

**A CHRISTIAN ANALYTIC APPROACH OF MARRIAGE
THROUGH ABDUCTION
AMONG THE BASOTHO PEOPLE OF LESOTHO:
A CHALLENGE FOR PASTORAL CARE MINISTRY**

BY

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Submitted in fulfilment of the requirement for the degree of

MASTER OF THEOLOGY

IN

PRACTICAL THEOLOGY

AT THE

UNIVERSITY OF PRETORIA

SUPERVISOR: PROFESSOR M.J.S. MASANGO

SEPTEMBER 2004

ACKNOWLEDGEMENTS

"Ntja peli ha e hloloe ke sebata" This is a Sesotho proverb which simply says - many hands make light work. The way that leads to a successful achievement in life is normally longer and harder to walk. It needs accompaniment, encouragement, guidance and support of other people.

I would like to give my sincere and indelible gratitude to the following persons who walked an extra mile to accompany, encourage, guide and support me in this long and exciting journey that has made me reach my goal in writing this Thesis.

- My family members
- My colleagues
- Sr. Ursula Traynor
- Sr. Mary Ita Bermingham
- Mr. M.S. Manyokole
- All my interview participants
- My Supervisor: Prof. M.J.S. Masango

I dedicate this Thesis to my beloved mother and three sisters who were the victims of abduction with intent to marry

Mother: `Mamosotho Molapo (R.I.P.)

Sisters: Mosotho Lenkoe (R.I.P.)

`Mampoi Ramotsabi

`Malika Matekane

DECLARATION

I declare that a Thesis on

**A CHRISTIAN ANALYTIC APPROACH OF MARRIAGE
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**AMONG THE BASOTHO PEOPLE OF LESOTHO:
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**is my own work and that all sources I have used or quoted have
been indicated and acknowledged by means of complete references.**

Signed:.....Date.....

ABBREVIATIONS

AGD	=	Ad Gentes Divinitus
AFER	=	African Ecclesial Review
LEC	=	Lesotho Evangelical Church
NT	=	New Testament
OMI	=	Oblates of Mary Immaculate
OT	=	Old Testament
PEMS	=	Paris Evangelical Missionary Society
PROOF	=	Probing Responsibly Our Own Faith
RCC	=	Roman Catholic Church
UR	=	Unitatis Redintegratio
VAT II	=	Second Vatican Council

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CHAPTER - ONE

PERSONAL EXPERIENCE OF ABDUCTIONS AMONG THE BASOTHO PEOPLE OF LESOTHO AND AN OUTLINE OF THE RESEARCH STUDY

1.0 INTRODUCTION:

1.1 A herd boy experience

I am a Mosotho by birth and was born in the eastern district of Lesotho called Leribe. "A country surrounded by the Republic of South Africa. It borders three provinces of South Africa - Free State, Kwa-Zulu Natal and Eastern Cape. A small country of about 30,355 Square Kilometers of which, two thirds of the country consist of mountains. Because of poor economic position of the country, most of the Basotho people earn their living through livestock and farming" (Qunta, 1987:231). (see map of Lesotho p. 2 an extract from Chihota 2003:159) My parents were earning their living through livestock and subsistence farming as well. The majority of boys in the rural areas become herd boys at an early age. I became a herd boy at the age of twelve, and had to be taught rules, and duties of caring for the livestock by the older herd boys.

To name a few:

- To have a thorough knowledge of the live stock that one is in charge of.
- To have a zeal and special love for the flock.

- To grow in strength so as to face the hardships and problems one will encounter in the process of shepherding
- To be ready to sacrifice one's own life against adversaries that might come to devour the flock.
- To be able to explore the terrain for good green pastures for the flock.
- To be a real man who is able to keep shepherding secrets which are not suppose to be disclosed to anybody in the village, especially - women.
- To learn to eat twice a day, in the morning and late in the evening.
- To learn to overcome and solve my problems by myself without seeking any advice or assistance from anybody, especially women.

These are some of the skills taught, which help one to have the necessary ability to care for the flock. This implies that I was taught that women are secondary subjects and that there are certain issues in life, which I could not share with them.

Gerkin speaks of the expected leadership qualities, which the good shepherd should have in Pastoral care as a ministry. " We will want to keep before us the ancient function of the pastor as a mediator and reconciler between individual believers and the community of Christians" (Gerkin 1997:81).

Gerkin indeed touches on past memories of all that I have learnt in the mid-sixties as a herd boy. Being the shepherd (priest) of God's flock now challenges my pastoralministry even more, but also help me to understand better the way of caring for the people of God, by being a mediator and reconciler for individuals and the entire community entrusted in my pastoral care ministry.

1.3 My Personal Experience of Abductions (*chobeliso*)

With the above concept of shepherding in mind, let us now explore the abduction that takes place in Lesotho. Abduction with intent to marry is very common among the Basotho people of Lesotho. It is something I frequently experienced and witnessed during my life time as a herd boy, mostly where cattle, sheep and goats were grazing. It takes place in the fields, near the river and forests where the Basotho girls collect firewood, cow dung for fire, and water for cooking in the family.

In the remote countryside of Lesotho people do not have access to water taps and electricity. Girls are forced to fulfil their domestic obligations traditionally placed on them by adults as well as society. They are expected to do the following duties:

- Keep the house clean and in good order.
- Collect water from the well or river for family use.
- Collect firewood or cow dung for cooking.
- Do washing in the nearby river for the family members.
- Weed the plants in the fields for the purpose of good harvesting.

This is how the Basotho people outline traditional cultural standard of work, as the division of labour between men and women, which becomes a way of living.

These conditions govern, and make the life of the young Basotho girls very vulnerable. On the other hand, they create a good opportunity for the abductors to capture their chosen maidens for marriage. As a young boy it was always

painful for me to see Basotho girls being abducted by more than one young man, i.e. those who accompany the one who had ear-marked a girl for marriage. I could hear a piercing cry of a girl who was being captured when she was trying to resist the abduction. And a young girl will always try to free herself. She could be beaten like a dog if she was persistently resisting the abductors. When this drama takes place, the Mosotho girl would definitely know that she is being forced to enter into a marriage with somebody she does not even know. She is being forced, and dragged to enter into unplanned new pattern of life which will totally make her to be dependent on her husband for her social and economic basic needs. Part II in Section 8 No. 1 of the constitution of Lesotho prohibits any form of torture to all the citizens of Lesotho irrespective of one's gender, and it says, "No person shall be subjected to torture or to inhuman or degrading punishment or other treatment" (The Government of Lesotho 1993:20).

It has been always painful for me to experience this form of harassment and abusive violence done against the consent of the Mosotho girl, to force her to enter into unplanned marriage. Her career and dreams of a future life are being disrupted and completely jeopardized. For example, one of my sisters who was abducted had a dream of becoming a teacher. She was denied her human right, forced to marry a husband not of her choice. Basotho girls are denied the right of movement to any place at any time, let alone their choice. Part II in section 7 no.1 of Lesotho constitution, provides freedom of movement to every citizen throughout the country of Lesotho without any form of hindrance to any person, and it says,

Every person shall be entitled to freedom of movement, that is to say, the right to move freely throughout the country of Lesotho, the right to reside to any part of Lesotho, the right to enter Lesotho, the right to leave Lesotho and immunity from expulsion from Lesotho (1993:18).

Now that I am the Pastor (Priest) in the Roman Catholic Church, God called me in a special way to be a shepherd who nurtures such people, who in the past and present are experiencing all sorts pain, hurt, violence every day of their lives. Having gone through the programme of pastoral care in practical Theology in 2002, I began to realize the pain I had internalized for many years, especially of people who had been dragged or forced violently into married life commitment. These memories reminded me of a challenging critical prophetic ministry of Amos the prophet, who as a good shepherd and a successful farmer said,

I am not the kind of prophet who prophesies for pay. I am a herdsman, and I take care of fig trees. The Lord took me from my work as a shepherd and ordered me to go and prophecy to his people Israel. So now listen to what the Lord says. You tell me to stop prophesying, to stop raving against the people of Israel (Amos 7:14-16).

This biblical quotation shows how the Spirit of the Lord inspired Amos to stand up and preach the prophetic message of liberation to the poor and the oppressed. He challenged the kings and priests of his time and told them that God wants laws, which are just and religious services, which come from deeper faith and pure hearts, a thing never experienced fully by Basotho women. (Amos 5:7-24). Injustice was something they had to face. Abduction among the Basotho people has really challenged my ministry as a priest. I feel challenged as well as to pursue the

same justice which Amos speaks about, by taking care and supporting those who are violated unjustly in the process of entering into marriage.

Indeed, I also begin to recall the past memories of my mother's marriage. My father abducted her, and she used to share her story with us, especially the drama that took place on the day of her own abduction. She never had a relationship with my father, but what made it easier was that, my father was not a stranger to her, because they attended the same school.

I come from a family of ten children, four boys and six girls. Three of my sisters got married through the same method of abduction, the other three got married through the betrothal customary system, which is normally considered as the legitimate system of getting married among the Basotho people. The betrothal customary marriage means when a Mosotho young man shows his parents that he is old enough to get married. He does it by a non-verbal language. "Ho qhala Moritsoana" (mixing the calves with their mothers, letting all cattle out of the kraal and abandoning them to graze and destroy crops in the nearby village fields). His parents will immediately know that he wants to get married. They will then negotiate with the family of a girl of his choice or his parents' choice, for the official engagement. The negotiations of the Bohali (dowry) between the two families of the bridegroom and the bride will then follow. It is indeed, the marriage, which involves two families in preparing for the cultural marital union of their children. Three of my sisters got married through the betrothal customary marriage. It was really a

good and fascinating experience, that one never easily forgets. This kind of marriage does not only involve the two families but rather, the whole community in the village as well as those living in the nearby surroundings. Marriage through abduction is done secretly and it does not involve the community, except the two concerned families, relatives and friends.

Putting myself in the shoes of those who are abducted I feel bad, because marriage is a life-time commitment, that needs good planning and a collective decision based on mutual love from the partners concerned. It was out of this that my priestly vocation developed. I felt at an early stage of my life that God was calling me to be a priest; a father who cares for all those who experience pain, suffering, hurt, joy and happiness as well, in the physical and spiritual journey of life. Instead of afflicting pain on others, I decided to heal the wounds of those who are abused and oppressed.

Indeed practical Theology is the science of pastoral care, which intends to liberate and heal people, who experience pain/suffering as result of political, economic, religious and cultural oppression. It is for these reasons that I decided to do research on this topic, which had been worrying me for a very long time. I am not condemning this form of marriage, but rather I challenge the ways and means it takes place, and how it humiliates women. The intention is good, which is to enter into a marriage relationship but the method applied to reach this goal is disturbing, abusive and violates women's rights. This is exactly where the problem

statement of my research study is. I would like to have a deeper analysis on the root causes of marriage through abduction among the Basotho people of Lesotho. I am aware of the fact that the root causes have sometimes deeper reasons, which may result in creating problems in different patterns of life. However, poverty could be part of the root cause that leads Basotho men to resort to abduction as a means to achieve their ultimate goal, which is marriage in this case. Basotho abductors know that poverty on the other hand, forces women to stay in marriage. The Sesotho saying that backs up this hypothetical statement is - *Monyala ka peli o nyala oa hae* (which means even the man who has two cows can marry the woman he wants).

Nevertheless, the social, the economic and the cultural pressures on the Basotho people will always keep the abducted Basotho women confined to a subordinate position, and enslave them to be watchdogs of households, permanently-housewives. I want to know whether the end (which is marriage) justifies the means (which is abduction) because in the end, these two people end up being husband and wife.

1.4 The Sesotho Patriarchal Structure

The Sesotho culture is based on patriarchal structure whereby one's identity is traced through the paternal lineage and descent. Some aspects of this culture are incorporated into the customary laws that place Basotho women under the subordination, rule, custody and protection of men. Men are awarded more powers

in the culture, which finally authorize them to be treated as masters and heads of the households. This pattern of life promotes and perpetuates gender-based abuse of women. Inequality is created and hence women abuse develops as a norm. The bible speaks of all people regardless of race, colour and gender being equal before the eyes of God. The book of Genesis says - "So God created human beings, making them to be like himself. He created them male and female" (Genesis 1:17).

The above verse portrays the equality of human beings before the eyes of God, and it is rooted in the fact that all are created in the image and likeness of God. Genesis 2:18-25 continues to describe the creation of a woman. She was created from the rib of a man. I think it is from this fact that traditional Basotho men do underestimate women - taking them as subjects and fail to treat them as equals. God's intention in creating a woman from man's rib has nothing to do with superiority or inferiority. All that it means is that the rib stands for the sameness of the matter God use to create human beings. Two people who are made of one and the same flesh, bond together for a married life, they become one flesh because they are created in the image and likeness of one God in three persons.

For example, hot water and oil are both liquids but cannot be mixed to become one matter. However, hot and cold water being both liquids can easily be mixed and become same water in a particular container. It goes without saying that man's flesh and women's flesh are both flesh, and they are compatible enough to become one flesh in marriage. Paul's letter to the Ephesians explains the unity that exists

between Christ and his followers:

Even before the world was made, God had already chosen us to be his through our union with Christ, so that we would be holy and be without fault before him (Ephesians 1:4).

Paul explains the initial plan of God in uniting humanity with his own son Jesus Christ, so that people can treat one another with love and respect without fault. Basotho men should understand and accept God's plan that they are of the same quality matter that God use to create women as well. They should treat women as equal human partners, who deserve to uphold their human dignity God has endowed them. Basotho men should again understand that marriage is a life time commitment, entered upon through love, which is the light that enables one spouse to see the other as an equal partner, rather than as an obstacle to one's personal freedom. Parental consent is a necessary condition to the betrothal Basotho customary marriage. This Thesis challenges the young Basotho men to value and practice the betrothal marriage because it involves all stakeholders on board. You cannot demand or force someone else to love you, for love must be freely given and freely received. If love is restricted, it is no longer love, but something else. Nevertheless, abductions are common among the Basotho people, because they are accepted as a norm and not as the violation of the basic human rights of women.

1.5 THE OUTLINE OF THE RESEARCH STUDY

1.5.1 The Problem Statement

As a Catholic I understand marriage to be a permanent commitment of love

between two people of opposite sex (Man and Woman), each vowing to give one's innermost being to the other, in this special bond, with their free consent. It is therefore, out of this concept that marriage by abduction among the Basotho people of Lesotho creates a problem for me. It is not founded on true love and mutual agreement between the two parties. Basotho young men violate the depth of this sacrament, which must be entered by two people who mutually love each other.

This therefore, raises several questions in my mind.

- Is marriage by abduction (Chobeliso) of Basotho tradition/custom based on love?
- If so, is this tradition/custom good? How did it come about and develop?
- If it is not a Basotho tradition/custom, why then, is it commonly practised even up to today?
- How do the Basotho traditional and civil courts view it?
- What is the stance of the church (Catholic Church in particular which considers marriage as a sacrament indissoluble) in regard to this kind of marriage?
- Is this kind of abduction marriage to be viewed as sacramental by the Catholic Church?

1.5.2 The Hypothesis of the Research Study

1.5.2.1 NULL HYPOTHESIS

Marriage through abduction among the Basotho people of Lesotho is not

accepted as a custom but a practice which led men to abuse women. Some of the Basotho people do not generally accept all the activities performed in this marriage.

1.5.2.2 HYPOTHESIS

Marriage through betrothal among the Basotho people of Lesotho is accepted as a custom and a way of entering into marriage. The Basotho people generally accept all the activities performed in this marriage. A concept which I personally agree with, and encourage it to be used by the Basotho men who decide to get married.

1.5.3 The Methodology of the Research Study

The qualitative research method will be used which will mainly focus on the literature review. The bible will be the main source. I will use Gerkin's biblical traditional method of shepherding, in which he shows trialogical leadership structure of how priests, prophets, wise men and women collectively took the authority of shepherding God's people in the Old Testament. Gerkin says,

To reclaim the prophetic and priestly Hebrew ancestors as equally important to the wise men and women of early Israelite history as root models for pastoral care involves us in configuration of the primary images that shape our understanding of what is involved in pastoral care of God's people (1997:25).

Basotho men need to be taught that as they enter into marriage with women as partners, they are equally and collectively called to take leadership role of their families. Pollard will be used with his praxis of positive de-construction. Pollard says,

The process of positive deconstruction recognizes and affirms the elements of truth to which the individual already hold, but also help them to discover for themselves the inadequacies of the underlying worldviews they have absorbed (Pollard 1997: 44).

I think this method of evangelism can be helpful to the Basotho men, to positively deconstruct/confront themselves and be ready to repent/change their oppressive attitude towards women, which may arise from their inadequate off sight. This method can be of help to pastoral care givers who are challenged to evangelize the Basotho abductors effectively. The other material will be the dogmatic teaching of the Catholic Church and Liberation Theology, which empowers, and conscientises people, especially women, to critically analyze their oppressive situation in the light of the Gospel. I will also interview different people both in the rural and urban areas of Lesotho and draw up a date-collection questionnaire which will allow people to narrate their personal experience of marriage through abduction.

- The elderly and the middle aged couples who happened to enter marriage through the process of abduction.**
- The young men and women who are on the edge of getting married, to state the kind of method they intend to use when getting married and their personal opinion on marriages entered through abduction among the Basotho people.**
- The community leaders (Chiefs and headmen) who are rulers and custodians of traditional and civil laws, which govern the Basotho people on their day to day life.**
- The Christian community leaders (pastors) who are the shepherds of God's flock**

and are called to provide pastoral care therapy to those who are in need of it.

The purpose of this questionnaire is to give both the victims and victimizers of abductions a chance to share stories of their concrete experience about the reality of abductions in Lesotho. To let young people as well as the community leaders share their experience of marriage through abductions. I will explore the positive and negative impact abduction creates within the Basotho society. This consultation will help me a lot in finding out whether marriage through abduction is accepted or not acceptable by the Basotho people of Lesotho, even though it may not be the Basotho custom but a long standing common practice.

1.5.4 The Ethical Considerations

I need to be careful when dealing with this questionnaire so as not to destabilize the family life style of couples, whom even though they got married through abduction systems, do not have any problem with it, but live happily and peacefully together as husband and wife in their respective village communities. It is therefore, ethical for me to explain clearly the purpose of this assessment to those who will take part in answering the questionnaire, and be prudent enough not to disclose sensitive issues, which may need their special permission. Indeed I will have to exercise the seal of confidentiality, (which will not be a problem for me as a Catholic priest who administers the sacrament of confession on a regular basis) and build up the high level of trust and confidence in the whole process, which at the end will bear good fruit of mutual understanding and readiness to share openly.

1.5.5 The Scope of the Research Study

The research study will focus mainly on three headings of concern:

1.5.5.1 Marriage by Abduction among the Basotho:

This part will be helpful to the readers of this Thesis in order for them to understand clearly what this kind of marriage mean. As they journey with me, I need to help them understand again my personal concern of not accepting this concept, and the process of marriage to be used as a way of entering into marriage.

1.5.5.2 The Betrothal Customary Marriage:

This part will serve the good purpose of making the readers of my Thesis to have the clear picture of what is the legitimate and lawful way of getting married among the Basotho. It is culturally and generally accepted as a legitimate way of entering into marriage.

