

**INTERVENTION AND RESISTANCE: THE BATAU OF MPHANAMA,
LIMPOPO PROVINCE AND EXTERNAL GOVERNANCE**

by

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I declare that **INTERVENTION AND RESISTANCE: THE BATAU OF MPHANAMA, LIMPOPO PROVINCE AND EXTERNAL INTERVENTION** is my work and that all the sources I have used or quoted have been indicated and acknowledged by means of complete references.

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ABSTRACT

The Batau of Kgaphola are of Swazi origin and migrated to Sekhukhuneland Limpopo Province in South Africa. The community has been involved in chieftainship disputes which date back to 1954 after the death of Chief Lobang III. Within the broader national political framework and execution of policies, the community became divided between the Makhuduthamaga and the Rangers. The Makhuduthamaga were anti-government and the Rangers pro-government. Each of the two groups gained the support of community members. The failure of the royal family to agree on who should lead the community after the death of Chief Lobang III led to a division from within. The former Lebowa government and the current Limpopo government intervened into the Batau chieftainship disputes without success. Commissions such as the Lekoloane, Ralushai and Nhlapo were established to deal with chieftainship disputes but this did not assist communities including the Batau of Kgaphola. The Kgatla Commission was also established and communities are still appearing before it and the Batau are still waiting to present their case. The study explores how the Batau of Mphanama dealt with their differences relating to chieftainship within the community and this instituted external intervention. It also uncovers how disputes within the royal family have affected members of the community and led to divisions. In the final instance the effect of decades of external political intervention and governance is evaluated.

Keywords

Batau community, Sebatakgomo, Rangers, Lebowa, Limpopo Province, Chieftainship disputes, Bakgoma and Bakgomana (senior nobles and junior nobles), Candle wife (Masetšhaba), Commissioner, Commission.

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CHAPTER 1 INTRODUCTION

1.1 The first walk about

My first visit to the area of Mphanama was in April 2008. By then I was an anthropologist employed in the Department of Co-operative Governance, Human Settlements and Traditional Affairs in the Limpopo Province. The village of Mphanama is situated between 124 kilometres east of Polokwane and 244 kilometres north of Pretoria. Old houses built with mud bricks and thatched roofs are visible as you walk around the village. I received a warm welcome from the elders of the tribe consisting of a few members of the royal family (the *bakgoma* and the *bakgomana*). It was the first time I saw a village that was not demarcated into streets around the Fetakgomo Municipality in the Sekhukhune area. In addition, there was an old building with two small offices and a community hall which were used by the Traditional Council to provide services to the community of Mphanama.

On the southern side of this office, there was a large circular stone wall built with large Marula trees inside. When I asked what the purpose of that wall was, the elders told me that all the important meetings of the community took place there. The community called this big wall the *kgoro* (a meeting place) and it had two entrances with the one leading into the homestead of the chief. Next to this entrance, there was a graveyard along the wall of the *kgoro*. Inside the stone wall, there were three Marula trees and each had horns nailed on the stem. I asked why they put horns on the stem of each of the Marula trees and the elders told me that a horn was put on the stem after every important ritual held by the community during which a cow was slaughtered. Much of what I saw that day convinced me that the Batau of Kgaphola still follow a traditional lifestyle and I had a desire to stay with them for a period to learn more about them. On the northern side of the Traditional Council office, some 500 metres away, there was a similar stone wall like the one on the southern side. I wanted to know who had built it, when and for what purpose. When the elders gave me answers, I realised that there had been a group of people who had opposed the reigning chief for the leadership of Batau. I concluded that there could be many aspects worth finding

out about the Batau. In addition, the language of the elders which was full of poems attracted me; I was also given a Pedi name, Mmaswi, which was unfamiliar to me. At the time, I was in the process of registering for my Masters' degree in Anthropology.

The Chief of the Batau at the time, Lobang IV was an amicable young man who was interested in the history of the Batau. When I first informed him about my intention to conduct research in Mphanama, he showed his interest. He told me that the history of the Mphanama and the struggles of the past were not written down anywhere. Therefore, the young people would not know anything about their ancestors.

Chief Lobang IV indicated that the Batau fought among themselves in the past. These conflicts were influenced by the political situation in the Sekhukhune area, such as the situation surrounding the Trust Land system (*Boipušo*). I was also informed that during this period, the community of Mphanama was divided into two groups (*Makhuduthamaga* and the *Rangers*).

He invited me for an interview regarding my intention to conduct research in Mphanama. On arrival, we went to his homestead, where I met with his mother and some of his father's children. One community member namely, Phahlane, was invited to join us. I noticed during our discussion that he had more information about the Batau. Therefore, I had an interest in making him an important informant during my research. I requested him to provide me with any written documentation he had about the Batau. Upon my request, both the Chief and Councillor indicated that there were some elders in their midst who could provide valuable information concerning the Batau history.

Books in the library contained a great deal of information about the Bapedi chiefs and, struggles against colonialism and apartheid as well as other tribes in the Sekhukhune area but nothing was mentioned of the Batau of Mphanama. The one aspect I noticed amongst the Batau was that some families still preferred to bury the deceased in the cattle kraal inside their yards, rather than in a community burial site, preferably elderly people. As I walked around the village, I

came across a number of graves outside the kraal of individual household and tombstones were also visible in great numbers. I asked why there were so many graves outside the kraal of a specific homestead. The answer I got was that most elderly people preferred to be buried within their residential houses and while some wanted their bodies to be covered by the skin of a cow. One elderly man named Phogole told me that he had already informed his family that when he passed on he should be buried in his kraal next to his father.

This prompted me to investigate the problem of governance since the early times and follow its development until the present time. In view of my experience in the government and new legislation on local and traditional government I realised that Mphanama could be an important case study.

1.2 Literature Review

The purpose of this section is to provide an understanding of concepts that played a major role in the research through different references. The boundaries of the area Bopedi (*Sekhukhuneland*) including the various tribes found in it are clearly stipulated in "The Pedi" by H.O. Mönnig. This created a clear picture of the area before I could even visit the area for the purpose of my study. I will henceforth discuss the value of some of the early contributions as far as the ethnography and the history of the research area are concerned. In this regard, Mönnig (1967), Bothma (1962), Ramaila (c. 1938), Jackson (1981) and Delius (1996) were invaluable. Mönnig (1967: 01) indicates that in this area (*Sekhukhuneland*), there are 117 tribes, of which nine are Pedi, the rest belong to various Transvaal Sotho groups, mainly Kwena, Roka, Tau and Koni tribes. The manner in which Mönnig (1967) presents the habitat in Sekhukhuneland such as the relief, the climate, soil types, the vegetation, natural resources, services and agriculture made it clear for me to have a better understanding of the area. The origin of the tribes living in Bopedi is clearly reflected in Mönnig's book "The Pedi," which also provides a detailed historical background of the Pedi.

The origin of the Batau tribes found in Bopedi is reflected explicitly in a book called "Setlogo Sa Batau" (Ramaila, c.1938). It is through his book that I learned that the Batau were an offshoot of the Swazi who had settled around

Wakkerstroom, before their separation. Their migration from Wakkerstroom to areas such as Lake Chrissie, which today includes the town of Ermelo is clearly stipulated in “Setlogo Sa Batau”. I was able to realise through Ramaila`s book that the first chief of the Batau whom to date, most of the Tau tribes regard as their ancestor, was Matlebjane. Ramaila also elaborates to a large extent on the migration of the Batau, from Wakkerstroom to Sekhukhuneland and the disbandment of the Tau Empire into various offshoots. It is through Ramaila that I knew that the original totem of the Batau tribes were the sun (Langa in Swazi), which changed over time as they migrated until they were finally known as the Batau (lion). The Batau`s poem is cited in Ramaila`s book, and this creates a better understanding of the tribe. The relationship amongst the various Tau tribes found in the Sekhukhune area is well expantiated as well as their respective levels of seniority.

Mönnig (1967) provides a good explanation of Sotho words such as *Sepoko* that is called ‘ghost’ in English. This interpretation of Sotho words provided a better understanding of the most common language used in the Sekhukhune area, namely, Sepedi. The arrival of the missionaries in the Sekhukhune area in 1861 is recounted by Ramaila who also describes the background of the history of the time. The wars that erupted amongst the Batau tribes while in the Sekhukhune area, are well reflected by Ramaila (*Setlogo Sa Batau*). Through his book, on arrival in the Sekhukhune area, I realised that the Batau, lived together as a unit for some time and later some offshoots left the mother group due to conflicts that arose amongst Matlebjane`s children.

Mönnig (1967: 218-226) explains the difference between a *kgoro* and *lineage* as it is mostly used and which plays a pivotal role in the lives of the Batau, together with other tribes found in the Sekhukhuneland to date. This assisted me during the research process as I was able to understand the different meanings of the word *kgoro* and how the Batau use it in their everyday lives.

The political organisation of the tribes in Bopedi is mostly characterised by a centralized authority pivoting upon the Chief (Mönnig: 1967). The system of administration and control of tribal life is based on chieftainship and all other

community structures function under the authority of the Chief. This knowledge enabled me to understand the political organisation of the Batau that also centred on the chieftainship. Mönnig (1967: 250) discusses the succession to the chieftaincy of the tribes found in Sekhukhuneland, which is hereditary through the male line according to the normal principles of the kinship system. The knowledge I accrued played a role in providing the background to the succession of the Batau of Kgaphola and the type of disputes with which they are confronted.

The conclusion of marriage which is pertinent in most communities is explained in detail by Mönnig (1967: 193) who also provides reasons why it is being practised by tribes in Sekhukhuneland. His interpretation of concepts such as 'magadi' (*dowry*) gave me more information about the conclusion of marriage and how important it is in the lives of people who practise it. The knowledge acquired here made it easier for me to understand the type of marriages that are concluded amongst the Batau, particularly with their candle wives (*masetšhaba*) and common wives (*Basadi ba lerato*). Jackson (1981: 77) provides a better explanation of what a "candle wife" is and how her marriage is concluded within the chiefdoms. I was able to understand the differences amongst the wives of a chief and a candle wife who is his, but married by the tribe to bear an heir apparent. The tribe believes that through her, they have a say in the chieftainship succession since her son is the child of their cattle that they have contributed. The tribe will do whatever it takes to defend their candle wife throughout her stay with the community and she is awarded the highest status amongst the Chief's wives.

Mönnig's (1967: 249) description of the composition of a tribe and I learned that a tribe is composed of unrelated groups of people who attached themselves to the homogeneous core through adoption or conquest, who are also united through their mutual relationship with the ruling group. Mönnig (1967: 255) describes the Chief as the father of the tribe that merely reflects the reciprocal position between the tribe and the Chief. During my research, I saw how the Batau relate to their Chief in all respects and his conduct towards fellow community members. The Chief leads the community during ancestral worship and plays a pivotal role during the initiation of young boys.

As researcher amongst the Batau, I found that rank within members of the royal family determines their responsibilities concerning chieftainship matters. It was not surprising to realise that the rank occupied by a person within the royal family is the determining factor when it comes to succession to chieftainship position amongst the Batau. Mönnig (1967: 266) discusses the position or rank that a person acquires in society through inheritance through the male line. This plays a pivotal role in one's life as it defines the status in society, which he will occupy throughout his entire life. A person who is groomed to be the leader of the tribe is visible during the initiation school as he is always given the responsibility of leading his regiment and is called the little Chief of the initiation lodge (*Kgošana ya mphato*). I learned from Mönnig (1967: 113) that initiation is separated into three sessions. The two initiations are meant for the boys; the first is *bodika*, and then *bogwera* followed by the one for girls called *bjale*. During my stay in Mphanama, I captured more information about the initiation ritual including the dangers associated with the practice. Usually, the normal period between one initiation and others following it is five years among most tribes in the Sekhukhuneland. The Batau also allows a period of five years to lapse before they can think of taking young boys to the mountain for the initiation purpose.

Bothma (1962: 59) explains the meaning and the importance of *Batseta* system within the royal houses in detail, as well as among community members. He elaborates on the functions of a *motseta* within a *kgoro* and how he interacts with the royal centre (*kgoro*) as well as other *dikgoro* in the community. My understanding of the *Batseta* system made it easier during the research to have a link with community members from the various *dikgoro*. The *motseta* of one *kgoro*, namely *kgoro* of Phogole, assisted in getting some informants from other *dikgoro* to provide information that is necessary for a specific topic such as initiation schools.

The role played by *motseta yo mogolo* (senior messenger/mediator) of the royal centre over other *batseta* of the different *dikgoro* is spelled out in detail by Bothma (1962: 61). This enabled me to differentiate between the *batseta* of other *dikgoro* and the one at the royal centre during investigations.

Bothma (1962: 52) draws a clear distinction between a *kgoro* and lineage within a community by showing how the two functions differ. During my investigations among the Batau, I found the difference between the two interesting as I was able to utilise the knowledge acquired to present more ideas to the advantage of other readers.

Schapera (1952: 08-09) provides a broad background with regard to how tribes split into different offshoots and indicates that these would mostly be the result of succession to the chieftainship and cites the Tswana tribes. His presentation of the situation he found among the Tswana tribes assisted me as I encountered almost the same situation among the Batau tribes in Sekhukhuneland that included the Kgaphola tribe.

The Batau tribes, who are the descendants of Matlebjane are currently settled in Sekhukhuneland, live independently of each other, and are all led by their own chiefs. Schapera (1952: 21) indicates that each of the Tswana tribes today includes among its members people who either themselves, or whose ancestors, became incorporated into it at some period after its origin. His presentation gave me a clear picture as to how tribes today grow as they are being joined by people who come from other tribes to live with a new tribe. The same thing I found among the Batau, who today have *dikgoro* formed by people who come from other tribes.

During his research among the Ndebele of Langa in the Mokopane area, Jackson (1981: 82) indicates that chiefly succession is sometimes hotly contested. He goes further to explain that each contestant may also emerge as the leader of the faction that he leads. I found his arguments to be true during my research among the Batau, who are divided into two groups and have been fighting for the chieftainship position since the 1950s to date. I discovered that the community is divided into factions each with its leader to whom they also pay allegiance. This enabled me to be careful during my research to avoid being seen as supportive of a particular faction in the community. The presentation by Jackson (1981: 08) of the migration of the Langa tribe from one area to the other including the wars they fought on their way, laid the foundation for my understanding of the

movement made by the Batau until they arrived at Sekhukhuneland under different leaders.

Mönnig (1967: 218-226) explains that the difference between a *kgoro* and *lineage* as it is mostly used, plays a pivotal role in the lives of the Batau, together with other tribes found in Sekhukhuneland to date. This assisted me during this research as I was able to understand the different meanings of the word *kgoro* and how the Batau use it in their everyday lives.

The administration system and control of tribal life is based on the chieftainship and all other community structures function under the authority of the chief. This knowledge enabled me to understand the political organisation of the Batau, which is also centred on the chieftainship (Mönnig 1967).

Mönnig (1967: 250) provides information about the succession to chieftaincy of the tribes found in Sekhukhuneland, which is hereditary through the male line according to the normal principles of the kinship system. The knowledge I accrued played a role in providing the background to the succession of the Batau of Kgaphola and the type of disputes with which they were confronted.

The impact of the Native Economic Commission of 1930 on the inhabitants of Sekhukhuneland as expressed by Delius (1996: 53), gave me a clear picture with regard to the frustrations experienced in those years. Stock culling that was forced on the inhabitants of Sekhukhuneland by the Native Affairs Department (NAD) officials in the 1940s saw most of them leaving for the industrial areas to seek employment. The reduction of arable allotments in Sekhukhuneland left many families hungry as they had no means to survive economically.

I was able to realise through Delius (1996: 58) that most people on the farms resisted registering with the Trust (later Bantustan or Homeland of Lebowa), which resulted in some cutting fences, trees, moving or destroying beacons, while land designated for grazing was ploughed, and there was a widespread refusal to move to the newly- designated residential sites.

Delius (1996: 126) reflected a clear picture with regard to the impact of the implementation of the Black Authorities Act, of 1951 (1951) by the former

National Party Government in Sekhukhuneland. I learned through his book that most chiefs in Sekhukhuneland refused to accept the Black Authorities, and when the government became aware of their attitudes, promises were made and some Headmen were uplifted to the status of chiefs. The formation of the Sebataladi Motor Cottage Association (*Sekhukhune se bonwa ke Sebataladi*) during the 1930s is explained in detail by Delius in his book and I was able to understand the conditions that led to its establishment. Most people who contributed to its formation are mentioned in detail by Delius, who provides an understanding into the situation in Sekhukhuneland (c.1940) at the time.

The establishment of the Sekhukhuneland Student Association (1930s) by students who were attending classes at Christian schools such as Botshabelo, Grace Dieu and Kilnerton provide the background to how students in the area were trying to encourage their compatriots to go to school (Delius, 1996: 68).

The ideology of segregation as outlined by Delius (1996: 78), which was fully implemented by NAD officials in the 1950s, paved the way for me to learn more about the ideal of long – term racial separation, particularly in political and cultural spheres. It was during this era, (the 1950s) when the roles of chiefs were planned to be downgraded by NAD officials.

Delius (1996: 102) provides insight concerning the formation and growth of an organisation called Sebatakomo which was strongly supported by migrant workers from Sekhukhuneland during the 1950s. He shows how difficult it was for its members to hold meetings in urban areas such as Pretoria and Johannesburg to the extent that they utilised burial society meetings to discuss the programmes of Sebatakomo. I also learned that the Executive Committee of Sebatakomo was based in Johannesburg and villages around Sekhukhuneland had representatives who were migrants tasked with the responsibility of referring common problems to the central committee to deal with them.

Delius (1996: 123) indicates the existence of two opposing groups in Sekhukhuneland, namely, one supporting the Bantu Authorities known as the Rangers and the other, the Makhuduthamaga that were against it. The conflict that took place between the two opposing groups that led to the arrest and

deaths of some community members is expressed in Delius's book. The arrests and deportations of some influential people in Sekhukhuneland who were seen to be against the Bantu Authorities is explained clearly and this provides an understanding of the oppression experienced by the Makhuduthamaga in those days.

Delius (1996: 112) gives a clear picture with regard to the influence of political parties such as the ANC and the SACP on the Makhuduthamaga who were fighting against the implementation of the Bantu Authorities in the 1950s. He went further to clarify the role played by influential people such as John Kgoana Nkadimeng, and Flag Boshielo who were at one stage prohibited from participating in political activities. Accordingly, they operated underground.

I was able to learn more from Delius (1996) about the frustrations of the supporters of the Khuduthamaga (Executive Committee) who were eligible to receive old age pension allowances but were denied their rights, simply because they were against the Bantu Authorities.

Jackson (1981: 89) elaborates on how Tribal Authorities in the 1960s were established in terms of the Black Authorities Act, of 1951 (1951) and the functioning of the traditional councils. His analysis sketched the background that enabled me to understand the composition and the functioning of a traditional council within a Tribal Authority during my research. I also found that the Batau Tribal Authority was also established by the same legislation as that of the Langa of Mapela. According to Jackson (1981: 91) (also see Bothma 1962), a Headman maintains his own court where cases are tried and ward matters discussed. Amongst the Batau of Kgaphola, Headmen play an extremely important role as each is allocated a village to lead. A Headman is also given the responsibility by the chief to try cases within his area of jurisdiction. All cases that could not be resolved by the Headman will be referred to the royal centre to be tried by the Chief and his council.

Jackson (1981: 08) further elaborates in detail on the initiation chronology of the Langa tribe during his research and indicates how important it is to be reflected. His insights into the matter assisted me as I was able to trace important historical

and cultural events pertaining to the Batau that had taken place in the past without written dates. After going through the genealogy of the Batau of Kgaphola, I was able to realise that the past chiefs of the community were also leaders of their regiments. This also indicated that among the Batau, no one can lead the community if he has never been to initiation school and become the leader of a regiment.

The interpretation of Ndebele words by Jackson (1981: 09) such as Nomayala (*Mamaala*) during his research, created the background for my own research at the time of my residence among the Batau. During the time of my research in Mphanama I came across a number of Sotho words for which I found it necessary to provide an English version for the sake of understanding them better.

The praises of the Langa chiefs as presented by Jackson (1981: 50) such as Mankopane, encouraged me during my research to capture one of the praises of the Batau chiefs, namely, Matlebjane who is regarded as the founder of the Batau tribes, residing in Sekhukhuneland today. The English version of these praises is also presented in detail which is interesting to read. These praises among the Batau of Kgaphola also indicate the kind of a person the chief was during his reigning period.

The seniority of wives and children of the chief presented by Jackson (1981: 57) often assist during the determination of succession to the leadership position that is mostly characterised by disputes between the royal houses. When I realised that the Batau chieftainship has been in dispute for many years, I researched to check if the seniority of the wives for the previous chiefs had ever been documented and used by the authorities that were dealing with the conflict. I found that the seniority of wives played a pivotal role during dispute resolution meetings which were facilitated by government officials.

Accordingly, my visit to the Pretoria National Archives bore fruit since I accessed further information regarding the arrest of some members of the community (Makhuduthamaga) after the attack of women (the Rangers) who were taking care of female initiates. I was able to learn more about how the attack of the

women took place in the river and how they suffered, as well as those who died as a result of the incident. The names of the men (Makhuduthamaga) who attacked the women (the Rangers) are also provided and the punishment imposed by the court is also available in the archival files (TNA, CC 41/87). A list of 59 witnesses in the case is also available in the archival file, which enabled me to understand the situation. The charge sheets for all the men (the Makhuduthamaga) who took part in the attack as well as the names of the police officials who investigated the case are provided for in the archival file. Heads of arguments presented by Advocates one representing the state (Adv. Roets F.E) and the other representing the accused (Adv J.A. Van Den Heever) are well reflected and made me understand how the judge came to a conclusion on the case.

A meeting of the royal family (supporters of Mantlatle) with Commissioner B.F Lizamore on 17 April 1965 at Mphanama with an idea of appointing Mantlatle as the Acting chieftainness after the death of her mother Ngwanamohube is thoroughly documented in the Archival file (TNA, f53/1608/15). Through this Archival File, I was able to understand the division within the royal family and how the Batau community became divided through paying allegiance to different leaders of their choice. The intervention by government into the Batau chieftainship disputes is also reflected in the archival file through various meetings that were arranged with the royal family with the intention to resolve the impasse.

The ethnographic literature was not the only literature I used; I also used others which will be analysed later in this chapter.

1.2.1 Early Settlement and Migration

According to Schapera (1952: 05), the main sources of historical reconstruction are the traditions handed down orally from one generation of tribesmen to another. These also include the official records, both published and unpublished, of the various administrations and missionary societies that have had dealings

with the tribes and, the writings of the various travellers, missionaries and other Europeans, who visited or worked among the people. The area of Sekhukhuneland is occupied by a number of tribes, namely, the Kwena, Roka, Tau and Koni. Some of the tribes recognise the supremacy of the Pedi with their capital in Mohlaletsi under King Sekhukhune.

Mönnig (1967: 17) stresses that during their migration, the Batau made contact with the Sotho groups and gradually adopted the Sotho language and culture. Today the Batau have changed their original Swazi language and speak Sepedi, which is common in Sekhukhuneland. The original totemic name sun (*'ilanga'*) was firstly changed to vulture (*nong*) and later to a lion (*tau*). All these changes took place due to migration and contact with other tribes on their way, as well as during their settlement in Sekhukhuneland.

Mönnig (1967: 23) reflects that during the 1820s after a war that ensued with Mzilikazi in Sekhukhuneland, the Batau turned to cannibalism due to a lack of food. The culture of the people was interfered with as people only had roots and berries to depend on for a living. This resulted in communities training dogs to hunt men (Hunt, 1931: 186); this practice had never been engaged in before. The Bapedi (Hunt, 1931: 275) originated around Mapogole or Mahlakoaneng near the Vaal River as the Bakgatla clan. Their migration saw them arriving at Geluks Location which, at that time, was occupied by the Batau. On arrival at Geluks Location, they changed their totem from monkey (*kgabo*) to porcupine (*noko*) which is still common among them.

In the 1820s, the Pedi capital was located along the Tubatse River, and the state exercised loose authority over a considerable portion of the Northern and Eastern Transvaal. The area appeared to be exposed as the Ndwande, Swazi, Zulu and Boer armies penetrated into the region. A defeat in 1879 caused by the Boers led to further loss of land that was also demarcated as farms. The Bapedi land was converted into crown land, land company farms, mission lands and privately-owned farms. The area was divided into the Nebo and Sekhukhuneland districts and three small locations for Africans (Delius, 1996: 11). Among the Bapedi,

there has always been a belief that land was stolen by the Boers and that this fraud was entrenched by imperial powers.

According to Bothma (1962: 09), the earliest dwelling place of the Batau as a separate tribe was around Lake Chrissie in Mpumalanga near Ermelo. The tribe moved in a northerly direction and settled in the Lydenburg area. Bothma further indicates that they also migrated to an area near the Crocodile River, from which they moved to Sekhukhuneland where they are found in great numbers today. According to Ramaila (c. 1938: 16), when the Batau migrated from Lake Chrissie (*Mokwena*) they divided into groups. The one group moved to Middelburg while the other left for Lydenburg. Another group migrated to Sekhukhuneland where they are found under various chiefs today.

According to Vail (1989: 04), when members of the various cultural groups left their isolated rural areas and interacted with each other in industrial or urban locales, they formed stereotypes of themselves and others. In most instances, this situation will always result in different cultures influencing each other through interaction by people from various areas. Most culture traits get lost in this type of a situation. Through migration into urban areas such as Pretoria and Johannesburg, young men from Sekhukhuneland such as Kgoana Nkadimeng and Elias Motswaledi were able to learn more about politics that later played an important role in the formation of Sebatakgomo and iconic figures in the ANC leadership.

1.2.2 The Missionaries, the Church and Language

Around 1860, the Lutheran Missionary of the Berlin Missionary Society (under Alexander Merensky) situated in Sekhukhuneland (Mönnig, 1967: 25) planned to build mission stations in the area, one in Gerlachshoop and the other at Kgalatlolo not far from Tjate, the Pedi capital.

A few children mostly from Christian communities started to attend mission schools in the area. However, the *baditšhaba* (non-Christians) parents thought that schools were recruiting grounds for Christianity and did not allow their children to attend them (Delius, 1996: 28). Both the missionaries and converts

viewed initiation schools as the bedrock of paganism and chiefly power and discouraged the youth from attending them. In turn, uninitiated men in the communities of Sekhukhuneland were prohibited from attending important meetings in the community irrespective of their level of education. As a result of Christianity, people were discouraged from consulting traditional practitioners and performing ritual libations to the ancestors. Importantly, communities were told not to take their children to initiation schools. In practice, most converts took their children to public schools to receive both primary and secondary education. Delius (1996: 51) stressed that missionaries challenged the role of chiefs and outlawed practices such as bride wealth, ancestor worship and rainmaking.

Vail (1989: 10) mentioned that the missionaries were often instrumental in providing cultural symbols that could be organised into a cultural identity, especially a written language and a researched written history. The arrival of missionaries in Sekhukhuneland changed the cultural landscape where communities started to learn to write their own language instead of it remaining a spoken language. According to Ranger (1989:126), missionaries always believed that Africans needed something that only they could give such as the reproduction of the language in writing, with a formal orthography and a regular grammar. Mostly, the community would provide the vocabulary and missionaries would be responsible for the orthography and the grammar.

According to Vail (1989: 12), missionaries incorporated the dogma that the pupils had clear ethnic identities, backing up this lesson with studies of language and tribal customs in the vernacular in the curriculum of their mission schools. During the colonial era, most tribes in Sekhukhuneland including the Batau learned about their language (*Sepedi*) at mission schools such as Gerlachshoop and Kgalatlolo. In effect, mission schools such as the Lutheran Schools in the area had an impact on the identities of the tribes in Sekhukhuneland. The schools also concentrated on religious training and manual work (Delius, 1996: 31).

Before the colonial era, tribes in Sekhukhuneland spoke their different dialects with the Batau using Swazi as their mother tongue as a result of their origin in a Swazi speaking region. Once the missionaries of the Berlin Mission such as

Alexander Merensky entered the area they, through their mission schools, developed one language for all the tribes and this was adopted, and is still utilised to date. All the tribes were incorporated both politically and culturally and most people living within Sekhukhuneland who had previously spoken different languages are now speaking one language, namely, Sepedi or Northern Sotho. A number of books were written in Pedi or Northern Sotho, which formed the basis of the education of most students.

The dialects of certain ethnic groups found in Sekhukhuneland, such as the Ndebele under chief Mahlangu in Groblersdal, the Ndebeles of Mokopane, the Tlokwa and the Koni, never formalised in writing by the missionaries. All these tribes and others in the former Northern Transvaal (Limpopo) were compelled to speak one language called Sepedi or Northern Sotho. With reference to Zimbabwe (the former colonial Rhodesia), Vail and White (1989: 164), indicate that the former governor, Sir Shenton Thomas urged that the adoption of a single official *lingua franca* would help both to unite the country and save money. To date, no effort has been made to develop some of the languages and most spoken languages in Southern Africa were not developed until they developed their own orthographies.

However, there are a number of tribes that speak different dialects outside Sekhukhuneland such as the Koni in Polokwane and the Kgaga in the Tzaneen area, notwithstanding the fact that they were all grouped together in Pedi or Northern Sotho. Most African teachers who were educated at the mission schools assisted with producing the history and folklore of the various ethnic groups. Ranger (1989:127) stresses that the educated Africans assisted with translating texts and discovering new words and meanings for the old ones.

According to Harries (1989), tribes living within one border always had their commercial skills, rites, customs and organisations that bonded them together and together with their foreignness, this singled them out as a distinctly separate group. To date, all the tribes in Sekhukhuneland live as a unified group with a similar custom and tradition. However, at most mines in the country, ethnic competition was encouraged with the initiation of tribal dancing, dance teams and

their supporters were defined and separated along ethnic lines (Harries, 1989:102).

Around the 1930s, some African leaders criticized the education system offered by the missions in schools. In 1933 Sobhuza wrote a memorandum on the responsibility of the education system for causing the Swazi scholars to despise Swazi institutions and its indigenous culture (Macmillan, 1989: 301). In Sekhukhuneland, there was considerable hostility to education among the *baditšhaba* (non-Christian) communities (Delius, 1996: 89). This occurred because missions required pupils to be baptised so that they could be accepted in their schools. In the 1940s, most people, in particular migrants, started to encourage their children to go to schools, while on the other hand, communities built their own schools.

Before the arrival of the missionaries in Sekhukhuneland, there was no Pedi or Northern Sotho culture for the tribes found in the area as is the case nowadays. Each group possessed its own ethnic identity with its own particular cultural traits, but due to the merging of the various ethnic groups who lived together all has changed. Harries (1989: 102), indicates that cultural markers exhibited by tribes such as diet, tools, clothing, customs and language were marked by continual adaptations to changing social and environmental situations.

1.2.3 Tribes, Tribal governance and the Batau Administration

Mafeje (1971: 253) declared that the problem in Africa is not one of empirically diversified behaviour but mainly one of ideology, and specifically the ideology of tribalism. European colonialism brought with it certain ways of reconstructing the African reality and regard African societies as particularly tribal. In South Africa the indigenous population has no word for tribe; only nation, clan, and lineage and traditionally people were identified by territory. The colonial authorities created tribes in the sense of political communities. This process was possible through the assistance of anthropologists who worked closely with tribes.

Some anthropologists regarded tribes as self contained, autonomous communities practising subsistence economy with no or limited external trade. Tribes were also seen as separate political communities, each claiming exclusive rights to a given territory and managing its affairs independently of external control. A tribe is also defined as any group of people which is distinguished, by its members and by others, on the basis of cultural-regional criteria.

Mafeje (1971: 258) stated that a relatively undifferentiated society, practising a primitive subsistence economy and enjoying local autonomy, can legitimately be designated as a tribe. When such a society strives to maintain its basic structure and local autonomy, even under changed economic and political conditions, it can be said to exhibit tribalism. According to Mafeje (1970: 258), there is a difference between the man who, on behalf of his tribe, strives to maintain its traditional integrity and autonomy, and the man who invokes tribal ideology in order to maintain a power position, not in the tribal area and whose ultimate aim is to undermine and exploit the supposed tribesmen. Most anthropologists regard territoriality as the basis for tribalism which has extended to areas far removed from the tribal homelands as the cities.

Mafeje (1971: 260) stated that tribal loyalties and identification are closely linked with appeals to traditional culture even where the concrete basis for tribalism, for intertribal conflict or allegations of unfair participation, is firmly established in contemporary competition for power and economic advantage. What is pertinent is not tribal rivalry as a system in which competition is fundamentally important and which provides a multiplicity of sources from which the competitors can draw support.

Brookes (1927: 13) indicated that it is difficult to date the first period of Native Administration by the European Government. However, on 2 January 1830, after a mission to the Eastern Cape, Sir Lowry Cole said that the territory of the Caffres should be separated from that of the colonialists. However, the British Government did not want to take a course to rule the natives. He called it distaste for ruling the natives directly, but there was a strong wish to control the tribes through treaties with their chiefs as they had done in India.

The first treaty (or agreement) was in 1834 with the Grigua Chief (Captain), Andries Waterboer. The first evictions probably took place in 1835 when Sir Benjamin D`urban founded the province of Queen Adelaide in the Eastern Cape and expelled six chiefs and their tribes. After expulsion they all became British subjects. In 1848, Sir Harry Smith said there would be no chief because their only sovereign leader would henceforth be the Queen of England. In the Old Transvaal (the North West, Limpopo Province, Mpumalanga and Gauteng), the Volksraad of the Republic of Lydenburg (later the ZAR) passed the Plakkers Wet (Squatter Act) in 1840 to limit the number of Blacks living on farms.

Sir Theophilus Shepstone (the father of the Native Administration) in 1847 designed a system to recreate the tribal system artificially. The chiefs had to be obedient and obey the laws of the high commissioner as representative of the queen or the king. The Zuid-Afrikaanse Republiek (Z A Republic 1884-1887) passed and enforced the infamous hut tax. However, the native policy was actually started by Law 4 of 1885. Shepstone declared that the agreement of the natives could not be carried out under the common law of the country. On 4 July 1881 the state organised the Landdrost's Acquisition status of Native Law and Native Law in Courts of Transvaal (Brookes 1927: 130).

In 1853 the first Location Commission was appointed to determine, by treaty, the boundaries between the ZAR and the different tribes. Treaties were made with Sekwati (in 1857) and Mpande (1858). During the 1860`s and 1870`s the ZAR tried to allot Land to Blacks within the boundaries of the ZAR in the form of quitrent farms. However, they were largely hindered in doing so by the illegal purchases of Land by Blacks and farming with Blacks by Whites.

During the first British occupation (1877, 81) nothing was done to the land problem. The Convention of Pretoria (1881) made provision for the appointment of a standing Location Commission of which the British President had to be a member. The Commission had to demarcate land for Blacks on which they had a reasonable and fair claim, as Locations by complying to the real habitation of the relevant tribes. The authority of this Commission was transferred to the Superintendent of Native affairs in accordance with the Convention of London

(1884). Between the years 1884 to 1896, 22 Locations were demarcated in the districts of Lydenburg, Marico, Rustenburg and Sekhukhuneland and in the name of the government it was transferred in trust for the appropriate tribes. Since the task was not finished when the English – Boer war commenced in 1899, a Location Commission was appointed in 1905 to make provision for more Locations in different parts of the old Transvaal.

According to Delius (1996: 15), after the Anglo Boer war of 1902, the Milner administration constructed a system of native administration that was more bureaucratic and pervasive than its predecessor in the South African Republic (ZAR). Native Commissioners saw themselves as servants of the state rather than as instruments of local farmers, who also operated within a defined segregationist framework.

After the Anglo-Boer War in 1902, tribes in Sekhukhuneland were subjected to taxation. This also applied to the administration of the Governor-General of the Transvaal, who was the paramount chief of the Bantu-speaking people (Mönnig, 1967: 36). For the first time in the history of the people of Bopedi, taxes were introduced, and all the inhabitants were forced to abide by the new legislation introduced by the government. This turn of events saw many people failing to pay the new taxes since they could not afford them due to their appalling economic conditions. During the winter months, commissioners such as Erasmus were appointed who undertook a tax- collecting tour of the area falling under his jurisdiction. Mostly, they would be accompanied by an armed force consisting of veldcornets, farmers and black and white constables. Community members who failed to comply with the new order were subjected to penalties such as whippings, fines, the confiscation of cattle and imprisonment (Delius, 1996: 12). The commission formed the basis of the Natives Land Act of 1913 (1913) and the Native Affairs Administration Bill followed in 1917 (RSA, 1917), which set out to introduce a scheme of native government based on the principle of separate native areas. Moreover, the NAD was formed in 1912.

According to Delius (1996: 16), during the first decade of the twentieth century, the assumption of the NAD was that the power of the chiefs and the paramount

Chief should be checked. The idea of divide and rule continued to enjoy considerable appeal within the NAD. During the 1920s, the NAD geared its policy towards retribalisation and most chiefs in the area were given recognition and material rewards. In Sekhukhuneland, the native commissioner, Hunt, managed to establish a tribal fund with a purpose to buying farms in areas released for African land purchases under the Land Act of 1913 (1913). Around 1922, a levy was established with the intention of buying Sekhukhuneland back farm by farm. As a result of this fund, approximately 29 farms were purchased over a period of 30 years.

The native commissioners in Sekhukhuneland worked hard to reduce the power of the chiefs and ensured that communities looked to them for assistance. In the nineteenth century, the north-eastern Transvaal consisted of multitudes of groups divided into a multiplicity of chiefdoms. Communication between commissioners and communities was through recognised chiefs. The chiefs continued with their functions of giving permission for initiation schools, initiating planting seasons and presided over the harvest seasons (Delius, 1996: 20).

In the reserves, popular discontent over the levels of taxation, dipping and the actions of unsympathetic officials led to the formation of a number of Transvaal African Congress branches (Delius, 1996: 81). Campaigns organised by the Congress around the land issue failed and people questioned the purpose of their cash contributions. Harries (1989: 97) indicates that during the 1930s, the chieftaincy as an institution had been eroded, and people were looking for leadership to other political institutions.

The Native Administration Act of 1927 (RSA, 1927) provided for the establishment of a separate legal system for the African population and it was seen as marking a shift in policy towards segregation and retribalisation. However, some welcomed it as a final blow against the legitimacy of chiefs and the tribal system (Macmillan, 1989: 297). Tribes that depended on farming and did not want to serve as labour tenants demanded the creation of a reserve through which the most oppressed could move. In Sekhukhuneland, Commissioner Erasmus managed to provide farms, mines and railways with a

labour force. This situation caused resistance to his rule as well as to that of Chief Kgoloko of the Sekhukhune Paramouncy. People who seemed to be in support of the new order were appointed to positions of chiefs such as Nkopodi (Delius, 1996: 13).

The introduction of stock fees in the 1940s frustrated tribes, which since time immemorial, depended much on it for a living. At first chiefs, Headmen and members of the community accepted the Trust hoping that it would result in more land for them and additional political and social breathing space (Delius, 1996: 59). This was followed by the stock culling in 1941, which resulted in a famine that struck most households and forced many people to move to the urban areas for employment purposes.

The reduced sizes of plots allocated to ploughing per household due to the implementation of the Trust by officials interfered with the tradition of depending on maize meal in most families. As a result of the stock culling, communities were forced to change the methods where cattle were used for ploughing and resorted to using the hoeing method for tilling the soil that was time-consuming.

According to Delius (1967: 78), the Bantu Authorities Act of 1951 (RSA, 1951), defined an administrative system that dispensed with both local and national councils and its emphasis was on chiefs and tribal authorities. It is through the implementation of this act that those Headmen who supported the NAD officials were promoted to a chieftainship position. This turn of events saw them becoming independent and not paying allegiance or contributing royal tribute to their former leaders. Fortes (1970: 264) concedes that chiefs were generally regarded as the agents of the administration in the entire British Colonial Africa area, exercising judicial and executive authority in its name and with its backing. He complains saying that Headmen are called chiefs and exercise the powers of the chiefs.

Harries (1989: 103) argues that the NAD gave chiefs the power to levy special taxes on their followers for the purchase of tribal land and they were viewed as a central element in Native Administration. This was also seen by most rural communities as a thread in their economic lives since they had never been

subjected to this situation ever before. It was also a cause for concern as chiefs were seen to have lost their political power of distributing land to their own subjects. According to Evans-Pritchard (1940: 82), in the 1930s a chief had to choose between his duty to the administration and what he regards as his duty to the tribe. Those chiefs who disobeyed the administration were liable to punishment and may even be suspended. Gluckman (n.d. 48) indicates that while the government requires chiefs to support its measures, the people expect their chiefs to oppose them. He recites a case in 1938 in Zululand where a chief built a cattle paddock and while the government was pleased, the people condemned the chief.

Harries (1989: 98) indicates that around 1905 there were liberal segregationists such as Edgar Brookes, who supported the creation of reserves in which Africans could develop along their own lines and under their own chiefs. It is during those days when the NAD established compilations of traditional laws by drawing borders that were ethnically conceived around the regularities of rites and customs. In 1938, the Native Affairs Commission complained about the authority of chiefs and respect for tribal institutions, which was under attack owing to the landless condition of the head of the tribe. It was during this period (the 1930s), when chiefs were seen as civil servants responsible to the NAD rather than their subjects.

When the power of chiefdoms deteriorated as the centre of economic life and political identification, an organisation by the name of the Native Vigilance Association was formed as an alternative source of political leadership to that of the chiefs (Harries, 1989: 100). Therefore, Schapera (1952: 82) points out that at the same time, the chief was by no means in a happy position and describes how the people expected him to protect their interests but the administration (paraded by the British) holds the chief responsible for the maintenance of administration, peace and public order. This situation left most chiefs confused with either supporting the people or government. Delius (1996: 18) declares that the chiefs, who were seen to be recalcitrant, ran the risk of a reduction in their stipends and those who challenged the new order were to be deposed from their

positions. Commoners who stepped out of line received punishment in the form of deportations.

The appalling situation compelled organisations such as the South African National Congress (ANC), the South African Communist Party (SACP) and the Northern Transvaal section of the Joint Council System to join forces against the segregation and land alienation spearheaded by the government. Some tribes in the Northern Transvaal lived in fear since they had migrated into the area from Mozambique and were also threatened by other African groups which had been living there. Their situation was exaggerated by the fact that they did not have paramount chiefs to represent their interests. In Sekhukhuneland, these situations saw members of the community with the assistance of migrants, political parties such as the ANC and the Communist Party forming an organisation called Sebatakgomo with one of their motives being to defend the powers of the chiefs, which was seen to be deteriorating (Delius, 1996: 76).

Ethnicity was also rife in the mines, as certain groups were compelled to do dangerous and heavy manual work underground. In most mines workers were housed in segregated rooms and their representatives and policemen were appointed along ethnic lines. Workers from the same home area preferred to work and be housed together, which also promotes ethnicity in the workplace. Ethnic competitions were also encouraged by mining houses through the organisation of recreational activities wherein dance teams together with their supporters were defined and separated along ethnic lines. At times, the Bapedi vied with the Zulu, the Venda against the Xhosa or vice versa. In some cases, workers were encouraged to vie against one another along ethnic lines over issues such as room and barrack cleanliness and absenteeism (Harries, 1989: 102). Workers adopted the idea of ethnicity and begin to use it against one another whereby other groups expressed it in songs mostly in the hostels.

In 1950, the NAD expressed its view concerning ethnicity, whereby it was indicated that the natives of this country did not belong to the same tribe or race, and they had different languages and customs. There was also an idea that they should develop along their own national characters and traditions. Around 1957,

chiefs living on white-owned farms were threatened with the forfeiture of their chieftaincies if they refused to accept resettlement in the reserves. Furthermore, some chiefs in Sekhukhuneland, who refused the new order, were threatened with the deposition to their chieftainship positions.

According to Harries (1989), due to the implementation of the Native Trust and Land Act of 1936 (RSA, 1936), the popularity of the chiefs declined and they were turned into public servants who were also responsible to the NAD rather than their followers. Community members in Sekhukhuneland also complained about the reaction of some chiefs who seemed to be supporting the new order. Chiefs in the area were accused of being turned into government clerks who seemed to have turned against their followers. White (1989: 163) stressed that chiefs were reduced to little more than assistants to the commissioner for mobilising labour and collecting taxes. The functions of chiefs were taken away and were seen to be serving and supporting the government at the expense of their communities. Evans-Pritchard (1940: 264) notes that the powers and authority of the chiefs were altered by the advent of the British administration. Furthermore, those chiefs were seen as agents of the administration, exercising judicial and executive authority in its name.

Around 1940, some chiefs including their families were even removed from one place to the other by the NAD. At times, they could be settled under the authority of other chiefs. In some cases, they leave behind their followers who would remain without a leader or be placed under the leadership of a new chief. In Sekhukhuneland, some chiefs who refused the new order were at times deported to places such as Cala in the Eastern Cape. This happened to the Paramount Chief Morwamotšhe when he showed no interest in the new order. Other Chiefs in South Africa were also targeted. Macmillan (1989: 304), in his study of the Swazi, found that NAD wanted to know if Chief Maguba Nkosi could be removed to Swaziland with his wives and followers. At times, chiefs could be moved by the NAD to areas they never wished to be settled without official recognition.

According to Harries (1989: 103), among most African societies there are a number of popular controls over the succession to the office of the chief. He went

further to indicate that there were various legal precedents that provided for the exclusion from the chieftainship of the eldest son of the Chief's first wife. To date, among most tribes (the Ntšhabeleng, the Masemola, the Phaša and the Phaahla) in Sekhukhuneland including the Batau of Kgaphola, the royal families still adhere to the custom of the marriage of a candle wife. However, the same families became divided into groups and ended up marrying two or three candle wives that later caused succession disputes. Each royal family group will always have a person whom they regard as an heir apparent to the chieftainship position that ends up in the government intervening with a purpose to resolve the dispute.

1.2.4 From Bantustan Lebowa to the Limpopo Administration

Through the Bantu Self-Government Act of 1959 (RSA, 1959), the government introduced the homeland system to divide blacks into ethnic groups and transforming the reserves. The Lebowa Homeland Government was established in 1972, solely for the Northern Sotho group living in the Northern Transvaal. Delius (1996: 172) stresses that the apartheid ideology and practice continued its grim progress during the 1970s. The Nationalist government managed to classify Africans as citizens of homelands, and this justified their subordination and exclusion from centres of power. The government hoped that the area would follow the Transkei into independence. The region (Sekhukhuneland) became very difficult which also impacted on government plans.

According to the government's plan there were to be six Territorial Authorities and one Legislative Assembly in the country. Three Territorial Authorities were to be established in the Northern Transvaal to represent the Northern Sotho, the Venda and the Tsonga (Hill 1964: 15). The three shared a Commissioner-General, Dr W.W.M. Eiselen, who was stationed at Turfloop and exercised powers over the reserves. Interestingly, Dr W.W.M. Eiselen was a descendent of one of the Berlin Missionary families who was stationed at Botšhabelo, near Middelburg. Botšhabelo was one of a network of such stations, which stretched into Sekhukhuneland. Chiefs were mandated in terms of the Lebowa Constitution to serve in the legislature as representatives of regional authorities. Sixty chiefs were to be nominated, and only forty members were to be elected by public vote.

Some chiefs such as M.M. Matlala were groomed by the regional authorities to be the Chief Minister. The first Chief Minister of the Lebowa government was Dr. C.N. Phatudi who was a former education inspector. He believed that the homeland system should not be left entirely with a purpose to deny independence. During his campaign, Dr C.N. Phatudi, promised chiefs more land and promised to provide the Pedi Paramountcy more powers (Delius, 1996: 173).

During the handing over of the symbols of office to the members of the Executive Council of Lebowa, the Minister of the Department of Bantu Administration and Development (BAD), in his speech, Mr. M.C Botha mentioned that tribes are bound together in solid unity by a special band about the staff on which is inscribed the proverb: "*Mphiri o tee ga o lle*" translated "One bracelet only cannot make a noise but the more bracelets you wear, the more noise they make." He further indicated that these new governments intend to bind the tribes of the Lebowa Territorial Authority together as a nation, which will become a powerful entity (Lekgoathi 2003: 64).

With the establishment of the homeland system, the government was aware that no ethnic group would claim political dominance over others. The Lebowa government officials including cabinet ministers, whenever they addressed the different communities within the Lebowa Territorial Authority, were using the proverb "*Mphiri o tee ga o lle*" as their motto. After the elections of 1972, the Department of Education handed over all schools to the new Lebowa Department of Education and Culture. Sepedi was therefore adopted as a mother tongue to all schools that fall under the Department of Education and Culture in the Lebowa Government. The Tsonga, Ndebele and Tswana groups such as Kekana, Langa, Ndzunzda and Seleka who were also within the territory learned Sepedi in schools. As a result, the language Northern Sotho developed at the expense other languages (Lekgoathi 2003:65).

The Lebowa Territorial Authority also included some of the Ndebele tribes which lived adjacent to the Northern Sotho tribes. Acculturation has taken place among these tribes but both the Ndebele and Northern Sotho have never become a cultural unit. The Ndebele evinced a need to have their own territorial authority

separate from the Lebowa Territorial Authority which was viewed to be for the Northern Sotho group. The Ndebele consisted of about 294,253 population and each tribe had its leader and a tribal authority. All tribes were represented in the territorial authority by their chiefs (Lekgoathi, 2003: 66).

Some chiefs in the Lebowa Territory especially from the North Ndebele group (Mapela, Vaaltyn and Zebediela) were opposed to their inclusion in the Lebowa Government. The group vowed to secede from the Lebowa Territory to have the Ndebele Homeland. Other Ndebele chiefs such as Mashashane, Maraba and Langa of Bakenberg were always encouraged to support their ideas. Some of the Ndebele chiefs such as chieftainness Mashashane, were awarded positions in the Lebowa Legislature, while on the other hand, Chief Langa of Bakenberg was built a new house. Their followers were employed in government departments as nurses, teachers and clerks (Lekgoathi, 2003: 67). Those who were opposed to Lebowa were not rewarded by the government in any way. During his campaign, prior to 3 January 1978, Dr C. N. Phatudi threatened the aged that those who failed to participate in the elections would forfeit their old age pensions.

Arrests were often made to those who openly opposed and discouraged people to participate in the Lebowa by-election. Such people would appear before the magistrate who would also impose a prison sentence or a fine. Chiefs who opposed the Lebowa government openly were dethroned and replaced with pro-Lebowa supporters (Lekgoathi, 2003: 68-69).

In order for the homelands to run smoothly without the assistance of the whites, African universities had to be established to produce doctors, teachers, lawyers and business people. As a result, one such a university was established at Turfloop for the Tswana, Sotho and Tsonga speakers. However, the question of morality was always raised regarding university education (Hill, 1964: 45). Teaching at Turfloop, as was the case with other African universities, was slanted in the direction of apartheid that was at the core of its teaching and both anthropology and history were to be handled carefully on a scientific basis. The university was also not autonomous since its functioning was controlled by the Minister of Bantu Education. According to Hill (1964), the purpose of African

universities was to “hold the Africans Blacks.” The Africans were encouraged to develop separately and universities were not allowed to provide a meeting place for them. The government was prepared to train Africans to be able to lead their own peoples in the direction of separate development along their own lines.

The segregation of people along ethnic lines was not only taking place in the rural areas, in the urban areas such as Pietersburg (*Polokwane*), Africans were shifted from the outskirts of Polokwane to places such as Seshego which is about 15 kilometres away. In Mokopane, Africans who were settled on the outskirts (the old location) were removed and taken to a place called Mahwelereng, which is 12 kilometres away. In the 1960s, roads, railways and farm boundaries were defined in order to separate the different homelands. In the Bushbuckridge area, immediately after the establishment of the Mashangana Territorial Authority, the government through its policy of ethnic consolidation began with forced removals in the Eastern Transvaal.

Due to the establishment of the homeland governments along ethnic lines, ethnic hostilities arose in some areas over access to public institutions such as schools and hospitals. Harries (1989: 106) states that due to ethnic hostilities, the Chief Minister of Lebowa removed all the Northern Sotho patients, nurses and hospital staff to nearby Sotho hospitals and to ban the Tsonga Presbyterian Church for which his government was responsible. The situation was caused by the allocation of the North Eastern Transvaal Shiluvane mission hospital to the Gazankulu Bantustan Government around 1981. What followed next was to see some community members being forced to travel long distances to reach hospitals. Due to this ethnic hostility, conflicts arose around 1985 between the Tsonga and Kgaga in districts such as Ritavi.

Some homeland chief ministers criticised the ethnic boundaries initiated by the government for it caused bloodshed amongst the blacks. Hudson Ntsanwinisi, the Chief Minister of the Gazankulu homeland in one of his speeches, predicted, “the ethnic fires kindled by the Republican government will spread until this continent is destroyed irrevocably” (Harries, 1989: 107). Native Commissioners were given a responsibility to check those who could be recognised as chiefs and those who

could be senior chiefs in the reserves. In Sekhukhuneland, one such a commissioner was stationed at Schoonoord whereby all chiefs in the area were serviced.

The Bantu Authorities Act of 1951 (RSA, 1951) provided machinery in the form of a three-tiered system of Tribal, Regional, and Territorial Authorities, which was to be used in the political evolution of Bantustans (Macmillan, 1989: 304). Around 1955, the Tomlinson Report was published which consolidated and recommended the development of the reserves along ethnic lines. One of its major concerns was the accommodation of people who were regarded as redundant on white farms but important in the industry as migrant labourers. According to Macmillan (1989: 308), a Bantustan strategy was there to provide homes and social control for migrant labourers while splitting African nationalism into ethnic fragments.

Political parties such as the ANC and Pan African Congress were banned by the colonial government in 1960 since they were viewed as obstacles in the way of Bantustans. Most Africans were forcefully removed from white areas and were relocated to commuter towns established in the reserves during the 1960s. In Sekhukhuneland, a movement called Sebatakgomo was formed with a purpose to oppose the new order. Among others, it was against removals, culling, Bantu Authority and Bantu education.

The Lebowa Territorial Authority was established specifically for the Northern Sotho tribes that resided in those parts of the Territory. The Territory was estimated to be 2,096,147 hectares in size and was to be increased by means of annual purchases of land by the South African Bantu Trust. The Northern Sotho consisted of sixty tribes, each with its own territory, Chief and a Tribal Authority. Sekhukhuneland consisted of eighty small tribes united under Pedi chiefs namely, the Sekwati, the Thulare and the Sekhukhune. However, these tribes were of a different origin, but today they exhibit some cultural homogeneity and this is shown by the use of common language (Department of Information, 1969: 1). Most tribes still cling to their traditional cultures.

In South Africa, even after the establishment of the Lebowa Government around 1972, regional authorities continued to exist like the territorial authorities. With the introduction of the Bantu authority system in the former homelands, regional authorities had to transfer their functions to the relevant territorial authorities. In the near future they would, where necessary, act as agents of their territorial authorities in terms of their functions. The outcome of this regulation was that the coordination that existed per district, was exchanged for direct administrative linking from decentralised departmental authority to each tribal authority. In the Lebowa Government, there were Regional Authorities such as Mokerong, ThabaMoopo, Seshego and Sekhukhuneland. Only recognised chiefs were allowed to participate in the Regional Authority and be elected to the position of leadership. Regional Authorities were dealing with matters of economic and social development in the areas of jurisdiction of the chiefs. It was through the Regional Authorities that the government was able to know the development needs of chiefs in the areas.

When the ANC government took over in 1994, the Territorial Authorities continued to exist and were later replaced by the House of Traditional Leaders with its headquarters in Polokwane. Ethnicity played a role as members of the provincial House of Traditional Leaders composed of the Venda, the Tsonga and the Northern Sotho. Chiefs from these ethnic groups (Tsonga, Venda and North Sotho) agreed to have both the Chairperson and the Deputy Chairperson's positions rotate among them every five years.

The government passed legislation called the Limpopo Traditional Leadership and Institutions Act, No 6 of 2005 (RSA, 2005), which established the local houses of traditional leaders in the five districts of Limpopo. The Vhembe Local House of Traditional Leaders is composed of Venda and Tsonga chiefs. During the elections, chiefs make sure that both ethnic groups are equally represented in positions of leadership. The chiefs from both ethnic groups (the Venda and the Tsonga) also agree on a number of representatives each should have in the Local House of Traditional Leaders. An agreement will also be made to have a specific number of chiefs from each ethnic group to represent others in the Provincial House of Traditional leaders. In the Mopani District, which consists of

chiefs from both the Tsonga and Northern Sotho groups, during the elections of the members to serve in the local House of Traditional Leaders, chiefs will always be divided along ethnic lines. Each ethnic group will first agree on the names of chiefs to serve in the Local House of Traditional Leaders.

When the Local House of Traditional Leaders is properly constituted, representation to the Provincial House of Traditional Leaders will be made along ethnic lines. Chiefs from each ethnic group will make sure that they are represented by a certain number of members in the Provincial House of Traditional Leaders.

In the Vhembe District, the Venda and Tsonga chiefs would also want to be represented both in the Local House of Traditional Leaders and Provincial House of Traditional Leaders. In the Vhembe and Mopani districts, the election of chiefs to serve in both the local and provincial House of Traditional Leaders is based along ethnic lines.

1.2.5 Tribe, intervention, resistance and conflict

According to Chitepo (1970: 11), a tribe is a unit of social and political organisation which occupies a defined area of land and comprises a defined number of persons. People are members of a tribe because they live next to one another, are in constant communication, speaking the same language, and sharing the same customs and beliefs, and subject to the same political authority. The Batau people are regarded as a tribe since they live together as a social unit, speak one language, share the same customs and beliefs, and under the leadership of a chief. The Batau share the same ideas about marriage, religious practices and have social cohesion amongst them.

Southall (1970: 36) stated that 'tribe' as used by ethnologists and anthropologists refers to these 'larger ethnolinguistic units' which have 'little basis in native society'. The tribe is not a war making group and contrary to that it is within it that the most intensive feuds occur. The Batau community experienced chieftainship disputes which was the result of the disagreement from the royal family. The failure of the royal family to agree on who should lead the community led to a division.

