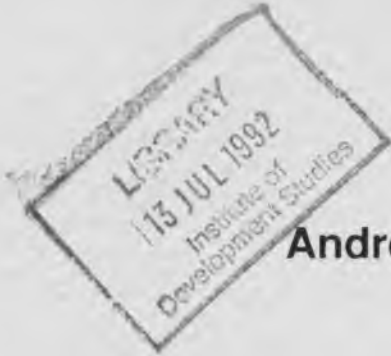


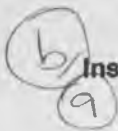
Peoples' Rights: The Case of Bayei Separatism



By

Andrew Murray

**Human & Peoples' Rights
Project Monograph No.9**



**Institute of Southern African Studies
National University of Lesotho
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I. Introduction

During March and April 1961 a campaign of civil disobedience was carried on by the BaYei inhabitants of Maun, capital of the Batawana Reserve of Ngamiland in the northwestern region of the Bechuanaland Protectorate.

The BaYei refused to recognise the authority of the BaTawana Regent, withdrew regimental labour, and boycotted *kgotla* meetings. These acts of defiance were the climax of a struggle for communal rights which had been initiated in the late 1940s as demands for social and economic equality but had evolved by 1961 into a call for complete independence from the BaTawana in a new BaYei state.

Why this aspiration eventually came to nothing, why the struggle for communal rights ultimately ended in failure, had much to do with another development during the early months of 1961, the launch of the Bechuanaland People's Party, which shortly thereafter became the territory's first popular nationalist party.

One of its founders, its Secretary-General Motsamai Mpho, was a *MoYei* and had been a leading spokesman of BaYei separatism. As a nationalist politician, however, he now turned his back on communal politics, the politics of "tribalism", and looked to a new goal, "Bechuanaland needs one united nation irrespective of their race or creed."¹ He urged the BaYei to put their trust in nationalist politics; only with the coming of Independence and the creation of the nation-state of Botswana would BaTawana dominance finally be broken. Yet, after 1966, not only did the BaTawana remain politically dominant in Ngamiland, but nationalist politics brought with it a western, individualistic concept of rights which did not recognise the legitimacy of BaYei aspirations.

This essay traces the story of the BaYei and their struggle for communal rights. Central to this story is the changing relationship of two states: the local state of the BaTawana and the central state of the colonial administration.

It is the impact of British attempts to reform and democratise the BaTawana state which determined the timing and character of the struggle, its evolution into separatist politics, and eventually, its apparent conquest by the politics of nationality. Thus this essay is as much about the decline (but not the fall) of the BaTawana state as it is about

BaYei separatism; the latter was a symptom of the former.

The essay is also about rights. Before the narrative is launched it should perhaps be prefaced by a brief discussion of the nature of the rights demanded by the BaYei, since the subject of human rights in "traditional" societies is matter of some controversy.²

II. Rights in 'Tswanadom'

Jack Donnelly has argued that "the idea of human rights, as that term is normally understood – namely as rights/titles/claims held by all individuals simply because they are human beings – is foreign to traditional African society and political culture."³ Human rights, he suggests, can only be held by an individual; since their source is human nature, they are also universal. Rights in 'traditional' societies, states Donnelly, are usually held by communities, not individuals; their source is membership of a particular community, and they should be termed peoples' rather human rights.⁴

In pre-colonial '*Tswanadom*,' a term invented by Neil Parsons and applied to those states where Tswana political culture was dominant, the concept of rights corresponds fairly closely to the concept of peoples' rights as defined by Donnelly. The right to property, the right to receive justice, the right to freedom of movement, were privileges accorded to members of a *kgotla*, or ward, the basic administrative and judicial unit of Tswanadom. Those who were denied membership of a ward were *batlhanka*, serfs with few legal rights at all. The status of *batlhanka* was usually reserved for subject peoples conquered by the *Tswana dikgosi*.

When the BaYei began their agitation for communal rights in 1948 their first demand was for their own *kgotlas*. They, as BaYei, wanted to be regarded as full members of the *morafe*; in order to achieve this they sought the abolition of the institution of *botlhanka*. Their concept of rights accorded with that of their BaTawana overlords. Even when the demands of the BaYei stretched to encompass separatism, their definition of political independence was determined by that of Tswanadom: they wanted to set up a Tswana-style state and invented a tradition of chieftainship to facilitate the introduction of *bogosi*.

It should be clearly understood then, that the 'rights' demanded by the BaYei were not akin to the Western conception of human rights, but were rights which were held primarily by a community: peoples' rights.⁵

III. The Decline of the BaTawana State 1906-1937

In 1906 Sekgoma Letsholathebe (1891–1906), the most able and charismatic of the BaTawana Kings, was deposed by the British. This event effectively marks the beginning of colonial rule in Ngamiland and the subsequent decline of the BaTawana state. The state had been in existence for little more than fifty years.⁶

The BaTawana, an offshoot of the BaNgwato, had migrated to Ngamiland during the late eighteenth century. Theirs was only the latest of a series of migrations into the region, the most important of which had been that of the BaYei and the HaMbukushu from the middle Zambezi perhaps as early as 1000 A.D.

Primarily agriculturists and fishermen, these peoples found the Okavango Delta a paradise of fertile soils and plentiful rivers. The pastoralist BaTawana, however, brought not only cattle but a tradition of a strong, centralized state. Under King Letsholathebe I (1846–74), the 'stateless societies' of the BaYei and the HaMbukushu were incorporated into the BaTawana state. The process of subjugation appears to have been a peaceful one, being achieved through the imposition of a system of provincial government and the growth of a system of clientship. Only with the BaYei, who outnumbered the BaTawana by two to one, was a coercive tactic used in the shape of the institution of *botlhanka*, a kind of hereditary serfdom.

The coming of the Europeans at first served only to strengthen the BaTawana state: the trade in ivory filled the royal coffers and enabled the state to arm and mount its fighting men. In 1883 the BaTawana inflicted a crushing defeat on an AmaNdebele invasion, and in 1885 a successful military expedition was mounted to what is now southeastern Angola. During the 1890s, during what Tlou terms the scramble for Ngamiland, Sekgoma Letsholathebe outwitted both British government officials and concessions to protect Ngamiland from incorporation and exploitation. The BaTawana economy flourished under Sekgoma as never before, despite the terrible rinderpest epidemic of 1896–7. His cattle and corn laws protected the producer from both natural disasters and the greed of traders.

Sekgoma's energy and competence created powerful enemies. In 1906 an anti-Sekgoma coalition of discontented *dikgosana* (royals), traders, missionaries, and Khama III of the BaNgwato, engineered his downfall. The coalition wanted to replace Sekgoma with his nephew Mathiba, a young man whom they considered could be moulded to their design. Unfortunately Sekgoma was a popular King and could count on considerable, perhaps majority, support from within the *morafe*. An appeal to the British to decide who was the rightful kgosi solved the coalition's dilemma. The British mounted a small military expedition to Ngamiland, sufficient enough to intimidate Sekgoma's supporters. The British held an inquiry which found in favour of Mathiba.

The deposition of Sekgoma was a watershed in Ngamiland's political history. British interference in and control over BaTawana affairs would assume growing importance in the decades which followed, contributing significantly to the weakening of the authority and legitimacy of the BaTawana state. As important, perhaps, were the divisions within the *morafe* created by the supposition. In the immediate aftermath of the coup, Sekgoma's supporters broke away and set up what they hoped would become a new *morafe* on the banks of the Chobe river. The deaths of Sekgoma in 1914 and his son David in 1916 destroyed that dream. When the Sekgoma-ites returned, the enmity survived and helps explain the failure of Mathiba and his successors to obtain obedience and respect from more than a minority of the *morafe*.⁷

Mathiba (1906–1932) himself proved to be an ineffectual *kgosi*. The Resident Commissioner, Francis William Panzera, wrote in 1908 that "Mathiba is painfully weak in character. He is much more imbued with the characteristics of a lady missionary than those of a ruler."⁸ At first the *dikgosana* who had toppled Sekgoma governed through a family council of uncles; however, the uncles soon quarreled among themselves leaving poor Mathiba to try to rule by himself. When he ordered the removal of the capital from Tsau to Maun in 1915, he faced fierce opposition from several leading members of the *morafe*, in particular those who grazed their cattle in the Tsau area. Seven years later, in 1922, Mathiba had taken to burning the huts of those who refused to move to Maun.⁹ By this time, however, Mathiba had also taken to drink and it was virtually his last effort to assert his authority.

The move to Maun proved to be a serious mistake. Moving the capital was not unusual, the BaTawana had become accustomed to shifting their ground when the range had become overgrazed or following natu-

ral disaster: the Kgwebe Hills, Toteng, Matsianeng, Digogwaneng, Namanyanc, Kanakaku and Nakalotswee had all been used as sites for capitals in the past. Maun and its environs, however, became increasingly threatened by tsetse fly and during the 1920s livestock were dying from nagana (sleeping sickness). As the decade wore on even those BaTawana who had made the move to Maun were deserting the capital.¹⁰

In 1928 the British considered appointing a council of two headmen to 'assist' Mathiba. Mathiba managed to resist their efforts for three years; the BaTawana were themselves suspicious of a 'council' which they regarded as a threat to the integrity of the institution of *bogosi*. However, in 1931 the behaviour of Mathiba finally forced the issue: Resident Magistrate Vivien Ellenberger reported that "Chief Mathiba's total lack of authority over his people and his failure to attend to matters concerning the tribe has rendered the further transaction of business between myself and him and the tribe impossible."¹¹

In April 1931, Mogalakwe Thabeng and headman Wetshootsile Dithapo were appointed by the *morafe* to assist Mathiba. Each represented a faction within the *morafe*: Mogalakwe was one of the family council of uncles who had originally advised Mathiba and Wetshootsile had led those BaTawana opposed to the move from Tsau to Maun. They were also very wealthy. Mogalakwe was the richest headman in Ngamiland, with 20,000 cattle; Wetshootsile owned a more modest 7,000.¹² Neither were particularly pleased about their appointment as councillors and had agreed to serve for only 12 months. Ellenberger attempted to convince the *morafe* that a new start had to be made: "the time has come to organise a proper system wherein every man will fulfill his object in life and his obligations to the State, to the Chief and to the Tribe."¹³ He urged Mathiba and his councillors to appoint a Tribal Secretary, to build a Tribal Office, and establish a Tribal Fund. Regiments should scour the swamps and locate those who were hiding from the tax collectors and re-establish communication between Maun and the rest of Ngamiland.

