

[1949?]

A PUBLIC DECLARATION
made by
CHIEF REGENT TSHEKEDI KHAMA
and the undersigned
HEADMEN OF THE TRIBE
on the crisis that has arisen from the
marriage of Seretse Khama to Ruth Williams.

1. We are leaving the Bamangwato country to ally ourselves to a neighbouring Chief in the Bechuanaland Protectorate and become his subjects.

We have been compelled to take this drastic step not because we do not love the country of our birth, but because we have great concern for the future of the Bechuanaland Protectorate if the manner in which Seretse contracted his marriage with Ruth Williams and the steps so far taken to proclaim him Chief of the Bamangwato - the biggest tribe in the Bechuanaland Protectorate - are accepted as precedents to be followed in similar matters in future.

We therefore ask the British Government to note the voluntary removal of ourselves from the Bamangwato country and tribe as a protest against the marriage of Seretse Sekgoma Khama to Ruth Williams and to the steps taken to proclaim him Chief.

It is our express purpose to avoid a division in the tribe, and as proof of our intentions, in spite of the fact that a substantial number of people - including men of our rank and status - is leaving the Bamangwato country with us, we have not worried the Government to allow us to settle on Crown Lands or to find us land in the Bamangwato country...../

country, as has been done in past tribal disputes.

2. We submit that our recognised laws and customs have been violated and the known procedure by which our heir apparent to the chieftainship should be proclaimed chief has been disregarded. We feel that the steps taken so far to obtain a snap decision on matters of this magnitude and concern are unsatisfactory.

We claim the right to make this stand by reason of the responsible positions we have hitherto held in the tribe as detailed in annexure "A" hereto.

3. The latest decision to accept Ruth Williams as queen and consequently mother of the chief-to-be is in direct conflict with the long established law and custom of the Bamangwato and other Bechuana Tribes.

The law on this point was clearly set out in a Memorandum to the High Commissioner signed by Tshekedi Khama and his legal adviser on the 15th December, 1948. We wish to record that this document was accepted, then challenged and re-affirmed, as a correct summary of the law and custom, by a Kgotla gathering similar to the gathering which has recently made a different decision. We attach such statement as annexure "B" to this Declaration.

Under this law Ruth could never be the queen of the Tribe or mother of the chief-to-be.

4. The recent Tribal gathering was summoned for the purpose of considering the crisis that had arisen through Seretse marrying a white woman contrary to the above mentioned Native Law and Custom and for no other purpose.

5. In olden times there would be civil war amongst our tribe to-day and the present Regent Chief of the Tribe, Tshekedi Khama, points out that no provision is made in the Statutory...../

Statutory Law of the Bechuanaland Protectorate to meet the situation that has arisen in this case.

6. We challenge the present decision on the following grounds :-

- (a) The decision has been arrived at on sentimental grounds regardless of any law and custom and the consequence which may result in the conduct of the affairs of the Tribe on important matters in future. N.B. On the 19th November, 1948, a duly convened Kgotla gathering formally recorded its decision that Ruth Williams was not accepted as wife of the chief-to-be and her issue would not be accepted as future chiefs of the tribe.

Seretse declared that if the tribe persisted in refusing to accept Ruth, he would stay away from his country and it was on this sole ground that the former decision was reversed. This type of decision is a negation of every recognised principle of Government and means that the new chief becomes an Autocrat by threatening to leave his country whenever his will is crossed.

- (b) The decisions reached were mob decisions and it is doubtful if the affairs of any country can be given over to the Government of the mob. We are not blind to the fact that Kgotla Decisions in similar gatherings have been accepted in the past but we draw the attention of the Government to the fact that such Kgotla decisions were made when there was no dissension in the tribe, whereas at present there was civil war, only no fire arms were used, and to stop acts of violence the Bechuanaland Protectorate Government had an armed police force attending the meetings to keep law and order.
- (c) The decision was a political manoeuvre against the Regent Tshekedi, rather than a genuine acceptance of Ruth Williams as the Chief's wife and mother of the tribe.

It is common knowledge that amongst the principal supporters of Seretse at the recent Kgotla meeting were persons who themselves had on a previous occasion sought to have both Seretse ousted from his inheritance and Tshekedi prevented from taking over the chieftainship at the time of Sekgoma's death.

Also amongst such prominent supporters were persons who had caused trouble in the Tribe by their conduct against the Tribal Administration.

- (d) The latest decision to accept Ruth Williams as a queen and mother of the chief-to-be is in direct conflict with the long established Law and Custom at present in force in the Bechuanaland Protectorate.

7. We never intended, and do not now intend, to challenge

the...../

the position of Seretse as heir apparent, but we do question the legality of the steps he and his supporters have taken in their attempt to proclaim him chief and Ruth Williams queen. We feel that it will be in the interests of the tribe for us to remove ourselves to another area as we find it intolerable to accept Ruth Williams as queen and mother of the chief-to-be. For this reason we ask that there should be a judicial enquiry to declare once and for all the final position as regards Ruth and her children. If this step be not now taken, we solemnly advise the British Government that continuous trouble will inevitably follow from now onwards creating a complete disintegration of Tribal Administration and compelling the British Government to forego their declared principle of Indirect Rule and to themselves administer the country directly. The inevitable result must be the end of the Protectorate.