

Marriage Customs among the Ba-Rolong.

The Barolong belong to the Western cluster of the Sotho group of the Bantu-speaking tribes of South Africa. The Western Sotho, who are commonly called the Tswana, are scattered over a considerable portion of South Africa, including the whole of Bechuanaland Protectorate, the portion of the Cape Province known as British Bechuanaland, the western Transvaal and a portion of the Orange Free State. Although the Barolong are to be found mainly in British Bechuanaland, they are in the peculiar position of being strongly represented in all the political divisions of Southern Africa referred to above, for they have important settlements in the Lobatsi district of Bechuanaland Protectorate; in the Lichtenburg district of the Transvaal, and in the Thaba Nchu district of the Orange Free State as well as in the Vryburg and Mafeking districts of British Bechuanaland (Cape Province).

This means that prior to Union the Barolong fell under four different European governments, namely the government of Cape Colony, Bechuanaland Protectorate, the Transvaal Republic and the Orange River Colony. At present they are all under Union administration except the Tshidi Barolong who still fall partly under Union and partly under Bechuanaland Protectorate administration.

The Barolong are divided into four main sections, namely, the Ratlou, Tshidi, Seleka and the Rapulana divisions, named after Ratlou, Tshidi, Seleka and Rapulana, sons of Tau, one of their former Chiefs who died about 1760. As so frequently happened in the history of Bantu tribes, the death of Tau was followed by disputes over succession to the Chieftainship and other quarrels which ultimately led to the formation of four separate political units which have remained independent of one another ever since. Nevertheless their common origin is acknowledged by all sections, they speak the same dialect of Tswana (se-Rolong), have the same object of veneration (seano), the kudu (thôlô) and their culture conforms to the same general pattern.

The present location of the different sections is as follows. Important Ratlou settlements are to be found in the Mafeking district at Phitsane and Tshidilamolomo and at Setlagole; in the Vryburg district at Motsitlane, Ganyesa and Morokweng; in the Lichtenburg district at Khunwana. The Seleka have their principal settlement at <sup>h</sup>Taba Nchu in the Free State. The Rapulana are found mainly in the Mafeking district at Lotlhakane and in the Lichtenburg district at Polfontein. The Tshidi who seem to have maintained their unity better than the other sections, have all their

settlements in the Mafeking district, but a fair number of them live on the Barolong Farms, a portion of the Bechuanaland Protectorate, which is adjacent to Mafeking district.

The material on which this article on Barolong culture is based was collected principally among the Tshidi during two field trips, the first in 1935 and the second in 1937. During both trips but especially during the second short visits were paid to Ratlou and Rapulana settlements in the Mafeking districts. Information obtained from the Ratlou and the Rapulana tended to confirm the view that in spite of their separation since the death of Tau, the different sections of Barolong adhere to the same culture. I have not yet visited the Seleka, but I have no reason to believe that conditions among them would necessitate any serious alteration in the account of traditional marriage customs of the Rolong given here.

Although according to tradition the Ratlou rank first in order of seniority, the Tshidi are the most numerous and perhaps the best known of the Barolong. According to the 1936 census the people who fall under the jurisdiction of Lotlamoreng Montshiwa, the Tshidi Chief, number approximately 22000 and the population of his central village, ~~at~~ Mafikagg, (Place of Rocks) is estimated at rather more than 8000.

A number of agencies of acculturation have ~~been~~ for many years been at work among the Tshidi. The <sup>missionaries of the</sup> Wesleyan Methodist <sup>church</sup> missionaries, Revs. Broadbent and Hoggson, first made contact with them about 1824 and ever since that has been the principal missionary society at work among them. Latterly other churches, including the Roman Catholic, the Seventh Day Adventist and the American Methodist Episcopal have established work in their central village, but the Methodists have the largest number of adherents, conduct practically all the educational work among them and have the strongest influence in the tribe. A considerable proportion of the members of the tribe belong to no church.

The Tshidi first came under British administration when at the request of their Chief, Montshiwa, the grandfather of the present Chief, ~~in~~ a Protectorate was declared over Bechuanaland. <sup>in 1885.</sup> Under the proclamation creating the Protectorate Native Law was recognised and the Chiefs retained civil, and with certain exceptions, criminal jurisdiction over the members of their tribes, with the right of appeal to the European courts. In 1896 British Bechuanaland was annexed to the Colony of the Cape of Good Hope. This placed the Tshidi under the control of the Cape Government without any serious

curtailment of the powers guaranteed to their Chiefs under B.B. Proclamation 2 of 1885. Since Union the position has remained the same except that under the Native Administration Act of 1927 the British Bechuanaland chiefs, including the Tshidi Chief, have been deprived of the power they formerly held of "determining decrees of nullity divorce or separation arising out of marriage by Christian or civil rites" among their subjects.