A few months later Ellenberger reported that "the Council has been a complete failure...there is not a man in Ngamiland possessed of the combination of influence, initiative and strength of mind to make a leader."¹⁴ Mogalakwe told Ellenberger that the problem was Maun itself: "We have no principal village today, and there is no-one to attend meetings. We call the people to attend on Tribal matters and no-one

comes."¹⁵ Another headman explained that "It is not our custom to tell the Chief how to rule." The BaTawana asked that Moremi III, Mathiba's son, should be brought back from school and installed as *kgosi*. The British responded that Moremi was still too young and had to complete his schooling before he could return to Ngamiland. They offered the BaTawana a stark choice: accept an acting Chief or direct rule by the Government would be imposed.

After much discussion, Monnamaburu, brother of Sekgoma Letsholathebe, was installed as Regent in July 1932. Monnamaburu was only fourth in the royal line; Moshuga and Disang were senior to him but the British refused to accept either as regent since, according to Ellenberger, "both are useless individuals from every point of view."¹⁶ Monnamaburu had the necessary experience. As Mogalakwe pointed out, he took charge of Sekgoma's people when Sekgoma was held in detention by the British; more importantly, when Sekgoma arrived he handed the people over to him.¹⁷ However, Monnamaburu was ignored for the most part by the BaTawana. Resident Magistrate Cuzen reported that "he may mean well but he just cannot get things done...the Police are collecting most of the tax."¹⁸

In 1934 Monnamaburu was replaced by Dibolaeng, son of Wetshootsile. Once again the BaTawana had wanted Moshupa to be Regent, or failing Moshupa another brother of Mathiba, Gaetsalwe. Gaetsalwe, however, had been convicted of stock theft and non-payment of tax and was thus vetoed by the British. What the BaTawana really wanted was the return of Moremi III but the British were immovable. Resident Commissioner Charles Rey looked forward "with real alarm to the day when Moremi III will assume the chieftainship...he is a hopeless character and I do not think he will ever be suitable to be a chief."¹⁹ There appeared to be no alternative; by the end of 1934 Dibolaeng, who had made a very good first impression with the British, faced growing opposition to his authority. The most vocal complaints against Dibolaeng were made by a coterie of powerful and wealthy *kgamelo*-holders resident in Maun.²⁰ A British official remarked, "If Moremi III returns, as he is comparatively poor himself, he will largely have to depend on these men who would be an undesirable influence."²¹

In 1935 the British initiated a process of reform in the Bechuanaland Protectorate with the Native Administration and Tribal Proclamations. The brainchild of Resident Commissioner Charles Rey, these reforms were supposed to democratise administration in the reserves at the ex-

pense of the authority of the *dikgosi*. For that reason they were fiercely opposed by *dikgosi*, and in Ngamiland the BaTawana refused to consider implementation of the reforms until Moremi III was installed as chief. British officials in Ngamiland saw in these reforms a basis for revitalisation of BaTawana administration. They regarded Dibolaeng as responsible for their implementation. Caught in the middle, Dibolaeng could please no-one and he resigned in February 1936. The British were being blackmailed; yet the Proclamations were so important that they submitted without a struggle. It was agreed that Moremi III should be installed as chief in early 1937. They even accepted Gaetsalwe as caretaker regent until Moremi III returned. For them, the Proclamations represented a means of halting what appeared to be an almost irreversible process: the decline and breakup of the BaTawana state.

IV. Reform and the Emergence of Separatist Politics 1937-54

Moremi III was installed as *kgosi* on 10 February 1937. The British did not have high hopes of his abilities, but at least, so they thought, the Proclamations could at last be properly implemented. The new chief approached the task of administrative reform with energy and enthusiasm. He had chosen to model himself upon Tshekedi Khama, and had at first, like his idol, been opposed to the Proclamations. But when he arrived in Maun, Moremi III found that there was very little tribal organisation left with which he could assert his authority. The tribal capital, Maun, had a population of only 600 – Serowe, Tshekedi's capital, had over 20,000 inhabitants.²²

In Sekgoma's time, each *MoTawana* belonged to a Maun ward and was responsible to the headman of that ward; part of each year was spent in Maun itself, and the rest at the cattle post. In the late 1930s most of the BaTawana lived outside Maun all the year round and came rarely, if ever, to the Tsetse fly infested capital. If the BaTawana did not come to Maun, as Mogalakwe and others never tired of telling the Government, there could be no effective tribal administration. In Sekgoma's time even the men appointed to administer the districts lived in Maun most of the year. By 1937 the ten districts of Sekgoma's era had been amalgamated into four hopelessly large and unwieldy districts; their administrators had become inactive (they no longer collected tax for example) and maintained only sporadic contact with Maun.²³

Moremi III decided to use the Proclamations to help him introduce a new system of administration based upon that of the BaNgwato *Kgosi* Khama III. The essential element of Khama's (post 1897) system, according to his son Tshekedi Khama, "was that all his people should have permanent village settlements in specific districts."²⁴ Moremi III planned not only to bring the BaTawana back to Maun but to concentrate the rest of the population of Ngamiland into big villages. By this means he hoped to establish effective control over all of his subjects, a control that was so noticeably lacking in 1937. Tshekedi Khama helped to provide Moremi III with more altruistic reasons for this revolution – "so that they can take a full part in tribal affairs and have their children educated etc."²⁵ – but Moremi III's actions soon made clear

that he was more an autocrat than a democrat.

The Proclamations of 1935 made provision for the setting up of Senior and Junior Tribunals which would be responsible for administration and justice in the capital and the districts. Moremi III cooperated with the British in the creation of seven Junior Tribunals (Sehitwa, Tsau, Nokaneng, Gomare, Ikwaga, Mohembo, and Kabamokoni) and one Chief's Tribunal in Maun which had jurisdiction over all Ngamiland. He appointed a Chief's Representative to act as President of each Junior Tribunal. In theory the Chief's Representative (a *MoTawana*) would be assisted by the tribunal which in turn was supposed to be made up of "the Headmen of the local subservient tribes."²⁶

This was a radical move; in effect it meant that subject peoples such as the BaYei and HaMbukushu were for the first time to have a voice in local government. Moremi III was not prepared to accept this innovation; two years before he had informed a Government official that "he and the tribe do not want any members of the subordinate tribes...to be given authority over their fellows in administrative, as opposed to judicial matters." The British did not press the point; they assumed that he was deferring to reactionary elements within the *morafe* and that once Moremi was financially independent he would be able to act in a more liberal fashion.

The next stage in the process of reform was the encouragement of the growth of Tswana-type villages around the Junior Tribunals. Schools, medical dispensaries and trading stores were sited in these new administrative centres with the hope of attracting the scattered population to move their residences and thus facilitate more efficient administration, in particular the collection of taxes. Government had been complaining about poor tax revenues from Ngamiland throughout the 1930s; to a large extent the whole purpose of administrative reform was to bring about an improvement in those revenues. New tax registers were drawn up in 1940 and tax collection placed once again in the hands of Chief's Representatives. There was a significant improvement: tax collected increased from under £3,000 in 1937-38 to nearly £7,000 in 1940-41.²⁸

Administrative reform was only partly responsible for the increasing tax revenues. There was also a new source of cash: incomes from migrant labour. The Witwatersrand Native Labour Association (WENELA) had been given permission to establish a depot in Maun in 1937. Their primary interest was not recruitment in Ngamiland itself but in

Angola; Ngamiland was to provide a route for the transport of migrant labour. Government was only too pleased to approve a WENELA scheme to build a dirt road to Moheambo, particularly since it also linked most of the new administrative centres. By 1950 over 4,000 labourers were sent to the mines via the Maun depot each year, 3,540 of these from Angola but nearly 800 were Ngamiland taxpayers.²⁹ Most of these labourers received their deferred pay in Ngamiland: in 1950 a total of R81,743 was paid out, and according to the District Commissioner "a large proportion of it was spent in the district."³⁰

This influx of cash into Ngamiland after 1940 was to have wider repercussions than the increase of tax revenues. Much of the money was spent in the new administrative centres which dotted the WENELA road, "this generated a much greater demand for consumer goods than before and trade at the centres prospered...administrative centres quickly grew into centres for loud pop music, beer drinking, modern dancing, cigarette and marijuana smoking, displaying new clothes, loose morals and bad language."³² The opportunities provided by migrant labour, predicted a British official in 1938, would also "act as a strong influence to emancipate the subservient tribes of Makuba and Mampukushu who when they have earned a little money will not submit so readily to the arrogant demands of the BaTawana proper."³²

Moremi III's reform programme met with initial success among the BaTawana. By making virtually every BaTawana headman a member of the Chief's Tribunal he had in effect ordered them to come to Maun and the majority did obey the call.

Moremi III also ordered to Maun the Headmen of the OvaHerero (also mistakenly called Damara), a semi-nomadic, pastoralist people who had migrated into western Ngamiland between 1897-1906 while escaping oppressive German rule in Namibia. They had prospered in exile and their herds constituted almost a third of Ngamiland's cattle.

The BaTawana were jealous of their good fortune and would have liked to see them return to Namibia, failing that they would have liked to have had their authority recognised. Moremi III's father had been humiliated in 1930 when he tried to have all their headmen removed to Maun. Now Moremi III hoped to bring the OvaHerero to heel; first by forcing their leaders to reside in Maun and then by forcing their people to live in permanent villages. If the most proud and stubborn of his 'subject peoples' could be tamed then the less cohesive BaYei and

HaMbukushu would not pose any problems.

The OvaHerero had arrived in Ngamiland in two main groups: the 'Herero' and the 'Mbanderu'. It was the headman of the OvaMbanderu, Hijaviposa, who led OvaHerero resistance against Moremi III. He refused to come to Maun on account of the Tsetse fly; if he went to Maun, he argued, so would his people, and then their cattle would die. In December 1937 Hijaviposa and twelve of his followers were tried by Moremi III and found guilty of disobedience; Hijaviposa was deposed and fined £25, his followers were fined £10. The OvaHerero refused to recognise the headman appointed to replace Hijaviposa and continued to ignore Moremi III's demands concerning Maun. A second trial followed in November 1938 after which Hijaviposa was imprisoned for 12 months.³³

In 1939 both factions of the OvaHerero petitioned the Government to be allowed to leave Ngamiland and move to Ghanzi. The District Commissioner for Maun estimated that as many as 70% of the OvaHerero would go if the Government gave them permission.³⁴ However happy the BaTawana would have been to allow them to go, the Traders and Government were horrified at this development. The traders pointed out that most of the stores in western Ngamiland (those at Toteng, Sehita, Tsau, Nokaneng and Gomare) depended nearly entirely upon the OvaHerero for their custom.³⁵ Ngamiland would lose over 500 taxpayers. Apart from these considerations, there was not enough grazing land available in Ghanzi for the would-be migrants.