The tribe is also viewed as a zero point from which change takes place. Mitchell (1970: 84) regarded a tribe as a group of people who share a set of cultural characteristics. These would include language, social institutions, custom and beliefs. The Bataui community share the same language, custom and beliefs which make them to be seen as social unit. From a political perspective, a tribe provides the sentiment in terms of which personal services may be claimed and acceded.

Legum (1970: 103) describe tribalism as the manifestation of overriding group loyalties by members of a culturally affiliated society to locally-based interests which involve tradition, land and opportunities for survival and growth. Thus: tribalism can be defensive or aggressive; defensive in resisting real or imaged threats from external ideas or forces to existing interests; aggressive in enlarging its members` potential share of opportunities lying outside the confines of the traditional sector. The Bataui community became divided after the Tau Kgaphola royal family failed to agree on who should lead after the death of chief Lobang III in 1954. The community became divided into two groups namely the Makhuduthamaga who were anti-government and Rangers who were pro-government. Legum (1970) further stressed that traditional systems may pass away while tribal affiliations remain strongly entrenched in defence of ethnocentric interests. The two groups within the Bataui community were led by royal family members namely Mokhine and later Motodi and Masehle who could not agree.

Legum (1970: 103) contended that traditional societies often accept innovations to reinforce the power of their traditional institutions to resist greater change, and to strengthen their bargaining power with challenging external forces. The Makhuduthamaga who were in support of Masehle to lead the Bataui community resisted Bantu authority by the government. Members of Makhuduthamaga were receiving support from the leadership of Khuduthamaga based in Johannesburg. Legum (1970: 104) stated that traditional systems have been required to fulfil three major functions: to maintain their internal cohesion; to defend themselves against the external pressures of rival systems, whether traditional or modern; to

expand the interests and opportunities of their own members in the wider society at first the colonial society, later the nascent national state. The Makhuduthamaga in Mphanama resisted the new order by the government of the day and went to the extent of defending their members in court when they were arrested by the police.

Zartman (2000: 32-33) explained that conflicts occur within lineages and between members of different lineages. In defining their conflict situations it is distinguished between anger, quarrel, fighting, and war. Disputes in the community mostly involve breach of contract, slander, and witchcraft and sorcery accusations. The Batau dispute started from the royal family after they did not agree on the successor after the death of Lobang III in 1954 and later the community became divided due to their allegiance.

Gluckman (1955: 2) declared that conflicts are a part of social life and custom appears to exacerbate these conflicts. In doing so custom also restrains the conflicts from destroying the wider social order. The Batau community was divided into two groups with the one supporting government and paying allegiance to Mokhine who was in favour of the leadership of Mantlatle, while the other was anti-government and supporting Masehle as their leader. Each group was contributing royal tributes to their leader of choice as part of their culture. Gluckman (1955: 2) further indicated that societies are so organized into a series of groups and relationships, that people who are friends on one basis are enemies on another. The people of Mphanama continued to assist one another during funerals and weddings but disagree with regard to the leadership of the community.

Gluckman (1955: 10) explained that certain customary ties link a number of men together into a group and others divide them by linking some of them with different people who may be enemies to the first group. In Mphanama, Tserere (a royal family member) was accused of influencing members of the community not to contribute royal tributes to Ngwanamohube and these situation fuelled conflict between them. The police were always called by Ngwanamohube to arrest

Tserere and punish him for his actions within the community. Within a village differences between persons are discussed by the elders of the village and agreement is generally and easily reached and compensation promised, for all are related by kinship and common interests. When the initiates were dying during the initiation school (Matladi 1960) the elders pleaded with Masehle to shorten the initiation period to avoid more death.

Customary practices can also divide men by emphasizing the disturbance after a homicide (Gluckman, 1955: 16). The attack of women during the female initiation school in the river by the Makhuduthamaga continued to divide the Batau community. Twenty-four men (Makhuduthamaga) were arrested for carrying out the attack and were charged by the court.

A person's allegiance to how his community and its sense of right-doing, create conflicts which inhibit the spread of dispute and fighting. There is conflict between a person's desire to serve own material ends, ruthlessly, and recognition of a code of law and right-doing under that code; and this conflict appears in his kinsmen's willingness to support him in a quarrel (Gluckman, 1955: 18). Masehle who was a member of the royal family had his supporters from within and in the community who wanted his leadership. Mokhine who led a group that supported the leadership of Mantlatle had the support from the royal family and the community. These situations saw the royal family and the Batau community divided according to allegiance for a long time without any solution to the problem.

There are three frequent manifestations of tribal conflict namely, grievances over inequitable treatment as between one major group and the rest of the country, and fears of domination at the hands of a major group (Legum, 1970: 107). During (1960s) conflict in Mphanama, the group that supported Masehle was larger in number against the small group that support the leadership of Mantlatle. A group that support the leadership of Mantlatle received the assistance of government against Masehle's group (Makhuduthamaga).

Gluckman (1955:19) declared that when the two parties that are in conflict are close together, many institutions and ties operate to exert pressure on the quarrellers to reach a settlement. This is not say that settlement of quarrels is always achieved. The Lebowa government under Chief Minister Dr. C.N Phatudi intervened into the Batau chieftainship dispute wherein both Masehle and Mokhine with their supporters from the royal family were invited to attend meetings at the Schoonoord government offices (1960s). Masehle was later recognised by the Lebowa Government as the Acting chief of the Batau community and other members of the royal family were not satisfied by the decision of government.

Legum (1970: 104) stressed that traditional systems have been required to maintain their internal cohesion, defend themselves against the external pressures of rival systems. The Makhuduthaga in Mphanama resisted the betterment system introduced by the nationalist government. Legum (1970) further indicated that the widespread retention of tribal loyalties has affected the nature of nationalist movements.

According to Millar (1980: 10) intervention must be specifically requested of the potential intervener by the government of the country under attack. The attack must unquestionably be substantially supported, if not directed or controlled by an external power. During (1958) conflict in Mphanama, police officials were always seen patrolling in the streets to support Rangers who accepted Bantu authorities introduced by the government of the day. The Makhuduthamaga were not allowed to hold meetings in the community and for fear of arrests they resort to the mountains. Instability delays and inhibits the success of steps taken towards resolving or reducing conflict. Instability also makes it impossible for the political leadership and the negotiators to adopt an accommodative give-and-take approach (Muni, 1980: 44). Both the Makhuduthamaga and Rangers could not agree regarding their allegiance to the two royal family groups which was also influenced by government support to the other group (Rangers). Even if Masehle was recognised as the Acting chief of the Batau community after some

negotiations between government and the royal family, a group from the royal family with the support of the Rangers did not accept his leadership.

Zartman (2000: 35) explained that mediation provides adversaries the forum to underplay conflicts and amicably convince each other that whatever may be the matter between them is of no significance. Mediation is a flexible and adaptable method of resolving disputes between kin members and between neighbours who live close to each other and are involved in ongoing social and economic relations. Due to a number of chieftainship conflicts experienced by the former Lebowa Government, the Chief Minister Dr. C.N Phatudi established the Lekoloane Commission to investigate disputes in the Lebowa area. The Batau chieftainship dispute was referred by the royal family to the Lekoloane Commission with the hope that it will be resolved amicably. A group led by Masehle and the one supporting Mantlatle presented their case to the Lekoloane Commission but these did not assist to resolve the Batau Chieftainship dispute.

When the new government (1994) was established, the Premier of the Province founded the Ralushai Commission with the ideal to resolve chieftainship disputes. For the second time the Batau royal family referred their dispute to the Ralushai Commission for assistance. After its investigation the Ralushai Commission released the results which government could not implement and as such the Batau chieftainship dispute remained unresolved. The two groups of royal family members continued with their conflict and later (2004) the House of Traditional Leaders was requested to investigate the dispute.

1.3 Research Questions

The following research questions formed the basis of this study:

- Which traditional or customary political structures characterised the Batau community?
- What was their migration history with reference to the royal house and various secessions that had occurred in the past?

- How did the community react to colonial and apartheid systems of governance with reference to similar reactions in the region at the time?
- How did the governance by the state impact on the post-1994 legislation in the Limpopo Province?
- Could the present remnants of division among the Mphanama community be explained after addressing the above issues?

1.4 AIMS

The aims and objectives of this research were to:

- To investigate the traditional or customary political structure of the Batau community;
- To study their migration history with reference to the royal house and various secessions that had occurred in the past;
- To determine how the community reacted to these colonial and apartheid systems of governance with reference to similar reaction in the region at the time; and
- To analyse the impact of governance by the state in terms of post-1994 legislation in the Limpopo Province.

1.5 Purpose of this Study

The purpose of the study:

- To investigate how the Batau deals with their internal political strife including conflict of leadership within the royal house;
- To assess the impact of migration on the community and the royal house;
- To determine the reaction of the community regarding colonial and apartheid system of government;
- How did the new government (Post - 1994) approach the situation created by its predecessor; and
- Is there any difference with regard to the approach by the apartheid government and the new government?

1.6 Research Design

When conducting my studies, I relied on a number of research methodologies to access the relevant information about the Batau. Pelto and Pelto (1970: 68) indicate that it is useful to employ more than one method or mode of observation in the study of particular cultural institutions. My visit to Mphanama occurred during the early stages of the study period which culminated in a visit to the archives. I used my vehicle to get to Mphanama and I was introduced to a number of elderly people by certain royal family members and Chief Kgaphola. In turn, Chief Kgaphola introduced me to a number of elderly people such as Diphatše Kgaphola who are knowledgeable about the history and culture of the Batau.

I was introduced to a number of organisations in the community such as civic and church organisations. I told them about the reason for my visit to Mphanama and many showed interest and offered to co-operate during the investigation. I explained to them that I was interested in collecting information regarding the history of the Batau for the purpose my studies. It was during this period (2010) that I learned about the Makhuduthamaga and the Rangers who were fighting against one another in the late 1950s and 1960s around Mphanama.

Pelto and Pelto (1970: 67) indicate that the fieldworker is the principal research instrument, and the various methods of investigation are alternative techniques for objectifying and standardising the fieldworker's perceptions. I decided to employ methods such as participant observations, interviews and a literature research during the investigations. Members of the royal family and the community of Mphanama assisted in providing information during my studies in the area. Had it not because of their assistance, it would have been difficult to access relevant information.

1.6.1 Document Analysis

While doing my anthropological research, I also relied on archival materials from the National Archives in Pretoria (NAIRS), which assisted me with accessing the

relevant information about the Batau community. At first, I found it difficult to make use of the archives, since I did not know how to search for information. However, through the assistance of staff members in the national archives, I found it fascinating and encouraging.

Importantly, old materials about the Batau and other tribal authorities in Sekhukhuneland were available for reading. It became clear that meetings held between the two opposing royal family members of Kgaphola and government officials in the 1960s at Schoonoord were recorded properly. Genealogies that were compiled by the officials while trying to resolve the Batau chieftainship dispute were available in the old government files.

Minutes of the meetings, which also contained arguments between the two royal family groups were available for reading. Correspondences by each of the two groups when communicating with government officials complaining about each other are available. A resolution by a group supporting the recognition of Mantlatle to lead the Batau was available; this and other documents encouraged me to proceed with my studies.

Court proceedings during a trial by members of the Makhuduthamaga who were involved in the killing of two women and injuring others in the river during a girl's initiation school in the community are recorded in the Batau's file found in the archives.

Statements of post-mortems conducted on the corpses of the deceased women attacked during the initiation school were available in the file. Ethnographers such as Bothma (1962) and Mönnig (1967) wrote some literature that was very helpful with understanding the culture of tribes in Sekhukhuneland including the Batau. Northern Sotho novels by Makgaleng and Ramaila outline the origin and history of the Batau in detail and create a better understanding of the tribe. Delius (1996) provides a detailed historical background of the implementation of the Trust and Black Authorities in Sekhukhuneland around the 1950s and 1960s.

Through Bothma (1962), I was able to understand the social life of the Batau including, among others, the usage of the *dikgoro* and their importance in life.

Mönnig (1967) translated most of the Sotho words into English, which created a better understanding of the concepts used. He created a clear background of the Batseta system and how it helped to maintain protocol within the community. In addition, Makgaleng (1973) creates a detailed historical background of the Batau and how one of the founders of the tribe namely, Matlebjane, was killed by his children. Ramaila (c 1938.) reflects on the migration of the Batau from Wakkerstroom until their arrival at Mphanama where they are found today. Delius (1996) elaborates a great deal on the political lives of the communities in Sekhukhuneland and focuses mostly on conflicts between the Makhuduthamaga and Rangers in the 1960s.

1.6.2 Fieldwork

1.6.2.1 Participant observation

Just after I had established myself among the Batau of Kgaphola (2011-12), I started to participate in the lives (as I was staying with some members of the royal house) of members of the community, such as attending the *kgoro* (meetings) which took place in the morning over the weekend when most men were at home. I observed elderly men at the *kgoro* when they adjudicated over cases between and among community members. Participant observations played a major role during my investigation among the Batau. I saw people complaining about decisions taken against them by elders at the *kgoro*.

Most people paid their fines to the elders at the *kgoro* using money that is a common practice today to settle such cases. After the money has been paid, some of it will be given to the elders to buy a few bottles of beer to enjoy immediately when they have finished with the *kgoro*. I took part in the burial of some community members such as Diphatshe Kgaphola who was one of my informants. Most of these funerals took place over weekends, preferably on Saturdays in the early hours of the morning.

I observed certain wedding ceremonies for some members of the community, such as the one for chief Lobang IV with his wife who came from the Nebo area under Chief Madihlaba. Community members from all the villages that fell under

the jurisdiction of Batau, came in great numbers to show their support. Young men all wore black suits, white T shirts and black shoes. On the other hand, young women were wearing traditional Pedi skirts, blouses and black shoes. A wedding of this kind, first starts at the bride`s home and the following day, the function takes place at the groom`s home. When the groom`s group arrive at the bride`s home, I saw two middle-aged women and one young man carrying a container full of beans walking towards the bride`s home. I was told that they were going to confirm their arrival and that they also came to collect the bride for whom they had already paid marriage goods.

According to Boellstorff, Nardi, Pearce and Taylor (2012: 79), the ethnographer may be asked to participate as a group guest, sit in the pews at a virtual wedding, or don an outfit for a fashion show or a themed event. When the time arrives for the groom and bride to sing and dance in public together with their entourage, I was asked to join the group to celebrate with them, even if my suit was not of the same colour as theirs. I found the moment extremely interesting in this different environment with its new faces. Pelto and Pelto (1970: 70) indicate that Malinowski once stressed that the anthropological fieldworker should immerse himself or herself in the lives of the people and that can only be done through months of residence in the local community. During my investigation, I spent one week (May 2011) in the community residing with some people whom I already knew.

Many people got used to my face as I walked around the community with some elderly men. Most wanted to know the purpose of my visit in the village, though, at first, a few suspected that I might be coming to spy on them. I was therefore introduced to a number of elderly people by some royal family members after they were requested to do so by Chief Lobang IV. Boellstorff, Nardi, Pearce and Taylor (2012: 79) indicate that once ethnographers become more experienced and known within the world of study, they will establish contacts and goodwill in communities that can also provide access to other groups and new fields.

Pelto and Pelto (1970: 68) indicate that whenever possible, the fieldworker should master the language of the people though much of the behaviour

available for observations is non-verbal. The language of the Batau was not difficult for me. However, it had many proverbs and poems, which needed clarification for better understanding since I come from Matlala where Sepedi is spoken in the Polokwane area. The elders of the tribe were always eager to provide explanations that also encouraged me to learn more about their community.

Photographs and video recordings played a pivotal role during my stay at Mphanama. They helped me to review most of the incidents that I could not remember when analysing the information I got from the community. During cultural events in the community photographs, together with video recordings, assisted with reviewing memories, which could not easily be recalled. Miller (2011: 73) indicates that reviewing photographs or a video recording of the ritual provides a surprising amount of forgotten or missed material. However, he went on to say that if an ethnographer uses a camera or video recorder, he cannot take notes at the same time.

During my investigations, I also relied on taking field notes, which helped me to recall conversations held with informants. Within a period of twenty four hours, such information should be captured before memory of them is lost. I was able to make notes of the names of informants, dates, places and the type of conversations we held for the purpose of recalling the incidents correctly. Boellstorff, *et al.* (2012: 84) state that fieldnotes should be dated and time-stamped, with a title or short description summarising the contents. All information captured or collected from informants was always placed in a computer to keep it safe, to avoid any form of loss.

1.6.2.2 Interviews

Boellstorff, *et al.* (2012: 93) states that through interviews we learn about secret histories, internal power struggles, and unofficial customs. There were times when people after realising what my investigations were about, people started to become suspicious and exerted pressure on encouraging some elderly women in the community to stop providing information, in particular, sensitive information

concerning issues pertaining to the Rangers and the Makhuduthamaga. At times, I had to buy some cool drinks and cigarettes for the elders to enjoy while they would be recounting stories of the past, in order to display my good intentions and goodwill. Some elders were told that if they continued to provide information about the Rangers and the Makhuduthamaga they would be prosecuted since the issue was sensitive. For that reason, I had to conduct some interviews in private places or in the homes of my informants for the purpose of anonymity. Boellstorff *et al.* (2012: 93) stress that the interview format offered the informants a safe way of sharing behind-the-scenes information while maintaining anonymity concerning the community.

Most of the Batau elders used to tell me that they did not want “*Moeng wa tlala*” (a visitor of hunger). This means that when you want the elders to engage with you, you must bring them something to eat or drink while talking to them. In order to motivate some of my key informants, I had to ask them which kinds of drinks they enjoyed the most. Each time we meet, I made sure that I bought them a few drinks which would make my work easier.

During the investigations I found that most of the elders such as Bojane Phogole were able to relate important incidents pertaining to Fetakgomo and the Rangers since they had played a part at that time (1950-60s). This helped with the recording of attacks by both groups and the involvement of government officials in the Batau conflicts. Some informants recalled meetings which took place in the 1960s and when I went to the archives, minutes were found as proof. A few people who knew that I worked for the government, at first thought that I had come to investigate a royal family dispute which had simmered for many years, and I did not inform Chief Lobang IV and his council. However, royal family disputes were part of my investigation programme in the province. I was able to access information relating to a court case among community members, the royal family and Ngwanamohube that took place in Schoonoord around May 1959, through the elders who had attended, such as Mokotedi and Diphatše Kgaphola. In addition, the elders who had taken their children to an initiation school established by Masehle, which resulted in the death of eight initiates were able to relate the incident explicitly.

At times, I had to revisit my informants for the purpose of clarification about our previous interview with regard to incidents that I suspected had not been captured correctly. In these cases, I would repeat my questions to my informants so that the answers could be recorded correctly to avoid any form of ambiguity. Lofland, Snow, Anderson (2006: 18) indicate that intensive interview studies may involve repeated contact between researchers and informants, which may even extend over a period of a year.

Sometimes I compiled notes to capture information received from my informants, while at other times, I had to rely on voice recordings that assisted a great deal where our conversations lasted many hours. Miller (2011: 78) emphasises that while anthropologists are in the field taking daily notes, often by hand, they are also using computers currently. There were times when I had to record notes on my computer during my conversations with some informants.

After some time, the people of Mphanama became familiar with me to the extent that I was no longer viewed as an outsider to most of them. Even those who felt threatened by my presence in the community from the beginning of the research became open enough to talk to me without fear of anything. Boellstorff, *et al.* (2012: 44) stress that once the outsider had become familiar will no longer be a disturbing element.

During my research, there were times when I had to change or modify some questions based on the situation on the ground and the type of incidents I wanted to know more about. This situation helped me to obtain the most pertinent information concerning the subject in which I was interested and gave meaning to it. Malinowski (n.d.) stresses the need to focus on a question and open oneself to what he calls the pressure of evidence as the ethnographic research proceeds.

Most interviews I had with the informants created a better understanding for me which assisted in identifying the most important topics on which to focus during participant observations. Questions were asked such as, "*When did it happen?*", "*Who did it?*", "*How many people were involved?*" Through participant observations of some community events, I was also able to formulate questions for the next interviews with the informants. According to Boellstorff, *et al.* (2012:

94), interviews help identify topics to prioritise during participant observations and participant observations help frame questions for interviews.

At times, during interviews with some of my informants, fellow community members just came in, and would immediately start talking to them and mostly they would be compelled to concentrate on both sides. Once I realised this, I would pause with my questions to avoid multiple conversations, which often cause disruptions. Boellstorff, *et al.* (2012: 102) stress that ethnographers should be prepared for pauses and lapses when an informant might not seem to be responding to our questions.

Much of the information I collected from my informants had to be sorted with the purpose of creating themes or patterns. Doing this type of work manually would have cost me a great deal of time and energy that might have resulted in delaying any progress. Instead, I used a computer to sort information collected from the community, which worked out more easily. According to Miller (2011: 74), computer scanning offers the ability to search vast quantities of data more quickly and perhaps more accurately than the human eye.

Photographs and video recordings played a pivotal role during my stay at Mphanama, as they helped me to review most of the incidents that I could not remember when analysing the information I got from the community. During cultural events in the community photographs, together with video recordings, assisted with reviewing memories, which could not easily be recalled. Miller (2011: 73) indicates that reviewing photographs or a video recording of the ritual provides a surprising amount of forgotten or missed material. However, he went on to say that if an ethnographer uses a camera or video recorder, he cannot take notes at the same time.

1.7 Ethical Considerations

Due to the qualms of the elders I decided to use pseudonyms in this text to mask their true identities.

1.7.1 Confidentiality

During the investigations, I made it clear that all my informants were safe with regard to any sensitive information they provided. This encouraged my informants to provide any information they had about the Batau which I requested them to share with me. According to Miller (2011: 76), an anthropologist's primary responsibility is to ensure the safety of the people participating in the research. For this reason, I also concealed the true identity of all my research participants by using pseudonyms such as Phogole and Phaahla.

1.7.2 Informed consent

Before undertaking my research, I obtained informed consent from people whom I thought will be participating in the study. This gave me an opportunity to have discussion about my study with participants, which enabled them to know the methodologies and its objective. Clark and Kingsolver (2000) mention that the researcher must try to answer all questions and concerns about study participation that potential subjects may have about their involvement in the research process.

1.7.3 Personal honesty

Before undertaking my research, I informed community leaders that I came to conduct a research and that photographs, video and records will be used but that will not be published. Bernard (1994: 118) indicates that some researchers convince themselves that they are doing something noble for humanity, rather than for themselves. I revealed my personal details to all participants to make sure that I am acceptable to them.

1.7.4 Ethical and cultural relativism

During my stay in Mphanama, I accepted cultural practices such as the *batseta* system, which plays a pivotal role in the lives of community members. By accepting the *batseta* system I did not find myself compromising my beliefs and values either way.

1.8 Chapter Design

This dissertation consists of the following chapters:

Chapter 1: Introduction

Chapter 2: The landscape and history of the Batau of Kgaphola at Mphanama

Chapter 3: Political intervention and resistance: Sebatakgomo and the Rangers

Chapter 4: Chiefly disputes and schism in Mphanama

Chapter 5: New wine in old bottles: the Governance Framework Act 41 of 2005

Chapter 6: Conclusion

CHAPTER 2

THE LANDSCAPE AND ORIGIN OF THE BATAU OF KGAPHOLA AT MPHANAMA

2.1 Geographical Orientation

The Mphanama area is situated in Sekhukhuneland as part of the Fetakgomo local municipality within the Greater Sekhukhune District Municipality. It is situated some 135 kilometres south of Polokwane and 120 kilometres west of Groblersdal, which is the centre of the Sekhukhune District. A new town is being developed to the west of Mphanama, which is called Jane Furse, approximately 28 kilometres away. The district control office of Traditional Affairs that administers all the traditional councils in the Sekhukhune District is found in this new town.

The royal centre of Mphanama is found in a village called Bophelong that is surrounded by mountains on all sides, in the south, Photosenyane, in the north, Mahubetšwane, in the west, Mahubedu and on the eastern side, Maropeng. The old Traditional Council Office built of rocks in a circular layout, is situated close to a big royal centre on the southern side of Mphanama. Outside the royal centre, there is a small royal graveyard (*mabitleng*) built with rocks where former chiefs, their wives and children are buried. On the upper slopes of the Maropeng Mountain, there is a small kraal (*lešaka*) built of wood that serves as the sacred place of the tribe, and this is called *Mohlapo wa Pula* (rain wash).

On the slopes, there is also a road that is regarded as the road of the ancestors (*Tsela ya Badimo*). The road runs from the Letseletsebjane Mountain and moves in the direction of *Thabana ya Tau* (Mountain of Lion), from there, it stretches towards *Ntsoana le Komane*, followed by *Borarela le Peetla* (Waffle of Peetla). Here the Mahubedu Mountain starts and is followed by *Mafuri a Kawa* (the backyard of Kawa), which extends to a dam, from where *Mahubedu a thaba* (the Reds of a Mountain) is found, followed by the *Mogobešane Valley (Moedi)*. There Mogobešane and Kgoatse start, followed by *Serore*, a small mountain, which marks the end of the road of the ancestors. All these mountains have coloured

rocks, which make them different from the others in the area. The area of Mphanama is situated between 24.583 degrees latitude and 29.8 degrees longitude. The sun rises at 05h54 (in the summer months), and the sun sets at 18h32 (in the summer months). Bophelong ward/village where the royal centre is situated, is surrounded by big mountains on the south, west and east.

Some mountains in the area such as Kutukubje, have caves (*Mphoma/Lewa*) and these were used as hiding places for the Batau men during times of war. The Mahubedu Mountain, which is close to the royal centre, has a round wall (*baga*) built of stones and is used as a hiding place during attacks (C.1800). The Batau men in the past would always sit behind the wall to check anything that might be seen as a security risk to the tribe. Once they suspected something, they would alert the villagers, while preparing themselves for an attack against the enemy. The mountain called *Photosenyane* also has a big stone built wall and a cave that were also used by the Batau during attacks. One such a wall is also found in the vicinity of the Mahubedu Mountain. The Dipitsane Mountain also has a cave and inside it, there is a perennial spring, which is used by traditional healers and prophets of Zionist Churches.

The community built their houses at the bottom of the mountains to avoid the water runoff during the rainy season as the area is sloping. Houses built with mud bricks with thatched roofs are still visible around Mphanama. Royal houses form a belt in the east next to the royal kraal at the bottom of the Maropeng Mountain.

According to one of the elders, Nape, the area of Mphanama begins at the Mmathakane Mountain, leads into the area called Madiphodi around Mohlaletsi in the west, after that, it stretches to Masehleng, from there it runs in the direction of the *Sešime* Mountain and proceeds to the Ngwaritse River next to *Maroteng* and it crosses the *Malepisi* bridge at the border of Chief Mathabatha. Then it stretches towards *Nkotokwane* not far from Apel and continues towards Sepitsi alongside the Masemola area, from where it stretches towards a mountain called *Modupi wa naga* (drizzle of the land), which is the last point.

The only farm bought by the Batau after they had made contributions of about two pounds per household every year (c.1920) is called Canaan that is at the

border of Chief Mampuru of the *Bapedi ba Mamone* tribe. The farm was purchased by community members for the purpose of practising agriculture. All the boundaries of Mphanama are demarcated by stone heaps beacons, which are still visible to date. Most of the areas that were under Mphanama before 1950 are independent and have their own chiefs officially appointed by the national party government at the time when they were propagating the ideology of the Trust and Bantu Authorities (1951).

The Land of Mphanama is limited to five villages such as Mmatšhatšha with a population of about 2500 people in 500 households. It has only one primary and one secondary school that accommodate the local children. Furthermore, a further education and training college is found in the Fetakgomo Municipality where students around Sekhukhuneland learn various technical skills to prepare them for employment in the industries. In addition, there is a reservoir built by the Department of Water Affairs from which the local community receives clean water.



Figure. 2.2 Image of Mphanama that shows its streets

Madika village is another example of a village in Mphanama situated close to Mmatšhatšha, south of the Bophelong section with a population of 1500 people from 150 households. It has one primary and one secondary school where

community members send their children to receive a primary school education. Phageng is another village in Mphanama, has a population of 700 people in 80 households with one primary school. In addition, it has a big ward divided into sections (*meboto*) such as Matabana, Thabaneng, Mošate, Serotleng and Sepakapakeng. The population in this ward is estimated to be 6000 people from 1500 households in total. The area of Mphanama falls under ward 2 of the Fetakgomo municipality. More than 90% of the people living in the area speak Sepedi or Northern Sotho and it covers a geographical area of 37.569 square kilometres comprising 2230 households in total. The biggest challenge in the area is education since most of the young girls drop out of school due to pregnancy and after giving birth, most do not return to school. The dependency (social grants) rate in the Fetakgomo Municipality is 61% and approximately 86% of the people live in poverty (IDP, 2009/2010).

All the villages (wards) under Mphanama are covered by the Eskom grid through the Fetakgomo local municipality. Electricity is the main energy source for lights and some people who can afford it, also use it for cooking. Community members make use of pit toilets (the bucket system), while others still go up the mountains to relieve themselves. Telephones are not available and the community relies on cell phones for communication purposes. In addition, the Department of Home Affairs is accommodated at the Traditional Council Office to provide services to community members. Furthermore, members of the community make use of mini buses (taxis), as a means of transport to various places and this is always available during the day.

Most of the community members rely on subsistence agriculture to provide food for their families. Projects initiated by women are found in the community where they plant different types of vegetables. The area of Mphanama consists of different types of soil. Some areas in the community have clay soil that is red in colour while a large area has coarse sand, fine sand and sandy loam.

2.2 Origin and History of the Batau

The Batau tribe is an offshoot of the Ngwane (Nkwane) group of the Swazi tribe, which is found in Swaziland. Their place of origin is said to be Wakkerstroom where the graves of their ancestors are still visible today. During those days, they regarded the sun (*langa*) as their totem and were speaking Swazi language. Van Warmelo (1935) declared that due to this totem, members of the community were expected to eat their supper before sunset and not after that, as a token of respect. One of their *dikgoro* was called Malakeng.

Praise poetry is often a source of past events and people in the pre-history and historical times. The praise poetry (*direto*) of the Batau contain references to persons for example, the royal family, events such as war and famine, migrations and landscapes (Compare Van Vuuren, 2007). One such poem reads as follows:

“Re bana ba mosadi yo moso Kgaladi”.

(We are the children of a black woman Kgaladi,)

When the Batau left Wakkerstroom, they migrated to Lake Chrissie (*Kubung*) to a portion called Ermelo (Ramaila, c 1938: 9). Most of the Batau are often heard singing the praise song:

“*Re Batswako ba tšwa Mphanama,
Kua Seokodibeng se se meriti mebedi,
Mong, wa maloba.*”

(We are the Batswako who comes from Mphanama,
at Seokodibeng (Burgersfort) with two shades,
the owner of flowers).

After they had separated from the Swazi of Ngwane (c.1600), the Batau were led by Ngwato as their chief. They had already mixed with other groups such as the Sotho of chief Chiloane and it was the period when they changed their totem name to vulture (*nong*). Ngwato was succeeded by his son Matlebjane and during

his reign, he migrated with the tribe to Eastern Mpumalanga next to Lydenburg. On arrival, they found the Batswako tribe that was an offshoot of the Mapulana whose totem was lion (*tau*) (Ramaila, c 1938: 11). After staying in the eastern part of Mpumalanga for some years and living next to the Batswako tribe, they also regarded themselves as the Batswako.

It is said that the tribe decided to change their totem (1600) again to lion (*tau*) after a group of Batau men managed to kill a lion that they thought was a Phaga (wild cat). From that day, they changed their totem to lion (*tau*), which the tribe still respects today. The Batau and the Batswako were living adjacent to one another when war broke out between the two tribes. In the end, their opponents were defeated. Subsequently, most of their herds were taken away from them and a few of the captives remained with the Batau.

A conflict later arose from within the Batau, the problem started when one *kgoro* of the royal centre, namely Bakgaditsi, refused to accept the captives amongst them. The Bakgaditsi regarded the captives as people that would cause death (*bahlola lehu*). During the war, a few of the Bakgaditsi were killed and most of them fled the area and continued to regard a vulture as their totem (Ramaila, c 1938:12). Through dialectic influences, the language of the tribe was also affected as they continued mixing with the other groups, in particular, the Sotho (Mashego and Chiloane tribes), but their leadership was never affected.

The Batau continued their migration from Lydenburg under chief Matlebjane and settled along the Crocodile River (*Mokwena*). The Crocodile River originates in the mountains around Belfast and it flows towards the Komati River. The tribe stayed there for many years and was ruled by two successive chiefs. The Batau became a very strong tribe around the Crocodile River (*Mokwena*) and gained the respect of the neighbouring tribes.

Chief Mokwena was born around the Crocodile River, and later had a son, Matlebjane II. After the death of Mokwena, his son Matlebjane II took over the reigns, while the tribe was still settled along the Crocodile River. Matlebjane II led the tribe in the vicinity of the Crocodile River until he was murdered by his own children (Ramaila, c 1938: 14).

Table 2.4: Genealogy of Matlebjane and his children

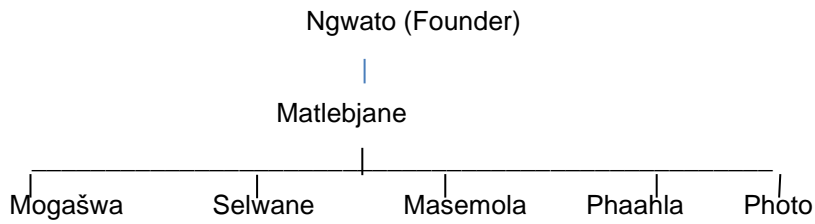
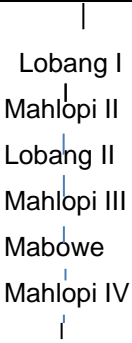
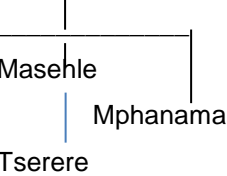
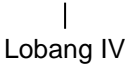


Table 2.4.12: A TABLE REFLECTING THE GENEALOGY OF CHIEFS, GOVERNMENT THEY SERVED UNDER AND THE PERIOD.

GENEALOGY OF ROYAL HOUSE	GOVERNMENT	DATE
Ngwato Matlebjane I Mokwena Matlebjane II Kgaphola Mogašwa Mahlopi I	Pre-colonial era	C.1600-C.1850

 <p style="text-align: center;"> Lobang I Mahlopi II Lobang II Mahlopi III Mabowe Mahlopi IV </p>	British- colonial era and Union Government (At Talane)	1877-1948
 <p style="text-align: center;"> Lobang III ———— Masehle Mphanama Tserere </p>	Nationalist Government and Lebowa Bantustan	1948-1994
 <p style="text-align: center;"> Lobang IV </p>	ANC Government & Limpopo Province	1994-2014

Chief (*kgoši*) Matlebjane II had five wives (*bahumagadi*) and of them, only five children are well known namely, Masemola, Selwane, Mogašwa, Phaahla and Photo.

Matlebjane`s death took place after his children namely, Mogašwa, Selwane, Masemola, Phaahla and Photo plotted to kill him. It is said that Selwane devised the plan and influenced his brothers while they were herding cattle in the bush (Makgaleng, 1973:1). At first when the plan began, Photo was not amongst his brothers, and it was agreed that they should lie and tell him that their father was too old and hence that he could not do anything on his own. Also that, members of the community believed that witches had turned him into a “zombie” (*setlotlwane*). A “zombie” is a corpse supposedly revived by witchcraft, for personal gains.

The wives of Matlebjane namely, Moriane, Ntlaletše and Mmaphaahla were involved in the plan for the killing of their husband with the exclusion of

Mmamadupe the mother of Photo. Informants stated, "*Matlebjane o be a tšea Magadi a bana ba gagwe a efa Mmago Photo*" (Matlebjane used to take marriage goods for his children to Photo's mother). *Magadi* (dowry) are cattle that are paid by the groom's family to the bride's family as a price for the marriage of their child.

Whenever a girl got married, all the marriage goods would be taken to Photo's mother's house. The same principle would happen when a young man was marrying a wife, where food would follow the same route. All royal tributes (*dibego*) would also follow the same route as the marriage goods. *Sebego* is food given to the chief by community members to inform him about the functions to be held in their household.

Matlebjane's wives were complaining about not receiving royal tributes (*dibego*) from members of the community. Photo's mother was accused of announcing in public that her son Photo is an heir apparent of Matlebjane (Makgaleng, 1973: 4). All the wives agreed to influence their children to kill Matlebjane because Mogašwa was regarded as an heir apparent to his father.

It is believed that Matlebjane favoured Photo's mother because she was the youngest of all his wives. Informants referred to her as, "*E be e le sethojana*" (A young lady). This reflected that she was the last to be married and the youngest of them all. The elders reported that there is a poem in Mphanama that says "*Ka etela Mphanama, mosadi o moswa o phala wa kgale*" (I visited Mphanama, a new wife is better than an old one). This showed that a man, who is married to more than one wife, will always prefer the youngest of them over the others.

The other wives and their children were not satisfied with Matlebjane's action regarding the matter, as such, his children decided to kill him but they involved Photo whose mother was the beneficiary of royal tributes (*dibego*). He was therefore told that what their father did was wrong and he would like to cause conflict amongst them and in particular in Photo's family, for no reason. Therefore, he (their father) should be killed. After they had agreed with Photo to have their father killed, the four children from the other wives held a secret meeting without involving Photo.

During a secret meeting, it was agreed to put their spears into the fire and when they turned hot, they would be skewed at the edge to make sure that Photo did not recognise anything at the time of attack, as the plan was to be undertaken during the night (*ka maabane*). The main purpose of the plan was to ensure that Photo committed murder as he came from an advantaged house. It was agreed that they should make sure that Photo sat next to the heart of his father so that it would be easier for him to kill his father.

At the time of their meeting with Photo, it was agreed that they would all stab their father at the same time to share the blame and the consequences, and that anyone turned against should be killed immediately (Makgaleng, 1973:3).

The attack was planned to take place during the early hours of the evening at the time when the women were still preparing food. They knew that it would be the right time as he would be alone in his hut. All of them went straight to their father's hut unnoticed at the time of the attack, the four pretended to be stabbing their father with sharp spears while this was not the case. During the attack, Matlebjane cried out, "*Hleng nke le nkuba ka theko ya Lerumo*" (Why are you hitting me with a skewed spear). It indicated that their father (Matlebjane) felt that they were hitting him with a skewed spear that was not sharp to open a wound on his body. All of them indicated that their intention was to have him killed before they left the hut. Photo not knowing about the plan of his brothers, attacked his father with a sharp spear that killed him immediately.

His brothers immediately turned against him, he was handcuffed, while they alerted members of the community about the killing of their father by Photo (Makgaleng, 1973:29). Shortly before Matlebjane passed away, he said to Photo "*O mpolaya mola ke be ke go fepa ka diloba tša ka, Mo šaa! O ka se age Motse, o tlo tswala bana ba tlo tšitlana*" (You killed me, while I was feeding you with my tributes, boy! You cannot build a home, you will bear children and they will be scattered all over). He wanted to indicate that since he had been taking care of Photo, he never thought that he was the one who would ever think of killing him, but because he had done it, he would never have a family of his own, nor a tribe to lead.

When Matlebjane died (c.1610), he gripped the soil with the fingers from both his hands and it was extremely difficult to remove it. Informants declared, “*O hlokofetše a hupareditše mobu ka diatla*” (he died holding soil in his hands). This reflected that he died in turmoil. On the day of his burial, they tried hard to remove the soil from his hands but it was so difficult that they had to bury him with it. Informants remarked, “*Matlebjane o bolailwe ke tswala*” (Matlebjane was killed by birth). These showed that if it had not been for his children, he would have continued to live until the time when he met his natural death.

All this happened when the tribe was still settled along the Crocodile River and immediately after Matlebjane`s death (c.1610) his children who seemed to be vying for the position of chieftainship (*bogoši*), began to quarrel. A large group within the tribe migrated towards Middelburg while another settled around Lydenburg. Some of the *dikgoro* were left along the way and a few were found along the Tubatse River, while others were settled around the Leolo mountains and ended up under the leadership of the Bapedi chiefs (Ramaila, c. 1938:17).

The Batau did not spend many years at Middelburg, before migrating to the former Northern Transvaal (Lebowa) in the area now called Sekhukhuneland. After a short period (c.1610), one of the children namely, Masemola, gained support from some members of the tribe and for fear of being attacked, he decided to run away in the middle of the night with all his supporters.

Masemola and his supporters moved along the Ngwaritse River until they arrived at Hunoto, which is at the foot of the Phiring Mountain, south of Mphanama, the area referred to as Masemola today and there, he established himself as their leader. Their movement took place a few years after their arrival in Sekhukhuneland. From the Masemola tribe emanated three groups namely, the Marišane, Ntšhabeleng and Ramušu. However, the latter migrated to GaMphahlele and he never got the opportunity to lead. Both Marišane and Ntšhabeleng are well-established tribes each with its own chief.

Selwane also lobbied for his support within the tribe, and once he realised that he had gained enough support, he organised with his people to move out of the main

group. His departure took place after his half-brother, and a few members of the community had left the area.

His group like that of Masemola, moved along the Ngwaritse River (c.1610). The group crossed the Olifants River and settled at a place called Byldrift. Today, the tribe is known as the Ba Selwane under the leadership of the acting Kgošigadi Dinah Mohube Selwane. A group emanated from the Selwane tribe, which is now a well-established tribe called the Ba-Nkadimeng. The Nkadimeng tribe is found in Sekhukhuneland under the leadership of Chief Ramphelane II.

Phaahla took his followers and migrated along the Ngwaritsane River and settled in a place called Honokwane (c.1620). From the Phaahla tribe emanated a group, which was led by Morewane, and they are known as the Ba-Phahlamohlaka that are found around Sekhukhuneland.

Photo was the last of the brothers to migrate and together with his supporters moved to a place called Seepe next to the Olifants (*Lepelle*) River (c.1630). Just as his father had told him a few minutes before he died, when they arrived at their new settlement, it did not take long before they were attacked by the neighbouring tribes and were unable to survive. The whole tribe was divided into different parts that were shared amongst those who emerged victorious.

Photo, who was the leader when the group migrated, had a son Tladi who succeeded his father after his death (c. 1640). When the group was defeated by other tribes, they were under the leadership of Tladi. Today, the Tladi tribe is nowhere to be found in Sekhukhuneland or anywhere in the country, ever since their defeat. Today the surname Tladi is found amongst most tribes in Sekhukhuneland and a large group of them is located around Mphanama. Some of the Tladi people are found at GaPhaahla and others around the Mphahlele area (Ramaila, c.1938:16). Informants declared, "*Mothaladi wa lerumo ga o tshelwe*" (don't jump a line of spear). This indicates that when your father tells you to do something, you should do exactly that, otherwise you will have bad luck. Just as Photo's father told him before he died that he would never lead a tribe or build a house, it happened exactly the way his father had foretold.

Mogašwa took leadership of the remaining part of the tribe and continued their settlement at Masetlwa for many years (c.1610-c.1630) and after some time, he moved to *Khutlo sa Mogašwe* (Corner of Mogašwe) where the Maila tribe is found today. Their settlement at *Khutlo sa Mogašwe* was extended over many years and this was before the Maila tribe arrived at the place (c. 1620 to c.1640). While the tribe was still at *Khutlo sa Mogašwe*, a child named Kgaphola was born who was also regarded as an heir apparent.

All the small groups that emanated from the main group still regard the lion as their totem and they therefore call themselves the Batau. The descendants of Matlebjane such as Masemola, Selwane, Phaahla, Mogašwa and Photo, all trace their relationship through a common ancestor. Today these tribes live independently from one another, each with its leader. Intermarriages take place regularly amongst these tribes and during funerals, they also come together to assist each other.

While living at *Khutlo sa Mogašwe*, Kgaphola became old and died there, after that his first born son Mogašwa was enthroned as Kgoši (c.1720). Mogašwa married *masetšhaba/timamello* from a certain Batswako tribe around Leolo Mountains, that was known as Sekutumane. *Masetšhaba* is the wife that is married through contributions made by the community where each household is expected to be involved in the process. The Batau regard such contributions as *Kgomo tša mokgobo* (contributions by the community).

A certain number of cattle would be given out to the bride's family as marriage goods (*magadi*). The *magadi* would only be delivered by senior members of the royal family (*the bakgoma*). Ramogago, the son of Kgaphola I, was identified as the one who should enter the house of *masetšhaba* and a son by the name of Mogašwa was born.

When Mogašwa was old enough to marry a wife, the tribe decided to marry a candle wife for him at GaNkadimeng by the name of Kgaladi (c.1730). Kgaladi gave birth to Ramogago and Mahlopi, while still residing at *Khutlo sa Mogašwa*. Mogašwa died from old age, while the tribe was still settled at *Khutlo sa*

Mogašwa. His children Ramogago and Mahlopi, stayed there in peace for years without any conflict.

It is told that the tribe suspected Mahlopi of practising witchcraft against his elder brother. It is believed that he fought his brother with traditional medicine to disrupt everything within the community so that he could be blamed for not being a good leader. Informants reported, “*O be a šomiša modu*” (He was using traditional medicine). This indicates that the Batau believed in using traditional medicine to fight their battles.

Informants stated that a fight broke out (c.1750) and Ramogago left with part of the tribe to *Bokone* (North) now called Magnet Heights and there he became their chief. The Batau of Kgaphola refer to them today as the *ba rangwane* (descendants of father`s younger brother).

Mahlopi I remained with the tribe as their leader and he later moved with the tribe to the Motšoko Mountains (c. 1770s) now called *marope a maswe* (a heritage of bad luck). The community married a candle wife for Chief (*Kgoši*) Mahlopi I from within the community of the Batau in a family called Mogodiri who was known as Sejabanna. Sejabanna gave birth to a son by the name of Lobang who was later known as Kgoši Lobang I. We are now moving into the colonial era where some events became more datable to all extant although the Tau remained “unkown” in history for a long period after the arrival of the European.

The tribe later married a candle wife for Lobang I at GaPhaahla known as Sebudi and he himself married his own wife (*mosadi wa lerato*) called Mamphedi (c. 1885). The Batau chiefs were fond of practising polygamy . Nevertheless, they will always marry a candle wife who is supposed to bear a future chief. This culture has existed there since time immemorial and it is still practised amongst the Batau tribes to date.

Earlier when the Phaahla entourage brought along the candle wife (*masetšhaba*) known as Sebudi, all the lights (*mabone*) were switched off and other rituals were performed as part of their cultural practices (c.1885).

Mamphedi was seen by other members of the community with her lights off in her hut. Instead, she put her fire inside a clay pot (*pitša ya letsopa*) and closed it with a lid. People saw her actions but did not question her actions because of her being a chief's wife. According to the Batau custom, the lights should be switched when the *masetšhaba* arrive in the community (Diphatše, personal communication, 2012).

After a few days, Sebudi died (c.1885) and most people in the community believed that she had been killed by Mamphedi with her traditional medicines. When this tragedy happened, Sebudi had not yet given birth to her first child. The tribe went back to GaPhaahla to negotiate with her parents to bring her younger sister back in her place. This custom is well known amongst the Batau and is called *Seantlo*.

Kgoši Phaahla and his royal family agreed to give the younger sister to Sebudi as a substitute wife (*seantlo*) (Bojane, personal communication, 2012). *Seantlo* occurs when a woman who is married dies and the groom's family approaches her parents in an effort to get her younger sister to continue her marriage and bear children. These children are considered the children of the deceased elder sister (Monnig, 1967: 203).

Sebotsane was brought in as a substitute wife (*seantlo*) and when she arrived at Motšoko, the custom of receiving a candle wife was performed (c.1885). Once the community has paid marriage goods (*magadi*), they will wait for the rainy season to arrive and immediately after that, they will send some members of the royal family to collect the bride.

All the rituals (*didimo*) for a candle wife were also performed during the night and were also done to make a difference between Sebotsane and other wives. During the performance of the ritual, Mamphedi was spotted repeating the actions she had carried out when the first candle wife was married, this time against Sebotsane the second *masetšhaba*.

A few days after the arrival of Sebotsane, she died before bearing a child as expected by the tribe, just like her sister Sebudi, (c.1885). Mamphedi was then

chased out of the royal centre and given to a man belonging to one of the *dikgoro* of the Batau called Marišane. All this was done simply because she was suspected of practising witchcraft within the royal centre (*mošate*).

Immediately after mourning (*go hloboga*) the death of Sebotsane (the candle wife), the community went back to GaPhaahla to marry a substitute wife (*seantlo*) for Sebotsane (c.1885). The Phaahla tribe refused to provide a woman for sometimes indicating that they were throwing their children away through marriage with the Batau of Kgaphola. After some negotiations between the two tribes, an agreement was reached, and the Batau were referred to one of the *dikgoro* called Maledimo to negotiate for a *seantlo*.

The marriage goods (*magadi*) were paid, but the bride was not immediately taken along with by her in-laws, as Chief Lobang I had disappeared from the tribe. It is said that when people woke up one morning, Lobang I was nowhere to be seen.

Members of the community looked for him but he could not be traced; it was later rumoured that he might have gone to *banneng* (went to men) in the vicinity of Bobidiidi. Bobidiidi is an area falling under Kgošigadi Shogoane, west of Polokwane (*Pietersburg*). *Banneng* refers to instances when a man experiences problems in his life and he just leaves his village without anyone knowing his whereabouts in an effort to consult diviners far from his home for assistance.

The day Chief Lobang I came back home, he went straight to the new residential sites (*merakeng*) called Dikgabe (c.1890). In the morning when members of the community woke up, they found him sitting around a fire (*mollo*) at the kraal. Chief (*kgoši*) Lobang I told the tribe that he want the *mašoboro* (*uninitiated boys*), the *mathumaša* (*uninitiated girls*) and the *masogana* (*young boys*) at the royal centre.

When all had gathered at the royal centre, he instructed them to build *mešašana* (*new houses*). It was later discovered that he had come with a traditional healer (*ngaka*) from Bokgalaka as he wanted to accommodate him within the community.

When new houses were built, Lobang I requested the *bakgoma* to go back to GaPhaahla to negotiate with his in-laws about bringing the candle wife home,

who was already married to Maledimo *kgoro* (c.1890). When the candle wife arrived at Motšoko with the *bakgoma* and a group of old men and women from GaPhaahla, they went straight to *merakeng*.

The name of the candle wife was Mogobošeng, who after her arrival, was given to a traditional healer from Bokgalaka to cleanse her with traditional medicines, the idea being to protect her from bad luck or witchcraft (*boloi*). At the time when Nkadingala worked on her, the chief did not visit her house to allow him time to work on the candle wife and also this was done in order to respect his culture (Phaahla, personal communication, 2012).

Immediately after the process was completed (c.1890) the chief started visiting her house and a child was born and was named Lekgalake. It should be borne in mind that the traditional healer who worked on his mother was from Bokgalaka, he was therefore named after him. A second child was also born, while still at *Merakeng* and was given the name Diphatše.

When Lekgalake came of age, he was taken to the initiation school (*koma*), it is there where his name was changed to Mahlopi after his grandfather (c.1902). This was done in order to observe the custom of naming children within the royal house. Chief Lobang I died a few years later, and he was replaced by his elder son Mahlopi II from the candle wife (c.1905). The Batau later went to GaPhaahla to marry a candle wife, and they were given Sekgopetšane who later gave birth to Lobang II.

During the reign of Mahlopi II, the tribe left Motšoko and settled peacefully at Marube (*Matšhatšha*) for a long time (c.1910). Chief (*Kgoši*) Mahlopi II died while still at Marube, but was buried at Motšoko next to his father Lobang I (c.1916). It is said that he told the *bakgoma* a few days before his death to bury his corpse at Motšoko where his soul would rest in peace. After his death, Diphatše took over the leadership of the tribe as acting chief on behalf of his elder brother's son, Lobang II.

When Lobang came of age, he was given leadership of the tribe and referred to as Chief (*kgoši*) Lobang II (c.1919). He moved the tribe from Motšoko to a place

called Talane or GaMongatane South of Mphanama (c.1924). The tribe settled there for many years without any trouble with other neighbouring tribes.

After some years (1924-c.1931) at Talane, he took the tribe back to Motšoko, the place of his ancestors. It is said that while at Motšoko, one year after an initiation school (*koma*), Chief Lobang II and the tribe decided to leave for a place called Botswalela/Ntsokobje where the Phasha tribe is settled today (c.1931). This place is situated not very far from Mohlaletsi, the headquarters of King Sekhukhune of the Bapedi (Diphatše, personal communication, 2012).

During the Batau`s stay at Botswalela, Makomane the son of Chief Lobang II was initiated with a regiment (*mphato*) called Marutla (c.1931). Chief (*kgoši*) Lobang II ruled the tribe at Botswalela/Ntsokobje and later moved it back to Talane/GaMongatane and not long after their arrival there, he died (c.1936). After his death (c.1936), Mahlopi the first son from the candle wife took over the reign and was known as Chief (*Kgoši*) Mahlopi III. The tribe later went to GaPhaahla to marry a candle wife and they were given a woman by the name of Ngwana Letsiri. Marriage goods/bridewealth (*magadi*) was also paid for her but she was not taken to Talane immediately. It was later realised that Ngwana Letsiri cohabitated (*go thoša*) with another man from GaPhaahla and a child was born by the name of Nkopeleng from that relationship.

The Batau regarded the exercise as a taboo and decided to take Ngwana Letsiri from her home as she was already married but relinquished her status to become a common wife (*mosadi wa lerato*) of Chief Mahlopi III. Through her actions, the Batau became very disappointed and they therefore decided to marry a candle wife (*masetšhaba*) from the Batau of Nkadimeng and they were given a woman by the name of Mmamohlatlo.

Mmamohlatlo had had bad luck since the time (c.1938) she gave birth to babies, all her children died after a few days and she decided to leave Mphanama at some stage for GaNkadimeng, her place of birth. At that time, Chief Mahlopi III was at Taemane (*Kimberley*), but it was not clear what he was doing there. When Chief Mahlopi III arrived back home, he realised that the candle wife had left and he requested the *bakgoma* to negotiate with her family to bring her back to

Mphanama (c.1940). Mmamohlatlo refused to go back with the *bakgoma* and they decided to leave her with her parents and after some time, Chief Mahlopi III passed away.

After the death of Chief Mahlopi III (c.1940), Makomane, who was his younger brother, was installed as acting chief because his (Mahlopi III's son) elder son Lobang was still a minor at that time. Chief Makomane moved the tribe from Talane to Mphanama/Sehlakole (c.1943) where the Batau are found today. The area of Mphanama is also called Sehlakole.

Shortly after their arrival at Mphanama, Kgoši Sekhukhune visited Mphanama and the members of the community gathered at the royal kraal to hear what he was bringing to them (c.1943). At that gathering, Kgoši Sekhukhune indicated his interest in bringing his child to Mphanama to be a candle wife for the tribe. The informants explained that he did this because he knew that the Batau did not have a *masetšhaba* at that time. The Batau immediately accepted Kgoši Sekhukhune's offer and after some time, his daughter by the name of Mpilo was brought to Mphanama (c.1943).

It should be noted that during those years, the Sekhukhune royals had embarked on a move to influence most tribes (such as the Komane and the Mongatane) in the Sekhukhune district to marry their children as candle wives (Mönnig, 1967: 20). The marriage in itself served to guarantee freedom of movement in the area of Kgoši Sekhukhune and free from being attacked by Sekhukhune himself who was seen to be the most fearful chief in the Northern Transvaal at the time. On the other hand, Sekhukhune through these marriages of his children to the other tribes was sure of not being attacked by them.

The candle wife was regarded as Chief (*Kgoši*) Mahlopi III's wife since he died before the tribe could marry her. The *bakgoma* requested Chief (*Kgoši*) Makomane to enter the house of Mpilo and a child by the name of Lobang was born. According to custom, if the reigning chief dies before a candle wife (*masetšhaba*) is married, they will arrange for the marriage of a candle wife on behalf of the deceased and the children born are regarded as his. A man who enters the house of *masetšhaba* is regarded as a *selepe* (levirate).

After the death of Chief Makomane (c.1943) the tribe enthroned Lobang who was his biological child and was referred to as Chief Lobang III. During Chief Lobang III's tenure, the tribe married a candle wife from the Pedi tribe of Kgoši Sekhukhune at Mohlaletsi (c.1944). The name of the candle wife was Ngwanamohube and from that union with Chief Lobang III only two female children were born.

Immediately after the death of Chief Lobang III (in November 1956), the *bakgomana* appointed Ngwanamohube to lead the tribe as Kgošigadi (TNA. f53/1608/15). At the same time, they appointed Masehle the younger brother of Chief Lobang III to assist Ngwanamohube in the running of tribal matters. At the time of her installation, the area of Bopedi was affected by the conflict between chiefs and commissioners who wanted the Pedi to accept Bantu authorities and homeland system (c.1950). According to my informant, Diphatše Kgaphola, Ngwanamohube went to Schoonoord to accept Bantu authorities and homeland system, which was referred to as Borentšere. This she did it without the knowledge of the community and her assistant Masehle and Seakwane.

After some time (c.1958) the tribe realised that she had accepted Borentšere and they began to oppose her leadership. She was forcefully removed from her position and after some time, she was killed with an assegai during her sleep in bed by one of Chief (*Kgoši*) Lobang III's sons Tserere (on 26 November 1964). Immediately after Ngwanamohube's death, Masehle was officially inaugurated by Commissioner W.W.M Eiselen as the acting chief (*kgoši*) for the tribe in 1968 (TNA. f53/1608/15). During his reign, the tribe decided to marry a candle wife from the Bapedi tribe of Kgoši Sekwati Mampuru of Mamone (in 1972).