Within two miles of the central village of the Tshidi stands the European town of Mafeking which was established in 1885 and is famous for its siege during the South African War. It has developed into an important railway junction and business centre with a population of about 2500 Europeans, 2000 Natives, 200 Asiatics and 500 Coloureds. It is obvious that this town must have an important influence on the nearby Tshidi village and on the surrounding district. Mafeking is surrounded by a number of European farms on which a considerable number of Natives, mainly Barolong, live and even those who live in the Reserve repair to these farms from time to time to engage in various forms of farm labour. The rural European population on these farms is approximately 3400 while the Native population is about 5000. Furthermore for many years a considerable amount of recruiting has been done in the district both for the gold mines, for labour on European farms and in European industry generally. In 1936 when the census was taken, over 7000 Natives were reported as absent from the district, the bulk of them being presumably away in labour centres, while a few were absent for other reasons such as visiting relatives, attending school, etc.

Another source of acculturation which not be lost sight of is contact with other Bantu tribes. A fair number of people of non-Rolong origin including Nguni, Southern Sotho, other Tswana and Coloured have settled in different parts of the Reserve, and they have not been without influence upon the Tshidi. Several of the most popular magicians practising in the district are members of foreign tribes, presumably on the principle that the strength of the 'doctor's' medicines depends upon the distance of the area whence they came. From these foreign elements are, not infrequently, drawn the servant class (balala) who rank lowest in the social stratification of the Tshidi. The physical features of some of the Tshidi suggest intermixture with types such as the Griqua and Korana of whom there are at present about 800 in the district. Finally the Tshidi themselves declare that these foreign elements have introduced among them new conceptions about certain institutions such as bogadi (bride-price) e.g. the demand of the full amount of bogadi before

total  
district  
pop.

Is this a  
"principle"?

the consummation of the marriage, bargaining about bogadi, the recovery of bogadi on the dissolution of the marriage, things which were either unknown among them or regarded as improper.

The results of the working of these agencies of acculturation, especially the European influences, may be seen in the type of clothing worn by the people; the increasing number of houses built on the European pattern; the increasing use of European furniture, utensils and tools in the home and the use of European implements such as ploughs, hoes, planters, harrows, etc., in their agricultural activities; the adoption of European forms of recreation such as dancing, football, tennis and even golf of a sort; the number of schools and the number of people who can read and write, some being fairly highly educated. The traditional religious system of the Tshidi has been replaced by Christian observances. Thus although Chief Montshiwa is reputed to have been a powerful rain-maker, intercession for rain held in the kgotla but conducted by Christian ministers has now replaced the traditional rain-making rites; first-fruit and harvest ceremonies have fallen into disuse; the ancestor-cult is conspicuous by its absence, although a <sup>theoretical</sup> belief in the influence of the departed ancestors upon the fortunes of their living descendants is still widely held. Belief in the theory and practice of magic is still very much alive, but now exists side by side with belief in European medicine and practitioners with European training. Initiation ceremonies have not been held in the tribe since Union, although the Chief continues to form regiments (mephato) of those who, but for their discontinuance, would have entered the same initiation school and so qualified for membership in the same regiment. The same names are used for these new regiments as for the old, and those people who underwent initiation in the old days still enjoy considerable prestige, at least in theory, over those who "have never been" as they put it. Traditional forms of social grouping on kinship, locality, age, occupation and rank persist, although the rules governing them are undergoing considerable change: they are here discarding <sup>old</sup> and there assuming new functions. Furthermore new bases of social grouping which cut across the old have been introduced leading to the formation of new social units such as the Christian and the pagan, with various types of Christians according to their denominations, the educated and the uneducated, those who live in houses of European model and those who do not, those who bury their dead in the traditional manner and those who do not, those who drink beer and those who do not, etc.

was there  
recovery-  
able?

The purpose of this article is to set forth, as far as my material permits, the traditional marriage customs of the Tshidi Barolong. It need hardly be said that with a tribe which is subject to so many influences, not all these customs are observed by all members of the tribe, but they relate to an institution which is most resistant to foreign influences and the principles underlying them are found to pervade even Christian and civil marriages of the so-called detribalised Barolong. It is hoped in a later paper to deal with the changes which Barolong marriage customs have undergone under the impact of the forces referred to above.

In common with all human societies the Barolong attach a great deal of importance to the institution of marriage. The state of marriage ~~is~~ is in their view not one that must be lightly entered upon, for it affects vitally not only the interests of the parties primarily concerned in it, namely husband and wife, but also their kinship groups, including both the living and the dead, as well as the welfare of the tribe of which they form a part. It is looked upon as a sacred duty to one's family to marry, and the father of sons and daughters will urge upon them the necessity of "taking of being taken" at least before his death so that he might see his grandchildren and thus be assured of the continuance of his line of descent. Those who do enter upon this state and especially those who make a success of it enjoy considerable prestige both in private life and in the community generally, while those who delay in doing so or altogether fail to get married ~~and~~ and they are few in number--are not considered to be fully 'grown up' or are suspected to be suffering from some physical, mental or moral defect. The term lefetwa (one-who-has-been-passed-by) which is used especially of a spinster is one which implies derision and ridicule and it is used derogatively not least by the parents and other kinsmen of the woman concerned.

too strong for normal status?

The importance of this institution in Barolong society is also seen in the relatively full development of family law in the tribe. Much of the litigation which goes on in family, ward, district and tribal courts is concerned with various aspects of family law--the relationship between husband and wife, parents and children, relatives-in law, questions concerning rights of succession and inheritance, guardianship, legitimacy, methods of contracting marriage with the rights and duties flowing from each type of marriage, the responsibility of the family for the upbringing and the conduct of its members--all these and more are matters which are constantly discussed in Barolong tribunals, thus constantly directly the attention of members of the

or primitive state of a woman?

tribe to the significance of the institution of marriage.

