

## Toward a Rhetoric of *Kagiso*: Rhetoric and Democracy in Botswana

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In the late 20<sup>th</sup> and early 21<sup>st</sup> centuries, numerous scholars of rhetoric have attempted to develop methods for understanding historical and contemporary rhetorical traditions beyond the Western world. Sue Hum and Arabella Lyon attest to the significance of this work for the field: “Openness to new definitions, methods, and understandings of ourselves and our cultures, critical awareness of the ethics of speaking, and dialogic engagement with other rhetorics will make rhetorical studies a more powerful speculative instrument in the 21st century” (162). Powell et al. assert that “we have to have a solid understanding of as many stories as possible if we’re going to be able to say anything at all about the practice of rhetorics over the past 10,000 years. And, just as important, we have to have a solid understanding of the relationship between these stories . . .”<sup>1</sup> The work of empowering and enriching rhetorical studies in this way has been taken up across multiple historical and contemporary cultural contexts around the world.

Within this scholarship in non-Western cultural rhetorics, ancient and modern African rhetorics have received some much-deserved critical attention. Michael V. Fox, Deborah Sweeney, Cecil Blake, and Carol S. Lipson have researched ancient Egyptian rhetorics, while Kermit Campbell has explored discourse practices in texts from three ancient northern African civilizations—Nubia, Axum, and Mali. Examining a contemporary African context, Philippe-Joseph Salazar, Katherine Elizabeth Mack, and Thomas Moriarty have all written on the role of rhetoric in post-Apartheid South Africa. In addition, scholars such as Molefi Asante, Daniel F. Collins, and Ronald L. Jackson have worked to establish African-based rhetorical theories.

Nonetheless, many African traditions remain largely unstudied in the fields of rhetorical studies and cultural rhetorics. Hum and Lyon assert, “While there is a growing body of literature comparing dominant Anglo-American and African American rhetorics, for the most part, Afrocentric comparative rhetorics—

comparisons in which at least one text or theory is informed by an African worldview—are underdeveloped...” (161). One important African rhetorical tradition is that of the contemporary nation-state of Botswana, which is touted among African countries for its peace and stability. On a continent often fraught with conflict—due in large part to the deeply problematic legacy of colonialism—Botswana’s peaceful political and rhetorical story warrants attention.

In an effort to bring attention to this particular African context, this article will explore some salient features of contemporary rhetoric in Botswana, including its roots in indigenous Tswana culture.<sup>ii</sup> Building on my previous work on the indigenous rhetoric of the Tswana, I argue that traditional Tswana rhetorical practices survived through the colonial period and into the modern nation-state, contributing profoundly to Botswana’s stability and success as a democratic country with a record of peaceful governance and conflict resolution that is in many ways unparalleled elsewhere on the African continent. While many other factors undoubtedly contribute to this political and social success, the traditional communication practices of the Tswana have worked to sustain a sense of communal identity despite the presence of discord and dissent. I identify and define this tradition as a rhetoric of *kagiso*, which is the Setswana word often translated to English as “peace” or “social harmony.” This essay examines scholarship across numerous disciplines including anthropology, political science, economics, social geography, African studies, and rhetoric to elucidate the practice of *kagiso* as a form of rhetoric within Botswana’s current democratic government. *Kagiso* as a rhetorical concept allows us to understand a discourse of democracy not grounded solely in the West—and one not tied to the limited binary of democracy as either agonism or consensus. *Kagiso* offers a powerful, living example of a discursive tradition that transcends this simplistic dichotomy between agonism and consensus because harmony and dissent are held closely in productive contact. Moreover, drawing attention to the rhetorical traditions of this particular context is a small but significant portion of a far larger and much needed project: enriching the field of rhetorical studies by continuing efforts to broaden the conceptions of rhetoric beyond the Greco-Roman foundations on which so much of our current understanding rests.

Understanding *kagiso* as a rhetorical concept particular to Botswana’s history and traditions is essential for explicating this rhetorical context in its specific manifestations. Several scholars of non-Western rhetorics discuss the necessity of using terms and conceptual systems that are endemic to the cultures being studied rather than simply importing existing Western concepts and applying them. Without a situated, grounded framework, the work of cultural rhetorics becomes problematic. Hum and Lyon argue that employing narrow Western definitions of rhetoric to non-Western contexts is overly restrictive and a form of colonialism (154), while Shuter contends that ethical rhetorical study of non-Western contexts “situates discourse within the culture that produced and nurtured it” (11). To address this need to look at African rhetorical contexts in ways that are more

accurate and ethical, several other scholars of African rhetorical traditions have worked to develop terms and theories that are specifically African (Blake; Collins). Yet, despite these worthy attempts to create distinctly African rhetorical frameworks, developing and applying broad-scale, timeless theories of African rhetorics throughout the continent might homogenize and simplify the diverse array of rhetorical traditions throughout Africa. It might also risk eliding distinctions among traditions and how these traditions develop over time (Hum and Lyon 161). For example, as I have argued elsewhere, Tswana rhetorical practices fit well within broader Africalogical frameworks in some ways, but deviate from and challenge those frames in other ways. Africalogical theories of discourse as developed by scholars such as Asante, Jackson, and Collins tend to emphasize harmony, balance, and community, which Tswana discourse clearly does as well. However, when Africalogical theories emphasize balance and harmony to the extent that they posit African rhetorics are devoid of the “agonistic nature” of Western discourse (as Collins argues), Tswana rhetoric does not quite fit this description. The fact that agonism exists in both historical and contemporary Tswana discourse problematizes the claim that African worldviews and resultant rhetorics are without agonism, or that they contain fewer agonistic features than what is present in Western politics and discourse. What is at play in discourse and politics here is more complex and nuanced—a sense of community and unified polity even in the midst of conflict. Discourse is and has been at the source of this ability to maintain community and unified civic identity in the presence of discord.