The Resident Commissioner tried to persuade Moremi III to be more sympathetic to the demands of the OvaHerero: "The Damaras are different from other Tribes in this country. They are superior to Bakgalagadi, Makuba etc. and more independent. They need more careful handling."³⁶ He advised Moremi III to give the OvaHerero their own Junior Tribunals and their own Chief's Representatives. Moremi refused to soften his line: "If the Damaras are to do just as they please free of all Tribal control then every other sub-tribe will eventually do the same and the result must be chaos."³⁷ Expert opinions were sought, first from anthropologist Professor Isaac Schapera, who considered "the proposal to establish large villages outside Maun a policy that is neither desirable or feasible...nor do I think it will solve the administrative difficulties existing at the present time. If anything, it will increase them, by making the people discontented."³⁸ He recommended Arden-Clark's course of action: "The most satisfactory system of ad-

ministering a subject people is to give it some share in running its own affairs.”

Tshekedi Khama disagreed with Schapera and supported the principle of permanent villages: “The Damaras in Banwato (sic) country have permanent villages at Mahalapye and Mabeleapodi... because the Chief enforces the principle of administration upon all members of his tribe irrespective of clan. I have still to be convinced that the Damaras in Khama’s country have had their stock reduced etc., or have suffered constitutionally, as a result of this custom.”³⁹

The apparent deadlock was broken at a meeting held in Serowe on 10 December 1940 attended by the Resident Commissioner, the District Commissioners of Maun and Serowe, and the three *dikgosi* Tshekedi, Bathoen II of the BaNgwaketse, and Moremi III. There were no representatives of the OvaHerero present. A compromise settlement was reached: although the two leaders of the OvaHerero, Hijaviposa of the OvaMbanderu and Taave of the ‘Herero’, were to move to Maun, together with fourteen selected families, “it was agreed that it was impracticable to model Damara settlements on the Setswana model”; further they were to be given their own Junior Tribunals and they were to be allowed to nominate their own Headmen.⁴⁰ The OvaHerero accepted the settlement which in effect recognised their partial autonomy.

The outcome of the dispute was a defeat for Moremi III and his reform programme; it may not be a coincidence that his interest in reform, indeed his interest in government itself, deteriorated after 1940 and, in the words of British officials, he became “addicted to drink and women.”⁴¹ In September 1942 a leading member of the *morafe* alleged that “all or nearly all the outside Tribunals are abandoned without the knowledge of the tribe, while the Representatives concerned continue to draw their monthly salaries.”⁴² In the following year it was discovered that Moremi III and other members of the *morafe* had systematically stolen from the Tribal Treasury. And in 1943 District Commissioner Sullivan reported that “the Chief’s Representatives...are certainly inefficient and unreliable and probably corrupt...the constant friction between the BaTawana and the subservient tribes is due mainly to the corruption and inefficiency of the Tribal Administration.”⁴³ Even his mentor, Tshekedi Khama, had lost confidence in Moremi III: “the man is quite useless” he told a Government official.⁴⁴

In May 1945 Moremi III was banished from the Reserve for a year with the hope that he would "dry out" in exile. On his return to Maun in June 1946 it appeared that his drinking had been brought under control; however his reformation was short-lived and in November 1946 he was killed in a car accident caused by drunken driving.

Moremi III's pathetic end must not obscure the promising start he made to his ten-year reign, particularly his 'big village' reforms which did eventually achieve viability; nor should his failure to revitalise the BaTawana state be explained only in terms of his alcoholism. It was a formidable, perhaps impossible goal. His greatest handicap was Maun itself, his capital. By 1946, most of the BaTawana who had obeyed Moremi III's 1937 call to return to Maun had either moved 60 miles away to Lake Ngami or gone back to their cattle posts. District Commissioner Arnauld 'Gerry' Germond reported that "the existing Maun village is a mere empty shell and the Chief finds himself deserted by his people and Tribal administration has become well nigh impossible. Control over the tribe is being lost and Tribal Authority is being steadily weakened."⁴⁵

At a *kgotla* meeting held just two months before his death, Moremi III and his senior headmen managed to convince Germond that the *morafe* had to move from Maun. They complained that for years Government had promised to control the spread of Tsetse fly and had thereby secured the agreement of the *morafe* to stay. Now not only livestock but people were dying: "without stock the people cannot plough and the children are cut off from their most important item of diet-milk. The risk of death from sleeping sickness is a very real one which the people are not prepared to face."⁴⁶ However the Government was still not prepared to move from Maun; as Germond himself realised such a course of action would be a "cause of embarrassment and expense to Government, Churches and Traders."⁴⁷ Instead Government approved a scheme, funded by the Colonial Development and Welfare Fund, to protect Maun and surrounding areas from the Tsetse fly. Between 1946 and 1952, R52,847 was spent on the construction of kraals, game shooting and bush clearing.⁴⁸ The scheme met with limited success; Maun itself was protected but the fly continued to thrive and spread in the surrounding areas; until grazing and agricultural land was cleared of the fly Maun would still be an unpopular capital.

The continuing refusal of many of the leading BaTawana to reside in Maun, at least for part of the year, remained a major stumbling block

to the reform process, a process which was continued by the new ruler of the BaTawana, Moremi III's widow, Pulane Moremi. She was chosen by the *morafe* to act as Regent until the majority of her eldest son, Letsholathebe II, then only six years old. It was a popular choice, particularly among the OvaHerero, BaYei and MaMbukushu, who perhaps thought that Pulane, who was not a MoTawana but a MoRolong from the Orange Free State, would be more sympathetic to their interests than one of Moremi III's uncles. Some of the uncles did oppose Pulane's election, but they were outvoted by both the *morafe* and the Government. The latter had a very good opinion of Pulane as an administrator (she had been an efficient and honest Tribal Treasurer) and had nothing good to say of any of the uncles, except Naledi Moga-lakwe, who was appointed Pulane's adviser.⁴⁹

In June and July 1947 the Resident Commissioner, Anthony Sillery, conducted Evelyn Baring, the High Commissioner, on a tour of Ngami-land. In his report of the tour, Baring described the BaTawana as being "feeble and degenerate."⁵⁰ He was particularly concerned, given the trouble recently caused the Government by the insensitive treatment of the BakaNswazwi and BaaKalanga by Tshekedi Khama, about the possibility of revolt against BaTawana overlordship; but he was informed that none of the subject peoples "so far shows signs of active movement against BaTawana control."⁵¹

In April 1948, four representatives of the BaYei, a schoolteacher, a church deacon, a policeman and a Tsetse fly control department employee, presented a petition to the District Commissioner in Maun. During the summer months, moderate opinion had prevailed over a section of the BaYei who wanted complete independence from the BaTawana. The petition put forward four "demands" first they wished to have their own *kgottlas*; second they wanted representatives at every level of the administration "open and confidential", third they wanted "full right to the use of land for purposes of grazing and ploughing"; and lastly they wanted an end to the practice whereby a MoTawana master had claimed the property, and sometimes the children of, his MoYei servant on the latter's death.⁵² Demands one and two were obviously influenced by the OvaHerero agitation of 1939-41; however demands three and four were examples of how the BaYei thought they were still oppressed and enslaved by the institution of *batlhanka*. The petition demanded not just political equality but also social and economic equality with the BaTawana.

Government was sympathetic to these demands. The District Commissioner told the BaYei that although self-rule was out of the question "at least for the present," he would advise the Regent to grant demands one and two. As to *bathanka*, Government would assure them "the normal rights of human beings living in free societies."⁵³ It was with the comforting knowledge of Government support for their case that the BaYei presented their petition formally in *kgotla* during July and August 1948.

The BaTawana gave the BaYei a hostile reception; their representatives were bullied unmercifully and treated with unconcealed contempt.⁵⁴ When the BaYei made their demand for equal access to land, arguing that the BaTawana had dispossessed the BaYei, the BaTawana produced Magotse, headman of the BaSarwa, who claimed he had the right to allocate the use of the land "of which the Makoba dispossessed him before the arrival of the BaTawana."⁵⁵ Tricks like this made no impression upon the BaYei; they remained steadfast and defiant, much to the indignation of their 'masters.' When both sides had had their say, the Regent had to make her judgment. She was in a very difficult position, caught between pressure from the Government to grant concessions, and the conservative opinion of the BaTawana headmen who likened the position of the BaYei to that of the African under the European.

Pulane Moremi very cleverly tried to placate both Government and the BaTawana. The BaYei were given their own *kgotlas* and were told that further concessions regarding representation at other levels of the Administration would depend upon how they operated the new *kgotlas*. The continued existence of *bathanka* was denied; if there were complaints, they were to be sent to the Regent or her representatives. It was a limited concession but one which satisfied Government. At the same time the Regent announced her intention to prosecute some of the BaYei for contempt of *kgotla* and confined ninety of them to Maun prior to the trials. By the prosecution of 'disrespectful' BaYei Pulane Moremi hoped to salve BaTawana pride. Unfortunately Government was not prepared to allow the BaYei to be persecuted. The District Commissioner quashed verdicts and reduced fines, provoking the Regent into writing an outraged letter to the Resident Commissioner claiming the policy of indirect rule had been abandoned in Ngami-land.⁵⁶

The Regent thought she had been betrayed by the Government; if she

could have withdrawn the concessions made to the BaYei she would have done so. As it was, she did her best to ensure that the process of setting up the new *kgotlas*, and the villages which were built around them, was as prolonged and as difficult as possible. The BaYei were encouraged to take their cases to the *kgotla* of the Chief's Representative not to the new *kgotlas*; two *kgotlas*, at Nokaneng and Seropa, had to be moved and re-built because they were not built on the sites chosen by the Chief's Representatives. Only in 1950 were the BaYei *kgotlas*, five in all at Maun, Nokaneng, Sepopa, Seronga and Shorobe, functioning properly.⁵⁷

The group of conservative BaTawana headmen who had opposed Pulane Moremi's appointment as Regent, and who had had their suspicions confirmed concerning her 'progressive' views by the BaYei concessions, began to complain that she was ignoring the advice of her elected adviser, Moshupa, and the other senior headmen of the *morafe*. They were particularly jealous of her Tribal Secretary, Leetile Raditladi, a MoNgwato royal dissident, whom the 'malcontents' (the Government's label) claimed had an evil and undue influence over her. In December 1950 Raditladi called a meeting of senior headmen and sharply criticised some of the Chief's Representatives and the Deputy Regent, Moshupa, for failing to attend to their duties (Moshupa had replaced Naledi Mogalakwe in January 1949 when the latter had fallen seriously ill). The Tribal Secretary suggested that unless improvements were made the Government would impose a council over their heads. The 'malcontents' interpreted this as a promise rather than a threat (Raditladi was known for his progressive and anti-*bogosi* views). They made their first attack, in what was to become a long campaign, by laying before the Regent a list of complaints and demanding they be dealt with in *kgotla*. The Regent refused to discuss the complaints; she had no wish to air criticisms of her administration in public.