Chief (*kgoši*) Lobang III's son, Tserere (*Mmaswi*), from the second house was identified by the *bakgoma* as the one who should enter the house of the candle wife (Mapuwe Sekwati) to bear the seeds. From this union, a son by the name of Lobang IV (*Phahlane*) was born. It is said that the child's name was supposed to be Mahlopi IV, but Tserere did not agree with the *bakgoma* in this regard. After a lengthy discussion with the *bakgoma* he agreed to change the name Lobang to Mahlopi.

It is said that Tserere and the candle wife decided to change the name Mahlopi to Lobang secretly without the knowledge of the *bakgoma* and this was done at the Schoonoord government offices. The secret was exposed during the Initiation School (June 1981) when the child Mahlopi was officially renamed by Acting Kgoši Tserere to Lobang IV. The royal family was surprised by this sudden change of a child's name, however, they could not do anything to reverse it. After enquiring, the *bakgoma* discovered that the name had long been changed by the agreement between his parents without their consultation.

2.3 Conclusion

Mphanama is an area surrounded by big mountains that are useful to the community members as some mountains have perennial springs from where the community get water for use in their households. The Fetakgomo local municipality is responsible for the provision of water and electricity in the area. Other mountains were commonly used by the community in past for security reasons.

The Batau of Kgaphola are an offshoot of the Ngwane group of the Swazi tribe found in Swaziland. Today, the Batau speak Pedi language which is commonly used in the Sekhukhuneland. Children are able to receive both primary and secondary education within the community.

Due to migration from one place to the other the Batau have changed their totem from *Langa* (son) to *Tau* (lion). The Batau trace their ancestry through a common ancestor namely, Matlebjane. Various Batau tribes are found in Sekhukhuneland today and they assume that they are related to one another. During important functions such as weddings, inaugurations and funerals, the Batau tribes invite each other. The Batau, like other tribes in the Sekhukhuneland marry candle wives who bear sons to ascend the throne after the death of their fathers. The position is mostly contested by children from other wives of the reigning chief that often results in disputes that divide the tribe.

The heir to the throne will always be identified during the initiation period as he will be entrusted with the responsibility to lead the regiment. During succession disputes reference will be made to check if those fighting for leadership position were at once leaders of their regiments. Such leaders are sometimes given their correct names during the initiation period. Regiments are always named after their leaders who will assume leadership of the community when their fathers have died.

CHAPTER 3

POLITICAL INTERVENTION AND RESISTANCE: SEBATAKGOMO AND THE RANGERS

3.1 Introduction

In Chapter 1 we have seen how the African society has changed as a result of colonial intervention and were subjected to not only socio-cultural change (for example, language and literacy) but also dominant political control by the colonial powers. The administration of indigenous people was at the centre of colonial intervention and control. Legislating “Natives” was conducted by series of legislations in South Africa (S.A.) and in the former Transvaal, including Limpopo. Those interventions continued with the ZAR, the Milner Administration, the Union Administration, Republic and Homelands. Those interventions were not without resistance which manifested in a variety of tragedies at Mphanama.

3.2 Confrontation with the Community

During the 1950s, the area of Mphanama was characterised by conflicts as a result of the implementation of the Native Trust and Land Act of 1936 and Black Administration Act, No 38 of 1927 spearheaded by the Nationalist Party ministries and NAD (Native Affairs Department) officials under Minister H.F Verwoerd of the National Party. Under his leadership, most native commissioners who were English speaking were replaced by Afrikaners from Universities such as Unisa (Delius, 1996:77) Dr W.W.M Eiselen, who grew up at a mission station in Sekhukhuneland, a member of the Berlin Missionary Society and was qualified in the field of African languages and anthropology, was appointed as Secretary of Native Affairs replacing D.L Smit.

It was during this period (1950s) when the Native Affairs Department decided to increase pressure to implement racial separation. In particular, there was an emphasis on political and cultural separation (Delius, 1996:78). Chiefs and tribal

authorities were regarded as the cornerstone to spearhead apartheid within the black communities. Accordingly, the Bantu Authorities Act, No 68 of 1951 clearly stipulated how tribal authorities should be constituted and how administrative processes should be adhered to.

Dr Eiselen, as Secretary of the Department of Native Affairs, was therefore entrusted with the responsibility of encouraging chiefs around Sekhukhuneland to accept a plan by the government of the day, while the Maroteng Paramountcy remained his target. He was stationed together with his colleagues at the Sekhukhuneland Magisterial District Office situated in Schoonoord (Sekinoto) under the Makhuduthamaga Local Municipality. Each time community members in Sekhukhuneland contravened the law, they would be summoned to Schoonoord by officials for trial and judgement. All other fees that were supposed to be paid by the community such as annual levy would also be paid there (Diphatše, personal communication, 2011).

The *Boipušo* (Self-governance) system was channelled through chiefs and headmen in the whole of Sekhukhuneland, and Mphanama was no exemption. The Sekhukhune area was marked by struggles caused by the implementation of the law. Most headmen were promised that they would be elevated to the positions of chief if they accepted the new order and that later became a reality in some parts of Sekhukhuneland.

For some years, chiefs in Sekhukhuneland defied Bantu Authority with Acting Paramount Chief Morwamotšhe giving his cooperation every time he met with the officials, although he did not support their policies (Delius, 1996: 80). In 1954, Flag Boshielo (founder of Sebatakomo and an MK commissar) from Nebo in Sekhukhuneland imitated an idea of forming a movement to engage with rural issues. In November 1955, the executive of the ANC announced the formation of Sebatakomo, which was supported mainly by men from Sekhukhuneland. The name "*Sebatakomo*" in Sepedi is a call to war. The first meeting of this organisation was held in Pretoria at the Bantu Hall in Lady Selbourne (Delius, 1996:102-103). Sebatakomo was formed with the idea to fight against the Bantu

Authorities, forced removal and culling of stock by the National Party Government.

Around 1954, Dr H.F Verwoerd and Dr Eiselen arranged a meeting with all chiefs from the former northern Transvaal at the Lepelle (Olifants) River (*GaMasemola*) in an effort to encourage them to accept both the Bantu Authority and Bantu Education (Delius, 1996: 109). Around 1955, members of Sebatakomo had already organised themselves into a force to be reckoned with, since the movement had started a year before (1954). As mentioned above, Sebatakomo was a movement formed by members of the communities around Sekhukhuneland with the intention to defend their land against the new regime (*Apartheid*) imposed on them by the government. The main organisers of the movement consisted of migrants in Johannesburg and Pretoria who also came from Sekhukhuneland. This movement enjoyed the support of political parties such as the South African Communist Party (SACP) and the African National Congress (ANC).

A few members from Sebatakomo were selected to distribute pamphlets throughout Sekhukhuneland and the surrounding areas of Polokwane (*Pietersburg*) to encourage communities, including their chiefs and headmen to join the movement. Its executive committee, which was constituted by among others, Flag Boshielo and John Kgoana Nkadimeng, was called *Khuduthamaga* with its office in Pretoria. Branches were established in selected villages that had representatives that were migrants tasked with the responsibility of reporting incidents to the main committee (Delius, 1996:113). Migrants were continually reporting incidents such as harassment, killing, prosecution and deportations of key members of the movement by the officials. Sebatakomo made contact with the chiefs and headmen to ensure that they resisted white domination that appeared to be a threat to their land.

3.3 Confrontation with the Authority

When the Batau men returned from a meeting held in May 1958 (Lepellane River), they continued their journey and as they approached Majatladi Mmako`s kraal (*lešaka*), they saw a large contingent of police vehicles parked on the side of the road. Gobetse recounts, “*Phalafala ile ya Ila go bitša banna bao ba šetšego ba tlogile go leba magae a bona*” (A horn was blown to call upon those men who had already left for their homes to come back). The motive here was to face the police as a group and also that if there were to be some arrests it should happen to all. Therefore, they decided to go straight to where the police were waiting with the intention that if they wanted something from them they would intercept them when they passed them.

The police were travelling in two trucks and they immediately stopped the Batau men when they were passing next to where they had parked. Morwakoma comments, “*Mantsarane o ile emang gona fa, re nyaka go bolela le lena*” (The slender one said, stop here, we want to talk to you). It indicated that the police already had a case against them and were just waiting for them to arrive. One of the police officials known as Modipa was interpreting on behalf of Sergeant Vorster dubbed “*Mantsarane*” (slender).

The police wanted to know where they had come from and what was the purpose of the visit. The Batau men also wanted to know from where the police came and why they were waiting for them. Nape explained, “*Mantsarane o ile are, re bolela ditšhila*” (The slender one told us that we speak nonsense). This reflected the arrogance displayed by police officials during their conversations with the community and the kinds of attitude they had in those days. All the men decided to ignore the instructions of the police and threatened to continue advancing to the village of Mphanama. One police officer became angry when he realised that the community had ignored the instruction. He immediately threatened to shoot them if they persisted in ignoring the instruction and continued with their movement (Hlabirwa, personal communication, 2011)

Morwakoma explained, “*O ile a re o tlo re thunya gomme ra mmotša gore a re thunye ge a kgona*” (He said, he will shoot us and we told him to shoot if he could). This reflected the resistance displayed by the community during their interactions with the police. Among the white police officials there was a black officer namely Modipa who was interpreting on behalf of his colleagues who could not understand the local language. Police officials then indicated that they were not at war with them, only that they were looking for answers before they could allow them to continue with their movement.

My informant Phaahla explained, “*Mmaswi (Tserere) o ile thoma go letša lepatata a sa emiši*” (Mmaswi [Tserere] started playing his horn without stopping). It showed anger against the police officials. Phaahla reported, “*O mongwe wa bona o ile a re homola, homola*” (One of them said, keep quiet, keep quiet). It was a sign of resistance displayed by the community and the attention the police were expecting from the Batau men. Mmaswi reacted by saying “*Nka se kgone*” (I cannot) (Mohlabaane, personal communication, 2011).

After a long time, the Batau men cooperated with the police officials and told them that they had taken Ngwanamohube to Mohlaletsi to remain in the hands of her (Ngwanamohube) parents. Mabowe Kgaphola who was one of the *bakgoma* (nobles) of Mphanama was therefore requested by the Batau men to explain the reasons for the removal of Ngwanamohube from the community. Therefore, he told the police that Ngwanamohube had in the previous year (May 1958) left Mphanama with Lehlage Makanatleng for Pretoria at the time when she was mourning the death of her husband - a conduct that the community regarded as taboo. He continued to explain that Ngwanamohube did not show any respect to him (Mabowe Kgaphola) in terms of the law and that she did things without informing members of the *bakgoma* and *bakgomana* and her assistant such as Masehle Ben Kgaphola (Mogale, personal communication, 2011).

He further explained that she poured beer onto his (*Mabowe*) clothes later in front of members of the community and within the royal centre, which was an indication of pure disrespect for her in-laws. Throughout his explanation, Modipa,

a black police officer, was busy interpreting the conversation to his white colleagues. During the conversation, another police official was recording the important aspects while some of his colleagues were listening. Mabowe explained everything that had happened the previous night. Everything that led to the removal of Ngwanamohube from the community was explained in detail to the police officials. All the community members who were present at that time agreed with what Mabowe told them.

While the discussions were continuing, some of the Batau men recognised two community members at the back of one of the trucks, namely; Moropu Sekgala and Madipadi Sekgala. The two left the Batau men while they were meeting to check for those who had been absent during the removal of Ngwanamohube from the community. The Batau men released them during their discussion just before they could cross the Lepellane River because they complained about being hungry (Morwakoma, personal communication, 2011).

The Batau men wanted to know why the two men were arrested and put into the back of the truck. The answer they got from the police was that the two men refused to stop when they were ordered to do so and indicated that they complained about being hungry. The police then forced them to stop and searched them. While searching the two men, a knobkerrie made of bolts and nuts was found inside the jacket of one of them namely, Madipadi Sekgala. Gobetse explained, *“Madipadi o be a tšere pautu a dirile thoka ka yona”* (Madipadi took a nut and made a knobkerrie with it). It showed that during those days people could just find themselves on the wrong side of the law for minor issues. During those days, community members were not allowed to herd cattle with knobkerries made of bolts and nuts as they were considered dangerous. Informants related *“Maphodisa ba ile ba re botša gore ga go motho yo a dumeletšwego go dira thoka ka tšhipi”* (Police told us that nobody was allowed to make a knobkerrie with steel). This was an indication of the extent of the range of governmental control in the area.

At the end of their discussion, the police agreed to have Sekgala Moropu released and indicated that Madipadi would be taken to Schoonoord (where NAD offices were situated) and the Batau were expected to pay R2.00 before he could be freed. All the men were also told to avail themselves at Schoonoord on Thursday in the next week to meet with Ngwanamohube who alleged that she had been ill-treated while the Batau men took her back to Mohlaletsi. She told the police that she had been beaten. It reflected the kind of offence that the police accused the Batau men of committing and why had they been waiting for them on the road.

The statement by the police officials amazed the Batau men, since Ngwanamohube was asked in front of her parents if she had been beaten or not and she indicated that she had never been ill-treated on her way back home. The Batau men recalled that they asked her before they could leave to avoid any form of allegation against them but that did not help in any way at all (Bauba, personal communication, 2011).

The community was angry as a result of governmental intrusion in tribal traditional matters. The officials were also taking sides with Ngwanamohube whom the community believed was wrong and did not have respect for her in-laws. The treatment received by the community from the officials was also a warring factor. These also strained the relations between the officials and the community.

3.4 Increasing confrontation with the Community

During one of the weekends in May (1958), it became evident among members of the community that something strange has happened in Mphanama. Immediately after the incident on Saturday (May 1958), a decision was reached by the community to send a *semamathane* (an informer), namely; Lewutle Diphofa to Johannesburg, to inform members of the Fetakgomo organisation about the situation in Mphanama and to assist in securing an attorney who would defend them during a hearing the next coming Thursday at Schoonoord.

Morwakoma indicated, “*Re be re na le diloyara e sego diloyaranyana*” (We had good, well qualified competent lawyers).

Collections of money were made among members of the community for Lewutle Diphofa to travel and buy food on his way to Johannesburg. When he arrived in Johannesburg, he reported the situation at Mphanama to Khuduthamaga and also did not waste much time before it secured an attorney. Khuduthamaga was the executive committee of Fetakgomo organisation that was in charge of the organisation. Members of Khuduthamaga were staying in hostels such as Jeppe and Denver that accommodated most of the people who were coming from Bopedi (*Sekhukhuneland*) (Bauba, personal communication, 2011).

Khuduthamaga secured the services from Shulamith Muller`s firm as well as Mr Circuit, a man with long white hair was delegated to deal with their case before the court. Two men, namely, Nthepeng and Lepopote Makola accompanied Mr Circuit on the day of the hearing at Schoonoord. Lepopote Makola, a man from Mphanama, was working in a company with Mr Circuit as attorneys and with his understanding of Sepedi, he made it possible for his colleague to understand the case without any difficulty.

Lewutle Diphofa also came back to Mphanama a few days before Thursday and informed community members that Khuduthamaga had agreed to secure attorneys that would be present during a hearing at Schoonoord. A request was made to all the men in Mphanama who had taken part in the removal of Ngwanamohube from the community that they should attend the hearing on Thursday (May 1958). It was also agreed that everyone should meet at a place called “*Naleng tša Makgema*” (Nails of Cannibals) which is found next to the Matabateane Mountain, which is situated to the north of Mphanama. All the *batseta* of the *dikgoro* were to confirm if those community members who had taken part in the removal of Ngwanamohube, were all present before they could depart for Schoonoord (Bauba, personal communication, 2011).

Two cases were to be heard on the day (Thursday May 1958), starting from nine o'clock in the morning, one by Modipadi for being found in possession of a knobkerrie made of bolts and nuts. The second case pertained to all members of the community who took Ngwanamohube back to Mohlaletsi. Phaahla explained, "We left home while it was still early in the morning and we took the food left over the previous night. It was evident that the community was prepared for the trip and also that they did not want to arrive late at Schoonoord."

Community members had to wait for a very long time, making sure that no one was left behind. When everybody was present, they all left for Schoonoord. Moraswi recounted, "*Kgogo ya mathomo ge e lla ke ge re e tla GaSeopela*" (When the first rooster crowed we were at GaSeopela). GaSeopela is an area situated north of Mphanama not very far from Schoonoord Magisterial Office. Before they could pass the community of Seopela, the Batau men decided to have a brief rest next to Batau Super Market and allow those who were tired to relax before they continue with their journey (Bauba, personal communication 2011:03.20). Morwakoma explained, "*Go ile gwa kwanwa gore ge re tloga fao ga go yo a boledišago yo mongwe gore dimpša tša ga Mašegwane di seke tša re loma le go re hlabela lešata*" (It was agreed that when we left there, no one should talk to another so that dogs from Mašegwane should not bite us and bark at us). It indicated that since it was still dark, for fear of not alerting anybody, the Batau men did not want to be attacked by dogs and also that other people should not be aware that they were passing through the village.

The Batau men walked until they reached the junction of a road that leads to Malegale and the one that comes from Magnet Heights (*Makgane*). Therefore, it was decided that they should all rest next to a place where Motubatse had built a shop. Bauba explained, "*Ka nako yeo re seka le Mohumagadi re be re sa hlwa re gopola gore Motubatse a ka tla a aga fale*" (At the time when we went to court with the candle wife, we never thought that Motubatse would build there). The incident took place such a long time ago that community members never thought that there would be developments in the area. Just after sunrise, the Batau men walked towards the police station and were recognised by police officials who

were not very far from the gate. The police officials wanted to know why they had come to the police station early.

The community informed them that they had been told to avail themselves of the same day (Thursday) to meet with the Mohumagadi (*Ngwanamohube*) before the officials. One police officer later opened gates for them and were all allowed to enter the yard. To the surprise of the community, immediately when they had entered the yard, a police officer locked the gate and when asked why he had done that, he told them that those who wanted to visit the toilets should not worry as there were plenty of them inside the yard. The attitude of the police officials at the gate left the Batau men with questions but they did not worry much about it.

During that time (Thursday May 1958), it was clear that unrest had begun at Mphanama and the Batau were prepared to use attorneys and cooperate with them in their fight to ensure they did not lose their cases before the court. My informant Morwakoma declared, "*Go be go bela mo Mphanama*" (The situation was tense in Mphanama). It indicated the unfavourable conditions in which community members found themselves, during that time. Bauba explained, "*Mphanama e be e tšwile ka moka*" (Mphanama was all out). Most of the people in Mphanama attended the court case since they wanted to know why they were requested by the police to come.

All the Batau men were requested to sit down by a police sergeant who later wanted to find out if they had brought their reference books with them. Ngwato remarked, "*Re kile ra tla ra nyaka go jana seng mola re tlile molatong*" (We nearly fought each other while we came to court). It indicates that something happened, which nearly caused division amongst the Makhuduthamaga in front of the police officers. The Makhuduthamaga listened attentively and a police sergeant by the name of Vorster informed them that all of them would be required to write their names in a register book before the hearing could start. Letsiri explained, "*Ka nako yeo o be a eme hleng ga fao go gotšwago mollo wa go apea dijo tša bagolegwa*" (At that time he was standing next to where they made the fire for cooking of prisoner`s food). It tells us that prisoners were also accommodated

within the police yard. A police officer told them that it was done so that when Ngwanamohube arrived, each person would be called by name and be expected to enter the room where the hearing would take place (Napyadi, personal communication, 2011).

According to a plan by the officials, each person was to be called in for questioning until everyone on the list was questioned. Phogole recounted, "*Re bile ra gana ka moka ga rena; o ra gore nka šeka ke nnoši mola re obile molato go tee*" (We all refused; do you mean I can be questioned alone, when we committed the same offense). It reflected the kind of resistance that the community showed towards the police at that time. The officials immediately informed the Batau that if they refused to register their names, they would all be placed in the police cells. Informants stated, "*Mokgele Makanatleng o ile a emelela a ntšha pasa ka potleng a leba pele ga lephodisa*" (Mokgele Makanatleng stood up and took out his reference book and walked towards a police officer). This indicated that some of the community members wanted to cooperate with the officials. As he moved towards the police officer, his brother Mokhine told him that if he gave his reference book to the officials, he should no longer join them when he came back. The community indicated that they would never produce their reference books and that they wanted to see Ngwanamohube (Nareadi, personal communication, 2011).

Phethedi announced, "*Sepama Phogole o ile a re, nna le ka no nhlahlela ge le nyaka, le tlo bona gore ge re yo šeka le tlore ke le dirile eng*" (Sepama Phogole said, "You can arrest me if you want, you will see what you will say I have done when we go to court"). It reflected that some community members were prepared to challenge the officials regarding their actions since they knew that they had done nothing wrong. Community members supported Sepama Phogole and told the police officials that if they arrested him, they would all follow.

The officials explained to the community that the law required anyone who was expected to appear before the court to present his reference book and be registered first (Thursday May 1958). Gobetse explained, "*Re bile ra ba botšiša*

gore motho yoo a re swarišitšego, yena o kae” (We asked them where was the person who had opened a case against us). This reflected the intention of the community to resist orders by the police officials. The officials then told the community that if they did not want to be registered, the hearing would not start and they would not be allowed to move out of the police yard until they had obeyed the instructions (Hunadi, personal communication, 2011).

Ngwato explained, *“Ba re boditše gore re tlo hlwa, ra ba ra robala fa, ge re sa dumele seo ba re botšago”* (“They told us we will spend the whole day and sleep there if we didn’t accept what they were saying”). This indicated the intention of the police officials to carry out their responsibilities or enforce the law. The police further stated that if they continued to resist the order they would request their colleagues at Lydenburg Police Station to provide four big trucks to load them all and transfer them to Lydenburg where they would spend some months.

While there was still a stand-off between both the police and the community, a certain Sergeant Vorster immediately pointed his finger at the two men who were among the community members to forward their reference books for registration. Ngwato further explained, *“O ile a re lena ba babedi tlišang dipasa tša lena”* (He said, “You two, bring your reference books”). It was clear that the intention of the police was to use their power to enforce the law. The community then told the two men not to produce their reference books as instructed by the police.

Gobetse explained, *“Re bile ra ba botša gore ge ba ka ya, retlile go ba bolaya mo pele ga maphodisa”* (We told them that if they go, they will be killed in front of the police). These showed that the community was becoming furious and they were not going to allow the officials to use tricks to divide them. While the community was still resisting the order by the officials, Lepopote Makola arrived (Thursday May 1958) and introduced himself to the officials at the gate. Lepopote was an attorney working for Shulamith Muller’s firm. Morwangwato announced, *“E ile ya tsena pholo ye ntsho ya ga Makola, e bile e gwanta”* (The black bull, of Makola entered walking with confidence), which indicates Lepopote Makola’s stature as he was entering the police station where the community had gathered. Hlabirwa

explained, *“Ba Mphanama ba ile ba re nkgwete ya gabo rena e fihlile”* (The Mphanama people said, “Our champion has arrived”). It indicated that the community had high regard for Lepopote Makola. Lepopote Makola was an attorney working together with Mr Circuit at Schulamith Muller`s firm.

Lepopote was allowed to drive his car inside and parked it next to the commissioner`s office. Moraswi explained, *O tsebe nko tša Makola di be di swana le tša kolobe* (You should know that Makola`s nose looked like that of a pig). It indicated that Makola was so ugly that he was compared to a pig. He immediately walked to the middle of the community members who were seated in a circle. Informants recounted, *“O ile a re tameng batau, rena ra re Mmaswi”* (He said, ‘Greetings, Batau’, and we said, ‘Mmaswi’). Lepopote asked the Batau men if they had killed a person and the response he got was that no one had lost his life in Mphanama. He further wanted to find out why they were locked in the police yard so that no one was allowed to walk outside (Hunadi, personal communication, 2011:05.14).

Ngwato pointed out, *Lepopote o ile a bolela seisemane sa go kgwahla ge a lebana le maphodisa* (Lepopote spoke a good English when he faced the police). Lepopote asked a police sergeant to request the Station Commander to come forward so that he could give answers to the questions he wanted to ask. He was told that the Station Commander was out on duty; therefore, he should refer all questions to the police sergeant who was also prepared to provide answers. Sergeant Vorster informed Lepopote that Ngwanamohube had laid charges against the community for beating her on the night she was removed from Mphanama.

Lepopote asked to see Ngwanamohube so that she could confirm what he had been told about her. Sergeant Vorster led him into a room where she was seated with some of her relatives from Mohlaletsi. After some time, Lepopote left the room and approached the community. He immediately told community members that they were free to buy some food in the local shops. Lepopote Makola was nicknamed *Pholo ye ntsho* (black ox) simply because he was dark in complexion.

Lepopote Makola then asked the community if they had ill-treated Ngwanamohube as alleged by the officials (Mmaswi, personal communication, 2011).

The Batau men explained everything that had transpired during that Saturday (May 1958) and indicated that Ngwanamohube was asked in front of her sisters and the Mohlaletsi royals to tell if she had been ill-treated. My informant Nape reported, *re ba boditše gore re mmotšišitše pele ga batswadi ba gagwe ge eba o ile a kwešwa bohloko* (We told them that, we asked her in front of her parents if she had been ill-treated). It showed how the Batau responded to questions during their conversation with the police and also proved their innocence. The Batau men only became surprised when they found the police waiting for them on their way back from Mohlaletsi and informing them to avail themselves at the police station (*Schoonoord*). Lepopote Makola then requested the officials to enquire from Ngwanamohube if she could show them the injuries she had suffered during her removal.

When Ngwanamohube was asked to point out the people who beat her and to show the injuries she had suffered during her removal from the community she could not do any of this. Lepopote explained that Ngwanamohube was only making an allegation that she could not prove. Lepopote asked the officials who had laid charges against the community of Mphanama since she had failed to prove them wrong (Nape, personal communication, 2011).

The police officials indicated that some members of the Mohlaletsi royals came to the police station and informed them that the community of Mphanama had brought Ngwanamohube home and alleged that she had been ill-treated. Since her sister, Ngwanatsomane was also present during the conversations (*Schoonoord*) she was asked to tell if Ngwanamohube had reported having been ill-treated by the community of Mphanama on the day they brought her back. Ngwanatsomane confirmed that she had asked Ngwanamohube in front of the community of Mphanama if she had been ill-treated and she, therefore, indicated that, at the time when she arrived, there was no injury to her sister`s body.

Lepopote continued to ask questions, and he wanted to know from the officials if the Batau had come to the police station to inform them about the marriage of a candle wife (*masetšhaba*). The police officers could not respond to the question, and he told them that the Batau had the right to refer their candle wife back to her parents if they felt she did not behave well.

Phogole recounted that when the Mohlaletsi royals had taught their child, they would send a messenger to Mphanama to check if her in-laws were ready to receive her. Lepopote was only indicating how a problem between Ngwanamohube and the community should be treated in terms of the Batau tradition.

Morwakoma explained, "*Maphodisa ba ile ba hlaloša gore tše ntšhi di tlo tsebja ke Potomane yoo a tsebago kudu ka ditaba tša magoši*" (*The police explained that, "Much would be known by Bothma who knows much about traditional leadership matters"*). It showed that the problems between Ngwanamohube and the community could be settled by the officials. Dr C.V Bothma was an ethnologist dealing with the chief's matters and was working in the Burgersfort (*Tubatse*) area at the time (Nareadi, personal communication, 2011). But Bauba reacted by saying, "*Potomane e be ele moradia wa leburu, a bile a tseba sepedi*" ("Bothma was a dishonest boer, and he also knew Sepedi"). It indicated that the communities among which he worked did not trust him, although Bothma spent much of his time with the Ntšhabeleng tribe around Schoonoord until he learned their language, Sepedi. He assisted in upgrading many headmen in Sekhukhuneland to the status of chiefs, and all were called "*dikgošana tša Potomane*" (chiefs of Bothma) (Compare Delius, 1996:118). While the conversation between the Batau men and the police officials was on, Bothma arrived since he was called to intervene in the matter.

Informants reported as follows, *Potomane o ile a re Batau kgobokanang, taba ya ka ga se ye telele, nna ke motau ke morwarrago Lena, kua ga gešo Mphanama, ge Matlabjane a be a buša, Mphanama go be go na le khutšo* (Bothma said,

“Batau come together, my concern is not difficult, I am also a motau, I am your brother, when Matlebjane was leading, Mphanama was free”). He wanted to indicate that, during the leadership of Matlebjane, there was peace at Mphanama. The community was also surprised because Matlebjane had led Mphanama in the 1600s long before Bothma. It transpired that Bothma was already informed about the history of Mphanama and their leaders. Bothma continued to inform the Batau men that because Matlebjane had passed on, he believed that someone was causing trouble in his community (*motse wa gabo*).

Bothma understood the Sepedi language, and that made it possible to associate himself with communities in Sekhukhuneland without major difficulties. In addition, Bothma wanted to know when had the Batau arrived at Schoonoord and whether they had been given any food to eat since arriving. He was, therefore, informed that the community members arrived early in the morning and were given a chance to leave the police yard to buy food after Lepopote had intervened. After sometimes both police officials, Lepopote, Bothma and his colleagues met to discuss in one of the offices. When they left their meeting, Bothma informed the community to go back home and try to resolve their differences with Ngwanamohube (Hunadi, personal communication, 2011).

Lepopote Makola also wanted to know from the police which charges had been laid against Modipadi Sekgala who was prosecuted on his way back from Mohlaletsi. The police only indicated that he had refused to stop when ordered to do so, and after he was forced to stop, they searched him and a knobkerrie made of bolts and nuts was found. They only suspected that it was one of the instruments used to punish Ngwanamohube and that was the reason for his arrest.

Lepopote then told the Batau that they were free because the police could not find any evidence against them and that they could go back home. However, before they could disperse, the community told the police that Ngwanamohube should no longer come back to Mphanama, since she has been divorced from the Batau on the date of her removal (Friday May 1958). The police were told they do

not want her back home since she disrespected them. This reflected the anger that the community felt against Ngwanamohube and the threats they imposed against the police officials. The police were further told that she should not try to cross the Lepellane River as she would be attacked and killed immediately. Lepellane is the name of the river on the northern side of Mphanama that is crossed when going to Mohlaetsi.

After their release from the police station, all the men went to Motubatse`s shop which was not very far from the police station to buy food; for they had not eaten anything since their arrival in the morning.

3.5 A split in the Community

One day (May 1958), a man by the name of Mpepere Nkadimeng from Manganeng who was also a member of the royal family, came to Mphanama after he had been sent by *Kgoši* Nkadimeng (of the Batau ba ga Nkadimeng) to request the Batau to provide support to his regiments in a fight against the Rangers and the white officials. *Kgoši* Nkadimeng requested support after a fierce fight that broke out between the Makhuduthamaga and the Rangers who were on the side of the police. The police eventually killed a pregnant woman while a man and several others were wounded as they were driving away with their captives (Delius, 1996: 125).

These happened after all the tribes in Sekhukhuneland were invited to a meeting at Schoonoord (13 May 1958) by the officials under a Native Affairs Commissioner by the name of Sekwati who was nicknamed "*Phaahla a Ngwato*" (Phaahla, the son of Ngwato). The Commissioner was given the name of Sekwati who was the Chief of the Bapedi tribe in Sekhukhuneland (Morwakoma, personal communication: 2011). The Swazi (*Mapono*) of Swazi Mnyamane and Bengwenyama ya Maswazi tribes were wearing their traditional clothes and brought their traditional weapons along on the day of the meeting. They also sang traditional songs and waved their weapons when they danced to show how

they fought during times of war. Mokotedi explained, “*Go be go hlakahlakane tšatši leo*” (There was a commotion on that day). It indicated that communities in Sekhukhuneland were not happy about the meeting. A messenger came to inform communities that he had been sent by the Commissioner to address them on his behalf since he was unable to address them due to work commitments (Phaahla, personal communication, 2011).

Communities refused and insisted that they could not allow anyone to address them except the Commissioner since he was the one who had issued invitations to the meeting. Bauba explained, “*Kgoši Phaswane o ile a emelela a bolela seisimane se sengwe sa go makatša*” (Chief Phaswane stood up and spoke in surprisingly good English). Phaswane was a Chief of the Batau tribe of Manganeng in Sekhukhuneland. Accordingly, he requested the messenger to bring him a loud-speaker and indicated that he knew that the Commissioner was afraid to face communities that were angry.

Kgoši Phaswane told the Commissioner’s envoy that communities would like him to come forward to address them since they were not prepared to listen to anyone except himself. However, the Commissioner never came forward even after the effort by *Kgoši Phaswane* to persuade him to do so. My informant Mokotedi stated, “*Re be re fela re mmona a hlola ka lefasetere la kantoro e le ge a tšhaba go tla go rena*” (We used to see him sneaking through an office window since he was afraid of coming to us). When communities realized that the Commissioner refused to come out, they requested his messenger to explain why he was not coming out as they have responded to his invitation. He, therefore, addressed all the communities around Sekhukhuneland who were present. The messenger indicated that the government intended to install Motodi Sekhukhune of the Bapedi of Mofalaletsi as the Paramount Chief of Sekhukhuneland. Motodi Sekhukhune was the half-brother of Morwamotšhe, the Acting Paramount Chief of Bapedi, who was at that time under deportation to Cala in the Transkei with the candle wife Mankopodi and their child Rhine. This was because Kgobalala who had already been installed by the Commissioner showed no interest in continuing as the Acting Paramount Chief (Delius, 1996: 124).

Communities became very upset and wanted to know from the messenger if Morwamotšhe had died. They further wanted to know if Motodi was the son of the Commissioner who intends to install him as Paramount Chief of the Bapedi without the consent of the royal family concerned. All the chiefs present were surprised and immediately showed their support for Morwamotšhe who was not among them at that time.

The messenger was told that Motodi could not be installed as Paramount Chief of the Bapedi if Morwamotšhe was still alive and also that should he succeed him, there would be bloodshed in Sekhukhuneland since the communities and their chiefs would not support his leadership. Gobetse explained *“Re tlogile re mmošša gore ge a se a re botša gore Morwamotšhe o hlokofetše kua Cala, Motodi a ka se se dule setulo”* (“We told him from the outset that if he did not tell us that Morwamotšhe had died in Cala, Motodi could not be installed). The resistance of the communities around Sekhukhuneland became apparent.

Kgoši Phaswane told the messenger that the officials should only tell communities that they were not going to pay for levies charged to them annually, else the police will not be allowed to enter their villages. Bauba declared, *“Leo lentswe ke lona la go tla la seleka khomišenare ke a bona, ka gore o ile a tla a ntšha mokgwa”* (That word I think was the one that infuriated the Commissioner because he became troublesome). *Kgoši Phaswane* further urged that as long as communities did not know what had happened to Morwamotšhe, they would like to know where Motodi would be installed as Paramount Chief because he could not rule in Bopedi (Mmaswi, personal communication, 2011).

The meeting dispersed without any answer from the officials and the communities left for their respective homes. After a few weeks, it was heard that chiefs and headmen who supported the Bantu Authorities had agreed with officials to attack those who had indicated during a meeting that they would not pay the levies. The arrangement was to move from household to household to check who did not pay the levies and arrest them on the spot.

These officials decided to start at the community of Manganeng of *Kgoši Phaswane Nkadimeng*, since he was the one who said that they were not going to pay levies for that year. It showed that the officials were intimidated by what *Kgoši Phaswane Nkadimeng* had said during their meeting to such an extent that they decided to attack his community first. The chiefs and community members who supported the ideas of the Bantu Authorities, joined police officials at Manganeng to arrest those who resisted payment of the levies in 1958.

While the officials were arresting people who refused to pay, members of *Sebatakgomo* organised themselves and decided to defend all those who had failed to comply with the law. Members of *Sebatakgomo* in the community were shot while intervening in the situation by questioning the actions of the police officials and the Rangers who were assisting them (Bauba, personal communication, 2011).

During the conflict at Manganeng, *Kgoši Phaswane* sent Mpepere, one of his relatives, to Mphanama to inform the Batau of a situation in his community and for assistance against the Rangers and the police. Rangers were pro-Government and pro-Commissioners who were fighting against members of *Fetakgomo* organisation in the Sekhukhune area. At that time, the police had already killed Lekgolane the mother of Chief Phaswane and the situation was volatile at Manganeng, which prompted *Kgoši Phaswane* to request assistance from Makhuduthamaga in the neighbouring tribes after his mother was killed in a fight with the Rangers. Makhuduthamaga were members of *Fetakgomo* organisation and the name Makhuduthamaga was commonly used in Sekhukhuneland.

Lekgolane was the mother of *Kgoši Phaswane* of Manganeng who was killed with her assistant who was pregnant by the police and the Rangers. During the unrest at Manganeng (May 1958), Makhuduthamaga managed to kill Makoko, a police official and Sepeke who was nicknamed "*Mollo wa Makhiri*." *Mollo wa Makhiri* means fire that is very hot and children are not allowed to come near it. He was

referred to as *Mollo wa Makhiri* because during the time when *Kgoši* Nkadimeng was still young, the royal family requested him to act as *kgoši* but when he was supposed to relinquish the position he refused (Morwakoma, personal communication, 2011).

The royal family at Mphanama is related to the Manganeng royals; therefore, when Mpepere Nkadimeng arrived in the community, he was well received. Mpepere is one of the members of the royal family at Manganeng. After Mpepere had related what was happening at Manganeng to the elders of the tribe (May 1958), late in the evening a horn (*phalafala*) was blown to invite all the Batau men to the royal centre (*mošate*). (There were many people that night because people were surprised to hear the horn at that time. Members of the community attended in large numbers because it was not common to be called to the royal centre during the night. Customarily, when the Batau men are called during the night, it means something strange that requires urgent attention has happened.

When all the men had gathered at the royal centre, they were informed of the volatile situation at Manganeng and also that four people had already lost their lives. Tswako further explained, “*Go ile gwa kwanwa gore go ntšhwe Mphato wa Mangana go yo thuša hlakahlanong yeo*” (It was agreed to send the Mangana initiation regiment to assist in that conflict). This reflected the support that the community of Mphanama offered *Kgoši* Phaswane in the fight against the officials and the Rangers. It was also decided to place other regiments (See table 3.1) in key positions for defence of the community of Mphanama against any attack by the officials and the Rangers (May 1958). The regiment of Mabjana under the leadership of Tserere was posted at the Matabateane Mountain, which is north of Mphanama on the road that leads to Manganeng (Nape, personal communication, 2011).

The purpose was that if Mangana was defeated in a fight against the officials and Rangers at Manganeng, the Mabjana regiment would join them immediately to provide support. The Makgau regiment was posted at Bohwadira/Sehlakole to guard against any attack of the community of Mphanama. The Matladi regiment was posted at Serobjaneng, which is on the road that leads to the community of

Mašabela, south of Mphanama. The Mathamaga were posted at Moruleng wa Ditlopu on the road that leads to Apel, west of Mphanama. In turn, the Madisa regiment was posted at Sebayeng which is at the centre of the community including the royal centre.

Once the plan was agreed to by the Batau men, the Mabjana regiment was instructed to accompany Mpepere back to Manganeng where a fight was continuing between Makhuduthamaga and the Rangers (May 1958). The community of Mphanama thought it better to provide support to *Kgoši* Phaswane immediately. The Batau men became suspicious of the Rangers in the community of Mphanama and suspected that they might be assisting their colleagues in a fight against Makhuduthamaga at Manganeng. At that time, the Rangers were still small in number in the vicinity of Mphanama and the Makhuduthamaga dominated them (Kgabyane, personal communication, 2011).

A decision was taken immediately to search for those men who were known to be supporting the officials. The Batau suspected that the officials and Rangers could decide to attack the community of Mphanama after completion of their activities at Manganeng, since they also refused to pay levies. It was also known that some members of the royal family supported the officials, while others did not. Men were divided into groups to fetch those who were on the side of the officials, thus Rangers could be killed.

The first group was instructed to fetch Sebilone Makgale; the second went to collect Kgopane Maledimo and the third went to find Lehlage Makanatleng. The three of them were residing down the slope of the village. The fourth group went for Seakwane Kgaphola, Makoko Kgaphola and Mathebe Kgaphola (*pudi ya keng*) who were residing within the royal centre (*mošate*). *Pudi ya keng* means a goat which has come to a new place. When a man has just bought himself a new goat, it is believed that for a few weeks, it will give him problems as it will be in a new environment and it will refuse to enter its kraal when it is expected to do so, because it will not be conversant with it. A person may be nicknamed *pudi ya*

keng in a community because he is giving them problems whenever he is expected to do anything (Kgabyane, personal communication, 2011).

When the five men were brought to the royal centre, a decision was reached to have all of them taken to Molapong wa Thopamadisa (*Valley of the captives of Madisa*) to be killed. The reason for their killing was the support they gave to the officials. It was then realised that Makoko Kgaphola was nowhere to be seen and the elders were told by young boys that they saw him walking towards the *kgoro* of Makola to hide away. Young men were quickly sent to follow him as it was expected that he would be part of those men who were to be killed. They captured him as he was heading towards Tshwaane's shop. It showed how terrified members of the community were of the six men after showing their support of the officials.

On arrival at Molapong wa Thopamadisa, the Batau tied all six men to the long root of a tree in preparation for their killing. The main idea of the Batau was to kill them with sticks, stones and later burn them to ashes. The killing of all these men was to take place after receiving a report from the regiment of Mangana that was sent to Manganeng to assist *Kgoši* Phaswane of the Nkadimeng tribe against an attack by the Rangers and the white officials (May 1958). It was agreed that if it could be heard that some of the Mangana regiment were killed in a fight with Rangers, even us at home we will kill some of them (Rangers). This reflected a plan by Makhuthamaga to revenge themselves against the Rangers in case they were defeated.

It was later reported that the Mangana regiment met with Lehlage Makanatleng while they were on their way to Manganeng. Lehlage Makanatleng was also a resident at Mphanama who was working in the mines recruiting people who were in need of employment in Sekhukhuneland. He was traveling with a truck, collecting those who were interested in working in the coal mines around Witbank and Middleburg. Lehlage Makanatleng informed Mangana that some Rangers and the police had left the community of Manganeng for Mohlaetsi (May 1958). He told them that he had been informed that their intention was to look for the

support of Rangers at Mhlaletsisi such as Kgobalala Sekhukhune and Mothabong Mabogoane before attacking Makhuduthamaga in the area. He further informed them that some of the Rangers and the police had remained in Manganeng (Bauba, personal communication, 2011).

Lehlaghe advised Mangana to walk in the bush and in the direction of Matibeng, than to use a gravel road, which would make them visible and prone to be attacked. The Mangana regiment did not spend much time at Manganeng, but returned home immediately after realising that the Rangers had left the area.

On arrival, they informed the elders of the tribe that Lehlaghe Mekanatleng told them not to use a gravel road that led to Manganeng since there was a possibility of meeting with some Rangers who were following their colleagues to provide support. He advised them to go in the direction of Tšatane so that they could not be seen as they walked towards the community of Manganeng. The Mangana regiment informed the elders that on their way to Tšatane just before they crossed a river called Pshirwa, they saw a large contingent of vehicles carrying Rangers travelling in the direction of Maroteng. They knew that if they used the road that led to Maroteng, their motive would be to attack the community of Mhlaletsisi and not Mphanama (Bauba, personal communication, 2011).

The Mangana further informed the elders that when they arrived at Manganeng they found that what was reported by Mpepere about the killing of people in the area was true. It was found that a few houses had been torched by members of the Fetakgomo organisation who were angry and accused the occupants of supporting the Bantu Authorities. The name Fetakgomo derives from the Sepedi proverb "*fetakgomo o sware motho*", which can be loosely translated "leave a cow and catch a person." The proverb means a human being is much more important than a cow. Fetakgomo was originally known as Sebatakgomo and its members decided to change the name to Fetakgomo. By the end of May 1958, nine people had already been killed, among them traders and teachers who were associated with Rangers (Delius, 1996: 126).

Mokotedi commented, "*Mangana ge a bowa ba tsenetše go rena kua Matabateane fao re bego re ba letile gona*" (When they came back, they arrived at Matabateane where we had been waiting for them). It showed that the instructions given to all the regiments by the elders of the tribe were adhered to accordingly. Once the elders had realised that all members of the Mabjana had returned home without any injury or death, it was therefore decided that the six men who initially were tied up at Molapong wa thopa Madisa be released (May 1958). A few men were sent to Molapong wa thopa Madisa to inform the other group to release the six men since nothing bad had happened to the Mangana regiment. The feeling of some of Makhuduthamaga after they were informed about the return of the Mabjana regiment from Manganeng was apparent (Moremadi, personal communication, 2011).

Immediately after this intervention, the six men were untied from the root of the tree and they were saved from being killed with sticks and stones. The Batau men then released all the men in the hands of their family members who were frightened by the incident. After the removal of Ngwanamohube from Mphanama (1958), Masehle was installed as the acting *Kgoši* (Chief) to lead the tribe. He established a regiment (*mphato*) by the name of Matladi in 1960. In 1962, when members of the tribe woke up one morning, Ngwanamohube was seen sweeping the ground at the royal house and the incident surprised most of the people in Mphanama. The community and some members of the royal family were never informed that she would be coming back to Mphanama.

Informants reported, "*Re bile ra lemoga gore go na le mokgwa mo mošate.*" (We realised that there was a problem in the royal centre). It was a sign that there were things that the community was not aware of, and that involved them. On the second day after her arrival, a large contingent of police officials was seen entering the royal kraal to protect Ngwanamohube and those who supported the Bantu Authorities. Upon investigation, members of the community found that MatlebJane was behind the plot to have Ngwanamohube back at Mphanama (Phaahla, personal communication 2011).

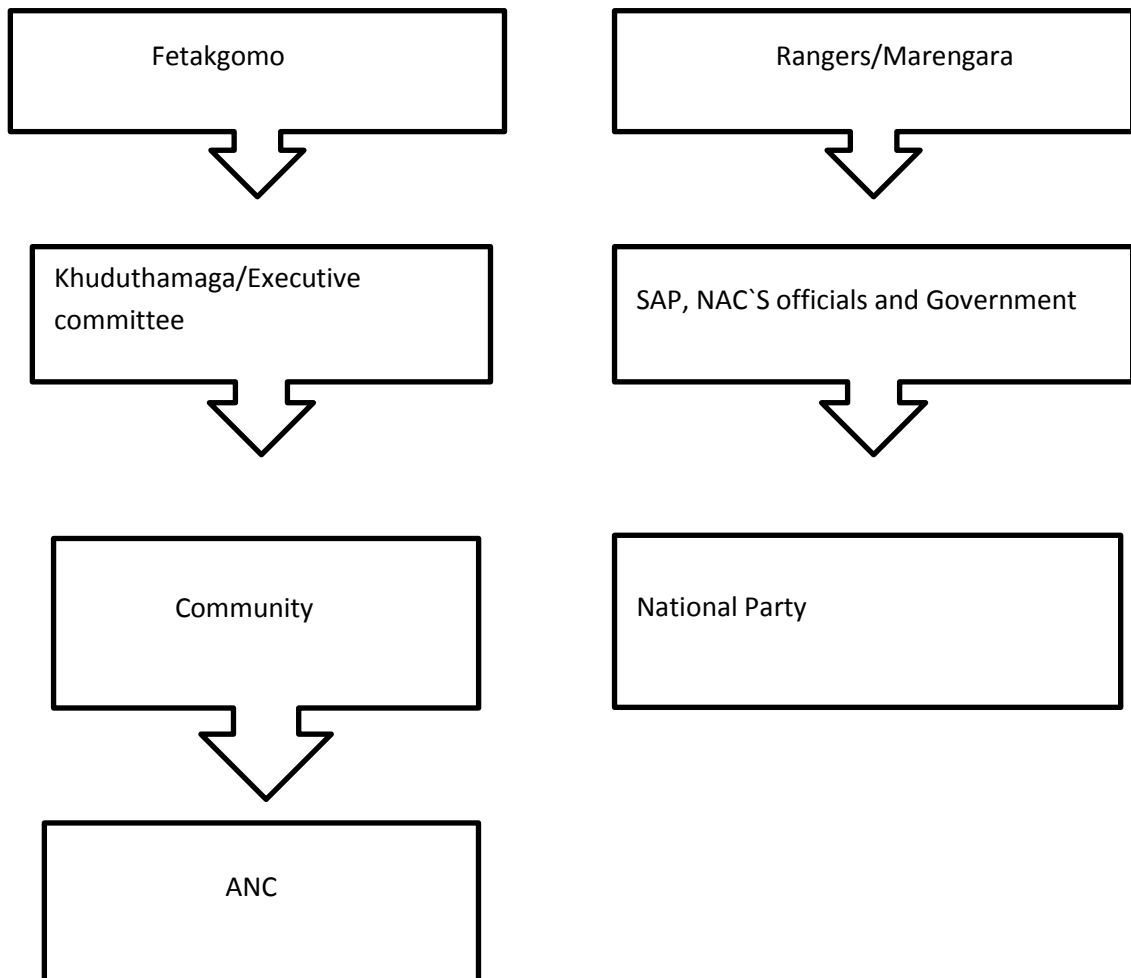
Matlebjane was a member of the royal family who was in Pretoria during the removal of Ngwanamohube, working at Iscor as a Clerk. When he came back to Mphanama, Ngwanamohube was still at Mohlaletsi. Immediately after his arrival at Mphanama, he became involved in the affairs of the community (Gobetse, personal communication, 2011). He selected men who were Rangers to go and pick Ngwanamohube up from her home without us. The community was divided into groups with those on the side of Ngwanamohube referred to as the Marangera (Rangers) that were also supported by government officials; while those who were anti-government were known as the Makhuduthamaga. Delius (1996:115) said that the Nationalist government denied political rights to Africans within a common society and fears that the freedom of the chiefdoms would finally be destroyed.

Matlebjane arranged that she come back to Mphanama without negotiating with the senior members of the royal family and when they came to realise that Ngwanamohube was back at the royal centre (*mošate*) through his efforts, they became angry with him.

Phogole mentioned, “*Re bile ra kwana gore bao ba tšwago go motšea ba mo fepe.*” (We agreed that those who went to collect her should feed her). This reflected the division that already existed in the community. It was spelt out clearly that they would not provide *lehlakore* and *sebego* (royal tributes) to someone who did not have respect for her in-laws. According to the Batau tradition, community members provide both *lehlakore* and *sebego* (royal tributes) to the royal centre to inform the reigning *kgoši* of all cultural functions (for example, weddings and ancestor rituals) that are to take place in their houses. The elders of the tribe indicated that according to tradition, it was supposed to be the Mohlaletsi royals who brought Ngwanamohube back and not the community of Mphanama or the Batau would have sent a *motseta* (messenger) to Mohlaletsi to find out if her parents were satisfied with her conduct (Morwakoma, personal communication, 2011).

Community members, who were on the side of Ngwanamohube, reported that they were being refused by supporters of Fetakgomo organisation to provide both *sebege* and *lehlakore* to the royal centre. Upon realising this, Ngwanamohube suspected that the idea of not providing royal tributes might have been influenced by some of the royal family (*bakgoma and bakgomana*) members. She immediately sent her faithful supporters namely; Mokhine Matlakaneng and Matlebjane Kgaphola to the Schoonoord Police Station to inform the police. The police were also informed about those who appeared to be influencing others not to provide royal tributes such as Tseke, Sepeke and Masehle. The three of them were arrested at the Schoonoord Police Station just after the police were informed about them in June 1962.

Figure 4.5.1 A graphic illustration of the Conflict and Resistance in Sekhukhuneland.



The Makhuduthamaga organised themselves after hearing of their arrest, whereupon, Lewutle Diphofa and Thobejane Bošielo were sent to pay their bail at the office of the Clerk of Court. Morwakoma declared, *“Re be re nyaka gore bakgalabje ba, ba šeke ba robala ka malapeng a bona.”* (We wanted these elderly men to attend the court trial while they slept in their homes). It showed that Makhuduthamaga did not want their colleagues to suffer in jail while waiting for their court appearances.

Immediately after their release from the police cells (June 1962), Makhuduthamaga sent Lewutle Diphofa to Johannesburg to inform Khuduthamaga (Executive of Fetakgomo organisation) about the arrests of some of their members. Upon receipt of the information, Khuduthamaga secured the

services of Shulamith Muller`s attorney firm to represent their members before the court. On the date (June 1962) of their court, members of the Fetakgomo in Mphanama gathered at Schoonoord in large numbers. Mr Circuit together with Lepopote Makola were also present on the day of the court to represent the Makhuduthamaga. The court started at 09h00 on the day but two cases were heard before Tseke, Sepeke and Masehle could be called in (Hlabirwa, personal communication, 2011). The three were requested to enter the box and faced the prosecutor on the ground level as well as the magistrate on the bench. The prosecutor ordered Matlebjane and Mokhine to enter the box and say, 'God help me to speak the truth.' This reflected more on the procedures followed in the courtroom before the proceedings could take place.

Through his interpreter, the prosecutor started questioning Mokhine to find out why they had laid charges against Tseke, Sepeke and Masehle. Mokhine told the court that the three refused the community of Mphanama to provide both *sebego* and *lehlakore* (royal tributes) to the royal centre. He further indicated that the three were the most influential in the community and most people listened to them. Mokhine also told the court that Makhuduthamaga held meetings where they agreed to forbid other members of the community to cooperate with Ngwanamohube.

The prosecutor wanted to know where and at what time they held their meetings to take decisions. Mokhine told the court that Makhuduthamaga held their meetings under a Marula tree next to the Maebaneng playground, which was used by the youth for both soccer and netball. The Maebaneng playground was situated where the community clinic is found today. He further told the court that the Makhuduthamaga always held their meetings during the night to avoid the public eye (Morwakoma, personal communication, 2011).

The prosecutor asked Mokhine how he was able to see people in the dark. This indicated the kind of questions that came from the prosecutor to interrogate the claimants. Mokhine told the court that Makhuduthamaga always made fire with wood and therefore it was possible for him to see the three during their meetings.

Morwakoma pointed out, “*Nna ke ile ka emelela ke rata go botšiša, fela Makhuduthamaga a mpušetša fase ka lebelo.*” (I stood up because I wanted to ask, but Makhuduthamaga put me down quickly). It showed a lack of knowledge during court proceedings by some members of the Makhuduthamaga.

The prosecutor then asked Tseke if the information given by Mokhine about the Makhuduthamaga was true or not. Tseke told the court that since the Makhuduthamaga were victimised by the police and prohibited to hold meetings, as such it was not possible that while holding such an unlawful gathering, they would make fire which would make them visible to everybody. Through his interpreter, the prosecutor asked Mokhine if he could accompany the police to Mphanama and point the spot out where Makhuduthamaga always made a fire and also bring pieces of wood ashes to prove his point before the court (Morwakoma, personal communication, 2011).

Mokhine kept quiet and did not answer because he knew that what he said was not true. This reflected the wrong information presented before the court by Mokhine Makanatleng when accusing Tseke, Sepeke, and Masehle on something that cannot be proved. The court further wanted to know how many people were attending the meetings of Fetakgomo organisation during the night since they opened a case against the three men. Mokhine told the court that all the Makhuduthamaga in Mphanama were attending the meetings. When asked how he knew that the three men were convincing the community not to provide *sebege* and *lehlakore* to the royal centre, Mokhine also could not answer.

The prosecutor then asked Sepeke if there was anything he wanted to tell the court. Sepeke wanted to know the distance which Makhuduthamaga (*both Mokhine and Matlebjane*) were standing, which enabled them to hear what he was talking about during their discussions. Mokhine was given a chance by the prosecutor to respond but failed to inform the court about the distance at which he was during the time when Makhuduthamaga were holding their meeting. For a long time, it was quiet in the court. It showed that Mokhine, who was supposed to

provide answers to the court, failed to respond and was given enough time, which did not assist him.

The interpreter (Mr Kgatla) told Mokhine that the prosecutor was waiting for his response to proceed with his questions. Through his interpreter, the prosecutor then requested Mokhine to get out of the witness box if he could not answer questions as expected of him (Ngwato, personal communication, 2011). *“Motšhotšhisi o ile a laela gore go tsene Matlebjane lepokising la modimo nthuše ke bolele therešo gore a botšišwe dipotšišo.”* (The prosecutor ordered that Matlebjane enter the box of God help me to speak the truth, so that he can be asked questions). It reflected the procedure during the court proceedings, that two people could not be asked questions at the same time. Matlebjane was then requested to raise his hand and said, “God help me to speak the truth.”

The prosecutor continued with the same questions that Matlebjane was asked and he immediately started to answer. To the surprise of everybody in the courtroom, Matlebjane indicated that at the time when he came back home from Pretoria, he found that Ngwanamohube was taken home by Makhuduthamaga. In addition, he arranged with some members of the royal family and the community to bring her back to Mphanama. When Ngwanamohube was back in the community, Makhuduthamaga indicated that those who brought her back would provide food for her. The prosecutor then told Matlebjane that, what he was talking about was not the matter brought before the court; as such, it could not be entertained at that time.

Matlebjane was also reminded of the fact that, what he was talking about, was at one stage handled by the same court and was finalised then. Therefore, he was requested to explain how they identified the three members of Fetakgomo organisation in the dark during their meeting. Ngwato replied, *“Matlebjane o fetotše bjale ka mogweragwe gore re gotša mollo bošego”* (Matlebjane answered like his friend that we make fire during the night). It indicated that both Mokhine and Matlebjane did not have a case against the accused since the first one (*Mokhine*) was removed from the witness box after failing to answer questions to

prove the allegations he made and the second (*Matlebjane*) gave the same answers as his companion.