#### **BACKGROUND ON BOTSWANA AND TRADITIONAL TSWANA RHETORIC**

Botswana is located in southern Africa, with a recorded population of 2,345,185 people at the time of this writing (“Botswana Population 2017”). The majority ethnic group is the Tswana people, who are speakers of Setswana, an eastern Bantu language. The Tswana make up approximately 80 percent of the population of the modern nation-state Botswana. Within the Tswana ethnic majority, there are eight sub-groups that are generally recognized as having developed in the territory of what is now Botswana: the Bakgatla, Bakwena, Bamalete, Bamangwato, Bangwaketse, Baralong, Batawana, and Batlokwa (Du Toit 18). In addition to the Tswana, there are also other eastern Bantu-speaking ethnic groups in the nation, including the Kalanga, who primarily live in the northeastern portion of the country and compose 11 percent of the total population. Moreover, there is small contingent of western Bantu speakers, such as the Herero, Yeyi, Mbukusu, and Subiya, who also live primarily in the northern part of Botswana. All of these groups speak a particular type of Bantu language and share some cultural traits. The other major ethno-linguistic group is the Khoisan, who speak a click language and who are far more culturally distinct from the other groups (Denbow and Thebe 40).

Botswana is known for its successful transition from a British protectorate to a stable post-colonial democracy, and many scholars across numerous disciplines

have sought to understand this success. Botswana became a protectorate in 1885 after Tswana chiefs and local British missionaries sought protection from other European colonists, including the Germans and Boers. Britain agreed in order to stake a position in the region. When Botswana achieved its independence in 1966, it was one of the poorest nations in the world. Yet within a few decades, it managed to transform itself into a middle-income country (one of the wealthiest in Africa) as well as Africa's first multi-party democracy known for peaceful political practices and social stability (Denbow and Thebe 2-3; "A Good Example"; Leith 4; Lewis 11-12; Samatar, *An African Miracle* 3; Wiseman 241). For these reasons, Botswana was named by *The Economist* magazine in 2002 as "The African Exception," and social geography scholar Abdi Ismail Samatar designated it as "An African Miracle" in 1999. In 2015, The World Justice Project ranked Botswana #1 in Africa on the Rule of Law index, which "ranks countries' adherence to the rule of law" ("Law Comes First").<sup>iii</sup> There have been many issues considered as possible factors in this success, including the discovery of diamonds immediately following independence and the presence a relatively homogenous population compared to other African countries. However, similar qualities have not protected many other African nations from violence and instability (Rotberg 15; Samatar, "National Institutions for Development" 256).<sup>iv</sup>

I argue that Botswana's post-protectorate political stability is due in part to the indigenous political and rhetorical traditions of the Tswana themselves that effectively allowed for conflict management and community cohesion within Tswana villages—and which the Tswana were able to carry forward into the modern nation-state of Botswana in ways not often possible in other African contexts. The Tswana had a long-standing tradition of free speech to express advice to and criticism of leaders—advice and criticism that were accepted by the leaders themselves.

Evidence of the discursive and political openness of the Tswana can be found in the traditional *kgotla* site of governance. The *kgotla* is the Setswana word for the traditional village meeting place where a Tswana village chief or king (*kgosi*) would meet with members of the village to hold ceremonies, pass and uphold laws, and deliberate issues of community concern. Many scholars in a variety of disciplines have documented how the *kgotla* was considered a space where the Tswana people could speak openly not only to each other, but also to the chief—even to the point of disagreement or censure (Denbow and Thebe; Peters; Samatar; Schapera; Schapera and Comaroff). While chieftaincy was hereditary, chiefs could be removed at the behest of the people if they were deemed cruel or incompetent, as evidenced in the proverb *Kgosi ke kgosi ka morafe*—"The king is king by the grace of the people" (Comaroff and Comaroff 130-132; Gulbrandsen 419; Schapera, *Praise-poems* 32-33). As anthropologist Pauline Peters asserts, "The two key institutional and ideological complexes at the heart of the Tswana morafe were chieftaincy (*bokgosi*) and public assembly (*kgotla*)" (Peters 27). Economist Stephen R. Lewis, Jr. puts it this way: "Chiefs ruled, but did so through traditional institutions such as the *kgotla*,

where there was an opportunity to express one's views and a need to achieve a degree of consensus. Openness and consultation were always essential" (21-22). The *kgotla* thus inspired a form of indigenous democracy in which open dialogue and critical engagement with leadership were possible.

For the Tswana, discourse was central to the expression of ideas, the negotiation of conflict, and the seeking of consensus. While it would certainly not be possible or advisable to equate Tswana indigenous political and rhetorical practice with modern Western-style democracy, it is nonetheless possible to see some similarities between Tswana freedom of assembly, freedom of speech, and accountability of leadership with contemporary democratic values (Comaroff and Comaroff 127; Leith 37; Peters 223). The National Democratic Institute for International Affairs claims, "Perhaps the most fundamental cultural habit [of the Tswana] with political implications is that of consultation and communication" (105). These attributes allowed for a system of governance that fostered dialogue and debate. At the heart of these traditional practices is a respect for the immense power of discourse in forging and maintaining community. As Peters says, "the political structure of the morafe [nation] is energized by a cultural focus on both the hero chief and the power of words (*mafoko*) wielded in the *kgotla* by commoners" (28). African and African American Studies scholars John Comaroff and Jean Comaroff state that what ultimately holds together the political and social system of the Tswana, past and present, in everyday practice are "*mafoko*, words. Words, spoken in *kgotla*, in the public sphere, which were assumed to have great pragmatic power to affect the world; words spoken in the genre of political oratory, a genre not specifically named in Setswana but one for which Tswana are justly famed" (Comaroff and Comaroff 133). The Tswana's traditional focus on the centrality of language to their culture, particularly in relation to their public life, is corroborated extensively through research across many disciplinary fields.