Marriage is also regarded as one of the best ways of cementing a friendship between individuals or groups within the tribe or between tribes. Two individuals desiring to give what they consider permanent form to the ties of friendship and mutual understanding between them will strive to bring about a match between their children or other close relatives. Such a match is looked upon as more likely to be stable because any threat of its dissolution is a threat to the established friendship of the relatives-in-law. The same applies to groups within the tribe. Thus the Tshidi tribe consists of two sections of Barolong, the followers of Tshidi and the followers of Makgetla, both Tshidi and Makgetla being sons of Tau. By means of numerous marriages between the two groups, especially between Tshidi Chiefs and Makgetla girls, the bonds of loyalty and friendship between the two groups have become stronger and stronger with the passage of time. Various ~~Tshidi~~ Tshidi Chiefs have also married Ngwaketsi and Hurutshe princesses, thus strengthening the good relations between those tribes, and the Tshidi.

Thus marriage confers enhanced prestige upon those who enter into it and make a success of it, while the wilfully unmarried are looked upon with disfavour. The institution receives added significance in that it cements bonds of friendship between individuals and groups and brings about friendly relations between tribes, while all aspects of it and the rules governing them have the backing of public opinion as enshrined in the traditional law of the tribe.

As success important?  
Not beyond a factor?

Parental Control of Marriage.

In the light of what has been said above it is not surprising to find that Barolong parents claim, and to a large extent possess, the right to exercise ~~xxxxxxx~~ control over the marriages of their children. In the choice of a bride a man is expected to defer to the wishes of his parents, especially in the case of his chief wife whose children receive first preference in matters of succession to the status and inheritance of the property of their father or his forbears. A fortiori a daughter who in theory and practice is a perpetual minor among the Barolong requires parental consent for her marriage.

The word 'parents' must be understood to include not only a person's father and mother, but also a number of other kinsmen who had the right ~~to~~ to advise the actual parents of the child. These include the father's father or his successor in status, the father's brothers and his other important paternal kinsmen. The views of the maternal relatives of the child, especially those

of his mother's brother must also be taken into account, as no serious step can be taken in the affairs of his sisters' children without due consultation with their malome (mother's brother). The consent of the 'parents' (batsadi) is thus an essential of marriage, whatever the age and status of the persons marrying, and as is always pointed out, "children never marry, it is always their parents who do so". The preliminary negotiations to a marriage are conducted on both sides by representatives or agents whose principals are not the prospective bride and bridegroom but their 'parents' respectively.

On the other hand this must not be taken to imply that the wishes of the man and woman about to be married were entirely ignored or that an individual could be easily compelled to marry another against his or her wishes. Nor could a child's preference for a particular individual as a partner in marriage be disregarded lightly. Prospective marriages are freely discussed within the family groups concerned and unless the parents can carry most of their important relatives with them in their choice, they would be hard put to it to enforce their decision. Again where the preference of the child finds general approval among his or her important relatives, the parents will almost certainly give in to the general view. In other words whether the choice be that of the parents or that of the son or daughter, it must have the approval of the kinship group. Admittedly the word of the parents is likely to carry more weight in kinship councils, this on the practical ground that the parents are more likely to be guided in their choice by the generally accepted principles of what constitutes a marriage with reasonably good prospects of being a success than the child who might be more readily influenced by good looks, infatuation and other <sup>apparently?</sup> superficial considerations rather than by what makes for stability and permanence in marriage.

In looking for or approving of a partner for their son the parents look first and foremost to the family or 'house' to which such partner belongs. Questions are asked regarding the stock (losika) of that family both on the maternal and paternal side. People of the royal line of descent--ba losika lwa bogosi-- do not favour marriage with commoners (batlhanka) or with serfs (balala) or with strange groups that have become attached to the tribe (bafaladi). While good stock may cover a multitude of sins, inferior stock may be set off by the general reputation of the family in the tribe--the <sup>conspicuous</sup> loyalty of its members, their skill in council and debate, their prowess in war, their success in the accumulation of wealth and in other fields of tribal endeavour, the success which has attended other marriages into the family, its freedom from suspicion of sorcery, etc.

also in case of some second marriage

Is this the writer's opinion?

Negative!

Special attention is also paid to the character of the particular individual in question. Is he or she industrious or lazy, neat in habits, obedient to elders, courteous in speech and manner and so forth.

There exists also a strong prejudice, especially in the case of girls, against marriages which involve the separation of parents and child by a great distance. Objection does not arise to the same extent in the case of a son because marriage is patrilocal among the Rolong and married sons generally live in close proximity to their parents. But as far as daughters are concerned nyalo ea kgakala (distant marriage) raises important practical difficulties in regard to such matters as being within easy reach of persons to whom she can appeal for advice in connection with domestic affairs and who can give her protection, if necessary, in matrimonial disputes. Unless, therefore, there are overwhelming reasons in favour of such a match, it may be ~~turned~~ turned down.