During his presentation, Mr Circuit told the court that all his clients were prosecuted for nothing since both *Matlebjane* and *Mokhine* were failing to provide evidence to prove them wrong. Therefore, he requested the court to dismiss the allegations against his clients and let them go free. The magistrate, after listening to all presentations made before the court, decided to withdraw the case on the basis that both *Matlebjane* and *Mokhine* could not make any indication that if they were to be accompanied to *Mphanama*, they would point the fire place where the *Makhuduthamaga* always meet. (*Diphatše*, personal communication, 2011). When the three (*Tseke*, *Sepeke* and *Masehle*) were released on bail after their arrest (June 1962), the police went to *Mphanama* to arrest another group of people. During that time, *Lewutle Diphofa*, *Thobejane Bošielo*, *Kamele Lekola*, *Morwangwato Maswinyaneng* and *Phaswane Morwa Motsaroga Phoka* were arrested for the same offence (for refusing the community to provide royal tribute) as their colleagues. The three of them namely; *Lewutle Diphofa*, *Thobejane Bošielo* and *Kamele Lekola* were sent by *Makhuduthamaga* to pay bail for *Tseke*, *Sepeke* and *Masehle*. All three were accused of preventing members of the community to provide *lehlakore* and *sebege* (royal tributes) to the royal centre. On the day when *Tseke*, *Sepeke* and *Mabowe* were supposed to appear before the court, the five of them had already been arrested and were waiting to appear before the magistrate.

Mr Circuit called us next to the police vehicles garage so that we could talk privately. It reflected that Mr Circuit, as the attorney representing *Makhuduthamaga*, wanted to consult with them so that they could have a plan of action. Mr Circuit advised *Makhuduthamaga* to make contributions among themselves to pay bail for five of their colleagues who were in the police cells. It was agreed that money be paid to release those three, be used to pay for others who were arrested so that they could be out of jail. This reflected how Mr Circuit and *Makhuduthamaga* planned to deal with a challenge with which they were confronted at *Schoonoord*.

Circuit then requested Makhuduthamaga to identify someone among them to accompany him to the police charge office to ask for permission to see members of Fetakgomo organisation who were in the cells. Makhuduthamaga then asked Pastor Stephen Mmako to accompany him to the charge office. After consultation with the police officers, they were allowed to communicate with all the arrested men. When they were through with their conversation, both Mr Circuit and Pastor Stephen Mmako went back to join the other members of Fetakgomo organisation to give a report (Hlabirwa, personal communication, 2011). Circuit indicated that Kamele Lekola was an old man who could not cope with the conditions in the police cells. He elaborated further and told them that, if he were to spend some few days under such a terrible situation, he might experience health problems afterwards.

Hlabirwa explained that, "*Kamele o be a swerwe le bana ba gagwe*" (Kamele was arrested with his children). It showed that he was an elderly person among those with whom he had been arrested and that he could not afford to stay in jail for many days due to ill health. Mr Circuit wanted to know if money paid for bail for Tseke, Sepeke and Masehle came from their families or from Fetakgomo organisation. Makhuduthamaga informed him that they collected contributions among themselves to make sure that the three were released immediately after their arrest and that they were eager to do the same for the other colleagues of them who were found to be in the same situation (Hunadi, personal communication, 2011).

Contributions were made and added to the amount received from the Clerk of Court during the bail of Tseke, Sepeke and Masehle. Once the amount needed to pay for the five members was collected, it was then given to Mr Geyser who went with Mr Circuit to the prosecutor's office to negotiate the bail. Mr Geyser was working with Mr Circuit as a Clerk who only assisted with administrative matters in the firm. Each of the arrested men was expected to pay an amount of R30.00 for bail before he was released. Representatives of Fetakgomo organisation at Mphanama continually informed Makhuduthamaga in Johannesburg about all the moneys paid to the Clerk of Court for which they would be reimbursed later.

Morwakoma explained, "*Ka nako yeo ke ge Mmušo e le wa kgethologanyo, ba bašweu ba be ba tsena mo, mola ba baso ba tsena ka mo.*" ("At that time, during the apartheid era, the whites would enter on one side, while the blacks would enter another side). It illustrated that if both Mr Geyser and Circuit had been blacks, they could have used the other wing or door and not the one they had utilised due to their colour.

When Mr Circuit came back, he informed the Makhuduthamaga that all the accused should avail themselves on Thursday (July 1962) after two weeks to appear before the court. Immediately after receiving the message from Mr Circuit, the Makhuduthamaga decided to go back home together with the released men. The Makhuduthamaga were always transported by Tshwaane Maila from GaMaila with his truck. And they were already regarded as his customers and he transported them to many courts such as Seshego and Mankweng.

When the Makhuduthamaga arrived home, Lewutle Diphofa was sent to GaMarišane to inform the Makhuduthamaga in Johannesburg by telephone about the release of all the men who had been arrested and their date in court. GaMarišane is a community under *Kgoši* Marišane, which is situated south of Mphanama approximately 20 kilometres away. During that period (July 1962), the community of Mphanama was able to make phone calls only at GaMarišane, Apel and Magnet Heights. During the second week, the Makhuduthamaga were invited to the new royal centre which was under the leadership of Masehle Diphatše Kgaphola. Upon arrival, the Makhuduthamaga were told that Lewutle had phoned Khuduthamaga in Johannesburg to update them of the situation in Mphanama and the release of their colleagues from the police cells (Hlabirwa, personal communication, 2011).

They were encouraged to make contributions to Fetakgomo organisation as their members were always arrested. Therefore, the organisation was going to be in trouble by not being able to release those who were arrested. Members of Fetakgomo organisation realised that their organisation would run in short of

funds if contributions were not made regularly because of a number of arrests that were taking place. Therefore, all the members were informed to prepare for their trip to Schoonoord the following Thursday to support their colleagues. Makhuduthamaga were also told that their legal representation would be available on the day.

On arrival at Schoonoord (July 1962), Makhuduthamaga were requested to take their sides in the court at 08:30 as the proceedings were expected to start at 09:00. The first case that was handled by the court on the day was that of the Makuwa tribe of *Kgoši* Senyane and it was later followed by the one for the Maepa tribe under *Kgoši* Sethokgela. Both two tribes reside in Sekhukhuneland. Members of Fetakgomo organisation were the third on the roll to be called to appear before the magistrate. On the day when the five members of Fetakgomo organisation appeared before the court Mr Circuit was not present and his colleague Lepopote Makola from the same company (*Shulamith Muller*) was available for representation of their clients (Morwakoma, personal communication, 2011).

During that time, the Makhuduthamaga in Mphanama were under the leadership of Masehle Diphatše Kgaphola whom they regarded as their *kgoši*. All five members of the Fetakgomo organisation were called by a police official to enter the witness box to get ready for questioning by the prosecutor. Both Mokhine and Matlebjane were requested to enter the witness box as the ones who laid charges against members of the Fetakgomo organisation. Lepopote Makola, an attorney defending Makhuduthamaga, went to the prosecutor and both approached the magistrate on the bench.

A police officer who had arrested the Makhuduthamaga, Sergeant Vorster was called in to join them. After a few minutes, the Prosecutor informed all the accused and witnesses that the case has been withdrawn since the charge was the same as the one that the court has dealt with in a matter between witnesses (Mokhine and Matlebjane) and the accused (Tseke, Sepeke and Masehle). He further indicated that there was no other charge added to the one for which they

had been arrested. Therefore, the court could not deal with the same matter for the second time. The prosecutor then requested the accused to fetch their money for bail from the office of the Clerk of Court. On arrival, they requested Mathume Morwamotšatši who was the Clerk of Court, to repay their money in cash and not by cheque. Once they received their money, Makhuduthamaga left for Mphanama and agreed to inform the Fetakgomo organisation in Johannesburg about the situation (Moraswi, personal communication, 2011).

After realising that the community was continuing with their action with regard to not providing *lehlakore* and *sebege*, Ngwanamohube called upon the police in Mphanama. Ngwanamohube realised that to send people to open cases did not help her, until she ended up calling the police. It showed how Ngwanamohube decided to deal with people who were against her leadership in the community by interacting with the police.

When the police arrived, they looked for Tserere who was a member of the royal family. Tserere was the first born son of *Kgoši* Lobang III by his second wife and this made him to be the most senior ¹Mokgoma since there was no male issue from the first wife (*candle wife*). The police handcuffed him in the house of his grandmother Mpilo and [he] was beaten. The police told him that he was among those people who influenced members of the community not to provide *lehlakore* and *sebege* (royal tributes) to Ngwanamohube which was regarded as a gross violation of their tradition. When the police had finished with Tserere, they went out into the community to look for Sepeke Makomane who was also a member of the royal family (*mokgoma*) and was, at some stage, mandated to assist Ngwanamohube with the running of tribal matters. Just like Tserere, he was also tied to a tree in the royal centre and was beaten heavily. The police also told him that he was cooperating with Tserere to influence members of the community to act against Ngwanamohube. They were also told that the community was listening to them since they were members of the royal family (Morwakoma, personal communication, 2011).

¹ Mokgoma/Bakgoma & Mokgomana/Bakgomana = the close relatives of the chief who form the royal Cannal. They comprise the younger brothers of the chief.

After a month, the police came back to Mphanama and they looked for Tserere. They asked Tserere if he had not yet released people to bring royal tributes up to that time. This is an indication of the attitude of the police officials towards the Makhuduthamaga who equally were also not prepared to back down on their decisions. Tserere was beaten more severely than the previous time and had to be taken to the ²Jane Furse Hospital to receive treatment.

Rakgwale explained, “*Tserere o be a fela a mpotša a re, maburu ale a bile a nthaga dikgopo tše, gomme lerapo le lengwe le robegile, ke ka fao o bonago ke sa iketle*” (Tserere used to tell me that, those boers, they kicked me on the ribs and one of the bones was broken, that is why I don't feel well). It indicated how the police were treating people who were suspected of wrongdoing in the community and without any action taken against them because of their actions.

All along, as the police continued to punish Tserere, he would tell them that he was not responsible for anything and if the community did not want to contribute royal tributes to the royal centre (*mošate*), he should not be blamed for their actions. The incident made the community of Mphanama decide to join Fetakgomo organisation in great numbers and became card carrying members of an organisation that would fight for them against the white government.

During the absence of Ngwanamohube at Mphanama (from 1958) most of the functions were coordinated by Masehle as the leader. He was the son of Mahlopi from the ninth wife who was the most senior noble (*mokgoma*) at that time. When Ngwanamaohube came back to Mphanama (1962), Masehle continued to lead the community but only to those who were against the Bantu Authorities (*the Makhuduthamaga*) (Napyadi, personal communication, 2011).

Towards the end of 1962, a Ranger named Sepedi was requested by Ngwanamohube to invite community members to avail themselves at the *mošate*

² Jane Furse Hospital was the only hospital in the region at the time approximately 40 km from Mphanama.

(royal centre). Ngwato, personal communication, 2011 “*Gape Sepedi e be e le yo mongwe wa marengera a magolo mo Mphanama*” (Sepedi was one of the big Rangers in Mphanama). There were people within the community who were influential among the Rangers. Firstly, he went to Matšhatšha, since there was a considerable number of Rangers in the area. Matšhatšha is one of the villages under Mphanama, situated only 3 kilometres from the *mošate*.

When community members arrived at the *mošate* (the royal centre), they found the police, Department of Bantu Affairs (DBA) officials and Ngwanamohube waiting for them. At the time, when the royal centre was full to its capacity, Ngwanamohube who was assisted by some of the Rangers from within the royal family, such as Matlebjane, requested members of the community to listen to the officials. The community cooperated well with the officials and gave them an opportunity to explain the purpose of their visit to the Mphanama. The officials used the opportunity to explain to the community the advantages of accepting the Bantu Authorities (*boipušo*) (Bauba, personal communication, 2011).

Ngwanamohube, like other chiefs in Sekhukhuneland, was promised a number of things including a telephone, post office, school, a better salary and official recognition by the government (Delius, 1996:112). This indicated the strategies that were used by the officials to gain support of the communities and their chiefs.

During the meeting, Mabowe Sekhukhune, a staunch supporter of the Bantu Authorities and a brother of Ngwanamohube, was present. Mabowe Sekhukhune was one of the senior royal family members in Sekhukhune under the Acting Paramount Chief, Morwamotšhe. He was also influencing most chiefs and headmen in Sekhukhuneland to accept the Bantu Authorities. Mabowe Sekhukhune had already obtained a business licence and a side in the village where he managed to build himself a shop, since he had good relationships with the officials (Morithi, personal communication, 2011).

On the other hand, the community members (*Rangers*) who showed support for the officials were given food and blankets. It was explained clearly that those who

did not show support for the officials would not get access to food (*a bag of maize meal, oranges and bread*) and blankets. Morwakoma announced, *“Ba be ba tloge ba tiišitše ka ganong gore bao re sa ba thekgego ga re humane selo.”* (They were so serious that those who did not support them were not going to receive anything). Members of Fetakgomo referred to those blankets as *Kantapeile* (*Those that can be used by horses*). Informants asserted, *“Re tlogile re ba botša gore ga re di nyake.”* (We told them from the onset that we don’t want them). It indicated that members of the Fetakgomo organisation were never tempted by the food and blankets provided by the officials. The officials continued their support for the Rangers by providing thirty (30) sheets of corrugated iron to Mokhine Moroba Kgaphola, Motinyane Petswane Kgaphola and Ngwanamohube as assistance for them with regard to completing their houses that were still under construction (Nape, personal communication, 2011).

Every three weeks, Rangers were receiving food and blankets, which were delivered in big trucks in the community. Gobetse explained, *“Rena re be re duletše kua kgole re lebeletše fela.”* (We were sitting very far and watching only). The Makhuduthamaga were not interested and therefore distanced themselves from those who received food. Makhuduthamaga then called a truck that supplied all goods *“Ye pududu”* (The white car). Diphatše announced, *“Ba Mmušo ba be ba fela ba re botša gore re tlo ja mobu ka ge re sa kwane le bona.”* (The officials used to tell us that we would eat soil because we did not agree with them). It indicated that those who were not prepared to support the Bantu Authorities would continue to suffer by not receiving food. The Makhuduthamaga were not prepared to surrender since Fetakgomo was ready to support them at all times.

As time went on, tension developed among community members and also within the royal family as well. The Rangers (Marangera) were regarded as the sell-outs who wanted to give their forefathers’ land to the white government. Kgapyane explained that they were regarded as opportunists. This reflected the kind of tension that existed within the community. Fetakgomo organisation had its headquarters in Johannesburg and had representatives from Mphanama such as Lepopote Makola who was a migrant worker. Members of the Fetakgomo

organisation decided to leave the old royal centre (*mošate*) and established a new one not very far on the south, approximately 100m away.

When the Rangers continued to receive food and clothes, some members of the Makhuduthamaga withdrew from the organisation and joined them. As a result of that, the Fetakgomo suffered a serious loss of membership, which was also a cause for concern for the leadership of the organisation.

Many people who at first refused to accept Bantu Authorities such as Terry Mokhine and Seakwane Makomane were tempted by food and blankets and ended up supporting the Rangers. My informant, Phaahla, contended "*Bontšhi bja rena re ile ra nyama ge re e kwa gore bakgalabje bao ga ba sa na le rena.*" (Most of us were surprised to hear that those old men were no longer part of us). Eventually, even people who were trusted among the Makhuduthamaga left to join the Rangers as a result of the food parcels. Both Terry Mokhine and Seakwane Makomane were prosecuted at one stage for expressing their dissatisfaction with Ngwanamohube after she went to Pretoria with Lehlage Makanatleng. All (Mokhine and Makomane) were also involved with the other men in the removal of Ngwanamohube from the community in May 1959 after she came back to Mphanama (Hlapogadi, personal communication, 2011).

Ngwato explained that old men who were Rangers once came to his homestead and recruited him to join them or otherwise he would die of hunger. This indicated that the Rangers were encouraging people to join them with the purpose of receiving food to avoid the scourge of hunger. Some members of the Makhuduthamaga continued showing their support to the Fetakgomo organisation, indicating that it would be better to suffer from hunger than to accept the Bantu Authorities. Rangers also went around the community informing members of Makhuduthamaga that once they were defeated, all their cattle would be taken away and they would remain with nothing in their kraals.

People were informed that after conflict, they were going to suffer. These was an indication of the kind of threats that members of Makhuduthamaga received from

their opponents (the Rangers), the purpose being to discourage them not to proceed with their motive. From then onwards, the area of Mphanama was characterised by conflicts as a result of the implementation of the Bantu Authorities. The problem was also exacerbated by the fact that the community was led by two opposing chiefs namely, Masehle and Ngwanamohube, each with his or her own royal centre.

Masehle and his group (*Makhuduthamaga*) were unable to organise meetings freely since they were forced to hide themselves from the police for fear of arrest. Phaahla stated, *Rena, Makhuduthamaga re be re kopana kua dithabeng ka gore mo gae go be go le boima*. (We, the Makhuduthamaga, used to meet in the mountains because at home it was difficult). A group of men were appointed among the Rangers to guard the royal house of Ngwanamohube on a 24 hour basis. Officials were also afraid that members of Fetakgomo organisation would attack Ngwanamohube and therefore decided to protect her. This effort was to strengthen the support already given by the police officials. Ngwanamohube was also referred to as “*kgošana*” (small chief) ya Bothma by members of the Fetakgomo organisation. The word “*kgošana*” is mostly used when community members do not recognise the status of the reigning Chief or do not have respect for him (Moraswi, personal communication, 2011).

Informants reported, “*Gape re be re mmitša gore ke kgošana ka ge re be re sa mo nyake le gatee*.” (We were calling her a small chief because we did not want her at all). This reflected the kind of hatred that existed among some members of the community against Ngwanamohube. The name ³*kgošana* was also given to all the magoši (*chiefs*) who showed their support to the new regime in Sekhukhuneland and those who were promoted from headmen to chiefs (Delius, 1996:118).

The government continued its support for Ngwanamohube by providing funds to refurbish the royal centre which was in a state of collapse. The assistance was done through employment of members of the community (Rangers) who

³ *kgošana* = diminutive form of *kgoši*: *kgoši* + *ana* (diminutive) > *kgošana*.

collected stones for refurbishment purposes. Matlebjane was made a foreman for all the Rangers in Mphanama since he had received little education that enabled him to read and write. The Rangers were also employed by officials for levelling the roads and construction of small bridges around Mphanama. An amount of 30 cents was paid to all at the end of every month, until the end of construction (Diphatše, personal communication, 2011).

Only those who supported the officials had the advantage of being employed during construction, while those who were on the opposing side (*Makhuduthamaga*) were disadvantaged. Fetakgomo organisation suffered a major blow when most of its members joined the Rangers as a result of the benefits they received from the officials. Many people from communities such as Matšhatšha joined the Rangers in order to avoid hunger in their families due to famine (1960s).

As conflict continued between the two opposing groups, the police started terrorising members of the community who failed to support the Bantu Authorities (1960s). That was done by targeting those members of the community who appeared to influence others against the government. The leaders of the Fetakgomo organisation in the community were under pressure from the police. The operation by the police was made possible since they sought the assistance of former anti-Bantu Authorities supporters such as Terry Mokhine and Seakwane Makomane. These two and others were successful in leading the police to the house of Headman Kgobe from Matšhatšha whom they were able to arrest. Matšhatšha was one of the villages under the Mphanama Traditional Community. Manaleng was one of the community members who could influence others against the Bantu Authorities and was caught by the Rangers who were assisting both the police and the officials. The Rangers found him in his house where he was handcuffed and tied to the trunk of a tree in the mountains. He was left under the supervision of a few Rangers, while others went to the village to look for Kamele Lekola who was also an influential member of the Fetakgomo organisation within the community. Firstly, the Rangers went to a house where

traditional beer (*bjalwa bja setšo*) was served and they started drinking and enjoying themselves (Mmaswi, personal communication, 2011).

As the men were busy enjoying the traditional beer, one of the men told Diphatše Kgaphola that they were looking for Kamele Lekola. The Rangers had a plan to capture members of the community unawares. After a while, Diphatše went outside unnoticed and rushed to Kamele's house to inform him of a possible attack that was pending. Immediately after Kamele realised that he was being followed, he left the house and hid in the backyard between the mealie plants. The Rangers came but could not find him and they quickly went to the house of his *Nyatsi/Motlabo* (girlfriend) at GaMatšhatšha where he was also not found. Once their plan had failed, they went straight to the bush where their colleagues (*the Rangers*) were waiting for them. On arrival, Manaleng was untied from the tree and taken to the royal centre (*kraal*) (Hlabirwa, personal communication, 2011).

The arrest of all these people was made following allegations that they brewed traditional beer and failed to provide *lehlakore* and *sebege* (royal tributes) to Ngwanamohube who was recognised by the BAD officials. It is the Batau tradition that members of the community should provide the *lehlakore* and *sebege* (royal tributes) to the royal house when holding functions, rituals and weddings. The purpose is to inform the *mošate* about the function and also that if anything bad happened, community members would get the support of the Chief and his Council. Mönnig (1968: 164) reflects on how communities respected the institution of traditional leadership by providing sacrifices of each crop that ripens to the ancestors of the Chief and of the first beer that is brewed from the newly harvested sorghum. When (1960s) the Rangers and the police were busy collecting people who were suspected of transgressing their traditions, Thebeng Makanatleng, who was a member of the Fetakgomo organisation, informed members of his organisation about the incident.

Another group of Rangers went to the house of Mashego Makanatleng, a woman who vehemently opposed the Bantu Authorities, and arrested her. Among the

Batau, there were those who were relying on pastoral farming. Mashego was arrested because at one stage the Rangers who were working for the white officials were sent to find some lost cattle (*kgomo tša go thwalwa*) around Mphanama and one of them was found in her kraal. In Mphanama, the Rangers were also called the *Malangkana*, which means opportunists. They found a black female cow with a different mark to those of her cattle. The Batau had their traditional way of marking their livestock so that they were able to differentiate them from one another in case there was suspicion of theft.

According to the Batau, if one finds a cow grazing with his herds and it spends six months in his kraal, this must be reported to the royal centre. The practice was followed to protect one from being suspected of stealing a cow if she was found in his kraal. If a visit was to be made to one`s kraal he will be informed in time and the head of the *kgoro* will be made aware and will also be expected to accompany those who were sent to check the cattle in the kraal (Morwakoma, personal communication, 2010).

The cow that was found with Mashego Makanatleng`s herd belonged to Monampane from Mohlaletsi who agreed with Mashego to take care of it since it was lost and found grazing with her cattle. Monampane was informed of the arrest of Mashego and he immediately rushed to Mphanama where he met with members of the royal house to inform them about their agreement. Monampane explained to the heads of *mošate* (royal centre) that his cow was lost and at one stage a boy who was herding it, saw it with Mashego`s cattle while he was visiting a family at Mphanama and he reported the matter to him.

Ngwato explained “*Monampane o ile a re kgomo yeo e thwetšwe ke tšabo yona*” (Monampane said that “the cow was taken by its own cattle”). Monompane did not suspect that his cow had been stolen. After being told that his cow had been seen with Mashego Makanatleng`s cattle, he went to her and both agreed that it should remain with her until it gave birth. If it gives birth to a female calf, it would be for Mashego and if it is a male one it would be for Monampane. Just after Monampane`s intervention at the royal centre, Mashego Makanatleng was

released without any penalty against her. Others were arrested because they brewed traditional beer and failed to comply with the royal tribute obligations. The infiltration by the government to support Rangers took its toll in every domain of the lives of the people of Mphanama.

When everyone was released, Mashego Makanatleng was taken by her brothers who were staying with her at Makanatleng *kgoro*. Upon arrival at home, she told them that even though she had been released from the royal centre, her reference book (*Dom bass*) was confiscated by the officials. A dombass was the nickname for reference book that was used during those days (the 1960`s). Mashego`s brothers informed Makhuduthamaga about what had happened to their sister during her arrest (Bauba, personal communication, 2011).

In great numbers, the Makhuduthamaga decided to accompany her to the royal centre to fetch it. Immediately when the Rangers saw a large number of the Makhuduthamaga walking towards the royal centre and singing songs, they thought that their intention was to attack them. They thought that Makhuduthamaga were coming to fight and it was not like that. It showed that the Rangers were intimidated by the Makhuduthamaga who arrived in great numbers and were walking towards the royal centre.

During that period (1960s), there were Rangers from villages such as Matšhatšha and others from Chief Maloma around Schoonoord, who were called upon to support their colleagues in Mphanama. When the Rangers saw a large number of the Makhuduthamaga walking in the direction of the royal centre, they thought that their intention was to attack them. The Rangers immediately took out their sticks, axes and stones in preparation for an attack. The Makhuduthamaga then walked towards the royal house of Mpilo, the mother of *Kgoši* Lobang III (Napyadi, personal communication, 2011).

Upon arrival, they requested the Rangers to give them the reference book for Mashego Makanatleng which she left at the time when she was released from the royal centre. Within a short space of time, the royal centre was like a battlefield

as the two groups started fighting each other. The informants declared, “*Go be go na le lerengere le lengwe la gotšwa ka mo GaMaloma ba re ke Mpa tša kgomo; o ile a re hlolela kotsi tšatši leo.*” (There was a Ranger from GaMaloma called ‘Stomach of a cow’; he caused us trouble that day). It showed that since “the Rangers had solicited support from other tribes, some of them were dangerous to the community.

During (1960s) conflict between the two groups, a loud noise was heard among the protestors and *Mpa tša kgomo* (Stomach of a cow) opened fire and a man by the name of Segole Masweneng was hit by a bullet and fell to the ground. He was shot in his head as he ran away from an attack by the Rangers. It indicated that among the Rangers, there were those who were armed with guns to attack and defend themselves against their opponents.

When the Makhuduthamaga heard a gunshot, they all ran outside the royal centre and left Segole Masweneng who was lying on the ground. While he was still conscious, Mokhine Matlakaneng hit him with a knobkerrie (*petlwa*) while he lay dying on the ground. Nape recounted, “*O ile a mo tula hlogo ye, go etša mpja ge e swere mmutla, mong wa yona a o feleletša.*” (‘He hit him on the head like when a dog has caught a rabbit and the owner finished it off’). It showed how cruelly Mokhine killed Segole who could not defend himself and without showing any mercy to him.

A case was opened at Shoonoord against the Stomach of a cow and was later referred to Lydenburg. It showed that the case was firstly dealt with in a lower court and was later referred to the high court for judgement. A number of Rangers were also arrested after the killing of Segole Masweneng. All those who were arrested appeared briefly before the magistrate at Schoonoord. The incident took place between 1962 and 1965 during the time of Matladi regiment, which was under the leadership of Matšheng (Phogole, personal communication, 2011).

After the killing of Segole Masweneng, during their investigations, the police called upon members of the community at the royal centre and requested

assistance. The police requested members of the community who saw Segole being killed to provide information that would lead to the arrest of the perpetrator. Morwakoma 2011:10.20 "*Maketuketu Mahlatši o ile a emelela a re nna ke mmone.*" (Maketuketu Mahlatši stood up and said I saw him). It reflected the interest of community members in assisting the police to arrest those who were involved in the killing of Segole Masweneng.

Maketuketu further indicated that during the conflict when other people ran away, he was on the side of Madimong *kgoro* for hiding. This gave him an opportunity to view the conflict more clearly than those who were running in the other direction. Other members of the community told the police that they only saw Segole lying on the ground at the time when they were running out of the royal centre.

A meeting between the police and the community led to the arrest of *Mpa tša Kgomo* who was accused of killing Segole Masweneng. Maketuketu was the main witness in the Stomach of a Cow's case in Lydenburg. All members of the Fetakgomo organisation who were involved in a fight with the Rangers were present during the trial to provide information regarding the killing of Segole. Morwakoma remarked, "*Makhuduthamaga ba ile ba bolela gore bona ba be ba e ya go tšea pasa ya Mashego e sego golwa le motho ka letšatši leo la tlhaselo.*" ('Makhuduthamaga indicated that on the day of the attack they were going to collect a reference book for Mashego and not to fight against anyone'). It reflected what had transpired during the High Court proceedings between Makhuduthamaga and the Rangers at Lydenburg.

Mokotedi remarked, "*Go ile gwa šoma modu tšatši e le leo.*" (Traditional medicines worked on the day). Makhuduthamaga believed that traditional medicine would give them an advantage over their opponents (the Rangers) during court proceedings. Members of the Fetakgomo organisation were assisted by Solly Marei who was the owner of a hardware shop in the community to travel from Mphanama to Lydenburg with his truck. Makhuduthamaga held a meeting a few days before the date of the court hearing and all agreed to leave Mphanama at two o'clock in the morning (Diphatše, personal communication, 2011).

It was agreed that they would sprinkle traditional medicine on a bridge of the road that goes to Burgersfort from GaMalekana. It was believed the Rangers would use the road as they would be travelling to Lydenburg for a court case. The other plan was to arrive at Lydenburg around four o'clock in the morning before they were seen by people who would be going to the court. The purpose was to sprinkle traditional medicine at the road that led to the High Court and at the gates. Mokotedi explained, "*Ba be ba nyaka gore ba ditelege mo tseleng ya bona gomme ba fihle morago ga nako kua kgorong kgolo ya tsheko.*" (They wanted them to be delayed on the road so that they would arrive late at the High Court). Makhuduthamaga intended to use tricks during the High Court proceedings to defeat the Rangers who would not be available at that time and knowing that the judge would not wait for them if they were not available.

Upon arrival at Lydenburg (at 04h00 am), Solly Marei parked the truck very far (500m away) from the High Court buildings (1964) and Makhuduthamaga decided to walk so that they should not be seen by anyone around as they implemented their plan. When they approached the gate of the High Court, they took out traditional medicine and sprinkled it on the ground. Other medicines were sprinkled on the road that led towards the gate of the High Court. After completing the process, they went back to the truck and stayed there until sunrise (Diphatše, personal communication, 2011).

The court proceedings started at 09:00 in the morning and everyone involved in the case was called by name. Morwakoma explained that Masehle Kgaphola was the first to be called in and was ordered to come with his group of Makhuduthamaga. Mokhine Kgaphola was the second person to be called and was ordered to come forward with his group of Rangers. However, when his name was called, it was realised that he was not available and neither were the Rangers. Morwakoma declared, "*Pheko e berekile tšatši leo ke a go botša.*" ('I'm telling you, traditional muti worked that day'). Makhuduthamaga were ordered to enter the witness box and get ready to be questioned by the Judge.

Morwakoma further says “*O tsebe Tšatše ga a na nako ya go tlo emela motho a se gona mola a tsebile gore o swanetše go tla tshekong*” (You should know that the Judge does not have time to wait for a person who is not available if he/she knew that he was supposed to appear before the court). The Judge requested the Makhuduthamaga to explain what had led to the killing of Segole Masweneng by *Mpa tša Kgomo* at the royal centre. Ketuketu Mahlatši who saw everything on the day explained the whole situation regarding the death of Segole before the High Court. He told the High Court that the Makhuduthamaga were attacked immediately when they entered the royal centre while they were going to request a reference book for Mashego Makanatleng, which she had left behind at the time when she was arrested at the royal centre. He further told the court that the Makhuduthamaga were not carrying spears, knobkerries and sticks which could provoke anyone around (Hwaduba, personal communication, 2011).

He indicated to the court that the Rangers only started attacking them when they approached the gate (*kgoro*) of the royal centre and that was the time when *Mpa tša Kgomo* used his gun to shoot Segole Masweneng. After the gun shot, Makhuduthamaga ran away and Rangers chased them all over, some even went for hiding at Photosenyane Mountain. Morwakoma revealed, *Ketuketu o boditše Tšatše gore Mpa tša Kgomo o be a eme hleng ga mojako wa kgoro ge a tla thunya Segole*. (Ketuketu told the Judge that *Mpa tša Kgomo* was standing next to the gate of the royal centre when he shot Segole). The High Court was also told that at the time when Segole was lying on the ground, Mokhine Mathebe Matlakaneng hit him with a knobkerrie to finish off his life. The court proceedings on the day came to an end in the absence of the Rangers to provide any counter evidence against the Makhuduthamaga. The Makhuduthamaga were discharged from the case since there was nothing to implicate them with the killing of Segole Masweneng (Phaahla, personal communication, 2011).

Mokotedi explained furthermore, “*Tšatše o ile a tšwela pele le go sepela a se na taba le ge go be go thwe marangera ke bao ba fihlile*” (The Judge continued to leave even when it was announced that the Rangers had arrived). It was later

realised that the Rangers spent much of their time searching for the High Court since they did not know where it was situated.

The killing of Segole Masweneng frightened members of the community and supporters of the Fetakgomo organisation became angrier than before. Even if there were conflicts in the community, weapons were never used by any of the groups except when *Mpa tša Kgomo* killed one community member. Makhuduthamaga indicated that they could not listen to a woman instead they wanted a man to lead the tribe. Emotions were high after the killing of Segole as the community had never experienced such an incident before (Hlabirwa, personal communication, 2011).

My informant Ngwato intimated, “*Go be go na le nako yeo rena Makhuduthamaga re bego re fela re eya kua Sekinoto go botša maphodisa gore Marangera ba a re swenya mo gae fela go sa direge selo.*” (There were times when we Makhuduthamaga would go to Schoonoord to inform the police that the Rangers were giving us problems at home but nothing ever happened). This is an indication of the partiality displayed by the police officials.

After some weeks (1964), Mabowe Sekhukhune’s shop was boycotted and all members of Sebatakgomo decided to reject him since he was influencing people to support the Bantu Authorities (*boipušo*). Through his support for the officials, he got an opportunity to receive trading licenses all over Sekhukhuneland (Delius, 1996:110).

When all this happened, Tserere, the son of Kgoši Lobang III, was working in Johannesburg (Gauteng) (1964) and after some time he came back to Mphanama. One day as Diphatše Kgaphola, a member of the royal family (*mokgoma*) was walking around the royal house, he met with him and both went to the house of Tserere’s mother. On arrival, they found three women namely; Manneng Kawa, Makatane and Ngwanamohube drinking a traditional beer called *tšhentšhi* (eat and drink). Whenever this type of a traditional beer is prepared, there will be food ready because when people drink, they also eat. Both Tserere

and Diphatše Kgaphola were invited by the three women to join them and as they enjoyed their drinks, an exchange of words started among them.

However, conflict started among them as they were talking about Chief Mahlopi who had died some years back. Diphatše became angry with the three women and he said to Manneng “*Ngwana wa Moroto wa Bjalwa, o tseba Mahlopi wena?*” (A child of urine of a beer, do you know Mahlopi yourself?) and to Makatane “*Mmago o hwile a sa bone, e be e se motho, Moka tena! O be a e ja Maotlelwana a dimpyanyana.*” (Your mother died being blind; she was not a human being, woo, she was eating small puppies”). Diphatše wanted to indicate that the mother of Manneng was an alcoholic and as such she got impregnated during her visit to a liquor bar and that was how she (*Manneng*) was born. He also wanted to indicate that though Makatane`s mother was blind, she had a bad heart and suffered from hunger until her death. Tserere interfered and ordered Diphatše not to fight and make noise with the women and in the end, he cooperated (Morwakoma, personal communication, 2011).

After sometime, Diphatše went outside the house and left Tserere with the three women still drinking beer. Immediately after his departure, Tserere and the three women went to Ngwanamohube`s house and continued to drink beer there. Gobetse explained, “*Ga se ba fetša ga botse gona kua lapeng la Mohumagadi.*” (They did not finish well in the house of the candle wife). He wanted to indicate that something unprecedented happened while they were enjoying themselves.

A war of words between Tserere and Ngwanamohube started for the second time. Ngwanamohube told Tserere that he would not see the coming Christmas. She wanted to tell Tserere that he would be buried before Christmas (1964). Just after Tserere was told those words, he became angry but did not say anything and he left Ngwanamohube`s house immediately. This incident occurred around September 1964 and Tserere did not show any sign of planning to revenge himself against Ngwanamohube.

Immediately after the incident (September 1964), Tserere informed some senior members of the royal family (that Ngwanamohube told him that he will not be seeing the upcoming Christmas) including Masehle who was leading a faction that supported the Fetakgomo organisation in the community. Members of the Fetakgomo organisation suggested that a decision should be taken not to pay a visit to the families of the Rangers but it was rejected immediately by others within the organisation. The decision was seen to be divisive and it was thought that since the community was fighting over government matters while they were relatives, they should continue visiting each other. Young men and women were also allowed to marry from any family irrespective of who they supported within the community (Hlapogadi, personal communication, 2011).

Ngwato explained, “*Ge ke nyadiša ke bitša morwarre go tlo rera molato le ge e le wa sehlopa se se ngwe mo motseng.*” (When I have got a wedding, I call upon my brother to facilitate even if he belongs to the other group in the community). This reflected that brothers and sisters continued their family relationship without considering their differences with regard to community matters. All the friends and relatives were invited to weddings and would be welcomed as usual. There would always be a book where families from each *kgoro* were registered to mark their presence and this was in line with the Batau custom.

During funerals, both the Marangera and Makhuduthamaga were able to assist each other as usual without considering their political affiliations. Burial societies never broke up as a result of its members belonging to two opposing groups in the community. *Diphiri* (grave diggers) also continued working together as if nothing was happening in the community. The *diphiri* (grave diggers) are men who dig graves whenever there is a death of a community member. The community continued to bury the deceased in the same graveyard. People from different churches continued their business without any difficulties (Mmaswi, personal communication, 2011).

Phaswane commented, “*Ge re le kua madišong, tšeo tša Makhuduthamaga le Borangera di be sa šetšwe, di be di direga kua motseng ge re kgobokane.*”

(When we were herding livestock, the issue of the Makhuduthamaga and the Rangers were not considered. This issue only mattered in the community when we were in a group). It showed that members of the community were assisting each other in family matters irrespective of conflicts that existed within.

To summarise: Conflict between both the Makhuduthamaga and the Rangers which gained momentum as a result of government intervention led to the death of some community members around Manganeng of Kgoši Phaswane. Some chiefs in Sekhukhuneland were anti-government (Makhuduthamaga) while others were pro-government (Rangers). The Mphanama community was affected by conflict between both the Makhuduthamaga and Rangers which was caused by disagreement from the royal family regarding leadership.

3.6 Attack and killing of the Regent (*Moswarela-ngwana*)

Around July 1964, the community of Mphanama was characterised by conflicts as members of both the Rangers and the Fetakgomo organisation opposed each other. Police officials were always seen moving around Mphanama to keep a watchful eye on the situation surrounding *Kgošigadi* Ngwanamohube and her supporters (*Marengere*) (Hlabirwa, personal communication, 2011). It was during the time when headmen were promised to be elevated to positions of chiefs and to receive salaries should they accept the Agricultural Betterment and Bantu Authorities. The idea was spread all over Sekhukhuneland, and most of them were left confused not knowing which direction they should follow. My informant Nape related, “*O tsebe gore ka nako yeo e be e šetše e le se mphete ke go fete mo bopedi.*” (You must know that during that time it was a case of don’t pass me I will pass you, here in Sekhukhuneland’). It indicated that during this period the area of Sekhukhuneland was characterised by unrest.

Some police officials were also given names by the community such as that of a white policeman (Sergeant Vorster) who was dubbed Mantšhwahleng and he also called himself Segata Mmetlwa. The word “Mantšhwahleng” is used mostly when people are at war with one another and everyone makes sure that he does

not allow an opponent to pass through. Its application here indicates that the police official was dedicated to his work and that he could do everything to ensure he arrested anyone who was wrong.

In September 1964, a community member by the name of Seakwane Kgaphola, brewed (*hlotla*) traditional beer and called his friends, Bošego Matlala, Kgapana Makola (*pholo ye ntsho*) and Maditsi Phasha who was a school principal in the community (Phaahla, personal communication, 2011). As the people enjoyed themselves, a war of words erupted between Ngwanamohube and Seakwane Kgaphola. The conflict between the two was settled amicably by Kgapana Makola, a member of the community and others who were present in the house and the mood went on without any problems.

After a while, a loud noise arose from among the crowd and this time onwards, there was a problem between Ngwanamohube and Tserere. They started exchanging words in front of people and Ngwanamohube retorted, “*O tšhaba go yo šoma Mabaleng, Maburu a nyaka batho, se mofe Mankgware yo we, Nna megaba ye megolo ke a e tumula ka foša kua, wena o le segabjana o ka mpalela.*” (You don’t want go to work at Marble Hall; the boers want people, don’t give him those matches, I had thrown away adults, you are still young, you won’t be difficult to me). She wanted to indicate that Tserere was too lazy to work; he just stayed at home and depended on other people for a living. Furthermore, that even if the two of them were to fight, Tserere would not win since he was still young.

Tserere fought back and replied, “*Ga ke bolabole le Mapulana a ga Tšhiloane, ke bolabola le bo Tatane šeba, o hlokomele Segabjana se se seke sa go bolaya.*” (I don’t talk with the Chiloane’s, I’m talking to my fathers, here are they, be careful that this small boy must not kill you). He wanted to indicate that Ngwanamohube was from a foreign place and that he did not talk to such people. Furthermore, even if he is young he can kill her (*Ngwanamohube*). Seakwane Kgaphola stood up and tried to defuse the situation. Immediately after the incident, Tserere went outside and left for his home (Bauba, personal communication, 2011:11.20).

When he arrived home, he immediately planned for an attack on Ngwanamohube and later that night, he went to her house. Nareadi explained “*O be a tloga a kwatile Mmaswi wa Phahlane tšatši e le leo.*” (He was so angry, Mmaswi the son of Phahlane on that day). It indicated how furious he was after that incident. Mmaswi is a Batau name given to a man to show respect to him and the expression “Mmaswi wa Phahlane,” means Mmaswi (*Tserere*) is the son of Phahlane. Immediately after Tserere had arrived in the house, he found Ngwanamohube`s assistant, Fikara Lekwankwe Mmela whom she had instructed to keep quiet while implementing his plan. Informants announced, “*O tle o tsebe gore ngwananyana yoo wa mofepi o ile a tšhoga la go šiiša ge a bona lerumo ka mahlo.*” (“You should know that, the little girl of the assistant was frightened when she saw a spear with her own eyes”). It reflected a terrifying moment in which Fikara Lekwankwe found herself, during the time when Tserere attacked Ngwanamohube. Therefore, he took his spear out, went straight to her hut quietly and killed Ngwanamohube in her sleep (26 November 1964). Just after he had killed her, Fikara ran to the other royal houses to inform people about the incident and how it happened (Morwakoma, personal communication, 2011).

Members of the community could not believe what had happened that night. The incident was reported to the police who came late during the day and arrested Tserere. The community was surprised by what Tserere did to Ngwanamohube and also that an incident of that kind, had occurred for the first time within the royal centre, by a member of the royal family. Tserere knew very well that he would soon be prosecuted for what he had done and in the morning he told members of the royal family that, if police came they should tell them that he had gone to his father`s sister (*rakgadi*) Sejabanna who was married by the Tladi family in the community (Morwakoma, personal communication, 2011).

The police found him close to the royal centre, under a tree, wearing black trousers and a white shirt. After he came back from his father`s sister, Tserere had already isolated himself from everyone after he had killed Ngwanamohube.

He was then taken to the Mašišing (*Lydenburg*) Police Station for the trial in 1965. The whole village of Mphanama was patrolled by the police in the coming weeks to ensure safety for members of the community to prevent further killings. The matter was later referred to a higher level, which was the High Court in Lydenburg.

Some members of the royal family and the community in particular, the Rangers, were in a state of shock for some weeks after the killing, for something they had not expected to happen. Others could not believe that Ngwanamohube had died a horrible death, while on the other hand, members of the Fetakgomo organisation saw that as a victory for them. Since the Rangers were limited in number around Mphanama, they were unable to launch an attack against members of the Fetakgomo organisation; their only hope was the police, for protection. Mokotedi reported, "*Rena Makhuduthamaga re be re tlala seatla, bjale re be re ka se tšhošwe ke Marangera le ga tee.*" ('We the Makhuduthamaga were many so we could not be frightened by the Rangers, not once). Even if 'the Rangers were angry about the killing of Ngwanamohube, they could not plan to take revenge since they were limited in numbers'.

Their only fear was that they could also be attacked just like Ngwanamohube and die with all their children without any assistance. Moremadi commented, "*Ba be ba šetše ba re tšhoga le ge ba re bona re sepela fela mo motseng.*" (They already feared us even when they saw us walking in the community). It reflected the kind of fear that was eminent among the Rangers in Mphanama after the killing of Ngwanamohube.

After the incident had occurred, members of the Fetakgomo organisation in Mphanama wrote a letter to Khuduthamaga in Johannesburg and Pretoria to inform them of the date of the trial, which was in June 1965. Borwa was a term commonly used by the Batau to refer to both Pretoria and Johannesburg in the past, which is today known as the Gauteng Province. After receiving information about the arrest of Tserere, Khuduthamaga took a decision to request donations from members of the organisation to assist him during the trial. All members of

the organisation both in Pretoria and Johannesburg were requested to contribute R10.00, while at Mphanama, each member was expected to pay R2.00 (Hlabirwa, personal communication, 2011).

Diphatše reported, “*Go be go befile, sa rena e be ele go šoma ka thata, go ntšha yo kgoši ya Mabjana kotsing.*” (It was difficult; ours was to work hard to take the Chief of Mabjana out of trouble). It reflected the passion Makhuduthamaga had to assist Tserere during his trial. According to the Batau tradition, a person who leads the initiates during an initiation school is regarded as the Chief (*kgoši*) of that regiment. Therefore, Tserere is referred to as *Kgoši ya Mabjana* (Chief of Mabjana) because he led the regiment during the initiation school in 1946.

After all the contributions, a receipt was issued to each member as proof of payment. Phogole explained that he had paid R2.00 while he was still at Mphanama but when he arrived in Johannesburg, he showed his receipt to Khuduthamaga and was requested to pay R8.00. He was later issued with a card to prove that he had completed all his payment to an amount of R10.00 to Fetakgomo organisation. Its card was blue outside, white inside, displaying a black cow and was hard like those in the mines. He further indicated that he still had the card to date unfortunately he forgot where he had placed it, but also suspected that his two boys might have misplaced it.

At Mphanama, all contributions of Fetakgomo organisation were collected by Kgolane who was coming from Maroteng (*Mohlaletsi*) and Tlanke from *Madibaneng* on a monthly basis. They would always send invitations to members of the Fetakgomo organisation in Mphanama to come and get their financial books in order on a specific date (Mohlamme, personal communication, 2011).

After some time, Magoshi Marishane, who was working in Johannesburg came home to spend some days with his family (1965). At the time when he went back, a message was given to him to inform Khuduthamaga in Johannesburg. This was a common exercise among members of Fetakgomo organisation to keep each

other informed of the situation in Mphanama. During that time, the post was taking long to deliver messages; therefore, they trusted the migrants. It indicated the delay was caused by the post office to deliver messages from one place to the other in the 1960s.

Mashego Marišane was expected to narrate the situation at Mphanama to Khuduthamaga and also to inform them of the date of trial which was to be on 07 June 1965. When he arrived in Johannesburg, no one knew what had happened to Mashego Marišane since he did not give the correct date of the trial. He informed the Khuduthamaga that the date of trial was 16 June 1965 and this made members of the Khuduthamaga from Johannesburg not to be available on the correct date set by the High Court. An enquiry was later made to the Fetakgomo organisation in Johannesburg to find out why their attorneys had not been present during the trial as expected. It was subsequently discovered that the executive committee was misinformed about the date of the trial, hence there was no representation available. Members of the Fetakgomo in Johannesburg, particularly those in the hostels such as Jeppe and Denvor were requested to wake up one night by representatives of the Khuduthamaga who had travelled there by car. Morwakoma pointed out, *“Re bile ra makatšwa ke ge dikoloi di tsene ka gare ga kampa bošego ka bo iri ya lesome, di re, po poo, poo.”* (We were surprised when cars entered the camp and hooting Po, poo poo!). It reflected that something unusual had happened in the hostels that caught many people by surprise.

An announcement was made over a loudspeaker by Kgolane and Tlanke (members of the *Khuduthamaga*) and all the men from Bopedi (*Sekhukhuneland*) who belonged to the Fetakgomo organisation were requested to come and hear news from Mphanama. Morwakoma further explained, *“Kgolane o itše a re bapedi, bapedi, mabothele, mabothele, tšhekong, tšhekong, lena le ntšhago tšhelete ya Fetakgomo.”* (Kgolane said Bapedi, Bapedi, come together, come together, we are going to court, all those who pay membership fees as part of the Fetakgomo organisation). It was clear that members of Fetakgomo organisation were well organised in the hostels such that, if there was something urgent they

could wake up in the middle of the night and hold a meeting (June 1965). The expression “*Fetakgomo o sware motho*” (leave a cow and catch a person) (Delius, 1996: 114) means that it is important to protect a human being at the expense of an animal.

When men from Bopedi (*Sekhukhuneland*) left their rooms to approach the vehicle from where the announcement had come, Kgarihle Mmako (*Member of Khuduthamaga*) requested that Thebeng Makanatleng and Morwaswi who were all residing in the hostel be called in to assist with the registration. A four man delegation that arrived in a car could not cope with the work as expected; hence, they requested assistance from Thebeng Makanatleng and Morwaswi. A meeting was therefore held in the kitchen of one of the hostels (*Jepepe*). It was difficult then. We were forced to hide, because if they found us, our homes were in the mountains (they will be in trouble).

During the meeting, members of Fetakgomo organisation were told that Tserere had been sentenced to twelve years in jail and the only option left for them would be to appeal against the decision of the court within a prescribed period. Morwakoma declared, “*Se se ile sa re makatša, fela go be go se seo re ka se dirago, se se šetšego e be e le go lwela yo kgoši ya Mabjana.*” (This surprised us, but there was nothing we could do, the only thing left, was to fight for the Chief of Mabjana). This reflected the difficult situation in which the Makhuduthamaga found themselves after hearing the news about the verdict by the court regarding Tserere (Gobetse, personal communication, 2011).

A request was also made that those who had not made their membership payments should do so quickly so that it could be easier to secure legal representation in advance. Moraswi, a man from Madibong, opened a register during the meeting to allow those who want to do payment an opportunity to finish and receive their cards. While he was busy registering people, Thebeng Makanatleng a man from Makubung *kgoro* was, on the other hand, calculating funds that were contributed during that night.

Once they finished with the registration, representation of Khuduthamaga expanded to other Hostels (*Denver*) around to do the same function. Morwakoma says “*Maloko a Fetakgomo a be a phatlaletše gohle kua borwa*” (Members of the Fetakgomo organisation were scattered all over in the South). Fetakgomo organisation enjoyed much support in Gauteng particularly from the Bapedi people.

The court date was set for 25 June 1965 and Tserere was represented by Mr Circuit from Shulamith Muller`s firm. A day before his court appearance, members of Fetakgomo organisation in the hostels were called to a meeting where they were informed about those who had been identified to accompany the attorneys to Lydenburg. His sentence was reduced to 7 (*seven*) years` imprisonment. Tserere spent his jail sentence at Lydenburg prison and returned back to Mphanama after seven years as anticipated by members of Fetakgomo and the community at large (Gobetse, personal communication, 2011).

Immediately after the death of Ngwanamohube in September 1964, Matlebjane was inaugurated as Acting Chief by some members of the royal family to lead another part of the tribe (*marengere*) but he was never officially recognised by the government. Members of the Fetakgomo organisation referred to Matlebjane as Kgošana ya Bothma (*chief of Bothma*). The expression “*Dikgoši tša Bothma*” (Bothma`s chiefs) refer to those chiefs who were pro-government or those whose status had been upgraded from headman to chief (Delius, 1996:118). He was assisted by his half-brother Motodi, from the third wife of Kgoši Lobang III.

The two brothers were staunch supporters of the Bantu Authorities. Moremadi explained, “*Bakgalabje bao ba be ba šomišana kudu kgahlanong le Makhuduthamaga.*” (“Those old men were cooperating well against the Makhuduthamaga”). It showed that the cooperation between the two old men posed a serious threat to the operations of Fetakgomo organisation in the community. They would always go around Mphanama influencing members of the community to support the government. At a certain stage, both were involved in a fierce fight over the position of leadership of the community. It showed that

people will always fight for positions even if they were friends as a result of potential personal gains and this type of a situation was common in Sekhukhuneland.

The fight between the two brothers started when Matlebjane was found building a house for his wife and Motodi was not happy with that. Motodi indicated that he also wanted to erect a house just where Matlebjane was building because the stand belonged to him. Matlebjane left the stand (*setsha*) and got another one just next to Mabowe Sekhukhune`s shop where he did not live long before he died. Members of the community were surprised by his death which occurred after he relocated to a new site and suspected witchcraft.

Immediately after the death of Matlebjane, Motodi was inaugurated as *kgoši* by some members of the royal family to lead the Rangers. During those years, old age pensions were paid at the old royal centre (*mošate*) by government officials on specified dates. Motodi as a leader for the Rangers decided that all members of the Fetakgomo organisation should pay an amount of R2.00 each time after receiving his/her pension. The reason for that was that the Rangers built a new office and refurbished the old royal centre in the absence of the Makhuduthamaga. Therefore, this amount was charged as a penalty for being absent during construction.

Motodi used to sit on a chair with a book and when a pensioner had received his money from the officials, he would walk towards him to pay R2.00. It indicated the oppression that members of the Fetakgomo organisation experienced during the leadership of Motodi, who enjoyed the support of government officials. After realising that their members were oppressed by Motodi, the Fetakgomo organisation sent Tseke Makomane and Marogwe Mmako to Schoonoord to inform the officials of what was taking place in Mphanama (Morwakoma, personal communication, 2011).

The two were immediately given a letter, which was directed to Motodi regarding his conduct in the community during pension payouts. After receiving a letter from government officials, he desisted from demanding money from the aged.

3.7 Conclusion

Immediately after the arrest of Tserere and some members of the Makhuduthamaga in June 1965, there was uneasiness in the community for some years. This situation left the royal house divided and there was no co-operation among them. Royal family meetings were not easy to organise as a result of tension created by the killing of Ngwanamohube within the royal house. The Makhuduthamaga had to arrange their meetings during the night in the mountains for fear of arrests by the police. This situation made it difficult for them to regroup as they were not allowed to meet within the community and also that their leader was arrested. Police officials were always patrolling the community and this made it difficult for members of the Makhuduthamaga and the Rangers to fight.

The situation in Mphanama came as a reaction to Bantu Authorities, Native Affairs, Bothma and the distrust in Native/Bantu Affairs. Some community members were loyal and others not hence the schism (Fetakgomo & Rangers). The situation resulted in civil war in the community. This situation polarised the entire community which also caused death. Some community members sided with government, others with the African National Congress (ANC). It split chieftainship (*bogoši*) into two at a time when the *bogoši* was supposed to help the people. Since then two chiefs (Motodi and Masehle) ruled the community of Mphanama. Ritual institutions such as *bjale* and *koma* were also affected by the division that existed in the community.

Coercion and morality were used by government officials as mechanisms for social control. The community is always expected to comply with the rules of conduct, settle disputes, and abide by the rules of court settlement. Failure to comply with the rules of social control undermines the social order. Sometimes

such failures are often met with the imposition of fines and are condemned by the community at large. The need to settle disputes is necessary and this is motivated by the fact that the community is involved in an ongoing social and economic relationships.

CHAPTER 4

CHIEFLY DISPUTES AND SCHISM IN MPHANAMA

4.1 Introduction: The origin of the dispute

After the death of *Kgoši* Lobang III on 24 November 1954, the community of Mphanama started to experience leadership challenges. During his reign, the community of Mphanama had married a candle wife (*masetšhaba*) by the name of Ngwanamohube from the Sekhukhune royals of the Bapedi in Mholaetsi. Ngwanamohube was the daughter of Phatudi Sekhukhune, a senior member of the royal family of Sekhukhune. When *Kgoši* Lobang III died, he had only two daughters from the candle wife, namely; Mantlatle and Sekgopetsane (Gobetse, personal communication, 2011). The community of Mphanama became divided into two groups as a result of chieftainship dispute with the one group favouring Masehle (son of Diphatše), mostly by members of the royal family; and others on the side of ⁴Kgapwane. After the royal family (*consisting of the bakgoma and bakgomana*) had failed to agree on who should succeed *Kgoši* Lobang III, they decided to refer the matter to the elders of the tribe for assistance. During a *kgoro* (meeting), the elders of the tribe indicated that it was impossible for Masehle to lead the tribe while his mother was ranked ninth from the wives of Mahlopi.

Informants reported, “*Go ile gwa kwagala lešata le legolo ka kua lapeng la mošate ge banna ba le kgorong*” (A loud noise was heard from the royal house while men were still in the meeting). It showed that something unheard of before happened in the royal house that attracted the Batau men while their meeting was continuing. A messenger (*motseta*) was sent to find out what had gone wrong in the royal house and upon his arrival, he found that women had already heard the decision that the elders were about to take regarding the leadership position. Members of the royal family mostly daughters (*dikgadi*) of the previous chiefs were in favour of Masehle to lead the community of Mphanama.

Mpilo, the mother of *Kgoši* Lobang III together with her children were also in favour of Masehle taking over the leadership of the community of Mphanama and

⁴Kgapwane: is the son of Moroba and was appointed as Acting *Kgoši* shortly after the death of chief Lobang III. His leadership did not last long since he met his death (1956) after a short illness.

she was seen as the leader of the group that supported him. When the messenger came back from the royal house he informed the Batau men (*The bakgoma and elders of the tribe*) at the royal centre what he had found. A decision was immediately taken to refer the matter to the Pedi kingdom of Mohlaletsi from where both Mpilo and Ngwanamohube hailed. The Batau men took a decision with the purpose of resolving the dispute that became inevitable. Most tribes in Bopedi recognise the status of the Sekhukhune Paramountcy and when they have chieftainship disputes they would be approached for advice hoping to resolve their differences (Gobetse, personal communication, 2011).

Mpilo (*the candle wife*) was mostly supported by women within the royal family who feared that if Kgapyane can be enthroned as *Kgoši*, her descendants will never be given an opportunity to rule the tribe. The community and most of the senior members of the royal family were supporting Kgapyane for the leadership position. A messenger (*motseta*) was sent to Mohlaletsi to inform the Sekhukhune royals about a dispute of succession that arose in Mphanama of which one group was led by Mpilo. A date for a meeting with the Sekhukhune royals was also given to the messenger for their preparation. Immediately after receiving the message, the Sekhukhune royals agreed with the dates (February 1955) of the meeting as proposed by the Batau.