In "Rhetoric of the Thirstland: An Historical Investigation of Discourse in Botswana," I look at these traditions through a specifically rhetorical lens. Drawing on the fieldwork of anthropologist Isaac Schapera, I examine the *kgotla* as a discursive space in which members of the village could speak back to and even criticize the *kgosi* without fear of reprisal during meetings (273-277). I also draw on Schapera's work on traditional Tswana praise poetry for evidence that speaking back to the *kgosi* was a valued and regularly practiced feature of traditional Tswana discourse. Translations of oral "praise poems" composed by village poets for and about these chiefs contain ample support that these poets not only lauded the virtues of their leaders, but also used the poems to express recommendations, warnings, and even admonishment regarding the chiefs' decisions and behavior. I further cite several translated Tswana proverbs that convey the Tswana people's explicit and overt understanding of discourse for conflict resolution and communal cohesion: "Everyone has the right to say what he likes [in the *Kgotla*]," "Words spoken in the *Kgotla* are the most beautiful," and "The Tswana language is the granary of its culture" (277, 283). Moreover, I explain how in traditional Tswana

villages, children were trained in the arts of oratory for the purpose of preparing for communal and civic life, including the creation of their own praise poems to establish and communicate their social identity within the village (284). Taken together, I argue the *kgotla* system, Tswana praise poetry, Tswana proverbs, and oratorical education offer compelling evidence that the Tswana had a rhetorical tradition in which discursive dissent was not only permissible but essential to the indigenous political system.

A closer look at traditional Tswana praise poetry offers a more specific understanding of how advice and dissent were registered on behalf of the people toward the chief, as well as the power of *mafoko* (words) in Tswana society. For example, in the following traditional poem, the poet warns the chief (*kgosi*) that he will abandon him if that chief buys a horse. Anthropologist Isaac Schapera explains in a footnote that horses were rare during the mid-nineteenth century, and those who owned them would often keep for themselves the animals they killed while hunting on horseback; further, a chief who owned a horse might abandon his people on horseback during a losing battle instead of staying to defend the tribe:

If you buy a horse, Threatener's Son,  
if you buy a horse I'll abandon you  
and not enter your village,  
I shall go round the back of your village. (*Praise-poems* 153)

In another poem, a chief of the Ngwaketse tribe named Gaseitsiwe is admonished for what the poet perceives as cruelty; Chief Gaseitsiwe had killed a destitute servant of his enemy during a battle, which the poet (and quite possibly other members of the tribe) viewed as gratuitous violence:

Leopard of Makaba, can you not spare,  
can't you release, leopard of RaThosa,  
You should have spared that man Tholo,  
spared the poor man of Botlhoko,  
so that Kgwadibana's servant might live  
and praise you continually. (*Praise-poems* 159)

Further, in these lines from a different poem, the poet reflects the village's frustration when the chief expelled a certain member of the nation who some supported as the rightful chief: "Son of MaSeepapitso Ngwato / Misleader of Mokwafe and Kuate / Misleader who leads people astray" (*Praise-poems* 198). Numerous other examples containing similar instances of advice and rebuke can be found in Schapera's collection. Taken together, these poems represent not only a castigation of particular chiefs, but also a kind of warning or reminder to other chiefs about what is expected of them. Thus, they serve to reflect and affirm certain Tswana cultural values—specifically, the values of what constitutes effective and just leadership. They also demonstrate that praise poems could turn into "blame poems" in which the poet critiqued the chief without fear of reprisal. The repeated use of such criticism, which are found extensively throughout Schapera's collection of praise poems, indicates that the censure served as warnings by the poets on

behalf of the village to the chief, who could be removed from his position if enough members of the village believed he was not performing his duties on behalf of his people (Comaroff and Comaroff 130-132; Gulbrandsen 419; Schapera, *Praise-poems* 32-33). The praise poems, then, were likely not merely ornamental but rather transactional in their ability to convey messages to the chief that he should change his behavior if he wanted to maintain his position.

These rhetorical traditions of open discourse and speaking back to the chief, as evident in the meeting space of the *kgotla* and through praise poems, were able to continue through and beyond the colonial period due to particular factors in the region. During the time when the area that is now the nation-state of Botswana was a British protectorate, the British government largely left the Tswana—and other ethnic groups living there—to their own devices, mainly because the area was thought to be devoid of resources and was perceived by the British mostly as a strategic stronghold in the southern part of the continent (Denbow and Thebe 30-31; Rotberg 15). Britain's involvement in the region has sometimes been called a system of “benign neglect” due to these policies (Beaulier 229; Du Toit 46). The leaders of the new country were able to draw upon the *kgotla* system when devising the new government at least in part due to these relatively hands-off policies of the British. Carroll and Carroll posit that “[m]ore than in many African states, the constitution of Botswana was created by the founding fathers of the country, and not by the colonial masters” (345). In addition to British willingness to leave the area alone out of a perceived lack of resources, the British were also willing to allow local customs to continue due to perceived similarities between their own and Tswana traditions. Economist J. Clark Leith asserts, “The constitution for internal self-government came into force in 1965. The arrangement fitted well with both the British parliamentary tradition [...] and with the Tswana *kgotla* tradition of reaching consensus through open debate” (28). Leith further states, “The virtue of compromise continued to be firmly embedded in the political culture. This continuity with tradition stood in sharp contrast to the situation that prevailed in many other African countries at independence” (30). Such conditions enabled the *kgotla* tradition to survive, albeit transformed, into the contemporary government.

The so-called “benign neglect” of the British was not without its influence and deleterious effects on the Tswana. Peters asserts that “the longer-term processes of colonial rule, regional economic change, and cultural inroads ... undermined the chieftaincy” (37). Denbow and Thebe argue that “[a] system of parallel or indirect rule was developed that left African kings to rule their own people, but their powers to tax, conduct trials and wars, and other matters were eliminated or closely monitored by the resident magistrate” (31). Moreover, the British colonial presence in Botswana and its arrangement of the elections process on the verge of independence circumscribed the parameters of what a post-colonial Botswana government could be. Despite these facts, it is well documented that the degree to which the British interfered with Tswana culture, customs, and law was far less than many other African colonial contexts. Botswana was able to

hold on to its indigenous traditions and meld them with the British governmental system that it inherited to build an effective and successful modern nation-state. Central to these traditions were the rhetorical practices that the Tswana had cultivated for centuries.

#### DEMOCRACY AND RHETORIC IN BOTSWANA TODAY

The traditional respect for the power of discourse in Tswana culture forms the basis of deliberative rhetoric in Botswana's contemporary government to help sustain peace and unity, even in the face of conflict and dissent. The post-protectorate government of Botswana was an effective meshing of the British system and the Tswana's own indigenous political practices rooted in the *kgotla* system of governance.<sup>v</sup> This system, which relied on consultation between the *kgosi* and his people, was not eschewed in pursuit of Western-style democracy, but rather imbricated with it in the political structure of the modern nation-state.

