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Chief in Lawana Law and custom.

K32/13

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1

Chief - Melonyane

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Councillors

Headmen

Tollo

Rankgets

Amose

Modisaadikhu

Modisaadikhu

Mokgosi

Mantholoane

Amose

Rasetona

Meshack

Men. Modisaadikhu was a typical Motlhako whose totem was the elephant. He became a councillor after the first members were taken out. He is of royal blood by birth. He is a member of the council and a headman in his section of the tribe. He is a patient man who is loved very much by all the people of the village, young and old. He is also a leader in the Dutch Reformed Church, he does not deem himself a headman or a councillor. He has his abode in the vicinity of Lenyeneng, in the village of the Batlhako, near Lebesane. He was appointed as councillor by the chief and he knew his job perfectly well.

Tollo is one of the oldest men of the council. When the other men were dismissed, he remained. He married the chief's sister. He is a man whom the chief has great confidence in. If anything is done without the knowledge of the chief, he informs the chief in the secret. Even if the people tell him something, he will go to inform the chief what is going on. One day the former members of the council were bribed by another man in order that they should represent him in his case. Tollo told the chief what the members of the council had done.

Headmen. Mokgosi is the headmen of the Magodielo village. His totem is a dog. It was through his father that he got the headmanship. His father was Masimolle. During the Boer wars his father's leg was cut off. Then his father asked him to act for him at the kgotla of the Magodielo section and that of the Chief. His father Masimolle died on the 5th December

2

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1939. Mokgosi was a very slow man. He was also slow of speech. People complained very much about him, they said that he made them work hard, for the Chief. That is to say if there was work, his section was the one which worked hardest. All the sections of the tribe did no longer plough for the Chief but his section was still ploughing for the Chief. The chief is fond of Mokgosi because he obeys him, but the people do not like him. They are just persevering because they have no one else to put in his place. If the chief knew what was in the people's hearts Mokgosi could have been removed from the headmanship. They say he is a bad speaker, he is slow and when he does something, he takes a long time. The people of his section have a tremendous unity, no one is obstinate, when they do a thing, they do it with one accord with none of them dissenting.

Rankgate is the headman of the Leema section, he is also a slow person but his people have no complaint against him. They put up with him although he is slow. The totem of the Leema section is a lion. But Rankgate their headman is not living in their village. His kraal is some distance away from them. He became headman by being chosen by his people. It was their desire that he should be their leader. The chief also likes him because he is liked by his people and that is why the chief is fond of him. Rankgate is not a wealthy man, he has only sufficient to live upon. He is not a man who likes to amass wealth. He had cattle at the cattle-post and he allowed them to remain there until some of them went astray. No one went in search of them and up to now he has not gone out to look for them. He has just a few now, only a sufficient number. If he was a careful person, he should have quite a number of cattle. When his head of cattle goes astray, he does not worry about looking for it. If it does not come back, he just lets go. It can go wherever it likes he does not look for it. That is why people sometimes say that he does not care for riches.

He is content with what he has, he does not want much.

Chief Molopyane is a tender-hearted chief, he does not worry the people. When he became a chief, he found his father very rich. He had amassed the riches of the country. He squandered it as if he was not going to live long on earth. He is a chief who does not vex people he is pleased with the way his people work with him. Even if they greet him they are not frightened. When they greet him, they just say "Motlhako" or "Tlou" with their hats off and not with a clapping of their hands or bowing. If one talks to him, one must mention the name Motlhako. If a person speaks at the kgotla, he must mention the name Motlhako and Batlhako. Molopyane is so good that his food is cooked by his wife. He eats even in the village if he enters a certain house and is offered food. He does not refuse food. He eats alone, he does not eat with other men out of the same dish. He has no people to guard him even if he walks about the village. He just walks about alone. Sometimes when he is walking about the village and sees another man, then he may walk along with him. If he does not come across anyone he walks alone until he meets one who can walk along with him. That is to say he is a chief who does not want to worry his people. He wants every man to go about as he pleases.