1.5.5.3 The Critical Christian Analysis on both 1.5.5.1&1.5.5.2:

As a Christian I value the importance of the dynamic cultural practices within a given society. On the other hand, one should understand that cultures are to be impregnated with the transforming power of the Good News. This Christian analysis will help the readers to see certain elements within the two sets of marriages that are not in conformity with the principles and values of the Gospel. The stance and the teaching of the Catholic church in particular will be dealt with.

1.5.6 The Significance of the Research Study

- **To educate the young generation to understand and value marriage as a special vocation from God, who calls men and women to respond and enter into it with freedom, personal consent and full knowledge of its seriousness and permanence, based on true love and absolute faithfulness between the partners.**
- **To provide moral and spiritual support to the victims of abductions who might have internalized anger, and suffering arising from this abusive and oppressive practice done by some Basotho men against the defenseless Basotho women.**
- **To appeal to pastors to preach and teach the Gospel values, and provide good pastoral care, (as shepherds), which will heal the past and present wounds, caused by the cohesive marital commitment practiced by some Basotho men.**
- **To challenge the church to affirm and teach that men and women have both the basic and fundamental equal rights, which enrich, complement and unite partners in the vocation of marriage partnership.**
- **To challenge the church, traditional leaders and government to be in the position of condemning all the customs/cultural practices, which deprive women of their respect and their fundamental basic rights and human dignity.**
- **To challenge the church to be prophetic/vocal enough to preach the Theology of liberation which will empower those oppressed to resist the chains of political, religious, social and cultural oppression.**
- **To encourage all Basotho community leaders to have an existential knowledge of the flock entrusted to their care, identify their basic needs, and serve them well.**

- Pastors are to learn the cultures and traditions of the people they serve and draw up programmes of inculturation, which will integrate people's culture into the depth of the Gospel message, which is always above cultural complexities.

1.5.7 Operational Definition of Terms

1.5.7.1 CULTURE:

Dickson defines culture as " the pattern of life which involves many things like language, morality, material creations, religion, politics and the legal systems of a given society" (Dickson 1984:47).

1.5.7.2 INCULTURATION:

A creative and dynamic relationship in incarnating the Christian message with a culture of a given nation.

1.5.7.3 MARRIAGE:

The Dictionary of Pastoral Care and Counselling defines marriage as " a central feature of all human societies and an institution composed of a culturally accepted union of a man and a woman in a husband and wife relationship as well as roles that recognize an order of sexual behaviour and legalize the function of parenthood"(Hunter 1990: 204).

The Encyclopedia of social sciences defines marriage "as a culturally approved relationship of a man and a woman in which there is a cultural endorsement of sexual intercourse between them with a purpose of forming a family" Collier 1968:2).

1.5.8 The Basotho Concepts of the Process of Marriage

1.5.8.1 BETROTHAL:

A period of six months, a year or more in which the two families of the groom and the bride are engaged in serious negotiations and the preparations of the payment of the lobola.

1.5.8.2 CONSUMMATION OF MARRIAGE:

A period, in which the bridegroom is culturally, formally and officially allowed to have sexual intercourse with his wife with a purpose of testing the bride's virginity.

1.5.8.3 ABDUCTION:

The English Oxford Dictionary defines abduction as to carry off a person illegally by force.

1.5.8.4 ELOPEMENT:

An agreement between the two lovers (boy and girl) to disappear secretly from their parents with the purpose of getting married.

1.5.8.5 BOHALI:

Payment of an agreed livestock by the bridegroom's family to the bride's family as positive sign of marrying their daughter.

1.5.9 The Outline of Chapters

1.5.9.1 CHAPTER - ONE

This chapter comprises of the Introduction in which I share my herd boy experience and how I witnessed the drama of abductions. This chapter again lays out the outline framework of the research study.

1.5.9.2 CHAPTER - TWO

Chapter two will focus more on the methodology of the research study and provide material, which will serve as tools to be used in exploring the concept of marriage through abduction. It will also suggest practical means and ways with the liberation of Basotho women from the Sesotho cultural male dominance and oppression.

1.5.9.3 CHAPTER - THREE

This chapter will dwell much on the outline of the traditional betrothal customary marriage among the Basotho people of Lesotho, as an official and acceptable way of entering marriage.

1.5.9.4 CHAPTER-FOUR

This chapter will explore the nature and practice of abduction and elopement as an irregular method used by some Basotho men to enter marriage. How the Basotho society as well as the traditional and civil courts view it. The chapter will again have some story telling of the victims of abduction and elopement, as well as the experiential knowledge and story telling of certain Basotho community leaders.

1.5.9.5 CHAPTER - FIVE

This chapter will deal with the Theological teaching of the Catholic Church in regard to marriage as a sacrament indissoluble.

1.5.9.6 CHAPTER - SIX

The conclusion will focus on the overall summary of the research study and provide some innovative ideas and recommendations in regard to how marriage through abduction and elopement among the Basotho people of Lesotho, can be well treated and stopped.

CHAPTER - TWO

CHRITIANITY - A PRAXIS TO LIBERATE BASOTHO

WOMEN FROM CULTURAL MALE OPPRESSION

2.0 Main Sources used in the Research Study

'The lord is my shepherd; I have everything I need' (Psalm 23:1).

Chapter two deals with the methodology of the research study. The bible is the main source to be used, with other literature review. I will use the resources of three authors who have the same vision of a good pastoral care ministry, but view it differently from their own personal experiential pastoral care ministry.

Gerkin recommends the Old Testament traditional biblical method of shepherding in pastoral care ministry as the best. Armstrong suggests a biblical collaborative leadership training. He believes this method can empower the evangelizers with special skills and deepen their faith in God and enable them to share it with others.

Pollard on the other hand, believes that positive de-construction method can be an effective weapon to a good pastoral care ministry. He says this method can help people to analyze and challenge themselves in order to allow God's word to construct them to be good and effective witnesses of the kingdom of God. His method is relevant to challenge the Basotho perpetrators of abduction. It can positively de-construct them to change their mindset of undermining Basotho women and oppress them. The theology of liberation and Inculturation, which

appear to be lacking among the Basotho people, will also be of great importance, as the effective tools, which can be used for a genuine and true emancipation of the Basotho women from the Basotho patriarchal dominance, which oppresses and abuse them. Limited interaction in regard to interviewing people on the issue of marriage through abduction will be followed. Chapter five will basically deal with the doctrinal teaching of the Catholic Church on marriage as a sacrament indissoluble.

Lesotho is known to be a Christian country. Christianity started 170 years, since the first missionaries brought the good news of the Gospel of Jesus Christ among the Basotho nation. I find it useful and fitting to give a brief history of how Christianity came to Lesotho and the spiritual impact it has made on the lives of Basotho.

Christianity has contributed very much to the social and spiritual well being of the Basotho. I therefore consider Christianity to be the relevant and effective praxis, which can be used to challenge the social, economic, cultural and religious patterns that oppress women and deny them their basic fundamental human rights among the Basotho people of Lesotho.

2.1 Basotho and Christianity

The first missionaries landed in *Thaba-bosiu* (mountain at night) in 1833. They were Casalis, Arbousset and Gosselin coming from France, belonging to the Paris Evangelical Missionary Society (PEMS). King Moshoeshe I, the founder of the

Basotho nation welcomed them and gave them Morija as a place of their pastoral operation. I will give a detailed history of the origin and foundation of Basotho nation in chapter three. The PEMS being so long in Lesotho has changed the name to Lesotho Evangelical Church (LEC) in 1964, to create an indigenous image.

They believe in the Calvinist doctrine that " Discipline, self-denial and achievement in this world were signs of predestined salvation in the next"(Epprecht 1992:101).

Thirty years later, in 1862 the Roman Catholic Church missionaries from Canada also arrived at Thaba-bosiu. They were Allard, Gerard and Bernard. Moshoeshe equally welcomed them and allocated the Thoutle valley of 'Ha `M`a Jesu' (Valley of the mother of Jesus) to be their settlement and a place of operation for their missionary activities of proclaiming the liberating message of the Gospel.

Both denominations, despite their long outstanding historical animosity caused by their different dogmatic teaching, are commendable for the social and spiritual development of the lives of Basotho. Indeed, the existing hatred did not subside as they could not agree in accommodating some of the traditional practices of Basotho, like Lebollo (Circumcision rite) and Bohali (paying a head of cattle by the groom's family to the family of the bride in marriage). Let me take the latter as an example which had broadened the gap of hatred between the two pioneer denominations the RCC and LEC up to the present day. The LEC categorically condemned the Bohali practice. They believe God gave Adam a precious gift of Eve, the first woman during creation. He gave Eve as a free and unconditional companion.

It is therefore, with this concept in mind that the LEC church openly and clearly condemn the paying of *Bohali*, they regard it as a pure and mere commercial transaction, which at the end undermines the dignity of women, and reduces them to the level of an ordinary property. The LEC's firm objection to this practice goes as follows, "No cattle were allowed to be transacted in a Christian marriage" (Epprecht 2000:34).

The Catholic Church took an ambiguous stand, which sided with the *Bohali* practice among the Basotho. In 1888, a Catholic priest, Father Deltour OMI made a public announcement, which shows the stance of the Catholic Church in regard to the payment of *Bohali* by the Basotho people when entering marriage. This took place at the annual assembly of all the Basotho chiefs at national level at the residence of the Paramount chief Letsie I, and Deltour publicly said,

If we let the Basotho do their marriage in their own custom, it is because it is not our business; though, in fact, we do not like it because the weak point of it, is that if a woman happens to lose her husband when she is still young, she is not allowed to remarry, which is bad, but if she happened to have a child, he must remain in the clan. We cannot condemn such a deeply established custom that is part of the structure of the Basutoland society. We cannot undermine the prestige and power of the chief, which is necessary in the actual form of government (Mailhot 2000:54).

Deltour justified his argument of *Bohali* payment by quoting the Old Testament story where Jacob had to pay a great number of oxen to Laban in order to marry his daughter Rachel. He drew the same parallelism with the Basotho custom of paying a certain number of cattle when entering marriage.

Though the two pioneer missionaries have done a lot to evangelize the Basotho, their doctrinal differences left devastating divisions and hatred between themselves and their respective Basotho converts up until today. Estimations of the growth and spread of Christianity in Lesotho is 80%, the Roman Catholic Church being the largest; followed by the Lesotho Evangelical Church, the Anglican Church followed as the third to arrive in Lesotho, six years after the death of king Moshoeshoe I, in 1876. The Basotho people normally call these three denominations the `big three`. There are other Protestant churches and many small sects of Christian Pentecostal churches.

2.2 The Confessional Theology

This kind of theology focuses more on the doctrine of the church, whereby the laws and rules that govern the church are highly emphasized. It lays down a solid and firm Christian faith, which enables one to be confident enough to defend his/her faith without doubt. The bible is the main source of this theology and the followers of confessional theology are known to be the staunch members of their church. The confessional theology forms believers to be absolutely loyal to the faith they profess. They are known to be defenders of the teaching of the church, ready to suffer and die for it, and they pay due respect and allegiance to the status quo of the hierarchical leadership structure of the church.

Confessional theology is good for the basic foundation and formation of Christian life. But it has its own shortcomings when it comes to the ordinary practical experiential life of the people.

- It is more theoretical than practical.
- It fails to address certain pastoral problems in a practical way because it lacks flexibility and adaptation.
- It fails to improvise in times of unexpected needs, which require an immediate answer in pastoral care ministry (cf. Jesus improvised at the wedding of Cana).
- It is not a situational, committed, contextual theology, which draws conclusions from the grassroots life experience of people, especially the poor and oppressed.
- Faith and prayer are the immediate answers it offers to those who experience pain and suffering, resulting from different kinds of human oppression.
- It lacks critical prophetic stance, which always challenges the oppressor to change from evil ways and treat his/her neighbour with love and respect.

The pioneer missionaries have worked hard to instil confessional theology into the hearts and minds of the Basotho, but they reached a dead end, and could not go beyond that level. Even though Lesotho is a Christian country the violation of the basic human rights, especially of women is still common. Abduction, particularly in the remote rural areas is still in operation, sometimes is accompanied by torture, rape and death. The missionaries instilled this confessional method of evangelization and failed to incarnate the Gospel with the traditions and culture of Basotho. They

never taught the Basotho to live the liberating Good News of the Gospel practically, within the context of their culture. The Vatican II Council which came as a watershed in the contemporary mission of the Catholic Church, highlighted the need of the theology of Inculturation. The Catholic Bishops on the Decree of the Church's Missionary Activity (Ad Gentes Divinitus) no.19 said, with one voice: "So whatever goodness is found in the hearts and minds of men, or in the particular customs and cultures of peoples, far from being lost is purified, raised to the high level and reaches its perfection, for the glory of God, the confusion of the demon and the happiness of men"(Flannery 1964:823;cf. 368-369).

Pope John Paul II in his Apostolic Exhortation no. 48, called 'The Church in Africa' (1995), also sees the urgent need for the genuine integration of the Gospel and the cultures of Africans as he says,

I put before you today a challenge: a challenge to reject a way of living which does not correspond to the best of your traditions and your Christian faith. Today I urge you to look inside yourself. Look to the riches of your own traditions, look to your faith. Here you will find a genuine freedom, here you will find Christ who will lead you to the truth (John Paul II 1995:26).

It is a fact that the missionaries in Lesotho had worked hard to set a solid and firm Christian faith among the Basotho people through confessional theology approach. It is on the basis of this solid Christian faith that I believe Christianity can be seen as a relevant praxis to a genuine freedom of women, if it is lived and interpreted contextually, according to the life situation of the people concerned. Basotho people as products of confessional theology, appear to be generally more receptive than

reactive, especially towards injustice issues that result in oppression, violence and abuse. Such oppressive structures normally result from culture, social, economic, political and religious life of Basotho. The Basotho children are brought up to be respectful towards elderly people, and to be obedient in taking the orders given. The Sesotho culture and confessional theology have influenced the formation of the Basotho people to be the loyal members of the two institutions, (culture and church) and they are so subservient that they tend to give a blind eye towards injustices, which take place, and affect the lives of certain individuals within the different structures of the community. Too much respect can easily lead those in power to be short-sighted regarding their primary call as leaders, which obliges them to serve those entrusted in their care. They can easily fall into a trap of expecting to be treated like masters who always deserves to be served, and fail to serve others. Jesus gave an example of how leaders should provide good service to their subjects. He washed the feet of his disciples, which is an order to his followers (John 13: I-17). Those who are in power from the different levels of leadership in Lesotho, are required to serve their subjects, not to be served. It is only if they are conversant with their subjects, that they will be able to identify injustices, that affect their lives, and work hard to eradicate them. Jesus` style of leadership is the one of service not of controlling others. Jesus says, "For even the Son of man came not to be served; but to serve, and give his life as a ransom for many (Mark 10:45). These are the challenging words to the followers of Christ, especially to pastoral leaders who have been specifically chosen from the entire given community to serve others.

The Missionaries` failure was a mistake of not taking a step further to marry the Gospel message to the local customs, cultures and traditions of the Basotho people. As a result, Basotho people lived a double oriented life - they have two blankets to wear, the Christian blanket for Sunday worship, and the Sesotho traditional blanket from Monday to Saturday, when they are busy with their normal Sesotho activities of the community. They have to obey their chiefs, as well as the church ministers.

Confessional theology did not help the Basotho people to interpret the bible in a critical manner, which could cultivate in them a deeper faith in God, and empower them to struggle and resist any form of oppression in their lives. However, the Basotho can still use their exposure to Christianity as a praxis, which they can use objectively to look into themselves, and work in a collective Christian approach to liberate women from the structured, cultural patterns of male dominance, which results in abuse, violence and oppression of Basotho women.

This is nothing else than an urgent call for Liberation Theology, which aims at providing practical faith answers, revitalizing, nourishing people's faith and hope, which might be lacking among the victims of abuse and abduction in Lesotho. Jesus as the good shepherd, the Saviour, the Redeemer, the Liberator and the Deliverer has used inductive method of liberation, which starts from people's life experience, and finally comes up with concrete practical solutions. For example, he

gave the spiritual healing by forgiving a woman caught in adultery " He straightened himself up and said to her 'Where are they? Is there no one left to condemn you? 'No one, Sir,' she answered 'Neither do I condemn you. Go, but do not sin again' "(John 8:10-11). He gave physical healing to a woman who walked behind him and touched his garment and was miraculously healed at that moment (see Mark 5:27). Jesus is indeed the model of flexible and faith-nourishing pastoral care giver. His ministry was an answer to any unexpected crisis in human suffering. He was able to exercise his priestly, prophetic and kingly functions concurrently as a way of responding to the various basic needs of the poor and the oppressed.

Gerkin in his book 'An Introduction to Pastoral Care' (1997) speaks of the Old Testament biblical structure of leadership, which consisted of the threefold functions - the priests, the prophets and the wise men and women. Gerkin recommends this method as the best, which can help the contemporary pastoral care givers to provide a good and fruitful pastoral therapy to millions of people experiencing pain and suffering in the global modern world.

Priests in Old Testament provided ritual liturgical celebration for the community. Prophets were to be the vocal mouthpiece of God in challenging injustices practised against the poor and the marginalised. Wise men and women dealt with matters which may not be religious, but contribute to the well being of the community.

Gerkin sees the pastor in the modern situation holding the three functions in herself/himself as the ordained minister of pastoral and sacramental life of the church. He takes Jesus as the model of good and fruitful contemporary pastoral care ministry as he says,

Nevertheless, the New Testament depiction of Jesus as the good shepherd who knows his sheep and is known by his sheep (John 10:14) has painted a meaningful, normative portrait of the pastor of God's people. Reflection on the actions and words of Jesus as he related to people at all levels of social life, gives us the model sine qua non for pastoral relationship with those immediately within our care and those we meet along the way (1997:80). Gerkin's method of approach to pastoral care appears to be a collaborative ministry where the community is represented in all its structures of individuals, family, culture and the community. I concur with Gerkin's method of pastoral care leadership because it runs parallel with the daily Basotho traditional and social activities. I take it to be an answer and solution to the emancipation of the oppressed and abused Basotho women in many areas of their lives.

In chapter one I have shared my personal experience on how and what was expected of me as a herd boy in the 60's and 70's. This equates with the biblical images and the necessary qualities, which the good shepherd is expected to have in pastoral care. The Basotho traditional model of shepherding has similar qualities, which I have listed in chapter one as qualities I was taught and expected to exercise as a herd boy, caring for the flock. I definitely feel obliged to confess that Gerkin's method of pastoral care has revived all the past memories of my herd boy experience. Yes, all that he says about a good shepherd is what the Basotho boys go through as part of their formation. The only difference is that, Gerkin speaks about community leaders shepherding those whom God has placed in their care. The shepherding of Basotho boys is not primarily geared to human beings but to animal

livestock. The traditional life style of the Basotho people does not differ from the spiritual biblical life style. One would easily be tempted to say this could have been the reason why the Basotho people were prepared to accept Christianity, without any kind of resistance. Out of ten Basotho men, nine have gone through the herd boy experience and some shepherd the flock for the rest of their lives.