Scholars from a diverse array of fields have supported this idea that traditional Tswana political practices and values survived into and continue to inform the contemporary life in what is now Botswana, contributing (among other factors) to the nation's political and economic stability. For instance, Peters says, "I try to explain the quality of democracy so often lauded in Botswana [...] as due, in no small measure, to the fact that the precolonial Tswana state (*morafe*) was not dissolved but transformed, first, into colonial tribal reserve, then into district of the independent state" (16). In the modern-day nation, she asserts the traditions of chieftaincy and public assembly "remain central to much of the social and political activity of districts" (27). Similarly, in his book *An African Miracle*, Samatar writes that Botswana's success was brought about "through systematic transformation of indigenous political relationships guided by local realities and priorities and informed by global developments" (xv). Samatar further argues that "[t]he autonomy of the political leadership in Botswana evolved out of an enduring relationship between African traditional authority and its subjects. The colonial state failed to break this bond" (*An African Miracle* 27). He sees the traditional system of leaders willing to listen to and be held accountable by their people, embodied in the institution of *bokgosi* (chieftaincy), as contributing to the country's current record of responsible leaders and public servants (Samatar, *An African Miracle* 8-10; Samatar, "Leadership and Ethnicity" 692). Leith asserts, "The people of Botswana live and work in a political system whose roots lie in both their own cultures and the British tradition" (ix) and that the country's policies "were shaped by interests, institutions, and leadership that had strong roots in tribal society" (xi). He contends that "in that modern democracy, the habit of consensus seeking is thoroughly ingrained" (122) due to "an evolution of governance from traditional tribal chieftaincies and to a modern democratic republic" (40). Further, anthropologists Denbow and Thebe write that

The system of governance that Botswana has evolved from the pluralistic roots of the traditional *kgotla* and the social mechanisms to cope with the multiethnic context of even the smallest of Botswana communities appears robust enough to work with such ongoing historical realities while providing protections for the freedom of speech of minority groups. (33)

Comaroff and Comaroff state that “in the passage from the past to the postcolonial, the *kgotla* has remained a crucial element in the political imaginaire of Botswana.... [The *kgotla*] is far from a quaint anachronism, a romantic remnant of days gone by. It describes a cultural site, and a set of discursive practices, that are very much of the continuing present” (136). As the National Democratic Institute for International Affairs says, “Unlike developments in many other African nations, where articulation between ancient cultural traditions and modern democratic systems have failed to occur, the continuity between past and present in Botswana helps explain its atypical success.” They go on to explain that “[t]he ruling party [Botswana Democratic Party] has built on the tradition of the *kgotla* as the forum in which to consult public opinion and mobilize public support when seeking local approval for development policies” (105).

It is commonly argued that this continuation of the *kgotla* system and its incorporation within the postcolonial government structure gave legitimacy to the government in the eyes of constituents, thus encouraging participation in democratic practices (Helle-Valle 197; Holm, “Botswana: A Paternalistic Democracy” 29; Holm, “Political Culture and Democracy” 107; Solway, “Reaching the Limits” 144). Gulbrandsen says that the ruling party held on to political traditions in order to ensure “ideological continuity” with the past (437). Peters explains specifically how the survival of indigenous political traditions lent a sense of legitimacy to the postcolonial government: “the most important point about the persisting legitimacy of the *kgotla* and of certain aspects of chiefly authority is that in combination with the newer forums of councils, boards, committees, and parties they provide a rich, multiplex texture for political life” (222-223). This rich texture afforded the possibility of successful governance.

Gulbrandsen argues the contemporary national government deliberately embraced the deeply held Tswana value of *kagiso*, or “social harmony,” in order to foster the new democracy: “[T]he new government adapted the central Tswana concept of societal harmony (*kagiso*) to accommodate the new democracy, which was, in Setswana, expressed as “*puso ya batho ka batho*” (the rule of the people by the people)—paraphrasing and replacing the ancient principle of *kgosi ke kgosi ka morafe* (*batho*), that is, the king is king by grace of the people” (437). By replacing the time-honored proverb (stating that the *kgosi*’s legitimacy was granted by the people) with a syntactically and semantically similar aphorism regarding democracy, the new government leaders were able to tap into the deeply held values and familiar associations of Botswana’s citizens.

Not only did the continuation of traditional forms of government into contemporary political systems lend continuity and legitimacy to the new systems,

but these traditions also had some consonance with Western-style democracy that eased the fusing of the British and Tswana traditions into a unified postcolonial government. Carroll and Carroll assert that in traditional Tswana society, there was “a cultural predisposition toward consultations between state and society,” a predisposition that can be argued is also foundational to democratic governance (345). Moreover, The National Democratic Institute for International Affairs states that “the traditional emphasis on moderation, nonviolence, and obedience to the law, along with public discussion and community consensus, have clearly facilitated the development and persistence of Botswana’s democratizing effort” (106). Holm makes a similar claim in his article “Political Culture and Democracy”: “Tswana culture, particularly the *kgotla* (the traditional village forum for communal decision-making), has led to the public being able to adjust easily to participation in the new liberal democratic structures established at independence” (93). Thus, the British and Tswana traditions of governance melded successfully in part because of certain core similarities.

Just as Botswana’s governmental structure is a blending of colonial and indigenous systems of governance, Botswana’s judicial system is a mix of both British and indigenous Tswana legal customs. And, as is the case with the government, the successful melding of these legal traditions has also helped to foster peace and maintain stability in Botswana throughout the country’s transition to independent nationhood. The traditional Tswana *kgotla* was not only the assembly place where laws were created, but also the space in which they were adjudicated. The Tswana had a well-developed and sophisticated system in place for handling legal disputes among members of Tswana villages (Schapera, *Handbook*). During the protectorate period, the British administrators recognized this fact and therefore made very few changes to the existing legal structures and processes at the local level; this preservation of existing legal practices is in stark contrast with other colonial settings, where the colonists set up inauthentic tribunals that had no consonance with indigenous legal practice and therefore little legitimacy in the eyes of the Africans themselves (Roberts, “Survival” 103). As the political system had some similarity to the British system, so too did the legal system; since the British found some familiarity with the system in place, they allowed the existing legal traditions to continue largely unimpeded. Thus, the same hands-off policies that allowed much of traditional Tswana political practice to continue through the protectorate and into the postcolonial period also allowed traditional legal practices to carry forward into the contemporary nation-state of Botswana. Beaulier explains, “Botswana’s postcolonial legal framework has managed to preserve some of the important features of tribal law while incorporating important aspects of the British common law (231). Du Toit posits that “[t]his legal system consolidated the judicial function of the institution of chieftaincy and retained the *lekgotla* as courts of law over and above their status as popular assemblies. The customary law and the *lekgotla* became formal extensions of the institutional reach of the modern state” (29). This effective blending of traditional

Tswana and British legal practices continues to provide a powerful means by which Botswana's laws are carried out, tested, and transformed.