The community of Mphanama started gathering at the Mabogwana *kgoro*, which was headed by Leseilane. Leseilane was the one who received messages from other *dikgoro* and visitors before they could be referred to Makweng *kgoro*. Upon arrival at the Makweng *kgoro*, the Batau were then referred to Tjate the capital of Sekhukhuneland. Some members of the Makweng *kgoro* accompanied the Batau to the capital Tjate during their meeting. The meeting started at 09h00 in the morning at the royal house of Sekhukhune. The reason for holding a meeting in the royal house was because there were women who could not be allowed to enter the royal centre (Hunadi, personal communication, 2011).

Morwakoma explained “*Go ile gwa fihla nako ya gore re lebaganywe le Kgobalala yoo a bego a etile pele ka nako yeo*” (The time to face Kgobalala who was the leader during that period arrived). These indicated that Kgobalala was the one

who was supposed to take a decision on their matter. Leseilane then presented the community of Mphanama to the Sekhukhune royals and he was followed by Tseke Sekhukhune the son of Makotonyane who was one of the senior nobles (*bakgoma and bakgomana*) within the royal family.

Ngwato explained “*Ba mošate wa Bapedi ba ile ba kgopela Batau go tšweletša mabaka a bona gore ditaba di thome*” (The Sekhukhune royals requested the Batau to present their case for the discussion to start). Mpilo, the mother of the late *Kgoši* Lobang III, started the presentation on behalf of her group (February 1955). Mpilo indicated that she was fighting with her children over the leadership of the tribe after the death of her child Lobang III. She regarded the Batau men and women as her children since she was old and most people of her age group in the community had passed on. She went on to say “*Bana ba, ge ke bea sokwa, ba bea šeleng*” (When I save 5 cents, these children save 10 cents). This implied that she expected Masehle to rule while the community wanted Kgabyane; accordingly, they could not reach an agreement about who should be enthroned as the *kgoši*.

Mpilo went further and indicated that the Batau should accept what she wanted and not disagree with her on leadership matters. She told the Sekhukhune royals that the leadership of Mphanama rested on her and nobody else. When she had finished with the presentation, Ngwanamohube followed her. Ngwanamohube indicated that if Masehle did not rule, the Batau should know that if Kgapyane was to be enthroned, he could not have sex with her (*a ka se ntšhigele*). According to the Batau custom, if they marry a candle wife for the reigning chief and he dies before an heir apparent is born; the one to be enthroned after his death will be allowed to enter the house of the candle wife. This practice is called “*go tsenela*.”

Ngwanamohube went ahead and said “*Ge Kgapyane a ka tšea bogoši, gona kgohu e ka boela ka kgopeng*” (If Kgapyane takes the chieftainship over, the snail will go back to its shell). She wanted to indicate that if Kgapyane was to be enthroned, Mpilo’s children would no longer be given an opportunity to reign. She

said this because Mpilo, who was her aunt, was married as a candle wife by the community of Mphanama. Customarily, Lobang III was not supposed to have been enthroned, instead Kgapyane could have been appointed to lead the tribe. Ngwanamohube indicated that if Kgapyane were to lead the tribe, both Mpilo and she would not receive royal tributes (*dibego*) and fines (*mangangahlaa*) to which they were entitled (Mokotedi, personal communication, 2011).

When she had concluded her presentation, Leseilane asked Tseke if he could allow the other group to give their side of the story. Tseke Sekhukhune told Leseilane to allow someone from Mpilo`s group to provide a better motivation. Tserere, who was on the side of his grandmother, Mpilo, was given a chance to voice his concerns. He indicated that if Kgapyane were enthroned, he would gather all his father`s wives and migrate to a place very far from Mphanama. While Tserere was still standing, Kgapyane got up and said all the wives to which he was referring, belonged to him. Kgapyane further told Tserere to marry his own wife and not to talk about his wives. He added that he could move away with his own wife but not those who belong to him (*Kgapyane*).

After Tserere had spoken, Leseilane allowed the other group to present their concerns before the Sekhukhune royals. All those who were given a chance to talk gave their reasons for identifying Kgapyane to assume the leadership position of the tribe. Some members of the royal family indicated that within the royal house there was no one more senior than Kgapyane. It was further indicated that even Lobang III was not older than Kgapyane, the grandson of Mahlopi. It transpired that a mistake was made by the younger brother of Kgapyane`s father (*rangwane*) Makomane, during the initiation school (*koma*). When rank was determined, he wrongfully placed Mahlopi above Kgapyane. This mistake led to Lobang III being enthroned as *kgoši* instead of Kgapyane (Morwakoma, personal communication, 2011).

It was indicated that the Batau had in the past identified Mpilo as a candidate to be married as a candle wife to Mahlopi but that did not happen. Mahlopi only married Mpilo as his love wife (*mosadi wa lerato*). Importantly, members of the

community at large did not contribute anything towards her marriage. All the senior nobles (*bakgoma and bakgomana*) and the community supported Kgapyane as a contender for the chieftainship position of Mphanama. During the presentation by the community, Tseke Makomane from Mphanama referred to a proverb that says, “*A re tsebe ka gore lebabu le tswala mmologolo,*” which means that if Masehle ruled, it could either be that Kgapyane had decided to withdraw his availability for the chieftainship position.

During presentations by both groups, Kgobalala, the Acting Paramount Chief of Sekhukhune was quiet but listening carefully. Leseilane asked Tseke Sekhukhune to request the Paramount Chief to make a decision on the matter since both conflicting parties had concluded their presentations. Phaahla explained “*Kgobalala o ile a emelela a re tameng bapedi, ka moka ra re: Hlabirwa!*” (Kgobalala stood up and said, Greetings Bapedi, all of us we said: Hlabirwa!). This reflected how communities showed their respect to the Paramountcy during gatherings.

Kgobalala, the acting Paramount Chief first asked a question “*Ke mang a beelwago Poo ka šakeng la gagwe*” (Who allows someone to put a bull in his kraal?). He wanted to indicate that the Batau have the right to decide on who should succeed in terms of their custom but not Mpilo and her children. Kgobalala further asked if the Batau recalled a proverb that says “*Tša etwa ke ye tshadi pele di wela ka nokeng ka dihlako tša tšona*” (if they are led by a female, they will fall into a river with their shoes). This proverb indicates that wherever a woman is in charge, things do not go well. He told the meeting that even if Mpilo and Ngwanamohube came from Sekhukhune, it was not the custom of the Batau to allow women to take decisions on behalf of men. Therefore, the Bapedi would also not agree with them on the matter. He went on to say that even at Maroteng (*Mohlaetsi*), women were not allowed to participate in decision-making that involved chieftainship issues (Morwakoma, personal communication, 2011).

In the end, Kgobalala indicated that the matter should be finalised and that the decision of *bakgoma and bakgomana* and the community of Mphanama

regarding appointing Kgapyane as the *kgoši* was correct and the Sekhukhune royals accepted it. To show that Mpilo, Ngwanamohube and other women within the royal centre of Mphanama were wrong concerning the identification of Masehle as Chief, they were only supported by one man namely, Tserere, who was their son. Kgobalala told everybody present that if the Bapedi allowed women to infiltrate Mphanama, in future the Batau would return and request them to follow the same route. The meeting was then dispersed and the Batau were requested to go back to the Makweng “*kgoro*” to enjoy their prepared food before they left for Mphanama.

Only three sheep and three goats were slaughtered for the community of Mphanama on that day (February 1955). Traditional beer was also served to members of the community who enjoyed it. When members of the community arrived at Mphanama, everyone accepted the leadership of Kgapyane as *Kgoši* (February 1955).

Immediately after his inauguration as *Kgoši*, Kgapyane told the elders of the tribe that he wanted to go back to Johannesburg, to resign where he was employed as a labourer. He was allowed to do that and the Batau regarded that as a good idea if he decided to part ways with his employer in good faith. When he first started leading the community, he told the elders that for cases that would be heard at the royal centre, all fines paid by wrong doers would be taken to the royal house of Ngwanamohube. He told the elders that, this was because Ngwanamohube was married by the community as such she deserves everything including royal tributes (*dibego*). Kgapyane did not regard himself as a chief as such he decided not to take anything that came from the community to the royal house (Morwakoma, personal communication, 2011).

He also told the elders of the tribe that they had failed to implement the Batau customary practices because, according to him, Ngwanamohube was supposed to have been married in his name. Furthermore, he told them that a mistake was made by marrying Ngwanamohube for Lobang III who was not supposed to be a chief (*kgoši*). One month after the appointment of Kgapyane, the tribe decided to

inaugurate him officially as chief of the tribe (March 1955). All the chiefs in Bopedi were informed of the function including those who were outside the region of Sekhukhuneland.

One day in October 1955 as Kgapyane was with his wife (*Mmakabea*) next to a donkey kraal, he saw Motsololo (a type of a lizard) walking towards them and before it came closer to where the two were sitting, it turned towards the kraal and went inside. Motsololo is an animal that eats the eggs of people`s fowls. It is often seen by day, running around, but you may not kill it, lest you die yourself (Mönnig, 1963: 74). Kgapyane became worried about that and immediately told his wife that he wanted to fetch his assegai to kill the animal. At first his wife refused him, indicating that if they (*the witches*) were trying him she wondered how would he know that? He then said that, he would like to fetch his walking stick (*lehlotlo*) and kill it immediately. His wife warned him to be careful about what he was trying to do and he responded by saying that, if there was anyone trying to bewitch him he could not do anything because he had already taken his stick to a traditional doctor at GaSeopela next to Schoonoord who had smeared medicine on it.

His wife Mmakabea wanted to find out when he had visited the traditional doctor because she had never seen him going out. Without wasting any time, Kgapyane took out his assegai and killed Motsololo instantly. After killing Motsololo, his wife advised him to put it inside a bag so that he should take it to the traditional doctor the next morning to check if it had not been sent to harm him. A big stone was put on top of the bag, which was placed at the back of the hut where it could not be seen or taken by anyone. The next morning Kgapyane felt sick and could not carry the Motsololo to his traditional doctor as planned. From that day onwards, Kgapyane was seriously ill and complained about a pain on his thigh which prevented him from performing his duties as chief for an extremely long time. It is said that, he complained about the side with which he had attacked Motsololo. Phaahla explained that when he stabbed Motsololo with his assegai he was killing himself.

Kgapyane could only give instructions from his house until his death that occurred round about 1956. Many people within the community believed that he had been bewitched because he was appointed to lead the tribe, while some were not satisfied with this choice. Accordingly, the informants declared, “*Kgapyane o llwe ke bogoši*” (Kgapyane was killed by the chieftainship). This points to the fact that people believed that if one was appointed a Kgoši, his/her life was always at risk and when he died his death would always be associated with witchcraft (Mokotedi, personal communication, 2011).

4.2 The reign of Masehle

Immediately after the death of Kgapyane, the royal family agreed to enthrone Masehle to lead the community of Mphanama. Mpilo, Ngwanamohube and most of the women in the royal family were excited about his appointment, which did not seem to present any challenges to other members of the community. The matter was then referred to the royal centre (*mošate*) where the heads of *dikgoro* were informed about it. Although his leadership was accepted by the community, some people were not satisfied but did not express their concerns openly. At the time of his appointment, it was clearly stated that he would be acting on behalf of Tserere who was not yet ready to ascend the throne. Tserere was the son of *Kgoši* Lobang III who died on 24 November 1954 and was a direct descendent of *Kgoši* Makomane.

Like any *kgoši*, Masehle decided to establish an initiation school, which was to be called Matladi (1960) with the blessing of Mpilo, the mother of *Kgoši* Lobang III. After realising what Masehle`s idea was, some members of the royal family expressed their dissatisfaction with it and started to mobilise the community to support them. Ngwanatsomane explained “*Go ile gwa kwagala le le rego Masehle a ka se ntšhe koma e le ngwana wa mosadi wa bosenyane.*” (It was heard that Masehle as a child of the ninth wife, could not establish an initiation school). It indicates that some members of the community were not satisfied with the leadership of Masehle. Masehle`s mother was called Marobo and nicknamed Makwerehlane, which means she had many colours.

Among the Batau, a *koma* (initiation) is a major ritual; it also establishes males to become real men. It is through a *koma* that boys are initiated into adulthood. Men cannot marry without being initiated and it is only the chief who can arrange it. It serves to confirm the role, authority and position of a chief. It is through the initiation school that the heir apparent to the position of a chief is seen by leading the *mphato* (regiment). Bothma (1962:54) stated that after every seven years boys about the age of puberty simultaneously attend *koma* under the leadership of a boy of high rank, an initiation course (*koma*, *bodika*, *moroto*). Bothma (1962) further declared that after initiation into adulthood all the candidates are formed into one age group or *mphato* (regiment), membership of which remains for life. An initiation lodge is always built in the hills about one mile from the village settlement. During the initiation period, all initiates will be under the supervision of *baditi* (care givers), who were all already initiated. Each initiate is expected to have a *moditi* (care giver) until the end of the initiation period.

Upon hearing the dissatisfaction that came from among members of the royal family and the community, some elders of the tribe advised Masehle to alert Mpilo about the matter. After Mpilo had been informed, it was agreed that a meeting (*pitšo/kgoro*) should be called, at which Masehle would inform the community that the initiation school was to be established with the blessing of Mpilo. During that meeting, the community was informed that Masehle would take charge of the initiation school on behalf of Mpilo, the mother of *Kgoši* Lobang III. Furthermore, those who had complaints could lodge them with Mpilo in the royal house. The community was informed about the arrangement from the royal house and the initiation school was later established in the name of Mpilo (Phaahla, personal communication, 2012).

When the winter season arrived in 1960, the initiation school was established in the name of Matladi. During that period, Ngwanamohube was in Mohlaletsi after she was removed by the community after her ill behaviour became evident to the *bakgoma* and *bakgomana*. Some of the community members, who were not satisfied with the inauguration of Masehle as *Kgoši*, did not send their children to

the initiation school (*koma*). Instead they decided to send their children to other communities such as Maesela, Marishane and Magakale in the Tubatse area.

The following is a table showing regiments established from the royal centre, names of their leaders and period in which they took place. It reflects the dates before 1913 which are based on oral reconstruction, taking into consideration the projected space in years between regiments and these are never accurate. Own calculations were used to get to these early dates.

Table 3.1 Initiation Regiments

Name of regiment (Mphato)	Leader	Year (approximate dates)
1. Matjedi	Hlanudi	
2. Maswena	Their	
3. Mabjana	Magabule	
4. Manaila	Mokhine	
5. Mathamaga	Lekgoboko	
6. Madisa	Lobang (2)	
7. Matuba	Mokhine	
8. Makgau/ Magolopo	Mmathebe	
9. Matladi	Macheng	
10. Matlakana	Thekwane	1518
11. Maswena	Thery	1613
12. Mapitsi/Mapulana	Mahlopi	1618

13. Marutla	Mabowe/ Makomane	1713
14. Mankwe	Nkopeleng	1808
15. Makgalwa	Shikwane	1813
16. Matlwana	Moroba	1818
17. Magasa	Mashupje	1913
18. Matjedi	Tšhweu	1918/05/30
19. Madisa	Lobang III	1927/08/29
20. Mathamaga	Mashupje	1931/10/29
21. Mangana	Mokhine	1937/11/25
22. Mabjana	Tserere	1946/07/15
23. Makgau/Magolopo	Sekhukhune	1950/06/18
24. Matladi	Macheng	1960/04/11
25. Matlakana	Ramphelane	1966/06/25
26. Matuba	Thobejane	1970
27. Matlakana	Makgopo	1975
28. Manaila	Mohlakane	1977
29. Madisa	Lobang IV	1981/06/15
30. Mapitsi/Mapulana	Seraki	1985/06/17
31. Maswena	Morwamakoti	1989
32. Makwa	Seraki	1993/06/13

A few people who were also not happy with Masehle`s inauguration by the royal family did not send their children to his initiation school. Morwaswi declared, “*E ile mola e kgatlampana, Masehle a fetola mebala ra šala re maketše ka moka ga rena*” (when it was busy, Masehle changed his colours and we were all surprised). It showed that Masehle came up with an idea that the community did not expect from his leadership. He started selecting those children whose parents showed their dissatisfaction when he took over the leadership of the community (June 1960). When he was selecting the initiates, they were all told, “*Bo tatago lena ba be ba re nka se ntšhe koma*” (Your fathers said that I cannot establish an initiation school). He removed them from other initiates and they were moved to one side. Once he was through, their parents were called in and Masehle told them to take all their children to other initiation schools like their other friends who were opposing his leadership. The total number of initiates whom he isolated from the rest and placed aside was 15.

When (June 1960) everybody was surprised by his action, he then told them that if they wanted their children to remain in his initiation school, each parent should pay R4.00 (four rand). The payment of these amounts would guarantee a space for each child in the initiation school. Those parents who had money paid immediately and others went home to collect money. Only five parents were able to pay immediately for their children who were then allowed to join the other initiates. For the remaining 10 children, their parents had to go back home to collect money for payments before they were allowed into the initiation school (Phaahla, personal communication, 2012).

Mokhine who was also a member of the royal family got support from the community to lead those who did not want the leadership of Masehle. Some members of the royal family (*bakgoma and bakgomana*) were on the side of Mokhine and these gave him courage to lead the anti-Masehle group. Many people who did not send their children to Masehle`s initiation school (*matladi*) were on the side of Mokhine. In 1966, five years after Masehle`s initiation school, the supporters of Mokhine encouraged him to establish a *koma* (initiation school)

for their children. The reason for that was, at the time (1960) when Masehle established his initiation school, their children were not allowed to participate.

Mokhine consulted with members of the royal family who were on his side and some elders within the community about the initiation school. A decision was made to name it Matuba, the friends of Majaletji (April 1966). Masehle together with his supporters did not recognise the initiation school and it is not included in the list of regiments of the royal centre. Majaletji was the one who led the initiation school; hence they regard all the initiates as his friends. During the winter months in May 1966, Mokhine established an initiation school (*koma*) for members of the community who supported him.

On the other hand, after realising that their opponent Mokhine had established an initiation school, the supporters of Masehle also decided to have their own initiation school in June 1966. Masehle was approached and he told his supporters that his friend, namely; Matšhupje Maila intended to establish an initiation school. Matšhupye was a chief of the Maila community which shared the border with Mphanama on the northern side. Masehle promised the community that he will negotiate with Matšhupje to allow children from Mphanama to be enrolled in his initiation school.

In a short space of time, rumours were spread all over the community that Mokhine and his supporters intended to disrupt Matšhupje`s initiation school (*koma*) if he allowed children from Mphanama to participate. It was said that if Masehle`s supporters could take their children to Matšhupje`s initiation school, Mokhine`s group would go there and force them out. Once they had done this, they would take them to their own initiation school to join their children. After some days, Masehle informed his supporters to bring their children on a specific date in June 1966 as he had already agreed with Matšhupje Maila. A total number of 240 children were prepared to join their counterparts in the Maila Segolo Traditional Community under *Kgoši* Matšhupye (Mohlabane, personal communication, 2012).

On the day when children were brought to the royal centre (*mošate*), before they could depart to GaMaila, all men were informed that they should carry their weapons in preparation for an attack against Mokhine`s group. Every man was requested to bring along his assegai and a knobkerrie to defend himself against any attack that might take place during the initiation school. Therefore, it was agreed that all men and their children should meet in the Magabaneng village in the house of Mašigane Bošielo. Magabaneng is a village on the Northern side of Mphanama, which is close to the community of Maila. Hlabirwa stated: “*Mo Kgorong ya gešo ya ga Phogole go tšwile bašimane ba bane*” (in my *kgoro* of Phogole, only four boys went out). It showed that Phogole *kgoro* was represented by four boys during the initiation school.

Many people brought their children as expected, but they were surprised when Masehle and Mokhine Phakwe were not seen among them. Mokhine Phakwe was one of the members of the royal family who was on the side of Masehle and their absence displeased many people. Some community members knew Masehle to be a coward and they thought he might have influenced Mokhine Phakwe to wait for community members to take action before they sent their children to the initiation school. When the community realised that both Masehle and Mokhine Phakwe could not be found, a decision was taken to leave them behind.

Some members of the community knew that Masehle had already taken his child for initiation at GaMoloi, under *Kgoši* Madihlaba in the Nebo area. This was against the Batau culture since Masehle was one of the senior members of the royal centre. It was also known that the only children he would want to be initiated were those of Tserere and Lobang from the royal family. When the Batau men arrived at GaMaila, some few metres before the royal centre, they all converged in June 1966. A messenger (*motseta*) was sent to headman Ramphagane, who was expected to inform *Kgoši* and his Council about the arrival of the Batau men. *Kgoši* Matšhupye was also informed that the Batau men were all armed since there was a rumour in their community which alleged that their children would be

removed from the initiation school by force (Mohlabane, personal communication, 2012).

The messenger was also told to request space from *Kgoši Matšhupje* and his Council where they could put their weapons before they entered the royal centre. According to the Batau culture, it is a taboo to enter the royal centre of another chief with weapons because that would convey an intention to fight his tribe or disrespect him. After an hour, the messenger came back with Ramphelane and Polane the brother of *Kgoši Mmatšhupje*. Polane asked if they were all supporters of Masehle since the Maila tribe would only accept those on his side as agreed. Once he was satisfied, Mašodi, a man from the royal centre was called in and on arrival. Ramphelane was requested to assist him to carry the weapons to the other side of the royal centre for safety. Only the Batau kept with their sticks as it is their culture that when they establish an initiation school, all men should carry them. Polane accompanied the Batau to the royal centre for presentation to *Kgoši Matšhupje* and the elders of the tribe.

Upon arrival, they found that boys from GaMaila were also in the royal centre as they were preparing to go out to the mountain the next day. The Batau started to make arrangements for the boys according to *dikgoro*, in an order they would be sitting during the initiation period. Once they had finished, everyone started singing initiation songs to show that they were about to leave for the mountain. Morwakoma called out: “*Eee, ee, wo. eee, ee, wo, morwa sa mmagwe ga aje, morobe kele buwe, ge o ka tla mo go rena o mo gwaiša se moleteng*” (Eee, ee, wo. eee, ee, wo, you have instituted your initiation, then what do you want from us? If you come, we will kill you). This showed that Masehle`s supporters (Makhuduthamaga) were surprised about the threats uttered by Mokhine`s group (Rangers) because they had their own initiation school and why should they worry about others (Makhuduthamaga) establishing another initiation school? The intention of Masehle`s group (Makhuduthamaga) was to kill anyone who tried to attack them during the initiation period (Mohlabane, personal communication, 2012).

Masehle`s group also suspected that if their opponent did not attack them while they were still at GaMaila, they would do so during the initiation period. Regarding their preparation against Mokhine`s group, Mohlabane declared: *“Mokgopodile o tla fofa le Mmutlwa”* (The handle will remain and the blade will fly). It meant they would make sure that the blade of the assegai stabbed the enemy who would run away with it, while they remained with the handle. While the Batau men were singing, women from GaMaila brought them traditional beer to enjoy. Whenever an initiation school was to be established, women would prepare a traditional beer which should be given to men the night before the boys were taken out to the mountains.

Ramphagane thanked the Batau men for having spent the night singing and also for the fact that they had protected the Maila people against witches. The Batau men indicated that although they enjoyed singing, they would keep on checking outside so that their enemies would not attack them. They continued with their songs until three o`clock in the morning when all the boys were grouped together before they left for the mountain (June 1966). The traditional doctor who was going to take charge of the initiates left with Polane and Chief Matšhupje before the boys could leave the royal centre. This was done to prepare a place where the initiation school was to be established.

Before all the boys could be taken out of the royal centre, Mašodi from Mphanama was sent together with a few men from GaMaila to fetch weapons as they could not leave them behind. Mašodi was told to follow the rest of the people as they walked towards the mountain. The men were also told that they would find Mmabje, the younger brother to Chief Matšhupje waiting; to show them where to put the weapons outside the initiation lodge. The men from GaMaila were also ordered to bring their weapons since an attack by Mokhine`s group would also affect their children (Phaahla, personal information, 2011).

The Maila men indicated that if Mokhine attacked them during the initiation school, that would show disrespect to their chief and the tribe as a whole. Upon arrival in the mountain (during the first week of May 1966), Chief Matšhupje

asked the Batau men where their leader Masehle was since he was the one who had requested his assistance. Some of the Batau men told him that they suspected that Masehle and Mokhine Phakwe and with their children might have slept at Tserere`s in-laws (*bogwe*) within the community of Mphanama. The purpose was to make sure that there was no attack on the initiates before they were brought to the school.

The initiation of boys started in the morning (on 25 June 1966), firstly with the Maila section and was later followed by Mphanama. All the ⁵care givers (*baditi*) were singing during the initiation period to welcome the boys into the school. When a few boys were left to undergo the initiation phase, Ntšabula the son of Marogwe Mmako was brought by his father. Marogwe Mmako was immediately fined for not accompanying the other men the previous night and for not bringing his child on time. Mokhine Phakwe and Masehle later arrived with three boys who were immediately allowed to join the others.

The other men were ordered to build an initiation lodge with trees, which would be used by boys for sleeping during the night. Chief Matšhupje took two stones and requested Masehle to hold his stones and both entered the initiation lodge. He later ordered Masehle to put one stone on the ground to mark the gate (*kgoro*) of the Mphanama initiates. Matšhupje also put one of his stones onto the other side to mark the gate (*kgoro*) of the Maila initiates. He immediately walked to the corner of the initiation lodge on the northern side and put another stone down to mark a point where food would be prepared for his initiates (Ngwato, personal communication, 2012).

Masehle was requested to walk towards the western corner of the initiation lodge and use his stone to mark a point where food for his initiates would be prepared (June 1966). Matšhupje told Masehle that boys from Mphanama and Maila would not be mixed in the initiation lodge throughout the initiation period. In this regard, Mmaswi declared: *“Matšhupje o ile a re, rena re Baroka lena le Batau”*

⁵ Baditi – This are care givers during the koma (initiation school). Initiation lessons are provided by them to all initiates.

(Matšhupje said, “We are rain makers and you are the lions”). This indicated that the initiation activities for boys were to be conducted differently due to their cultural differences.

Chief Matšhupje also indicated that if Masehle had slaughtered a bull for his initiates, he should provide a portion of meat to the Maila initiates and he (Matšhupje) would do the same. One night when the initiation was in progress, an initiate, namely; the son of Makhofane`s daughter escaped. In the morning, the other initiates informed the elders about his disappearance from the initiation lodge. The elders in charge of the initiates requested the young men to locate him in the community of Maila. In fact, the initiate was later found in his mother`s house after his grandfather (Makhofane) who was a traditional healer, was approached for assistance. After using his divination bones, he advised them to search for the initiate in his mother`s house as it was suspected that he was hiding there.

At Mphanama, Mokhine continued with his initiation school (which Masehle and Makhuduthamaga did not recognize), but during the process he experienced some difficulties (Matuba June 1966). According to the Batau custom, all initiations are held at one place in the mountains (Photosenyane). When Mokhine established his initiation school, he placed his at a different spot, far from where they always held the others. The Batau believe it is a taboo to erect an initiation lodge at any other place except where their forefathers had held others (Photosenyane).

It is believed that one night in July 1966 when the initiates were asleep, the ancestors showed them a miracle. The next morning, the elders were surprised to learn that most of the initiates were missing from the initiation lodge. Mokhine and some elders requested the young men to go to the villages of Mphanama to trace them. In this regard, Mašupje declared, “*Ke bone banna ba apere dijase ba tletše lapeng la Masekenki gwa bontšha gore go na le mokgwa*” (I saw a number of men wearing jackets in the house of Masekenki which showed there was trouble). It reflected that one of the initiates who disappeared from the initiation

school was from that family. When the initiate could not be traced from his father's home, the men were advised to trace him in the new settlement area (*merakeng*) where the family had some relatives. After a long search, the initiate was finally found hiding in the new settlement area and was immediately taken back to the mountain (Ngwato, personal communication, 2012).

Some initiates were traced at villages such as Magabaneng and Makgoane, which also fall under the Mphanama region. At GaMaila, Masehle and his supporters were living under threats that they would be attacked at any time. There were always rumours that the initiates at GaMaila would be taken to Mokhine's initiation school. No attack was ever experienced until the initiation period came to an end as anticipated. All incidents that took place during Mokhine's initiation school showed that the ancestors were angry with him for placing the initiation lodge at a different spot away from where others are always placed. Masehle and the elders who supported him, named their regiment (*Mphato*) Matlakana (1966), while on the other hand, his opponent Mokhine called his regiment Matuba, who was led by Majaledi. Immediately after the Matuba regiment (July 1966) was inaugurated, Mokhine's mother established a female initiation school (*bjale*) during December (1966). The initiates were accommodated in the old royal centre and during the night they used to sleep in a house that was used as an office. According to the Batau custom, after every regiment has completed its tenure in the mountains during the winter months, a female initiation should be established during the same year in December. Masehle and his supporters also established female initiation (*bjale*) in the community around December 1966.

Around June 1970, Masehle established an initiation school (Matuba) and those members of the community who were in favour of his leadership sent their children. Before it could be established, Mokotedi Makubung approached him regarding a vision that he had had about the school. Mokotedi was one of his supporters from the Makubung *kgoro*. Mokotedi (*Mmaswi*) declared: "*Ke ile ka botša Masehle gore ke bontšhitšwe fao Mphato o swanetšego go bewa gona ka kua thabeng, le gore dijo tša go fepa badika di sepetšwe ka tsela efe go tloga mo*

gae, fela tšeo ka moka e bile go senya nako” (I told Masehle that I had a vision about where the initiation lodge should be erected in the mountains, also about the road that should be used from home to deliver food for the initiates, but all that was just a waste of time). It showed that the Batau believe that initiations are associated with ancestors so that before it could be established, they should first be informed and accept that they should take young boys to the mountain. This practice is common among many tribes who take young boys to initiation schools with the hope that ancestors will protect them during the initiation period.

At the time (1970) when Masehle established an initiation school he instructed that the initiation lodge should be erected at a different mountain (*Maropeng*) and disregarded the advice he had received before. On the day when the boys were to be circumcised, a diviner (*ngaka*), namely; Kgwedi Maesela who was supposed to circumcise them could not be found at the time when the elders were expecting him. The diviner arrived late during the day and that was also not the right time to circumcise young boys. Bojane explained *“koma e loma e se ka masa, gore ge le hlaba e be go fedile”* (The circumcision starts in the early morning, so that when the sun rises it is finished). It showed that the circumcision of boys should be done in the morning.

Moraswi explained, *“Gore go tlo senyega re ile ra bona ge koma e hlagišwa ke banna ba bararo”* (To show that there would be troubles, we saw three men circumcising boys). It reflected that Masehle as the chief did not make proper arrangements with a traditional surgeon to be available on the day when the boys were to be circumcised. Customarily, when boys are to be taken to the mountains for initiation, the chief and the elders of the tribe should arrange with an experienced traditional surgeon who will circumcise and take care of them until the end of the initiation period.

Around 12h00 during the day when boys were still waiting to be circumcised, the elders together with some community members suggested a few names of people that were conversant with the circumcision of boys to Masehle. Masebele Maswinyaneng, Mpelebele Kawa and Makate Phogole were the three names

suggested before Masehle for these three elders to circumcise boys on the day. The three of them were members of the community and had children among those who were to be circumcised. In this regard, Phaahla stated, *“Ke mo le rena re kgona go putla letšibogong leo”* (We too are able to cross that corridor). It indicates that the people whom they thought would assist did not have the required experience.

Masebele Maswinyaneng was the first to start circumcising young boys and after he had circumcised a few of them, it was realised that he was not as experienced as they had anticipated. Mpelebele Kawa was the second to circumcise boys and after he had finished with a number of boys, it was found that he was also struggling with his work. Informants declared, *“Ba bangwe ba ile ba re Makate Phogole o kae ka gore o kile a ntšha koma kua Tafelkop”* (Others said, where is Makate Phogole because he once established an initiation school at Tafelkop). It reflected the frustrations experienced by the community by not getting the right person to circumcise their children. It was then decided that Makate Phogole should take over to circumcise the remaining young boys. When only five boys were left to be circumcised, the traditional doctor (Kgwedi Maesela) who was requested to circumcise and care for boys arrived with Mametse Tladi. Tladi was a member of the community who was supporting Mokhine`s leadership after he had left Masehle`s group (Bojane, personal communication, 2012).

Kgwedi Maesela was immediately given an opportunity to circumcise the remaining five boys. Morwakoma explained, *“Seo ke sa go dira gore lešaba le tle le fele mo Mphanama, ka gore lešaka ga le hlakanelwe”* (That was the cause of many deaths in Mphanama because a kraal cannot be shared). This showed that by allowing four men to circumcise their children they took a risk. It was later discovered that the traditional surgeon (Kgwedi Maesela) slept at Mametse Tladi`s house the night before boys were taken to the mountain. Informants indicated that after Kgwedi Maesela had circumcised the five boys, he was seen at a meeting with Masehle and a few elders. During the meeting, Kgwedi Maesela indicated that he was not going to take care of the initiates because other people had circumcised them and therefore he did not want to take

responsibility. Customarily, a traditional doctor who circumcises boys should also provide traditional medicines throughout the period of the *koma*.

Masehle told Kgwedi that the community had decided to take a risk after realising that he was not coming, while they had been waiting since four o'clock in the morning. As a result, he placed the blame on Kgwedi for being unfair to the community. Some members of the community learned that Kgwedi Maesela and Mametse Tladi were related to one another. Sethokgwe Phogole who was entrusted with the responsibility of inviting traditional doctors to take care of young boys during initiation schools was among other men when the two (Kgwedi and Tladi) arrived. Sethokgwe was once sent to GaMaesela by Masehle and the elders to request Kgwedi Maesela to come and initiate young boys at Mphanama (Bojane, personal communication, 2012).

When Kgwedi Maesela came to Mphanama, he arrived at the house of Sethokwe Phogole's brother in Magagamatala village. Sethokgwe was immediately called to receive and accompany him to the house of Kgomapholo. When Sethokgwe arrived at his brother's house, he found Mametse Tladi with Kgwedi Maesela enjoying traditional beer. Mametse Tladi immediately told Sethokgwe that he had agreed with Kgwedi Maesela that he should first go to his house and he would later proceed to his *kgoro*. Kgwedi Maesela was related to Mametse Tladi since he married Mametse's sister. Mametse Tladi then told Sethokgwe to leave since Kgwedi would be joining them later in the day.

Customarily, the Batau would send Sethokgwe Phogole from Phogole *kgoro* to go to GaMaesela before the start of the initiation school. This is done to avoid too many people to get involved with the initiation school. When he returned, he would be accompanied by Kgwedi Maesela and on arrival they would first go to the Phogole *kgoro* and would be accommodated at Kgomapholo Phogole's house. Upon his arrival, Sethokgwe would send a messenger to the royal centre (*mošate*) to inform *kgoši* about Kgwedi Maesela's visit. *Kgoši* would send men from the royal centre to deliver a goat (*pudi*) to Kgomapholo's house to provide food and welcome Kgwedi Maesela at Mphanama. Informants say "*Moeng o a*

hlomphiwa” (A visitor is respected). This goes with a proverb in the Sepedi language that says: *“Moeng tla ka gešo re je ka wena”* (a visitor comes to my home so that we can eat). It showed that the Batau had respect for the visitors by providing food for them once they have arrived.

It is the Batau custom that a night before young boys are taken to the mountains for initiation; they should all be brought to the royal centre. Women will prepare traditional beer that elderly men would enjoy throughout the night. Masehle and some elders asked Sethokgwe about the unavailability of a traditional surgeon (Kgwedi Maesela) who was supposed to be at Kgomapholo`s house during that night. In the early hours of the morning, young boys were taken to the mountains without knowing the whereabouts of Kgwedi Maesela with the hope that he would find them on their way since they had received a report from Sethokgwe that he had arrived in the community.

According to the Batau, a traditional healer who is responsible for the initiation school (*koma*) should leave the village around three o`clock in the morning to start cleansing the area with traditional medicines where the initiation lodge will be constructed. Sethokgwe Phogole who was expected to lead Kgwedi Maesela to Kgomapholo`s home and was supposed to accompany him to the mountain before the boys could arrive. Every initiation lodge should first be cleansed with traditional medicines before both the teachers (*baditi*) and initiates arrive (Bojane, personal communication, 2012).

When Kgwedi Maesela was nowhere to be seen, Masehle requested Sethokgwe to go back to the community to locate him, since they could not wait as the boys were not circumcised. Sethokgwe went straight to Mametse Tladi`s house where he found the two sitting under a tree and drinking traditional beer. Immediately when Tladi saw him, he stood up and declared, *“Ke go boditše gore ke tla mo tliša; se fele pelo”* (I told you that I will bring him, be patient). It indicates that Tladi did not want Kgwedi Maesela to go to the initiation school since he did not recognise Masehle`s leadership. Even after Sethokgwe had indicated that he had been sent by Masehle, Tladi resisted until he decided to return.

It was after he had arrived in the mountains that Masehle and the elders decided to call upon those men whom they thought might have experience with circumcising boys. This was the beginning of the problems that were later experienced by the initiates and the elders during the initiation period. None of those who were requested to circumcise the boys prepared before they did the work.

Traditionally, immediately when boys arrived in the mountain, they would be divided according to their different *dikgoro*. They will follow each other in the following order; the Makanatleng *kgoro*, the Sekgale *kgoro*, the Makola *kgoro*, the Mmako *kgoro*, the Mohlala *kgoro* and other *dikgoro* would succeed them.

Some members of the community viewed the delay with circumcising the boys or unavailability of a traditional surgeon as a sign that the ancestors were angry with Masehle for establishing a *koma* at the Maropeng Mountain instead of at Photosenyane. Apart from Mokotedi having told Masehle about his vision regarding where the initiation lodge should be placed in the mountains, a meeting (*kgoro*) was held between himself and the elders before the winter months. During the meeting, Masehle indicated that he wanted to put the initiation lodge at the Maropeng Mountain, which was never used before. Masehle told the elders that if the initiation lodge could be erected in the Photosenyane mountains they would encounter problems. He indicated further that Mokhine and his supporters would cleanse their medicine on the mountain to bewitch young boys during the initiation period. In addition, food for the initiates would be delivered to the mountains utilising the Makalauwane Road and not the one that was traditionally used by the community. When food was delivered to the mountain, women used the road that went in the direction of Photosenyane and would find *baditi* (teachers) waiting for them who would then take them to the initiation lodge. Members of the Madisa and Matšedi regiments criticised Masehle and told him that what he planned to do was against their culture, also that neither of the previous chiefs had ever done that before.

After realising that Masehle was afraid of witchcraft, his brother Sepeke arranged with some elders and agreed to collect money among them, which was later handed over to him for ⁶consulting a traditional doctor. He promised that he would consult traditional doctors who would come and remove all the medicine that he suspected had been sprinkled by Mokhine and his supporters. After some time, the elders wanted to know if he had consulted any traditional doctor as promised. He told them that he was not satisfied by their action as such he could not do what they had requested (to consult a traditional doctor) him to do (Ngwato, personal communication, 2012).

Masehle later changed his mind and told them that he had decided that food for the initiates would be prepared in the mountain. Women would be requested to bring water only and the Makalauwane Road would be used as he had already informed them. Old men such as Marogwe Mmako, Majane Mogoswane and Segole Sekgala tried to advise him not to continue with his plan but he could not listen to them. According to the Batau custom, food for the initiates was always prepared at the royal centre preferably by women whose children were in the mountain. The community believes that a mother cannot bewitch her own child.

Masehle appointed two elderly men to take charge of the initiation school namely; Mokhine Masweneng, Thobejane Bošielo and their assistant Marube Lehlage from the Makaung *kgoro*. When the initiation school had started, most of the young boys suffered from illnesses that became difficult to heal until eight of them died. Accordingly, Bojane explained, “*Wa mafelelo ke wa kgoro ya gešo ya ga Phogole, ka ga rangwane wa ka Makate*” (the last one was from our *kgoro* of Phogole, in my father`s younger brother`s house Makate). This reflected how the community suffered after Masehle had disregarded all the advice he had received from the elders. It was then realised that Masehle was a coward who could not listen to any advice from members of the community including the elders.

⁶ Consulting a traditional doctor (Go hlola tša meso go nka dingala) – Each time before the establishment of an initiation school, a traditional doctor should be consulted who is expected to inform the elders if the school will be without problems or not.

To summarise: An initiation school among the Batau plays an important role as it introduces the boys to manhood stage. The community respect the *koma* which is also associated with the ancestors. This is reflected by the performance of rituals before boys could be taken to the mountains. Not everybody could arrange for the establishment of a *koma* except the *kgoši* (chief). Only an experienced traditional healer is recommended to take care of the initiates during the initiation school. Apart from the *koma* issue, during the reign of Masehle, the relationship between the two opposing royal family members was hostile. The royal family could not sit together to resolve the leadership dispute which was destabilising everything in the community. Some community members also view the situation as an opportunity for them to raise support for membership of Fetakgomo while others raised the support of the Rangers. Members of the community were forced to pay allegiance to a leader of their choice, namely; Masehle or Mokhine.

4.3 Disaster during the *Koma* (June 1970)

Morwakoma indicated that he spent every day at the initiation lodge because his child was among the sick (June 1970). His firstborn child, namely Makataneng Phogole, experienced a problem with his tongue which spread throughout the mouth and he could not speak or eat for days. Only elders who were knowledgeable about traditional medicine assisted the boys since it became clear that Masehle did not request a traditional doctor to take care of the initiates during the *koma*. Morwakoma was then advised to buy Dettol to wash their tongues every day as that would relieve the boy from the pain he experienced every time he wanted to eat. His tongue had an abscess which also made it difficult for him to speak with his friends. His nose also had an abscess, which prevented him from breathing freely (Hlabirwa, personal communication, 2012).

He managed to buy Dettol from a local shop and washed the tongue of his son that had an abscess, which later responded positively. He mixed Dettol with water and poured it on cotton wool to clean his nose, which was blocked by the abscess. Morwakoma also asked for permission from both Mokhine Masweneng and Thobejane Bošielo to bring along Mabele meal so that he could prepare soft

porridge for the boy on a daily basis and that was also allowed. He (Morwakoma) was also advised to put sugar in the porridge to make it more tasty to enable the boy to enjoy it. At times, he used to prepare *mageu* (soft porridge) and this enabled the boy to eat properly. After two weeks, the boy (Makatane Phogole) showed some improvement, since he started speaking and breathing smoothly. All the parents were given permission to bring along any form of medication that could assist with improving their children`s health.

Phaahla explained “*Re ile ra botšwa gore mang le mang a ka no kgopela ngaka ya motse wa gagwe go mothuša ka seo a ka kgonago ka ge go thatafile*” (We were told that anyone may request a traditional doctor of his house to assist in any way he can, since it was difficult). This showed that the elders were left without any option but to allow parents of the children to provide medication for them. Some parents were pleased that their children`s health were improving. Informants pointed out that, “*Thobejane Bošielo o ile a thuša ba bantšhi ka ge a be a na le tsebo ya dihlare tša setšo*” (Thobejane Bošielo helped many because he had knowledge of traditional medicines). This reflected that although he was not responsible for the children`s health during the *koma*, he assisted many through his knowledge.

One child from the Phogole *kgoro*, the son of Mangakane Maledimo, was among the sick and each time he ate mealie meal and *mageu*, he would vomit. Morwakoma indicated that on a certain day Thobejane Bošielo called him and asked that he should request the sick child to come under a tree, just where they were seated. The boy brought along a container with *mageu* as he was requested by Thobejane Bošielo. Thobejane Bošielo wanted to know who was taking care of the boy while in the mountain, and he mentioned Kgopane Phogole and Senthe Phogole. He further wanted to know the kind of medicine he was receiving from them and the boy indicated that he placed it in the initiation lodge. He was then requested to fetch it from the initiation lodge but when he came back, both Morwakoma and Thobejane Bošielo were surprised to realise that a bottle full of Glycerine mixed with some traditional medicines were given to the boy to drink. This indicated that the initiates did not receive proper health care

during the *koma*, which was a serious risk (Hlabirwa, personal communication, 2012).

Thobejane Bošielo told Morwakoma that they should help the boy or else he would die and be buried in the mountains if left unattended. Since Morwakoma was related to the parents of the child, he advised Thobejane to meet with them to be informed of the situation immediately to avoid any problem. The next day, Thobejane went to the village to inform Mangakane Maledimo (mother) about her child who was seriously ill so that she could get some medicine to assist the child. Mangakane Maledimo was also informed that those people who were taking care of the child gave him some medicines mixed with glycerine which could be dangerous to the child. Immediately after realising that her child was not well in the mountains, she went to buy medicine for her child. After a number of days, the child recovered well since he started eating and drinking *mageu* without vomiting. A total of about 48 initiates were attacked by diseases such as *mabora* (chickenpox, 'waterpokkies') and *monyalo* (*meningitis*). It was then decided to build a lodge outside the main initiation lodge where they would be taken care of without any disturbance.

The eight children who died during the *koma* were all buried outside the initiation lodge with their graves facing in an eastern direction. On the day they were burying Marube's child, Mphaphathe who was the child's uncle requested all men to stay far from the grave while he was performing some rituals inside. Mphaphathe requested Bojane Phogole to accompany him to the grave (*phuphu*), with a bundle of grass in his hands. He went inside the grave with a bundle of grass in his hands, requested matches and burnt it. The grass was smeared with traditional medicine and he walked around the grave, while it was burning. Mphaphathe was heard talking while walking around the grave but nobody could interpret what he said.

Informants recounted, "*Mphaphathe o be a bea letšwa la gore bao ba tsebago lehu la ngwana yoo ba molatele*" (Mphaphathe was making *letšwa* (retaliation ritual) so that those who caused the death of the child should follow him).

Customarily, if a person dies and his relatives believe that he has been bewitched, a traditional doctor would be requested to provide medicine to avenge the dead person and that is called *letšwa*.

When Mphaphathe completed the rituals, he went outside and requested that the body of his sister's child should be placed inside the grave for the burial to begin (July 1970). The child was buried around 02h00 in the morning having died the day before. The graves of the initiates who died during the *koma* were placed in a straight line with their head facing one direction (east of Mphanama).

Moraswi explained "*Morwa wa Ntswianyane Mogoswane o nyakile go šala thabeng*" (The son of Ntswianyane Mogoswane was about to be left in the mountain). This revealed that he was so ill that he could die at any time during the Initiation School. Moraswi further explained that one day he saw a group of men with a child and decided to join them. On arrival, he found that the son of Mogoswane was receiving treatment since he was suffering from *monyalo*. The men mixed dip with water to wash the boy and also gave him Dettol with water to drink so that he could be cured. The purpose was to treat an abscess (*sešo*) on the body and also that those inside would be washed away. The boy was very thin since he had spent a number of days without eating (Moraswi, personal communication, 2012).

On that day, there was a man from Dilokong around Burgersfort who came to visit the initiates at Mphanama. The man assisted Mogoswane's child with his knowledge of traditional medicine. He requested some elderly men to provide him with *mabele* and urine of a monkey, which he later mixed with some traditional medicines. The boy was sprinkled with medicine in front and at the back, and was requested to close his eyes. The other medicine was poured into the boy's eyes since he was unable to see clearly. After a few days, the boy started eating and recovered very well to the satisfaction of everyone.

At the time when the boy showed signs of recovering from *monyalo*, the man from Dilokong had already left since he was just visiting his relatives at

Mphanama. Most parents wanted his assistance but he could not be found since he had already left for his home.

News that the initiates were dying in great numbers at Mphanama were spread all over Sekhukhuneland. Ngwato explained, "*Sehwirihwiri se sengwe se ile sa kitimela kua Jane Furse sa botša mangaka gore bana ba a fela Mphanama*" (A certain crook rushed to Jane Furse to inform doctors that children were dying in Mphanama). It showed that some people who were frightened by the death of children during the *koma* informed the Hospital Management hoping that they would intervene to resolve the problem.

One day, four nurses from the Jane Furse Hospital arrived at the royal centre of Masehle with the purpose of assisting the initiates in the mountain. Among them there were two females and two male nurses wearing their white uniforms. Masehle called upon all the men in the community who supported him to the royal centre to hear for themselves. When the royal centre was full to its capacity, Chief Masehle requested one of the nurses to inform the community about their visit at Mphanama.

One male nurse informed the community that the Hospital Management sent them to Mphanama for intervention after it was learned that initiates were dying in the mountain (June 1970). The male nurse introduced a letter and gave it to Masehle who later handed it over to the tribal secretary. The tribal secretary was requested to read out the letter to the community. In the letter, the Hospital Management wanted to know why they had not been informed formally about the diseases affecting children in the mountain so that they could devise intervention measures. In addition, the community was requested to allow nurses to visit the initiates in the mountains with the aim of providing health care and any form of assistance necessary. It was clear that most of the community members were not sure as to what was the type of disease that killed initiates in the mountain.

During the meeting, Tserere the son of the late Chief Lobang III was back in the community after he was jailed for years in Lydenburg for the killing of

Ngwanamohube (29.11.1964). Tserere was the first to stand up after the male nurse had explained the motive for their visit. Tserere wanted to know if all nurses were initiated before they could talk about initiation school (*koma*) matters. He indicated that he was only referring to the male nurses since women would not be allowed to visit boys' initiation school. He requested that those who were initiated could stand up and stay on the other side, away from those who were not initiated. It was then realised that none of them had been initiated as they failed to respond to the request by Tserere (Moraswi, personal communication, 2012).

Tserere further told the elders that if they could be allowed to visit the initiates while they were not initiated they would not come back home as they would be circumcised immediately upon their arrival in the mountains. Phaahla explained "*Mola Tserere a se be gona ba ka be ba ile ka kua thabeng ka ge re be re tlaletšwe*" (If Tserere was not around they could have gone into the mountains because we were in trouble). It reflected that the community wanted assistance from the nurses but because they were not circumcised, they had no option but to refuse them permission to visit the initiates.

Masehle and the elders present informed all the nurses that since they had not been initiated, it would not be possible for them to be given permission to visit boys in the initiation school. Customarily, a person who has not been initiated is not allowed to visit the initiation school even if he has a child in the school. Elders informed the nurses that they can provide medicine for treatment of children if they so wish but not that they could visit the *koma* (June 1970).

Bojane stated, "*Ka ge ba ile ba se amogelwe gabotse mo motseng, ga se ra ka ra bona sehlare le se tee*" (Because they were not welcomed in the community, we never saw any medicine). It reflected that the Hospital Management never assisted the community since there was no understanding between the two.

It was then agreed that nurses should provide medicines and the *baditi* would make sure all children who were ill receive treatment for both *mabora* and

monyalo. Most of the initiates contracted *monyalo* which also ended up killing some of them. *Monyalo* also disturb blood circulation.

The disaster that took place during the *koma* reflected the complete negligence of initiates by Masehle who was also the leader of the community. His failure to consult properly with the elders of the tribe before and during the *koma* resulted in the death of some boys and others becoming sick, which also forced the initiation period to end before the scheduled time (1970). He failed to get an experienced traditional healer to circumcise the boys on their first day in the mountains which could be the result of the tragedy that forced the initiation school to close down unexpected. Lack of correct medicines for the sick resulted in the death of some initiates. This situation led to distrust in Masehle`s leadership by community members including the Makhuduthamaga who were on his side. Hence he decided to abdicate his chieftainship position around 1971 to allow Tserere to take over. This he did after realising that his support was decreasing tremendously within the community.

4.4 End of the Initiation period

When the elders realised that many boys were sick and without any assistance, they advised Masehle to end the initiation period before the usual time to avoid further deaths in the mountains. My informants only recalled three names of initiates who died during the initiation period, namely; Makate Phogole`s son, Marube`s son from Makubung *kgoro*, and Maletiše Mogoswane`s son. Customarily, when boys are taken to an initiation school (*koma*), the chief should request a traditional doctor to take care of their health while they are in the mountain. In that regard, Phaswane indicated: “*Ga ke tsebe gore magareng ga banna bale ba bararo ba go hlagiša koma, ke ofeng yoo a bego a filwe maikarabelo a go hlokomela bana ba rena; ga go bontšhe go na le yoo a bego a dira seo ka gore le yola wa go tšwa GaMaesela ga se a hlwe a sa bonala ge e se mola koma e hlaga*” (I do not know who among the three men who were initiating the boys, was given the responsibility of taking care of our children; it doesn’t seem there was one doing that, because even the one who comes from

GaMaesela was never seen any more than on the day when the initiation starts). These showed that during the initiation period there was no traditional doctor providing medicines to the initiates as expected by the community.

Bojane explained that they were not sure whether Kgwedi Maesela told Masehle to request those who started initiating boys to take care of the *koma*. However, the disaster that took place during the *koma* showed that Masehle did not consult with the elders of the tribe properly. He undermined advice from people such as Mokotedi Makubung who told him that he had a vision wherein he was informed that if they wished the *koma* to succeed, the initiation lodge should be placed next to where the previous lodge had been built. Some members of the community believed that Masehle insulted the ancestors by establishing a *koma* at the Maropeng Mountain instead of Photosenyane. Women were also not allowed to cook food for the initiates at the royal centre as usual; they were only allowed to deliver water, which was only handed over to the *baditi* at the bottom of Maropeng Mountain. Refusing women permission to cook for the initiates was seen as contravening the Batau custom (Hlabirwa, personal communication, 2012).

Moraswi explained, “*Bothata bjo bogolo e bile go bea mphato; ga re tsebe gore ke mang magareng ga banna ba bararo bao yoo a dirilego modiro woo.*” (The biggest problem was where the initiation lodge was built; we do not know who amongst the three men did the work). Customarily, when a *koma* is to be established, a traditional doctor should cleanse where the lodge is to be erected with medicine and the initiates should also be cleansed with medicine and drink some on the first day. The purpose is to protect the initiates against bad luck or witches. The community was not sure whether that was done and among the four men (Masebele Maswinyaneng, Mpelebele Kawa, Makate Phogole and Kgwedi Maesela) who was given the responsibility. One of my spokespersons stated: “*Tatago Kgwedi Maesela ke yena a swerego koma tše ntšhi mo Mphanama*” (Kwedi Maesela’s father was the one in charge of most of the initiation schools in Mphanama). It reflected that the community of Mphanama trusted the Kgwedi family by giving them a responsibility to oversee the initiation schools.

Masehle accepted advice from the elders that the initiation period be called off for the safety of the children who appeared to be helpless against the various diseases from which they had suffered. On the day when the initiates were leaving for their homes, those parents whose children were seriously ill requested that, they be taken to their homes directly without first going to the royal centre (*mošate*) like others (July 1970). Phaahla explained, “*Re alošitše koma re tšhaba*” (We ended the initiation school in fear). It reflected the fear that the community had which also compelled them to end the initiation period.

Just after all initiates had been smeared with red ochre (*letsoku*), those who were seriously ill were immediately taken home before the rest of the boys could leave for the royal centre. Parents wanted to take their children to the local medical doctors and hospitals as soon as possible to avoid further deaths. All initiates recovered well at their homes and none of them died in the hands of their parents since they received proper medical care.

The parents of the children who died did not report the incidents to the police because they regarded issues pertaining to *koma* as cultural. Informants commented, “*koma ke khupamarama*” (The initiation school is secret). It reflected that what had happened during the initiation school (*koma*) period would not be revealed to anyone. In the past, if a young boy died during the initiation school period, all men kept the secret until the end. At home, women would not be told who had died until all the initiates were back home. The corpse would also be buried in the mountain by elderly men without informing people at home. The government did not record the incidents in the past and little had been done to manage initiation schools. Moreover, statistics were not compiled to inform the public about the initiates who got ill or died during the initiation school. Medical tests were also not undertaken for young boys so that their health conditions could be checked to allow them to be circumcised. During the initiation period, no medical care was provided to young boys to ensure their good health. The initiation period could last for three to four months depending on what the community preferred (Ngwato, personal communication, 2012).

According to the Batau custom, when the initiates left the initiation lodge for their homes, two or three elderly men remained behind for a day. Their function was to burn pieces of wood that were left over from the time when the lodge was burned down on the day the initiates left.

Thobejane Bošielo and Mokhine Masweneng were requested to stay behind so that they could put together every piece of wood and burn it to ashes the next morning. Early in the morning before sunrise, the two old men heard the voices of people in the vicinity of where they were sleeping. When they checked, four women who were on the side of Motodi were seen collecting the pieces of wood, which the two old men were intending to put together when they woke up. Bojane remarked, *“Thobejane o itše, le re go topelela dikgong tšeo e le tša koma, le di iše gae, fela mosadi ntepa e tlaba ka pele, thetho ka morago”* (Thobejane said, when you have collected this wood, which is for the initiation school, take them home, but a woman`s skirt would be in front and a bra would be at the back). Customarily, no one is allowed to collect the wood left over at the initiation lodge after the initiates have left for their homes. Immediately, when the four women realised that there were people left behind to look after the remaining pieces of wood, they ran towards the village. Consequently, the women all died in quick succession. It was believed that their deaths were caused by touching the pieces of wood left over during the initiation period as it is a taboo for women to come into contact with them.

Some few months after the inauguration of the Matuba regiment, the daughter of Thobejane Bošielo`s sister (November 1970) became mentally ill and members of the community suspected that she was responsible for the death of the initiates. She was later followed by a woman by the name of Moetapele Diphofa who also suffered from the same illness. Moetapele Diphofa was always seen walking around the streets of Mphanama saying that, the initiation school (*koma*) of Matuba was nothing because there was no traditional doctor who was taking charge of the initiates. She would also say that she used to wear white clothes like a nurse and sneak into the initiation lodge during the night where she would

inject (*hlabela*) the initiates with traditional medicine. She would further indicate that she was always accompanied by Ntšhitile Madiphofa, a woman from within the community. The three women died shortly after showing signs of mental disorder.

All this indicated that the *koma* was without a traditional doctor to take care of the initiation school or if there was any, he was not strong enough to defend the *koma* against witchcraft. It is believed that a traditional doctor who takes control of the *koma* should have strong magical powers to protect the initiates. According to the Batau, if people can try to bewitch the initiates during the *koma*, they are likely to become mad or die after the initiation period had ended (Moraswi, personal communication, 2012).