Eventually, however, the complaints were discussed in public, during May and June 1951.⁵⁸ The 'malcontents' had successfully stirred up sufficient (BaTawana) public opinion against the two foreigners (the Regent and Raditladi) to convince the District Commissioner that it would be more dangerous to ignore the "malcontents" than to attempt to answer their charges. He in turn persuaded the Regent, much against her better judgment to deal with the matter in the *kgotla*. As it turned out, the Regent was wise to be fearful: the "malcontents" expertly managed the meetings to make it appear that their views had majority sup-

port. The Regent was forced to ask Raditladi to resign. To add insult to injury, during the course of the discussions Moshupa claimed that the Regent had asked him "to allow her to have the key of nature", in other words to treat Raditladi as her husband.⁵⁹ Moshupa suggested that Raditladi hoped thereby to rule the *morafe*, aided by a council which he would control. Pulane Moremi was embarrassed and humiliated by Moshupa's statements, which even if they were true should not have been made in open *kgotla*. She emerged from the meetings determined to seek revenge upon Moshupa and the 'malcontents'.

She outlined her strategy to Government in the weeks following her defeat in *kgotla*: she was "determined to allow all sections of my tribe – Bayei, Hambukushu, Damaras etc.– to take part in the affairs of her administration...this policy is inimical to that of domination which the Batawana proper favour regarding the position of the subject tribes. Cattle kings advocate the selling of breeding stock so that the poor Bayei may sell all theirs and then become the servants of the wealthy Batawana."⁶⁰

She planned to use the subject peoples' demands for autonomy as her stick with which to beat the 'malcontents'; it was her intention to replace Moshupa with a council of advisers, prominent among whom would be representatives of BaYei and OvaHerero. She received the backing of the Government for her plans in August 1951, when the Resident Commissioner visited Maun and publicly rebuked Moshupa for attempting to subvert the Regent's authority. She received another boost to her confidence when a petition from the Mabudutsu ward in Maun, according to the District Commissioner "the only non-moribund Maun *kgotla*,"⁶¹ declared that "it is not all the Batawana who find fault with Raditladi, and who desire his dismissal..."⁶² The BaYei, or rather Headman Moeti Samotsoko who claimed to be chief of the BaYei, then came forward to offer their support for the Regent and Raditladi, though the offer was combined with a demand that she appoint BaYei as Chief's Representatives.⁶³ Convinced that she now out-gunned the 'malcontents', the Regent dismissed Moshupa as her adviser and invited Raditladi to stay on as her Tribal Secretary. Prudence, and the advice of District Commissioner Bent, dictated that her council of advisers be limited to three, and all BaTawana royals.

The 'malcontents' took up the Regent's challenge by organising their own petition, signed by 58 BaTawana, demanding the removal of Raditladi and another *kgotla* to discuss the Regent's administration.⁶⁴ They

also began to make collections for the hiring of a Mafeking lawyer. A *kgotla* was held in December 1951 where it was announced that Raditladi had decided not to take up the Regent's offer to stay on. The petition was treated with barely concealed contempt by the Regent and she abruptly ended the *kgotla* before there could be public discussion.⁶⁵ The 'malcontents' were taken by surprise; their real target was the Regent and they had hoped to use the *kgotla* as a platform from which to demand her resignation. They protested to the District Commissioner to no avail, and then spent the next few days holding secret meetings and making vague threats. Meanwhile the Regent held meetings of her own throughout the Reserve to present her case and garner support.

It was at this stage of the conflict that District Commissioner Bent tried to define the identity of the petitioners or 'malcontents' and what motivated them.⁶⁶ According to Bent, some of the petitioners were tax collectors and junior clerks who had been dismissed for fraud and incompetence; only three were royal headmen or *dikgosana* (two of these had also been convicted of fraud). Over half of the petitioners were *basimane bakgosi* (lit. 'boys of the chief'), men who, although commoners, acted as advisers and administrative servants of the *kgosi*. But the key to the (malcontent's) motivation, suggested Bent, was the fact that most of the ringleaders were the big *kgamelo*, royal cattle holders.

Not since the reign of Mathiba had the *kgamelo* holders been called upon to hand over cattle to the *kgosi*, and it was Bent's contention that the actions of the *kgamelo* holders "were directed against the building and rise of a strong chieftainship, which might enforce its customary rights against them, particularly as the chieftainship is poor and they are rich."⁶⁷ He bolstered his argument by the claim that the 'malcontents' had always wanted to gain custody of the Regent's sons and bring them back to Maun: "the vision of a young chief educated outside their influence, succeeding to an efficient administrative system, and sure of the strong loyalty of most of his own Batawa and all of the subject peoples may well be a nightmare to them."⁶⁸

The annual *kgotla* meetings were held in March and April. The 'malcontents' attempted to persuade people travelling to Maun to turn back "because we have no Chief in Maun now."⁶⁹ According to the District Commissioner the *kgotlas* were well attended, particularly by the BaYei, who by now were in contact with Santudu and Moshupa in an effort to place a foot in both camps.⁷⁰ The 'malcontents' acknowledged their failure to win over their own *morafe* by turning to others in the

Protectorate for support; a delegation including Moshupa and the mother of Moremi III was sent first to Serowe, and then to Molepolole. They argued that Moshupa had been dismissed as deputy regent in order to avenge his refusal to allow the Regent and Raditladi to live together as man and wife. The three appointed advisers, they complained, were junior to many other more suitable men (that is, themselves). The delegation was listened to politely by Tshekedi and Kgari, but neither help nor encouragement was offered.⁷¹ They returned despondent to Maun, leaving Moshupa to consult a lawyer in Zeerust.

The BaYei were also consulting a firm of lawyers. In May Mr. Raphaely of Bulawayo informed the District Commissioner that the BaYei had instructed him to take steps to have "their leader, Moeti Samotsoko...restored to the post of Chief with the same prerogatives enjoyed in the past by Samkuze and Samaje...they wish to conduct their own *kgotlas* where their disputes can be adjudicated according to their own customs and they also wish to have control of their taxes and treasury."⁷² District Commissioner Bent, after dismissing their grievances ("their chief is the Batawana chief, and their future in the Batawana reserve is as Batawana") advised the BaYei, through Mr. Raphaely, that "they had nothing to gain by intrigue with reactionary elements...further vain separatist ambitions and action by a number of half-educated BaYei may well also result in Government interest in their progress being modified."⁷³ In September 1952 Mr. Raphaely wrote to the Resident Commissioner, again on behalf of Moeti Samotsoka, applying for his recognition as Chief, for independent fiscal control, independent *kgotlas*, and "independence of control by the Batawana tribe."⁷⁴ This was a full-blown demand for recognition as an independent tribe. Mafeking replied that the BaYei "are an immature people who have everything to learn and whose separatist claims are quite unrealistic and unacceptable."⁷⁵

Meanwhile, Moshupa returned from Zeerust in August after consultations with his lawyer. He and fifty other petitioners held a meeting on 6th August without first seeking permission from the Regent; the site of the meeting was Moremi's grave.⁷⁶ This open act of defiance was followed by threats of violence and talk of assassination. Bent feared there would be an attempted coup d'état and asked for police reinforcements from Serowe. The Regent summoned Moshupa to answer charges relating to the illegal meeting of 6 August and he ap-

peared in court, the Maun Senior Tribunal, on 18 August. Talk of violence continued but nothing came of it. Moshupa was found guilty and sentenced to six months hard labour or a fine of £275, suspended for two years, provided he reside outside Maun for at least a year. On 5 September Moshupa's lawyer, Mr. Coulson, flew in from Zeerust to discuss an appeal. The 'malcontents' were split into two factions: moderates who wanted Coulson to negotiate a reconciliation with the Regent, and a larger group who wanted Coulson to engineer a formal enquiry into the Regent's administration and thereby topple her from power. The latter won out and Coulson was instructed to continue the fight.⁷⁷

In May 1953, shortly before the result of the appeal was made known, the Resident Commissioner called the leading 'malcontents' to Mafeking. He had heard that they were preparing to "make disorders against the Regent" if Moshupa lost the appeal and he warned them that the Government would have no hesitation "in sending forces of Police to Maun and instructing them to meet force with greater force."⁷⁸ He blamed the 'malcontents' and the divisions they had created among the BaTswana for the emergence of BaYei separatism. His warning ended with a threat of imprisonment "if they continued on their present course." Ironically, four days later all the sentences in the Moshupa trial were quashed by the Chief Justice and substituted by a £6 fine. However, the 'malcontents' did not attempt to capitalise on their victory, the warning from the Resident Commissioner had had its desired effect.

BaTswana infighting had certainly encouraged BaYei separatism, but perhaps as important had been the encouragement offered the BaYei by the British themselves. The creation of BaYei *kgotlas* had been forced on the Regent by the Government and all it had done was to engender a hunger for more radical concessions. More important still were the economic and social changes being wrought by migrant labour, the creation of Tswana-type villages on the edges of the Delta, the slow spread of the Tsetse fly which increased competition for grazing and tillage, and the closer government, in particular more efficient tax collection, introduced by Moremi III. Separatist politics emerged as a response of those BaYei who saw these new demands and pressures as a threat to their way of life, to their very identity as BaYei. There was a sense that assimilation into Tswanaedom – as represented by those BaYei who were unashamed to call themselves *Makuba*, the

BaTawana term for the BaYei meaning 'useless people'— had proceeded too far. The separatists made conscious efforts to revive that identity. In the process they invented tradition, for example claiming that Moeti Samotsoko was the legitimate 'chief' of the BaYei, and relived past injustice by means of their efforts to prove the continued existence of *bothhanka*.