The surviving Tswana legal tradition, which affords opportunities for minority voices to speak back to the nation, is clearly undergirded by the traditional Tswana value of allowing for open dissent and the expression of conflict within a prescribed code of civility and courtesy, even when the conflict is heated. Du Toit opines, "The incorporating of the customary courts into the modern polity protected the mechanism for maintaining, safeguarding, and repairing the social fabric that makes the society civil" (70), while Solway and Nyati-Ramahobo maintain that "the utilization of government instruments such as the courts to challenge the country's laws all attest to a level of tolerance and openness not often witnessed on the African continent" (618). This dissent and conflict are adjudicated in the courts through judicial rhetoric, words expressed orally or in writing that allow laws to be carried out as well as challenged through open dialogue among citizens and between the government and its people. In the following section, I illustrate how traditional Tswana rhetoric has carried forward into the deliberative and judicial rhetorics of Botswana today.

#### **EXAMPLES OF CONTEMPORARY DELIBERATIVE AND JUDICIAL DISCOURSE PRACTICES IN BOTSWANA**

As I will show, several cases illustrate the survival of traditional discourse practices into contemporary deliberative and judicial rhetoric, including the president and parliament's rhetorical practice of listening to the people when dissent and social unrest arise. The words of Botswana's contemporary leaders themselves reflect the key Tswana values of communication, consultation, and respect for the discursive expression of divergent views.<sup>vi</sup> A look at key pieces of discourse from three of Botswana's presidents demonstrates the endurance of these values into the post-protectorate government.

President Seretse Khama, who served as the country's first president from 1966 to 1980, defended multiparty democracy before the 1974 election, saying that to "fetter criticism" is "against our Setswana tradition" (qtd. in Comaroff and Comaroff 139). The third president, Festus Mogae, who served from 1998 to 2008, said in a 2005 interview with the magazine *New African*, "There is a need to develop trust among key stakeholders, by acknowledging mistakes and taking corrective action on key matters. Disagreements must be well managed so that they do not degenerate into irreconcilable differences over protracted periods of time" (36). In the 2010 State of the Nation address, entitled "Delivering People Centred Government," the fourth President, Ian Khama, referenced the deeply valued Tswana notion of leaders' accountability to the people, as well as the quintessential Tswana acknowledgement of conflict and the need to manage such conflict without quashing it: "In this house we must forever respect the will of the people. Let us accept our common responsibility. We may oppose each other when we believe we

must; work with each other when we can, while at all times appreciating the expectations of the nation that has brought us here together” (3). As Khama went on, he referenced the ongoing cultural significance of the *kgotla* as a space for discourse between the government and people, saying, “As has been the case since time immemorial, the Kgotla remains our bedrock for dialogue. It is for this reason that members of Cabinet, and I, have made Kgotla attendance, in communities large and small, a routine part of our work schedules (4). Khama then described how participation in the *kgotla* must also be accompanied by other forms of communication to continue to foster the abiding value of discourse in Botswana: “At the same time we appreciate that, nowadays, Government must consult widely through various mediums. We have thus convened Dipitso [meetings] in which government and non-government stakeholders confer on specific areas of common concern” (4). These other forms of communication, he pronounced, should also draw upon new media to foster dialogue between the government and its constituents, including call centers, text messaging, and the government website e-portal to facilitate digital communication (4-5). Similarly, in the 2014 State of the Nation Address, Khama promised that “this administration shall continue to engage Batswana across the country about their concerns through various fora and media, from the venerable realm of dikgotla [plural of *kgotla*] to the digital world of interactive online communication,” and he assured listeners that these means were used for “wide-ranging consultation” to determine the public’s “core aspirations” (2). The statements of Botswana’s leaders convey their understanding of how the tradition of fostering discourse in the public sphere must be continued and expanded in the contemporary nation-state to ensure ongoing peace, prosperity, and purposeful political evolution.

In addition to the words of these leaders, there are other specific examples of traditional values at work in Botswana’s contemporary communicative practice. For example, Holm says “the new political elite has taken over the traditional *kgotla* from the chiefs and allowed citizens to use it to voice local concerns relative to the implementation of national programs” (“A Paternalistic Democracy” 29). Further, Leith explains, “[I]n keeping with the consensus-seeking approach, the practice of naming a presidential commission to investigate the options and to propose a policy framework was frequently adopted for particularly difficult or complex problems,” resulting in white paper reports recommending a proposed new policy (56). Often, such written proposals are eventually accepted. Lewis cites the open, consultative features of traditional Tswana political practice and credits such features for the fact that “[s]ince independence, in addition to Parliament and elected local governments, there have been frequent presidential commissions on national issues [...] they hold public hearings and issue public reports that are debated in Parliament” (21-22). Such evidence demonstrates that traditional Tswana political values continue to inflect and inform modern democracy, and that these African and Western traditions have in this context managed to successfully integrate into a coherent and unified government structure—one that is

fundamentally concerned about discourse between the government and the people. The bond of reciprocal discourse is at the center of the political practice.