After the passing away of the four women, Motšoko Kgaphola who was a member of the royal family became mentally disturbed. When Motšoko Kgaphola first started showing signs of being mentally disturbed, the royal centre of Masehle was full of men enjoying *dibego* (royal tributes) on the day. He stood up and looked at the Maropeng Mountain for an extremely long time until he was asked at what was he looking. Phaahla explained, “*O ile a fetola ka la gore o bona badika kua thabeng ba dirile lenaka, ba a tsoma*” (He said, he is seeing the initiates up in the mountain in a circle busy hunting). This indicates that there was something wrong with his mind since there was no initiation school (*koma*) at that time so that he could see the initiates. Everybody present was surprised to hear what Motšoko Kgaphola was talking about. Tserere was among them and he immediately told all the men that Motšoko was likely to resemble the other women who had already died after being mentally disturbed. He further indicated that Motšoko might have been involved in the killing of initiates together with the dead women (November 1970).

Mokhine continued to lead part of the community at the time when Masehle`s group was under the leadership of Sepeke Makomane after he (*Masehle*) was sent to Moutse under Chief Mathebe in the Groblersdal area.

The reason for removing Masehle from the community to Moutse under the leadership of Kgoši Mathebe was that Masehle wanted his supporters to join Mokhine`s group and unite. Marogwe Mmako was requested by Masehle`s supporters to accompany him to Moutse. This happened after he indicated during a meeting of the elders that he thinks it would be better that they surrendered themselves under the leadership of Mokhine who was assisted by his brother Motodi. His supporters organised a meeting (*kgoro*) shortly after that to discuss the plan. It was during that meeting where a decision was taken to remove him from the community, since they suspected that he would betray them if they left him among them.

It is told that Masehle spent six months away from Mphanama after the announcement. His supporters collected money among them and gave it to Marogwe Mmako so that he could provide food for him while they were out in Moutse under Kgoši Leoto Mathebe (1966). During his absence, Sepeke Makomane was given the leadership of the group of which he (*Masehle*) was in charge. The incident occurred after the regiment of Matuba completed their initiation period in 1965. Some elders such as Marogwe Mmako indicated that could they have sent Masehle to Moutse before the Matuba regiment was taken to the mountain, they could have avoided all troubles/deaths experienced. Mokhine`s group indicated that they would never accept being controlled at Masehle`s royal centre. At times they called it “*Mošate wa mapshikologane*” which means a place where donkeys roll when they are happy. This was because the royal centre was full of ashes and donkeys that liked to roll in such places. To date, the royal centre is still called ⁷Mapshikologane. These reflected the hatred that Rangers had against supporters of Masehle (of the Makhudutahamaga).

After the death of Mokhine, Motodi took over from him and continued to lead part of the community (Rangers) that was against Masehle. Immediately after his inception as leader, Motodi told his supporters that he would like to marry a candle wife (*masetšhaba*) from Maroteng (Mohlaletsi). Masehle learned about

⁷ Mapshikologane – a name given to the royal centre of Masehle by the Rangers for showing their hatred to the group.

their motive and arranged with his supporter to contribute marriage goods (*magadi*) to marry a candle wife. Members of the royal family agreed to send a messenger to the Bapedi of Mamone under Chief Sekwati to negotiate for a candle wife. The Bapedi of Mamone then agreed with the Mphanama royals and a bull was paid by the Batau to prove their intention to marry their child. Consequently, a large number of community members (Makhuduthamaga) contributed marriage goods to the marriage of a candle wife at Mamone and Mmapuwe Sekwati was given to them as the candle wife (1972). Due to the conflict between the two royal family groups, after a candle wife was married, a group led by Motodi (Rangers) was not satisfied by the actions taken by their opponents (Phaahla, personal communication, 2012).

A decision was then arrived at to continue with their plan of marrying a candle wife at Maroteng by the name of Mafete, the daughter of Segwarihle Phatudi whom they wanted to marry at the Makweng *kgoro* from where ⁸Ngwanamohube originated and was also her sister's daughter. Members of the community who supported Motodi contributed marriage goods (*magadi*) to marry a *seantlo* from Mohlaletsi (1973). On the date when Mafete was to be married, a convoy of vehicles was seen in the streets of Mphanama with Motodi's supporters (Rangers) waving white flags with joy.

When the in-laws arrived at Mohlaletsi, they went to the Makweng *kgoro* where they found an old man by the name of Makuntu Thobejane who was the head of the *kgoro*. Makuntu Thobejane informed the royal family that Mafete's father was available but the lady (a certain Mafete) visited a friend at Mphanama in the family of Sekgala. Her mother was reported to have gone to GaLebea where pensioners were receiving their old age pensions. Makuntu was asked if he did not receive any message from Mafete's parents about their visit to the family. He indicated that he was never informed about their visit or any marriage that would be taking place within his *kgoro*. Makuntu further told them he could not receive them since he was never requested by the family to welcome anyone on the day.

⁸ Ngwanamohube – was the candle wife who was killed by a royal family member namely Tserere. Motodi's group want to marry a *seantlo* after her death from the Sekhukhune royals.

The *bakgonyana* (in laws) then returned to Mphanama with all marriage goods (*magadi*) without marrying a candle wife as planned. After a few months, some members of the community heard that Mafete was being courted by a shop owner (Rakgwebo) at GaNchabeleng. Shortly after that, it was heard that the same man was delivering marriage goods to ⁹Mafete`s parents. Therefore, the idea of Motodi marrying a candle wife never materialised until he met his death. Thus: immediately after the initiation period Masehle realised that most of his supporters were disgruntled by his action, and for fear of losing more support he proposed that they join the Rangers. The anger from his supporters (Makhuduthamaga) was shown when they expelled him from the community for a period of six months. This turn of events showed that the Makhuduthamaga were not ready to surrender to the hands of the Rangers who were led by Mokhine and his brother Motodi. This situation showed that the community was becoming more divided as a result of the internal royal family dispute.

4.5 Government intervention into the Batau disputes

The death of Acting Chief Ngwanamohube in November 1964 fuelled the dispute within the royal family and the community of Mphanama at large. Some members of the royal family reported her death to the office of the Bantu Affairs Commissioner Sekhukhuneland, Commissioner B.F. Lizamore who was stationed at the Schoonoord offices. The royal family became divided into two groups each with the candidate (Masehle and Mantlatle) it wanted to rule the Batau tribe. Each group wanted its candidate to be appointed officially by the government and be awarded a certificate. While the one group supported Mantlatle, the eldest daughter of Ngwanamohube, the other supported Masehle Johannes Kgaphola (The Makhuduthamaga), the son of Diphatshe Kgaphola. Those who supported Mantlatle (The Rangers) saw Masehle to be lower in seniority/rank and not eligible to lead the tribe.

⁹ Mafete – is a lady that the Rangers were intending to marry as the seantlo from the Sekhukhune royals but the dowry was never paid for her.

A group supporting Mantlatle requested a meeting with the Bantu Commissioner of Sekhukhuneland B.F. Lizamore on 17th April 1965 at Mphanama. The Commissioner was accompanied by his interpreter Mr Mgiba and a tribal secretary Mr J.M. Kgaphola took the minutes. During the meeting, Tseke Jim Kgaphola, a royal family member, indicated that they had invited the office of the commissioner to assist them since they did not have a leader after the death of Ngwanamohube on 29 November 1964 (TNA, N11/1/3/18).

He informed the Commissioner that the royal family had in the meantime installed Mantlatle Elizabeth Kgaphola the eldest daughter of Ngwanamohube as the Acting Kgošigadi. Tseke went further to request that her name be registered in Government books like other chiefs in Sekhukhuneland. The Commissioner indicated that if no one was interested in the position, he did not have any objection to their request. He then wanted to find out from them who would be the secretary of the tribe. Tseke mentioned the name of Matlebjane Johannes Kgaphola as the person who would perform the function of secretary of the tribal office.

The following *dikgoro* and their heads were mentioned as the ones supporting the appointment of Mantlatle as Acting Kgošigadi:

1. Kgoro of Mošate
 - Mohumagadi Ngwanamohube Kgaphola
 - Mokhine Kgaphola
 - Tseke Kgaphola
2. Matšhabanyane Kgoro
 - Tserere Lobang
3. Matlading Kgoro
 - Tšatši Matšheng
4. Matlakaneng Kgoro
 - Meši Mokhine
5. Masweneng Kgoro
 - Theri Mokhine

6. Makubung Kgoro
Mahlopi Makubung
7. Makanatleng Kgoro
Maboe Nthobeng
8. Madiphofa Kgoro
Lethebe Diphofa
9. Sekgale Kgoro
Shikwane Lekgalake
10. Mmako Kgoro
Koma Seroto
11. Masemola Kgoro
Maswane Masemola
12. Tladi Kgoro
Mametse Tladi
13. Phogole Kgoro
Mahuhu Phogole
14. Maledimo Kgoro
Setlarume Maledimo
15. Ngaka Kgoro
Seopo Ngake
16. Makola Kgoro
Madibotse Makola
17. Matebane Kgoro
Mataboge Matabane
18. Lekola Kgoro
Phaswane Lekola

The Commissioner requested whether they have left anything behind before the meeting can be closed and Mokhine Johannes Kgaphola indicated that nothing was missing. The meeting was officially closed by the Commissioner (TNA, f53/1608/15). After the meeting, Commissioner B.F. Lizamore wrote a letter (TNA, NII/1/3/18) to the Chief Bantu Commissioner in Pietersburg (Polokwane) to inform him about the discussion he had with the royal family of Kgaphola

regarding their intention to install Mantlatle as Acting Chief for the tribe. It was reflected in the letter that the totem of the tribe is Tau. Also that, the area of Mphanama is situated at Doornveld 233 and Scheepers Rust 17. Further that, Matlebjane Johannes Kgaphola would be the Secretary of the Tribal Office. It was mentioned that Mantlatle was born in 1938, married and had passed standard four at school. Commissioner B.F. Lizamore indicated that the final decision on the matter was dependent on the Chief Commissioner.

A few days after a meeting (March 1966) with Commissioner B.F. Lizamore, another group of royal family members led by Masehle Johannes Kgaphola approached the office of the Commissioner to inform him of a decision they had taken to appoint a successor to Ngwanamohube. When the name Masehle Diphatše Kgaphola was suggested, he realised that the royal family was divided into two groups. The Commissioner took a decision to convene a meeting with the two royal family groups to resolve the matter. Following the disagreement between members of the royal family, the office of the Commissioner was informed about the situation at Mphanama. The Office of the Commissioner arranged a meeting with members of the royal family at Schoonoord Offices in an effort to resolve the impasse.

A meeting was arranged on 8 March 1966 at which Commissioner B.F. Lizamore and officials from the Department of Bantu Authorities were present, namely; Mr Welman, Dr Bothma, Mr Wiid and Mr Venter to listen to a presentation by the royal family (Bothma and Wiid were both ethnologists). Both groups of royal families were invited with their supporters that were limited to no more than hundred in the hall as that was its capacity. Commissioner B.F. Lizamore welcomed everybody present and introduced the matter to be discussed on the day. He informed the royal family that they were to deliberate on chieftainship issue of Kgaphola which was characterised by dispute. The Commissioner indicated that no tribe could exist without a leader and the Department would not allow a situation like that to continue for a very long time (TNA, f53/1608/15).

Johannes Ngaka who supported Mantlatle was the first to respond and he indicated that chiefs are always born to that position. He added that the community contributed marriage goods to the marriage of a candle wife (Ngwanamohube) and two daughters were born. He further told the officials that the eldest daughter should be appointed as Acting Chief and the royal family would identify a seed raiser for a chief to be born. He indicated that they would not take a child from another house while the candle wife had left children who qualify for the position. Dr Bothma asked if it was their culture to install a daughter from the candle wife as Acting Chief.

Johannes Ngaka responded by saying that it was part of their culture, while Dr Bothma wanted to know if that was not in contravention of their culture. Johannes Ngaka continued to indicate that it was their culture.

Mametse Nkwele responded by saying that he never came across anything of that nature for the rest of his life. He pointed out that he was the son of the senior wife, namely Mpilo from her second born son and had a brother and a sister. He added that his sister was old like himself and wanted to find out why she could not be appointed. Furthermore, there were sons of Lobang III who could assume the chieftainship position and that the daughter (Mantlatle) referred to had been married by another man in the community of Mphanama.

Dr Bothma asked to which sons of Lobang III he was referring? The answer given was that there were sons and the community would mention them if they wanted to do so.

Tseke Makomane followed Mametse Nkwele and started by introducing himself as the son of Chief Lobang`s brother. He indicated that their culture did not allow them to install either of Ngwanamohube`s daughters as chiefs. He indicated that they were prepared to contribute marriage goods (*magadi*) to marry a candle wife. In fact, the previous chiefs were born from women who were married from GaPhaahla. After the death of Lobang III, his younger brother (Kgapyane) from the second house was identified to take care of the candle wife. Tseke went on to

say that Mokhine was the most senior member among them all and they were not going to inaugurate any of Lobang III's children.

Masehle Diphatše Kgaphola was also given a chance to give his side of the story and indicated that he did not know when they started to have a problem with regard to the chieftainship, since according to him they did not have any problem. He stated that after the death of Lobang III, he was requested by Mpilo to take charge of the tribe which he had been doing all along. In addition, he led the tribe until Kgapyane was back home. Furthermore, he added that they did not have problems in the community since he was leading the community well.

Dr Bothma asked if there were some royal family members present when he was identified to lead the tribe. Masehle indicated that Katang (a royal family member) was at Nebo, while some were at work and Tserere, Therry and Nkopeleng were present. Masehle wanted to know why he was asked such a question. Dr Bothma indicated that the question was necessary with regard to chieftainship matters.

Therry Lobang Kgaphola, who was on the side of Mantlatle, indicated that Masehle identified himself to lead since he was not aware of a person who appointed him to be a chief. Shile Makomane (a member of the royal family) asked why Therry was not working with them. Therry asked for whom they were working and Shile Makomane indicated that they were working for the community at the royal centre.

Motodi Lobang Kgaphola (a member of the royal family) who supported Mantlatle indicated that he did not understand the importance of the meeting because he heard that they were to talk about chieftainship matters. Commissioner B.F. Lizamore reflected that after the death of Ngwanamohube there had never been an official appointment of a chief for the tribe.

Matagane Majatladi told the commissioner that Mokhine should rule the tribe until a candle wife was married. In turn, **Lukas Phuting** informed the commissioner that Masehle was telling lies and that Mokhine was not lying.

Furthermore, he alleged that the white people (*wit mense*) cause the community to fight by installing Masehle.

Senthe Ramphelane (Mantlatle`s supporter) indicated that he was happy because the government heard what kind of people they were dealing with. He added that he was there during the death of Lobang and a member of the community namely, Segalo advised them to be careful when appointing someone to lead the tribe and that the best option would be to install Ngwanamohube. During that period, they appointed someone to take care of Ngwanamohube and Masehle immediately started fighting. Furthermore, Masehle was not available when the funeral arrangements of Mpilo were made.

The commissioner asked who was available when Masehle was identified and if that was in accordance with their culture. **Manthopi Ramphelane** showed that Mpilo had problems and also that money was no longer paid to the tribal office. Mpilo told Masehle not to take money but he did not listen and later when he was called he refused. She told him that if he did not bring money he should not come. Furthermore, he added that women from the royal centre (*mošate*) should contribute marriage goods (*magadi*) to marry a candle wife to bear an heir apparent.

Commissioner B.F. Lizamore wanted to know the identity of the witnesses. In response, Manthopi Ramphelane mentioned the following people:

- Johannes Kgaphola;
- Daniel Morei;
- Ramphelane Makoma;
- Sinthe Ramphelane;
- Tseke Makomane;
- Mathebe Makomane;
- Johannes Nyaka;
- Mashine Mokhine; and

- Mashine Kgaphola.

Sibilon Kgaphola indicated that the previous speakers did not mention something very important. He told the Commissioner that Masehle took Ngwanamohube back to Mohlaletsi and during her absence he started looking for a woman at Manganeng. Also that Masehle said that anyone who was against him would be killed. Furthermore, he alleged that Mpilo had no status but he (Masehle) was a chief and that was the cause of the conflict.

Masehle Diphatše Kgaphola indicated that the other group was not telling the truth because he was away from home and during his absence there were no problems. Furthermore, he stated that he had spent three years away from the community and he was not aware that some of the *bakgomana* decided to sideline him. He also informed the Commissioner that he was not at home when Mpilo died and he knew that she could not change her decision to appoint him to lead the community.

The Commissioner, Mr B. F. Lizamore, suspended the meeting (8 March 1966) and in his closing remarks, he informed the royal family (*the bakgoma and bakgomana*) that there was no cooperation among them, and he would therefore compile a detailed report of all the proceedings for the head office (TNA, f53/1608/15). This reflected that the disagreement between the two opposing groups made it difficult for the Commissioner to take a decision during the meeting and thought it better to request a second opinion from the highest authority based on his report.

The decision to appoint Ngwanamohube`s successor took time to be finalised as the two groups failed to agree on who should rule. In the end, the Commissioner of Sekhukhuneland, B.F. Lizamore took a decision to suspend the issue of appointing a chief indefinitely. When the royal family realised that the matter was delayed without ensuing any solution, a decision was reached to approach the Chief Bantu Affairs Commissioner, Northern Areas in Pietersburg (Polokwane) for intervention.

After receiving a complaint from a disgruntled group of royal family members, an investigation into the matter was conducted. It was found that Masehle qualified to lead the community and he also enjoyed the majority support within the royal family. The office of the Chief Bantu Affairs Commissioner, Northern Areas, then wrote a letter (TNA, 28 N.1/9/12) dated 09 May 1966 to the Bantu Affairs Commissioner of Sekhukhuneland reflecting his view about the matter. He regarded the Kgaphola issue as a case similar to Eastern and Western Berlin, consisting of two absolutely irreconcilable elements (TNA, f53.1608/15).

The Chief Commissioner indicated that he did not support the idea of placing the matter in abeyance indefinitely. Upon receipt of the letter by the Chief Bantu Affairs Commissioner, the office of the Bantu Affairs Commissioner of Sekhukhuneland informed the Kgaphola royal family about the decision the government had taken regarding the appointment of acting chief for the tribe. Motodi's group which supported the leadership of Mantlatle displayed their dissatisfaction with the decision to appoint Masehle as Acting Chief.

Another meeting of the royal family (Motodi's group) was held on 11 November 1966 at the royal centre where it was agreed to write a memorandum to indicate their dissatisfaction with the decision that was taken. The meeting was arranged subsequent to the one attended by both groups of the royal family and departmental officials on 8 November 1966. The main concern of the royal family was that Masehle came from the 12th house within the royal centre. According to the group, Masehle could not lead the tribe while his elder brothers were still alive as that was seen as a contravention of the Batau culture.

It was further indicated in the memorandum that the government did not consult with the custodian of chieftainship being the royal family, instead it identified Masehle as the successor. It was also stated that the identification of Masehle as Acting Chief had caused conflict in the community and therefore the government should withdraw its decision if peace was to be restored in Mphanama (TNA, f53 /1608/15).

The group also mentioned that if the decision was withdrawn, the royal family (Motodi`s group) would inform the government about the name of the identified person eligible to lead the Batau tribe. A genealogy of the royal family was also attached to substantiate their position (folio attached). A list of Mahlopi`s wives and his children`s wives was attached to the memorandum to make it easier for government officials to understand their case and that was referred to the Bantu Affairs Commissioner of Sekhukhuneland. The list was presented as follows:

Table: 4.5 Basadi ba Kgoši ya Mphanama elego Kgoši Mahlopi II Kgaphola (The wives of chief of Mphanama, Chief Mahlopi II Kgaphola).

Kgoši (chief)	Basadi ba gagwe (his wives)	Bana ba gagwe (his children) Bašimane fela (boys only)
Mahlopi II	1. Mpilo (<i>kgošigadi</i>) 2. Mpelegeng 3. Mamohlatlo 4. Mmatseke 5. Kgaladi 6. Lebogo 7. Lekgale 8. Mmanthipeng 9. Mmankholane 10. Mmakabee 11. Mmangwedi 12. Mmamose 13. Mmasereto	Lobang III Nil Nil Nkopeleng Nil (i) Moroba (ii) Mošupje Šikwane Mmabje Nil (i) Tserere (ii) Ntage (i) Thekwane (ii) Diphatše Seropeng (i) Lethamaga (ii) Maseo

Basadi ba bana ba Kgoši Mahlopi II Kgaphola (wives of children of chief Mahlopi II)

Kgoši (chief)	Basadi ba gagwe (his	Bana ba gagwe
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	<i>wives)</i>	<i>(children)</i>
Lobang III	1. Ngwanamohube <i>(Kgošigadi)</i> 2. Mošiane 3. Mamelatše 4. Mante 5. Mokgalwa 6. Mmalewisi 7. Makgwale	(i) Mantlatle (ii) Sekgopetšane (i) Mpilo (ii) Sejabanne (iii) Tlakale (i) Motodi (ii) Matšheng (i) Tserere (ii) Sekhukhune (i) There (ii) Diphofe (i) Nkopeleng (i) Motubatse

The efforts by Motodi's group never yielded any positive outcomes since the government continued with its plan to inaugurate Masehle as Acting Chief of the Batau of Mphanama. The government continued with its plan after realising that a large number of royal family members and the community supported the appointment of Masehle as Acting Chief of the tribe. The community was also divided into two groups each with its preferred leader, namely; either Mantlatle and Masehle.

Due to the reaction of the majority of members of the royal family who expressed their satisfaction with the appointment of Masehle as Acting Chief of the Batau tribe, the government was able to take a decision. The department, together with a large number of royal family members, thought it necessary to have someone like Masehle appointed to fill the vacant position left by Ngwanamohube, the purpose being to address the challenges faced by the community. Since the community was also divided, the government decided to appoint Masehle in order to avoid a leadership vacuum, which proved to be detrimental in future.

In his response to a letter (TNA, 28 N1/9/2) dated 9 May 1966, the Secretary for Bantu Administration and Development requested the Chief Bantu Commissioner

in Seshego, for the date on which Masehle would be inaugurated so that a Certificate of Civil and Criminal Jurisdiction could be prepared in time. The response by the Secretary for Bantu Administration was compiled on 13 July 1966.

Masehle was officially appointed Acting Chief of the Batau tribe on 29 November 1968 in a ceremony attended by a large number of community members. The ceremony was attended by government officials and a presentation was also done by Mr. Y.M.P. Leibrandt, which reads as follows:

“Greetings, I have come here today to install an Acting Chief for the Kgaphola tribe. The man that I am going to install is Masehle Diphatshe. This matter has been very carefully considered by the Department and this decision has been made after considerable investigation into all the facts surrounding the appointment. We all know the history of the Kgaphola tribe. Your chief Ngwanamohube Kgaphola was murdered by a member of the tribe, on the 29th November in 1964.

A Tribal meeting was held on the 08th March 1966 to discuss the question of the chieftainship. At this meeting it became apparent that the majority of the tribe was in favour of the appointment of Masehle Diphatshe and since then, the Department has been considering whether he should be made Acting Chief.

The Department has not made this decision lightly or without knowledge of the activities of the leaders of the people in Sekhukhuneland.

It is appreciated that no tribe can exist without a leader and that the leader will be held responsible for the actions of the tribesmen. The Government does not usually depart from the wishes of the people unless there is a very good reason to do so.

After the death of Ngwanamohube the affairs of the tribe have been closely watched and you have been given time to settle down. I have personally

had meetings with leaders of your tribe in regard to grievances that you desired to bring to my notice. Many of these grievances have been settled.

Today you still have a spirit of unrest amongst your people. There have been many reports that came to my ears. Reports of threats to Chiefs and Headmen, who have been loyal Government followers. Reports concerning people who hold meetings without permission and who abuse those in authority over them. There are many who actively oppose law and order and who, it seems, do not desire peace and prosperity in their land.

From these reports I can only gather that there is a body of persons resident here in Sekhukhuneland whose sole desire is to place fear and terror into the hearts of those people who have asked for Government aid in the administration of their affairs.

You have been told repeatedly that the Government is here to create happy and contented homelands for the future welfare of the people. This assistance is never forced on the tribe. It is for them to accept voluntarily. The Government fully appreciates the difficulties of the chief and his councillors who have not always got the means at their disposal to meet the demands of a progressive community e.g. by helping them to build schools, plough lands, build dams and give effective water supplies etc.

I must make it very clear to all those who gathered here today that Government will protect law abiding persons at all times and will punish those who commit crimes against others. Throughout South Africa today there is a great spirit of progress amongst the Bantu people. People who realize that in this modern age, they must advance and educate their followers along the road to prosperity.

In South Africa today lands, your laws and customs are being protected for you and it is for you to develop your country to the best of your ability. It has long been your custom that your chiefs be appointed to take charge of your

affairs and it is their duty to look after all their people. It is also the duty of the people to protect and look after the welfare of the chief.

To Acting Chief Masehle Diphatše, I want to give some advice and guidance.

You have a difficult and dangerous task ahead of you. In your tribe there is no unity and the people are divided in their loyalties. Your main duty will be to bring your people together so that they can develop the tribe to take its rightful place in this Territory. This is a great challenge to you and your leadership and you will have to exercise great patience and restraint in guiding your people along the path of progress. You will at all times be guided by your Councillors and your Bantu Affairs Commissioner will help you when you desire him to do so. His door is always open to you.

Let me emphasize that all members of this Tribe are your subjects and they must be fairly and equally treated. Do not discriminate against those who have previously opposed you. It is your duty to help and assist them.

I would like to add that the Government expects all and I mean all members of the tribe to pay allegiance to and respect the new chief. People who do not obey and respect him will be disobeying the law.

The Government will watch the wellbeing of your people with great interest and will be prepared to assist you should you require help. Be warned against those who would bring you into trouble and disrepute. There are many whose sole desire is to cause chaos and disruption in your tribe. These evildoers will destroy your people if you allow them to do so. It is for you to see that your people are protected from them.

It is my sincere wish and the wish of the Government that you govern your tribe wisely and well. That you rule them with justice and protect them from evil. Look after the old people and the children and be an example to them that they can be proud to follow (TNA, f53/1608/15)."

The speech has certain elements in it and I highlight some important concepts which will emerge in further discussions:

- activities of the leaders.
- closely watched.
- given time to settle down.
- spirit of unrest.
- reports of threads.
- abuse those in authority.
- fully appreciates.
- accept voluntarily.
- create happy and contented homelands.
- law abiding citizens.
- advance and educate.
- advice and guidance.
- trouble and disrepute.
- chaos and disruption.
- govern your people wisely and well.

The government concluded the appointment of Masehle after considering a number of factors such as the decision of the royal family (*the bakgoma and the bakgomana*), support he received from the community, the functions that are performed by the chiefs in the Sekhukhune area and the customs of the tribe. This indicated that by appointing Masehle, the government wanted to ensure that peace and stability were maintained in the community since he was favoured by many people. By taking into consideration the custom of the tribe during the appointment of Masehle, it showed that unity among people was very important. The government was also aware that chiefs were unable to meet the demands of their communities such as the demands for building schools and clinics. However, within the community there were people who were not satisfied with the appointment of Masehle; as such, they were not going to be loyal to either Masehle or the government.

Masehle was appointed Acting Chief in terms of section 28 of the Black Administration Act, 38 of 1927 (RSA, 1927). A certificate of civil and criminal Jurisdiction was also issued in terms of section 12 (1) (a) and 20 (1) (a) of the Black Administration Act no. 38 of 1927 (RSA, 1927). A certificate which outlines all cases that could be tried by him as Chief and his Council was also handed over. It thus read as follows:

“The Honourable the Minister of Bantu Administration and Development has

(a) Authorized you to hear and determine civil claims arising out of Bantu Law and Custom brought before you by Bantu against Bantu resident within the area of your jurisdiction, in other words, the area of the Kgaphola tribe; and

(b) conferred upon your jurisdiction to try and punish any Bantu who has committed, in the area under your control, as in paragraph (a) above, any offence in common Law or under Bantu Law and Custom, other than the offences specified in the schedule hereto. You may, however, not try any offence

(i) Which has been committed by two or more persons any of whom is not a Bantu; or

(ii) Which has been committed in relation to a person who is not a Bantu or property belonging to any person who is not a Bantu, other than property, movable or immovable, belonging to the South African Bantu tribe or a community or aggregation of Bantu or a Bantu.

2. In the exercise of this jurisdiction you may not inflict any punishment involving death, mutilation, grievous bodily harm or imprisonment or impose a fine in excess of two head of large stock or ten head of small stock or impose corporal punishment save in the case of unmarried males below the apparent age of thirty years.

3. *Copies of the regulations and annexures in connection with the exercise of civil and criminal jurisdiction are attached for your information (TNA, f54/1608/7).*

The words, phrases and facts listed below also reflected that the government expected the community not to resort to disorder but become loyal and obedient citizens:

- Try and punish any Bantu;
- Punishment involving death;
- Impose corporal punishment; and
- Authorise you to hear and determine civil claims.

Allowing chiefs to exercise authority over their subjects indicated that the government expected people to obey the law and to have respect for their leaders. Chiefs were also not allowed to adjudicate over cases such as murders to give the courts of law a chance to exercise authority over them.

The certificate awarded to Masehle was signed by the Secretary for Bantu Administration and Development, Mr J. Engelbrecht. After the official inauguration of Masehle as Acting Chief for the Batau of Mphanama, Commissioner B.F. Lizamore wrote a memorandum (TNA, N1/1/3/26) to the Chief Bantu Commissioner and requested that he be paid a stipend to the amount of R240 per annum; from 11 November 1966 to 30 September 1967 for the work he had been performing (TNA, f54/1608/7).

Masehle continued to lead even though there were some people who did not support his leadership, something that is common in most tribes. The two groups of royal family members never worked together under the leadership of Masehle since they continued to challenge each other over a number of issues. After his inauguration, Masehle and his council agreed to build an office where they would be able to administer the affairs of the community. The group had previously withdrawn from the old royal centre (*mošate*) and decided to build their own

office. The fact that Masehle was appointed acting chief of the tribe meant that he should have an office in which to work since he could not utilise the one that was occupied by his predecessor (*Ngwanamohube*) for fear of attack by the Rangers.

Several letters were written and referred to the Office of the Commissioner of Sekhukhuneland requesting that an office be constructed. Mantlatle's group rejected the idea, indicating that they would not recognise nor visit the office to access any services. On 08 July 1970, the Chief Director C.C.S. Holdt in the Department of Cooperation and Development at Seshego wrote a letter (dated 6/2/2/127) to the magistrate of Sekhukhuneland informing him that the senior *bakgoma* of Mphanama would like to have a meeting with the paramount chief, the Kgaphola royal family, Dr Bothma and the magistrate regarding the construction of the new office (TNA, f54/1608/39).

In response to the letter by the Chief Director, the magistrate indicated that he should first discuss the matter with Paramount Chief Mankopodi Thulare to inform her about what was happening at Kgaphola. He indicated that he would like to check what made it difficult for Acting Chief Masehle to relocate to the old royal centre (*mošate*) and also to ensure that Lobang III's children were taken care of before a meeting could be arranged. In his response, the magistrate indicated that he consulted with the Chief Ethnologist, Dr Bothma, about the matter and he was informed that the Batau conflict was a difficult one and it needed serious attention.

Before he could arrange a meeting as promised, he received a request from Masehle to have the office constructed at the new royal centre. An amount of R1500 was approved by the Department of Cooperation and Finance for the construction of a new office building (TNA, f53/1608/15). The approval was given before the department realised that there would be problems with community members. After the approval was given, Masehle was informed, but the problem arose as to where to build the new office. Magistrate H.P van der Merwe advised him in writing on 6 August 1971 per minute 8/3/2/5 to build it next to the old office but that was rejected outright by Masehle's supporters.

Towards the end of August 1971, Tserere who was on Masehle's side, as well as Mokhine and Motodi from Mantlatle's group, visited the office of the magistrate regarding the construction site of the office. During the meeting, Tserere indicated that he would like the office to be constructed at the new royal centre while Mokhine and Motodi wanted it at the old royal centre. Magistrate H.P. van der Merwe told them that he would like to discuss the issue of the new and old royal centre with Dr Bothma, the Chief Ethnologist so that he could have a better understanding of the matter.

Acting Chief Masehle and his Council were invited to a meeting on 2 September 1971 with a view to resolve the *impasse*. Those present at the meeting were Acting Chief Masehle, Sepeke Kgaphola, Patrick Mpofa, Maletswai Morwangoato and the government was represented by Magistrate H.P. van der Merwe, Mr. Matlala (the interpreter) and police constable, Mr P. Modipa.

During the meeting, Masehle was the first to speak and he indicated that the commissioner requested that the new office be constructed in the old royal centre of the late Chief Lobang III. On the Saturday before 2 September 1971, a community meeting was held to discuss the matter and it was agreed to build the office in the new royal centre. It was also said that Mokhine and Motodi were also present during the meeting together with their supporters. It was reported that they were all happy with the amount of money (R1500) received but when it came to the place where the office should be built, Mokhine, Motodi and their group abstained.

The group wanted the office to be constructed in the old royal centre or next to a primary school in the community so that it could be independent of the two royal centres. Masehle indicated that his group wanted the office to be constructed at the new royal centre. Furthermore, he told the meeting that his group saw a problem of which the government had not been aware of, in the community of Mphanama. Masehle indicated that there was a person called Matlebjane Makomane who was causing trouble in the community and that he should be

removed for the sake of peace. Furthermore, Masehle indicated that Matlebjane (a Ranger) was the one poisoning members of the community and causing problems in the office. Matlebjane Makomane was a member of the royal family who was supporting Mantlatle and was amongst those at the forefront in their group. In addition, during the community meeting, Masehle`s supporters numbered about 660 while the other group numbered only 30 (TNA, f53/1608/15).

Patrick Mpofa followed Masehle and supported everything that he had mentioned. He also indicated that their only problem was Matlebjane Makomane with whom they could not leave with since he was troublesome in the community. Magistrate H.P van der Merwe indicated that he would like to refer the matter to the chief director who was stationed in Pietersburg (Polokwane) for his attention and directives. Since the matter was very urgent, he referred it to the Chief Director as promised during the meeting.

Masehle did not rest during his tenure as a leader due to the continuing dispute within members of the royal family. One member of the royal family and a wife of the late Chief Lobang III, namely, Makgwale Kgaphola once complained about her piece of land (*tšhengwana*) being taken away by Mokhine Kgaphola. Consequently, she was unable to grow maize during the rainy seasons like any other member of the community. After realising this injustice, she informed Masehle about it but no positive response came from the royal centre. Since both Masehle and Mokhine were not on good terms due to an ongoing chieftainship dispute, it became difficult for the Chief and his Council to resolve the *impasse*. Masehle was then advised by his council to refer it to Magistrate H.P. van der Merwe in Sekhukhuneland for intervention.

The Office of the Magistrate (*Lekoloane*) called a meeting of the royal family on 21 December 1971 at the Schoonoord Government Offices to address the problem. Those present at the meeting were the following: Masehle, Makgwale Kgaphola, Motodi, Mantlatle and Mokhine that were all members of the royal

family. Makgwale as the complainant, was requested to present her problem for the discussion to begin. She gave the following presentation:

I came to complain about my land; Motodi ploughed my land. After the death of my husband, the late chief of Mphanama, my mother in law gave me this land. My mother in law sends Acting Chief, Mokhine and others to show me the land. This was long ago. Mantlatle was still attending school. Two years back Motodi ploughed the land. We came to the office and informed Mr Venter. He referred us to the Acting Chief. I went to the chief and did not make any decision (Masehle); from there I approached the Paramount Chief at Mohlaletsi who indicated that the land is mine and I should plough. Last year I ploughed the land (1970) and this year (1971) Motodi ploughed it. I went straight to the chief and requested that we come here. He said, the land gives problems and we should go to the Commissioner. It is the only land that I have. We are now here.

Masehle became the first one to talk after Makgwale Kgaphola and he stated the following:

The royal family was talking about that piece of land every year. The past Chief (Lobang III) had seven wives and each of them had her own piece of land. The complainant (Makgwale) is the widow of the late chief. The only thing that troubles me is that some people plough her land. I'm tired of this thing. I always pleaded with people over this matter but they don't listen to me. I request the Magistrate to finalize this case. When we finished anyone who ploughs the land, he will be ploughing for the Complainant. What it means is that anyone who ploughs the land is not the owner of that land. Anyone who does not have a piece of land should consult the chief and he will be allocated one. The complainant and her children will not get food this year (1971). That is all what I wanted to say.

Motodi was the second to speak after Makgwale and presented the following:

I'm (Motodi) the son of Chief Lobang III and my mother is the third in seniority. When my father died (1954) no land had been given to Makgwale while allocations were made to all wives. Masehle was in charge of his father's land. At one stage Masehle referred the matter to the Paramount Chief who told him not to take the land from the candle wife (Mpilo). Members of the community, his mother and sons of Lobang III were surprised when Masehle took land that belongs to the candle wife. After the death of Mpilo and the killing of Mantlatle's mother (Ngwanamohube), Masehle built a house and called it a new mošate (royal centre).

Masehle called members of the community to plough the land in question for Makgwale. The Chief (Masehle) does not provide food for the children of the candle wife as required of him and he ploughs the land for Makgwale. On 05.08.70 Mokhine obtained the land after a meeting held with the Chief Director, Senior Noble, Ethnologist and Magistrate. It was on that date that Mokhine was told to plough the land for children of the candle wife.

On 25.08.1971 all (royal family) were called in by the Chief Director who informed them that everything which belongs to the old royal kraal should be returned back. The complainant went to the Acting Chief to request for land to plough but he did not say anything to her.

Masehle was given a chance to respond and he said:

Motodi is not telling the truth and he doesn't know what he is talking about. Mpilo gave land to Makgwale and indicated that there was no piece of land left and as such she should get this one. While Makgwale was ploughing on the land, Mpilo decided to take it from her. We are not talking about that land now. The land we are talking about now is the one she was allocated by me.

Mokhine replied:

I say this land is for the tribe and the community should plough it for the candle wife`s children. The chief gives land and plough it for the complainant. He says, he is the chief but has done nothing for the late chief`s children or the candle wife and Chief Kgaphola is not Acting but Chief himself. He left the old mošate (royal centre) and built his own mošate. According to our tradition, if he establishes his own chieftainship, he must return everything to the old mošate and stay in his mošate.

Motodi was the last to speak and he stated:

Mokhine is correct. If Masehle was right, he couldn`t be an Acting Chief. He should leave because Mphanama belongs to Lobang and not Masehle. The minutes of the meeting were signed by a Magistrate of Sekhukhuneland on 21.12.1971 (TNA, f53. 1608/15).

After the meeting the magistrate (*Lekoloane*) wrote a letter to the Chief Director at head office in Seshego on 23 December 1971 to inform him about the dispute in Mphanama and the discussion he had had with all groups. In his letter (TNA, 6/2/2/110), it transpired that he had met with the Acting Chief (Masehle) and five community members to discuss their conflict in his office. He showed that the conflict was an old one (1954) and has already passed through the Acting Paramount Chief`s office. That on 5 August 1970 the matter was heard in his office by the senior *mokgoma* (noble), Chief M.M. Matlala, Acting Paramount Chief M.T. Sekhukhune and Dr Bothma, the Departmental Ethnologist.

He requested permission from the Chief Director to inform Acting Chief Masehle to look for a piece of land for Makgwale Lobang Kgaphola so that the land that had caused conflict (between Makgwale and Motodi) could be used for the candle wife`s children. He believed that such a decision would bring an end to a long outstanding conflict within the royal family (TNA, f53/1608/15).

The arguments during the meeting indicated that the royal family was divided into factions that failed to tolerate each other and could not settle their differences by

themselves. The problem developed into a succession dispute and some members of the royal family ended up fighting for ploughing fields until assistance was sought from government officials. A problem which started within the royal family (1954) was extended to the community that later became divided depending on whom they supported for leadership. The building of the new royal centre by Masehle was a clear indication of a division within the royal family and the community. Presentations made during the meeting showed that a group that did not support Masehle as the leader was not prepared to accept him even after his appointment as Acting Chief. The group was prepared to challenge the decisions taken by Masehle to prove that they did not want his leadership.

Mr J.G. Bedford, the Director in the Department of Cooperation and Development, wrote a letter (TNA, 6/2/2/110) dated 07 January 1972 to the magistrate in Sekhukhuneland that Dr Bothma (the chief ethnologist) informed him that he would like to talk to him about the matter but he did not hear anything. In the letter, he advised that the construction of the new office at Mphanama should be delayed. The purpose was to ensure that the dispute related to the location where it was to be constructed was resolved before implementation.

To summarise: Once the royal family is unable to make a decision on a particular issue and allow the problem to continue without a conclusion, a division will be the final result. A divided royal family will compel members of the community to choose which group to support in order to meet their needs. Conflicts arising out of such situations force the government to intervene in an effort to resolve the differences. Conflict of this nature takes the government a long time to resolve or sometimes no conclusion is reached. Despite all the formal documentation and deliberations during meetings with government officials, their interventions were frowned upon and entrusted with suspicion.

4.6 Establishment of the Lebowa Government

During the 1973 elections, Kgoši Matlala from GaRakgwadi around Marble Hall was challenging Dr C.N. Phatudi for the position of Chief Minister, which he failed

to acquire after a heavy contest. The chiefs enjoyed considerable recognition in the legislative assembly since most of them were also appointed as ministers and deputy ministers of the various departments of the Lebowa Government. There were 60 chiefs that participated in the legislature and 40 were voted in by the public in total (Delius, 1996: 172-173). The intention of the ruling National Party Government was to spread the ideology of the Trust (*Boipušo*) by establishing homelands. The plan was that after its establishment, the homelands would choose total independence, an ideal that Dr C.N. Phatudi was not in favour of throughout his tenure as Chief Minister.

During the first elections in 1973, Dr C.N. Phatudi promised the chiefs more land and that their powers would be extended (Delius, 1996: 173), once he was voted into the assembly. The Lebowa Government was granted authority to recognise chiefs and also to settle the disputes of succession.

Immediately after his appointment as Chief Minister, Dr C.N. Phatudi ensured that the legislature approved the implementation of the Betterment system in the whole area of Lebowa. The fact that chiefs were participating in great numbers provided an opportunity to fast track the process. Therefore, he decided to hold meetings with the chiefs regularly since they were regarded as the pillars of the local government. At one of his meetings, the chiefs were informed of the intention of his government to implement the trust in their areas of jurisdiction. The chiefs were requested to inform their tribes when they arrived home to get their views about the intention of the Lebowa government.

According to the Chief Minister, the Sekhukhuneland area was sparsely populated since everyone was able to build a house wherever he liked and that made it impossible for the government to provide the services and to exercise control over its citizens. Therefore, it was agreed that at their next meeting, all the chiefs would be expected to provide reports from their respective tribes about the matter.

According to my informant, Pebetse, during the next meeting, chiefs presented reports from their tribes and the results were positive which showed that people preferred to settle in lines rather than to be scattered from each other. It is said

that all chiefs including those from Sekhukhuneland gave reports but Chief Tserere did not provide any report from Mphanama.

The Chief Minister was impressed by the feedback from the various tribes and papers were signed as proof of acceptance for the Betterment system. When the process of signing the papers was about to be completed, Dr Phatudi asked Chief Tserere if he had informed his tribe and what their views were regarding the matter. The question was asked because throughout the discussion, no response was given about the views of Mphanama regarding the proposal by the government.

The response by Chief Tserere was that he did not want the Trust at Mphanama, that he preferred his people to build their homes just as their forefathers had done before. In turn, Dr. Phatudi stated, "*O swanetše go bolela ka mokgwa yowe ka gore le "A" ga o e tsebe*" (You can speak like that because you don't know what "A" is). Hlabirwa explained, "*Tserere o ile a re le wena o swanetše go bolela bjale ka gore gase wa bolla*" (Tserere said, you can speak like that because you are not initiated). All this happened in full view of the other chiefs and officials who were present on the day.

The argument continued between the two of them and Dr Phatudi went on to assert, "*O kgonwa ke sethunya wena*" (A gun will make you good). Tserere responded quickly and declared, "*Wene o kgonwa ke lerumo*" (You need an assegai). He said that because he felt the government was forcing people to accept something they did not like (1976). Dr Phatudi did not resent this, instead, he continued by saying, "*Ga o makatše ge ore o ka mpolaya ka lerumo, ka gore o šetše o bolaike Mmago*" (It is not surprising, when you say you can kill me because you have already killed your mother with an assegai). This argument between Dr C.N. Phatudi and Tserere ensued because Acting Chief Tserere was opposed to Betterment system in Mphanama while other chiefs in the Sekhukhuneland had accepted.

Later on, Dr Phatudi told Chief Tserere that in the coming year, he should not come back to the legislature because of his lack of respect and cooperation with the government. He went on to inform the Sekhukhune Regional Authority not to

nominate him in the next election as a result of his attitude. According to my informant, Phogole, Chief Tserere told him that he was forced to participate in the legislature.

When the meeting was over, Chief Tserere like every other chief who was present, went home and upon arrival at home, he told the community what had transpired during a sitting of the legislature at Lebowakgomo. He did that by inviting all the members of the community to the royal centre (*kraal*) and when everyone was present, a report from the legislature was presented to the community.

Acting Chief Tserere requested the community to disperse and come back after two weeks on which men, women, young boys and girls should be available at the royal centre (*kraal*) for a meeting. In July 1976, the whole community gathered at the royal centre (*mošate*) for a meeting that was requested by Chief Tserere. He told the community that since he had been removed from the Lebowa Legislature after he refused to accept Bantu Authorities, he would therefore like to know from them their views about the matter.

Immediately, the youth showed their interest in the Trust at the time when they would be looking for sites to build their new homes. Chief Tserere told the meeting that he would invite a few elders from the community to locate a space around Mphanama to demarcate sites for the youth. He told them further that he would invite agricultural extension officers who were stationed at Schoonoord to demarcate sites for them. The elders of the tribe indicated that from the existing villages of Mphanama, no demarcation of sites should be done since they were satisfied with the current pattern of settlement.

Tserere told the youth that any of them who did not want to build a house in a new settlement would be expected to pay a fine of R100 before being given permission in this regard.

My spokesperson, Phogole indicated that at a certain stage, his second born son (Phogole's son) Hlabirwa, sent his elder brother while he (Hlabirwa) was still in Johannesburg, to pass a message to his father that he would like to acquire a site

for his family when he came home. According to his brother, Hlabirwa wanted a site at Ntsoana Lekotle, which was one of the old settlements in Mphanama where the demarcation of sites was never done. After receiving the news, Phogole went to the royal centre to approach Chief Tserere on the matter and also to get his permission. He was requested to inform his child to pay a fine of R100 before he could be allowed to look for a site to build his new house.

From the date of the announcement by Chief Tserere regarding the demarcation of sites for the youth. All those who did not want to go to the new settlement were expected to pay before permission was given. After the elections that followed in 1978, Chief Tserere did not form part of the chiefs that participated in the legislature, as he was not re-elected by the regional authority. From 1978 onwards, Chief Tserere was never re-elected to the Legislative Assembly until the Lebowa Government was dissolved in 1994.

4.7 Resignation of Masehle Kgaphola and the Recognition of Tserere

At the beginning of 1975, Acting Chief Masehle informed members of the royal family about his intention to hand over the chieftainship position to the eldest son of former Chief Lobang III namely; Tserere Johannes Kgaphola (*Mmaswi wa Phahlane*). Masehle wanted to retire from the leadership of the tribe after realising that he was too old to cope with the challenges arising from within the community.

After he agreed with the royal family, a community meeting was arranged with the purpose to inform them officially about his intention for retirement. Phogole explained, "*Masehle o ile a bitša Mphanama ka moka go tlo re botša gore o neela Tserere sefoka sa bogoši*" (Masehle called the whole of Mphanama to inform us that he was giving the royal insignia to Tserere). This was done to ensure that members of the community accepted Tserere as their leader and also to provide the necessary support to his leadership.

The meeting was held in the new royal centre (*mošate*) of Masehle (Makhuduthamaga) and the opposition part of the royal family led by Motodi (A Ranger) was present on the day. Masehle led the proceedings during the meeting and he announced its purpose as follows: "*Lehono kgohu e boela kgopeng*" (Today a snail goes back to its shell), meaning that he wanted to hand over the chieftainship officially to Tserere whom he believed to be the rightful person for the position.

While Masehle was speaking, Motodi interrupted and expressed his concern regarding the chieftainship of Batau. Motodi indicated that a chief cannot be installed under a tree and also that such a process must be done at the old royal centre because the new royal centre was not recognised. He further indicated that if Masehle wanted to hand over the chieftainship, it would be better if that was done where he (*Masehle*) was inaugurated. Masehle responded by saying that a group of the royal family (*the bakgoma* and *the bakgomana*) that supported him (Makhuduthamaga), had been expelled from the old royal centre. Therefore, they no longer had access to it.

Masehle went on to say that from that day onwards, Tserere would become the leader of the Batau of Mphanama and those who were not satisfied should report the matter to the Commissioner at Schoonoord. Motodi and his group (Rangers) of the royal family were not satisfied with the fact that Tserere was taking over the reign and therefore decided to report the matter to the Commissioner in Schoonoord for a solution.

The office of the Commissioner invited the two groups of the royal family (*the bakgoma* and *the bakgomana*) to a meeting on 2 November 1975 with the purpose of resolving the disputes (TNA, f53/1608/7). On the date of the meeting, both groups of royal family members were accompanied by their supporters from within the community. However, before the meeting started, the officials from the Commissioner's Office informed the community that only members of the royal family (*the bakgoma* and *the bakgomana*) would be allowed to participate. The

rest of the people were outside the hall as members of the royal family were deliberating about chieftainship matters.

The Chief Minister, Dr C.N. Phatudi and his Cabinet members such as Chief M.M. Matlala who was also a Cabinet Minister, were present at the meeting. The magistrate (Mr Lekoloane) welcomed everybody present and allowed the proceedings to go ahead at the meeting. The Chief Minister requested the names of members of the royal family (the *bakgoma* and the *bakgomana*) to be registered and indicated that the Kgaphola issue had started during the reign of Chief Minister M.M. Matlala. Furthermore, he hoped that the royal family (*bakgoma*) had prepared their presentation regarding the chieftainship and that it was for them to explain how it stands.

Mr Engelbrecht who was a government official at the Department of Justice was requested by the Chief Minister to outline issues to be discussed on the day. He outlined them as follows:

- (i) Resignation of Chief Masehle Kgaphola and bakgomana should tell us who should take over.*
- (ii) The situation of the new mošate. The bakgomana will have to tell us where. We shall consider the majority decision.*
- (iii) Grant for the erection of the tribal office. Bakgomana to tell us where to build it.*
- (iv) The tribal wife. One party says it has married a tribal wife, while the other party refuses that wife. The decision of the majority of bakgomana will be considered.*

The Chief Minister indicated that government had heard that Masehle wanted to resign; therefore, he would like to know if their custom allowed him to do so and or whether the royal family (*the bakgoma* and *the bakgomana*) should decide who should succeed him. A member of the royal family, namely; Makwadinkga Kgaphola indicated that the Batau custom allowed him to choose. He was also

supported by other members of the royal family such as Sepeke Makomane (TNA, f54/1608/7).

Simon Lobang Kgaphola indicated that the Batau custom does not allow Masehle to choose as the *bakgomana* should make important decisions. Nteru Ramphelane seconded Masehle and the Chief Minister intervened. The Chief Minister wanted to know if the *bakgomana* have different customs in one family. Simon Lobang Kgaphola told the minister that, according to their custom, the Acting Chief cannot choose his successor but should inform the *bakgomana* to choose. After the death of Chief Lobang, the *bakgomana* went to Lobang's mother Mpilo to ask who should be the Acting Chief. Mpilo's answer was that Masehle should act. He added that the *bakgomana* were not satisfied as Masehle was junior to Kgapyane and Mokhine Moroba. Furthermore, he pointed out that only a born chief can choose his successor.

Manthopi Ramphelane indicated that according to their custom, when a chief wants to resign, he should go to the *kgoro* where he got the chieftainship and inform the *bakgomana* about his decision. The *bakgomana* will decide who should succeed him. Thekwane Ramphelane informed the Chief Minister that their chieftainship problems started after the death of chieftainness Ngwanamohube. He further showed that Chief M.M. Matlala advised the *bakgomana* to marry a ¹⁰*seantlo*. To their surprise, Masehle married Sekwati's daughter as a tribal wife. He did this because Tserere's mother was not a candle wife, therefore he could not be the chief.

The Chief Minister asked Masehle if it was true that Mpilo chose him to be the Acting Chief. Masehle indicated that it was true and when they were at Mohlaletsi, Mpilo refused Kgapyane to act as chief. Moreover, regarding his resignation he called all the *bakgomana* and informed them about his decision. He (*Masehle*) told the minister that the other group of *bakgomana* disagreed with the appointment of Tserere because he had killed Ngwanamohube. Furthermore,

¹⁰ *Seantlo* - occurs when a woman dies without leaving behind an heir apparent to the throne and the in-laws agree with her to provide a substitute woman.

in connection with *seantlo*, Chief M.M. Matlala advised them to marry one. The *bakgomana* had already paid R40.00 for *seantlo* at Mohlaletsi but Mankopodi (*Paramount Chieftainness*) did not show them anyone. After three years of struggling to get a *seantlo*, the *bakgomana* decided to marry a candle wife at Mamone (TNA, f53/1608/7).

The Chief Minister wanted to know if Tserere was the senior of everyone and in response, Masehle indicated that he (*Tserere*) was the eldest of Lobang III's children including Simon Motodi Kgaphola. Motodi Kgaphola told the Chief Minister that his mother was married on 25.05.1938 while the marriage to Tserere's mother was on 7 June 1938. He further indicated that their father (Lobang III) loved Tserere's mother and that was the reason why she was considered senior to his mother (TNA, f53/1608/7).

Chief Seleka who was a Cabinet Minister (Minister of Agriculture) wanted to know which of the two wives was regarded as the candle wife. A member of the royal family, namely Mameetse Nkwele, informed the minister that neither of the two was married as the candle wife.

Masehle told members of the cabinet that both wives were married on the same day but at different times, one in the morning and another in the evening. According to the Batau custom, a woman who was married in the morning was considered senior to the other. Shikwane Makomane informed the cabinet that he led a group of the royal family (*the bakgomana*) members who delivered the marriage goods (*magadi*) for Motodi's mother that was concluded in the evening. He further indicated that his brother Dithomo delivered Tserere's mother's marriage goods (*magadi*) in the morning. Immediately, a member of the royal family, Sente Ramphelane, mentioned that he accompanied those who had delivered the marriage goods (*magadi*) to Motodi's mother in the evening.

The Chief Minister asked Masehle about the explanation that was given earlier about the carrying love of Tserere's mother by his father Lobang III. Masehle indicated that it would be an insult to comment about the carrying love of their

parents. The Chief Minister continued with his questions and wanted to be informed about whom between Tserere and Motodi had led the initiation school (*koma*). Masehle told him that Tserere was the eldest since he was initiated before Motodi and also led his regiment (*mphato*). Furthermore, he added that Motodi was initiated with Tserere's younger brother, Sekhukhune (Motodi's half-brother) who also led the regiment (*mphato*) to prove that he was from the senior house. The two customary practices (marriage goods and the initiation school) reflect that Motodi was the younger brother to Tserere (TNA, f53/1608/7).

The cabinet through the Chief Minister, Dr Phatudi wanted to hear about a *seantlo* and Sekwati's daughter. Mokhine Matlakaneng informed the cabinet that together with Sente Ramphelane, the two were working on the issue of a *seantlo* and had already been shown a 12 year old girl by the name of Mafete, the daughter of Segwarihle at Mohlaletsi (the royal capital of the Paramount Chief of Sekhukhune). In his presentation, it transpired that the two went for negotiations with the Mohlaletsi royals in 1973, a year after the other group led by Masehle had married a candle wife (Mapuwe Sekwati). An amount of R160.00 was paid during the negotiations with the Mohlaletsi royals.

The Chief Minister asked if the tribe had a candle wife (*mohumagadi*). Masehle answered in the affirmative, but the other *bakgomana* disagreed with him. Masehle further informed the Cabinet that the royal family went to Mohlaletsi in October 1970, three times in 1971 and that the matter was discussed at the old royal centre with everyone involved. He indicated that as the reigning chief (*Masehle*), he was never told about a *seantlo* by the other group and the issue was new to him. Motodi informed the Chief Minister that it was in 1972 when they were advised to look for a *seantlo*.

The Chief Minister asked Motodi why the magistrate wrote to him in 1970 and in response Motodi said that it was because of his numerous enquiries about the chieftainship matters of Mphanama. Furthermore, the Chief Minister wanted to know who gave Motodi the right to ask about this matter and he mentioned the name of Mpilo. Motodi was also asked who would take care of a *seantlo* should

they acquire one. He responded by informing the Chief Minister that the *dikgadi* (daughters of the royal house) would decide (TNA, f53/1608/7).

Motodi was also requested to inform the cabinet whether his group cooperated with the construction of a clinic and schools in the community. He indicated that his group had built a block of classrooms while Masehle`s group did not participate. In response, Masehle mentioned that members of the community who supported him had built the Mphanama School and did not participate in the construction of one block which the other group was remunerated for, while others (Masehle`s supporters) were not. He (*Masehle*) further explained that Motodi and his group did not participate in the extension of that block. He continued by saying that only 300 people at Mphanama rejected the new candle wife (*mohumagadi*), while 11 020 accepted her and did everything for her as expected in line with the Batau custom.

The magistrate (Mr Lekoloane) was then requested to inform the cabinet about his findings at Mphanama regarding payments made during the construction of a school. He told the Cabinet that remuneration was made available during famine relief time and that was directed at those who were assisting with the building (TNA, f54/1608/7). The Chief Minister asked Motodi if he agreed that the majority of people in Mphanama accepted the new candle wife and supported her in all the tribal work. He told the minister that it was just a prediction by the other group and that if the Chief Minister wanted to know about the chieftainship of Kgaphola, he should forget about himself and Tserere, but follow the route of the *bogoši* (chieftainship). He also argued that their candle wife Ngwanamohube died before bearing a son and for that reason they had the right to get a *seantlo*.