Just as Jesus had sacrificed his life for the ransom of us all, Basotho herd boys know how to sacrifice their lives for the safety and prosperity of their livestock. They have no time to socialize with their peer groups and the community at large. The *meraka* (pastures) are situated in the remote areas of the mountains where there are no villages but good grazing pastures. Shepherds are cut off from the community activities like feasts and funerals. Their life is so vulnerable that sometimes they die because of snake bite, falling from a cliff, attacked by wild beasts and thieves who come to steal the flock. Cold is another factor that affects their lives; due to heavy snowfalls, stormy rains, lightening, and also severe sickness. Psalm 23 is relevant to Basotho people, because it connects well with the Israelites people expressing their happiness and contentment of God's pastoral care, which manifests his shepherding skills of loving, protecting, guiding, and delivering them from the barren land of bondage (Egypt) to the green pastures of Canaan. In spite of their lack of faith, God was their good shepherd. Psalm 23 can be easily grasped, understood and be put into practice by Basotho men who usually give similar shepherding care to their livestock. Basotho men as Christian people can live up to the values of the Gospel if

they want to do so. This leads me to think that Pollard's method of positive deconstruction can be of great importance to help Basotho men confront themselves, change, and give women the respect, love and dignity they deserve as human beings, created in the image of God.

Pollard believes that if the word of God can be interpreted and proclaimed well, it is so powerful that it can change the materialistic mindsets of modern society into becoming one of a good Christian community. The letter to the Hebrews shows how powerful and effective is the word of God to those who positively accept it, and allow it to transform them, as it says, " The word of God is alive and active, shaper than any double-edged sword. It cuts all the way through, to where soul and spirit meet, to where joints and marrow come together. It judges the desires and thoughts of man's heart"(Hebrews 4:12).

Jesus the good shepherd gave us a command to love one another as he loved us. Basotho men have the good skills of shepherding e.g. loving, compassionate, caring, forgiving, healing and protecting. If they are able to exercise these good shepherding skills towards animals, establish such a strong bond and a grounded love relationship with them, which sometimes put their lives at risk, what prevents them from doing the same to their mothers, wives and sisters in real life?

Armstrong considers Service Evangelism as the best method of pastoral care, it appears to fit quite well in the oppressive situation of women among the Basotho. He also goes along with the collective collaboration of those engaged in pastoral care.

He values the threefold functions of priests, prophets and community as the best pastoral care method, which can provide good care for those who desperately need it. He defines service evangelism in the following way,

By service evangelism I mean reaching out to others in Christian love, identifying with them, caring for them, listening to them, and sharing one's faith with them in such a way that they will freely respond, and want to commit themselves to trust, love, and obey God as a disciple of Jesus Christ and member of his servant community, the church (Armstrong 1979:53).

I agree with Armstrong's definition of evangelism, because I believe that those who are baptized in the name of Jesus, are commissioned to preach the message of the Gospel to those who are ignorant of it. The Basotho people as Christians, are sent out to reach all those who are desperately in need of the healing and liberating message of the Gospel, and to those who are already Christians, but do not live up to the standard of the Gospel values. The Basotho pastors in particular are challenged to follow Armstrong's method of evangelism as a sine qua non therapeutic pastoral care ministry to the abused and oppressed Basotho women.

Pastors are called to serve all and to be in solidarity with the poor, the abused, the marginalized and the oppressed. Jesus commanded them to follow in his footsteps, by being servants to all people. Jesus' method of pastoral care ministry was actually not only a pulpit one, but rather a door to door evangelism. For example, he entered the home of Jairus to raise his daughter from death (see Mark 5:39-42). He visited the home of Simon the Pharisee, and he forgave the sinful woman her sins (see Luke 7:48-50). He also visited the home of Zacchaeus who was converted to Christianity, and pledged to share his wealth with the poor (see Luke 19:5-8). He again attended

the wedding feast at Cana where he performed his first miracle of changing water into a good wine (see John 2:1-11). His apostles were always an integral part of his door to door pastoral care ministry as a collaborative team of evangelizers.

Chapter three of this Thesis elaborates more on how the Basotho form, train and educate young men and women informally and formally as a way of preparing them to be good shepherds of people, the aim being that they learn to live with others within the community at large. This traditional formation structure could be utilized for an inculturated marriage preparation, whereby the Christian and traditional marital values can be intensively dealt with, to ensure the success of future life and respect for human dignity regardless of gender and colour.

The P R O O F (Probing Responsibly Our Own Faith) program of Armstrong aims at exploring the reality of one's faith, in order to be ready to go out and share this faith with others as a way of witnessing, and proclaiming the liberating message of the Gospel of Christ to the believers and non-believers. Basotho can as well marry their cultures with the Gospel of Jesus Christ, and use Christianity to purify and eradicate certain evil practices, which oppress others in their day-to-day lives. The Basotho, as staunch Christians, can make use of Armstrong's program of P R O O F and probe their faith, incarnate it with their culture, and put it into practice so that it gives an answer to some of their daily problems.

2.3 Basotho Collaborative Operation (*letsema*)

Letsema (gathering together) is a Sesotho word, which may not have a corresponding word in English. According to Basotho understanding, it is a word which simply means working together like bees for the good and welfare of the community. Basotho people are dependent on one another. They have a strong community spirit, which urges them to work together for success as a unit, and cover for those who might not have ways and means of surviving. They do not expect any form of compensation in doing this but see it as a humane obligation to make everybody happy and accepted in the community. They developed an idiom out of this concept which says **Letsoele le beta poho** meaning a group of people can easily bring down a bull. **Matsema** takes place through the initiatives of **marena** chiefs. They are again intended to bring love, peace, understanding, acceptance, oneness, and tolerance, which at the end results in harmony within the village community and the entire nation. The king and chiefs play an essential role in this process. When he/she commands one of his/her councillors to call the community, they immediately gather at his/her place with readiness to listen and take orders.

Poulter explains this essential role which the Basotho chiefs and headmen play in the community and he says,

Nevertheless, in the context of their local communities and the everyday affairs of the village life, chiefs and headmen still have important functions to perform. In the first place, they are bound to promote the welfare and lawful interests of their subjects (Poulter 1976:36).

It is in such gatherings that the king/chief will give orders of matsema i.e. to plough his fields, and those of individual families, eradicating weeds, harvesting, collecting wood for community feasts and funerals. This spirit of Letsema is seen again in putting the livestock in-groups of two to three families, especially to help those families who have livestock but do not have boys to look after them. This is another great concept for caring amongst the Basotho people. Letsema makes the community share the pains and joys of other individuals or particular families within the community and own them to become the community's affairs. All these matsema involve both men and women except the Letsema for livestock and circumcision school, which involves a group of men and boys only.

As a method of dealing with abuse and oppression of women, the Basotho can use the practice of Letsema which could be Christianized to create a room to accommodate women and treat them with respect, like any human person who is part and parcel of the community regardless of age, gender, religion. Should the Basotho use this method and make it a success, they would not be far from the kingdom of God.

Both Gerkin and Armstrong speak of the need for an effective and fruitful collaborative pastoral care ministry. It would not be a problem among the Basotho to adopt this method to help them to deal seriously and effectively with cases of abuse and oppression of women. Lesotho being a Christian country challenges the

church to be conscious of her role and take the prophetic lead in dealing with injustices. There are biblical images, which describe the nature of Christ's church which is on pilgrimage in the midst of atrocities inflicted on the poor and the oppressed. The church is described and seen as the servant and the following scripture passages will help in dealing with the servanthood of the church. (Isaiah 52: 13-15: cf. John 13:4-17). The Shepherd (Isaiah 40:11:cf. John 10:11). The Family (Ephesians 4:3-6: cf. 5:26-27). The Sheepfold (John 10:1). The Home (2Corinthians 5:6). The Field (1Corinthians 3:9). The Building (Matthew 21:42: cf. Acts 4:11). The Mother (Galatians 4:26) The Church is challenged to make these images a reality in dealing with the victims of abuse and oppression, so that they may feel the love, the care, the protection and presence of God in their lives. The church is to play an important role in the process of bringing about justice and healing to the Basotho women who are victimized. Her mission is to preach the fundamental message of transformation and reconciliation between Basotho men and women.

With this *Letsema* methodology in mind, all Church leaders of different religions can meet for a dialogue, which is a way of relating between different denominations and religions in Lesotho. The majority of Basotho belong to different Christian denominations and they share two things in common - God who is their creator, and Jesus Christ who by his blood has united them to be one family of Christians, and the liberator of those who are oppressed and marginalized (outcasts). With this in mind, the Basotho Church ministers as pastoral care givers, are to understand

that they are God's instruments, agents and the channel through which those who suffer the pain of abuse and oppression may experience the unconditional love of God.

The majority of Basotho church ministers have gone through shepherding experience by taking care of the flock. This would make their collective shepherding possible and effective. The Council of Vatican II encourages Catholic leaders to strive for ecumenism as another method of Evangelization and a break through to solve pastoral problems. No. 78 on the Decree on Ecumenism (*Unitatis Redintegratio*) says,

Where it seems advisable and the ordinary agrees, the Catholic clergy should be invited to attend special meetings with ministers of other churches and communities - for the purpose of getting to know each other better and of solving pastoral problems by a joint Christian effort (Flannery 1970:526).

This should be a collective step one approach of the *Letsema*, which would be involving all pastoral care-givers in Lesotho. They should speak of one prophetic message of the Gospel, even if they differ in their denominational doctrinal teachings. Abuse and oppression of women affect all Basotho women, as a common crisis, regardless of their religion and denominational membership.

The second step, which I consider to be praxis for liberating women from abuse and oppression of Basotho men, is through the *Letsema* of all institutions from local, regional, district and national level, convened and headed by Church leaders. This should include Christian churches, other religions, all structures of traditional

leaders, government representatives, non-governmental organizations, political leaders as well as good representation of the existing women's forums in Lesotho. The majority of them would definitely be Christians and the church as the servant and shepherd of the Basotho nation, should use Christian methods of mediating with the purpose of finding the solution towards this awful oppression of women.

The book Sirach advises us to value the importance of friendship in life. The Basotho are known to be a friendly and peace-loving people. King Moshoeshoe I taught them to live in peace and harmony. Jesus Christ has shown his followers unconditional love and peace by his death and resurrection. The ball is in their court now to put together the legacy that Jesus Christ and Moshoeshoe I have left them - to be a peace-loving nation. True love hurts no one, as it respects the basic fundamental human rights of others.

Christ the good shepherd opted for a collaborative ministry approach of *letsema* as he invited both men and women to take part in his salvation mission. His mission was a call for a radical conversion from sinful oppressive life to a total change of heart and liberation towards the kingdom of God. The model of the church founded by Jesus and its mission is found in the Gospel of Luke as he says "The spirit of the Lord is upon me, because he has anointed me to bring good news to the poor. He has sent me to proclaim liberty to captives, and recovery of sight to the blind; to set free the oppressed and announce that the time has come when the Lord will save his people"(Luke 4:18-19).

The church must be prophetic in her teaching. She must incarnate the gospel message with the culture of Basotho. She must teach liberation theology in the formation institutions of priests and community leaders. Basotho people should live according to the standard of Christian values. They should reconcile their culture and traditional expertise of shepherding with Gerkin`s and Armstrong's approach to pastoral care ministry, which takes its roots from the bible. Community leaders should exercise their pastoral care ministry in the matsema collaborative approach, all these will give a positive Christian solution which will lead to a genuine and peaceful Christian liberation of Basotho women from the abuse and oppression of the cultural patriarchal male dominance.

However, the Basotho people being widely known as Christians, still fail to live up to the standard of the Golden Rule commanded by Jesus as the best method of Christian life discipleship "And now I give you a new commandment: love one another. As I have loved you, so must you love one another. If you have love for one another, then everyone will know that you are my disciple"(John 13:34-35).

McCarthy on the other hand describes the magnificent and dynamic healing power of Christian love, to those who give it, as well as those who receive it and he says,

Those who opt for love open themselves to the possibility of a greater happiness than they have ever known. Love is well-being. It makes us fruitful. To refuse to love is to begin to die. To begin to love is to begin to live (McCarthy 2000:134).

The Basotho people as Christians are challenged, particularly the church leaders who are called to be the ambassadors of God`s love to those who are deprived of it. Even though Christianity came with the message of love, peace and respect of

human dignity among the Basotho, Moshoeshe I had already taught the Basotho people to practice and observe them as the cornerstones of nation building. The customary marriage was practiced and honoured as a good and relevant method of entering family life, and resulted in permanent and stable marriages among the Basotho people. The missionary church (catholic) failed to Christianize this marriage and accept it as a valid contract, even though it has the equivalent prerequisites needed by canon law for the validity of a sacramental marriage. However, there is only one odd element found in the Sesotho traditional marriages, that is, the external pressure that sometimes arises from either some of the village people, parents, relatives and friends of young girls, forcing them to marry men not of their own choice. Though the Catholic Church appeared to be accepting the Basotho customary marriage, together with the payment of the Bohali, the same church still considers the traditional marriage as incomplete (invalid) if the couples do not finally come to church to be blessed (*ho tiisoa*) by the Catholic church minister and convert their marriage into a sacrament indissoluble.

Rev. Mafatlane, the Lesotho Evangelical church minister said in an interview that, both the pioneers - PEMS and the RCC missionaries, had a frightening competition in recruiting Basotho converts, especially those of the royal blood. Catholics knew that by accepting the payment of the Bohali, it would put them in the better position of converting many Basotho chiefs, who are the custodians of the Bohali practice. Boys who do not come from the royal family would not marry daughters of chiefs. The two reasons being that they are Bafo, (the commoners who do not have royal

blood), and they are not rich enough to pay the Bohali of fifty up to sixty head of cattle to marry a royal blood girl. Besides the Bohali being considered as the seal of Basotho customary marriage, it is also a good commercial transaction between the Bakoena (crocodiles) royal blood clan, that enjoy the privilege of being rich. I happen to come from the Bakoena clan, and three of my sisters happened to be the victims of abduction. The Bafo who could not afford to pay high number of the Bohali abducted them. Their abductors knew that they do not stand a chance of becoming engaged by my sisters due to a clan barrier, and the only option they had was literally to steal them (abduct them).

However, the other three sisters of mine got married through the betrothal customary marriage as I indicated in chapter one. They are married to the Bakoena clan and had made my father rich with animal livestock then. One could say Bohali could be seen as one of the obstacles that forces some Basotho young men to resort to either elopement or abduction due to material poverty when entering marriage.

Some where down the line, the Lesotho monarchical lineage, was converted and joined the Roman Catholic Church. One of the reasons was to secure the Bohali transaction, which the LEC doctrine openly opposes. The present King of Lesotho, Letsie III has inherited Catholic faith from his forefathers. His parents baptized him as baby in the same Church. Letsie III, his wife `Masenate and their first born child Senate are members of the Roman Catholic Church as a result of that history.

Breytenbach confirms this denominational competitive pastoral work approach by saying,

Due to their more sympathetic attitude towards traditional customs as well as their co-operation with the chiefs, the Roman Catholics gradually won the support of the chiefs and their followers. This was the case when King Griffith, followed by many of the important chiefs, was converted to Roman Catholicism in 1913 (Breytenbach 1975:24).

The present Lesotho Prime Minister Mr. Pakalitha Mosisili is a member of the LEC Church, and the majority of government officials are Christians. This would therefore, make the Letsema of all the Basotho community leaders (starting with head of the state King Letsie III who is a practicing Christian) which I suggested earlier on, to be intensively engaged in dialogue on issues that affect the social, religious and cultural life of the Basotho people. The payment of Bohali which appears to be one of the obstacles to a free and fair marital commitment among the Basotho people should take precedence on the agenda. Other burning issues that affect the lives of Basotho women through abuse and oppression in the process of marriage must likewise be discussed.

The next chapter will show how the Basotho people value the traditional betrothal customary marriage as an accepted and official method of entering into marriage institution. I will explore the different cultural rituals, which the Basotho people perform to formalize and legalize the betrothal customary marriage as an everlasting commitment between a young mosotho man and woman who enter it.

CHAPTER - THREE

THE CUSTOMARY BETROTHAL MARRIAGE

AMONG THE BASOTHO PEOPLE

3.0 Parents Validate the Betrothal Customary Marriage

Betrothal is not a new concept of marriage among the Basotho people, it also takes root in Christian life. For example the bible narrates how Jacob became engaged to Rachel the daughter of Laban to become his wife. Laban said the following words in response, "Leban answered ' I would rather give her to you than to anyone else; stay here with me'. Jacob worked seven years so that he could have Rachel, and the time seemed like only a few days to him because he loved her "(Genesis 29:19-20).Among the Basotho people, parents normally arrange customary marriages. Time does not count, in the preparations process of this traditional marriage, what counts is respect, obedience and patience on the side of the prospective couple, that one day (known and arranged by parents) they will unite and become a husband and wife. Basotho parents play an important role in preparing the future of their children.

In this chapter, I will explore the Basotho customary marriage, which hypothetically I regard to be a general accepted method of entering into a married life, among the Basotho people of Lesotho. It would be of great importance to give a brief historical background of the Basotho people, in order to help the readers of my Thesis to understand the dynamics of the Basotho customs and traditions.

3.1 The Historical Origin of Basotho

The great chief Moshoeshe, son of Mokhachane, founded the Basotho nation and he was born in 1786 at Menkhoaneng in the northern part of Basotholand, known as Lesotho today. At the early stages of his adolescence he openly showed the special talents and skills of a fierce warrior. He defeated his foes very easily at the different battles of his time. This was the period of the dark ages when might and power made one a good leader. It was indeed the period of the survival of the fittest. Moshoeshe openly demonstrated his cunning personality, which was a mixture of love and compassion towards his people. As a young man he learned the art of warfare, self-defence, hunting and other family responsibilities (Gill 1993:63).

In 1824 Moshoeshe moved from north to south of the country with a group of his warriors and settled at *Thaba-bosiu* (Mountain at night) which served him as the best fortress against his enemies. Most of his enemies were the Dutch settlers, the Zulu warriors and other African tribes like the Hlubi and the Ntebele under chief Mpangezitha, the Tlokoa of `Manthatisi from the area which is now known as Harriesmith. They never succeeded in defeating Basotho warriors. Moshoeshe had his body of traditional councillors who advised and helped him to formulate rules and regulations by which he could govern his people. These rules developed into the customs and culture of the Basotho nation of Moshoeshe. *Khotso Pula Nala* (Peace Rain and Prosperity) was the national emblem developed by Moshoeshe

and his team of advisors. Moshoeshe with this motto in mind and practice, had to work hard to bring peace not only among his people but also to the neighbouring tribes. Albeit Moshoeshe was a famous warrior, on the other hand, he was an instrument of peace. He could only fight to protect his people from their invaders.

The Zulu warriors led by Mzilikazi invaded Moshoeshe and his people at Thababosiu in 1831. Moshoeshe defeated the Zulus and gave them cattle as a token of a consolation gift for the defeat, and a sign of peace between the two nations.

King Moshoeshe established new relationship with the Paris Evangelical Missionary Society (PEMS) the Protestant missionaries, by welcoming them in his territory in 1833. His aim was to bring peace and stability to his troubled nation as well as in the region. In 1843 The PEMS missionaries helped Moshoeshe to apply for the Cape British protection from the Dutch settlers who frequently invaded the Basotho with the aim of taking their land and wealth(1993:75-101).

Moshoeshe again welcomed the Roman Catholic Church Missionaries with the same intention of broadening the frontiers of peace and stability in the region (1993:102).