The discourse practices of the traditional *kgotla* survive to inform the structure and function of contemporary political party meetings in Botswana, including the ways in which this *kgotla* functioned as a discursive space to negotiate and challenge the authority of leaders. As Comaroff and Comaroff describe, citizens expect the president to be present at Botswana Democratic Party meetings because “these meetings were knowingly modeled on the *kgotla*, that space of intersection between civil society and the state,” and therefore, one purpose of the meetings is to allow citizens to evaluate the president’s performance and give direct feedback (138). Comaroff and Comaroff also connect these practices specifically to language and the inherent interplay of poetic and political discourse. They identify two discourses that can be found in the political dialogue exemplified in BDP meetings: “(1) discourses of policy... the product of deliberative processes, not of partisan interest, and (2) discourses of accountability, in which the proportionate relationship between performance and power is negotiated” (139). They further link these discourses back to traditional discourse in the *kgotla* between chiefly authority and villagers, including the distinctions between discourses comparing the ideals of leadership and the realities of current leaders:

In both their poetics and their politics, BDP election meetings evoked earlier discourses of chiefly authority. Speakers tended to line up into blocs of pro- and antagonists—the former being local party members, the latter, a coalition of dissent—surrounded by an unaligned public. Most of them spelled out the requirements of good government, typically in formulaic terms and in the authorial name of the transcendent “we” of nationhood and/or Setswana, Tswana being-in-the-world. And then they offered their appraisals, often in starkly frank, pragmatic prose and always in the first person singular. In so doing, depending on their political positioning, they either proclaimed a convergence or a divergence between ideal and reality. (Comaroff and Comaroff 139)

This demonstrates specific continuity between both the form and function of political discourse in the traditional *kgotla* and in the contemporary political discourse of Botswana’s National Assembly. In this way, traditional rhetorical practice is embedded in the contemporary political structure, including the use of varying rhetorical strategies appropriate for different purposes within these political meetings.

More evidence that the *kgotla* tradition survives in very real ways to inform current rhetorical practice can be found in the contemporary “freedom squares.” These public forums for debate and discussion have cropped up in cities and villages throughout the nation, and they are thought by many to have their origins in the notion of the *kgotla* assembly place (Comaroff and Comaroff 136). The freedom squares were often instituted by political parties to espouse and promote their platforms to the people (National Democratic Institute for International

Affairs 98). The modern freedom squares have sometimes been criticized by the people of Botswana for being unlike the *kgotla* tradition in that shouting and name-calling sometimes break out, especially when politicians harangue each other, thus deviating from the traditional Tswana value of maintaining civility even in the midst of conflict and dissension (Gulbrandsen 426; Helle-Valle 190). Additionally, the modern freedom square is perceived by some as a place more associated with monologues issued from politicians to constituents rather than places of mutual dialogue, unlike how the traditional *kgotlas* have been characterized (Helle-Valle 190). Nonetheless, the freedom squares can be seen to emanate from the *kgotla* in that they are physical and discursive spaces where contested ideas related to governance are expressed through words rather than through physical violence or political upheaval. The very fact that the freedom squares are critiqued for their inability to live up to the *kgotla* ideal is a powerful testament to the enduring nature of the *kgotla* system in the Botswana imaginary, including how much the tradition of civil communication is revered.

The contention sometimes expressed rhetorically in the freedom squares reveals some of the dissent and tension within Botswana. As Solway explains, “By the 1980s the antagonism in the voices of many minorities was beginning to become audible” (“Reaching the Limits” 137). Many non-Tswana ethnic groups, such as the Khoisan (click-language speaking peoples sometimes referred to in the West as Bushmen), have felt slighted by the dominance of the Tswana culture and language throughout the country, and in recent years, these groups have become more vocal in their agitation (Lekorwe; Solway, “In the Eye of the Storm” 488; Solway “Navigating the Neutral State”; Somolekae; Werbner; Wilmsen). Women also continue to see themselves marginalized in what has traditionally been a patriarchal culture (Carroll and Carroll 341-342; Leslie; Solway, “Reaching the Limits” 135; Somokolae). Despite Botswana’s many sociopolitical strengths, these groups still receive limited recognition by the government and have registered recent dissent.

Significantly, such unrest has been expressed through established legal and political processes, including landmark cases in the law courts and in public movements that have significantly expanded the rights of minority groups, resulting in legislative changes (Solway, “In the Eye of the Storm” 490). This dissent has repeatedly been issued through the oratory and writing of radio broadcasts, newspaper articles, legal proceedings, and revised government policies. Deliberative and judicial rhetoric have been at the heart of such cases. One such instance can be seen in the recent lawsuit filed by a group of Khoisan who had been ordered to vacate their homeland in the Central Kalahari Game Reserve (due primarily to the discovery of diamonds there) but who successfully sued the government for the right to return in 2006 (“Botswana’s Bushmen”; “Listen to the Bushmen”). Another example occurred when a non-Tswana minority group known as the Yei found in 1999 that their paramount chief was not welcomed as a member in the national advisory body known as the House of Chiefs; the Yei successfully

sued the government for his inclusion (Nyati-Ramahobo 709; Solway, “From Shame to Pride”; Solway, “In the Eye of the Storm” 492; Solway, “Reaching the Limits” 143-144).

In addition to deliberative and judicial rhetorical strategies employed by ethnic minorities, women have registered their dissatisfaction and gained support to expand their rights discursively through speech and writing in the law courts and assembly. For example, the 1982 Citizen Act, which stipulated that female citizens who married expatriates could not pass on their citizenship to their children, was challenged in the courts in 1994 and eventually amended on the grounds that it was unconstitutional (Carroll and Carroll 341-342; Leslie 51; Solway, “Reaching the Limits” 135). One activist said that through this legislation, women had been able to tell the politicians “exactly what it was that women wanted” (qtd. in Carroll and Carroll 342). In the book *Social Movements and Democracy in Africa: The Impact of Women’s Struggle for Equal Rights in Botswana*, Agnes Ngoma Leslie details the struggle of *Emang Basadi!* (which translates to “Stand Up, Women”), an activist group who opposed the Citizen Act and other laws that were discriminatory toward females. She explains how these women developed education programs to garner enough interest and understanding from the rest of the population to successfully petition the government to reform the laws. At the center of these legal and political proceedings is the Tswana belief in the power of words (*mafoko*) to engage difference and negotiate peaceful ways forward, even as societal dissent persists.