Among the Barolong as among all people certain relationships between the ~~particular~~ individuals constitute a bar to marriage. Persons between whom such relationships obtain are forbidden to intermarry. Among all people the strongest bar to intermarriage is blood relationship, but while among some Bantu tribes such as the Nguni, the blood relationship which prohibits intermarriage is given a social interpretation which widens its bounds considerably among the Barolong it has a narrower connotation. Marriage between parent and child and between siblings of the same father and same mother is rigidly prohibited. This prohibition ~~applies~~ applies not only to marriage but is extended to sexual intercourse between such relatives as well as to any joking relationship and undue familiarity. While the bonds of affection between parent and child and between brothers and sisters is deep and lasting, any tendency toward frivolous behaviour or familiarity commonly known as go tlhagana is frowned upon. Similarly marriage between grandparents and grandchildren in the direct line of descent is prohibited, but grandparents and grandchildren are always on terms of ease and familiarity.

No other degrees of relationship constitute a definite bar to intermarriage. Thus a man may marry the daughter of his father's brother or his mother's sister i.e. his classificatory sister. According to some informants it is, of course, preferable that the fathers or mothers of such siblings should not be persons "who have sucked the same breast" i.e. of the same mother. But they admit that cases do occur where children of two brothers or two sisters by the same mother intermarry, and although their marriage may



be unpopular, there is nothing in tribal custom against it. On the whole it is more common to find that marriages between classificatory brothers and sisters occur where their father or mothers are also classificatory brothers or sisters. A man may marry the daughter of either his father's elder brother (rramogolo) or his father's younger brother (rangwane), although the latter is more common. Asked to explain why it is preferable to marry the daughter of a junior rather than a senior paternal uncle, the Barolong point out that in most cases she would be married already or be senior in age to her husband and would certainly be his senior in rank, and no man wants to marry a woman who is his senior in status nor a woman a man who is her junior in status. Nevertheless such marriages do occur, and the seniority question does not appear to occasion much difficulty in domestic affairs. Mutatis mutandis the same rules apply in the case of the marriage with the daughter of one's mother's sister.

cutters?

SwDrs?

The children of two brothers, sons of the same father but by different wives of the same man, may intermarry. Here the fathers have not "sucked the same breast" and therefore the objection referred to above does not apply. This type of marriage is permitted especially where one of the wives was married in order to raise up seed for a deceased brother. Thus A and B are two brothers; A, the elder brother, dies without issue. B marries in turn two wives C and D and declares upon his marriage with C that he is marrying her for his elder brother A. The children of C are regarded as those of A though procreated by B and they are permitted to intermarry with the children of D who alone are regarded as the children of B. Similarly children of the same woman but by different father may intermarry. Thus H has a wife W by whom he has a son D. W was previously married to K with whom she has a daughter E. There appears to be no bar to intermarriage between D and E. Such marriages, it is necessary to emphasize, are not common, but they do occur and there is no law against them.

class B  
"marry"  
C

NOTE  
"Suckles"  
by "one"  
case concerns  
Cousins, other  
half-brothers  
& sisters.  
Latter word  
unusual.

There appears to be no objection either to a man marrying one of the widows of his father as long as she is not his own mother. This type of marriage seems to arise out of the fact that a man's heir is the guardian of his widows and the guardianship may ripen into a marriage in some cases. The rule permitting this type of marriage is summed up in a well-known saying "Mosimane, nyala mmago, o itsalele bo-monnawo"--Son, marry your mother and beget yourself younger brothers and sisters". This implies that the children of such a marriage would be looked upon as the children of the deceased father of the man who procreated them.

As it  
"marriage"  
Passage  
widow-  
ly vague

A classic instance of this type of marriage took place after the death of ~~Bar~~ Tau, when one of his widows, a woman named Mmaremela, was married by one of his sons.

The children of a brother and sister, real or classificatory, are permitted to intermarry i.e. a man may marry the daughter of his mother's brother (malome) or his father's sister (rakgadi). This brings us to the question of preferred as against permitted marriages. According to Rolong theory the most desirable marriage a man can contract is one with his mother's brother's daughter i.e. with his ntsala. From his childhood a man is taught to look upon his ntsala as his potential wife. He addresses her by the term mogatsake meaning my wife, and is always on terms of ease and familiarity with her, and when he decides to take her as his actual wife, the ties of friendship which unite their parents become stronger. Next in order of preference comes marriage with the daughter of a man's father's sister who is also a potential wife towards whom the pattern of behaviour observed is the same as that towards the daughter of one's mother's brother. The next type of preferential marriage is that with the daughter of one's father's younger brother followed by marriage with the daughter of a father's older brother. The preference for marriage with a father's younger brother is summed up in the saying "Nyala ngwana rrangwane, kgomo di boele sakeng" 'Marry the daughter of your junior paternal uncle, so that the cattle may return to same kraal'. The reference to cattle is explained by the fact that in such a marriage, the bogadi (bride-price), usually cattle, given for such a wife remains within the ~~xxxx~~ kgotla (kinship group) of the husband as he and his wife belong to the same kgotla.