In 1869 Lesotho was accepted as the protectorate member of Britain, and the drawing of the present borders was done under the Aliwal North Convention. The following year 1870, Moshoeshe died peacefully leaving his nation under the protection of the missionaries who told him that they came as witnesses, and messengers of the kingdom of God, which advocates fraternal love and peace within individuals, families, tribes and the diverse nations of the world (Wallis 1982:11).

Some of the wives and sons of Moshoeshoe converted to Christianity as he personally encouraged them. What remains to be a mystery is that, Moshoeshoe did not convert to Christianity himself, though he had great love and respect towards it. I personally think that Moshoeshoe was avoiding joining any of the two denominations because it could bring division between the two churches and a split within his community. The majority of his community would definitely join the denomination of his choice I suppose. This could have been detrimental to the spirit of unity, fellowship and brotherly love, which were reigning within the Basotho nation.

Moshoeshoe died in peace leaving his newly formed nation under the protection of Britain. 'The Sun never set in the British Empire' was the slogan used to describe the mighty-power Britain had, by ruling many countries during the colonial era.

Out of the fifty-four Commonwealth countries, (fifty-three countries now because Zimbabwe has quitted on 7th December, 03 due to its second suspension in the Commonwealth fraternity) Britain had colonized the majority of these countries. Some of the places and institutions in Lesotho were named after the queen of England. The national hospital of Lesotho in Maseru is named after Queen Elizabeth II. Lesotho was initially known as Basutholand under the British colonial rule up until 1966, when she officially received her democratic independence and her name was renamed Lesotho.

3.2 The Dynamics of Basotho Customs

Since the foundation of the Basotho nation the customs and the traditions were well observed and practised. The Basotho people could not read or write, so they relied on oral traditions to hand down their customs and traditions from one generation to the next. Elderly people were the custodians of the Sesotho customs, and were regarded as teachers who taught children Sesotho culture informally in two separate places in the evenings. Gender was the determining factor. Mothers and grandmothers around the fireplace would teach girls Sesotho customs, and traditions through story telling after supper. Elderly men of good reputation would informally teach boys at *khotla* (a place in the village where men assemble on daily basis to discuss issues relating to them and the community) to instill in them the skills of hunting and herding. This is another caring model exercised by the Basotho people, which can be used in pastoral care ministry as well. Oral tradition was valued as an essential and precious element because it was the only and better mode of communication in different spheres of Basotho life and administration. Elderly people and the chief's councillors were to memorize the customs and traditions by heart, because they were regarded as the living dictionaries and encyclopedias to be consulted frequently. Eloquence is one of the skills required from the chief's councilors who acted as his advisors, messengers, spokespersons and mediators between the chief and his community, as well as the neighbourhood villages.

When young men and women approach adulthood, they normally go for formal traditional education through lebollo circumcision/initiation schools. One would compare this level of education with tertiary level in the modern world of learning.

It used to be the traditional community school, which was headed by the chief and the village men. The chief would plan to send his son to this traditional formal school and the age-mates boys of the village were urged as a way of recruitment, to accompany the chief's son. The village community would hold the ceremony to end the initial instruction of those who have joined. Boys would go in the remote mountains and build the mophato school, and continue with their traditional education for a period of four to six months. They are taught skills in warfare, hunting, family life, (conjugal) leadership, traditions, customs, and boys are definitely circumcised.

A similar procedure would be followed with young women but the period of formal traditional education would be two to three months. The school would be erected not far away from home. The educational curriculum would focus more on the domestic life, as to how a young girl would please her husband in marriage, how to raise up children, to face and endure the daily challenges of life in general.

In these formal traditional schools, both young men and women are taught issues related to adult life, such as parental responsibilities, different traditional arts, respect, obedience and loyalty to the chief, the elderly people, and the community. Indeed initiation formation of Basotho young women and men was regarded as a

landmark, which signified the end of childhood and transition into adulthood.

It is worth mentioning that it is also a time of recruitment of young warriors for the sons of chiefs. Kings, chiefs and headmen among the Basotho hold authority by means of delegation. The king rules the nation through the minds and eyes of chiefs and headmen, who act as the promoters of justice and law by promulgating them. Chiefs and headmen act as mediators between the king and his people. Their loyalty to this work has to be seen as a reciprocal process between the two parties.

They choose the community warriors in the same way, who will defend and protect the community from the invaders.

I think these institutionalized gender roles practiced among the Basotho contribute to violence and abuse of Basotho women. Basotho people have a saying which further affirms formation to abusive treatment. They say *monna ke nku ha lle* i.e. a man is like a sheep and he does not cry. In both the informal and formal education of Basotho boys, the open expression of one's inner feelings of grief, sorrow and hurt is totally discouraged. Positive inner feelings of love and affection belong to women and not to men, such feelings are discouraged, not to be found among men. Fighting, aggression and violence are highly recommended as the best way of forming a Basotho young man. I think this kind of formation serves as one of the contributing factors towards the abuse of women among the Basotho people, especially in the coercive abduction marriages. This process of education introduces violence as an accepted norm. The reason is that some of these young Basotho men are unable to express their feelings of love, and intimacy openly to young women, and they resort

to physical aggression of abduction. This formal traditional education is regarded as the final step of marriage preparation. It is amazing that they are being prepared to enter married life, but they are not provided with skills of verbal communication which can help them to date girls. They are literally instructed to be ready to get married, but they are not imparted with the necessary skills of proposing love in a human way. However, the existence of traditional schools of formation appear to be contributory in empowering the Basotho young men to resort to violence, and abusive acts towards women when entering marriage. These abusive methods are still practiced in the remote rural areas of the country even today. This is where the formal traditional schools of initiation are common, and many Basotho boys value them, and take them as the best formation institutions towards manhood.

This deficiency found in both the formal and informal formation schools of the Basotho young men, needs to be reviewed in order to form a balanced society, which accepts and promotes the equality of gender and respect of human dignity.

3.3 The Observance of Sesotho Customs

In the 1800`s up to early 1900`s it was very rare that Basotho people would go against their traditions and customs as a way of living. Those who failed to comply and observe them, were regarded as the black sheep of the community. They were banned from taking part in the formal traditional gatherings and celebrations. Sicknesses and calamities, which might befall them, were considered as befitting

them because they were taken as outcasts from the entire community. An outcast does not have any support and blessings from the living or the dead - ancestors. Chiefs, as the custodians of law, were expected to enforce nationwide customs, and pass penalties to the defaulters. Men as heads of the households had to enforce the family customs and traditions. The Basotho people have a special act of slaughtering a beast on every occasion when practising certain customary rituals. An ox and a sheep are taken as the most important and significant animals to be used. The pouring of blood signified, and expressed the link between the living and the dead - ancestors. Prayer and sacrifice are taken as a means of communication between the living, the dead (ancestors) and Molimo - God. The slaughtering of animals does not only invoke or pay allegiance to the ancestors, but it explains Basotho`s believe in the divinity - as the source of life. To a western person these customary rituals may appear to be a mere nonsense, but the Basotho people take them as a reality. Moitse confirms this customary reality among the Basotho by saying,

The force of ancestral worship is still quite evident among the Basotho, especially in traditional customary practices such as healing, and initiation, ceremonies associated with the birth of a child and death (Moitse 1994:27).

A few of these customs are as follows:

- On the birth of a child - the family would slaughter a sheep as a cultural ritual of welcoming this child both into the family and the community.
- Slaughtering an ox marks the beginning and the closure of the initiation formation of young men and women.
- An ox is slaughtered during the burial of the dead as a way of bidding them

farewell and pleading with the ancestors to welcome him/her in to their midst.

The dead were buried soon after death and an ox was taken as a accompaniment of an animal which he/she will use in the next world. The skin of an ox was used as a sleeping mat, blanket and coffin for burial. The meat of an ox was to be shared by all those who bring condolences, and the mourning family members. It is worth mentioning that nowadays this burial custom of Basotho seems to be fading away. It is replaced by the modern system of keeping the dead for a certain period of time at the mortuary.

- A sheep *koae* (tobacco) would be slaughtered to welcome the bride as a full member in the family of the bridegroom. This is another shepherding model, which signifies pastoral care with those who are welcomed. The Basotho people rear different kinds of animals, but sheep and cattle are not only used for meat but for custom rituals.

The cow and sheep blood, the traditional food, beer and snuff play a significant role in the cultural life style of the Basotho people of Lesotho. These customs and rituals again play an important role in the commencement of any occasion stated above, and failure to perform them may result in misfortunes, which can be interpreted by the community diviner.

I have just given a glimpse of four customs, which all need the slaughtering of a beast in order to validate the Sesotho practice of a custom ritual. The four of them are still observed and practised by the modernized generation of today.

Having high-lighted the dynamics of the Sesotho customs and traditions, I will now give the insights of the Sesotho customary marriage.

3.4 The Sesotho Customary Marriage

Marriage among the Basotho has been taken seriously and valued over the ages. It has been taken as a crucial moment in the life history of the groom and the bride, a moment when the two families unite through the payment of *Bohali* and its climax called *Tlhabiso ea Bohali* (an official acknowledgement of marriage).

Africans in general establish a mutual relationship between the dead (ancestors) and the living. The Basotho custom of *Tlhabiso ea Bohali* strengthens the mutual bond between the living and the dead of the two families of the bridegroom and bride. This ritual invites both the living and the dead to care, guide, protect, mentor and bless the new couple for a successful marriage. The slaughtering of an ox is the seal, which values the acknowledgement of the extended families and the permanence of a new marriage. Another good model for collaborative pastoral care ministry.

The Basotho ritual of *Tlhabiso ea bohali* with all its implications of uniting the twofamilies as an extended family, between the living and the dead, is taken as a reality among the Basotho people. Failure to observe it, may result in some misfortunes either to the new couple or some members of the extended family.

Marriage involves two individuals, it has been the culture of the Basotho to widen it to involve the two concerned families, chiefs and the community at large in

the neighbourhood. The Basotho people, like many other Africans have a deep sense of practicing community life. An individual would always claim his/her roots and identity from the community. An individual comes from the community, and the community is made up of individuals - they indeed complement each other interchangeably. Basotho people therefore, regard the family as the fundamental basic structure, which is the foundation of the bigger family - the community. The utopian families will result to the utopian community / society.

To Basotho, community marriage has been regarded as one of the uniting and joyous celebrations marked by plenty of food like meat, traditional Sesotho beer. The Basotho people do express this joyous moment by singing cultural songs and dancing as well. They do not need to be invited to attend such community feasts, but it is an obligation that binds them to support one another in times of joy and sorrow. If one fails to attend he/she will have to give his/her apology to the chief.

As followers of Christ, the Basotho people can learn a lot from him, as he practically cemented the importance and the value of community orientated marriages, when he poured blessings over the marriage that took place at Cana. He found multitudes of people joyously celebrating the marriage feast by eating - drinking and singing.

Happiness made the guests attendants finish wine before the end of the marriage celebration. He found himself in a position to exercise his pastoral care ministry by miraculously turning water into wine. The good shepherd is the one who is flexible enough to improvise a fitting liberating pastoral care in both the normal and

awkward situations. 'Where two or three are gathered in my name I am in their midst'. These are the inspiring words of Jesus to those who have faith, hope and trust in him. God is always with us, all that is needed from us is to have profound faith in Him and call upon his Divine Providence in times of need, despair, suffering and other tribulations coming from human injustices of this world.

3.5 The Role of Parents in the Sesotho Customary Marraige

1800`s to early 1900`s has been the period when the basotho parents had greater control over their children. The mentality of ancient Basotho parents was straight and clear that children had no rights. Western culture - especially in the modern world, has influenced people of every race to give children what they call basic human rights. It had been the philosophy of Basotho parents to take full decisions on any issues that concern the present and future life of their children.

The opening quotation of this chapter shows how Leban had decided on the future life of his daughter, Rachel. As a parent, he demonstrated his parental authority over his child by giving her to Jacob for marriage. Israel was the chosen nation of God, and its customs seem not to differ much from those of the Basotho people. This similarity implies that the Basotho nation believed in the existence of God even before Christianity came to Lesotho. Marriage therefore, had been looked upon, and understood as something to be entered into, by those who have reached mature adulthood. Those who intended to marry, had to inform their parents so that they might be guided and introduced to it accordingly.

Respect, obedience and patience on the children's side were highly encouraged. "Respect your father and your mother, so that you may live a long time in the land that I am giving you" (Exodus 20:12). This is an order to the entire humankind created in the image and likeness of God, " If a son is disciplined, he will be of some use, and his father can boast of him to his friends. A man who gives good guidance to his son, can not only take pride in him among his friends, but he can make his enemies jealous"(Sirach 30:2-3). The Basotho parents would go far with punishment in regard to those children who would not obey their orders. Severe pressure had to be placed on them and they were often tortured. The late Father Laydevant, a Catholic priest who had worked among the Basotho people as a missionary describes how this torture was done. Victims were mostly young women who would refuse to marry a particular young man recommended by the parents, and he says,

Her thumb was bent inward and tied fast by means of a leather band, causing great pain until she finally gave her consent (Laydevant undated: 65).

The reasons for such a coercive punishment were simple; Basotho parents always wanted to create a good, bright and successful future for their children.

I, personally, think their intention was very good, although its ultimate execution was not good at all. Love cannot be forced in any way down the throat of someone.

In chapter one - pages six and seven of this thesis, I explained how a Mosotho young man notified his parents when he was old enough to get married, and have a family.

O raha moritsoana (He kicks the clay pot) He brings hunger into his family by

intentionally mixing cows with calves, which drink milk from their mothers. This means the family would not have milk and would go hungry on that particular day. This act describes what is in the mind of this young man, as he uses a non-verbal communication, which says, he is hungry - not for food but rather for a woman.

This kind of behaviour immediately calls for the attention of his parents and the community in which he lives. His parents would ask him if he had someone in mind for marriage, or otherwise they would find a young woman of their choice. In most cases parents would definitely look for a woman who was a hard worker. A woman who commanded respect, and had a good reputation in the community; a girl free from mental or any physical deformity, who had not been married before, or promised to anyone. Her parents should also enjoy a good reputation in the community in which they lived, as well as the nearby villages.

3.6 Negotiations Between the Two Families

The Basotho parents play a leading role in the marriage negotiations of their children. The groom's family would send a male messenger to go and ask for the mohope oa metsi (The calabash of water) from the family of the identified prospective bride. This mohope oa metsi has several symbolic meanings in the context of the Sesotho culture. In chapter one page three, I outlined the different duties attached to Basotho women as their daily obligations. Collecting water from

the well for cooking, drinking and washing by the family members is one of them.

The groom's family is therefore, sending the messenger to go and ask the parents of the bride, to give their daughter to them so that she may become a full member of the groom's family, and then she can fetch water from the well for the extended new family.

Basotho have a maxim that says *ngoana o tsoa letseng* (a baby comes from the deep marshes of the lake). This connects well with *mohope oa metsi* - the groom's family requests the bride's family to offer their daughter, so that she may fetch them children (give birth) from the deep marshes of the lake (bear children for their son). Basotho believe that only women have the ability of risking their lives to fetch children from that horrifying place. If she happens to fetch a baby girl (give birth) one man from the family would go and break the news to the father of the child, by pouring a full bucket of water over his body. The literal meaning of this customary act, is that your wife has given birth to a baby girl who will in the coming future, also fetch water from the well for your family. If she has given birth to a baby boy, the same man would take a stick and beat the father of the child without saying anything. The meaning of this non-verbal communication is that, your wife has brought you a warrior and a shepherd of your flock in the family. If the *mohope oa metsi* is granted, the family of the bride would smear the messenger with animal fat, as a visible sign that he has indeed negotiated successfully. The groom's family and the village community would start celebrating when they see him shining with animal fat. Slaughtering of an ox and brewing of beer would start as they officially

acknowledge this engagement. It was to be a blissful celebration, because in the near future the groom's family will have an extended family, which will give them somebody who will take care of them by performing family duties.

3.7 Bohali is the Centre of The Sesotho Customary Marriage

It had been the tradition of the Basotho that the groom's parents pay Bohali to the bride's parents. From my research there is no legal stipulated number of cattle to be paid for Bohali. Ashton gives his own findings on the similar issue as he says,

In 1872 ten to fifteen sufficed, and in 1912 the recognized number varied from fifteen to twenty. The term "cattle" covers any sort of beast, young and old, male or female (Ashton 1967:71).

Laydevant also goes on to give his findings regarding higher number of the Bohali which, specifically is expected to be paid when young men and women of the royal the blood get married. He describes it in these words "When sons and daughters of chiefs were married forty up to sixty head of cattle were given" (Laydevant undated:66).

The two families can therefore go on for a lengthy discussion on the number of the Bohali cattle. As soon as the agreement and settlement has been made, the marriage ritual start. The Tlhabiso ea bohali (slaughtering of an ox by the bride's family) mainly serves to acknowledge and cement the completion of the Bohali payment by the bride's family. This custom ritual is made before the couple goes to live

together, both are still with their respective families. But what is so striking is that the celebration of the ritual signifies the official union rite of their marriage.

Martin explains this event so well and so appealingly when he says,

After all the process, when the dowry is agreed upon, the dowry cattle are brought home to the bride's family. The father will kill an ox with those dewlaps (cut off and divided into two strips) a bride is bound round the wrist and so is the groom symbolizing that they are now bound to each other (Martin 1969:83).

I find this *tłhabiso ea bohali* ritual runs parallel with the Christian marriage ritual, when the couple stand in front of God's altar, and pronounce their marriage vows to God, before the church minister and the entire Christian community as witnesses.

This Sesotho ritual of *tłhabiso ea bohali* conveys special blessings from the family members of the couple, chiefs and the entire neighbourhood communities of both the groom and the bride. Gerkin speaks of the value and the importance of collaborative ministry. He outlines the dynamics of the trilogical biblical structure of the Israelite community leadership, which was made up of the priests, the prophets and the wise men and women. I find Gerkin's method fitting in with the Basotho customary marriage, especially when they celebrate the sacred union of the couple through *tłhabiso ea bohali*. The Sesotho proverb says, *Letsoele le beta poho* (multitudes of people can easily kill a bull) All the community members play an essential part in the ritual celebration of *tłhabiso ea bohali*. The family members, chiefs and the neighbourhood communities are all on board to provide leadership role of loving, guiding, protecting, caring, healing, advising, and reconciling this 'community couple' in this new marriage relationship. They are all

called together to join hands and provide a collaborative ministry for the success of the marriage of the new couple. In the Sesotho customary marriage, the bride is not only getting married to a specific individual family, but to the entire extended family of the bridegroom. Her talents and motherly potential will be benefited not only by her groom's family but by the whole neighbourhood community as well. The *tlhabiso ea Bohali* ritual celebration displays the consent of parents from both sides, and the consent of the couple which always comes second. Ashton explains this sacred traditional customary event so well when he says,

The animal is then cut up and divided according to a complicated set of values. Finally the gall is poured over the groom's hands, usually by his father, and the bladder is tied round his wrist. From the legal point of view this is the culmination of the ceremony. Up to this point the marriage could have been broken off and the return of the cattle demanded. The gall bladder is the "ring" which binds the couple together (1967:68).

It is so amazing indeed, to see how the Sesotho culture values the significance of parents, especially the father figure in the customary marriage rite. The father becomes the minister of the institution of the marriage. He has all the powers of blessing the couple to have a successful marriage. The Sesotho saying goes as follows *Motsoali ke Molimo oa hau* (your parent is your God). The book of Genesis shows how parents had these powers of blessing over their children, with the sole purpose of wishing them a good and successful life. Rebecca received these special blessings when she was getting married to Isaac. They answered, " Let's call the girl and find out what she has to say, so they called Rebecca and asked, 'do you want to go with this man?' 'Yes' she answered.