In April 1953 came the most coherent statement yet of the aspirations of BaYei separatism. Its form was an appeal to the High Commissioner authored by the schoolteacher B. Yane. It began: "We the BaYei of Ngamiland do hereby appeal to Your Excellency to declare us independent of the Batawana."⁷⁹ Yane went on to counter the British charge that the BaYei were too young to lead themselves by pointing out that when the Israelites went into Egypt they "were only a mob of people, but Moses made them into a nation." Though they had lived together with the BaTawana for 150 years, this did not mean the BaYei had lost their identity; had the British lost theirs, he asked, when they lived with the Romans for 300 years? The appeal ended by asking whether the "Act passed by the British Parliament in 1833, setting all slaves free applied to all British subjects."

The petition did not fall upon totally deaf ears. Two new men in the administration, J. Millard and J. Allison, Officer-in-Charge, Northern Protectorate, and District Commissioner, Maun, respectively, were in a radical, reformist frame of mind. Millard had been imported from Tanganyika to help hasten the process of reform in the Protectorate with a view to its preparation for eventual self-rule. He began by corresponding with Allison as to how Ngamiland could be transformed into a democratic model for the other districts. The institution of chieftainship, they were agreed, survived only because of propping up by the Government. Even if Government was to continue to support BaTawana hegemony, it was likely that Ngamiland would very soon become ungovernable, as a consequence of separatist politics and divisions among the BaTawana themselves., they argued. The chieftainship was regarded "as something oppressive, extraneous to, and unsympathetic to the Tribe. Unless the Tribe through its Native Authority can begin to regard itself as a part of Government, and regard its own Native Authority as a stepping stone to taking part in central government, there can be no political development towards any measure of effective self-rule."⁸⁰ Their proposed solution was to broaden the basis of chieftainship by introducing a representative tri-

bal council, "if this is adequately done, and the chief acts by and with the full authority of all sections of the Tribe, then there can be no scope for working of any disruptive elements."⁸¹

Mafeking responded cautiously to these radical proposals but Millard and Allison were given permission to discuss them with the Regent. It was made clear to them that her cooperation was a prerequisite for any further development.

While this approach was being made, in the words of Allison, "BaYei aspirations appear to be coming to a head."⁸² Three BaYei representatives, Chombo Saudi, Yane and Naga Ovoya, approached the District Commissioner with a sum of £75 which they had collected for the payment of the headman and scribe of Maun *kgotla*. For the past year they had been pressing for the payment by Government of all BaYei headmen and scribes, a right accorded to their BaTawana equivalents but refused the BaYei on the ground of cost. Allison was very sympathetic to their proposal and told them he would accept the £75 and did his best to persuade the Regent of the justice of their cause. She was not so persuaded. She also took the opportunity of informing Allison that she was not going to cooperate with his "democratisation" programme: "she could not herself be expected to take action which might reduce the authority of her son, whose official guardian she was."⁸³ Allison went to Mafeking and told the Resident Commissioner that he was prepared "to impose the reforms on the people" but he was rebuffed by W. F. McKenzie who said "he was not prepared to force the pace in the face of opposition by the people...he preferred to tackle local government reforms for the Territory as a whole rather than piecemeal."⁸⁴ Allison was humiliated further by an order to return the £75 to the BaYei.

The Regent was convinced, with some justification, that Allison and Millard had encouraged the BaYei in their separatism. They now did their best to correct that impression. At a meeting held in August with the BaYei leaders and their lawyer, Allison and Millard presented such a picture of Government obduracy that they managed to persuade the BaYei (if only temporarily as it turned out) to waive their demands for independence and withdraw their appeal to the High Commissioner.⁸⁵ In return they were promised that there would be democratic reform of local government, with representative councils, but they would have to bide their time, "make their peace with the Regent and, by the efficient administration of their tribunals and *kgotlas* prove that they

were worthy of serious consideration..”⁸⁶

In December 1953 Allison wrote a lengthy report in which he concluded that the BaYei had only two real grievances: exclusion from the inner councils of the Chief and exclusion from the office of Chief's Representative.⁸⁷ There were BaYei representatives on the Finance and School Committees, nearly twice as many BaYei children attended school than did BaTawana children, and there was equality before the law (at least in theory). Nor could Allison find evidence of any discrimination in the allocation of land. What discrimination did take place was confined to the social sphere, even here it was largely artificial, “stimulated as a political move against the Regent.” He concluded that the majority of BaYei were quite content to be integrated with the BaTawana and indeed wore the name ‘Makuba’ without shame; the SeYei language was itself dying and SeTswana was had replaced it in all but the remote areas of Ngamiland.

Separatist politics was carried on by a minority of BaYei who were motivated “by a desire for paid office.” There were deeper motives: “the urge to be free from the BaTawana is in fact the new African dissatisfaction with systems so rigid that there exists no opportunity for those within the system to alter and bring about changes they desire and which they imagine will create some new utopian life.”

The solution was made simple: “the only future for the Ngamiland peoples as a whole, or singly, is full integration in one homogenous group” and this would only be achieved by reform of the tribal administration so that it would become possible for “anyone and everyone to play a more reasoned part in the system.”

Allison left Ngamiland at the end of 1954 somewhat disillusioned. His August 1953 agreement with the BaYei had proved to be a chimaera: separatist agitation continued throughout 1954 and he eventually urged Government to consider police and legal action against the BaYei leaders. He was now convinced that the creation of the BaYei *kgotlas* in 1948 had been a major mistake – he called them “nuclei of separatism” – and he advocated their closure.⁸⁸ Mafeking treated his pleas for punishment of the BaYei with the same indifference as they had treated his pleas for their ‘democratisation’.

V. Reform and the Emergence of Nationalist Politics in Ngamiland 1954-1966

The BaYei were now faced with a Government seemingly unwilling to engage in dialogue, threatening legal action, and were now without their lawyer (Ben Baron and Partners had abandoned them after the August 1953 conference). During 1954 and 1955 their complaints fell upon deaf ears. Government advised the BaYei to take their grievances to the Regent and the Regent simply ignored them. However the separatists did find a way of making the Government listen – they went over the heads of the District, Resident and High Commissioners and took their case to London.

The nephew of Moengwe Mpho, Motsamai Mpho, had left Ngamiland in 1948 to live and work as a social worker, clerk and eventually journalist (for the *New Age*) in Johannesburg. There he got involved in nationalist politics and became an organiser for the African National Congress. In 1956 Mpho wrote to the British Labour Party M. P., (Archibald) Fenner Brockway, to ask him to plead the case of the BaYei “who were suffering slavery now, under the regime of the Ba-Tawana” and whose plight was being ignored by the protectorate administration.⁸⁹ Fenner Brockway wrote to the Under-Secretary of State for the Commonwealth and asked him “to look into this matter.”⁹⁰ The Under-Secretary then asked the High Commissioner to answer Mpho’s allegations, who in turn asked the Resident and District Commissioners to present the Government’s case. Once again Mafeking stated that the separatists did not represent the majority of BaYei, that there was no slavery in Ngamiland, and that the BaYei were in fact well-represented at nearly all levels of tribal administration. This situation would be improved further, the District Commissioner explained, when the system of local councils was introduced: there were plans for 9 local councils in Ngamiland of whose 36 members, 12 would be BaYei.⁹¹

Brockway sent Mpho the Government’s reply and Mpho met with the separatist leaders at Palapye in May 1957 to draw up their response. Mpho was now their “honorary secretary” and after the meeting he

drafted a long letter to Brockway entitled "The Long Standing Demands and Grievances of the BaYei People in Ngamiland."⁹² Their disillusionment with Mafeking was such that Mpho demanded a Commission of Enquiry to be sent from London to look into the BaYei grievances. He denied that the BaYei wanted Moeti Samotsoko to be their chief; on the contrary, Mpho said he encouraged the BaYei "to demand the abolition of chieftainship and to fight for the establishment of a legislative assembly right through the Bechuanaland Protectorate."⁹³ Nationalist rhetoric now informed the BaYei protest but it remained to be seen whether it would be taken up by the other BaYei leaders.

The response of the Protectorate administration was predictable: "most of the complaints raised by them (the BaYei) are distorted facts or completely untrue allegations."⁹⁴ It was suggested that "once the young Chief assumes office the Bayei separatist movement will die a natural death, but in their own interests the existing malcontents are determined to get what they can while they can."⁹⁵ Government did agree however to another round table conference with the Bayei in October 1958.

Ben Baron from Bulawayo was persuaded to again represent the separatists at the meeting in the absence of Motsamai Mpho.⁹⁶ Baron presented three demands to Government: the BaYei wanted their own Chief (Mpho's democratic nationalism was not yet taken on board), their own court, and their own treasury. The Government Secretary replied that BaYei autonomy was out of the question. The demand for their own courts had been granted, he continued, but the majority of the BaYei preferred to use the courts of the Chief's Representatives. He refused to force the BaYei to use the separatists' courts. As to treasuries he argued that "a number of weak and poor tribal treasuries would merely serve to retard the progress of the tribe." The new area and district councils established in the BaTawana Reserve in July would solve their problems with the BaTawana administration he suggested and help integrate the BaYei with the BaTawana, "such integration already existed to a very large extent."

The Junior and Senior Tribunals created by Moremi and other Batswana *dikgosi* following the 1935 Native Administration and Tribunal Proclamations were intended to be more than judicial bodies, they were also supposed to have had an advisory role. Their function as local and district councils had not been fulfilled however, mainly be-

cause of the opposition of *dikgosi* who (quite rightly) feared that the councils would usurp and weaken their authority. When in the early 1950s Government was confronted by African demands for greater representation at the national level in the form of a legislative council, the government countered by demanding that *dikgosi* cooperate first in the establishment of representative local and district governments. In principle, Mrs Moremi and the other *dikgosi* agreed to the creation of local councils but in practice they were unwilling to cooperate fully in a process which would in effect emasculate the institution of chieftainship.⁹⁷

The local councils established in 1958 replaced local councils created in the mid-1950s which the Regent had ignored. The BaYei were thus rather sceptical about the councils as a panacea for their grievances and, as it turned out, in the short-term at least, they were correct. Though local councils were chosen in 1959 they never actually operated. It was not until 1961 that local councils began to function as intended by Government in Ngamiland, and then only after new councils were once again chosen and elected according to a model constitution imposed on Ngamiland and the other Reserves.⁹⁸ The constitution provided for the selection of members to area councils by the Chief and tribe in *kgotla*. Election from area councils to tribal or district councils would be by secret ballot, an innovation that the *dikgosi*, to the surprise of British officials, were quite happy to see introduced. The guiding principle of the reforms was that in all councils there should be a majority of elected over nominated or ex-officio members. The councils had only advisory status, but it was the intention of Government to transfer power in local government to these councils before independence.