4 Chief's family and relatives.

	<u>Wives</u>	<u>Children</u>
Chief's family:	1. Nkgong	Molotsi
		Moganetsi
		Seame
		Mokgatle
		Rakoko
		Nthana
	2. Nteka	

RM/

K32/13

Chief's Relatives

Mabe	Mampa
Tumagole	Makgophu
Matlonkobana	
Modisaadikhu	
Jefathoe	

The totem of the chief's family is the elephant. They are not residing in one kraal. One may be here, others there all over the village. They do not help each other as a rule but you find some helping their elder brothers. The chief does not care. He does his own work himself. He has no cattle. His younger brothers own cattle, they take care of them. A person who has interest in the chief is Modisaadikhu. He is the one who still helps the chief. I don't know whether it is because he is a member of the council. That might be the reason for his helping the chief. Tumagole is not in good terms with the chief. He was a member of the council in whom the chief had confidence but on account of doing wrong things he was dismissed from the kgotla. Tumagole and Jefathoe were the people who conducted circumcisions, the lands for ploughing were also given to the people by Tumagole and Tollo. Now they are given to the people by Tollo and Modisaadikhu. They are the people who allocate the fields. They delegate headmen for this and now they are the ones who give people lands when they request them. They do not help the chief in governing the village. All they do is to attend the kgotla as members of the Council otherwise they do not help the chief. The chief is assisted by councillors and headmen. They are the people on whom the chief relies. They are the people with whom he works everywhere. If the chief is asking for something, he speaks with them first before he speaks with the tribe. If he has agreed with them, they will be his helpers when he speaks with the tribe. They press that the chief should be helped and the tribe will

5

then understand that the chief should really be helped. If the chief wishes to speak or to have certain work done, he has nothing to do with their family, he settles the matter with the members of the council and the headmen. He is not concerned with informing his younger brothers. They get to know at the same time as the tribe what he wishes to do or intends doing in the village.

The Chief's wives.

Chief's household: 1. Nkgong 2. Nteka.

The chief has two wives. Nkgong is the wife whom his father married for him. The bogadi was paid for him by his father. She is from the family of Rasape she is the mother of the people. Nteka is the second wife. The chief married this one for himself no one sought her for him. The chief's wives have no authority over the people. That is to say they cannot send people without the chief's instructions. Their huts are not adjacent to each other. They are built by the tribe. Secondly the chief's wives have no servants to work for them. They work for themselves even in the lands. The chief's food is cooked by them, and not by other people. If the chief goes to the one 'lapa' he eats there, if he goes to the other he eats there too. Among the councillors too, there is not a single one who helps the wives of the chief. They collect firewood for themselves. It is only when one man sympathizes with them that he can go to collect firewood for them. The chief has nothing to do with them, he maintains that the people are his father's, he has no right to worry them. His wives must work for themselves and feel the hardship also. His father's people also feel the hardship. The chief's wives greet each other just like any other woman greets another. They do not quarrel. They pass their time together and you cannot find them quarrelling. They are happy with each other whenever they meet. The

smaller wife knows that the principal wife is the mother of the people. It is from her house that the chief will be born. Their children also live with their mothers if they are not yet married. Two children of the principal wife are married, they live in their own houses and have left their mother's house. The child of the smaller wife is married and she lives in her own house. She no longer lives with her mother. There are no people who live at the chief's place to do work there. You will not often find people at the chief's home except when he has had beer made for them after they have done some work for him. It is then that you may find many people there.

The children of the chief live with their mothers. They have no guards to guard them. They live in the village and play with other children. The other children are not afraid of them. When people see them they respect them because they are the chief's children. When they greet them they say (Ngonana oa tlou = Child of the elephant) at the time when their father still had cattle, they were herdboys of their father's cattle. Now they have grown up but they are not forced to go to the kgotla, they just go when they wish. When they have cases against them, they are punished at the kgotla. When they were herd boys, and they allowed cattle to go astray, they were thrashed by their father or by a man who went to the cattle-post and found that they had allowed cattle to go astray. At the kgotla, it is their father who tries their cases. They are not allowed to send people on errands. Their father does not allow them to do so. They are not chiefs, there is only one chief and it is himself. They are not sent by the people. They are sent by their father and their mothers only just as anybody would send his or her children. The chief's children are not allowed to worry people when they go about the country or village. They must not go about the saying that they are the chief's children and must therefore be served. If they are on a journey, they

7

RM/

carry their own blankets, not one will carry them for them, it is every one for himself. The people have nothing to do with them.