So they let Rebecca and her old family servant with Abraham's servant and his men. And they gave Rebecca their blessings in these words: 'May you, sister, become the mother of millions! May your descendents conquer the cities of their enemies' " (Genesis 24:57-60). There is parallel blessing message from the book of Tobit where Raguel gave his daughter to Tobias and gave her his blessings "Then Raguel called his daughter when she came in, he took her by the hand and gave her to Tobias with his blessings. 'Take her to be your wife according to the teachings in the Law of Moses. Take her safely with you to your father's house. May the God of heaven give you a happy life together' " (Tobit 7:13). This indeed shows how God has loved us so much by the gift of our parents. They take all the pain of bringing us into this world, and providing the necessary parental support and nurturing, guiding and teaching us to be responsible adults. They play a crucial role by introducing us into the fundamental life commitments like marriage, priesthood, religious life and others. They impart special blessings on us to be successful in our adventures, as we explore our different careers in life. God gives us his loving care through our beloved parents right from our childhood up to the adulthood stage. If parents are endowed with such magnitude of responsibilities, it goes without doubt that marriage is a special call from God. He calls those who genuinely marry one another to bear children and to guide, teach, nurture them spiritually, physically, and bless them to be the successful parents of their families, Christian communities and the society at large. The church has a challenging work of teaching ahead of it, to educate our modern society especially, young generation

that marriage is not just one of the worldviews, but a special call from God - it needs to be taken seriously and be given its due sacred respect. The church is challenged to work out theological programmes of marriage preparation, which is based on the cultural values of the Basotho. All those responsible, the ministers, Sunday school teachers, catechists, parents and the Christian community as a whole, should explore the possible insights of this course. Inculturation, which calls for the marrying of the Gospel and cultural values can be of help to the young generation entering married life commitment. Such programmes can help in healing, purifying, informing, educating and transforming the materialistic mindset of the modernized youth of our times.

3.8 The Significance of *Bohali*

Basotho always try to have phrases, which can allow them to place values and significance on things that they consider important in their day to day life. The Sesotho saying which describes the value and the significance of the *Bohali* says - *Khomo e kopanya lichaba* (a cow joins people of different tribes). According to the Basotho understanding, *Bohali* is a central and significant custom, which effects, publicizes and legitimizes the cultural union of a man and a woman who intend to marry one another. *Bohali* marks the completion of cattle payment by the groom. The *Bohali* officially marks and underlines the transfer of the bride's rights to the lineage of her husband. If the *Bohali* is not paid in the Sesotho marriage, Basotho do

not take that marriage as valid and the woman is regarded as a concubine. Children who are born of this kind of marriage are regarded as illegitimate and would not have rights in the family cultural gatherings and rituals. Bohali can also legitimize children born out of wedlock, if a man decides to marry a woman who happens to have children before marriage and this is called ho nyalla (to marry together with). The two families can decide whether the rights of these children are transferred to the lineage of the husband or be left with their mother's lineage. The Sesotho saying which blesses this custom says - ngoana ke oa likhomo (one gets a child through the payment of the Bohali).

The custom of paying Bohali for marriage guarantees less chances of divorce in the marriage. If the woman ends the marriage by divorce, then the Bohali must be refunded in full. But if the man is held responsible for the divorce, the Bohali cannot be claimed back. This shows how the Basotho value marriage as a permanent cultural union, which should not be terminated by anything. This is another prime reason why parents assume responsibility and take the lead in the marriage preparations of their children. Jesus taught openly about divorce to his followers. He said to them, "A man who divorces his wife and marries another woman commits adultery against his wife. In the same way, a woman who divorces her husband and marries another man commits adultery" (Mark 10:11-12). Indeed divorce has not been encouraged among the Basotho, even if they might have to face some family problems that would result in tensions, and conflicts, which could make

life hard, Basotho still would not encourage divorce. The Basotho people possess some special philosophical skills of resolving family problems. They could go for polygamy in order to avoid taking the divorce route and continue with the existing marriage. The *Bohali* again helps the bride's family to buy new home equipment for the bride.

It is very clear that according to the Sesotho understanding concerning customary marriage, the *Bohali* was the only channel men had to follow if they intended to enter marriage institution legitimately.

In Lesotho, facts show that the elite and the rich are few while the poor and the deprived are in the majority. It goes without saying that if the Basotho young men would remain loyal and faithful to their customs and traditions, few of them would manage to enter into marriage and the majority of the Basotho men and women would remain single. In chapter one - page seven I clearly stated my intention to go deeper in researching the root causes that had led most Basotho men to contract marriage, either through elopement or abduction. I went on to say that the root causes have sometimes deeper reasons, which may result in having certain problems in different patterns of life. Hypothetically I suspect that poverty is the root cause that has led to the high rate of elopement and abduction in Lesotho.

For example, It is a "Sine qua non" fact that the Orange, the Vaal and the Limpopo rivers are naturally made to flow from west to east to join the Indian Ocean. Should anyone try to reverse their normal natural flow - heavy water can find new avenues and loopholes to reclaim its natural direction towards the east.

God created a woman out of the ribs of man and gave her (Eve) to him (Adam) as a free gift without any external material attachments. This is how man said in response to the precious gift God gave him,

At last, here is one of my own kind - bone taken from my bone, and flesh from my flesh. Woman is her name, because she was taken out of man. That is why a man leaves his father and mother and is united with his wife, and they become one (Genesis 2:23-24). Jesus states his standpoint very clearly in his teaching that he came not to abolish the teaching of the Old Testament but rather to fulfil it. He speaks of this natural gift of God when he says,

And for this reason a man will leave his father and mother and unite with his wife, and the two will become one. So they are no longer two, but one. Man must not separate, then what God has joined together (Mark 10:7-9).

The heavy payment of *Bohali* in the Sesotho traditional customary marriage has made most of Basotho men look for alternative avenues and loopholes, which can enable them to get married. These alternatives are the common irregular methods used, which therefore result in harassment, abuse and the violation of women's human basic rights. The advantage which benefits Basotho men in eloping and abducting young women nowadays is that, they negotiate the *Bohali* process whilst they have their wives already fetching water and bearing children for their families.

Poor economic conditions caused the failure of the majority of Basotho people to practice and observe their custom of getting married through customary betrothal process. Experience has indeed shown clearly that few could afford to take this long

and expensive Sesotho customary betrothal method of getting married. The couple should know that, the Roman Catholic Church recognizes marriage as a sacrament and valid only if the wedding ceremony is conducted by the catholic deacon or priest. In spite of all these expected formal religious and cultural marital procedures, the majority of Basotho men and women seem not to opt for either the church white wedding, nor the traditional customary marriage. Hence, they devise their own routes that can lead them more easily to contract marriage.

3.9 Questions of Concern

I have several questions troubling my mind:

- Is this irregular method of getting married a better answer to the problems and obstacles, which the Basotho people face in the customary betrothal marriage?
- Since the majority of Basotho people have resorted to irregular methods of getting married, does this legitimize these methods, are they regarded as custom or not?
- Since these irregular marriages are conducted without the consent of parents, but the consent of the couple concerned, are they stable and lasting until death or not ?
- Does this method of irregular marriage get the blessing of the church? If not what is the visible and practical reaction of the church?

- **The bible which is the main source of my research study asserts that marriage was instituted by God right from creation of mankind. Does man have an absolute power therefore, through his custom and tradition to legislate and commercialize marriage?**
- **What comes first as significant, the Gospel values or the diverse complexity of human customs and cultural obligations?**
- **The Catholic Church originally pronounced her positive acknowledgement of the Basotho customary marriage, as an acceptable custom within the domains of Christianity as I indicated in chapter two. Is it right that the same Church pronounces this marriage as heathen if couples do not ultimately come to Church for a blessing?**

CHAPTER - FOUR**ABDUCTION - ANOTHER METHOD OF ENTERING INTO MARRIAGE****AMONG THE BASOTHO PEOPLE OF LESOTHO****4.0 Basotho Men as Patriarchs of Basotho Women**

"A woman has to take any man as a husband, but a man must choose his wife carefully. A woman's beauty makes a man happy; there is no fairer sight for the human eye to see" (Sirach 36:21-22).

A classical quotation which one would think the Basotho abductors, know by heart in order to justify their abusive acts of forcing women to marry them without their personal consent. It implies that only men have the natural gift of seeing human beauty, and have been given absolute powers to marry women of their own choice.

Other people feel that the Basotho women appear to be treated as mere objects or property bought by money or livestock.

Chapter four will deal with the realities of elopement, and abductions, as stepping Stones, which Basotho men use to enter into marriage. I find it imperative for me to explain the two terms *Chobelo* (elopement) and *Chobeliso* (abduction) which may bring ambiguities to the readers of this research study. Some of the Basotho people take the two terms to mean one and the same thing. I found out that they are different concepts, though their ultimate goal is the same, i.e. the entering of marriage by a young man and a women without the consent of their parents.

4.1 Marriage by Way of Elopement (*chobelo*)

The English term 'Elopement' has been used equivalently and interchangeably with the Sesotho term 'Chobelo' by the Basotho people of Lesotho in order to explain an irregular method used by some of the Basotho men, and women to contract marriage on their own. Elopement means an act whereby a young man, and young woman decide to enter into a marriage without the consent of their parents, and to avoid following the formalities of the religious, customary and civil marriage laws procedure.

4.2 Reasons for Eloping

There are a number of reasons, which could lead to Chobelo (elopement).

- To avoid long standing traditional and church marriages, which are both costly and are entirely organized and prepared by parents.
- The boy and the girl can be ready to follow the traditional way of getting married, but the girl's parents demand a lot of Bohali which the boy's parents cannot afford to pay.
- Both a boy and a girl can be afraid to inform their parents about their intention to marry one another. Unexpected pregnancy could be another reason, which may bring about fear to inform their parents.
- The girl's parents may reject the request made by the boy's parents to allow their daughter to be married to their son (ho qela mohope oa metsi).
- If a girl behaves well and she is very pretty, and attracts most of the village

young men who in turn intend to marry her by force.

- The mother of a boy can also encourage her son to elope with a particular girl whom she wishes to be her daughter in-law.

Girl's parents may not like their daughter to marry into a poor family. Other reasons could be that they are sorcerers, thieves, Protestants, belong to a certain political party, or they may consider the boy as an illiterate herd boy.

It is therefore, clear that elopement arises from a mutual agreement between a young man and woman, who encounter either the internal or external forces that urge them to decide to elope. Though this system of entering into marriage is irregular according to Sesotho culture, and the Church's point of view, there is usually no abuse, violence and oppression between the eloping couple.

4.3 Marriage by Way of Abduction (*chobeliso*)

Chobeliso happens when a Mosotho man abducts a young girl against her will and consent, as well as that of her parents, with the intention of marrying her. This system of entering into a marriage does not have any premeditated intention on the side of the young girl. In most cases it puts the girl in an awkward position.

She has to face abuses such as rape, violence, torture, insults, and sometimes death, caused by the abductors. Abductors, on the other hand, run the risk of being killed by those who may come to rescue the young girl. Maqutu confirms this issue when he says, "As already stated abduction can be violent and risky because the girl was

often taken by force. If the girl's relatives or villagers intercepted the abductors and rescued the girl they could justifiably kill them"(Maqutu 1992:82).

I interviewed Mr. Lesitsi from St. Monica in the Leribe district, who had been a Sesotho teacher for more than thirty years, and is known to be well conversant with the Sesotho culture and tradition. He says, the fact that abduction normally takes place at night, it is a proof that, it is not regarded as the Sesotho custom but rather as an act of stealing. He goes on to say that, if abductors are apprehended, they are usually beaten to death. The Sesotho idiom that normally justifies this killing says, 'Lesholu ke nja le patala ka hlooho ea lona' literally means, a thief is a dog that deserves to account for his bad deeds by his head, i.e. a thief caught should be beaten up to death without mercy. So a vicious cycle of violence develops among the Basotho men, and affects the community.

However, the fifth commandment of God does not allow any person to kill the other. Jesus discouraged 'an eye for an eye' approach used in the Old Testament, which encouraged revenge. Evil corrected by evil always results in another evil. This would not make sense to a political freedom fighter that has been indoctrinated to believe that the armed liberation struggle is the best system to achieve freedom. A freedom achieved through peaceful means is likely to result in long lasting peace, unity and harmony between the oppressor and the oppressed. Basotho as Christians should solve their problems in a Christian manner and obey God's laws, the book of Kings says,"And so all the nations of the world will know that the Lord alone is God -

there is no other. May you, his people, always be faithful to the Lord our God, obeying all his laws and commands, as you do today" (1Kings 8:60-61). As Christians, the Basotho people believe that God is the supreme being, who alone has the absolute power to give life, and take it at his own planned time. They should not put their traditional beliefs and practices above God's laws.

As stated, there are reasons which may cause a mosotho young man to abduct a girl with an intent to marry her. Other reasons may be: The young man desires to marry a girl who is already engaged to another man.

- If the girl has been frequently rejecting the young man's proposal.
- If the boy is a member of a different church denomination from that of the girl.
- If the girl is educated and the boy is illiterate.
- If the girl comes from a rich family, which looks down upon the boy's family.
- If the boy does not have the courage to approach the girl for an acceptable relationship.

I have already indicated in chapter one, how I experienced and witnessed events of girls who were abducted by elderly boys. This took place when I was a herd boy around 1960`s and 1970`s. The abductors usually watch a young girl's movements, and manage to find a good opportunity of capturing her without any hindrance.

These abductions normally occur in the afternoon, or at night so as to avoid any interruption by village people or travelers who pass by.

A girl will be caught and be dragged to the nearby deep forest, fields, or the deep riverbanks as hiding places. This is where rape either by a prospective husband, or his mates, usually takes place. They will proceed to the boy's home late at night, and hand in the girl to the boy's mother, who will welcome her in her bedroom, give her a blanket to wear, and ask her to sit behind the door.

Putting her behind the door signifies a temporary acceptance of the girl until the family slaughters a sheep, called Koae, which serves as the Sesotho ritual to be performed, to accept a girl officially in the family of the groom, and be taken as the daughter-in-law. The girl usually covers her face with a blanket as a sign of respect. If she cries throughout the night and does not want to talk to anyone, and refuses to eat the Koae meat, it is a clear sign that she does not accept the marriage, and would like to be returned to her parents, in spite of her ruined future. Girls who have children before marriage do not have chances of getting married. It is rare for Basotho girls to reject marriage that comes their way in any form. To be returned from marriage is taken as a shame, which does not affect a girl alone, but her family and the entire community. It appears as a failure on her side, and she is not a well-formed woman who can handle the challenges of marriage. Normally, Basotho girls do accept abduction marriages. They have been taught not to miss the opportunity of getting married. To be a Lefetoa (unmarried woman) is a disgrace and shame to a Mosotho girl. If chances of marriage in any way, come their way, Basotho girls are taught not to reject them.

4.4 Legal Procedures of Damage

The two families usually negotiate on the basis of the marital laws of the country of Lesotho. The reason being that, a coercive marriage is usually done against the will and consent of the victim (young girl) as well as her parents. Abduction is regarded as an offence by the Lesotho Judiciary in all its levels. It incurs legal punishment because it is taken not as the Basotho custom, nor as a traditional cultural practice.

I happened to interview ministers of the `big three` denominations, Reverends Selialia, Nthejane, Mahlatsi of the Roman Catholic Church, Mafatlane of the Lesotho Evangelical Church and Tsosane of the Anglican church. They all say that marriage entered either through elopement or abduction is totally not acceptable within their denominational doctrinal teachings. However, they all accept that, many Basotho young men opt to enter marriage that way, because it does not carry heavy penalties or sentences. The state and the church regard it as an offence, which makes the family of a girl demand six cattle as a fine, before they can negotiate the *Bohali*. A fine of six cattle is applied to both elopements and abductions. Even though marriage by elopement has an agreement, and consent between a couple, irrespective of age, still they have acted against the consent of their parents. The six head of cattle are described as paying the damages because the presumption is that, a young woman may have lost her virginity, and prospects for her future have been totally jeopardized.

Poulter explains how the two families communicate and the girl's parents respond by demanding six head of cattle as a fine for the unlawful marriage which their daughter has been forced into and he says,

On arrival he informs his parents of what has happened and the following morning he or his parents notify the girl's parents of the elopement, usually by sending a messenger. They in turn will ask for their daughter to be returned and at the same time will demand compensation of six head of cattle from the man's parents (1976:109).

4.5 The Laws of Lerotholi

Lerotholi is the grandson of Moshoeshoe the great. In 1903 he ordered that all the laws that have been governing the Basotho nation must be written down. These were the laws that Moshoeshoe and his councilors had formulated long before the coming of the missionaries, and they were practiced and transmitted orally. The six head of cattle fine for elopement and abduction emerged from the book of the laws of Lerotholi. These laws have been carried out from one generation to the next, and are still taken as the framework in matters that relate to the social and cultural life of the Basotho people. They are in operation on all levels of the Lesotho judiciary, that is, the local and central courts, the magistrate's court, the commissioner's court, the high court and the court of appeal.

4.6 Traditional and Civil Courts' view on Abduction

According to the information I got from the two lady chiefs `Makhethisa Molapo

and Masempe Tau, the Basotho traditional courts are now under control of the civil judiciary of the country of Lesotho, and they are presently known as the local and central courts. The Basotho traditional courts do not have any legal powers of trials, but they act only as the mediators between the local communities and the civil judiciary. Poulter confirms this issue by saying,

This means that the traditional courts of chiefs and headmen exist today merely as institutionalized forms of mediation and conciliation. They cannot enforce their decisions and it is a criminal offence for a chief to try to usurp the powers of the Local and Central courts (1976:38).

I wanted to know from the two lady chiefs about the legal steps they take when they get reports of abduction with torture, rape and death of the victim. The answer I got from both of them is that, their work is only to mediate by referring the civil and criminals cases to the immediate existing local and regional civil courts.

The Basotho traditional courts had never allowed the cruel killing of the abductors, if they happen to be apprehended during the abduction process. - The girl's rescuers normally take the law into their hands to show the offenders that abduction is not taken as an integral part of the Basotho custom. Part II in Section 4 nos. 4 and 5 of the laws of Lerotholi, confer legal punishment (penalty) on the death of a young girl arising from the abduction process with intent to marry:

Ha eba ngoana ea joalo a ka shoa ele ha a ntse a shobelisoa, matseliso a etsoang ka kahlolo ha a tla ke a fete likhomo tse leshome (Lerotholi 1959:12).

(if the maiden dies in the process of being abducted, the compensation fine in the form of cattle will not exceed ten cattle)

Ha eba ngoana ea shobelisoang joalo a ka emara `me a bolaoa ke pelehi, matseliso a etsoang a ke ke a feta likhomo tse leshome (1922:12).