Mtepe Kgaphola informed the Cabinet that when Masehle was chosen as Acting Chief, he was told to look after the royal centre (*mošate*). He further indicated that Masehle was going to mislead their children and by marrying a new candle wife (*mohumagadi*) for Tserere, it showed that they agreed to his deeds. He told the Chief Minister that Masehle was oppressing the community. The Chief Minister indicated that the *bogoši* (*chieftainship*) of Kgaphola (Batau) was the same as the

other chieftainship of the Bapedi; therefore, he wanted to know what he should record about them and that both Masehle and the royal family were responsible for the appointment of a successor.

Masehle indicated that he was old and Tserere, the eldest son of the late Chief Lobang III should take over and lead the community of Mphanama. The Chief Minister (2 November 1975 at Schoonoord) went further by asking Motodi if he agreed that the majority of the royal family members accepted that Masehle should hand over the reigns to Tserere. Motodi told the Chief Minister that Masehle's nobles (*the bakgoma*) were in favour of the old chief and he was one of the new nobles. Immediately, Tserere stood up and told the Chief Minister that he would like to prove that both groups of royal family members were related to each other. He started pointing out one from each group and showed their relationship to the other (TNA, f54/1608/7). What Tserere was trying to reflect here was that the decision of him taking over from Masehle was arrived at by the *bakgoma* and *bakgomana* (the royal family) and not outsiders.

After Tserere had spoken, the Chief Minister informed the royal family that it had been proven beyond reasonable doubt that both groups were related to each other and that he was satisfied with the meeting. Therefore, he indicated that the Lebowa Cabinet would make a decision and the royal family would be informed accordingly by the magistrate's office. The magistrate thanked everybody for being present and participating in good faith during the meeting. He informed the *bakgoma* and *bakgomana* that they would wait for the resolution of the Cabinet for implementation.

Two days after the meeting of November 1975 (04.11.1975) the Chief Minister compiled a memorandum (no.97/1975) to the Cabinet requesting that Masehle be relieved of his duties as Acting Chief and Tserere Johannes Kgaphola be recognised as Acting Chief of the Batau of the Kgaphola tribe. It was revealed in the memo that a small group led by Motodi Kgaphola, that supported Mantlatle, had delayed the decision of the royal family; that the previous and present Chief

Ministers had tried to reconcile the parties since 1972 and that the inner circle had since failed to reach an agreement on the matter (TNA, f53/1608/7).

On 18 November 1975, the memorandum was presented before the Cabinet of Lebowa and decision no. 122/75 was taken according to which Masehle was officially withdrawn as acting chief and Tserere recognised as Acting Chief of the Batau ba Kgaphola tribe. The decision to withdraw Masehle and recognise Tserere was officially signed by the Chief Minister, Dr Phatudi (TNA, f54/1608/7).

On 21 January 1976, the secretary in the Department of the Chief Minister and Finance wrote to the Secretary of Bantu Administration and Development in Pretoria to inform him of a decision taken by the Cabinet about the chieftainship of the Batau with regard to Kgaphola. A genealogical report compiled by an ethnologist (Mr Engelbrecht) was also attached for ease of reference (TNA, f54/1608/7). The report referred to all the wives of the late Chief Lobang III and his male children only. It was indicated that when Lobang III died on 24 November 1954, he left no male issue behind from the candle wife Ngwanamohube who also passed on in November 1964. The report was further forwarded to the State President Mr. B.J. Vorster by the Office of the Minister for information about the matter. The report was followed by means of a memorandum (minute no.163) dated 18 February 1976, which reflected sections of the act that were applied during the recognition of Tserere as Acting Chief for the community. The recognition of Tserere was concluded in terms of the Black Administration Act, no. 38 of 1927 section 2 (8) (RSA, 1927).

On 1 March 1976, the Secretary in the Office of the Chief Minister and Finance received correspondence from the Department of Bantu Administration and Development signed by Mr. J. L. Serfontein which indicated that the department was satisfied with the contents of Minute No. 163 dated 18 February 1976 (TNA, f54/1608/7).

The Chief Minister together with his Cabinet members did not give a ruling on the matter during the meeting as expected by the royal family. All the information

collected during the proceedings was captured for assessment by the Lebowa Cabinet to arrive at a conclusion which was informed by the circumstances within the royal family. Chieftainship matters always need to be checked before a decision is arrived at as it may affect the community negatively if some aspects are not taken into consideration.

The resignation of Masehle as Chief of the Batau was well planned (Masehle) since the community had already married a candle wife (*Mapuwe Sekwati*) and the royal family had identified a seed raiser (*selepe*) for the purpose of reviving the house of Chief Lobang III. Customarily, Masehle had to relinquish his position for the candle wife or the seed raiser (*selepe*) to lead the community. However, his decision to relinquish the leadership position was seen by other members of the royal family as a trick that would allow Tserere to take over at the expense of Mantlatle who was preferred by them. The decision fuelled an on-going succession dispute, which made it difficult for the two royal family groups to meet in the absence of government officials.

The Government through the office of the Chief Minister of Lebowa intervened into the Batau chieftainship disputes which also divided the community into two opposing groups namely, the Makhuduthamaga and Rangers. The conflicting situation in the royal house made it easier for the officials to capitalize and to ensure that the Government's policy of divide and rule is strengthened. The Government's intervention was felt during the construction of a school and a clinic in Mphanama, as members who supported Mantlatle were employed and remunerated, while those who supported Masehle (Makhuduthamaga) were not employed nor paid. The same Government facilitated the withdrawal of Masehle as the Acting Chief and recognised Tserere as the Acting Chief of the Batau which was against the wishes of Mantlatle's group.

4.8 Death during the female Initiation

In June 1976, Motodi who was leading the Rangers, established a male initiation school in the community and he requested a diviner by the name of Mampokolo

to take charge and provide health care to the initiates. Mampokolo was a diviner who came from Mogaladi around Groblersdal. At that time, Mphanama was led by two opposing chiefs (Masehle and Motodi) and there was no cooperation among members of the community. Every time Mampokolo came to Mphanama, he was accommodated by one of the community members by the name of Diphofa Letshoge who was a Ranger. During the initiation school, Mampokolo was always assisted by his son who it was believed was learning about traditional medicine from him (Mokotedi, personal communication, 2011).

However, Diphatše explained, *“Mampokolo o ile a tla a bona kotsi ka mahlo, a ke tsebe gore ditaola tša gagwe di be di mmoditše eng tšatši leo”* (Mampokolo once saw danger with his eyes; I do not know what his divination bones told him on the day). What had happened during that day was something neither he nor the members of the community had anticipated. As the initiates were inside the initiation lodge performing rituals in the morning, members of the Fetakgomo attacked Mampokolo and his son. Both Mampokolo and his son were attacked and seriously injured by the Makhuduthamaga. Both were found outside the initiation lodge busy mixing traditional herbs to prepare medicine for treatment of the initiates. They were beaten up badly and Mampokolo`s son was heard crying loudly. Gobetse remembered, *“Morwa Mampokolo o ile a kwagala a re kgetšetše, kgetšetše, Kgetšetše”* (Mampokolo`s son was heard saying, kgetšetše, kgetšetše, kgetšetše). It was an indication of the pain inflicted on him during the time of the attack by the Makhuduthamaga. Mampokolo`s son died on the scene from the injuries he sustained during the attack. Ramphelane recounted, *“Rena badika re ile ra tšhoga kudu ka ge re be re sa bone selo; re be re e kwa ka selo sa morwa Mampokolo le Makhuduthamaga ao a bego a hlabile mašata ka kua morago”* (We the initiates, were frightened because we did not see anything; we heard Mampokolo`s son crying and Makhuduthamaga who were making noise at the back). It showed a terrifying situation that the initiates found them in during the attack of Mampokolo and his son.

After realising that Mampokolo`s son had died (June 1976), the Makhuduthamaga became angrier than before and immediately took a decision

to bury him in the bush. Diphatše explained, *Bakgalabje ba le ba ile ba gopola go dira bošula tšatši leo* (Those old men thought of doing evil that day). It indicated that the Makhuduthamaga were very angry that they took a decision that was unpopular in the community. The police were later informed about the incident and Mantšhwahleng (Sergeant Vorster) together with his colleagues intervened, and requested the Makhuduthamaga to release Mampokolo`s son, so that he could be buried by his family. Even though he had passed on, members of the Fetakgomo (*Makhuduthamaga*) dubbed him Kgetšetše (meat), a name that is still remembered by many people even to day (Mokotedi, personal communication, 2011).

During conflict at Mphanama, Motodi was given a gun without bullets by officials, which he used to defend himself during attacks. He would always point his gun at members of the Fetakgomo and they would run away immediately for fear of being killed. Moremadi asserted, *“O be o tlo kwa ge Marangera ba re go yena; ba thunye Dimo, ba thunye!”* (You will hear the Rangers say, shoot them Dimo [Motodi], shoot them!). It reflected the kinds of threats community members were receiving from Motodi in order to frighten them. As time went on, the Makhuduthamaga realised that the gun that was used by Motodi did not have bullets.

It was believed that if it had bullets he would be firing warning shots to frighten Makhuduthamaga but that did not happen at all and they became suspicious. Makhuduthamaga never heard any sound of a bullet coming out of his gun and that also aroused their suspicions. Immediately after realising that the gun had no bullets, when he was trying to frighten the Makhuduthamaga, the leaders called upon their members not to run away.

During his tenure as leader of the Rangers, Motodi established the *bjale* (female initiation) in the village of Mphanama in December 1983. However, members of the Fetakgomo were not happy with it. Moremadi recounted, *“Bjale bjowe bo ile bja se re kgahle le ga tee.”* (“That female initiation did not impress us at all”). This reflected the kind of attitude Makhuduthamaga had regarding the establishment

of a female initiation school within the village of Mphanama. The Rangers had no option but to place the initiates within the old royal centre which was controlled by Motodi for fear of them being attacked if they were allowed to walk outside. The Makhuduthamaga, on the other hand, suspected Motodi of stealing their cattle and selling them to the white officials (Mokotedi, personal communication, 2011).

Phaahla declared, *Ka nako yeo re be re sa tshepane, ge o timeletšwe o naganela marangera a.* (During those days we did not trust each other, if you lost something, you suspected the Rangers). The mistrust developed among members of the community as a result of the ongoing conflict in the area. The Rangers were accused of practising witchcraft and for anything that went wrong in the community. Makhuduthamaga boycotted the initiation school by not sending their children, since it was believed they would later become mad. Hunadi explained, *“Mokgalabje wa ka o be a tlo reng ge a hwetša ke išitše ngwana komeng ya Malankana.”* (What would my husband say if he found that I took the child to an initiation school for the Rangers?).

According to the Batau tradition, when a female initiation school is established within the royal centre (*mošate*), the initiates will be taken to a nearby river regularly to perform some rituals. The initiates will be accompanied by experienced women in the community who understand how the rituals should be performed (Mokotedi, personal communication, 2011).

One day, the initiates who were attending the school in the royal centre (*mošate*) were taken to the river to perform the rituals. The initiates were under the supervision of a large number of women from the community. While they were busy with the rituals, a loud noise from behind was heard. A large number of women who belonged to Fetakgomo were seen walking towards them. Hunadi explained, *“Re be re tloga re kwatile ka maatla, le gona re be re sa ba nyake mo motseng.”* (We were very angry and we did not want them in the community). The kind of hatred that existed among members of the community due to continuing conflict was apparent. The women were singing songs of war (*megobo ya ntwá*) as they approached the river where the initiates were performing their rituals.

The Fetakgomo women were chanting, *“Re be re re, kgale re eja batho, kgale re eja batho, re ka se tšhošwe ke lena, hau hau.”* (We have been eating people, we have been eating people, we are not afraid of you, woo woo). It demonstrated that the women (Fetakgomo supporters) were ready to attack the initiates and women (Rangers) who were accompanying them to the river. A few metres away from the river, the women stopped and continued with their songs. After some minutes, a group of men belonging to Fetakgomo approached carrying stones, knobkerries, knives and fire arms (TNA, f54/1608/7), with the purpose of attacking the women who were accompanying the initiates. They immediately walked into the river and attacked all the women with their weapons. The following women (Rangers) were attacked on that day (20 December 1983):

- Mogobošeng Kgaphola;
- Ellenah Kgaphola;
- Maria Mankhubu Tladi;
- Kgolane Kgaphola Maatlhwane;
- Ngwanatshoeu Kgaphola;
- Sebody Kgaphola;
- Ramogohlo Lizzy Tladi;
- Sekgopetšana Anna Kgaphola;
- Mmatawane Grace Kgaphola;
- Mašego Phogole;
- Mothiti Maria;
- Georgina Matlokeng Kgaphola;
- Kgolane Matlwane; and
- Mamaitša Maria Makanatleng.

Of the fourteen (14) women (Rangers), two of them, namely; Mogobošeng Kgaphola and Ellenah Kgaphola were killed as a result of the attack.

Blood flowed that day and the Makhuduthamaga were very infuriated. It reflected the anger that the Makhuduthamaga felt on the day of the attack. Mogobošeng Kgaphola died immediately after the attack and her body was taken to the Phokoane Funeral Parlour, which was situated in the Phokoane (Nebo) area of Kgoši Maserumule. She was killed when she refused to hand over a drum that was used to play songs for the initiates. Drums are commonly used during female initiations for the playing of different songs. It was later discovered that Mogobošeng (a Ranger) had died from the head injuries she had suffered during the attack by supporters of Tserere (*Makhuduthamaga*) (Death Register No. `s MLPM 190/83). The second woman, Ellenah Makelepeng Kgaphola was taken to Jane Furse Hospital to receive treatment for the head injuries she suffered during the attack. She died on 09 February 1984 after spending three weeks in Hospital due to internal bleeding.

Figure: 4.7.1 An image of the river where the killing of women (Rangers) took place while providing care to female initiates.



Thirteen (13) women (Rangers) were also taken to the Jane Furse Hospital after suffering major injuries to their bodies as a result of the attack. Some of them were released within two weeks, while others spent a month or two before they were strong enough to be discharged from hospital.

Immediately after the incident, the Rangers under Motodi went to the Schoonoord Police station to open a case of murder against Makhuduthamaga. Upon arrival, they found that the Acting Chief Tserere had already told the police that he did not want the Rangers at Mphanama. Gobetse remarked, *O tsebe Tserere ke ntwā dumela, tše dibjalo o dirata kudu.* (Tserere is a war fanatic; he loves these occasions). It showed how members of the community viewed him as a leader. He also wanted the Rangers to be removed from Mphanama and be taken to Bogwaša to Chief Motodi in the Tubatse (*Burgerfort*) area. It was thought that Tserere wanted the Rangers to be taken there because Kgoši Motodi was related to Ngwanamohube whom he had already killed.

Tserere was prosecuted along with all the members of the Fetakgomo who attacked the women in the river and they were all taken to Schoonoord for questioning (1983). Diphatše explained, *“Makhuduthamaga a be a tletše lori ya maphodisa ge ba tloga mo Mphanama.”* (The Makhuduthamaga filled a police truck when they left Mphanama). The following members of the Fetakgomo were arrested in connection with both the murder and attempted murder of women who were taking care of the initiates in the river on 20 December 1983:

- Johannes Tserere Kgaphola;
- Segopotše Frans Makatwane;
- Makgane Johannes Kgaphola;
- Dithomo Joseph Kgaphola;
- Marube Frans Kgaphola;
- Sekwekge Dickson Sekgala;
- Ramphelane John Kgaphola;
- Ntlaesheng Jim Mohlala;
- Mokhine Lucas Matlakaneng;
- Makutume Daniel Kgaphola;
- Mmaphoko Alpert Ngake;
- Ngatane Philimon Matebane;
- Sekhukhuni Joseph Kgaphola;

- Mohlakhane Arabi Kgaphola; and
- Sepeke Knox Kgaphola.

The police then decided to release all of them on bail and after that, Fetakgomo members went home and on arrival, meetings were held during the night for their plan of action. Of the 15 men arrested, only two, namely; Acting Kgoši Tserere and Segopotše Frans Makatwane were accused of murder. The police suspected Tserere of having arranged a meeting prior to the incident and instructed his supporters to attack and kill the women who were taking care of the initiates. It was thought that he became angry upon realising that his brother had established the *bjale* in the community and that was motivated by the fact that the two brothers were fighting for the position of chieftainship (TNA, Case: 41/87). Both Tserere and Motodi claimed to have succeeded their father (*Lobang III*) upon his death.

Makhuduthamaga regarded the fight against the Bantu authorities as a “*Molwa o /wele*” (continuing fight). The conflict between the Makhuduthamaga and the Rangers was not about to end at that time due to the killings and arrests made thereafter. Immediately after the attack on the women, the Rangers decided to remove the initiates from the river to the old royal centre where they were housed. The initiates were sleeping in a house, which was used by the Rangers as an office and for holding meetings. One day as the initiates were playing within the royal centre, surprisingly, one of them, Maria Mmako was found dead and the whole community was amazed. Her death aroused suspicions in the community especially among the Rangers that she might have been bewitched by the Makhuduthamaga. Rangers were in most cases unable to fight back because they were too limited in number to plan an attack against the Makhuduthamaga (Hunadi, personal communication, 2011).

After the death of Maria Mmako, the police were informed of the incident but no one was arrested as it was later reported that she died due to natural causes. The mother of the initiate, Manthe Mmako, was extremely disappointed after

losing her child during the initiation school, which was something she had not anticipated.

Another woman by the name of Makau Kgaphola was found dead in a house, which she shared with the initiates. She was the head of that initiation school. Any woman, who is designated to lead a female initiation, should be close to the initiates at all times. Some women with whom she slept in the house were surprised in the morning when she could not wake up with the rest of the people (Morwakoma, personal communication, 2011).

Informants reported, "*Seo sa go direga bošego bjoo e bile šepa la bošego ga le na mong.*" (What happened that night was, the dirt of the night does not have an owner). It means that no one knew what happened to Mmakau Kgaphola including all the women and initiates with whom she slept in the house. Motodi was informed of her death and he immediately called upon his supporters (the Rangers) to witness the situation. He quickly sent people to Schoonoord to report the matter to the police for investigation. All women and initiates were asked how Mmakau felt the night before her death. The information given to the police was that everybody was fine before they slept the night before the incident and all were surprised to see her dead in the morning.

That incident frightened the whole community because it was for the first time that they experienced something like that. The incident had frightened members of the community. After assessing the information they received from the community, the police arrested a number of the Makhuduthamaga and their leader Tserere was the main suspect. He was suspected of having instructed the Makhuduthamaga to attack and kill women who were in charge of the initiates (Bauba, personal communication, 2011).

Phaahla explained, "*O be o tlo kwa Makhuduthamaga ge ba lebile ntweng ba re, re ba bina tau, tau le ge e sene meno e loma ka mariri.*" (You will hear Makhuduthamaga when they go to fight proclaiming we are named after a lion, even when a lion does not have teeth, it bites with its manes). It is an explanation

that the Makhuduthamaga regarded themselves as fighters who could not be stopped by anybody if they launched an attack.

The police official who was nicknamed Mantšhwahleng (Sergeant Vorster) told the Rangers that if they still loved their children they must take them home to avoid further deaths. Therefore, the period of initiation was cut short due to the ongoing conflict among members of the community who were unable to tolerate each other. The Makhuduthamaga members were released from jail in Schoonoord a number of days after their arrests due to the lack of evidence regarding the death of Mmakau Kgaphola. They never appeared before the court since no evidence was found against them by the police. It was later heard that it was discovered through a post-mortem conducted on her body that Mmakau Kgaphola had died because of natural causes (Morwakoma, personal communication, 2011).

Makhuduthamaga also heard rumours (February 1987) that Mantšhwahleng (Sergeant Vorster) had recruited people from Nkoana and Ntšhabeleng to come and join the Rangers in a fight against them. The Makhuduthamaga indicated that should the Rangers from the two tribes try to cross the Lepellane River, they would all die before they reached Mphanama. The Makhuduthamaga remained alert but the Rangers from the two tribes were never seen crossing the Lepellane River for an attack against the community of Mphanama. A case of murder and attempted murder (TNA Case: 41/87) that was opened against Tserere and 14 others was investigated by police officials at Schoonoord namely, detective warrant officers Mehlape and Mapheto. The following charges were laid against the accused:

- Segopotše Frans Makatoane – murder and public violence;
- Marube Frans Kgaphola – murder two counts;
- Ramphelane John Kgaphola - murder and public violence;
- Ntlaešeng Jim Mohlala – public violence;
- Mmaphokgo Alpert Ngake – murder;
- Sekhukhuni Joseph Kgaphola – murder two counts;

- Sepeke Knox Kgaphola – murder – two counts; and
- Makgane Johannes kgaphola – murder.

The case was later referred to Lydenburg to be finalised by the High Court and judgement was handed down on 10 March 1987 by the judge. The other seven accused including Tserere were not found guilty by the judge as they did not take part during the attack. All eight (8) were found guilty and sentenced to 18 months imprisonment, which was suspended for five (5) years.

Another girl's initiation ritual (*bjale*) was instituted (December 1987) by Mpheleti Mahlopi at the Talana village and the Rangers did not have any interest in sending their children to the initiation school. There was mistrust between members of the community based on their political affiliation. There was a widespread belief that the Rangers were practising witchcraft and as such, they were blamed for anything that went wrong in the community. Members of the Fetakgomo believed that if they sent their children to an initiation school (*koma*) arranged by the Rangers, all their children would die or be retarded upon completion.

The Rangers therefore decided to send their children to other places outside Mphanama such as Tsantsabela, an area in the vicinity of Marble Hall next to Kgoši Matlala of Dicheung. The Rangers would send their male children to be initiated there in order to avoid being attacked or killed by Makhuduthamaga. Mpheleti Mahlopi was a staunch supporter of the Fetakgomo and when the initiation school was established for girls, only those who were in favour of the organisation were able to send their children. The Rangers did not plan for any attack against the initiates since they were so small in number compared to members of the Fetakgomo (Gobetse, personal communication, 2011). Another initiation school for boys was arranged at the Madika village by Headman Letolwana who was a member of the Fetakgomo. The Rangers did not send their children to this school since they believed it will be easier for members of the Fetakgomo to kill them. Another girl's initiation school was established by Mphelethi Mahlopi and the Rangers again refused to send their children.

The initiates were limited in number since most parents feared for their children`s lives, taking into consideration what had transpired during the past years. Napyane stated, *“O tsebe koma e a ja, ge šetše go diragetše sa go swana le sela, ga go motswadi yoo a tlogo iša ngwana wa gagwe”* (You should know that the initiation school is dangerous, if something like that happened, there was no parent that could take his child). This serves as an indication that once something traumatic occurs within the community, it takes a long time for people to forgive and forget. Mokotedi remarked, *Ka nako ya ntwā o be o tlo kwa Tserere are, ba Mphanama re makgema* (During times of attack (1987), you will hear Tserere saying, the Mphanama`s, we are the cannibals). It showed that he was a warrior who always wanted to fight against his enemies. Ngwato asserted, *O be a rata go apara obarolo ye hubedu, gomme obe o tlo kwa a re, ke madi ye* (He liked to wear red overalls and you would hear him saying this is blood). It indicated that he was always prepared for a challenge.

Finally: The failure of the royal family to resolve their internal disputes which also caused the community to be divided into two groups, namely; Makhuduthamaga and Rangers resulted in the death of some community members and others injured. Each group had its own leader, namely; Motodi and Masehle who were both from the royal family. Members of these groups were not cooperating with one another and this was evident during the initiation schools which were arranged by both of them.

4.9 Motodi contests Tserere`s Installation

Immediately after the cabinet had approved the withdrawal of Masehle as Acting Chief and recognition of Tserere as Acting Chief for the Batau of Kgaphola tribe, the royal family was informed accordingly. The *bakgomana* that supported Mantlatle were not satisfied by the decision taken by the Lebowa cabinet.

The group then organised themselves and a decision was made to approach the Minister of Bantu Affairs and Development Mr M.C. Botha to resolve the dispute.

A memorandum was compiled on 03 June 1976 and referred to the department for the attention of the Minister. A part of the memorandum reads as follows:

Appointing a murderer for (Kgaphola tribe) namely; Mr Tserere J. Kgaphola, who assassinated the owner of this throne Chieftainness Ngwanamohube Lobang Kgaphola on the 29th November 1964, and was sentenced to a jail term of twelve (12) years on the 07th June 1965, discharged on the 07th June 1971, he served 6 years and was put on suspension.

It was also indicated in the memorandum that on 30 April 1976, the magistrate who was accompanied by the police came to the community for the inauguration of Tserere as Acting Chief of the Batau tribe. It was further stated that the inauguration itself was an indication that the Government wanted bloodshed between those who supported Tserere and the late chieftainness, Ngwanamohube. The Lebowa Government was also accused of undermining the right channels, which the seniors of Kgaphola presented to them, but had its own way of doing things. The group pleaded with the Minister to intervene and order the Lebowa Cabinet to review its decision of recognising Tserere as leader of the tribe. A request was also made with regard to the withdrawal of recognition certificate that was already awarded to Tserere. The memorandum was signed by Motodi on behalf of a group of royal family members (*bakgomana*).

After receiving a memorandum from Motodi who supported Mantlatle, the Secretary (H.J. Koekemoer) in the Minister's Office of the Department of Administration and Development acknowledged receipt on 17 June 1976. Subsequently, on 18 August 1976, a letter was addressed to Motodi by post informing him that the matter had been referred to the Department of Chief Minister and Finance, Lebowa for investigation and direct disposal (TNA, f54/1608/7). On 27 August 1976, Mr. H.J. Koekemoer wrote to the Secretary in the Department of the Chief Minister and Finance of Lebowa that Motodi had been informed that his concerns were referred to their department.

Motodi received a response from the Chief Minister which indicated that his office and the Lebowa Cabinet were satisfied that the matter had been resolved amicably. He was also informed that a genealogical report he received from the ethnologist, corresponded with the findings of the meeting held between the royal family and members of the cabinet on 02 November 1975. During that meeting it was found that Motodi's mother's house was below Tserere's mother in rank of seniority since the dowry (*magadi*) for his mother were delivered in the evening after those for Tserere's mother had been delivered in the morning. Significantly, Motodi did not dispute what Masehle and his group claimed about the marriage of his mother and Tserere's mother.

After receiving a response from the Chief Minister, Motodi became dissatisfied with it and sought assistance from a law firm namely, J.M. Weiman and Partners stationed in Pretoria (700 President Centre, 265 Pretorius Street) around 1981. On 10 June 1985, the attorney, Mr J.M. Weiman wrote a letter (TNA, J.M. Weiman/vfw/k.71/85) to the magistrate of Sekhukhuneland wherein Motodi's group referred the magistrate to their correspondence dated 3 June 1981 (copy enclosed) that he reported to the Chief Minister on 9 June 1982 about false signatures on the petition by Motodi's group. It was also reflected that the allegation was investigated by the police but the results were never released.

The attorney Mr. J.M. Weiman also indicated that they had reported Acting Chief Tserere for refusing to assist with old age pension applications and the matter never received attention. It was reflected in their correspondence that their client (Motodi) informed them that the Acting Chief had a criminal record (after killing Ngwanamohube) and was charged for causing the death of two ladies and injuring others during the female initiation school (*bjale*), a case which had not been finalised (TNA, f54/1608/7). Furthermore, the Acting Chief had been allowed to conduct a male initiation school from 15 June 1985 to the dismay of their client.

These were the allegations against Tserere and the case was still before the court and he was accused of planning together with some of his supporters to

attack a female initiation school that ended in two deaths. J.M. Weiman requested that the Acting Chief be removed from his position and the planned initiation school (*koma*) be cancelled. He informed the magistrate that a copy (TNA, J.M. Weiman/vfw/k.71/84) was referred to the Chief Minister and Director – General in the Department of Cooperation and Development, Pretoria.

On 18 July 1985, the Acting Director General, P. Myburgh, in the Department of Cooperation and Development, wrote a letter to J.M. Weiman and partners in response to their letter that since the matter concerned the chieftainship in Lebowa, it fell within the jurisdiction of that government and therefore, his department could not be of any assistance. The Acting Director General also advised that they refer their concerns to the secretary in the Department of the Chief Minister and Finance.

The Black Administration Act 38 of 1927(RSA, 1927) does not contain a clause that prohibits a person to be appointed to the chieftainship position if he has committed murder. As a result, there was nothing that could prevent the Lebowa Government from appointing Tserere to a chieftainship position if the royal family (*bakgoma* and *bakgomana*) had made their decision. However, the new legislation, The Limpopo Traditional Leadership and Institutions Act, no. 6 of 2005 (RSA, 2005), only prohibits a recognised traditional leader to continue to lead if he is jailed for a period of 12 months without a fine. If the crime was committed before the official recognition, the Act does not provide that such a person should not be recognised as a traditional leader. At the time (1976), there was no legislation on which Motodi and his group could base their argument to challenge a decision by the Lebowa Government for the appointment of Tserere as the Acting Chief of the Batau tribe.

According to Motodi and his group, Tserere was not supposed to have been given permission to hold an initiation school as they regarded him as a murderer and did not support his leadership in the community.

The Government continued with the appointment of Tserere as the Acting Chief besides a complaint from Mantlatle's group regarding his capability to the position. However, the Black Administration Act, no. 38 of 1927 did not have a clause that could be evoked to disqualify Tserere to lead the community even if he was charged before or had some cases before the court during his inauguration. Motodi and others had a point via Weiman which could not be based on any legislation to force the Chief Minister to review his decision of appointing Tserere as the Acting Chief of the Batau. Efforts by Motodi and others to have the appointment of Tserere reviewed fell on deaf ears, as he continued to rule the community of Mphanama for many years with the support of Government officials.

4.10 Reintegration of Two Worrying Parties into One

The Country Mphanama had suffered as a result of the implementation of the Bantu authorities (*boipušo*) spearheaded by the Nationalist government under Prime Minister Hendrik Verwoerd. Mphanama was now under the leadership of Acting Chief Tserere who was officially recognised on 18 November 1975 per Cabinet decision no. 97/75 of the Lebowa Government. He was recognised after a serious fight between members of the royal family supported by members of the community. A small group of *bakgoma* led by Motodi delayed the decision to have him officially recognised.

The previous and present chief ministers tried to reconcile the two royal family groups from 1972 to 1975. The Lebowa Government under Chief Minister Dr Phatudi and the Minister of Justice, Kgoši M.M. Matlala, arranged a meeting with the inner circle at the Lebowakgomo Government offices to resolve the leadership disputes of the Batau. The Lebowa Government exercised authority over the traditional leaders and had the power to appoint as well as to dismiss others where necessary.

During a meeting with the two ministers, a decision to recognise Acting Kgoši Tserere was taken after a large number of royal family members displayed support for him as the most senior son of Kgoši Lobang III. As the discussion

progressed, it was indicated that Tserere`s mother and Motodi`s mother were married on the same day, but *lobola* (dowry) for Tserere`s mother was transferred in the morning while that of Motodi`s mother was completed during the night. Therefore, that rendered Acting Kgoši Tserere`s mother more senior to Motodi`s mother, and accordingly, he became the senior brother.

Immediately after his official recognition, Acting Kgoši Tserere and his Councillors such as Masehle Kgaphola vowed to work for peace in Mphanama. A large number of community members supported his sentiments and only a few were not on his side. In an effort to unite the Country Mphanama, Kgoši Tserere encouraged both the Rangers and the Makhuduthamaga to work for peace.

One member of the Fetakgomo, namely; Bauba, established an initiation school and the Rangers were encouraged to send their children without fear of being killed. Kgoši Tserere was always heard saying “*Motho ge a re nthweše o gane, fela ge are nthole o dumele*” (If one says, put a load on my head, refuse, but if he says, take it off my head, accept). He only wanted to indicate that the Rangers started a fight that they lost. Therefore, they should accept and join other members of the community and live in peace with them.

Members of the community were surprised to see the Rangers sending their children to the school in great numbers during the period of initiation, members of the community were helping each other as if nothing had ever happened in the past.

The second initiation for boys was instituted by the Makhuduthamaga and Mapuwe Sekwati from Mamone under Kgoši Sekwati, played an important role. During the initiation process, the Rangers were also encouraged to forget the past by sending their children to the initiation school and they responded positively. One day, the Acting Kgoši, Tserere, called upon all the Makhuduthamaga and when the royal centre was filled to its capacity, he told them to lay their weapons down. Motodi who was leading the Rangers refused and said that Tserere`s mother was mentally deranged; therefore he could not be led by her son.

4.11 Batau and the Limpopo Government

When the new democratic government took over from the old apartheid government in 1994, the three homeland governments, namely; Lebowa, Gazankulu and the Republic of Venda were merged into one provincial government called the Northern Province. The institution of traditional leadership posed a serious challenge to the Northern Province Government with a large number of chieftainship disputes and claims. The Northern Province Cabinet took a decision to establish a commission to deal with disputes and claims on chieftainship around 1996. Accordingly, the Ralushai Commission of Enquiry was established to deal with all disputes and claims in the province.

After realising that the Government had established a commission Motodi, Mantlatle and a group of royal family members took a decision to submit an application for a hearing on their dispute which had been going on for years. Like other tribes in Sekhukhuneland, their application was successful and both groups were given a chance to appear before the Ralushai Commission (1996) for presentation.

During the hearing, Motodi's group presented wives of the late Chief Lobang III as follows: See attachment Genealogy pp. xi.

1. ¹¹Nwanamohube (*candle wife*);
2. Moshiane;
3. Mante;
4. Lobisa;
5. Mokgalwa; and
6. Mmalekiti.

According to the report by the Ralushai Commission of Enquiry, Motodi's mother was listed as the 4th wife and Tserere a son of the 5th wife, namely Mokgalwa

¹¹ Ngwanamohube – was the candle wife (masetšhaba) of chief Lobang III and the last to be married by him.

(See attachment genealogy pp. xi). In terms of a memorandum referred to the Chief Bantu Affairs Commissioner Northern Areas by Motodi's group (TNA, f54/1608/7), Mamelatše was reflected as the 3rd wife and mother of Motodi, while Mante appeared 4th as the mother of Tserere.

Information from the report appears to be contradicting itself since Tserere's mother was called Mante and not Mokgalwa as stated in the report. During a meeting held between the two royal family groups and the Lebowa Cabinet members on 02 November 1975, it was stated clearly by Šikwane Makomane from Masehle's group who was supported by Sente Ramphelane from Motodi's side, namely; that the dowry (*magadi*) for the marriage of Motodi's mother were delivered in the evening by Dithomo, while those of Tserere's mother were delivered in the morning. Motodi's group never stressed the timing of the marriages of the two women within the royal centre during the meeting.

Motodi's mother was shown as Mamelatše and not Lobisa in a memorandum referred to the Chief Bantu Commissioner. The Ralushai Commission's report stated that the tribe contributed cattle to marry a *seantlo* from Ngwanamohube's home, Mohlaletsi. (*Seantlo* is a substitute wife married to bear children on behalf of her sister who died without children). Furthermore, it was mentioned that a *seantlo* already had a daughter fathered by Motodi who was not clear whether he was designated as a levirate (*selepe*) by the royal family. According to the information by Mantlatle, the initial cattle for the marriage of *seantlo* were delivered during the lifetime of Ngwanamohube who had died in November 1964. This fact was never raised during a meeting between the royal family and Cabinet members on 02 November 1975. Motodi's group informed Cabinet members that they went for a *seantlo* in 1973, a year after Masehle's group had married a candle wife. During the meeting, the group indicated that they were advised by Chief M.M. Matlala in 1972 to marry a *seantlo*. Therefore, it cannot be true that they went for a *seantlo* during the lifetime of Ngwanamohube.

The Ralushai Commission`s report indicated that Theri Kgaphola was the son of the 5th wife (Mokgalwa) which meant he was born from the same mother as Tserere, a point which was incorrect.

Some of the findings of the Ralushai Commission of Enquiry after its investigations were as follows:

- *“Ngwanamohube was the candle wife of the late Chief Lobang Kgaphola. She died without a male issue. At the time of her death she was the chieftainess of the Kgaphola tribe.*
- *The principle applicable under such circumstances is that a “seantlo” should be married from the tribe the candle wife hails. The original candle wife cannot under Pedi custom, be replaced by another candle wife.*
- *The aforesaid “seantlo” is still at her maiden home. She already has a child who is a girl and fathered by mokgoma (Motodi) of the Kgaphola. This child is thus not illegitimate.*
- *There is no convincing evidence that Motodi was appointed as a “selepe” (levirate) for Phatudi Felicia Mafete.”*

If the Commission could not find any evidence that Motodi was appointed by the *bakgoma* and *bakgomana* as ¹²*selepe* (levirate) it may be that he fathered the child on his own. The *bakgomana* should prove that they had appointed him to be a *selepe* to bear an heir apparent.

After analysing all its findings, the Ralushai Commission of Enquiry came out with three recommendations:

- *“The royal family of Kgaphola must fetch Phatudi Felicia Mafete from Mhlaletsji, to come and act as a chieftainess as she is the seantlo of the late Ngwanamohube.*

¹² Selepe (levirate) - is a men identified by the family to cohabit with a woman to bear a child.

- *She already has a child. Fortunately the child is a girl and she is not illegitimate.*
- *The bakgoma and bakgomana of Kgaphola must decide and appoint a selepe among themselves, in terms of tradition and custom, to procreate a chief with the seantlo.”*

The contents of the report were not implemented since the provincial Cabinet realised that the Commission itself was not established in terms of any government legislation. As a result, any recommendation made by the commission was declared null and void. Motodi and his group of royal family members received their report like any claimant in the province, about which they could not do anything. This happened after a group of claimants formed an organisation called ¹³*Sediba sa bogoši* (source of chiefs), raised the matter with the North Gauteng High Court to force the Government to release the report of the Ralushai Commission of Enquiry. Tserere, on the other hand, continued to lead the Batau tribe with his group of royal family members.

However, the Limpopo Provincial Government realised that the contents of the Ralushai Commission of Inquiry would be difficult to implement. The commission itself was introduced without checking if there was any piece of legislation supporting its establishment. It was decided to release the result to all claimants without implementation as it was going to be costly for the Government to defend itself before the court of law. Any claimant who was not satisfied by the outcome of the Commission may decide to approach the court of law for relief and the Government would find it difficult to defend itself.

4.12 Withdrawal of Tserere and Installation of Lobang IV George Kgaphola

On 14 December 1989, the royal family together with the Acting Chief Tserere, held a meeting to discuss chieftainship matters of the Batau tribe. A total of 40 members of the royal family were present in the meeting where a decision was

¹³ *Sediba sa Bogoši* (source of chiefs) - is a group of people who claim chieftainship which is alleged to have been disbanded during the apartheid regime.

taken to inform Government about their resolution regarding the position of chieftainship. A resolution was taken that if the Acting Chief Tserere found it difficult to continue leading due to ill health, an heir apparent, namely Lobang George who was still at school would not be able to take over and his father's younger brother Sekhukhune, would act on his behalf.

Around 1999, the *bakgomana* who supported Tserere decided to enthrone the heir apparent Lobang IV George Kgaphola after realising that he was of age. The Office of the Premier was approached since it was the one responsible for traditional leadership matters during that period. The royal family informed the officials of their intention to enthrone Tserere's son to lead the Batau tribe. A meeting was arranged between the royal family and Office of the Premier on 18 March 1999 at Schoonoord, during which a group supporting Tserere resolved to appoint his firstborn son from the candle wife (*masetšhaba*) Lobang George Kgaphola.

When the department (Office of the Premier) was in the process of facilitating the appointment, Motodi's group learned of the intention by the other group of royal family members to enthrone Lobang George Kgaphola as Chief of the Batau ba Kgaphola tribe. The group displayed their disagreement with the department about the appointment of Tserere's son to lead the Batau. After some time, Tserere's group wrote a letter to the department on 11.07.2000 to enquire about the delay regarding the appointment of Lobang George Kgaphola (LHL 12/2/2/1/4-5). A response was later received from the department that stated that the royal family should await the release of the Ralushai Commission of Enquiry's report since their case was surrounded by a dispute.

Tserere's group was not satisfied by the response since they indicated that Lobang George did not contest the position with anybody. In response, the department also encouraged the group to request a meeting with the MEC, Ms. Catherine Mabusa, for a discussion on the matter. The group wrote a letter to the department again to indicate their intention of inaugurating Lobang George on 29 December 2000. After receiving a correspondence from the royal family, the

department responded on 18 December 2000 by advising that the planned inauguration be delayed until the Executive Council of the province had approved the appointment (LHL 12/2/2/1/4-5).

The department did not honor the request made by Tserere`s group until 2003 when they agreed to continue with the idea of inaugurating Lobang George on 29 November of the same year. The department was informed of their intention through a letter on 17 June 2003. However, the department failed to respond to their demand for assistance from a law firm, namely Makgoba Kgomo & Makgaleng Attorneys which was based in Polokwane (mandate house, 14b Grobler Street).

On 26th August 2003, the attorneys wrote to the Department indicating that the royal family of Kgaphola intends to inaugurate Lobang George and requesting that the necessary arrangement be made to issue a certificate of appointment to an heir apparent. The District Control Office of Sekhukhune under the Department of Local Government and Housing referred all correspondences received to Head Office in Polokwane with its report. In the report (3/4/3-28) DCO (district control office) indicates that the conflict at Kgaphola has taken a different direction since the Acting Chief (Tserere) and his son Lobang George were disputing each other. It was also indicated that the tribal office was operating without a chief as Lobang George has occupied the office supported by members of the royal family (*bakgomana*) who were supporting his father before.

The royal family proceeded with the inauguration of Lobang George Kgaphola with the assistance of community members on 29 November 2003. On the other hand, the dispute between Tserere and his son`s supporters continued wherein some of the tribal councillors were expelled from the office by the Acting Chief. Tserere confiscated a date stamp from the tribal office and that made it difficult for the tribal clerks to function properly. He opened a case against some tribal councillors in the North Gauteng High Court with a purpose to expel them from the tribal office. Eventually, an order of the court was granted against those tribal councillors and were prohibited to perform tribal functions.

The dispute started when Tserere informed the royal family (*bakgomana*) that he was the one who will inform them when his son was of age. After realising that the conflict ensued between Tserere and his son, the department referred the matter to the House of Traditional Leaders, under the Chairpersonship of Chief Kutama of the Vha Venda tribe in (Makhado) Louis Trichardt on 15 October 2003. While the Executive of the House of Traditional Leaders was still discussing the matter, the royal family of Kgaphola requested a meeting with the department on 19 May 2004.

Tserere`s son Lobang George was supported by the *bakgoma* and *bakgomana* who also support his father but wanted the father (Tserere) to relinquish the chieftainship position in his favour. However, Tserere did not agree with them citing personal reasons, which the *bakgomana* did not consider.

The department arranged a meeting at the District Control Office in Schoonoord wherein Tserere, Lobang George and Motodi with their supporters were present (LH/12/2/1/4-19). The Chairperson of the meeting, Mr Kekana, gave some remarks to start with the proceedings of the day. He indicated that some members of the royal family visited his office in Polokwane and informed him of their intention to appoint Lobang George Kgaphola as Chief of Tau Kgaphola tribe. Furthermore, his office was aware of the installation of Lobang George by the tribe. He also indicated how difficult it was for his office to consider the request to appoint; knowing that there were different groups each holding its view on the matter.

Kgoloko Kgaphola was the first to speak during the meeting and indicated that he was among those who wanted Lobang George to be appointed as the Kgoši. He was seconded by Mphatakane Kgaphola who said that they were in need of a certificate of appointment. The Acting Kgoši, Tserere, told the officials that of all 15 members present at the meeting, only four belonged to the royal family and he did not know who had sent people to Polokwane to request a certificate of appointment for his child.

Motodi indicated that there were no royal family members present to discuss the succession and requested a postponement of the meeting to a later date. He said that if any decision was taken against royal family members whom he represented, they would refer the matter to the High Court. Segwape Kgaphola informed the officials that they recognised Tserere as the Chief but time had arrived for him to step down to allow his son to take over. Mphotokwane Kgaphola indicated that the tribe had married Mapuwe Sekwati as the candle wife (*masetšhaba*) and had already inaugurated her son Lobang George as Kgoši. The only problem was that a certificate was still awaited from the Government.

During his presentation, he indicated that Acting Chief Tserere had advised the royal family to be careful of Motodi and Theri who were always stumbling blocks in any matter within the community. Tserere accepted having signed a letter of resignation and participated in the drafting of a tribal resolution to have Lobang George appointed to lead the Batau tribe. According to Tserere, he wrote a letter under duress from royal family members. Motodi reiterated that if Lobang George was to be appointed, the matter would be heard before the High Court.

After listening to the presentation by the royal family, the officials indicated that they had gathered the information needed which would enable the department to take a decision without bias. They also stated that the legal section of the department would be involved in the matter and the royal family would be informed of the decision within a short space of time from the date of the meeting.

Before the royal family could receive an answer regarding their meeting with the department, an invitation from the Secretariat of the House of Traditional Leaders reached them requesting a meeting at Schoonoord on 18 August 2004 (LH/12/2/1/4-19). A Committee on Tradition, Culture and Custom led by *Hosi* (chief) Muhlava of the Bankuna tribe was mandated to deal with the dispute of the Batau tribe. The meeting as requested by the committee took place but unfortunately more information was still needed to conclude the investigation. A

postponement was agreed to with all the parties involved and a date, 13 October 2004 was suggested.

On 13 October 2004, the committee was able to collect all the information pending and requested the royal family to wait for the results, which would be released within a short space of time. The royal family of Kgaphola waited in vain until 25 May 2005 when they took a decision to write to the Secretariat of the House of Traditional Leaders for a response regarding the findings of their investigations.

The results of the investigation by the House of Traditional Leaders were later made available to the royal family of Kgaphola. The findings of the House of Traditional Leaders among others were as follows:

People who were discussing the issue all along were children of Lobang, who had direct interest in the chieftainship. The royal family is marrying a candle wife at Mohlaletsi and Mamone. The royal family agreed to marry the current candle wife at Mamone.

After analysing its findings, the Committee came up with the following recommendations:

The marriage of the present candle wife is in accordance with their custom, and therefore it is further recommended that Lobang George be accepted as Kgoši of the Batau-Ba Kgaphola.

The candle wives of the Batau do not only come from their (the Batau) clan. In fact, some of their candle wives derive from GaPhaahla, Mohlaletsi and Mamone. The *bakgoma* and *bakgomana* decide where to marry a candle wife (*mohumagadi*) and they will inform the community to contribute to the marriage goods (*magadi*).

The department decided not to implement the recommendations by the House of Traditional Leaders after realising that it might accelerate conflict that has long

been there. On 13 June 2006, the department wrote a letter to the royal family advising them to refer their dispute to the newly established Nhlapo Commission on Traditional Leadership Disputes and Claims. It was indicated that this was because the matter was once dealt with by the Ralushai Commission of Enquiry.

Motodi's group requested a meeting with the Department on 24 August 2005 to discuss an on-going dispute within the royal family. The meeting was held at the old royal kraal (*mošate*) with government officials. Members of the royal family present during the meeting were as follows:

- Mantlatle Lobang Kgaphola (*Ngwanamohube's daughter*);
- Mmatseke Makoko Kgaphola (*kgadi*);
- Mathumane Seakwane Kgaphola (*mokgoma*);
- Moshiane Lobang Kgaphola;
- Mokhine Seketle Kgaphola;
- Makelepeng Mahlopi Makubung (*Mantlatle's son*);
- Mokgobe Morekgomo Kgaphola (*mokgomana*);
- Terry Lobang Kgaphola; and
- Motodi Simon Lobang Kgaphola (*fourth house*) tendered an apology due to ill health.

The group presented the historical background of the Batau tribe from the late Chief Lobang III and showed how the dispute had started. It was indicated that during 1971, the royal family headed by Motodi approached the then Acting Prime Minister, M.M. Matlala of the Lebowa Government, with a purpose of marrying a *seantlo* for Ngwanamohube who had died without male issue. After the meeting with The Prime Minister, the royal family approached the Mohlaletsi royals for the marriage of Mafete Felicia, who was 10 years old then as a *seantlo*.

The royal family reported that after the release of Tserere from prison (07 June 1971) he threatened the Acting Chief Masehle with murder if he failed to relinquish the chieftainship position. The officials were informed that most

members of the royal family were surprised to know that Tserere had officially been appointed by the Lebowa Government without their consent. It was further mentioned that Tserere told Motodi's group that if Mafete was brought to Mphanama she would be killed and the Sekhukhune royals would be called to collect a corpse (10/5/2/2/S-60).

It was also indicated that after they realised that Mafete has been married by a family at GaNtšhabeleng, the royal family went back to Mohlaletsi and a woman called Makgobokele Phatudi was given to them as a *seantlo*. Makgobokele Phatudi was still furthering her studies at the University of Venda and the intention was to inaugurate her once she had completed her studies.

The royal family was later presented with application forms for a hearing before the newly established Nhlapo Commission on Traditional Leadership Disputes and Claims. On 12 September 2005, a group of royal family members who wanted to appoint Lobang George as Chief wrote to the department to enquire about the progress regarding a certificate of appointment. In response, on 07 October 2005, the department informed the royal family that after they had analysed the dispute, a decision was taken not to entertain the matter any longer, but to advise that it be referred to The Nhlapo Commission. It was further indicated that the other part of the royal family had been given forms for an application to the commission.

After receiving a response which advised that the dispute be referred to the Nhlapo Commission, Lobang George's group insisted on getting a certificate of appointment from the department by compiling a letter of demand on 23 January 2006. The department responded by arranging a meeting with the two groups of royal family members on 08 February 2006 at the Schoonoord Government offices (10/5/2/2/S-60). The meeting was later postponed to 13 February 2006 and all the groups were invited.

The two groups of royal family members were present during the meeting including Acting Chief Tserere who appeared to be sitting alone without anyone at his side. According to a presentation by the officials, the purpose of the

meeting was to obtain clarity regarding the Senior House which appeared on the genealogy compiled by the Department (Office of the Premier) when Lobang George was supposed to be appointed. It was indicated that when the genealogy was analysed, it was discovered that the Senior House was reflected, but nothing was mentioned about it. It was pointed out that the process of appointment was among others halted by the silence that was detected on the Senior House.

A group that supported the appointment of Lobang George mentioned that the decision to identify him was taken by the *bakgoma* and *bakgomana* and received the support of the majority of the community members. It was also stressed that Tserere signed a resolution agreeing with the royal family to enthrone his son as chief. With regard to the Senior House, the group informed the officials that it did not have a male issue and as such, took a decision to marry a candle wife (Mapuwe Sekwati) to bear an heir apparent.

Motodi's group refuted all the statements, indicating that Tserere did not have the interest of the Senior House at heart since he only wanted to be enthroned. It was noted that his son, Lobang George was not considered an heir apparent as they did not regard his mother (Mapuwe Sekwati) as the candle wife. The group further indicated that when they considered what his father (Tserere) had done to the Senior House of Ngwanamohube, he could not be allowed to lead the Batau tribe.

In the end, the officials showed how difficult it was to proceed with the appointment of Lobang George and advised that the two groups go back home to discuss the matter on their own. When the groups arrived back home, no meeting was arranged to discuss the dispute as some members were not talking to one another. Lobang George's group decided to continue demanding a certificate of appointment from the Government disregarding the advice they received during the meeting. On 03 March 2006, a letter was referred to the department enquiring about a certificate which had been pending since 1999. After receiving correspondence from the royal family, the department never responded.

On 11 December 2006, the second letter was referred to the department, to enquire about the appointment certificate of Lobang George. After realising that their efforts at writing to the department through the office of the senior manager did not yield any positive results, a decision was taken to make physical appearance at the office of the general manager on 16 April 2007. A letter of complaint was also compiled and handed over to the general manager for his attention. A complaint was then lodged about the handling of their dispute by the Senior Manager of Traditional Affairs in the Department for failing to issue a certificate of appointment. The royal family complained about Acting Chief Tserere whom it was alleged that he was allocating residential sites/stands without the knowledge of the Traditional Council and for using a different date stamp to the one in the tribal office.

A meeting was then arranged with the royal family on 10 May 2007 to address the concerns raised in their letter. A few days before the day of the meeting, the royal family was informed that it had been postponed indefinitely.

The royal family later received an invitation for a meeting with the department (Office of the Premier) on 14 November 2007. A delegate from the department was led by the General Manager, J.M. Rapholo and the royal family, including Acting Chief Tserere. According to the General Manager (the chairperson,) the purpose of the meeting was to hear what the royal family expected the department to do regarding their chieftainship position.

Members of the royal family present (20) indicated that the son of the candle wife, Lobang George was ready to be enthroned as Chief to lead the Batau tribe. Tserere was not happy with what the other members said about his son taking over from him without his approval (dispite that he once signed a resolution to have him enthroned). He told everybody present that if he was to be removed from his position, a case would be opened at the North Gauteng High Court to review the decision.

The royal family (*the bakgoma and bakgomana*) took a resolution to remove Acting Chief Tserere from his position and appointed his son Lobang George as the Chief of the Tau Kgaphola tribe. During the meeting, Tserere did not have any member of the royal family at his side to support him. He insulted all the *bakgoma* and *bakgomana* as they were signing a roll call and a resolution for his removal. Tserere was not satisfied by the decision of the royal family to remove him from his position and the appointment of his son because he thought he still had the support to lead the community.

The Provincial Government of the Limpopo Province took a decision to appoint Lobang IV George as the *Kgoši* of the Tau Kgaphola on 05 January 2008 per decision No. 58/2008.

When Tserere realised that he had been removed from his position as Acting Chief, he sought the assistance of a law firm namely, T.P. Motlatle Attorneys (Jane Furse Main Road). The attorney, T.P. Motlatle, wrote to the Government requesting the procedure that had been used to withdraw Tserere from his position. The department responded on 22 July 2008, informing the attorneys that the responsible institution for the appointment of traditional leaders was the royal family which was fully consulted before any action was taken.

The royal family that supported *Kgoši* Lobang IV George Kgaphola wrote a letter dated 01 August 2008 wherein they presented the department with three alternative dates for the inauguration. The department then agreed with the royal family that since Lobang George had been inaugurated by the community, it would not be advisable to hold the same function for the second time. The royal family requested a certificate of recognition, which was later issued by the department.

On 15 September 2008, Motodi's group, unaware that Tserere had been withdrawn as the Acting Chief, resolved to withdraw him (Tserere) from his position and appointed Mantlatle the eldest daughter of Ngwanamohube as the Acting *Kgošigadi*. The reasons advanced were that the Acting Chief Tserere

seemed to be interested in inaugurating his son Lobang George as Kgoši, while according to them, neither of them qualified for the position.

At the time when they made the resolution, they were not aware that Lobang George had been fully recognised as the *Kgoši* (Chief) of the Batau ba Kgaphola tribe. After receiving a resolution from Motodi's group, the department (Office of the Premier) never responded until the group sought assistance from a law firm namely, Majanku Maifo Attorneys situated in Polokwane. The attorneys referred their correspondence to the department on 18 March 2009 and requested the withdrawal of Acting Chief Tserere and recognition of Elizabeth Mantlatle Kgaphola as the Acting *Kgoši* of the Tau Kgaphola Traditional Community. An identity document of Elizabeth Mantlatle was also attached to the correspondence to enable the department to implement their request properly.

The attorneys received a response from the department dated 07 May 2009 wherein it was stated that Tserere had been withdrawn and his son Lobang George was recognised as the *Kgoši* of the Tau Kgaphola Traditional Community. After receiving information, Motodi's group was disappointed and immediately instructed their attorneys to request the department to convene a meeting wherein Tserere, Lobang George and the royal family would sit to discuss the matter. A letter dated 19 November 2009 was referred to the department to present a request by the royal family. This was because they felt the process had been concluded without their consultation; while they had an interest in the matter.

The department did not respond until the attorneys sent a reminder on 20 April 2010, to which they did not receive a response either. On 21 September 2010, a reminder was also sent requesting the department to provide a response to a letter dated 19 November 2009.

A response from the department was compiled on 26 September 2010 and Majanku Maifo Attorneys were informed that the necessary procedures in terms of the Limpopo Traditional Leadership and Institutions Act, No.6 of 2005 (2005) were followed when the withdrawal and recognition was effected. It was further

stated that the attorneys had advised their client that it is the responsibility of the royal family to invite the former Acting Kgoši Tserere and the current kgoši to a meeting.

4.13 Conclusion

Leadership problems of the Batau of Kgaphola started after the death of Chief Lobang III, who died (November 1954) without leaving behind an heir apparent from the candle wife Ngwanamohube. The Batau after failing to agree on who should succeed Chief Lobang III, they decided to approach the Sekhukhune Paramountcy for assistance. Eventually, Kgapyane was identified to lead the Batau community as he was supported by a large number of royal family members and the community. After the death of Kgapyane around 1956, leadership dispute of the Batau continued. A division within the royal family led to the community of Mphanama divided which was visible when Mokhine established an initiation school in the community, while Masehle with his supporters took their children to GaMaila under Chief Matšhupye Maila.

The failure of Masehle to take advice from the elders regarding the place where an initiation school should be established and lack of medicines led to the death of eight initiates. An unruly situation during the initiation school made Masehle and the elders to shorten the duration of the initiation school to avoid further death of initiates.

The Lebowa Government under the leadership of Chief Minister Dr C.N. Phatudi intervened into the Batau dispute but failed to assist the royal family. The leadership dispute of the Batau continued even after the new Government took over. It was referred to the newly established Ralushai Commission by a group led by Motodi. At the present stage, the dispute is with the Provincial Committee on Dispute and Claims and the Batau are waiting for a hearing. The Limpopo House of Traditional Leaders was at some stage requested to assist in resolving the leadership dispute of the Batau but it failed.