How a chief becomes a chief.

A chief is not appointed he is born a chief. A headman is appointed by the chief or by the people. The chief is born a chief. If a chief marries, the wife who is going to bring forth one who is to be the chief is sought by his father. If his father dies first before he has sought a wife for the son, the son's paternal uncles seek the wife for him, who has to bring forth the chief. The wife must be the daughter of his maternal or paternal uncle. Sometimes she may be the daughter of another chief. The chief's wives whom he marries on his own, are just the chief's wives, their children are the children of the chief's place, none of them can be made a chief. They are the chief's sons and that is all. It is from the children of the wife who is the mother of the tribe that a chief is born, the first son is the chief. Even if girls can be born first the boy they comes next is the chief, the people know him to be the chief also. He is not appointed, he is well known, because that wife was sought for the purpose of bringing forth one who is to be the chief.

8 The children of the other wives cannot become chiefs, they know too that the chieftainship is not theirs but their position is considered when there is work to be done, they lead also because they are the chief's children. If there is no child of this wife in the age-group, the child of these other wives must lead the group. He is their head but he cannot become a chief. The children of the principal wife, who are the real chiefs, do not despise the children of the other wives. All they know is that they are the children of their father, they respect them and they do not worry them. When a chief comes to be installed, this ceremony takes place after the death of his father. He cannot become a chief before the

death of his father. He cannot even control the people as he pleases. If the son of a chief is a cripple, he becomes installed as chief, but if he is blind and deaf, he is never installed, because he cannot carry on in harmony with the people. After the death of his father, his younger brothers go to assist until they inform the tribe that the chief is dead and his son will take his place. He has not been installed as chief, but he is fulfilling the duties of a chief, he has not put on the chief's robe (the leopard skin). There shall be a day when he shall wear it. When he is installed in the place of his father, the people are called together and informed. When he is to be donned with the leopard skin also, they are again called together so that they should know all the conditions upon which the new chief is to carry on his work. When they go to bury his father the son of the chief is called and shown how his father is interred. The chief is buried in the cattle kraal. He must be one year in earth after burial before his son is robed with the leopard skin, but he is ruling the people all the time. The people and other chiefs are invited on the day of the robing. One chief is appointed for the purpose of robing the chief.

9 When the people have come together, The appointed chief then comes along carrying the leopard skin, its colours turned outside, and he then dons him. When he has donned him, he will say, "Here is ~~xx~~ our leopard, he is the one who is ~~xx~~ our chief, Rain!" The people say "Rain". He again say "Rain" and the people again say "Rain". He then says to the chief which is being robed, "This village is your father's, and do not make the people a play thing, hold the shield firm". The people will then disperse and return to their homes. They then know who is the chief. When a chief dies, leaving his children still ~~xxx~~ minors, his brother rules, until these children have grown up. They will then assume their rights according to the order of their seniority. When the chief's brother rules, he has full authority just like a chief, no

one can disobey his order. While he is ruling, he knows that the chieftainship is not his and his children will not get it. The chief who is acting for the child of his elder brother, should respect this child. He knows that this child is the chief, he is merely acting. That is why he should respect the child, its younger brother and their mother. The child who is to be the chief lives in the village, in his mother's house, no one worries him. Nobody teaches him his duties, he remains at home until he takes up the chieftainship. Then he learns his duties from the members of the council. They say to him, in this case you have to do this and in that this. Something that causes the greatest trouble with these acting chiefs, is that they afterwards fight with the chief. After the installation of the new chief, his uncle starts to fight with the child of his elder brother. If he gives a lot of trouble, he must be killed. He is killed in this way. People go out on a hunting expedition. He goes with them also. When they reach the veld one man strikes him with a stick and that is the end of him. They bury him there in the veld. When they get home they just say they do not know where he has gone to, and that would be the end. They have given him up for dead.