(If the abducted maiden dies from the complications of childbirth, arising from rape pregnancy during the abduction process, the compensation fine in the form of cattle will not exceed ten cattle)

According to the judicial laws of Lesotho, abduction is an offence; it is regarded as a criminal action. In Section 3 of the marriage Act of 1974 the government of Lesotho states clearly that marriage (customary or civil) requires free consent from both parties for its validity, and its acknowledgement by the government, as well as by the Basotho people in general. "No person may be compelled to enter into a contract of marriage with any other person or marry against his or her wish"(Government of Lesotho 1974:33)

Part II, in Section 3, no.1 of the laws of Lerotholi goes even further and gives a fine to any person who marries another person without her/his consent and it says,

Ha ho motho ea tla shobelisa kapa a etse hore ho shobelisoeng ngoanana ea sa nyaloang eo ka chalimo a leng ka holimo ho lilemo tse 16 ha eba a sa utloisise, esitana leha eba batsoali ba hae ba utloisisa kapa ba sa utloisise. Motho ofe kapa ofe ea robang molao ona ha a fumanoa a le molato o tla lokeloa ke tefiso e sa feteng R100 kapa teronko ka nako e sa feteng khoe-li tse 12 kapa tsona tse peli e leng tefiso le teronko e joalo (1922:11).

The Basotho people usually say *Sesotho ha se tolokoe* (Sotho language can not be interpreted) that is why I decided to quote the Laws of Lerotholi in Sesotho to preserve the richness of the original meaning. (What the above quotation means is that, no person should abduct or cause the abduction of a girl who is over 16 years of age, irrespective of whether her parents consent or not. Any one who contravenes this law, if found guilty will be fined R100 or be imprisoned for a period not exceeding 12 months)

In spite of abduction being a criminal act in Lesotho, many Basotho young men still opt to use it as a way to enter marriage easily and quickly. I have indicated that in most cases abduction goes along with rape and torture. Rape is an act of offense which deserves capital punishment according to the law of the Lesotho. A team of 7 women researchers in the research document called 'Sexual Violence in Lesotho' (2002) made the findings on rape, that it is capital offence in Lesotho:

Under the Lesotho Criminal System, the offence of rape is regarded as one of the most serious offences in that it is one of the few offences which upon conviction carry the death sentence. The Criminal Procedure and Evidence Act especially provides in its section 297 (1) (b), that an accused person convicted of rape may be sentenced to death by a presiding judicial officer. It is however interesting to note that in the history of our criminal justice system, not a single accused person has ever been sentenced to death or life imprisonment (Women and law in Southern Africa Research and Education Trust 2002:114-115).

Reverend Mahlatsi who shepherds the Matsoku (high lands) Christian community told me in an interview that most of the abductions and sexual violence perpetrators

are graduates of initiation schools, which appear to be common in Matsoku. The general feeling that I got from people especially those I interviewed is that, victims of rape during the abduction process are normally reluctant to disclose it. The majority of them have fear of embarrassment for themselves and their families. Many Basotho women prefer to hide (internalize) the stigma of rape and physical assault/torture for the sake of preserving their dignity and self-esteem.

The feeling of the public is that both the traditional and civil courts seem to be lenient in regard to the legal sentences of abductors. The law prescribes clearly the kind of punishment, which perpetrators of rape, and malicious torture in the process of abduction, should get. My personal opinion on this matter is that, the Lesotho courts are predominately headed by Basotho men, who were once herd boys and may have gone to the initiation schools, as a formal formation of Basotho boys. They might have been influenced by this Sesotho cultural upbringing to be bias in dealing with cases of assault, rape and death during the process of abduction with intent to marry.

As a result some of these legal professionals might have used the same method of abduction when entering marriage themselves. They may perceive abduction, rape and torture, through the lens of their cultural formation, and see it as likely to happen in the life of the Basotho people.

On the other hand, some say Basotho men are considerate because their intention in abduction is to liberate young women from Bofetoa (bad luck of not getting

married). The view of the seven research women on the same issue is that the Basotho prosecutors seem to be sharing the same sentiments with the perpetrators of abuse and they give their opinion in the following manner,

Upon inquiry, some prosecutors responded that sexual intercourse with a victim in this context would have happened because the abductor intended to marry her. These prosecutors shared a sentiment with some Basotho men that, that is how women get married (2002:128)

It is normal that in any patriarchal society such as Basotho, the justice system normally favours men as the custodians of the law and its implementation. I happened to interview Mr. Komane (fictitious) who has been a prosecutor in the Lesotho judiciary for 30 years, and he is now retired. He told me that the cases of abduction, which come to the Lesotho courts are not many compared to those of divorce among the Basotho people. Among the few cases of abduction that usually come to court, a good number of them come from the prominent Basotho people who immediately react by opening court cases when their daughters are abducted.

The ordinary Basotho people usually do not take parents of the abductors to court. They prefer to settle the legal penalties (six cattle of damage) and the payment of *Bohali* outside the court between themselves.

It is worth mentioning that the public feeling among the Basotho people, especially women, is that the Lesotho judiciary drags its feet when it comes to the execution of the law in punishing the perpetrators of abuse during the abduction process, which is considered as a normal way of entering marriage by some Basotho men.

4.7 The Consent Forms and the Story Tellers

I indicated in chapter one that I intended to interview certain groups of people to narrate their personal and experiential knowledge in regard to marriage through abduction among the Basotho people of Lesotho. Some would be the victims of abduction and elopement. The perpetrators of abduction and elopement would also share their own story. The chiefs as the custodians of law and order in their communities would tell how they deal with cases of abduction, and elopement as the judiciary personnel and the lawmakers and executors of those who violate it.

The last group would be the church ministers, engaged in the crisis ministry of caring for all who need physical and spiritual healing as victims of abuse and oppression. Five ministers from the 'big three' denominations shared their pastoral experience regarding marriage through abduction and elopement.

All the interview participants (except one) gave me permission to write about what I discussed with them on my research study about abduction among the Basotho People. They agreed to sign a consent form as a proof that they allowed me to disclose their names in my research study. The interviews and permissions granted are also recorded on an audio tape as another proof that shows my personal and physical meeting with them on the specific dates that appear on the signed consent forms.

One of them gave me permission to write on the information discussed, but he asked me not to disclose his name. This is where the academic ethical code has to be observed and applied. The last pages of chapter four, will deal with the story-telling of the two of my interview participants. Other participants will unfold their personal knowledge and experience of marriage through abduction and elopement among the Basotho people of Lesotho in chapter six - appendix (B).

THE CONSENT FORM

This serves to notify that I Mankei C. Ntlohi..... do
 give consent that my name be disclosed in the research on marriage through
 abduction among the Basotho people of Lesotho.

By J.M. Molapo – ID No. 5404156014184

Signed M. Ntlohi.....Date 2-4-04.....
 Respondent

Signed J.M. Molapo.....Date 02-04-04.....
 Researcher

4.7.1 `Mankei C. Ntlohi -

Domicile at Mathokoane, Leribe (lowlands). She is a victim of abduction with intent to marry. She narrates her story as follows:

"We were three girls working at Mathokoane shop. One day two men arrived at the shop, and we knew one of them, while the other was a stranger. The one we knew was married already. As they entered the shop the one we knew pointed at me as he spoke to a stranger with authority and said, 'I choose this one to be your wife'. He looked at me and never uttered a word, and they left the shop.

On the 31st December 1979 I was sent to a certain household in our village. I met the man who pointed me out at the shop, and chose me as a potential wife for the stranger. He persuaded me to go via his house because one of my girl friends wanted to see me. In good faith I agreed because I knew him as a member of our village community. As I entered his house he closed the door. Suddenly two men apprehended me and tied my feet and hands and threw me on the bed. They pushed

piece of cloth into my mouth to stop me from screaming. It was around 15:00 when this happened, and I was untied at 23:00. Three more men arrived to make their number to six and they all escorted me to a nearby village, where the silent man came from. I was earmarked and abducted to be a wife of the silent stranger.

On arrival at his home, I was pushed behind the door and the man who persuaded me to go via his house gave strict orders that the mother and sisters of the silent stranger should watch me well so that I could not escape. The following day the family dressed me in a traditional attire to be the daughter in law of the silent man's family. The *koa* sheep was slaughtered and I become the wife of the silent man whom I never heard a word coming from his mouth asking me if I would marry him. When the consummation of marriage came I was tortured and abused by a silent man who was literally raping me. He never-ever tried to utter a word and ask me if we can have sex. We had to fight before he could manage to overpower me and sleep with me. I was hurt because that was pure rape, which made me feel discredited, abused and oppressed. I had to suffer this humiliation for a month until I gave up. I could not even report this abuse, because Basotho girls are taught by the elderly women, that to refuse to consummate marriage is a disgrace to one's self and her family. I gradually developed a positive attitude to love him. And we had our first born child whose birth made me accept him as my husband. We lived together for 23 years as husband and wife, and he has never uttered these words to me 'I love you' I had to develop a positive attitude of accepting him as my husband.

He is a responsible man who takes care of his family. I always kneel and pray to ask God to protect my children (girls) not to be abducted when they get married".

THE CONSENT FORM

This serves to notify that I ERNESTINA M. MALUKE..... do
 give consent that my name be disclosed in the research on marriage through
 abduction among the Basotho people of Lesotho.

By J.M. Molapo – ID No. 5404156014184

Signed.. Ernestina Maluke..... Date..... 31 - 3 - 04.....
 Respondent

Signed.. J.M. Molapo..... Date..... 31 - 03 - 04.....
 Researcher

4.7.2 Ernestina Maluke -

Domicile at Ha Mpele - Matsoku - Leribe (highlands).

She is a victim of abduction with intent to marry. She relates her story as follows:

"I was attending school at Pitseng (100 kilometers away from home). One day a young man I knew from the neighbouring village arrived at school. He requested me from the teachers under pretence that my parents had sent him to fetch me, because I was urgently wanted at home. The school authorities released me and together we went home.

On the way he broke the news to me that he was lying to the school authorities. He had requested me because he intended to make me his wife, and so he is abducting me. I remained calm and did not show any sign of shock and resistance. It was still daytime and he decided to take me to his uncle's home nearby for a while, to wait for the nightfall. After several hours being there, I requested to go to a pit toilet a distance from the house. He asked two young girls to accompany me.

I got the chance to escape and ran home. I related the whole story to my mother who appeared to be surprised and angry with all that the young man had done.

Late in the evening my mother decided to visit one of the nearby houses in the village. Immediately after her departure, a woman who is a neighbour arrived at our house looking for my mother. She opened a conversation with me as she went out with me. I was talking with her, two men suddenly appeared and apprehended me and dragged me down towards the river.

I tried to resist and fight but I was whipped and tortured badly. I had no chance of escaping. One of them was the same young man who fetched me from school. I was kept in the riverbanks up until late when they pushed me to his home. This was how I got married to a man who deceived me and destroyed my future career.

We are both members of the Roman Catholic Church. His parents arranged with the priest to give us penance so that our marriage could be blessed, and our first born baby be baptized. The priest asked me to clean the Church as my penance and my husband had to work in the parish fields the whole day.

It was not so easy for me to accept him as my husband, but time and children eventually made a difference. I suspect that my mother together with the lady, who came to look for her, had contributed to my abduction. I had high hopes and expectations in my career, but all that came to nothing and I am now an ordinary housewife. I do not wish my daughters to be married that way, I want them to be educated and have a bright future, and to marry men of their own choice".

CHAPTER - FIVE
THE THEOLOGICAL CATHOLIC TEACHING
ON THE SACRAMENT OF MARRIAGE

5.0 The Cana Miracle-A Sacramental Gift

"Jesus said to the servants ' Fill these jars with water.' They filled them to the brim, and then he told them, ' Now draw some water out and take it to the man in charge of the feast.' They took him the water, which now had turned into wine, and he tasted it. He did not know where this wine had come from so he called the bridegroom and said to him, 'Everyone else serves the best wine first, and after the guests have had plenty to drink, he serves the ordinary wine. But you have kept the best wine until now' " (John 2:7-10).

Marriage is a human reality, and a common phenomenon found in human society. The content and deeper meaning of marriage is differently expressed from one nationality to the other, according to the diversity and complexity of their cultural and religious backgrounds. It had been religiously and traditionally accepted that marriage is heterosexual, that is, it is a contract between a man and a woman united through the bond of love. Different nationalities developed ways and means

of celebrating marriage in accordance with their cultures and religions beliefs. Each denomination has outlined its theological interpretation of marriage as a binding doctrine of that particular religious denomination. The Catholic Church has developed her theological teaching on marriage, which binds every catholic worldwide who intends to enter into a sacramental union of marriage.

5.1 The Catholic Understanding of Marriage

The Roman Catholic Church understands and regards marriage as an institution, which is both human and sacramental by its very nature.

5.1.1 The human nature of marriage:

The book of Genesis 1:27-31 illustrates how God ordered man and woman to bond together in companionship, and become one flesh complementary to one another. God mysteriously has instilled his love in every human being he created. Experience has shown from the time of creation of man and woman that love is a quest, which every human person seeks, and its fulfillment is found through marriage companionship. Personal love serves as the basis for a man and a woman to unite together, and become a husband and a wife, within the family structure. The visible manifestation of this love is seen through the acts of supporting each other socially, economically, emotionally, psychologically and spiritually.

Marriage therefore, is not supposed to be perceived only as a pure and simple love relationship, but it has an intrinsic meaning of social, economic, emotional and religious dimensions. This human love can again be expressed through a conjugal activity, which reflects the deeper meaning of marriage. The conjugal relationship manifests the covenant that God made with mankind to be co-creators of human species. The bearing of children deepens the meaning of marriage, and incurs responsibilities on the part of the married couple. True love, openness, faithfulness, acceptance of each other's unique personalities, and trust are the foundation pillars of a successful marriage. The book of Proverbs shows the value and the importance of faithfulness in marriage and it says " Be faithful to your own wife and give your love to her alone. So be happy with your wife and find your joy with the girl you married" (Proverbs 5:15,18). The Catholic understanding of marriage is that it finds its fulfillment in the procreation of children, which the church considers to be the divine plan of God. " Have many children, so that your descendents will live all over the earth and bring it under their control.

I am putting you in charge of the fish, the birds, and the entire wild animals"

(Genesis 1:28). The Catholic Church defines marriage as a human reality, which receives its fundamental existence from God, who created mankind out of love, and ordered them to share the same love with others. Marriage is therefore, a sacred companionship of love, which is found in different cultural and religious practices of the human race.

5.1.2 The Sacramental nature of marriage:

The terms " Sacrament" and "Marriage" need to be defined for the purpose of helping my readers to understand the Catholic theological teaching on the sacrament of marriage.

5.1.3 What is a Sacrament?

An old theologian of the 1930`s called Morrow defines sacrament as "An outward sign instituted by Christ to give grace" (Morrow 1936:250). In simple terms the word sacrament serves as a vehicle or a means, which can help a Christian to attain holiness he/she is created for. A sign is any visible object by which a thing is made known to human beings. e.g. smoke is a visible sign that indicates the existence of fire. In the sacramental marriage the visible sign is the couple who stands before the altar of God, marrying one another and pronounce their marital vows. The officiating priest and the Christian community act as witnesses of the marriage covenant. A sacrament is a holy gift, which confers blessings, and a saving grace to a Christian who receives it in good faith, and worthily. The Catholic Church believes that God showers his blessings and graces upon the couple that get married in church.

The Catholic Church believes and teaches that, the seven sacraments were instituted by Christ during the period of three years of his public ministry. Jesus Christ with his divine nature has the power to endow signs that give grace. The Catholic Church therefore, believes that marriage was initially instituted by God, as a sacred union between Adam and Eve and it was transformed into a holy sacrament by Jesus Christ the son of God.

The church says Jesus Christ raised this sacred union into a holy sacrament at the wedding feast of Cana. Jesus miraculously turned water into a good wine, which was enjoyed by the guests at the marriage feast. The blessing of wine symbolically describes the special blessing of the Cana marriage in particular, to become a holy sacrament of companionship. The first miracle in the public ministry of Jesus came therefore, as a special sacramental gift, which endows blessings and graces to the followers of Christ, who enter the sacrament of marriage accordingly.

Haring, the theologian of the 1950`s up to 1970`s has his own definition of the Christian sacramental marriage as he calls it. He defines it to be " The consecration of the life shared by two people, and from it proceeds God's power to sanctify the common life of the whole family" (Haring 1962:197. From the two definitions it is clear that marriage is nothing else than a special call from God, which serves as a means, and a norm to the marrying couple to sanctify themselves through acts of faithfulness, and observance of the marital obligations. Sanctity rewards a believer with eternal happiness of being with his/her creator (God) in heaven.

The Catholic church teaches that both candidates for marriage need to be baptized before entering a sacramental marriage. There are conditions in mixed marriage. The Catholic Church acknowledges the baptism of those baptized in the mainline churches. They are as follows: Lutheran, Anglican, Presbyterian, Methodist, Dutch reformed and Assemblies of God. Any candidate outside these denominations

needs to be baptized before entering a Catholic sacramental marriage. Morrow in his definition of a sacrament of marriage, speaks of the need for the two candidates to be baptized before entering a sacramental marriage. Having defined the two technical terms, (sacrament and marriage) and given the pre-requisite conditions of entering a Catholic sacramental marriage, we need to explore the Catholic understanding of marriage from the biblical point of view.

5.2 Marriage in the Old Testament

The Old Testament portrays God as the prime founder of a marriage partnership. The book of Genesis narrates how God created man in his image and likeness. God realized the loneliness of man (Adam) and decided to create a companion for him out of part of his ribs. "Then the Lord God said, 'It is not good for a man to be alone. I will make him a suitable companion to help him.' Then the Lord God made the man fall into a deep sleep, and while he was sleeping, he took out one of the man's ribs and closed up the flesh. He formed a woman out of the rib, and brought her to him. Then the man said, 'At last, here is one of my own kind - bone taken from my bone, and flesh from my flesh. Woman is her name because she was taken out of man' "(Genesis 2:18, 21-23).

Genesis 2:23 tells us how man expressed his feelings towards the gift of a woman as his companion. He verbally uttered words of intimacy, and mutual attraction to the woman. He expressed the oneness and unity that exist between them, because

God created both of them out of the same matter. This quotation displays that, God is the founder of the partnership of marriage. It is a sacred union between man and woman living together in mutual love and intimacy as husband and wife.

The Old Testament again depicts marriage as a covenant made between God and the couple. The concept of the 'Covenant' is essential because of its biblical richness and soundness, which derives from the mutual agreement, which God had made with his chosen nation, i.e. the Israelites from the land of oppression-Egypt to the promised land of Canaan. It was an exclusive everlasting covenant of love and faithfulness made between the two parties concerned. The Catholic Church uses the same concept to describe the religious value and dignity of marriage. The church therefore, emphasizes the need for free consent, fidelity and the permanence of marriage.

The Prophetic books of Jeremiah and Hosea portray marriage as a covenant of love made between God and the couple. Jeremiah expresses the outstanding love, kindness and faithfulness that God has kept over the ages with his people Israel. Couples are therefore, expected to be loyal and to abide by the terms of the covenant established between God and themselves. Another Old Testament classical book on marriage, is the book of Ecclesiasticus. It contains good and healthy advice about how a husband and a wife are supposed to treat each other, as they journey in the partnership of marriage; on their marital obligations and responsibilities towards each other and their children. The book narrates the relationship, which should exist between parents and children, and is believed to have been one of the textbooks

used in schools and homes during the childhood of Jesus. It is thought Mary and Joseph might have used it in the spiritual upbringing of the child Jesus. The early Christians held the book of Ecclesiasticus in great esteem and love. This book contains educational input on the social and religious formation of family life.