According to genealogies in my possession marriage with the father's younger brother's daughter is almost as frequent as marriage with the mother's brother's daughter, although the latter is in theory said to be the most preferable. Not infrequently both relationships, namely that of cross-cousin and parallel cousin obtain between the parties to a marriage. Thus A and B are two brothers. The son of A marries the daughter of B, his parallel cousin. They have a son, S, who later marries a daughter of a son of B i.e. of his mother's brother. It is obvious that the woman S marries is at the same time his parallel cousin, their grandfathers being brothers, and his cross-cousin his mother being ~~xxx~~ a sister of her father. Many marriages of cross-cousins are of this variety. Thus if one only takes account of the contemporary and first ascendant generations, cross-cousin marriage is more frequent, but

Man's  
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brother got  
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from older  
brother would  
be debt -  
& marriage of  
cousins would  
settle it

but when more complete genealogies are considered, parallel cousin marriage is almost as frequent as cross cousin marriage. Apparently from the point of view of the Barolong themselves the only significant generations for this purpose are the contemporary and the first ascendant generations.

Finally it may be pointed out that some persons are not competent to marry at all. Persons who have not passed through puberty are regarded as not sufficiently mature to enter upon marriage. Hence child marriages are unknown among the Barolong. Although the betrothal of infants and even unborn children is permitted, such unions are not consummated until the persons have passed through puberty. In the olden days in addition to having attained physical maturity, the parties to a marriage were required to have passed through the customary initiation ceremonies, but as these have not been held for many years among the Tshidi, initiation can no longer be regarded as a ground of competency to marry. Mentally defective or insane persons are also debarred from marriage, but other infirmities such as blindness, physical deformity, etc., unless accompanied by mental disorder, do not appear to constitute a bar to marriage.

not for  
mobility  
to present

BOGADI

Another important essential of marriage is the payment of bogadi. Bogadi may be defined as the property which passes from the parents of the man to the parents of the woman to be married in order to validate their union. Accordingly no marriage can be said to be complete until bogadi has been made over to his parents-in-law by or on behalf of the ~~xxxxxxxxxxxx~~ husband either during or after his life-time. This does not mean that the married state may not be entered upon until the bogadi has been received, for a promise to pay, provided the other essentials are present, is sufficient to permit of the parties regarding each other as man and wife, at least for the time being. Such a marriage may be regarded as a contract with a resolutive condition, i.e. one which comes into operation at once but is terminated upon the happening of a certain event, namely, the non-fulfilment of the promise to pay.

Post

In contrast with many a Bantu tribe, among the Barolong the question of bogadi is never raised at all during the negotiations preliminary to a marriage. There is no bargaining about the amount of bogadi as is customary among the Nguni tribes. The negotiations are concerned mainly with obtaining the consent of the parents of the girl. Once this is obtained it is taken for granted that the prospective husband or his parents will see to it that the bogadi is made over as they know full well that without it the marriage is

incomplete and does not give the husband full marital power over his wife and parental control over his children. Not only is the question of bogadi not raised during the preliminary negotiations, but it is considered bad taste to demand that it should be paid after the marriage has been consummated.

"Bogadi ga bo kurusiwe" "Bogadi is never made the subject of reminders".

A man may have several children with his wife before he decides to make good this aspect of the marriage contract. His parents-in-law will leave the matter to his discretion. On the other hand should a dispute arise over the marriage, e.g. involving a threat of dissolution, the unsatisfactory position of the husband is at once revealed. He runs the risk of not only losing his wife--which he may, according to the merits of the dispute, not deplore,--but also his children which everyone considers a great misfortune. This latter risk makes the average man lose no time in fulfilling his obligations in this regard.

In addition to the actual time of payment, the Barolong leave to the discretion of the prospective the nature and the amount of the bogadi to be made over., as long as certain customary observances are borne in mind. Thus although bogadi generally takes the form of stock, especially cattle, goats are not acceptable as part of bogadi. The prejudice against the goat seems to be based on the notion that it is a destructive animal, for this rule is always amplified by the narration of a story to the effect that on one occasion while a man who had included a goat in his bogadi and had gone to deliver it, was busy explaining his mission to his ~~xxxxx~~ relatives-in-law, it was found that the goat had already made its way into the segotlo, the backyard of the Barolong household which is generally closed to strangers, especially messengers, on this type of errand, and was there feeding on strips of melon called longangale hung up to dry in the segotlo. Hence one is told about a goat that it will eat the longangale (e tla ja longangale) and for that reason it is not accepted. Again, the stock given as bogadi must be of an even number. It is said to be a bad omen to give or to accept an odd number. Further both female and male animals must be included, presumably to ensure that the animals may ~~xxx~~ subsequently be added to by natural increase. The bogadi may consist of cattle only or of sheep only or of both, but the amount is not fixed either by negotiation or by custom.

also for 2nd wife of 2nd son

The bogadi is payable by the parents of the man. Primarily this means the father (of the latter) or his successor, but when a father is providing one of his sons with a wife, he makes this fact known among members of his kinship

group and if they are in a position to do so, he expects them to make contributions towards the bogadi. Contribution is especially sought from the mother's brother (malome) (of the man about to marry) who usually helps to make possible the marriage of his sisters' sons. Again the bogadi is made over primarily to the father of the woman to be married. He also, however, is expected to share it with his relatives, especially those who made contributions towards the bogadi given on behalf of his sons. Here again the mother's brother of the bride is said to be the first man 'to go into' those cattle'. There is no legal obligation on the part of relatives mentioned to contribute nor is their claim to a share actionable. These rules are sanctioned by the operation of the principle of reciprocity of obligation. If a mother's brother neglects his moral duty towards his nephews, he will be given no share in the bogadi of his nieces. Similarly with other relatives who might contribute. Where a man has several sons and daughters it is usual for him to pair them off, and where this has been done, the bogadi given for each daughter goes to form part of the bogadi of her paired brother.