Death or Deposition of a Chief.

When a chief dies, the people are informed that the chief is dead. When he is buried also people are told to go to his funeral. But he is not buried where the other people are buried. He is buried in the cattle kraal of the chief's place. That means that he should bless this cattle kraal and his kraal. After the chief's death the burial does not take place immediately. Two or three days are allowed to pass before he is taken to his grave. After his burial the people are called together again to be informed of the chief that is to rule temporarily until the mourning period expires. Even if it is the chief's younger brother

they will be told about him and that he shall in the meantime look after the village until the chief is installed who is the son of the chief. A chief is never driven away although he does things which the people do not like. They just let alone. Chief Isang ruled the people with the rod, people were very much afraid of him. Actually the chieftainship was not his, he was acting for the child of his elder brother. He persecuted the people very much but he was not driven away until the son of his elder brother took up the chieftainship. Then the people began to live in peace. Even if a chief becomes a drunkard of whatever description, he is not driven away if he does not die. He is born a chief and his people may only be said to be unlucky with their chief if he is like that.

11

Privileges, Revenue and the Chief's property.

Privileges. The chief has great powers by which he carries on his work. If he wants the people to work for him, he makes an announcement that the people should come to work. No one can oppose him. During the time of chief Moetlo, the people did his private work. They ploughed the lands for him. He had a field for his wife and another one for the Kgotla whose corn was controlled by him only and which the wife had no say in. He had made a law for the people when they went away to the Europeans to work, to the effect that on their return they should pay an amount of about one pound. If they had gone to work in order to be paid with cattle, their first calves were his. The women only brewed beer. But he did not drink. If it was brought to the kgotla, only the people drank. Today Chief & Molepyane has done away with all these things. People no longer go away for years, and they no longer brew beer nor do they go to the lands to plough. People have settled down and they no longer bother themselves about ploughing lands for the chief but the levy is being paid, and as for the fines at the kgotla, some are the chief's those in

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the way of money. Cattle are eaten by all, even by people who have come to expose their articles for sale. They give the chief an article so that he may allow them to sell. The payments for circumcision ceremonies are also his. If there are boys from other villages, they pay with cattle. That is to say each one pays one head of cattle to the chief. These gifts which are given out are called the chief's greetings and if it is your first time to see him you must give out something as a present. After that, you can now go to him and have a conversation with him.

12

If the chief has work to be done for example ploughing, an alarm is given in the following words "Lepasheng koa bo na nne". People will then know where to go. If it is any other work, they will go to the kgotla where they will be told what kind of work they are to do. The work that is done mostly for the chief is ploughing and weeding. No other work is done for him. Some people also are the herd boys of his cattle. Some herd them at the chief's cattle post, others have been given cattle and they mix them with their so as to herd them together. Those who herd the cattle at the chief's cattle post, take turns with others. They herd for a few years and then they become replaced by others. These things were done by chief Moetlo. This chief, Mologyane has now nothing to do with them. He has not followed them up and nothing is being done.

Chief's cattle. Chief Mologyane has no cattle he has not even one. Chief Moetlo had cattle whose number could frighten the people. Chief Moetlo collected the cattle in this way. When he has had a group of young men circumcised, all those who have been circumcised go to work for cattle. On their return, the first calves of those cattle are his. When they are grown up he takes them away. When a man is fined two head of cattle at the kgotla, he takes one and has the other one slaughtered for the people at the kgotla. His cattle were very well known. Some of

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them were given to people to herd. After his death, his son Malopyane squandered and scattered them so that not a single one was left behind. Those that were kept by the people he took all away until there was nothing left of them.