5.3 Marriage in the New Testament

The revolutionary movement of Christianity founded by the Son of God, Jesus, came with a different perception on marriage, as opposed to that of the Jewish religion. Christianity calls for conversion of heart, and a total self-giving to follow Christ as the Redeemer, the Saviour and the humble servant of God, and mankind. The Synoptic Gospels Mt. 5:31-32, 19:1-12 Mk. 10:2-12 Lk16: 18 all reveal the depth of the theological teaching of Jesus on marriage. In his teachings Jesus considers marriage as a sacred union of love instituted by God the Father, as the book of Genesis reports. Jesus teaches that marriage should be given the respect it deserves, because it is a special call from God.

5.4 Indissolubility of Marriage

" ' I hate divorce.' Says the Lord God of Israel. ' I hate it when one of you does such a cruel thing to his wife. Make sure that you do not break your promise to be faithful to your wife' "(Malachi 2:16). This quotation shows the importance of

the permanence and unity of marriage, and that it cannot only be traced from the New Testament, but from the Old Testament as well. Jesus seems to be exonerating Moses from being used as the scapegoat by the Jewish community, which abused women by divorcing them as unceremoniously as they wished. This is how Jesus answered the Pharisees on their allegation against Moses, "Jesus answered, 'Moses gave you permission to divorce your wives because you are so hard to teach. But it was not like that at the time of creation' "(Mt. 19:8). The New Testament came as the fulfillment of the Old Testament. Jesus came to reveal the will of his Father on earth. The Gospel of Mark 10:2-16 in particular clearly gives the revolutionary reaction of Jesus towards the abuse of women by his own Jewish community.

Women had no legal rights, and were totally separated from men in social, cultural and religious activities. Jesus was sent to abolish the male dominated abusive structures, and divisions, which made the life of women, and other non-Jewish communities very difficult. He came to take away the heavy burden of injustices resulting from male oppression to the voiceless, helpless, the weak, the poor, and give them a true human and spiritual liberation.

Jesus quotes Genesis 1:27 and 2:24 as the basis of his teaching for the unity and permanence of marriage. By creating Adam and Eve, God wanted to show the gender equality, and a union that should exist between a husband and a wife, who by marriage, become two in one flesh. He stresses the importance of unity and permanence of the sacrament of matrimony. Jesus reprimands those already

living married lives and stresses that, divorce is against the will and plan of God.

He gives the consequences incurred in divorcing, and remarrying, which leads one to a sinful adulterous life. "He said to them 'A man who divorces his wife and marries another woman commits adultery against his wife. In the same way a woman who divorces her husband and marries another man commits adultery' "

(Mk. 10:11-12).

All that couples need to know and understand is that in marriage there are moments of joy and happiness, as well as frustrations and disappointments.

Jesus tells us that divorce is not the ultimate solution to any marital problems, but it complicates life and causes anger, hurt, pain and sin in people's lives.

Indeed Jesus appears to be very tough and hard towards the issue of divorce.

These are some biblical quotations that have made the Catholic Church to consider marriage as an indissoluble sacrament. As a catholic priest, I am fully aware of the position of the Catholic teaching, that the sacrament of marriage is indissoluble. However, I need to mention that, there are catholic couples that are caught up in relationships of violence, which stigmatize them, as a result some of them resort to divorce, suicide, murder or they experience mental breakdown. I cannot elaborate more on this issue, because it is out of my Thesis, but it needs to be looked at, as an area of concern, which needs to be researched. The church considers sacramental marriage as an expression of love and unity between Christ

and those receiving the sacrament of matrimony in accordance with the Church's teaching. Jesus is fully invited to be present in the mutual bond of the spouses, who in turn are expected to be open and faithful to one another for the success of their sacramental marriage commitment.

5.5 The Catholic Canonical Teaching on Marriage

Roman Catholics worldwide are ruled and governed by the Holy See (Pope) with 1752 canonical laws. 323 of this total number, deal specifically with the theology of the sacraments, and their appropriate administration to the people of God. 111 canons deal with the sacrament of Matrimony in particular. The Code of Canon law regards all the seven sacraments as being instituted by Christ during the three years of his public ministry on earth. The Catholic Church regards all the sacraments as the sacred means, given by Christ to sanctify those who receive them worthily, canon 840 states explicitly: "The seven sacraments of the New Testament were instituted by Christ the Lord, and entrusted to the church.

As actions of Christ and of the church, they are signs and means by which faith is expressed and strengthened, worship is offered to God, and our sanctification is brought about. Thus they contribute in the most effective manner to establishing, strengthening and manifesting ecclesiastical communion"(Canon Law Society Trust 1983: 156).

The concept of a 'Covenant' comes back in part one of canon 1055. It gives the canonical definition of marriage. "The marriage covenant, by which a man and a woman establish between themselves a partnership of their whole life, and which of its own very nature is ordered to the well-being of the spouses and to the procreation and upbringing of children. It has between the baptised, been raised by Christ the Lord to the dignity of a sacrament"(1983: 189).

For a sacramental marriage to be canonically valid, free consent of the two candidates for marriage is required. Lack of dual free consent can cause invalidity and nullity of marriage. The reasons for nullity of marriage are based on the fact that, marriage does not exist from the onset, if free consent from either one of the two persons, as a basic requirement, had not been exercised.

Canon 1057 says, "A marriage is brought into being by the lawfully manifested consent of persons who are legally capable. This consent cannot be supplied by any human power. Matrimonial consent is an act of will by which, a man and a woman, by an irrevocable covenant mutually give, and accept one another for the purpose of establishing a marriage"(1983: 189).

Not only personal consent is required in marriage, but a personal readiness to freely express the human act of a conjugal activity, which will serve as the ultimate purpose of marriage. The matrimonial consent takes precedence, followed by other marital factors, which in the end will set the base for the existence and

validity of marriage. This is the black spot of my research study, where I seriously question marriage through abduction, which exists among the Basotho people of Lesotho. I personally fail to see any free consent from a victim (girl) as nor her free expression of conjugal relationship. Canon law goes on to state other negative factors that can lead to the invalidity of marriage. The age of reason from both parties entering marriage is stipulated. Young women should at least be eighteen, whilst young men should at least be twenty-one. A thing which is not taken into consideration, in abduction and elopement marriages that take place among the Basotho people.

Insanity is one of the impediments that can invalidate marriage, because it presupposes lack of logical reasoning. If one party is ignorant of the requirements of marriage, that in itself sets the base for non-existent to an attempted marriage. Both parties are supposed to be fully knowledgeable that marriage needs a free personal consent. They should know that marriage involves conjugal activities, geared to procreation of children, whom finally would need to be loved, cared for, supported, and fully nurtured physically and spiritually by their parents. Both parties should be acquainted of the fact that, marriage is a permanent partnership of love. They should be conscious of the deeper meaning of the marital vows they profess to God in the presence of their families, relatives, friends and the community in which they live. "I do take you to be my lawful wedded wife, (husband) to have

and to hold from this day forward, for better for worse, for richer for poor, in sickness and in health, to love and to cherish, till death do us part" (Catholic Truth Society 1976:34).

The phrase 'till death do us part' notifies the marrying couple about the unity and permanence of marriage. The conditional consents are very common in marriage nowadays, because of human hunger for material possessions. Pollard in his book called Evangelism made Slightly less Difficult,(1997) speaks of a materialistic post-modernistic society that has lost focus on God, and clings to materialistic worldviews, which finally give them inadequate answers in life. The spiritual life of the current generation is very low, and poor because it perceives God as an old monster invisible, and untouchable, but who exists only to judge, control and monitor the human freedom. As a result they have decided to move God to the back of their minds.

Pollard therefore, comes with his own method of helping this society to come back to its spiritual consciousness, by deconstructing themselves, so that they can again beconstructed well in their spiritual life. And he says, "I shall introduce you to the term positive deconstruction. This is the term I use to describe the process of helping people who are currently comfortable with their non-Christian beliefs, to think again about them - and possibly to become uncomfortable with them, so much so that they then want to find out about Jesus"(1997:13).

Marriage is nowadays considered and taken simply not as a lifetime commitment, but as one of the fashionable, modernistic, materialistic worldviews. Conditional consents based on material things are common in today's marriages, especially from the young generation. This has made marriage lose its religious significance and value, and becomes a purely human contract, which can be broken at any time by couples.

Fear and force are the negative contributory factors to the non-existence of marriage according to the Catholic teaching. A person can agree to enter into marriage because of external pressure coming from either his/her parents, relatives and friends. Reasons for external pressure normally derive from social, economic, religious or cultural needs.

The persuaders will go all out to force and persuade a person to agree to be married by a person not of his/her choice. Abduction is another force, which I regard as the most abusive method used against young women by some of Basotho men who physically force women to marry them. Canon 1103 states how the church reacts to any marriage entered through the imposition of force as null and void. "A marriage is invalid which was entered into by reason of force or of grave fear imposed from outside, even if not purposely, from which the person has no escape other than by choosing marriage"(1983: 197).

In the process of my research I discussed with Catholic priests, the state and position of marriage among the Basotho people, and the Catholic Church as a community of believers. My findings are that 90 - 95% of marriages are entered through irregular methods of both abduction and elopement in Lesotho.

5.6 Pastoral Experiences of some Catholic Priests

Father Selialia says that, out of ten marriages he conducts, nine are irregular. Most of which are entered through elopement and cohabitation, especially in the lower part of the country where people have easy access to education. But life style is quiet different in the rural areas where people depend more on animal stock and chances of education are slim. Because of lack of educational facilities, and development of infrastructure, children are more exposed to shepherding and initiation schools. This is where abductions are common. Father Nthejane shares the similar pastoral experience. The Catholic Church is faced with the rapid escalation of marriages, which are entered either through cohabitation, elopement or abduction. Be it sacramental or non-sacramental marriages - pastoral experience has clearly shown that people choose their own convenient ways, and means of entering marriage. The western concept of marriage has enormously influenced the African traditional marriage approach to marriage. Most Africans do not want to pledge themselves to lifetime commitments and responsibilities anymore. They prefer to go for civil marriages or cohabitation, which gives a person freedom to

end the relationship at any given time of his/her choice. Both traditional and church marriages are becoming scarce these days. For the last seven years that I have been serving the parish of St. Anne's Catholic Church in Atteridgeville Pretoria, as a full time pastoral care giver, I have hardly officiated at more than five church marriages in a year.

Pastoral experience has again shown that the rate of divorce is growing, regardless of people's marriage being sacramental or non-sacramental. One wonder, is the Catholic Church succeeding or failing in her pastoral mission of administering the sacrament of marriage? Many marriages seem to be entered through irregular ways other than those required by the norms of canon law, and the theology of sacraments. Are there any practical steps that the church has put in place to overcome this pastoral problem, and discipline her members to observe and abide by the theological values and principles of her teaching on marriage? Is the church ready to adjust her firm, and rigorous teaching so that she accommodates, and transforms certain cultural practices, that seem to be the main obstacle towards her members in observing, and practicing the Catholic teaching on the sacrament of marriage?

Fathers Selialia, Mahlatse and Nthejane affirm that those who decide to use irregular methods of entering marriage, are suspended together with their parents from receiving the Blessed Sacrament (body and blood of Christ) which is central to the Catholic faith.

The defaulters are supposed to go to the parish priest to report the case, who in turn will give them penance of his choice, for a certain period of time. It serves as an acknowledgement of the violation of the church's teaching on the part of those concerned. The satisfactory completion of penance by the guilty, and their parents, will make the priest to ask the guilty couple, to come to church and have their vows celebrated, in accordance with the norms and regulations set out by the Catholic church. For the offenders to cross from unlawful marriage, they use the resolution used by the Catholic as a means, so that their marriage can finally go to church, be blessed and becomes a sacrament.

5.7 Comment

In spite of the authentic firm and rigid Catholic theological teaching on the sacrament of marriage, the majority of Catholics in Lesotho opt to enter marriage irregularly, and sometimes, some men use pagan abusive method of abducting women as a gateway to enter married life institution.

Sacraments are taken as the faith nourishing holy gifts, which Christ instituted for the sanctification of his pilgrim church on earth (Christian community) as indicated in canon 840. Catholics are taught in catechism to approach the holy sacraments with zealous faith and receive them worthily, so that they can impart God's grace in their lives.

However, with this doctrinal teaching in mind, 90 - 95% of Catholics in Lesotho enter marriage irregularly either through cohabitation, elopement or abduction. What could be the cause of this? Some of these marriages result in abuse, violence and oppression. What is the reaction of the church (catholic church in particular) in regard to this pastoral problem?

Enormous challenge indeed, facing the entire Basotho pastoral care-givers, (especially catholic ministers) who are called, and sent by God to be shepherds, who should be prophetic enough to challenge, and eradicate all forms of injustices practiced within the flock that is entrusted in their care.

CHAPTER - SIX

6.0 Conclusion

From this research study, it has come out clearly that the root causes of gender - based abuse - violence and oppression towards Basotho women, originates from the solid set up of cultural and social structures. The cultural gender-based structure between women and men, girls and boys clearly display the unequal relations of power within the one society of Basotho nation. The grounded patriarchal structure among the Basotho people results in domination and discrimination of women.

It has again come out clearly from my findings of the research study that the *Bohali* issue, in the field of marriage, appears to be the major factor which unconsciously perpetuates the injustice of abuse and oppression of Basotho women. The *Bohali* concept is so deeply rooted in the minds of Basotho men, that it is wrongly interpreted as a norm used to buy women, and treat them like objects or property.

The reliable sources ascertain that both abduction and elopement, are not part of the customs and culture of the Basotho people. Due to the poor economy of Lesotho, which results in an exacerbating poverty among the Basotho, many people cannot afford the *Bohali*. This therefore, results in an increasing rate of elopements and abductions. I put this, as a challenge to the Basotho people, and suggest that they collectively pay attention to this issue, so that the human dignity, integrity and equality of all the citizens of the Lesotho (the mountain kingdom) may prevail.

However, this does not lessen the credibility and integrity of Basotho women as the cornerstones, and pillars of the traditional and contemporary human development in Lesotho. The stability and success of family life, traditional, political and church leaders are invested in the willingness, humble service, and dedication of the Basotho women. On them, it depends to make a difference in the developing modernistic global world and the Basotho nation as a whole.

It is imperative therefore, to mention that God has a unique plan in creating human beings in different races and nationalities. Culture as a way of life, which is basically practised collectively by a particular group of people (society), who share the same ideas, values and beliefs in their daily lives together, should not be an absolute measuring stick to prescribe the inherent life of the people. Culture is subject to change and alteration, to answer the people's needs in a particular space and time.

The flexibility of the Basotho culture is to allow the intrusion of the foreign cultures of the west, and Christianity should be taken as a breakthrough and watershed, in positively accepting changes, within the cultural patterns that jeopardize the basic human rights of others. Christ came to liberate humankind all over the world, from the human-made patterns of life that result in domination, discrimination, violence and oppression. The church in Lesotho is challenged to proclaim the liberating Gospel message, which is far above the human diversity and cultural complexities.

Basotho women are to be empowered by the spiritual tools (God's Word) to be alert and fight for their human freedom, dignity and respect of their basic human rights.

A challenge to Basotho pastoral care givers, who are supposed to bring hope and healing to the victims of abuse, and oppression who seem to be giving up, by accumulating feelings of low self-esteem, low self-image, low self-worth and submit themselves to this exacerbating maltreatment of abuse, and oppression by some of the Basotho men under the pretence of marriage. Therefore, I recommend the idealistic and inclusive Old Testament method of leadership structure given by Gerkin as the most essential and effective way of shepherding in the contemporary pastoral care ministry. This kind of leadership structure can be shared. The Basotho church ministers can play a role by providing liturgical rituals and prophetic teaching. On the other hand, the Basotho traditional leaders, politicians, and other community leaders, can play the essential role of the wise men and women. With one mind and one voice united in the Spirit of Christ the Liberator Basotho people can be in the position of eradicating all forces of injustices that affect the lives of others, women in particular.

The total freedom of the Basotho women from the patriarchal structured oppressive system is highly needed. The preeminent freedom of Basotho women should not be regarded as privilege or a favour given to them, but it must be seen as the inherent prerogative towards their fundamental basic human rights. The Church is called to

heal the wounds of the past and present, especially of abuse, and oppression caused by different kinds of human injustices, and the divisions that continue to wound the body of Christ (God's people). This is definitely what the science of Practical Theology is all about. To stretch out one's hand and reach out to those who are experiencing pain and suffering in this world.

6.1 Recommendations

-Those in power should ensure that there is gender-sensitivity educational plan within the traditional, civil and church laws.

- To provide the equal opportunities and participation in different human development programs aimed at the better life for all the Basotho people.

-To create forums whereby all the Basotho people can positively address the negative aspects of the Sesotho culture, social, economic, political and religious institutions, as a way of promoting equality between Basotho women and men.

- Regularly to promote public awareness throughout the country on the value of the equal gender-based society.

-To make use of the precious gift of Christianity and utilize it to eliminate all evil practices, which suppress and oppress others. Christians being in the majority in Lesotho, should ensure that they live up to the standard of the Gospel message, which is the universal 'key' to a holistic human freedom.

6.2 Appendix (A) The Interview Questionnaire

6.2.1 Married Couples

6.2.2 Husband:

- (i) How did you get married; was it through betrothal, customary marriage or abduction?**
- (ii) Was abduction an option for you?**
- (iii) What about the concept of betrothal customary marriage? Did you think of it?**
- (iv) If you had a chance to marry again what method will you prefer?**
- (v) Did you know your wife before abducting her?**
- (vi) How successful and blissful is your family life since you married one another?**
- (vii) Would you encourage your son to marry through abduction as well?**
- (viii) How would you react if your daughter was abducted?**

6.2.3 Wife:

- (i) Did you plan to get married or were you abducted?**
- (ii) Did you personally know your husband before marriage?**
- (iii) How did you feel when entering a marriage that you had not planned?**
- (iv) Are you happy in this life commitment of marriage - if not why**
- (v) Would you like your daughter to be married through abduction?**

- (vi) Are you satisfied to be married to a man you did not choose to be your husband?

6.2.4 Chiefs and Headmen (marena)

- (i) With regard to betrothal and abduction marriages, which one does your community commonly practise?
- (ii) Which is the legitimate Basotho traditional marriage between the two?
- (iii) If marriage through abduction is not part of the Basotho culture why is it so commonly practised?
- (iv) Does traditional law impose any penalty on somebody who abducts a young Mosotho woman?

6.2.5 Church Ministers

- (i) Do you have abduction marriages that are brought to church to be solemnized?
- (ii) If yes, how do you handle such marriages?
- (iii) What is your personal opinion about marriages through abduction?
- (iv) Do the majority of Basotho people accept this system of getting married?
- (v) In your view what is the cause of marriage by abduction among the Basotho?

6.2.6 Youth

- (i) How did your mother get married - by abduction or betrothal?

- (ii) **If you intend to be married which of the two systems of marriage would you choose? And why?**
- (iii) **Is marriage by abduction good and liked by young people. If not why?**
- (iv) **What would you suggest to other young people who intend to enter marriage in regard to these two systems of marriage?**

6.3 The Consent Form Specimen

**This serves to notify that I.....do
give consent that my name be disclosed in the research on marriage through
abduction among the Basotho people of Lesotho.**

By J.M. Molapo - ID no. 5404156014184

Signed.....Date.....