The payment of bogadi entitles the husband to full marital power over his wife. This power entails control over the person and the conduct of his wife as well as the proper discharge by her of her domestic duties. On the other hand the man who has not yet fulfilled his obligations in this connection cannot exercise his full rights. If he inflicts corporal punishment on her for some offence he is asked by the protectors of his wife (her parents) "What entitles you to believe that you possess this right?". The implication is obvious to him. If he is dissatisfied with the manner in which she is performing her duties, he will be reminded that a 'child of people' only discharges her duties cheerfully when she has been given her due respect. Where he has done his duty by his parents-in-law they will do all in their power to correct their daughter and remind her of her duties as a wife, unless the husband is clearly in the wrong.

The children of a woman for whom bogadi has been given belong to the man who has given it and not necessarily to the man who has procreated them. This is probably the strongest sanction operating in favour of the prompt payment of bogadi. As long it remains unpaid, however long a man may live with a woman, he knows that her children belong not to him but to her kinship group. In the event of the dissolution of the marriage, he would lose all his children. If his divorced wife should be re-married, her children by her former husband, would belong to the second husband, if and when he paid the necessary bogadi.

Would he not have to pay for the children? Could mother's group not keep?

belongs to woman's group unless bogadi is given

But he did not possess them

When a man learns that his divorced wife is about to ~~xxxxxxx~~ be married again, he hastens to make over his bogadi in order to obtain possession of his children to prevent them going to the new husband or he may wait until he hears that the latter is about to give over his bogadi. when he will fulfil his obligations and thus safeguard his rights over his children. Hence the Barolong say, "Banaba kgaogangwa ke bogadi" "Children (of the same woman) are separated by bogadi".

implication of a conflict not needed in all cases.

On the other hand once bogadi has been paid, as long as the marriage subsists, all the children of his wife belong to the man who has paid it, without prejudice, of course, to his rights of action ~~xxxxxxx~~ for damages against the man who commits adultery with his wife. But where the marriage has been duly dissolved after payment of bogadi, the husband obtains possession of his children and has no further rights to children to whom she may give birth subsequently, whether legitimate or illegitimate. If, however, the parting of husband and wife is a separation (known as go tloga) and not a divorce (go tlhala), the children born to the ~~xxxxxxx~~ wife during the period of separation will belong to her husband, if he has paid his bogadi.

According to Barolong custom the only people who can receive bogadi for a woman are her parents. In no event can the bogadi go to members of ~~X~~ another kinship group. In other words it does not matter how many times a woman is married and what the cause of the termination of her previous marriages, the bogadi for her must go to her parents each time. The Nguni rule that 'one man can only receive one lobola for one woman' does not appear to obtain among the Barolong. It is explained that the 'head of a woman', her 'caput' belongs to her parents alone, and it is always the person to whom the 'head' belongs who gets the bogadi. The 'head of a woman' never belongs to her husband's people. That is why, it is further pointed out, whenever a beast is slaughtered in the name of a woman, the head of the beast must be given to her father or her brother or some other representative of her kinship group. If therefore a widow continues to reside at the kraal of her deceased husband, if she is re-married, ~~xxxxxxx~~ <sup>and remarries</sup> the bogadi given for her will go to her parents, <sup>99</sup> unless she is 'taken' by a brother of her deceased husband in order to raise up seed for the latter, <sup>the does not constitute 2nd marriage</sup> in which, of course, no bogadi is given for her.

In the event of the dissolution of a marriage, bogadi is, according to Barolong, theory, not recoverable. The stock reply to inquiries on this point is "Bogadi ga bo boe" "Bogadi does not return". Every informant will go on

to relate that there is only one case in Tshidi history where bogadi was returned and that was in the case of a daughter of Chief Montshiwa, Buku by name. Buku was married to Motšótsé, a nephew of Montshiwa. But she deserted him and eloped with Gaseitsiwe, a Ngwaketsi prince. Her father, Montshiwa, out of sympathy for her husband returned to him his bogadi which was not, however, claimed, and his act was contrary to general practice. Where a woman has given birth to one or more children, her husband is held to suffer no prejudice by the non-recovery of bogadi on the dissolution of the marriage because he retains possession of the children. If the children have all died prior to the dissolution, this is regarded as an act of the spirits, a sort of vis major for which the parents of the wife cannot be held responsible. The same argument is applied where the children are stillborn or miscarriages have been the cause of absence of issue. A claim for the return of bogadi under these circumstances is not only unenforceable at law but would give offence to the ancestral spirits or, in modern parlance, to God. Where the wife is barren, the remedy of the husband is to request the parents of his wife to provide him with a substitute wife (seantlo), usually a younger sister or some other relative of his wife, to 'raise up seed' for the latter. Such a seantlo wife becomes part of the 'house' of the first wife and no bogadi is given for her as would be the case where a separate 'house' was being established. I have not yet come across a case where bogadi was returned on the dissolution of a marriage.