Chief's gardens. Chief Moetlo had five gardens, and all of them were ploughed by the people according to their various sections. They were not at the same place, one here and the other there. The fifth garden was his own, he controlled the kaffir corn that were reaped from it. His wife had no say in that kaffir corn. If a person starved, he would go to his chief and tell him that he had no more food. A petty chief would then go to the chief to report this man, his subject who is starving. The chief will give him kaffir corn, but this man must pay a beast if he has none he must pay back with kaffir corn after he has reaped his garden. The chief's gardens are very large, larger than those of all the other people. They are known as "Masotla". "Matsotla", the gardens that belong to the chief's place are ploughed by people of the various sections of the tribe. The petty chief of each section knows his garden, his people plough and weed it and finally they take the kaffir corn to the chief. They are not forced to plough if first they can plough it when they like, the same with weeding. The kaffir corn is taken to the chief's place it is stored there. The kaffir corn is used by the chief's family. When people starve they go to the chief's place to buy kaffir corn. The people are given kaffir corn which come from the chief's garden. His wife has nothing to do with it. It is the chief's corn, he is the only one who has control over it. But Chief Malopyane does not make use of these privileges. He has nothing to do with the people who are starving, they have to see their way out on their own. He gives them no help. If his wives plough negligently here and there, he does not take the trouble to help them. One garden of his is still ploughed, it is that of the principal wife. The chief has no garden that is his own. There

13

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are gardens for his wives only, they plough them carelessly.

The Chief's Expenditure. Everything that belongs to the chief is for his maintenance and that of his family. He does not give anybody anything which belongs to his family, things like cattle, kaffir corn and so on. But during the time of Chief Moetlo he (Moetlo) did not use to give the people his things but he did in a way. If there was meat, and a man happened to pass by, he called him and give him a whole hind leg or a pot full of beer. As he gave the people in this way the people enjoyed the chief's generosity. He did not give away kaffir corn except to people who were starving but that he did not give for nothing, they bought it, or returned it later. If he left his cattle with other people to look after them, those people helped themselves with the meat of these cattle. They worked with them and ate the milk from them. Today there is nothing which the people get from chief Molopyane he has no kaffir corn with which to help the people he has no food to give the people too. He is a chief who feeds his own stomach, he takes nothing to anybody and he keeps nothing. He looks after himself and his family, he takes no care of his people. Whether they are in trouble or not, he does not worry. When his father died many of his cattle were left with the people besides those that were at the cattle posts. He (Mololopyane) has nothing that the people have kept ~~for~~ for him, not even a goat or a fowl.

Chief as Administrator. The chief has all the power in the village. There is nothing he may say that can be contradicted by the members of the council. If he presses a thing, they keep quiet and do not argue with him. Whatever he wishes to do he does no one can oppose him. All the laws must be obeyed. No one should break them.

- The laws are
1. The law of ploughing
 2. The law of reaping
 3. The law of cutting grass
 4. The law of castrating cattle
 5. The law of allowing cattle to eat mealie stalks
 6. The law of felling trees etc.

15

No one should break anyone of these laws. One who does so deserves punishment. The chief must continually send out people all over the country to look out for those who do not keep the law. If one is found out, he is taken to the kgotla. There are people sometimes who do things without observing the law. Before they are found out nothing happens but when they are caught, they have to express sorrow for their breaking the law. There are things which go wrong in the village, some are unknown to the chief and others come to his knowledge but he does not worry until they are brought before him. It is then that he may deal with them or put a end to them.

The Chief as Judge.

The chief makes it his duty to see whether the headmen try cases properly or not. If a person's case has not been tried properly and he makes no complaint, the chief does not say anything in the matter. That is to say that the person who is accused does not complain, he is satisfied. The chief has nothing to do with cases tried by the headmen. The chief is concerned with cases tried by him, if he wants to take something from them he does so. The chief sees to it that the people do not act just as they please. While he is in the village, he must continually send people round and round and all over the country to watch the people who break the law, or who molest others. If they detect them, their duty is to bring them to the chief, and the chief will see what to do with them. These men are sent by the chief secretly so that the people should have no suspicion that they are sent by the chief. You will notice them only when they say to you, "On a certain day you must go to the court (kgotla) in connection with what you have done. If you do not comply with their orders, you will find yourself in the veld. If you have to be called a second time, the chief will make out a case against you for which the fine is a beast.