One salient recent example of successfully negotiated conflict is the case of the Lesbians, Gays and Bisexuals of Botswana (LEGABIBO), an activist group that won a landmark legal decision in November 2014. LEGABIBO was previously banned by Botswana’s national government. The organization challenged the ban all the way to the country’s High Court. Justice Terrence Rannoane ruled to overturn the ban, allowing LEGABIBO to register and advocate for changes to policies on behalf of Botswana’s gay, lesbian, and bisexual community. An analysis of language used about the decision conveys the deeply held Tswana values undergirding the decision. Caine Youngman, a member of LEGABIBO, said after the ruling, “I am happy with the judgement—it has sent a message to the government, the entire region and Africa” (“Botswana Gay Rights Group Wins Landmark Case”). Here, we see the Tswana cultural valorization of “sending a message” back to authority without fear of reprisal. Moreover, after his decision, Justice Rannoane told the press, “In a democratic society such as ours, freedom of expression, assembly and association are important values duly protected by our constitution” (“Botswana Gay Rights Group Wins Legal Recognition”). By invoking freedom of expression, Rannoane reminds the people not only about this hallmark feature of contemporary Western-style democracies, but he also hearkens back to the rhetorical penchant for unfettered discourse that runs down deep to the roots of Tswana history itself. As UNAIDS reports, “In November 2014, the High Court ruled that the government’s refusal to register LEGABIBO violated the rights to freedom of expression, assembly

and association protected by the country's constitution" ("Botswana Court of Appeal Upholds Ruling"). Here again is clear the importance of "freedom of expression" that is a hallmark of democracies but also a central tenet of Tswana communal life. LEGABIBO chief executive officer Anna Chalmers said that 2016's annual report was "a celebration of LEGABIBO's first year of independence and a synthesis of LGBTI stories and realities in Botswana as we use our registration to expand the struggle for LGBTI equality in our peaceful and progressive country" (2). Notable here is her acknowledgement of the importance of discourse for telling stories, but also the way in which "struggle" is placed in such syntactic proximity to "peaceful and progressive." This quote perfectly demonstrates how conflict and harmony are productively held together in Botswana's rhetorical practices.

Such examples convey an image of a nation where discord exists but alternate means to violence or political mutiny are in place—and where the government is willing to engage with that dissent, deliberate seriously about it, and act to make changes in better accordance with the will of the people. Thus, the spirit of the *kgotla*—where dissenting voices could be raised to the king with impunity—lives on in the practices of contemporary governance and rhetoric. Botswana's sociopolitical system is by no accounts perfect, but issues are challenged by the people through peaceful political and legal avenues and media campaigns rather than through physical violence, divisive coups, or political collapse (Du Toit 38; Peters 223; Solway, "In the Eye of the Storm"; Solway, "Navigating the Neutral State"; Solway and Nyati-Ramahobo). As Solway colorfully explains, with antithesis between literal peace and figurative war,

There is a battle being waged in Botswana and the positions are hardening and intensifying. But the battle is NOT being fought in the streets, but in the media, on the internet, in the courts, the ballot box, the houses of parliament, and in people's hearts and minds. The main weapons are languages, words, lawsuits, voting patterns, and cultural valorization. ("In the Eye of the Storm" 488)

Solway goes on to express that, while Botswana does have its problems, "the capacity of aggrieved groups to seek redress, to utilize the state's instruments to challenge its laws and policies, and, especially, to do so without fear of retribution is central to Botswana's success" ("In the Eye of the Storm" 489-490). This success makes Botswana such a rarity among post-colonial African countries. Importantly, Solway first identifies language and words as the primary means to that success. The use of language and the reverence for words as a means to maintain the social bond while allowing for dissent constitutes an indigenous form of rhetoric that I explain below.

### **A RHETORIC OF KAGISO: THE "CONSULTATIVE CHARACTER" OF BOTSWANA'S DEMOCRACY**

As I have demonstrated, the Tswana had a tradition of open communication and tolerance for dissent firmly in place prior to the arrival of the British, and through a

system of “benign neglect,” these practices continued into the post-protectorate period, helping to sustain peace and prosperity as the former protectorate transformed into a functioning democratic nation-state. Inherent in these indigenous practices was a deep and abiding respect for the power of words, *mafoko*, to negotiate difference and maintain community. Words uttered within a framework of respectful courtesy and civility, even in the midst of vehement disagreement. Carroll and Carroll describe this feature as the fundamentally “consultative character of Tswana culture” (349).

This “consultative character” is inherently rhetorical as it is instantiated through discourse. The enduring indigenous political structures of the Batswana were supported by a rich and complex rhetorical tradition in which free speech and public debate were valued, taught, and practiced. Oratory and politics appear to have gone hand in hand throughout Botswana’s history, and this remains true in contemporary times. Although written texts were first brought to Botswana by British missionaries in the nineteenth century, and today the country has an adult literacy rate of approximately 70 percent (Denbow and Thebe 19), the culture of Botswana is one that Walter Ong might say “carried an overwhelmingly massive oral residue” into its contemporary discursive practices (36). The tradition of freedom of speech in the *kgotla* and in the praise poetry tradition now extends into the parliament and law courts, where people feel free to criticize the government. Furthermore, praise poems continue to be delivered at political induction ceremonies, and the poet often uses the opportunity to send a message to the newly installed official (Denbow and Thebe 59). Political candidates can be heard walking or driving through villages and cities with bullhorns to communicate their objectives (Denbow and Thebe 26), and elders continue to be revered as important purveyors of traditional wisdom and values through stories and proverbs. Denbow and Thebe explain that “Batswana continue to place a high value and civic pride on public speaking” because “[t]he ability to speak eloquently and to express one’s thoughts, deeds, and prayers in metaphorical and poetic language is seen as one of the most important constituents of Botswana’s culture and customs” (61). Botswana’s oral rhetorical tradition is central to the country’s political, social, and cultural life. Of course, today these oral rhetorical practices are also accompanied by written texts—such as parliamentary white papers, presidential speeches, legal documents, and a variety of newspapers—in which cultural conversations and open political debates now take place. The oral rhetorical tradition, it appears, has rather seamlessly been woven into written discourse in Botswana.