Where a divorce is desired by the wife and not by the husband and she remains adamant in spite of the efforts of her parents to dissuade her from her resolution, in addition to possession of the children of the marriage, the husband is entitled to take from her every form of property he has allotted to her, including personal effects. It is pointed out that "Monna o nkgang o nkgale di-tsa-gagwe" "the man who smells together with his property". But this does not apply to the bogadi which is given to her parents and not to her by the parents of her husband and not by him. Where the dissolution is desired by the husband and not by the wife, the former is still entitled to possession of the children, but may be required and often does continue to provide ~~xxxxx~~ maintenance for his former wife, especially as long as she remains unmarried. It is ~~xxxxx~~ always possible also for her sons by her former marriage, after they have grown up, to go and fetch her back to her former husband's home after the latter's death, even if she has in the meantime got married to someone else. As the Barolong put it, "the mother of bulls is not

As this  
with  
return  
of bogadi.

married" "Mma-poo ga a nyalwe" i.e. the man who marries the mother of a son or sons, ~~he is~~ always runs the risk of losing her when <sup>her return</sup> is demanded by them and she is willing to go. Where this demand is made, according to custom, the second husband has no alternative but to let her return to her children. In this respect a first marriage seems to take precedence over all others.

In the light of the above, it would appear that the significance of bogadi among the Barolong, and indeed among other Tswana tribes, differs considerably from, say, Nguni conceptions regarding lobola. The difference may be merely one of emphasis, but in a country like South Africa where an attempt is being made to apply Native Law and Custom in disputes between Natives it seems essential that differences as well as similarities in custom between different tribal should be investigated. The payment of bogadi, in the Rolong view, clearly marks the difference between a marriage and a union that amounts to mere concubinage. In addition to enhancing the prestige of a woman, it entitles her to definite rights and privileges such as the establishment of a separate house for her, the allocation of property to her house for the maintenance of herself and her children, including a share in the estate of her husband after his death, and to his consideration and respect. It guarantees her the permanent protection of her kinship group in matrimonial disputes and gives her children a stake in their mother's home, especially in in the home of their mother's brother. At their mother's home the children of such a woman are entitled to many favours, such as gifts from their maternal uncle, contributions to their bogadi when they get married and to their outfit when they undergo initiation, and to general protection in all disputes in which they are involved. In all court cases in which a person is involved the presence of his maternal uncle is as essential as that of his father or other senior paternal relative. "Ngwana mogolo kwa gabo mogolo"; "A child is great at his mother's home" epitomises the attitude adopted towards children for whom bogadi has been ~~given~~ received. On the other hand ~~as far as the husband is concerned the payment of bogadi gives him powers~~ ~~of control over the person and conduct of his wife. He is entitled to respect~~ and obedience from her and the satisfactory performance of her domestic duties. But above all bogadi entitles him to the possession of his children by her. While the marriage lasts, her reproductive powers are owned by him and this aspect of the matter is for the average man the most important. Children are the greatest asset of a family. They strengthen the family both materially and spiritually. The more children you have, the ~~more~~

Para following is applicable to Ngwana

~~See Schapera "Tswana Law and Custom" OUP 1928 p. 121~~



longer your name and that of your family will survive, the more likely you are to be cared for in your old age, to have someone who will 'close your eyes' in death, who will enjoy the fruits of your labours during your lifetime, who will discharge such obligations as you leave unfulfilled. The more children the more hands to carry on the work of the kgotla. As is pointed out "Hura ja ngwana ke go rongwa" "The fat ~~is~~ i.e. the advantage of a child lies in its ability to run one's errands. It is because a wife gives you children who mean all this to you that you give bogadi for her, because through her you can extend your personality indefinitely and become, as it were, immortal.

*Should come before marriage*  
ESPOUSALS.

Assuming that the parents of a man have come to a decision regarding a suitable bride for him, their next task is to enter into negotiations with the parents of the prospective bride in order to obtain their consent to the union. The nature of the steps they take depends upon whether the girl is of a marriageable age or not.

As pointed out before in the olden days infant betrothals were not unknown among the Barolong. Even an unborn child might be betrothed, the custom being known as "go opa mpa", to strike the belly, to bespeak an unborn child. Where the betrothal of such a child is agreed upon by the girl's parents, the arrangement is sealed with the slaughtering of a beast--a sheep or an ox--presented by the parents of the man. A feast is held at the home of the girl to which relatives of both sides are invited and at that feast a ceremony ~~xxxxxxxxxx~~ known as go apesa lomipi is performed. The peritoneum of the slaughtered animal (lomipi) is hung round the neck of the betrothed girl as a symbol of her new status. Where the betrothal was one of an unborn child, the lomipi is hung round the neck of the mother of the unborn child. This ceremony is also known as "go jela dithari". Thari is the skin in which a mother carries a baby on her back. Go jela dithari is therefore to participate in the betrothal of a potential mother. This ceremony fixes permanently the status of the betrothed girl among the wives of her future husband. She is senior in status to all women married by him after this ceremony has been performed, although she may be taken to wife later than they. In other words although the betrothed girl is still under puberty or as yet unborn, her prospective husband may already be old enough to marry. He is at liberty to do so, but any wife he takes will rank after the one for whom the lomipi or dithari ceremony has been performed. As a rule this ceremony is only performed only for the woman who is going to be a man's chief wife. Where the prospective chief wife is already of marriageable age, the dithari ceremony is

performed after the birth of her first child and the lomipi is hung round the neck of the first child. The ceremony is so important for the purpose of determining the status of a woman and her children that the latter are not admitted to initiation until this has been done. It is done only in the case of the first child whether <sup>that</sup> child be a boy or a girl.