The BaYei soon tired of waiting for these long-promised councils. Throughout 1959 and 1960 a stream of old and new complaints issued from Moeti Samotsoko, Ben Baron and Partners, and Motsamai Mpho. Among the new complaints were the allegations that the Regent had debarred the BaYei living outside Maun from associating with the separatist ringleaders in Maun, and that the BaTawana had pulled down huts erected by the BaYei headmen as their offices. In August 1960 Moeti, breaking the agreement he had made at the roundtable conference of October 1958, made an impassioned plea for autonomy: "we want to be under the Government as the other tribes and to have our Treasure (sic) as the other tribes."⁹⁹ The response from govern-

ment was 'wait for the councils.'

While Moeti pleaded in vain, Motsamai Mpho was given the opportunity, albeit against his will, of advocating the BaYei cause from within the Protectorate: on 10 August 1960 he arrived in Palapye by train having been deported from the Union of South Africa. Mpho's political sights were aimed higher than Ngamiland however; in the next few months he cooperated with another deportee, P. G. Matante, and K. T. Motsete in the founding of a new political party, the Bechuanaland People's Party.¹⁰⁰ According to District Commissioner C. E. Clark, Mpho remained in touch with the BaYei separatist and in February 1961, on the eve of the local council 'elections', advised the BaYei to refuse to do regimental work for the BaTawana and to ignore the Regent's orders to attend *kgotla* meetings.¹⁰¹

Members for the ten area councils outside Maun were chosen during the weeks 22 February–6 March. These meetings were not well attended; the population's experience of the previous abortive councils had engendered apathy and indifference.¹⁰² Elections by secret ballot of tribal or district council members were scheduled for 16–26 March. It was during this lull between selection procedures that the Maun BaYei for the first time since their struggle for communal rights was launched in the 1940s engaged in organised acts of civil disobedience. On 13 March, Moeti Samotsoko ordered the BaYei women of Maun not to join the rest of the women in their regimental work of weeding the *kgotla* in preparation for the forthcoming annual meeting.

This act of defiance was followed on 26 March by a boycott of the special *kgotla* meeting called by the Regent to hear the names of those chosen to serve on the Maun area council. At first, the Regent did nothing; she was advised by the District Commissioner to let tempers cool. She was then accused by the BaTawana 'malcontents' of taking bribes from the BaYei. Tempers did not cool. The Maun area council elected three members to sit on the tribal council on 15 April. In a letter dated 17 April, the day the annual *kgotla* was due to begin, Moeti wrote to the District Commissioner expressing his outrage that "of the three members elected, not a single MoYei was called upon as a member. These local councils create old laws of slavery.... We thought that they would bring us freedom...we intend not to attend any *kgotla* meetings with the BaTawana or any Tribal duty."¹⁰³

True to his word, Moeti and the rest of the BaYei stayed away on the

The Case of BaYei Separatism

opening day of the annual *kgotla*, holding a meeting in their own *kgotla* attended by an estimated 300-400 men. The next day, however, they did attend the Regent's *kgotla*; the District Commissioner had threatened to charge them with offences under the Riotous Assembly Proclamation. The authorities then learned that Moeti had begun to give orders to BaYei in other areas and that these orders were being obeyed; it was this that decided the Regent and the District Commissioner to take action.

On 20 April the Regent ordered the tribe to the *kgotla* to hear Moeti and the other BaYei ringleaders being charged under the Native Administration Proclamation. They were accused of failing to obey and acknowledge the authority of the Regent. Messengers sent to the BaYei *kgotla* found Moeti and 27 others; they refused to answer the Regent's summons. Government police were sent to bring them by force, but they agreed to attend peacefully, and were duly sentenced to fines and imprisonments ranging from £2 or 2 weeks to £40 or five weeks. The BaYei gave notice that they intended to appeal and were granted bail.¹⁰⁴

Ben Baron arranged a meeting between the separatists and the Regent and District Commissioner in June. Baron advised the BaYei to bide their time and wait for the democratic reforms which Independence would bring; however the BaYei had heard such talk before. Moeti was very ill and his place as spokesman was taken by Chombo Saudo. He made the usual demands for BaYei Chief's Representatives, their own stock slaughtering post in Maun, and that the BaYei should be forced to remove to the villages established around those *kgotlas*. Some acknowledgement of the potential power of local councils was made in a demand that the BaYei should have equal representation on the Maun area council. The District Commissioner noted that Baron's advice had been ignored and the meeting had once again shown "the completely selfish and nationalistic attitude of these separatists."¹⁰⁵

Thirteen years had passed since the BaYei had begun their protest for communal rights in Ngamiland, yet besides the initial concessions of their own *kgotlas* and headmen, very little had been achieved. A variety of tactics had been tried, ranging from petitions to civil disobedience, but the BaTawana and the British had been obdurate in their refusal to treat the BaYei as a tribe separate from and equal to the BaTawana. In 1961, Motsamai Mpho introduced a new strategy: involvement in nationalist politics for Botswana as a whole, a strategy

which was, on the surface, attractive but which would, in the end, swallow and subsume the separatist cause.

Following his deportation to the Protectorate, Motsamai Mpho continued to write to Brockway in London. A letter written in October 1962 provided evidence that his support for BaYei separatism was now firmly subordinated to nationalist politics. He again asked Brockway to press for "a Commission to come and investigate whether in fact there is still slavery going on in the BaTswana Reserve"; however he echoed Baron in suggesting that real change would only come about when there were general elections based on 'one man, one vote'. The cause of the BaTswana was superior to the cause of the BaYei: "do your best and our Party too will try to educate the BaYei that tribal divisions are unhealthy, Bechuanaland needs one united nation irrespective of their race or creed."¹⁰⁶

Mpho introduced nationalist party politics to Ngamiland in the early months of 1961. Though the Regent banned BPP public meetings in the Reserve, Mpho did establish a BPP branch in Maun, largely made up of BaYei separatists and some OvaHerero. The appeal of the party for these groups lay in its anti-Government, anti-*dikgosi* stance. The BPP rejected the Legislative Council because it had reserved seats separately for the Africans, Europeans and Asians; Mpho and Matante wanted general elections based upon 'one man, one vote' followed immediately by Independence. The *dikgosi* were labelled 'Tshombes' because they collaborated with the British, and of course because they banned their public meetings. The BaYei, the OvaHerero, and other 'minority' groups in the Protectorate such as the BaKalanga, perceived that what the BPP advocated would sweep away the authority of the *dikgosi*; yet offered no clue as to what would replace that authority. The BPP did not present a detailed alternative. There would be a democracy and a new nation, but how that democracy would function and how the nation would be defined was not made clear. Nor were the BaYei particularly interested; what was important was that, in the words of a Government analysis of BaYei motives, "they (the BPP) are anti-Chief and in the minds of most of them the Chief and the Government are one and the same, simply because both represent 'Authority'."¹⁰⁷

The dangers posed to the status quo by the BPP were also apparent to the Batawana, in particular to the 'malcontents'. The second political party to set up shop in Ngamiland was the Bechuanaland Demo-

cratic Party, a moderate grouping of the BaNgwato elite led by Seretse Khama, from its very beginning identified by the Government as its 'heir apparent'. By December 1961, Seretse had brought together a network of leading Batswana personalities throughout the Protectorate, including many of the 'malcontents' in Ngamiland and Tsheko Tsheko the Tribal Secretary. The attraction of the BDP for the BaTawana did not lie in their fascination for nationalism and nationalist politics; rather they saw the BDP as Seretse Khama's party, and therefore the party of the *dikgosana*. They assumed that the BDP would protect the interests of the traditional ruling elites in each reserve. The 'malcontents' still looked to the return of Letsholathebe, scheduled for December 1964, as the most important political event on the horizon. The regent would be replaced by a malleable young man and their future, and the future of their large cattle herds, assured.

Nationalist politics did not replace 'tribalism' as Mpho had hoped; on the contrary it actually reinforced ethnic divisions in Ngamiland. Both the Batawana and the BaYei were prepared to associate themselves with nationalist parties and nationalist politicians, but their political objectives and philosophy remained firmly located in the politics of the *morafe*. This is most clearly seen in the activities of the Bayei separatists during 1963-64.

In February 1963 Moeti Samtsoko died after a long illness; even in death he managed to flout the authority of the Regent by being buried in the BaYei *kgotla* instead of, as was demanded by the BaTawana, in the tribal burial ground. Moeti's eldest son, Jacob Moeti, was chosen as his successor as headman, but he asked for his installation to be postponed for a year in order to settle his father's estate. Meanwhile Chombo Saudo acted in his place and attempted, as Moeti had done, to act as 'Chief' of all the BaYei but without official recognition. When twelve months had passed, Chombo used Letsholathebe's forthcoming installation as an opportunity to make the separatists' most ambitious demands to date.¹⁰⁸ The installation of Jacob Moeti was compared with that of the BaTawana *kgosi*: Jacob would be installed on four conditions: he must be recognised as 'Chief' of the BaYei; he must have the same authority as the Regent; he must have his own tribal administration; and, most radical of all, an area in Ngamiland must be proclaimed BaYei territory (a site for the BaYei capital had already been chosen on the eastern side of the Thamalakane river, five or six miles from Maun). The Regent prudently 'passed the buck'; she de-

cided to postpone any further discussion of BaYei demands until after the installation of her son. Chombo, however, approached the Government in August 1964 with his demand for land: "On account of some troubles we have experienced so far, we want to get our land back before self-government comes into operation."¹⁰⁹

Implied in that statement was mistrust of what nationalist politics and independence would bring the BaYei. Chombo and the separatist wanted official recognition as a 'tribe', and all the rights associated with that recognition including their own reserve. It had become obvious, not least from the speeches of Motsamai Mpho, that although nationalist politicians wished like the BaYei to destroy BaTswana autocracy in Ngamiland they could not be relied upon to 'restore' communal rights. The rules of the game were changing; political legitimacy was no longer only defined through the institution of Tswana-style chieftainship, *bogosi*, but also by appeals to a new political identity, to a new political community. Mpho would fight for the rights of the BaYei, but his definition of 'rights' were those of a citizen of a modern nation-state.