Actual cases. Magapane was once caught having allowed his cattle to eat mealie stalks before a public announcement by the chief was made. When the men who were sent by the chief to arrest the people who allow their cattle to graze in mealie stalks told him to appear at the kgotla, Magapane failed to comply. The chief again sent a man to go and call him. When he came, the chief told him that he was at fault because he had not come when he was told to do so by the people whom he (the chief) had sent. That meant that he despised him because if he did not despise him, he would have come when ordered to do so in the first instance. They had been sent by me, the chief said. For that, the chief imposed a fine of three goats. For allowing cattle to graze in the mealie stalks before the chief's public announcement, he was made to pay a beast. The chief took the three goats for himself, and he slaughtered the beast for the people who ate it at the kgotla. The people grumbled and said that it was not fair for the chief to send people to go about arresting them in the veld. The chief told them that they knew the laws and that they should abide by them. If you do not want to get into trouble, keep the laws. The people complained greatly but that did not help them, the chief said what I have said is law and I cannot withdraw my words.

will listen to no one, if I say people must observe the law, they must do so, dismiss and go home.

The Chief and military system. The chief does not train soldiers, but they have regiments, these regiments are the soldiers. When war is imminent, an alarm is sounded and the regiments go out to battle. The heads or the commanders of these regiments are the sons of the chief or those who belong to the royal family.

Actual Case. Chief Jeehele once sent out an army to go and capture the cattle of the Batlhako people. When the army crossed the Madikoe river, they met a man of the Batlhako tribe whose name was Motlhatledi. They went back with him, and when they got near the village Motlhatledi told them where the cattle

17

were and said that they should remain there until after nightfall. They arrived there at about sunset. Motlhatledi ran round the veld collecting firewood. While they were still under the impression that Motlhatledi was collecting wood they discovered that he was nowhere to be seen. They called out all over the place and asked where Motlhatledi was but he was nowhere to be seen. They then started off and ran away as fast as they could towards their home. As they ran, you could only hear the pattering of their feet, none looking at the other. They ran as fast as they could, their intention being to be across the Madikoe river by sunrise, and so that if you see their track, you may find that it is a track of the day before yesterday. Even if you desired to follow them, you would soon give up in finding that they are already a long distance away. When Motlhatledi left them, he ran so fast as to be able to let the cattle of his family out and to drive them home. When he got home, he told the chief that the Bakoena were there, having come to capture his cattle. The chief gave an alarm and called up all the men to assemble at the kgotla. When they had assembled, chief Mostlo divided them into regiments, ordering one to go this way and the other that way and so on. He told them not to speak loudly or fight until the sun rose. The chief inspanned his horse cart and went round to inform all the Dutch farmers who were his neighbours to come to his assistance. When the Dutch people heard that the Bakoena had come to capture cattle, they came out immediately but when they reached the place where the Bakoena were said to have been, they found nothing. They followed their track and when they came to the river, they found that the Bakoena had crossed it and had disappeared and there was not a sign of them. The Dutch people came back disappointed. The people of the chief thanked Motlhatledi and said that he was a man indeed for managing to escape. When Motlhatledi told them how he had escaped, they laughed notwithstanding that they were pleased with the manner in which he had helped them. The

18

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Dutch people also thanked the chief for having given them the alarm.

The Chief as Priest and Magician.

During his chieftainship, Chief Moetle used to cause the rain to fall. What he did was to send out unmarried men and women before the time for ploughing and when the winter is over, to go and peg his land. They had to go before they had any food and complete the job as per orders from the chief. On their return they were given medicine mixed with water wash themselves with. After that they could then go to eat food. From that time the chief remained at the kgotla and did not go about the country until the people ate the first fruits of the season. Then he could go wherever he wished. That is to say that, as long as he was at the kgotla, he prayed for rain so that it should rain very much. During his time, there was much rain, people never had a scarcity of rain. He never cured diseases, each person had to see his own way out. The chief himself went out to get a doctor during illness, he could not cure himself.

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