It should not only be the government to be blamed for failing to resolve the continuing leadership dispute of the Batau. The royal family also failed to resolve their internal dispute ever since the death of Lobang III in November 1954 until now. Instead of holding meetings to discuss the leadership dispute, they resorted to the government which also used its policies and legislations which failed to resolve the dispute. Failure of the royal family to adhere to their cultural practices in identifying a successor to the throne led to the dispute which continued up to now. The weakness within the royal family led to a division in the community which also resulted in the death of some people.

The Batau royal family allowed their dispute (house matter) to be heard by outsiders and this is regarded as outside washing of dirty linen. The royal family was supposed to have contained all manner of conflicts among themselves at the lowest level of the social and political order. Most conflicts that tend to assume community level dimensions originate with recalcitrant and recidivous individuals. The government was supposed to have convinced the two groups of the royal family that whatever may be the matter between them is of no significance but to put the interest of the community at heart.

CHAPTER 5

NEW WINE IN AN OLD BOTTLE: GOVERNANCE FRAMEWORK ACT, 41 OF 2005

5.1 The context of Traditional Leadership

We have to take cognisance of the fact that terms such as “tribe”, “tradition”, “chief”, “tribal authority”, have formed the basis of an ongoing discourse in anthropology since the 1960s and 1970s. Firstly, there are conceptual issues as far as the classification of concepts such as “tribe” is concerned (compare Southall, 1970: 28-50; Thorold, 1995: 74-89) and secondly, and related to the first terminologies such as “tribe”, “tradition” and “chief” were primary targets as collectivities which were enforced and abused by colonial authorities in Africa (Anderson 1985; Vail & White, 1989). I recognise the existence of these critical viewpoints in view of discussions in this thesis.

The institution of traditional leadership plays an important role in the life of black Africans and within the South African politics. It embodies the preservation of culture, traditions, customs and values of African people, while also representing early forms of societal organisation and governance (South Africa. 2002. White Paper on Traditional Leadership and Governance. Notice 2103 of 2002. Government Gazette, 23984: All, October 29. South Africa, 2002). In South Africa, Traditional Leadership performs various functions in support of the government. Some of these functions could be in the areas of agriculture, arts, land, health, welfare, justice, security, economic development and tourism.

In the South African context, the institution is indigenous and its existence dates back from the pre-colonial era. Most tribes lived independently from one another each with its hereditary leader. Through European colonisation into the country, traditional leadership was transformed and legislation such as the South Africa Act of 1909 was passed. The Act gave powers to the Governor General to create and divide tribes, as well as to appoint a chief or headman and to depose if he so wished.

Through the Native Locations Act no. 40 of 1902 (1902), the government had the authority to set up and control African residential areas outside towns (Davenport, 1987: 547). The Act therefore left Africans free of control right up to the borders of towns. The Natives Land Act No. 27 of 1913 (1913) sets aside 7.3 % of the total South African Land area as reserves (Lapping 1986: 73 & 87). It further puts certain restrictions on the possibility for Natives to buy and /or own land outside the reserves. The Act also prohibited whites from acquiring, or occupying, land in the reserves.

The Native Affairs Act No. 23 of 1920 (1920) provided for a system of Local Councils in the reserves; authorised the administration to convene the conferences of chiefs; councillors and prominent natives with a view to the ascertainment of the sentiments of the native population. The Act also sets up separate tribal councils for the administration of the reserves and advisory councils for Africans in urban areas, all under the aegis of the Native Affairs Department and under the ultimate authority of the Prime Minister (Worden 1994: 74).

The Black Administration Act No. 38 of 1927 (1927) was passed and gave all the powers to the Minister of Native Affairs. Its main purpose was to provide better control and management of Black affairs. Through these acts (the Black Administration Act, 1927), the Governor General was the Supreme Chief of all Blacks in the union. It is through this act that the Governor-General had the authority to recognise or appoint a person as chief of a Black tribe and make regulations prescribing the duties, powers, privileges and conditions of service. Chief Commissioners had the authority to appoint any person as Headman over a tribal settlement or Headman of the Blacks in any area.

According to the Black Authorities Act No. 68 of 1951 (1951), the Governor - General had the authority to establish a black tribal authority, a community authority and a Black regional authority in the black areas. Tribal authorities were established in areas assigned to a chief or Community authority of the Black tribe. Its main function is to administer the affairs of the tribe for which it has been established. The function of the regional authority was to advise and make

representations to the government with regard to all matters affecting Blacks within its area of jurisdiction. The Act (*Black Authorities Act no. 68 of 1951 (1951)*) rendered traditional leaders part of the state`s bureaucratic machinery.

The Black Authorities Act, No 68 of 1951 (1951) also lays down that tribal authorities have a specific number of council members depending on its size, to run the daily activities of the tribe. The council was also considered legal after the approval by the Governor-General.

In the former Lebowa Government, there were territorial authorities which had to maintain a close contact with the Commissioner-General appointed for the national unit under the Promotion of Self-government Act, 1959 (1959: All). The functions of the territorial authority were among others the following:

- (a) To assume a leading role and where necessary afford assistance to tribal and regional authorities within its area in connection with matters affecting the material, spiritual, moral and social welfare and the educational interests of the Black population of that area.
- (b) To ensure the effective development of the administration of justice and courts of law within its area.
- (c) To convene at any time a conference of the population within its area or of any portion or of particular members of such population or of the national unit to which the population of its area belongs.
- (d) To advise and make representations to the government in regard to all matters affecting the general interests of the Black tribes and communities in the area in respect of which it has been established or of the national unit to which the population belongs.
- (e) It had the power to provide for the establishment of markets and pounds and the control of erection and maintenance of buildings.

The Lebowa Government also had the regional authorities whose membership consisted of chiefs within its area of jurisdiction. Regional authorities had their functions and duties to perform as contemplated in the Act.

The functions of a Tribal Authority established in terms of the Black Authorities Act, No. 68 of 1951 (1951) were as follows:

- (a) To administer the affairs of the tribes and communities in respect of

which it has been established.

- (b) Render assistance and guidance to its chief or Headman in connection with the performance of his functions, and exercise such powers and perform such functions and duties conferred or imposed upon its chief or headman
- c) Advise and assist the Government and any territorial or regional authority having jurisdiction in any area for which such tribal authority has been established, in connection with matters relating to the material, moral and social well-being of Blacks resident in that area.
- (d) Exercise its powers and perform its functions and duties with due regard to the rules, in terms of Black laws or customs of the respective tribes.

The Governor-General in terms of the Black Authorities Act, No. 68 of 1951 (1951) had to ensure that a black community observes a system of customary law before approval of a Tribal Authority. He also had the power to reject a request by a black tribe to be recognised as a Tribal Authority if it is necessary. The Black Authorities Act, No. 68 of 1951 appointed and recognised Community Authorities for a Black area or areas assigned to a Black community. These community authorities continued to exist even after government through the Traditional Leadership and Governance Framework Act provides for their disestablishment.

The promotion of the Bantu Self – government Act, No. 46 of 1959 allowed for the transformation of the reserves into fully-fledged Bantustans, which would also divide the Blacks into ethnically discrete groups. The Act (46/1959) made provision for the gradual development of separate Bantu ethnic units to self-governance, the systematic linking of each Bantu ethnic unit to its own homeland, the creation of a mechanism between the ethnic unit in the homeland and members of the ethnic unit working in white areas and direct consultation between the white government and the different ethnic units.

In accordance with this initiative tribal authorities largely maintained their autonomy while being represented at territorial level by the chief plus another representative on the basis of one tribe one vote: The executive authority of these recomposed territorial authorities would be exercised by an executive

council. Very important is that six departments were introduced for each territorial authority of a homeland with the responsibility of an Executive Council member. District administration became the responsibility of the homeland's Department of Justice. The implication was that direct relation with the Secretary of Native Administration was totally cut off.

It is through these acts, that Blacks were separated into eight different ethnic groups each with its own Commissioner – General entrusted with the development of their assigned Bantustan into self – governing states.

From 1961, the State President of the Republic of South Africa received the responsibility from the Governor-General to oversee the institution of traditional leadership. When the Post-1994 government took over, the Premiers of the various provinces exercised power over traditional leaders in terms of the 1993 and 1996 Constitutions (Draft white paper on Traditional Leadership and Governance, 2002).

The establishment of these laws enabled the government to develop strategies for exercising power over Africans through the establishment of reserves, self – governing states, homelands and eventually independent states. The institution itself was developed into a local government with a purpose to serve as a source of cheap labour for the mines, farms and industries. Through the Bantu Authorities Act (1951), most headmen were upgraded to chieftainship status and tribal authorities were established. Chiefs were responsible for the maintenance of peace, order, and good government, and also which expected them to see that the laws it imposed and the instructions it issued were duly carried out.

One of the objectives of Native Administration had being to abolish payments of tributes to chiefs by their subjects which were to be substituted in the form of salaries and levies. In the rural areas, traditional leaders were expected to comply with government policies for their survival. The institution was also not given any role to play either at the national or provincial level. Through the Black Administration Act, No. 38 of 1927, the Minister had the authority to appoint a Chief Commissioner and Assistant Chief Commissioners to exercise and perform duties prescribed by him in the Black areas. It was through this act, that the

Governor-General (later the State President) may define the boundaries of the area of any tribe or of a tribal settlement and may, from time to time, alter the same. He could also divide any existing tribe into two or more parts or amalgamate tribes or parts of tribes into one tribe or constitute a new tribe. According to Fortes and Pritchard (1940: 48), people blamed the government for new conflicts in their community; with its interest in taking their land and cattle from them, and cite the encroachment of whites in Black areas and what they regard as a series of broken promises to them.

The Bantu Homelands Constitution Act, No. 21 of 1971 (1971) gave the government the authority to grant independence to homelands. It provided for the establishment of legislative assemblies and executive councils in Bantu areas, powers, functions and duties of such assemblies and councils. The Act also provided for the disestablishment of executive councils, the declaration as self-governing territories of areas for which legislative assemblies have been established. It is through this legislation that most of the homeland governments such as Lebowa and Gazankulu were established.

The Black Local Authorities Act, No. 102 of 1982 provided for the establishment of local committees, village councils and town councils for Black persons in certain areas, for the appointment of a Director of Local Government and for incidental matters.

When the new government came into power in 1994, it was compelled by the Constitution (SA 1996) to recognise the institution of traditional leadership. The White Paper on Local Government (1998) attempted to deal with the traditional leadership institution by creating an opportunity for it to serve in municipalities on an *ex-officio* basis. The situation was not well received by most traditional leaders since they thought their functions or powers would be diminished along the way. Tension that arose later between municipal councillors and traditional leaders gave rise to the development of the Draft White Paper on Traditional Leadership and Governance (SA, 1998).

The intention of the Draft White Paper (2002) was to lay the foundation for the drafting of a national framework legislation, which also set norms and standards

to inform the drafting of the various provincial legislations. The Draft White Paper was passed into legislation by the Parliament and it was termed the Traditional Leadership and Governance Framework Act, No. 41 of 2003 (2003).

5.2 Recognition of Traditional Communities

In post-1910 South Africa, in the Union Government the Governor-General, in terms of the Black Administration Act, 38 of 1927 section 5 (1927: Section 5), had the authority to define the boundaries of any tribe or of a tribal settlement and from time-to-time alter the same and divide any existing tribe into two or more parts or amalgamate tribes or parts of tribes into one tribe or constitute a new tribe.

The Governor-General may change his decision and may divide existing tribes into two or more. According to the Black Administration Act (1927: All), tribes did not have the authority to own the land they occupied unless if it was purchased by themselves. According to the District and Territorial Councils Act, No 19 of 1986 section 2 (1986: Section 2), the State President has the authority to define boundaries of a territorial council by making a notice in the Government Gazette.

The Governor-General in terms of the Black Authorities Act had to make sure that the tribal authority has a chief before recognising such a black tribe. Some tribes were given the opportunity to establish tribal authorities after displaying loyalty to the government of the day but taking into consideration the contents of the legislation. Once a Tribal Authority had been appointed or recognised a notice was made in the Gazette as proof to the community and the public.

Both the Lebowa and Gazankulu homelands used the Black Administration Act, No.38 of 1927 (1927) and Black Authorities Act, No. 68 of 1951 (1951: All) to deal with matters of traditional leadership institutions. The Republic of Venda used the District and Territorial Councils Act, No. 15 of 1986 (1986) and later the Venda Traditional Leaders Proclamation Act, No. 29 of 1991 (1991) to deal with traditional leadership matters.

The Lebowa Government was formed through the Promotion of the Self-government Act 46 of 1959 (1959: All), in the 1970s. During its tenure (Lebowa

Government) chiefs and headmen were appointed and recognised in terms of the Black Administration Act, No. 38 of 1927, section (7) and (8) (1927: Sections 7 and 8). The Lebowa Government began to recognise women to positions of chieftainship in an acting capacity. Most women were acting on behalf of their children who were still too young to assume leadership positions.

The Traditional Leadership and Governance Framework Act (2003) provided a basis from which each province, where traditional communities exist, was expected to develop its legislation based on the cultural practices of such communities. It provides for the recognition of traditional communities, the establishment and recognition of traditional councils; a statutory framework for leadership positions within the institution of traditional leadership, recognition of traditional leaders and the removal from office of traditional leaders; houses of traditional leaders; the functions and roles of traditional leaders; dispute resolution and the establishment of the Commission on Traditional Leadership Disputes and Claims; a code of conduct and amendments to the Remuneration of Public Office Bearers Act, 1998 (1998) (Traditional Leadership and Governance Framework Act, 41 of 2003, 2003).

The government thought it necessary to define the place and role of traditional leadership within the new system of democratic governance. Like any other province where traditional communities exist, Limpopo Provincial Government developed a legislation to govern traditional leadership wherein the former homelands (Lebowa and Gazankulu) and the independent state (Venda) with their various cultural backgrounds were incorporated. The legislation is referred to as the Limpopo Traditional Leadership and Institutions Act, No. 6 of 2005 (2005).

The legislation provides for the recognition of traditional communities and traditional councils. The official designated to exercise authority over traditional leadership matters in the province is the Premier who is accorded those powers by the Traditional Leadership and Governance Framework Act (2003). He has the power to recognise or reject any application from any community if deemed fit. The Premier determines the boundaries or area of jurisdiction of a traditional

community before official recognition is granted. This function was previously performed by the Chief Minister of the Lebowa Government as accorded to him by the Black Administration Act, No 27 of 1927 (1927).

The Limpopo Traditional Leadership and Institutions Act, No.6 of 2005 (2005) does not give ownership of land to communities but the authority still remains with the government. When the Premier recognises a traditional community he should first check if it complies with certain prescriptions such as the availability of headmen, chief, the size of the community, description of the community, number of councillors and names of people whom the community regards as its leaders.

Recognition certificates are issued to communities after approval by the Premier in terms of the new act, while in the past the State President also had the authority to issue the same after appointment or recognition. Recognised traditional communities should have a prescribed number of councillors, namely 60% appointed by the chief and 40% elected from the community members in accordance with the new Act.

The Limpopo Traditional Leadership and Institutions Act, No. 6 of 2005 (2005) lays down that a community should first prove to be following a system of customary law before the Premier could approve it as a traditional community.

Members of a traditional council who are headed by a chief as chairperson have a responsibility to take control of all activities that affect it. They play a lead role in the development projects that take place within the area of jurisdiction of the Traditional Council. A member of a Traditional Council vacates his seat upon his/her death, resignation or dismissal after the chief has approached the Premier with a written request. Membership may also be terminated if a person conducts himself or herself in a disgraceful manner. Rules and orders regarding the conduct of its business are done in accordance with customary practices of the traditional community (Limpopo Traditional Leadership and Institutions Act, No. 6 of 2005, 2005).

The Executive Committee of the Traditional Council is composed of five members with the chief as the chairperson, deputy chairperson and three members appointed by the chief. The committee may call a special meeting to discuss pertinent matters that affect the council. The procedure to be adhered to during the proceedings of the meetings should be guided by the customary law of the traditional council. Government officials are requested to compile minutes and take roll calls for every meeting of the traditional council.

The tribal councils were always headed by a person whom the chief and other council members trusted. Membership of a person could be terminated upon resignation, dismissal, death or misconduct. Rules and orders were done in accordance with the customary law of the tribe concerned. The chief and his council decided who should form part of the executive committee for a period determined internally. Meetings could be convened at the wish of the executive committee. The procedures to be adhered to during the proceedings of the meetings were in line with the customary law of the ¹⁴tribal authority. Tribal Secretaries were always allowed to compile minutes and take roll calls during meetings of the ¹⁵tribal council.

The Limpopo Traditional Leadership and Institutions Act, No. 6 of 2005 (2005) does not provide for the disestablishment of the Community Authority. This scenario provides the Limpopo Provincial Government with a serious challenge since in terms of the Governance Framework Act (2003), community authorities should be disestablished two years after its existence. The Governance Framework Act (2003) was enacted in 2003 but to date the provincial government is unable to face the community authorities. The Limpopo Provincial Government continues its support to community authorities as happened before the enactment of the Governance Framework Act (2003).

Community authorities, as established in terms of the Black Authorities Act, 68 of 1951 (1951) were democratic in nature and continue to exist even after the enactment of the Traditional Leadership and Framework Act, 41 of 2003 (2003).

¹⁴ Tribal Authority – A Black tribal authority established in respect of a Black tribe.

¹⁵ Tribal Council – Persons recognised or appointed as members of a tribal authority.

Community authorities were established in respect of a Black community or two or more Black tribes. Communities falling under a community authority hold elections every five years to vote for the Chairperson and Deputy Chairperson, together with other committee members to lead. The State President would place a notice in the Gazette after establishment of a community authority for public information.

The Executive Committee of a community authority was responsible among others for the development of their communities. To develop by-laws for their own communities and this should be approved by the State President before implementation.

It is clear from this chronology of Colonial, Union, Republican and new Democratic order that the present continue to outreach the old colonial order. Little has changed as far as domination is concerned. The new government through the Limpopo Traditional Leadership and Institutions Act, No 6 of 2005 (2005) combined the old legislations such as Black Administration Act, 38 of 1927 (1927), District and Territorial Councils Act, 15 of 1986 (1986), Venda Traditional Leaders Proclamation Act, 29 of 1991 (1991), together into one act (Limpopo Traditional Leadership and Institutions Act, No. 6 of 2005, (2005), which does not provide changes to the old system of traditional leadership used by the Gazankulu, Lebowa homelands and the Republic of Venda.

In the former Republic of Venda, the Chief was the Chairperson of a Territorial Council, assisted by the headmen to serve in the Executive Committee. The Limpopo Traditional Leadership and Institutions Act, No. 6 of 2005 (2005) allows the Chief to serve as the Chairperson who also appoints his deputy and three other members to form part of the Executive Committee. The Chief together with his nominated persons still dominate the Executive Committee of the new traditional council just like before.

The previous acts allow the Territorial Council and Tribal Council to develop by-laws for their communities subject to approval by a designated official of

government. The new traditional councils are allowed to develop by-laws and implement them after approval by the Premier.

5.3 Traditional Leadership Positions

During the Lebowa Government, the Chief Minister had the authority to recognise or appoint chiefs, deputy chiefs, and acting chiefs, headmen or headwomen and acting headmen or acting headwomen to lead their tribes in terms of the Black Administration Act, 38 of 1927 Section 2 (7) (1927). He had the authority to make regulations prescribing the duties, powers, privileges and conditions of service of chiefs, headmen, acting chiefs and acting headmen appointed under sub-section (8). It was through this the Black Authorities Act, no. 68 of 1951 (1951) that most tribes in the Sekhukhuneland received recognition of tribal authorities and chiefs received salaries from government. Most of the headmen received formal recognition from the Government of Lebowa. Some tribes, which were previously under the leadership of headmen and were controlled by the Sekhukhune royals, received independence and for the first time, they were led by chiefs.

The Chief Minister in the Lebowa Government approves the recognition or appointment after the royal family have submitted recommendations to his office. Consultations were also made with the royal families to avoid unnecessary conflicts after recognition or appointment of a chief or headperson. He also ensured that the recognised or appointed person had knowledge of the language, customs and laws of the black tribe concerned (sub-section 7).

The recognition of a Chief, Deputy Chief, headman or any person acting in that specific position was also gazetted for public knowledge and an appointment or recognition certificate was issued by the Chief Minister.

The government through the Traditional Leadership and Governance Framework Act, No. 41 of 2003 (2003), proposed different positions of traditional leadership with a purpose to resolve disputes that often arise within the royal houses. In its legislation, the Limpopo Traditional Leadership and Institutions Act, No. 6 of 2005

(2005), the Limpopo Province listed the different positions to which the various royal families decide to appoint an identified person to lead the tribe. The following positions are laid down by the Act:

- Senior Traditional Leader, Headman or Headwoman;
- Acting Senior Traditional Leader, Acting Headman or Headwoman;
- Regents; and
- Deputy Traditional Leader.

These positions as recommended by the Limpopo Traditional Leadership and Institutions Act, No. 6 of 2005 are not posing any difference to those contained in the Black Administration Act, No. 38 of 1927 (1927). Traditional leaders in the province were not satisfied by the implementation of the new positions by government. Positions such as Regents have to be reviewed every twelve months and most chieftainness (*magošigadi*) saw that as a way of deposing them from their positions. All traditional leaders fought against the review of positions such as Acting and Regents, and this was never implemented by government. Traditional leaders felt that once their positions were reviewed most of them will not retain them. The Premier of the province approves the recognition of Senior Traditional Leaders and Headmen or Headwomen after the royal family has identified and appointed a person in accordance with customary law. A certificate of recognition is issued to a traditional leader after approval by the Premier. The Premier is responsible for gazetting the recognition as proof to the community and the public.

The roles and functions of traditional leadership according to the Limpopo Traditional Leadership and Institutions Act (2005): Among others to:

- Promote the interests of the traditional community concerned.
- In co-operation with the relevant municipalities and State Departments, assist with the administration of the traditional community.
- Actively participate in the development of the area of his or her traditional community.

- At the request of any Government Department or the relevant Municipality, make known to all residents of the traditional community concerned the provisions of any new law and
- Performance of any functions allocated by any organ of state in accordance with this Act.

In terms of section 13 of the Limpopo Traditional Leadership and Institutions Act (2005), the Premier has the authority to withdraw the recognition certificate, publish a notice with particulars of the removed Senior Traditional Leader, Headman or Headwoman in the Gazette and inform the royal family concerned of the removal.

According to the Black Administration Act, 38 of 1927, section 2 (8) (1927), the Minister may depose any Headperson, Acting Chief or Acting Headperson so appointed and publish a notice in the Gazette.

The appointment or recognition of traditional leaders in line with the Limpopo Traditional Leadership and Institutions Act, No. 6 of 2005 (2005) has not made any difference to the system that was utilised in the past by the previous homelands governments such as Lebowa and Gazankulu. The Republic of Venda is no exception in that it used the District and Territorial Council Act and Venda Traditional Leaders Proclamation Act (1991), which makes no difference. All positions of traditional leaders (chiefs and headmen), functions and duties as contained in the Limpopo Traditional Leadership and Institutions Act, No.6 of 2005 (2005) were applicable in the previous governments under different legislations.

5.4 House of Traditional Leaders Versus Regional and District Councils

The previous homelands governments of Gazankulu and Lebowa used the Black Authorities Act, No. 68 of 1951 (1951), to establish regional authorities in areas where two or more tribal authorities existed. The regional authorities were

headed by a chairperson designated by the State President, who also determined its composition (Section 3). The chairperson was elected by chiefs of the various tribal authorities which formed part of a regional authority. The regulation prescribed the manner in which the elections of members of a regional authority should be conducted and included among others, the conduct of its functions.

The Chief Minister of the Lebowa Government had the authority in terms of the Black Authorities Act, No. 68 of 1951 (1951) to cancel the appointment of a member of a regional authority if after investigation, it was found that such a member was negligent in the performance of his/her duties. Membership could be cancelled if it was in the interest of members of a regional authority.

The Chief Minister (Lebowa Government) was also responsible for the appointment of officials to assist regional authorities with their administrative work (section 3(1)) during their meetings. The officials designated, as such, by the Chief Minister did not have the right to vote during the elections of members of a regional authority.

The Limpopo Traditional Leadership and Institutions Act, No. 6 of 2005 (2005) as informed by the Traditional Leadership and Framework Act, no 41 of 2003, section 17 (2003), established the Local Houses of Traditional Leaders. The provincial government enacted a legislation called Limpopo Houses of Traditional Leaders Act, No. 5 of 2005 (2005). It is through this act that the Local Houses of Traditional Leaders were established in the five districts (Vhembe, Mopani, Capricorn, Waterberg and Sekhukhune) of the Limpopo Province. Senior Traditional Leaders in a district qualify to serve as members of a Local House of Traditional Leaders.

Members of the Local House are elected by an electoral college of Senior Traditional Leaders who reside in the same district. The Premier of the province exercises authority over the establishment of the Local Houses of Traditional Leaders. He also decides to which procedures are to be adhered to during the elections of members of a House. He further determines the composition of the

Local Houses after consultation with traditional leaders. All Local Houses are elected for a period of five years from the date of the election as prescribed by the act (Section 13). The Limpopo House of Traditional Leaders Act, no 5 of 2005 (2005) did not bring changes to the old system that was used (1951) by the previous legislations such as the Black Authorities Act, no 68 of 1951 and the District and Territorial Councils Act, no 19 of 1986 (1986). In comparison, it appears to be a continuation of the old legislation under a new name. Previously with the old order it was the Queen during the colonial era, Governor General, State President followed by the Chief Minister who had authority over the regional authorities. In terms of the Limpopo Houses of Traditional Leaders Act, No. 5 of 2005 (2005), the Premier has the power to dissolve the Local House of Traditional Leaders if he deemed it fit. He can also call upon an extraordinary meeting of the Local House to perform a specific function. The Local Houses are able to decide on their own seat and are expected to hold an ordinary meeting twice a year. A member of the Local House may vacate his seat upon death or if he/she decides to resign.

The Limpopo Houses of Traditional Leaders Act, No. 5 2005 section 17 (2005) also outlines the functions and duties of the Local House as follows:

- (a)
 - (i) To advise district Municipalities on matters relating to customary law, customs, traditional leadership and the traditional communities.
 - (ii) The development of planning frameworks that impact on traditional communities; or
 - (iii) The development of by-laws that impact on traditional communities.
- (b) To participate in local programmes that have the development of rural communities as an object; or
- (c) To participate in local initiatives that are aimed at monitoring, reviewing or evaluating government programmes in rural communities.

The functions and duties of the local houses as shown in the Act are not possible in most municipalities to implement, as traditional leaders regard councillors as their subjects who should always work under them. The relationship between traditional leaders and municipal councillors is strained in most areas as they are always seen to be fighting for power. For instance: The Fetakgomo Municipality wanted to erect a floodlight (Apollo light) at the local clinic without consulting with

the *kgoši* and the community. Eventually the community forced the municipality to erect the floodlight at the royal centre as they wished in the first place. The local houses are headed by a Chairperson and Deputy Chairperson who are elected from within. Both hold their positions for a period of five years from the date of their election by members of the House. The Chairperson and Deputy Chairperson may withdraw from their position when they cease to be members of the local house or when members of the house adopt a resolution to remove them from their office. The Premier appoints a secretary and other staff to assist the Local House with administration functions during its meetings. The officials designated by the Premier are not allowed to participate during the elections of members of the Local House. Members of the Local House are eligible for a claim for their transport and seating allowance as prescribed by the Premier.

The enactment of the Limpopo Traditional Leadership and Institutions Act, No. 6 of 2005 (2005) did not show any difference as compared to the Black Authorities Act, No. 68 of 1951 (1951) and the Black Administration Act, 38 of 1927. The establishment of the Local Houses of Traditional Leaders did not make changes or add value to the previous system of regional or district councils. The Local Houses are not functioning properly since they are not allocated resources such as offices and transport to manage its affairs. Like the Local Houses of Traditional Leaders, the regional authorities had powers, functions and duties to administer within their areas of jurisdiction. Some of their functions and duties were as follows (Section 5):

- To advise and make representations to the government in regard to all matters affecting the general interests of Blacks within any area under the jurisdiction of such authority;
- the establishment, maintenance, management and conduct of educational institutions, and the advancement of scholastic and other education;
- The construction of and maintenance of roads, bridges, drains, dams, furrows and works which it may consider necessary for purpose of sanitation or
- combating any soil erosion;
- The suppression of diseases of stock by the construction, maintenance and operation of dipping tanks and in any other manner it may consider necessary;

- The establishment, maintenance, management and conduct of hospitals, clinics and other similar institutions; and
- The improvement of farming and agricultural methods generally.

Regional authorities had the power to enact by-laws such as prescribing fees for services or rates payable by people for services rendered by the authority. The State President was responsible for the approval of any by-law promulgated by the regional authority before its implementation. All by-laws passed, amended or repealed, were gazetted by the State President for public information. Today traditional leaders are required in terms of the Act to enter into by-laws with municipalities in their areas of jurisdiction. Currently, no by-law has been signed between traditional leaders and municipalities in the Limpopo Province due to a strained relationship that exist.

The manner in which district councils ran their business during their sittings was not different to how the Local Houses of Traditional Leaders conducted theirs. Members of the Local House of Traditional Leaders are expected to swear an oath before a magistrate and after that they may start with their business. Before a decision could be arrived at during the sitting of a local house, members should first form a quorum, to which the defunct district council adhered as well.

Members of a regional authority were eligible to a claim for their transport and seating allowances each time they held a meeting. Government officials designated to facilitate regional authority activities were responsible for the processing of such claims. The seat of a regional authority was at the District Office of the Department responsible for traditional leadership matters. The current Local Houses of Traditional Leaders have their seats at the relevant district office and members of the House qualify for a claim for every sitting including their travelling allowance.

5.5 Finances of the Traditional Councils

According to the Limpopo Traditional Leadership and Institutions Act, No. 6 of 2005 (2005) members of the traditional councils are eligible for a claim for the

performance of their duties. The Traditional Council is composed of not more than 30 members of the Traditional Community and consists of men and women who, in accordance with the customary law of the traditional community, are recognised as councillors. Some members of the traditional council are elected democratically by the community. A third of the members of the traditional council must be women.

The following diagram shows the different levels of government.



Figure 5.6.1: Different levels of government

The Traditional Council may enact rules and orders in connection with the conduct of its business and proceedings in accordance with the customary law of the traditional community. It may make rules and orders regulating the establishment, constitution, powers and functions, procedures and duration of committees of the traditional council. Members of the traditional council hold office for a period of five years. Every traditional council is expected to hold an ordinary meeting not less than once every three months on a day fixed and an hour appointed by the Senior Traditional Leader and written notice of the day, hour and place where the meeting is to be held must be given to every member of the traditional council at least seven days prior to the fixed date. Members of the executive committee must perform powers and functions assigned to it as stipulated in the Act (Limpopo Traditional Leadership and Institutions Act, No.6 of 2005, 2005).

Whenever members of the council exercise their duties outside their areas of jurisdiction, they are entitled to a claim to defray subsistence and travelling expenses. Finances of the traditional council amongst others include:

- (a) All monies which in accordance with the customary laws of the traditional community concerned are payable to the traditional council.
- (b) Fines collected by the traditional leader or council in accordance with the traditional community's laws and customs.
- (c) All monies derived from any property in possession of the traditional community concerned.
- (d) Any donations made by any person for the benefit of the traditional community concerned, provided that any conditional grant or donation must, subject to any applicable legislation or government policy, be administered in accordance with the conditions thereof.

The traditional council is allowed to levy a rate upon members of the community who reside within its area of jurisdiction. The Premier should place a notice in the Gazette before a levy can be implemented by the traditional council. Community members who fail to pay a levy charged by the council should be dealt with in terms of the customary law of the traditional community (Section 25). The same situation was also prevailing during the Lebowa Government era whereby communities were paying levies as determined by the tribal authorities and approved by the Chief Minister. Before a levy could be implemented by the tribal authority, the Chief Minister would place a notice in the Gazette.

In terms of section 26 of the Limpopo Traditional Leadership and Institutions Act (2005), the Premier must make sure that the traditional council open an account into which all monies paid to the council should be deposited. The Premier also takes control of the account of the council and may invest any amount of money if it is not to be used immediately. The Director-General is the accounting officer of monies paid to the traditional council. Traditional Councils are expected to submit their financial reports to the accounting officer on specified dates by the Premier.

Traditional Councils are required to keep records of both the income and expenditure incurred. According to the Limpopo Traditional Leadership and Institutions Act (2005), all records of the council must be audited by the Auditor-General.

According to the Black Authorities Act, no 68 of 1959, section 8 (1959), tribal authorities were allowed to open an account where money collected would be deposited. Finances of the tribal authorities were under the control of the Minister. Books and accounts of the tribal and regional authorities were audited by the Controller and Auditor General. Monies to be paid into the account of the tribal and regional authorities were among others:

- All fees and charges which in accordance with the recognised customs of any of the tribes or communities in respect of which such authority has been
- All fines and fees collected by the chief or Headman concerned in the exercise of any civil or criminal jurisdiction conferred upon him by any law.
- All amounts derived from any property owned by any such tribe or community.

In terms of the District and Territorial Councils Act, No. 19 of 1986, section 14 (1) (1986), the Director-General had to ensure that every territorial council open an account into which monies are to be deposited. Monies paid into the territorial council account include among others:

- 10% of all fees and charges derived from initiation lodges;
- All amounts form any property of the territorial council;
- Any donation made by any person for the benefit of the territorial council; and
- Such fines and fees collected by the territorial council which the National Assembly may grant for the purpose.

Books and accounts of the territorial council were audited by the Auditor-General. The territorial councils were expected to make estimates of revenue and expenditure which were to be referred by the Director General to the Minister for approval.

The implementation of the Limpopo Traditional Leadership and Institutions Act (2005), both in the former Homelands of Lebowa, Gazankulu and the Republic of Venda did not make any changes to the accounts of the traditional councils. The method of banking and depositing finances of the traditional councils is still the same as the old methods. The accounts opened by the tribal and territorial

councils in the past have been adopted by the new government and are in existence.

The tribal and territorial councils were required to draft resolutions before utilisation of finances and submit these to the responsible department for approval before spending any money. The same method is being used by the new government under the Limpopo Traditional Leadership and Institutions Act (2005). The homeland of Gazankulu was able to pay a monthly allowance to all headmen/headwomen for performing certain functions for their communities. The Republic of Venda utilised the Venda Traditional Leaders Administration Proclamation Act, No. 29 of 1991 section 19 (1) (1991) to remunerate headmen/headwomen for performing the functions assigned to them by their chiefs.

The former homeland of Lebowa did not make any provision for the remuneration of headmen/headwomen from state revenue funds. When the new government took over in 1996, it was faced with a challenge wherein headmen/headwomen from the former Lebowa were not provided with any allowance for their functions. The government then decided that the headmen/headwomen be paid a monthly allowance, which also differed. All headmen/headwomen from the former homeland of Gazankulu received R2300.00 per month, from Venda R2500.00 per month and those from the Lebowa homeland, R1083.00 per month.

The disparities regarding the remuneration of headmen/headwomen in the province created conflict for many years without a resolution to the problem. In addressing the problem, the Executive Council of the Limpopo Province took a decision (No.19 of 2002) (2002) to remunerate all the newly recognised headmen/headwomen an amount of R 1083.00 per month. If a headman/headwoman from the former homeland of Gazankulu and the Republic of Venda passed on, the one replacing the deceased would be eligible for a monthly allowance of R 1083. 00. The resolution did not satisfy the headmen/headwomen from both Gazankulu and Venda. The situation resulted in the headmen/headwomen from the former Gazankulu and the Republic of Venda

forming an organisation called the Headmen`s Forum to challenge the Limpopo Government to address their concerns.

The financial structure of the Limpopo Traditional Council is in the same situation as the tribal authorities during the Lebowa Government. The traditional council still depends on the payment of tribal levies by community members for their survival. Payments of royalties by companies and contractors for the services performed within the area of jurisdiction of a traditional council still forms part of their income. The provincial government donates vehicles to traditional councils to enable them to perform their daily functions which were also provided for during the Lebowa Government era.

After the recognition of a traditional leader, the Premier issues out a certificate of recognition as required by the Limpopo Traditional Leadership and Institutions Act, No. 6 of 2005 (2005). The same function was performed by the Chief Minister after the official recognition of a traditional leader as required by the Black Administration Act, No. 38 of 1927 (1927). A government subsidy which was paid by the Lebowa Government to assist tribal authorities to pay salaries of administration officials is still continuing in the new government.

5.6 Commissions on Chieftainship Disputes

The former Lebowa Government under Chief Minister Dr Phatudi, established the Lekoloane Commission to investigate all the claims and disputes of the chieftainship in Sekhukhuneland (1985). The Commission was established after a number of chieftainship disputes were reported by Sekhukhuneland. The Lekoloane Commission was mandated to investigate among other things the following:

- How a chief is born;
- What happens when a chief dies, is incapacitated or is away on a long visit; and
- Who may be appointed acting chief in those circumstances (I to III above).

The Lekoloane Commission investigated cases of headmanship in Sekhukhuneland as part of its mandate by the Lebowa Government. After all the cases were investigated, a report was presented to the Chief Minister. However, the recommendations were never implemented as anticipated by the applicants. The objective of establishing a Commission by the Lebowa Government was never realised since tribes continued to experience chieftainship disputes within their tribal authorities. The Commission was funded from the State Revenue Fund for the performance of its functions.

None of the commissions on chieftainship disputes established before 1994 by both the Lebowa Government and the Republic of Venda assisted communities in resolving their conflicts. For instance: The issue of the disputed Kingship struggle between the Sekhukhune of Mhlaletsi and Mampuru of Mamone was referred to the Ralushai and Nhlapo Commissions without any solution, to date the dispute is in the Supreme Court for a decision. After 1994, the new government also established commissions and others are still operating without being able to resolve the disputes in traditional communities but public finances are being used. In 1996, the Limpopo Province established a commission to investigate chieftainship disputes when it was realised that most traditional councils are faced with leadership difficulties. The Executive Council took a decision to establish the Ralushai Commission of Enquiry to investigate chieftainship disputes in the province. Applications from the former homelands of Lebowa and Gazankulu and the Republic of Venda were submitted for investigation.

All applicants were consulted and hearings were later conducted in all districts. When the Ralushai Commission of Enquiry had completed its investigation a report was submitted to the Premier who was expected by the public to implement the findings. The government spent an amount of six million Rand on the Commission to perform its functions. The Premier failed to release the results until a group of people who wanted to be recognised as chiefs, called *Sediba sa*

Bogoši (Source of Chieftainship) in the Sekhukhune District, took the government to the North Gauteng High Court for resolution of this problem (2005).

The group (*Sediba sa Bogoši*) won the matter before the High Court and the government was ordered to release the result of the Ralushai Commission of Enquiry into chieftainship disputes. The Limpopo Government took a decision not to implement the recommendations of the Ralushai Commission of Enquiry. One reason mentioned was that the Ralushai Commission of Enquiry was not based on any legislation, which means that the implementation of its results would be challenged before the court of law.

The Traditional Leadership and Governance Framework Act, No. 41 of 2003 section 22 (2003) provided for the establishment of a Commission on Traditional Leadership dispute and claims. On the basis of this legislation, the President established the Nhlapo Commission to deal with claims and disputes in all provinces where traditional leadership existed. The Commission was established in 2004 at national level and applicants were expected to submit their claims for investigation. Eleven Commissioners were appointed to deal with all claims and disputes within a period of five years from the date of assumption of their duties (September 2004).

The Commission was mandated to investigate among others:

- A case where there is doubt as to whether a King, Senior Traditional Leader or Headperson was chosen in accordance with the customary laws and customs;
- A traditional leadership position where the title or right of the incumbent is contested;
- Requests by communities to be recognised as traditional communities; and
- The legitimacy of the establishment or disestablishment of tribes.

In the Limpopo Province, the Nhlapo Commission only dealt with two kingship positions with respect to the Bapedi of Sekhukhune and Vha Venda and one queenship position pertaining to the Balobedu of Modjadji. At the end of the five year period, the Nhlapo Commission only managed to release the results of the two kingship positions with the one on the queenship still pending.

The Kingship of Sekhukhune is still being contested in the High Court in which three groups of royal family members are involved. The Kingship of the Vha Venda is also being contested between the two groups of the Vha Venda in the High Court. Accordingly, the Nhlapo Commission failed to fulfil its mandate of investigating all the claims and disputes submitted within a stipulated period of five years. The Nhlapo Commission was funded from the State Revenue Fund for the performance of its functions.

The only three cases that were investigated by the Nhlapo Commission did not bring any peaceful solution to tribes that were hoping for a resolution of their problems. The positions of chieftainship, headmen/headwomen were never attended to by the Nhlapo Commission and the President was compelled to establish a new commission upon the expiry of the first one. In the Limpopo Province, it is called the Kgatla Commission.

All the commissions on chieftainship disputes established before 1994 by both the Lebowa Government and the Republic of Venda did not assist communities in resolving their conflicts. The New Government after 1994 also established commissions and others are still operating without resolving the disputes in traditional communities (including the Batau) but public finances are being used to fund such.

SUMMARY

The Colonial, Union, Republican (including Lebowa) and the ANC government have failed to resolve the chieftainship dispute in the Traditional Councils even though plans were devised to deal with the impasse. The previous commissions (*Lekoloane and Ralushai*) did nothing to resolve the succession disputes in the Traditional Councils although a great deal of money was paid to both of them. The Limpopo Government appointed the Ralushai Commission of Enquiry in 1996 with a purpose of resolving the on-going chieftainship disputes but nothing positive came out of it. Two commissions were appointed, namely the Nhlapo and Kgatla Commission which are still operational at the moment. Importantly, the Nhlapo Commission failed to resolve the chieftainship disputes as anticipated in the Limpopo Province. Currently, a commission called the Kgatla Commission is in the process of conducting hearings in the province among communities that are faced with chieftainship disputes. All commissions are funded by the government to perform their functions.

The Batau Ba Kgaphola are still waiting to appear before the Kgatla Commission on Traditional Leadership disputes and claims for a possible solution regarding their chieftainship dispute. The community suffered a great deal for many years due to an on-going dispute within the royal family. Currently, the community of Mphanama is united and conflict exists only within members of the royal family. The royal family has also failed the community by not resolving their chieftainship dispute which ended up dividing the community for many years. The effort by the democratic government of establishing commissions to deal with chieftainship dispute yielded no positive result but the misuse of public finance.

However, the government resorted to the most common conflict-handling forum called mediation (Commission) which literally means “to say no to a case between adversaries”. Even after the Batau royal family appeared before the different Commissions with an objective to resolve their chieftainship peace,

never prevailed. Since the Batau social relationship is enduring it is necessary to find a settlement to continue to live together amicably.

CHAPTER 6: CONCLUSION

The Batau community possesses a cultural heritage in which both the tangible (places) and intangible (oral tradition) are honoured. They still honour their ancestors and places where they have buried them. During this period, a large range of events and occurrences became compressed in terms of time and chronology and ever interlinked; hence the existence of oral traditions on cannibalism, mythological war medicines, horses, cannons and heroes. All these events feature in the oral tradition inventory. Many of these oral tradition and oral historical events are associated with geographical phenomena.

The studied area of Mphanama is surrounded by big mountains, which have always been useful to community members. Some mountains have perennial springs inside where the community get water for household use. Other mountains were commonly used by the community in the past for security reasons. Presently, the Fetakgomo Local Municipality is responsible for the provision of water and electricity in the area.

The Batau of Kgaphola originated as an offshoot of the Ngwane group of the Swazi community found in Swaziland. Today the Batau speak the Pedi language which is commonly used in Sekhukhuneland which consists of 108 tribes. Due to migration from one place to another, the Batau have changed their totem from Langa (son) to Tau (lion). The Batau trace their relationship through a common ancestor, namely; Matlebjane. Various Batau tribes are found in Sekhukhuneland today and they regard themselves to be related to one another. During important functions such as weddings, inaugurations and funerals, the Batau tribes still invite each other.

Over decades the community became angered as a result of consecutive government administration's intrusion in tribal traditional matters since the 1900s. The officials were also taking sides with certain royals such as Ngwanamohube whom the community believed was wrong. The treatment received by the

community from the officials was also a warring factor. This also strained the relations between government officials and the community.

Conflict between both the Makhuduthamaga and Rangers, which gained momentum as a result of governmental intervention, led to the death of some community members around Manganeng during the reign of Kgoši Phaswane. Since the late 1950s, some chiefs in Sekhukhuneland were anti-government (Makhuduthamaga) while others were pro-government (Rangers). The Mphanama community was adversely affected by the conflict between both the Makhuduthamaga and Rangers which was among others disagreement within the royal family regarding leadership.

Immediately after the arrest of Tserere and some members of the Makhuduthamaga in June 1965, there was a marked uneasiness in the community which lasted for some years. This situation left the royal house divided and there was no co-operation among them. Royal family meetings were not easy to organise as a result of tension created by the killing of Ngwanamohube. The Makhuduthamaga had to arrange their meetings during the night in the mountains for fear of arrests by the police. This situation made it difficult for them to regroup as they were not allowed to meet within the community and also feared as their leader was already arrested. Police officials were always patrolling the community and this made it difficult for members of the Makhuduthamaga and Rangers to regroup.

The situation in Mphanama came as a reaction against the introduction of Tribal Authorities of the Department of Native Affairs and its officials such as Bothma and the distrust in the Native/Bantu Affairs governance. Some community members were loyal while others were not; hence the schism (Sebatakgomo & Rangers). The situation resulted in civil war in the community. This situation polarised the entire community which also caused death. Some community members sided with government, others with the African National Congress (ANC). It split the chieftainship (*bogoši*) into two at a time when the *bogoši* was supposed to help the people. Since then, two chiefs (Motodi and Masehle) ruled

the community of Mphanama. Ritual institutions such as *bjale* and *koma* were also affected by the division that existed in the community.

The internal conflict at Mphanama had a severe influence on rituals such as the *koma* and the institution of *bogoši*. An initiation school among the Batau plays an important role as it introduces boys to manhood. The community respects the *koma*, which is also associated with the ancestors. This is reflected by the performance of rituals before boys could be taken to the mountains. Not everybody could arrange for the establishment of a *koma* except a chief. Only an experienced traditional healer is recommended to take care of the initiates during the initiation school. Apart from the *koma* issue, during the reign of Masehle (1970), the relationship between the two opposing royal family members was hostile. The royal family could not sit together to resolve the leadership dispute which was destabilising everything in the community. Some community members also view the situation as an opportunity for them to raise support for membership of Sebatakomo while others raised the support of the Rangers. Members of the community were forced to pay allegiance to a leader of their choice, namely; Masehle and Mokhine.

Disaster that took place during the *koma* reflects complete negligence of initiates by Masehle who was also the leader of the community. His failure to consult properly with the elders of the tribe before and during the *koma* resulted in the death of some boys and others becoming sick, which also forced the initiation period to end before time (1970). He failed to get an experienced traditional healer to initiate the boys on their first day in the mountains which could be the result of the tragedy that forced the initiation school to close down prematurely. Lack of correct medicines for the sick resulted in the death of some initiates. This situation led to distrust in Masehle's leadership by community members including the Makhuduthamaga who were on his side. Hence he decided to abdicate the chieftainship position around 1971 to allow Tserere to take over. He did this after realising that his support was decreasing tremendously within the community.

Immediately after the initiation period, Masehle realised that most of his supporters were disgruntled by his action, and for fear of losing more support he proposed that they join the Rangers (1970). The anger from his supporters (Makhuduthamaga) was shown when they expelled him from the community for a period of six months. This turn of events showed that the Makhuduthamaga were not ready to surrender in the hands of the Rangers who were led by Mokhine and his brother Motodi. This situation showed that the community was becoming more divided as a result of the internal royal family dispute.

Once the royal family was unable to make a decision on a particular issue and allow the problem to continue without a conclusion, division was inevitable. A divided royal family compelled members of the community to choose which group to support in order to meet their needs. Conflicts arising out of this situation forced the government to intervene in an effort to resolve the differences. Government arranged several meetings with the two groups of the royal family but conflict continued. This took government a long time to resolve and no conclusion is reached.

The Lebowa Government through the office of the Chief Minister intervened into the Batau chieftainship disputes. The conflicting situation in the royal house made it easier for the officials such as the Chief Ethnologist at the time, Dr Bothma, to capitalise on and to ensure that government's policy of divide and rule is strengthened. Government's intervention was felt during the construction of a school and a clinic in Mphanama, as members who supported Mantlatle were employed and remunerated, while those who supported Masehle (Makhuduthamaga) were side-lined.

The failure of the royal family to resolve their internal disputes to an extent also caused the community to be divided into two groups namely, Makhuduthamaga and Rangers (1970s). This resulted in the death of some community members and others injured. Members of these groups were not cooperating with one another and this was evident during the initiation schools which were arranged by both of them. Government continued with the appointment of Tserere as the

Acting Chief besides a complaint from Mantlatle`s group regarding his capability to the position (1976). However, the Black Administration Act, 38 of 1927 (1927) did not have a clause that could be evoked to disqualify Tserere to lead the community even if he was charged before or had some cases before the court during his inauguration. Efforts by Motodi and others to have the appointment of Tserere rescinded fell on deaf ears, as he continued to rule the community of Mphanama for many years with the support of government officials.

The royal family of Batau of Kgaphola failed to agree on whom should lead the community after the death of Kgapyane. The dispute led to one group recommending the appointment of Masehle Diphatše Kgaphola as the Acting Chief to rule the Batau tribe. The two groups solicited support from the community for their interests. Masehle`s group received support from members of the community who were also affiliated to Fetakgomo, while the group supporting Mantlatle which was led by Motodi got support from the Rangers and government officials. The division in the community led to the killing of two women who were taking care of female initiates in the River by members of Fetakgomo. The implementation of Bantu Authority by the Nationalist government caused conflicts among community members in Sekhukhuneland. Some of the chiefs in Sekhukhuneland were no longer trusted by their communities as they were seen to be supporting the Nationalist government. The failure of the royal family to agree on one leader continued to divide the community of Mphanama. However, the royal family knew their succession laws which if properly adhered to could not have caused any dispute.

Leadership disputes of the Batau of Kgaphola started a way back around November 1954. This was after the death of Chief Lobang III who left behind the candle wife Ngwanamohube without an heir apparent. After failing to agree on who should succeed Chief Lobang III, The Batau decided to approach the Sekhukhune Paramountcy for assistance. Eventually, Kgapyane was identified to lead the Batau community as he was supported by a large number of royal family members and the community. After the death of Kgapyane around 1956, the leadership dispute of the Batau continued. A division within the royal family led to

the community of Mphanama divided which was visible when Mokhine established an initiation school in the community, while Masehle with his supporters took their children to GaMaila under Chief Matšhupye Maila.

The failure of Masehle to take advice from the elders regarding the place where an initiation school should be established and lack of medicines led to the death of eight initiates. An unruly situation during the initiation school made Masehle and the elders to shorten the duration of the initiation school to avoid further death of initiates.

The Lebowa Government under the leadership of Chief Minister Dr. C.N. Phatudi intervened into the Batau dispute but failed to assist the royal family. The leadership dispute of the Batau continued even after the new democratic government took over in 1994. The leadership squabble was referred to the newly established Ralushai Commission by a group led by Motodi. At the present stage the dispute is with the Provincial Committee on dispute and claims and the Batau are waiting for a hearing. The Limpopo House of Traditional Leaders was at some stage requested to assist in resolving the leadership dispute of the Batau but it failed.

Blame should only be put on the government of the day for failing to resolve the continuing leadership dispute of the Batau. The royal family also failed to resolve their internal dispute ever since the death of Chief Lobang III in November 1954 until now. Instead of holding meetings to discuss leadership dispute, they resorted to government intervention which also used its policies and legislations which never assisted. Failure of the royal family to adhere to their cultural practices in identifying a successor to the throne led to the dispute which continued up to now. The weakness within the royal family led to a division in the community which also resulted in the death of some people.

In terms of my research, I had four objectives to focus on and the first was to study the migration history with reference to the royal house and various secessions that had occurred in the past. During my research, I realised that the

Batau of Kgaphola is an offshoot seceded from the Ngwane group of the Swazi tribe which is now found in Swaziland. Due to migration their totem was changed from *Langa* (son) to *Tau* (Lion) which they still use today. Most of the offshoots that emanated from them still regard the lion as their totem. Most tribes such as the Ntšhabeleng, Mogašwa, Nkadimeng and Masemola continue to use lion as their totem. Over time, their leadership changed from one leader to the other. Matlabjane was their founder leader who was succeeded by his sons along their way. During these early years the Batau would resort to war to resolve their internal dispute of chieftainship. The disputants would group themselves according to their leader of choice and plan against their opponents. The group that loose during war would migrate immediately to avoid further attack. Most offshoots took place while the tribe was in Sekhukhuneland where tribes such as Mogašwa, Masemola, Seloane, Phahlamohlaka and Nkadimeng were formed by the sons of Matlebjane. Today these offshoot tribes exist under different leaders who regard their ancestor as Matlebjane. However, their original language, Swazi, has changed as a result of migration. All the Batau tribes found in Sekhukhuneland use the Pedi language as their mother tongue and no longer the Swazi language. These offshoots took place as a result of the royal family failing to adhere to their customary practices of succession to the leadership position.

The second objective was to investigate the traditional or customary political structures of the Batau community. With regard to this, the royal family of Kgaphola failed to adhere to their customary practices after the death of Chief Lobang III in November 1954. The royal family did not sit to appoint the relevant noble (*mokgoma*) to ascend the throne which was the beginning of their failure to lead the community. The Batau traditional structure became dysfunctional immediately after the death of Chief Lobang III. The royal family did not consult with the elders in the community for assistance upon realising that there was a disagreement of leadership from within. The royal family with the assistance of the elders could have agreed on the successor to assume leadership on an acting capacity, while arrangements for the marriage of a substitute wife (*seantlo*) were taking place. The royal family became divided into two groups and they have never tried to resolve their dispute on their own to reach a conclusion.

Instead they allowed government to intervene and relied on it to resolve their internal family dispute.

This dispute led to a division of the community into two opposing groups, each supporting a leader of their choice from the royal family. At the time (May 1958) when Ngwanamohube was expelled from the royal centre, a group of members of the royal family decided to bring her back without the knowledge of some. This situation also influenced the disputes both in the royal family and in the community. Even after the death of Ngwanamohube (*masetšhaba*) in November 1964, the elders of the royal centre (*mošate*) never called a *kgoro* of all elders in the community for advice on an appropriate approach to deal with the situation which had never been experienced by the Batau.

Another group from the royal family wanted the eldest daughter of Ngwanamohube, namely Mantlatle to succeed her mother as the rightful heir to the throne. The royal family also failed to apply their customary practices since the community was never ruled by a woman as the rightful heir to the throne but acting chieftainness. Some community members supported the idea although it was for the first time they came across such a situation in Mphanama.

The third objective was to determine how the community reacted to these colonial and apartheid systems of governance with reference to similar reactions in the region at the time. A plan by government to enforce Bantu authorities in Mphanama and other communities in Sekhukhuneland led to the death of some community members in the Manganeng village of Chief Nkadimeng (May 1958). While at Mphanama, some community members also lost their lives during female initiation for being pro-government. One community member, namely Segole, lost his life during a conflict between the Makhuduthamaga and Rangers at the royal centre. Government continued to divide the community by providing clothes and food to those who showed support of the new order, while those who were against it did not receive anything.

Meetings for those who were anti-government were not allowed to take place in the community. Leaders in the community who were pro-government were forcing those who were anti-government to pay for services such as water while others were receiving it for free. Some members of the royal family such as Tserere who was anti-government were always receiving punishment from the police officials with the influence of some royal family members.

The attack of members of the Rangers by the Makhuduthamaga at the River during conflict between the Makhuduthamaga and Rangers at Manganeng showed how volatile the situation was in the community at the time (May 1958).

The fourth objective was to analyse the impact of governance by the state in terms of post-1994 legislation in the Limpopo Province. For both the colonial and apartheid governments, past legislations with a view to exercise power over chieftainship were very pivotal. One such legislation was the Bantu Authorities Act, No. 68 of 1951 (1951), which was amended for the establishment of tribal authorities, community authorities and regional authorities. The Black Administration Act, No. 38 of 1927 (1927) was also enacted by government to deal with the appointment of chiefs, headmen and headwomen. The new government enacted the Limpopo Traditional Leadership and Institutions Act, No. 6 of 2005 (2005), with a view to deal with traditional leadership matters in the province. In the past, the King/Queen, Governor-General, State President and Chief Minister presided over chieftainship matters. During the Lebowa Government era, the Chief Minister established the Lekoloane Commission to deal with chiefly disputes. Communities appeared before the commission with a hope that their disputes will be resolved but nothing came out.

When the new government came into power in 1994, a commission was established, namely; the Ralushai Commission. Communities appeared before the Ralushai Commission hoping that it will resolve their disputes but in the end the results were never implemented. However, government used tax payers' money to fund the commission to perform its functions. Another commission was established, namely; the Nhlapo Commission which also raised hopes for many

people who have been involved in disputes for many years. The commission completed its term of office without attending to chiefly disputes in the province. However, tax payer's money was used to fund the commission to perform its functions. Currently, a new commission has been established to deal with traditional leadership disputes which have been there for ages. No one is sure if the commission will ever produce the desired results to resolve this impasse or whether government will implement them. However, government continues to fund the commission for the performance of its functions. All commissions by both the Lebowa and Limpopo Government have failed most royal families by not providing solutions to their disputes. Communities no longer have trust in government as a result of its actions.

Finally: In the pre-colonial times which resulted in migration and settlement at Mphanama, the Batau did not have control over their own governance. To some extent succession struggles in the royal house were settled internally, yet since the colonial period this did not occur and when consecutive external administrations took control over Sekhukhuneland these administrators took advantage of the schism within the community. The scars of mistrust, scepticism and unresolved matters are still present today at Mphanama, however hidden these might appear but it may surface again in the near future.

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