Chombo's appeal to the Government met with the same fate as all the other appeals for autonomy made since the early 1950s: Government policy was to "integrate all the residents of Ngamiland into a unified form of local administration."¹¹⁰ Thus, although the BaYei mistrusted the nationalists, there seemed no alternative but to trust them with their cause— at least they spoke in the only political language that Government appeared to understand. District Commissioner Gass's report on the BaYei 'problem' noted that "there can be little doubt that the Bayei leadership and the vast majority of the tribe are under the influence of the BIP (Botswana Independence Party) and, more particularly, Motsamai Mpho, who is considered to be their 'saviour'.¹¹¹ The Botswana Independence Party had been founded by Mpho in 1963 after factionalism had split the BPP. The BPP had torn itself apart over a complex web of issues: a personal struggle for leadership between Mpho and Matante; Matante's intolerance of Mpho's links with the ANC; allegations of the misuse of party funds and party vehicles; and a quarrel over the siting of the party headquarters. The split and the ensuing battle for control of the party, eventually won by Matante hence Mpho's formation of the BIP, left the field clear for the BDP who concentrated their energies on building a strong network of elite support in the rural areas. In Ngamiland the

BDP prospered rather well from the split. With the formation of the BIP in 1963 the non-BaTawana vote was fragmented. Mpho failed to convince the population of Ngamiland, let alone the population of the rest of the protectorate, that his party was truly a 'national' party; he was looked upon as a spokesman for the BaYei and his party was perceived to be the party of the BaYei.

In the first General Election held in March 1965, the BDP won all three Ngamiland constituencies:

Maun/Chobe:	BDP 2,446;	BPP 1,599;	BIP 1,099;(81% poll)
Okavango:	BDP 1,929;	BIP 1,666;	(65% poll)
Ngami:	BDP 2,054;	BPP 54;	(54% poll) ¹¹²

In the words of the District Commissioner, "had BIP and BPP joined forces, they would probably have returned their candidates in Maun/Chobe and Okavango, where BPP candidate's nomination was not accepted." Not one BIP candidate was successful in the General Election anywhere in the Protectorate. The party was more successful in the Local Government elections of June 1966, winning 5 out of 12 seats on the North-West District Council (the party won no seats in any other district), however, the BDP won control of the council and therefore retained control of Local Government.¹¹³

The democratic reforms which the British had promised would satisfy BaYei aspirations and "integrate all the residents of Ngamiland into a unified plan of local administration" had, in fact, bolstered BaTawana dominance. Nor did subsequent elections, local and national, weaken that dominance. The Botswana Independence Party won only one parliamentary seat in the general elections of 1969, 1974 and 1979 – and that was Mpho's. And in the District Council elections the BDP have retained control since 1965. The BaTawana state survived in the guise of North West District; local administration was still firmly in the hands of the BaTawana cattle owning elite.

VI. Conclusion: The Triumph of Tswanadom, 1966-1988

The struggle for communal rights by the BaYei originated in response to the promise of central government reform, 'democratisation', of the traditional BaTswana state. To a certain extent baYei separatism was even encouraged by the colonial administration since it challenged baTswana hegemony. However, the ultimate objective of the baYei separatists, the establishment of a Tswana-style state, ran counter to the British objective of intergration. By the late 1950s the British were grappling with the task of transforming tribesmen into citizens of a modern nation-state; communal politics were regarded as dangerous and retrogressive.

Nationalist politics had, if not replaced, at least superseded communal politics as the politics of legitimacy; the rules of the game had changed. Motsamai Mpho, hitherto one of the champions of the BaYei cause, agreed with the British that the concept of 'communal rights' had to be abandoned, or at least re-defined. No longer should the BaYei fight for the right to be treated as Tswana tribesmen, they should now join the fight to be treated as citizens of an independent Botswana. A letter from the separatists' lawyers to the District Commissioner dated 9 June 1967, stated that "the BaYei do not ask the perpetuation of Chieftainship as such, but on the contrary, they ask for their rights under Chieftainship while it still exists. They feel that the Botswana Constitution is there to free them from the slavery and tutelage of the past."¹¹⁴ This was a despairing acknowledgement that communal rights, "rights under chieftainship", were being eclipsed by the 'Western' concept of human/civil rights. Ironically, the appeal was to the Botswana Constitution, the very document which enshrined that new concept.

"What is remarkable in Botswana" suggests Neil Parsons, "is how much, up till now, the legitimacy of Tswanadom has been accepted and even supported by the non-Tswana groups."¹¹⁵ It is a legitimacy which is dynamic and complex. Tswana political culture has been so successful largely because it has been capable of incorporating and adapting foreign ideas and institutions, as well as of course, foreigners themselves. An important change in the nature of this legitimacy

took place during the 1950s and 1960s, prompted mainly by pressure from the colonial state, as well as in response to rapid social and economic change. Superficially, this change involved a transition from communal politics to the politics of nationalism as the basis of the legitimacy of Tswanadom. However, as we have seen in this essay, the realities of power at the local level suffered little change.

The legitimacy of Tswanadom had been threatened by communalism during the 1930s, 1940s and 1950s; nowhere more seriously than in Ngamiland, the weakest of the Tswana states. *Bogosi*, the touchstone of Tswanadom's legitimacy, was in the process of being hijacked by the 'subject people'. However, in Ngamiland the BaTawana retained their political dominance, and Tswanadom as a whole its hold over the 'subject peoples' or 'minority groups' (as they are now more tactfully described), by formally eschewing communal politics, labelling it 'tribalism'. Instead the Tswana political elites embraced nationalist politics which replaced bogosi with the 'nation'. Unlike *bogosi*, which was in danger of being used to throw off Tswana hegemony, as the BaYei tried to do in Ngamiland, the definition of the 'nation' could be manipulated to provide Tswana culture with a monopoly of political legitimacy in Tswanadom's new guise, the Republic of Botswana.

The struggle of the BaYei for communal rights had been sparked off by an infusion of western-style democracy into Tswanadom via British attempts to 'democratise' the BaTawana state. Ironically, it was an even greater dose of western democracy, the concepts of human rights and the nation-state, which ensured the failure of that struggle.

Glossary of Terms

basimane ba kgosi	literally “the king’s boys”; the backbone of the Tswana administration.
batlhanka	serfs.
bogosi	Kingship.
botlhankana	a kind of hereditary serfdom.
kgamelo	cattle given to a king’s servant in return for service.
kgosana (pl. dikosana)	headman (of a ward); royals.
kgosi (pl. dikgosi)	king; chief.
kgotla	ward; public assembly; a place where a public assembly takes place.
morafe (pl. merafe)	nationm, tribe .

Notes

1. Mpho to Brockway, 17 October 1961, Botswana National Archives, s.285/3/5.

2. See Claude E. Welch and Ronald I. Meltzer, Eds., *Human Rights and Development in Africa*, (New York, 1984), pp. 7-11 and pp. 32-45 for sketch of debate.

3. *Ibid.*, p. 268.

4. Jack Donnelly, *The Concept of Human Rights*, (London, 1985), pp. 80-87.

5. Donnelly argues that the African Charter on Human and Peoples' Rights, also known as the Banjul Charter, by laying special emphasis on peoples' rights in fact "comes dangerously close to destroying human rights". He suggests that the two concepts of rights are mutually incompatible: human rights are exercised by individuals against the state, whereas peoples' rights are held by society, usually in the form of the state, and usually exercised against the individual.

6. For the pre-colonial history of Ngamiland see Thomas Tlou, *A History of Ngamiland 1750 to 1906: The formation of an African State*, (Gaberone, 1985).

7. The History of the attempt to found a *morafe* can be found in 'Affairs between the BaSekgoma and the followers of Mathiba', B.N.A. S.32/2.

8. Panzera to Selborne (High Commissioner), 12 May 1908, B.N.A. S.31/2/2.

9. B.N.A. S.601/2.

10. A MoTawana headman commented sadly in 1932, "This was the beginning of our disintegration...when we are here in Maun we have nothing to eat". B.N.A S.285/1.

11. Ellenberger to Mafeking, 2 April 1931, B.N.A. S.210/3.

12. Figures taken from 'Memorandum on Hut Tax' dated 10 April 1923 by Resident Magistrate A.G. Stigand, B.N.A. S.285/3.

13. Ellenberger to Chief Mathiba Moremi and Councillors, 18 December 1931, B.N.A. S.285/1.

14. Ellenberger to Mafeking, 16 March 1932, B.N.A. S.285/1.
15. Transcript of meetings held in *kgotla* between Ellenberger and leading members of *morafe* 5 and 10 March, 1932, B.N.A. S.285/1.
16. Ellenberger to Mafeking, 27 July 1932, B.N.A. S.285/1.
17. Transcript of *kgotla* meeting held on 27 July 1932, B.N.A. S.285/1
18. Curzon to Resident Commissioner Colonel Rey, 30 December 1932, B.N.A. S.308/1
19. Resident Commissioner's Report on Tour of the Northern Protectorate, August-September 1934, B.N.A. S.285/2.
20. The *kgamelo* system was a form of cattle-feudalism. By lending out cattle obtained by conquest to commoners, nineteenth century Tswana *dikgosi* created a client class who, like the feudal lords of Europe, promised loyalty and service in return. Cattle lent by the *kgosi* were called *kgamelo* (milk-pail) because the *kgosi* was entitled to the milk of the animals. The cattle could be taken from the holders at any time if the *kgosi* so wished.
21. E. Arrowsmith, Acting Resident Magistrate, to Mafeking, 10 September 1935, B.N.A. S.421/10.
22. E.H. Ashton, Notes on the Political and Judicial Organisation of the Tawana p.75.
23. *Ibid.*, pp.71-73.
24. Tshekedi Khama to Resident Commissioner Arde-Clarke, 'The Damara-Batawana Trouble' 21 September 1940, B.N.A. S.214/1/2.
25. *Ibid.*
26. S.V. Lawrenson, Acting District Commissioner, to Mafeking, 11 December 1939, B.N.A. S.421/12.
27. Quoted by W.F. Mackenzie, Acting District Commissioner, 16 December 1937, B.N.A. S.421/12.
28. Handing Over Report, Ngamiland and Chobe District, July 1941, B.N.A. S.119/6/1.
29. Annual Report for 1950, Ngamiland and Chobe District, B.N.A. DCMA 5/15.
30. *Ibid.*

31. Alisdair Sutherland, '*Economic Differentiation and Cultural change among Yeyi in North West Botswana*' (Unpublished Ph.D thesis, University of Manchester. 1984) pp.80-81.

