <sup>52</sup> BNA S. 433/9.
- <sup>53</sup> *Ibid.*
- <sup>54</sup> *Ibid.*
- <sup>55</sup> *Ibid.*
- <sup>56</sup> BNA S225/4.
- <sup>57</sup> BNA. S. 300/8. Bakwena Affairs: 1934–1964
- <sup>58</sup> *Kweneng interviews* Popego
- <sup>59</sup> BNA S. 300/8.
- <sup>60</sup> BNA S. 433/9
- <sup>61</sup> *Ibid.*
- <sup>62</sup> Comaroff, "Rules and Rulers."
- <sup>63</sup> BNA S300/8.
- <sup>64</sup> J. L. Comaroff, "Chieftainship in a South African Homeland—A case study of the Tshidi chiefdom of Bophuthatswana", *Journal of Southern African Studies*. Vol. 1, 1974–75, p. 37
- <sup>65</sup> BNA S. 433/9
- <sup>66</sup> *Ibid.*
- <sup>67</sup> BNA. S. 397/8—Release for military service and return. 1941–1947.
- <sup>68</sup> *Kweneng interviews* Kemoreile.
- <sup>69</sup> *Kweneng interviews* M Rathedi, 60 years, Councillor, Rathedi lands July 1983.
- <sup>70</sup> *Kweneng interviews*: D. Masimega, former councillor, Ratshosa ward, July 1983.
- <sup>71</sup> *Ibid.*

<sup>72</sup> *Kweneng interviews*, Kgabo.

<sup>73</sup> *Kweneng interviews* Baikakedi

<sup>74</sup> Molotsi, "The impact of colonialism", p. 10.

<sup>75</sup> Schapera, "Kingship and Politics in Tswana History", p. 166.

<sup>76</sup> G. Okihiro, "Genealogical Research in Molepolole: A Report on Methodology", *Botswana Notes and Records* Vol. 8, 1976, p. 53.

<sup>77</sup> *Ibid.* p.52.

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13. R.C. 6/4: Sebele's quarrel with Baruti.
14. S6/1: : Chiefs Tshekedi Khama, Sebele II and Chieftainess Ntebogang complaint regarding imposition of control on witchcraft, tribal labour and hereditary Masarwa etc.
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16. S23/4: Bakwena Affairs, Unsatisfactory conduct of Sebele.
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18. S23/5: Charges against councillors Kebohula and Moitelasilo
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23. S210/7: Sebele
24. S225/1: Sebele Sechele: Removal: Prior Action
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26. S225/3: Removal and banishment.
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40. S601/19: Native Administration Tribunals Proclamation 74 and 75 of 1934. Bakwena Experience

**Kweneng interviews: informants**

(Name; Age or Regiment; Ward; Occupation)

Mr J Mhiko; 75; Difetlhamollo; Former teacher  
Mr F Kgosidintsi; ; Mokgalo; Former teacher  
Mr B Moloji; —; Moloji; Headman  
Mr K Sebele; —; Kgosing; Court Clerk  
Mr M Kemoreile; 64; Ntloedibe; Farmer  
Mr R Kokorwe; 71; Mathalerwa; Farmer  
Mr T Segola; 84; Kgosing; Deacon  
Mr R Mothoeme; 61; Rathedi Lands; Councillor  
Mr O Kgakge; —; Ratshosa; Headman  
Mr A Baikakedi; —; Mathalerwa; Former Councillor  
Mr T Kgalaeng; 58; Difetlhamollo; Former tax officer  
Mr O K Segakisa; 84; Difetlhamollo; Farmer  
Mr M Molefe; 74; Rantsono; Watchman  
Mr L D Potongwana; 69; Okodisa; Farmer  
Mr B Pheto; 70; Ntloedibe; Farmer  
Mr D Masimega; ; Ratshosa; Former Councillor  
Mr M Kgabo; 72; Bothajane; Headman  
Mr S Matong ; 83 (deceased); Ratshosa; Farmer  
Mr S Morwaeng; —; Boiphetho; Farmer  
Mr T Mhiemang; Letswakgotla; Basimane; Farmer  
Mr G Bapele; 84; Mosarwa; Farmer  
Mr N Gopadileng; —; Letlhakeng Village; Builder  
Mrs K Moketo; —; Letlhakeng Village; Housewife  
Mr K Keinyatse; 63; Defetlhamollo ; Farmer  
Mr K Seiphologo; 63; Khudumelapye Village; Farmer  
Mr R Leshona; 74; Moloji; Farmer  
Mr P Phorabeng; —; Letlhakeng Village; Builder  
Mr S Gower; ; RaMmopi; Politician  
Mr T Moleta; —; Monametsana; Farmer  
Mr T Popego; —; Maunatlala; Farmer  
Mr Sebudula; —; Morwa; Headman  
Mrs M Letsholo; 65; Borakalalo; Housewife  
Ms K Ditshotlo; —; Mosinki lands; Farmer