Respondent

Signed.....Date.....

Researcher

6.4 APPENDIX (B) Story-Tellers

This serves to notify that I, THABANG RASEBINA..... do
 give consent that my name be disclosed in the research on marriage through
 abduction among the Basotho people of Lesotho.

By J.M. Molapo – ID No. 5404156014184

Signed Thabang Rasebina Date 31-3-04
 Respondent

Signed J.M. Molapo Date 31-03-04
 Researcher

6.4.1 Thabang Rasebina -

Domicile at Ha Seshote - Matsoku – Leribe (highlands). He is the perpetrator of abduction with intent to marry. Thabang relates his story in the following manner:

"I never had an opportunity to attend school because I was a herd boy for a long time. I was lucky to have a girl friend from the surrounding villages. She was about sixteen years of age when I met her on the way home from church. She was walking with an elderly woman, and I requested her to have a talk with the girl. We had a long conversation, which forced the old lady to leave her behind and went home. I had already planned in my mind to marry her. I shared this with her, that we had to elope the very same day. She refused and gave the following reasons, firstly, she was afraid of her parents. Secondly, she was anxious to continue with her studies. Thirdly, she was still young (16 years) to be married. Fourthly, her parents

had given her strict orders not to be married to a man of another denomination as she was a member of the L.E.C. Church, I am a member of the Catholic Church.

The reasons she gave were not valid enough to convince me not to elope that day. I became aggressive and promised her some whips if she did not consent to elope.

She had to abide by my orders, and we went to hide in the river until late at night. I was afraid that her brothers could search for her and kill me if they found us. We arrived home late at night and told my mother that I came along with a visitor, a polite way of saying I brought you a daughter in law. This is how I got married, we have children and we are happy and successful in our marriage.

I personally do not see anything wrong when a man marries a woman at the time of his choice, because women are created by God to be always ready, and be at the mercy of men for marriage. Man as the head of the family always has the final saying.

I am convinced that I did well to marry that way, otherwise my wife would have been married to someone else, because other young men had some passion towards her. I am not an exception because most of my colleagues got married through abduction and their marriages are successful as well".

This serves to notify that I, Mabatho Kojane..... do
 give consent that my name be disclosed in the research on marriage through
 abduction among the Basotho people of Lesotho.

By J.M. Molapo – ID No. 5404156014184

Signed..... Mabatho.....Date...31.03.2004.....
 Respondent

Signed..... J.M. Molapo.....Date...31-03-04.....
 Researcher

6.4.2 Mabatho Kojane -

Domicile at Liseleng - Ha Katse - Leribe (highlands). She is an unmarried young girl who is still attending school at Lagheto high school. As I interviewed her she related her short story this way:

"Abduction is something, that is common here and young girls of my age (19 years) even younger sometimes are forced by Likoata (hooligans) from initiation school to enter marriage. Most of abductions take place on our way home from school / church or anywhere the parents on a daily basis send us to do our domestic work. We as village girls opted to go to schools or church in-groups, which help us support one another against the hooligans. We scream loudly so that, people from the village would immediately hear and come to our aid. I do not want to be married through abduction. I regard abduction as an evil thing because of the following reasons:

- It restricts Basotho girls to their human freedom of movement.
- It exposes girls to the abuse of assault, rape and death sometimes.
- It does not result in perpetual happiness in marriage.
- It turns girls into objects and slaves of childbearing for Basotho men.
- It ruins girls` careers, as well as their future dreams and expectations in life".

This serves to notify that I.....*Lenyora Sesinyi*..... do
 give consent that my name be disclosed in the research on marriage through
 abduction among the Basotho people of Lesotho.

By J.M. Molapo – ID No. 5404156014184

Signed.....*Sesinyi*.....Date.....*02-04-04*.....

Respondent

Signed.....*J.M. Molapo*.....Date.....*02-04-04*.....

Researcher

6.4.3 Lenyora Sesinyi -

Domicile at Hlotse Town (lowlands). He is a young man of 22 years old who has just completed his BA degree at the University of Lesotho.

And he narrated his personal views on marriage by abduction in this way: "You hardly hear of abductions in the lowland villages and towns. What is very common here is elopement practiced by young people with intent to enter marriage.

The majority of us are exposed to education, which enlightens us and empowers us with human maturity to be independent, in the decision making of our life without troubling our parents to think and decide for us as children and as adults.

We interact with girls on a daily basis at school and other social places. We have free access to the media - Television, Radio and newspapers that inform us on gender equality. We have no reason to abduct but we have reasons to elope because our parents and most of us are unemployed and have no cattle or money for Bohali.

In the rural areas, children are disadvantaged regarding educational opportunities.

Lesotho is one of the underdeveloped countries in the world, and struggles with poor economic conditions to develop the rural areas. Young people in the rural areas are more exposed to an ancient approach to life, and their investment is mainly in animal stock and farming as a way of living. They are more exposed to initiation schools which makes them slaves of the Sesotho culture and forces them to be subservient to elderly people. Sesotho culture does not allow boys to interact frequently with girls. This kind of cultural formation makes boys feel physically strong to dominate the less powerful (girls), and treat them like objects, not human beings. Abduction of young innocent Basotho girls is wrong and it needs to be seriously noted and stopped.

I would not like to marry a girl whom I force to love me. I regard marriage to be a contract, which needs the will and consent of the two parties concerned. I would prefer to elope with somebody who loves me and whom I do love as well, so that we can share our marital commitment in love, openness, faithfulness, acceptance and happiness".

This serves to notify that I, *Masempe Nkoebe Tau* do
 give consent that my name be disclosed in the research on marriage through
 abduction among the Basotho people of Lesotho.

By J.M. Molapo – ID No. 5404156014184

Signed... *M. Tau* Date. *31-3-2004*
 Respondent

Signed... *J.M. Molapo* Date. *31-03-04*
 Researcher

6.4.4 Masempe Nkoebe Tau -

Domicile at Ha Seshote - Matsoku (highlands). She is the chief lady of Matsoku region in the Leribe district. This is what she said:

"I do receive numerous reports of abductions and elopements in my area due to lack of educational opportunities and other social development. Life is still traditional here, and the segregation of boys and girls takes precedence, and it results in abuse of girls by boys. Most girls have access to education but with boys it is not so easy.

Abduction is not a Sesotho custom and those who practice it commit an offence, and they are fined to pay six cattle according to the law of the country. We as chiefs are expected to maintain law and order. When such cases are reported, and the parents of the abductors fail to pay the fine stipulated by law, we are expected to be the mediators who refer such cases to the civil courts. We normally do not refer such cases to court immediately but do encourage the two families concerned to have amicable negotiations, and settle the legal penalties so that peace and stability may prevail between them and the community as a whole".

This serves to notify that I. MATHE MAKHETHISA MOLAPO do
 give consent that my name be disclosed in the research on marriage through
 abduction among the Basotho people of Lesotho.

By J.M. Molapo – ID No. 5404156014184

Signed... M. M. MOLAPO Date... 2, 04, 04
 Respondent

Signed... J.M. Molapo Date... 02-04-04
 Researcher

6.4.5 Makhethisa Mathe Molapo -

Domicile at Lisolane Ha Matona - Pitseng (lownads) and she is the chief lady. She is one of my three sisters who got married through the betrothal traditional customary marriage. Coming from the royal blood family, she was betrothed to another royal blood family of Molapo. In other words, she did not change her surname, only her maiden name. She was married in 1974 with 40 head of cattle as a normal practice between the chiefs. This is what she said:

"Elopement and abduction are not the Sesotho culture. Elopement between young Basotho men and women is the one common in my area. Because of the escalating rate of poverty among the Basotho nation, most people cannot afford to pay the Bohali, and children take the law into own their hands by entering marriage on their own and not involve their parents. Traditional and Church marriages are rare. If elopement or abduction cases are reported to me, I normally encourage the parties concerned to have peaceful talks, and sort out the legal fine requirements. In cases of physical assault and rape, I normally refer the matter to the civil courts".

This serves to notify that I. ANDREAS TEBELD ELIAS do
 give consent that my name be disclosed in the research on marriage through
 abduction among the Basotho people of Lesotho.

By J.M. Molapo – ID No. 5404156014184

Signed. Andreas T. Elias Date. 01 April 2004
 Respondent

Signed. J.M. Molapo Date. 01 - 04 - 04
 Researcher

6.4.6 Andreas Tebeld Elias -

Domicile at Ha Paki - Mazenod - Maseru. He is a retired Senior Lecturer at the National University of Lesotho. Mr. Elias is a well known person in the field of the Sesotho culture and tradition. When I asked him about the common practice of abduction among the Basotho people he said:

"Abduction is not a custom or culture of Basotho at all. The intrusion of the missionaries, and the British in Lesotho had contributed a lot towards elopement and abduction. The western culture infiltrated the Basotho culture so much that Basotho came to regard the traditional customary marriage as outdated. The Basotho concept of community spirit disappeared and the ideology of capitalism and individualism took deeper roots among the Basotho. The concept of 'mind your own business' and everyone for himself and God for us all became acceptable.

The traditional customary marriage, which was considered as the community marriage, became an individualistic ceremony, the couple themselves deciding

about their marriage. Because of the foreign modern concept of social and economic development, Basotho began to lose interest in rearing livestock and farming. There was a rapid paradigm shift in traditional ways of thinking to a modernized business way of looking at life. Basotho migrated in big numbers from rural villages, to urban areas to look for education and work. Not all had access to education and employment due to the lower scale of economic growth. Poverty began to spread from one corner of the country to the other. Many Basotho men had to become migrant workers in South Africa as way of poverty alleviation. It is why Basotho young men due to lack of livestock and finance (poverty) had to opt for abduction elopement and cohabitation. The latter two are common in the lowlands urban areas, while abduction is occurs in the remote rural areas of Lesotho.

I do applaud Basotho people for the positive acceptance of a modern life style. They again accepted Christianity with enthusiasm and determination. Life should not be static or confined to certain cultural and traditional practices amongst them. Both the state and the church in Lesotho are challenged to see how they can integrate the modern life with the traditional richness of the Sesotho culture and Christianity. The need for Inculturation is highly recommended, so that our youth may be taught and guided to perceive life in a broader way, which should be based collectively on a modernistic social, economic, political, cultural and religious life.

These factors are prerequisites for the development and freedom of human beings".

This serves to notify that I. ALBINUS MOEKETSI LESITSI do give consent that my name be disclosed in the research on marriage through abduction among the Basotho people of Lesotho.

By J.M. Molapo – ID No. 5404156014184

Signed..... Albinus Moeketsi Lesitsi Date..... 02/04/04
Respondent

Signed..... J.M. Molapo Date..... 02-04-04
Researcher

6.4.7 Moeketsi Albinus Lesitsi -

Domicile at St. Monica - Leribe (lowlands). He has been a Sesotho teacher for more than thirty years. He wrote a number of books on Sesotho culture and traditions and he is a knowledgeable man in the Sesotho language. He shared his knowledge on abduction in this manner:

"This type of marriage is not known in the Sesotho culture. Those who entice young girls to elope and abduct them are considered to be thieves. The Sesotho idiomatic expression says 'Lesholu ke nja le patala ka hlooho ea lona' (a thief must be killed) tells perpetrators of abduction and elopement that they act against the culture of Sesotho. Nevertheless, due the deteriorating economic conditions of Lesotho, some men have resorted to live on stealing other people, animal stock and other property. Traditional marriages and Church marriages are dying out because they are costly. The infusion of the missionaries and British culture into the Basotho traditional pattern of life, has changed the mindset, and the life style of the Basotho people. Civil and Church certificates serve as a way out to get government services".

THE CONSENT FORM

Maryland Oblate Mission
P.O. Box 182,
Leribe 300,
Lesotho Southern Africa

This serves to notify that I, Ignatius Selialia mmi do
give consent that my name be disclosed in the research on marriage through
abduction among the Basotho people of Lesotho.

By J.M. Molapo – ID No. 5404156014184

Signed.....Ignatius Selialia mmi.....Date.....02.04.2004

Respondent

Signed.....J.M. Molapo.....Date.....02-04-04

Researcher

6.4.8 Ignatius Selialia -

Domicile at Leribe (lowlands). He is the Catholic priest who serves at Maryland Catholic Mission in the diocese of Leribe. He shared his views on elopement and abduction with me in this manner: "Right from the beginning the Catholic Church was against marriage through abduction and elopement. Those who practice either one of them are suspended from receiving Holy Communion until they have served their penance. However, many Basotho young men and women opt to elope with intent to marry. There are still cases of abduction especially in the remote rural areas of the diocese. Missionaries condemned the Basotho culture and traditions too much, and the Basotho people had to live a double standard life of practising Christianity openly, and their cultural rituals privately. The need for Inculturation could have been a good foundation for a well-balanced Basotho nation who freely live an integrated life of Christianity, and Sesotho culture and traditions. Priests do punish the defaulters but the elopements and abductions take place regularly".

This serves to notify that I... FELIX LERABA MAHLATSE do
 give consent that my name be disclosed in the research on marriage through
 abduction among the Basotho people of Lesotho.

By J.M. Molapo – ID No. 5404156014184

Signed... [Signature] Date... 31-03-04
 Respondent

Signed... [Signature] Date... 31-03-04
 Researcher

6.4.9 Felix Mahlatse -

Domicile at Ha Seshote - Matsoku. He is the parish priest of Lagheto Catholic Mission in the diocese of Leribe (highlands). He shared his pastoral experience on marriage in this manner: "We serve the rural area community where life is not fast but a bit static. 95% of marriages here are through abduction, and few of elopement and traditional marriages. Most of abduction perpetrators are the graduates of initiation schools, which are common in my pastoral area. I do receive many reports from parents that young girls are afraid to come to church, and school because of the abductors. They walk long distances of about 10 to 30 kilometers to school or church. That is why they are so vulnerable to abuse of this kind. I think the Catholic Church has a huge pastoral problem that needs to be addressed. If really 95% of marriages here are entered through irregular means, it is a clear sign that there is something wrong with our pastoral approach. We need to revisit our method of evangelization, and come up with new perceptions that can retrieve the sacramental status of marriage"

This serves to notify that I...ANTHONY MOJALEFA NTHEJANE...
 give consent that my name be disclosed in the research on marriage through
 abduction among the Basotho people of Lesotho.

By J.M. Molapo – ID No. 5404156014184

Signed...A. M. Nthejane...Date...02-04-04...
 Respondent

Signed...J.M. Molapo...Date...02-04-04...
 Researcher

6.4.10 Anthony Nthejane -

Domicile at Mapoteng (lowlands). He is a Catholic priest who serves at Mofumahali oa Sione in the Archdiocese of Maseru. This is what he shared with me about his pastoral experience on marriage.

"We do not have abductions here at all. Traditional and Church marriages are very few. About 90% of marriages are entered through elopement. The Catholic Church does not allow abduction and elopement marriages. Those who violate this law are punished by the church. Penance to be given to the offenders is left to the discretion of each priest. I normally ask them to pay a minimal amount of money as penance. We must admit that we are not doing enough as a Church in terms of teaching our people to understand deeply the meaning of marriage as a sacrament. We still follow the old pastoral approach of white missionaries, which has many limitations in terms of integrating the Sesotho culture with the message of the Gospel.

Though most of these marriages are entered irregularly, they end up being blessed and become the sacrament indissoluble".

St. SAVIOURS PARISH-HLOTSE
P.O. BOX 38 LERIBE 300
LESOTHO TEL (09266) 400576
DATE 02-04-04

THE CONSENT FORM

This serves to notify that I REV. JUDAH T. TSOSANE do
give consent that my name be disclosed in the research on marriage through
abduction among the Basotho people of Lesotho.

By J.M. Molapo – ID No. 5404156014184

Signed J.T. Date 02-04-04
Respondent


Signed J.M. Molapo Date 02-04-04
Researcher

6.4.11 Judah T. Tsosane -

Domicile at Hlotse - Leribe (lowlands). He is an Anglican Church minister. He shared his pastoral experience on marriage in this way: "The Anglican Church does not accept abduction and elopement as a correct way of entering marriage. Practically speaking many of our young people do enter marriage through elopement, especially in the lower part of the country. It is seldom that I get cases of abduction, though in the mountain parishes our fellow ministers do have cases of that sort. Whenever, young people enter marriage through either abduction or elopement the stance of the church is that they should come to church and repair the damage they have made unto themselves and the church as a whole. They undergo the process of repentance, and they are given a choice to fulfil the requirements of the church. We do the banns, which will go for three consecutive Sundays. It is after this process that the church minister can bless their marriage in public".

This serves to notify that I... MAKALO DANIEL MAFATLANE do
 give consent that my name be disclosed in the research on marriage through
 abduction among the Basotho people of Lesotho.

By J.M. Molapo – ID No. 5404156014184

Signed.....  Date... 31-03-04
 Respondent

Signed.....  Date... 31-03-04
 Researcher

6.4.12 Makalo Daniel Mafatlane -

Domicile at Hlotse (lowlands). He is the L.E.C. minister who has served for 37 years, has a vast knowledge of the history of Lesotho, and he is a marriage officer. This is what he shared with me:

"First of all, let me tell you that in Sesotho culture we do not have concepts like abduction and elopement. Defaulters who invented their own method of getting married coined these concepts. We do not have many traditional and church marriages nowadays. A good number of marriages are entered through elopement in my pastoral jurisdiction.

We normally call the defaulters before the council of elders, and ask them to confess publicly that they have gone against the law of the church and ask for pardon. After receiving forgiveness we do banns that will end up with the blessing of their marriage. Marriage in our church is not a sacrament but a sacred union between a man and a woman.

Our church does not accept the Basotho custom of paying Bohali by the groom

when entering marriage. We have differences with Catholics on this issue. They accept the Bohali custom, and many chiefs and their subjects were converted to the Roman Catholic Church in order to secure the custom of Bohali. However, the Catholic Church does not consider the traditional marriage valid until it is celebrated before the church minister who must bless it.

If the mainline denominations had joined hands to condemn the practice of the Bohali payment right from the beginning, we would not have been swimming in the pool of a high rate of irregular marriages of abduction and elopement. Poverty is the main cause which has led some Basotho men to default against the Sesotho culture, and its traditional rules, as well as the rules and regulations of Christian life".

6.5 Comment:

It has come out clearly that abduction and elopement does not form part of the Sesotho culture. Non of the interview participants seemed to accept these concepts as a legitimate of the Sesotho culture in order to enter an marriage accepted marriage among the Basotho people. The lay people, community leaders, legal groups and church leaders whom I interviewed, accept that abduction and elopement as a way of entering into marriage institution among the Basotho people, do exist. The majority of them see the need for their attention, so that they are addressed effectively, in order to stop the abuse and oppression they incur on Basotho women.

One of the top authorities in the hierarchical ranks of the Catholic Church, Bishop Sabastian Khoarai of Mophale's diocese in Lesotho, confirms the reality of a high rate of irregular marriages contracted by members of the Catholic Church and he says,

In Lesotho, most marriages start by elopement - a proportion of 95%. The practice of elopement is surely against canon law, but it is not so much directed against it, as against the traditional conception of marriage...until the matter is arranged, all these persons automatically find themselves in a state of irregularity with regard to the reception of the sacraments (Khoarai 1981: 94-95).

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