The enduring rhetoric of the Tswana seen in oral and written discourse today—one which allows for such open communication and consultation even in the face of difference and dissent, with an emphasis on consultation and civility—might best be described using the Setswana word of *Kagiso*—a word often translated to mean “societal harmony” or “peace” (Gulbrandsen 421). Language is the primary means by which *kagiso* is achieved and a sense of communal unity is maintained, even in the face of difference. However, this traditional translation is in need of

some adjustment when one uses the term to designate a set of indigenous rhetorical practices because “harmony” and “peace” do not express the degree to which conflict and social unrest do exist within the nation-state. Therefore, while many historians, anthropologists, and political scientists have referenced what they see as the “consensus-seeking nature” of Tswana culture (Leith 28, 122; Lewis 21-22; National Democratic Institute for International Affairs 95), Botswana’s rhetorical tradition of *kagiso* may be more aptly described as a willingness to live in and with dissension.

The importance of such a willingness to dwell with rather than attempt to squelch dissent has become a hallmark concept in many contemporary Western political and rhetorical theories, echoed with a variety of nuances. Numerous scholars of western rhetorical theory have called for upholding multiple viewpoints and allowing for dissensus within democratic discourse (Garsten, Hauser 12-36, Ivie 278, Norgaard 252, Olson and Worsham 166-167, Timmerman and McDorman xvi). Botswana’s rhetoric of *kagiso* is an example of a non-Western political context where a commitment to such rhetoric is already practiced. Such exchange and contestation of vernacular expression resonates with the discourse of minority groups in Botswana and the ways in which they use discursive means rather than violence or political uprisings to communicate their discontent to the government and society. The Tswana tradition of registering dissent within a certain frame of civility and decorum enacts the kind of communicative practice called for by these theorists of deliberative rhetoric.

Botswana’s uncommon status of peace and stability may be due in some part to the factors that allowed the nation to hold on to indigenous rhetorical practices and embed them within postcolonial society and polity. By maintaining and carrying forward these discursive practices, a rhetoric of *kagiso* has survived from Tswana traditions and further developed in contemporary times to foster unity and prosperity in this nation-state. Botswana thus serves as a salient example of rhetoric’s central role in politics and the ability of discourse to maintain peace and communal identity in the presence of conflict. A rhetoric of *kagiso* holds harmony and dissent together, fostering a sense of community that maintains the sociopolitical realm while also allowing for and engaging with the protests of oppositional voices from within, voices that repeatedly call an ever-more robust democracy into being. In a world where dissent often results in social upheaval and physical violence, such examples remain critically important. And in the face of the standard historical account that would have us believe democratic practices and rich rhetorical traditions are intrinsic only to the West, such examples serve to broaden perspectives. Botswana provides us with a rhetoric of democracy that does not emanate solely and inevitably from the West. If Botswana’s autochthonous cultural rhetorics have contributed to its postcolonial success and stability, then the country may serve as a touchstone for rhetoricians, a reminder of what is one of our deepest callings and noblest goals: the use of language to build community, negotiate difference, and foster peace. As rhetoricians, we must continue to seek

and better understand particular contexts in order to advance the worthy goal of averting chaotic violence and maintaining identity through discourse—or, in the language of the Tswana, through *mafoko*: the people’s words.

#### PRODUCTION CREDITS

Mentor: Christa J. Olson  
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Copyeditor: Jessica Gibbons  
Editorial Assistant: Lauren Brentnell

*constellations* is grateful to Christa J. Olson and Kermit Campbell who initially blind-reviewed this piece.

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<sup>i</sup> For some additional background on historical studies in non-Western rhetorics, see Lipson and Binkley's *Ancient Non-Greek Rhetorics and Rhetoric Before and Beyond the Greeks*.

<sup>ii</sup> For readers unfamiliar with this cultural context, I offer some definitions of terms. "Tswana" refers to the ethnic and cultural group that constitutes the majority of the population in Botswana.

"Botswana," most obviously, refers to the political nation-state located in southern Africa. It can be translated to English to mean, "Land of the Tswana People, or "Land of Setswana-speaking people." "Batswana" is a plural term referring to the people who are citizens of the nation-state of Botswana. "Motswana" is the singular term for one citizen of Botswana. "Setswana" is the language spoken by the Tswana ethnic-cultural group. It is important to note that this ethno-cultural group is not confined solely to the nation-state of Botswana due to the continental migrations and arbitrary nature of boundary divisions in southern Africa during the colonial period. As such, many Tswana live outside the nation-state of Botswana in neighboring South Africa and other surrounding nations. Furthermore, there are citizens of the nation-state of Botswana who are not of Tswana ethnic origin.

<sup>iii</sup> For all its successes, it is important not to paint an overly rosy picture of Botswana as some sort of democratic utopia. Certainly, the "miracle status" is a glorification that belies the nation's continuing challenges and issues. While many scholars have written about Botswana's political success in comparison to many other African nations, most also acknowledge that Botswana is far from purely egalitarian and not by any means without its political problems and obstacles.

For some critiques of Botswana's government, see Good; Good and Taylor; Cook and Sarkin 488; and Sebudubudu and Osei-Hwedie 35. Yet, as this article shows, such dissent has not led to rampant violence or instability.

<sup>iv</sup> For further discussion about Botswana's "exceptionalism," see Morapedi, Roberts, and Carroll and Carroll.

<sup>v</sup> Since acquiring independence from Great Britain in 1966, Botswana has adopted a modified Westminster constitution and developed a governmental system with executive, parliamentary, and judicial branches (Denbow and Thebe 23-24). Free and open elections have been held since independence with universal franchise for all citizens eighteen and older. (Denbow and Thebe 2-3). All five presidents who have served at the head of Botswana's government so far have come from

one political party, the Botswana Democratic Party (BDP), though other parties have gained ground in recent years. On the local level, the *dikgosi* (chiefs) still exercise some authority in Botswana's towns and villages. Parliament is required to consult with the *Ntlo ya Dikgosi* (House of Chiefs) on matters of traditional tribal interests.

<sup>vi</sup> The following words of several political leaders in Botswana were originally, as here, in English and are not translated. While Setswana is the traditional language of the Tswana people and remains the national language, English is the official language used in the government, the legal system, and industry, owing to the nation's history as a British protectorate during the colonial period.