32. Handing Over Notes, Ngamiland and Chobe District, October 1938, B.N.A. S.119/6/1.

33. Details of the trials can be found in 'Damaras - Complaints against by Chief Mathiba', B.N.A. S.214/1/1.

34. S.V. Lawreson, District Commissioner, to Mafeking, 13 October 1939, B.N.A. S.214/1/1.

35. V. Lawrenson to Mafeking, 15 November 1939, B.N.A. S.214/1/1.

36. C.N. Arden-Clarke, Resident Commissioner, to Chief Moremi, 7 March 1940, B.N.A. S.214/1/2.

37. Chief Moremi to Resident Commissioner, 25 April 1940, B.N.A. S.214/1/2.

38. Isaac Schapera to Resident Commissioner, 26 August 1940, B.N.A. s.214/1/2.

39. Tshekedi Khama, 'The Batawana-Damara Trouble', dated 21 September 1940, B.N.A. S.214/1/2.

40. Minutes of the meeting can be found in B.N.A. S.214/1/2.

41. His Confidential Reports for both 1940 and 1941 contain such allegations. These, and other comments on "natives of outstanding influence and personality" in Ngamiland can be found in B.N.A. S.433/15.

42. Moanaphuti Segolodi to the District Commissioner, Maun, 19 September 1942, B.N.A S.285/3/1.

43. Handing Over Report, Ngamiland, Chobe and Ghanzi District, September 1943, B.N.A. S.119/6/1.

44. Quoted by A.D. Forsyth-Thompson, Resident Commissioner, to the High Commissioner, Cape Town, 19 May 1943, B.N.A S.433/15.

45. Report of a *Kgotla* meeting held at Maun on 20 September 1946, Germond to Mafeking, 3 October 1946, B.N.A. S.285/3/1.

46. *Ibid.*

47. *Ibid.*

48. Review of Colonial Development and Welfare Scheme No.D.681, Control of Tsetse Fly, Resident Commissioner to the Chief Secretary, Pretoria, 28 July, 1952, B.N.A. Div. Com. North 9/10.

49. For report of the *kgotla* meeting at which Pulane Moremi was chosen as Regent, held at Maun on 28 February 1947, see g. Nettelton, Government Secretary, to High Commissioner, 24 April 1947, B.N.A. S.285/3/1.

50. Extract from the report of the Resident and High Commissioners, Tour of Ngamiland, dated 19 September 1947, B.N.A. S.285/3/1.

51. *Ibid.*

52. For details of the petition see E. Atkinson, District Commissioner, Maun, to the Government Secretary, 15 April 1948, B.N.A. S.285/3/1.

53. *Ibid.*

54. For a report of the *kgotla* meetings held in July 1948, see Atkinson to Sillery, 29 July 1948, B.N.A. S.285/3/1.

55. *Ibid.*

56. For this letter, and the District Commissioner's response, see Atkinson to Mafeking, 12 November 1948, B.N.A. S.285/3/1.

57. Annual Report for Ngamiland District, 1950, DCMA 5/15. (In April 1950 the Tawana Reserve was sub-divided and the Chobe area placed under the control of its own District Commissioner.)

58. For reports of these *kgotla* meetings see J.C.E. Bowen, District Commissioner, Maun, to Mafeking, 15 May and 12 June 1951, B.N.A. S.285/3/2.

59. *Ibid.*

60. E.P. Moremi, Regent of the BaTawana, to the Resident Commissioner, 12 June 1951, B.N.A. S.285/3/2.

61. R.A.R. Bent to Mafeking, 7 November 1951, B.N.A. S.285/3/2.

62. Translation copy of petition enclosed in letter of E.P. Moremi to District Commissioner, 25 August 1951, B.N.A. S.285/3/2.

63. Translation copy of BaYei petition enclosed in letter of E.P. Moremi to District Commissioner, 23 August 1951, B.N.A. S.285/3/2.

64. Copy of letter enclosed in letter of Bent to Mafeking, 7 November 1951, B.N.A. S.285/3/2. The petition was drawn up by Dikgothi

Monwela, a clerk in the Regent's Tribal Office. According to Bent, Monwela had already tendered his resignation to the Regent, but the petitioners claim he was dismissed for his anti-Raditladi views. Monwela was elected M.P. for Maun-Chobe in 1965 and at the time of writing is still M.P. for the constituency.

65. Report of *kgotla* meeting in Bent to Mafeking, 21 December 1951, S.285/3/2.

66. Bent's Musings are contained in a long letter to Mafeking, dated 21 December 1951, B.N.A. S.285/3/2.

67. *Ibid.*

68. *Ibid.*

69. Reported in Bent to Mafeking, 5 April 1952, B.N.A. S.285/3/2.

70. *Ibid.*

71. Kgari Sechele of the BaKwena gave a full report of his meetings with the 'malcontents' to his District Commissioner: "We (BaKwena) are quiet and ever loyal to the Government and the action taken by the people of other tribes such as pulling us into affairs of this nature, is a very bad one and we do not like it". Kgari to District Commissioner, Molepolole, 9 May 1952, B.N.A. S.285/3/2.

72. Raphaely to Bent, 22 May 1952, B.N.A. S.285/3/2.

73. Bent to Raphaely, 1 July 1952, B.N.A. S.285/3/2.

74. Raphaely to Resident Commissioner, 1 September 1952, S.285/3/3.

75. A. Germond, Acting Government Secretary, to Ben Baron and Partners, Bulawayo, 10 November 1952, S.285/3/3.

76. Details of this meeting and the subsequent court proceedings can be found in Bent to Mafeking, 10 September 1952, B.N.A. S.285/3/3.

77. Coulson's visit is reported in Bent to Mafeking, 16 September 1952, S.285/3/3.

78. Report of meeting can be found in Government Secretary to District Commissioner, Maun, 2 May 1953, B.N.A. S.285/3/3.

79. Appeal was enclosed in a letter from Raphaely to Mafeking, 7 April 1953, B.N.A. S.285/3/3.

80. This is extracted from 'An Appreciation of Batawana Native Administration' almost certainly jointly authored by Millard and Allison,

to be found in Millard to Mafeking, 2 April 1953, B.N.A. S.285/3/3.

81. *Ibid.*

82. Allison to Mafeking, 18 June 1953, B.N.A. S.285/3/3.

83. Notes of a discussion between the District and Resident Commissioners, and the Regent of the BaTawana, at Mafeking on 16 July 1953, B.N.A. S.285/3/3.

84. *Ibid.*

85. Report of meeting can be found in Millard to Mafeking, 8 August 1953, S.285/3/3.

86. *Ibid.*

87. 'The Position of Subordinate Tribes in Ngamiland with particular reference to the BaYei, 1953' B.N.A. S.285/3/4.

88. Allison to Mafeking, 5 April 1954, B.N.A. S.285/3/4.

89. Quoted by Brockway in a letter to the Under-Secretary of State for the Commonwealth, 19 June 1956, B.N.A. S.285/3/4.

90. *Ibid.*

91. A.W. Mattews to Mafeking, 3 September 1956, B.N.A. S.285/3/4.

92. Mpho to Brockway, undated (though letter ends "All these facts were collected by me from the Bayei who were sent to meet me at Palapye on the 4.4.1957"), B.N.A. S.285/3/4.

93. *Ibid.*

94. Millard to Mafeking, 20 January 1958, B.N.A. S.285/3/4.

95. *Ibid.*

96. Minutes of the meeting can be found in R.B. Fawcus, Resident Commissioner, to M.R.B. Williama, District Commissioner, Maun, 10 October 1958, B.N.A. S.285/3/4.

97. A brief history of the evolution of the legislative council and local councils in the Bechuanaland Protectorate can be found in O. Gabasiane and A. Molokomme 'The Legislative Council' in *The Birth of Botswana: A History of the Bechuanaland Protectorate from 1910 to 1966*, edited by F. Morton and J. Ramsay (Gaborone, 1987), pp.161-171.

98. The constitution and regulations governing the 1961 Batawana local councils can be found in 'Batawana Tribal Council, Maun'

B.N.A. Div. Com. North 8/11.

99. Moeti Samotsoko to Resident Commissioner, 18 August 1960
B.N.A.

S.285/3/5.

100. For the formation of the BPP and other political parties in the territory see A. Murray, H. Nengwekhulu, and J. Ramsay 'The Formation of Political Parties' in Morton and Ramsay, *Birth of Botswana*, pp. 172-186.

101. Referred to in Divisional Commissioner, North, to District Commissioner, Maun, 14 April 1961, B.N.A. S.285/3/5

102. Details of the meetings are to be found in Clark to Mafeking, 5 April 1961, B.N.A. Div Com. North 8/11.

103. Samotsoko to Clark, 17 April 1961, B.N.A. S.285/3/5.

104. Details of these proceedings can be found in Divisional Commissioner, North, to Mafeking, 29 April 1961, B.N.A. S.285/3/5.

105. Clark to Mafeking, 19 July 1961, B.N.A. S.285/3/5.

106. Mpho to Brockway, 17 October 1961, B.N.A. S.285/3/5.

107. District Commissioner, Maun, to Permanent Secretary, Ministry of Local Government, 7 September 1965, B.N.A. I/8/3041, 36/3/2.

108. Demands are discussed in a document authored by District Commissioner I. Irving Gass, 'A brief note on the Bayei problems in Ngamiland and the consequent threat to security' dated Maun, 5 May 1964, B.N.A. I/6/2983, H75/6.

109. Saudu to District Commissioner, Maun, 6 August 1964, B.N.A. DCMA 4/13.

110. M.R.B. Williams, Member for Tribal Affairs and Social Services, to Saudu, 14 September 1964, B.N.A. DCMA 4/13.

111. 'A brief note on the Bayei problem...', B.N.A. I/6/2983, H75/6.

112. Election statistics from District Commissioner, Maun, to Permanent Secretary, Ministry of Local Government, 17 September 1965, B.N.A. I/8/3041, 36/3/2.

113. Local Government Election Results, 13 June 1966, B.N.A.

114. C.M. Madikezela to District Commissioner, Maun, 9 June 1967, B.N.A. DCMA 4/13.

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