Another result of this arrangement is that it establishes a gift relationship between the two kinship groups that are party to it and the friendship which hs perhaps existed between them somewhat vaguely is now definitely cultivated. Exchanges of food between them now take place more regularly: when beer is brewed at one kgotla, either some is sent to the other or members of the latter are invited to come and share it. Greater and more frequent co-operation takes place ~~in~~ in their ordinary economic activities such as ploughing, reaping, house-building, etc. This constant association prepares the betrothed girl's mind for her eventual marriage into the kinship group of her husband. When the girl is old enough for the union to be consummated, the next step in the marriage process is taken.

#### MOKWELE

Where the prospective bride is of marriageable age or where ~~xx~~ a girl previously bespoken by the lomipi ceremony has reached such an age, the consent of her parents to the marriage is followed by the payment by the parents of her future husband of what is known as Mokwele. The Mokwele generally takes the form of the gift of a beast--a sheep or, in the case of well-to-do people, an ox--The presentation is made by a senior male representative of the man's kgotla to corresponding relatives of the woman, and the gift is looked upon as an earnest of goodwill and serious intention to pursue the marriage negotiations to their natural conclusion. Acceptance of the mokwele places the parents of the girl <sup>under obligation</sup> to keep their part in the mutual pact, while a refusal to accept it is regarded as a rejection of the man's suit or a cancellation of a previous infant betrothal.

A betrothal by the lomipi ceremony or through the payment of mokwele may be terminated for good cause by mutual agreement or at the instance of one or other of the parties. In the case of the former it may transpire, when the girl has reached years of discretion, that neither she nor her prospective nor their <sup>respective</sup> parents are anxious to proceed with the marriage. It will in that case be abandoned by mutual agreement. In the case of the latter where the proposed <sup>marriage</sup> is "spoiled" by the conduct of the girl e.g. by her pregnancy by another man, the parents of the man are entitled to

reimbursement for their mokwele as well as any other gifts made by them in pursuance of the intended marriage. On the other hand where the engagement is broken off as a result of the conduct or the attitude of the prospective husband or his parents, no claim can be made for the return of mokwele.

The mokwele beast is not intended for keeping and, if accepted, is to be slaughtered and a feast held to which relatives and friends are invited. A return gift known as serwalo is usually made to the man's parents who hold a similar feast at their kgotla

#### GO RALALA.

After the payment of the mokwele the next step is taken by the women of the man's kgotla (his "mothers"), his father's sister, his mother or his mother's brother's wife, who approach corresponding women (the girl's "mothers") on the other side with a view to getting for their 'son' the ~~pr~~ privilege of entering upon what is called the go ralala (i.e. the courtship) period. They make their way to to the kgotla of the girl's parents, usually at dusk, according to most informants, taking with them a sleeping mat and a blanket or two which are given over to the other side and are ~~xxxxx~~ a symbol of the fact that their son may now visit his future wife and, if necessary, spend the night at her home in the segotla hut (i.e. the hut ~~xxxxxx~~ behind the main hut used by adults and the younger children of the home), generally used by girls of marriageable age. Permission to leave these articles is readily obtained where the mokwele has been accepted. On those occasions when the young man does decide to spend the night there, he must not be found there after daybreak by the father of the girl who is entitled to demand the payment of a beast for this 'trespass' upon his home. The beast when paid is immediately slaughtered and eaten by the adult males of the girl's kgotla who alone are entitled to the benefit of this 'catch'. Women are excluded from this because they made the arrangements for these nocturnal visits presumably without the 'knowledge' or 'approval' of the men. After such a visit, therefore, the young man rises betimes and repairs to his home and proceeds to busy himself with the early morning duties of his home, such as making a fire at the kgotla (court) so that when his senior male relatives arrive at the kgotla to discuss the latest news in the early hours of the morning they find a blazing fire ready for them.

The go ralala period lasts for an indefinite length of time. The girl's parents desire to prolong it as much as possible, while the man's parents want it to conclude as soon as possible. It is a matter for negotiation and arrangement depending upon the mutual consent of the parties. The payment of bogadi

may be made at this stage, especially where the girl becomes pregnant, but even this does not automatically bring the go ralala to a close. It may continue until the girl has had one or more confinements at her home and during this time her husband may be virtually living at her home. Her parents defend her long stay on the ground that her own mother must give her first hand information about and training in home management, in her duty towards her husband, the care of children, etc. Her own mother or other maternal relatives must act as midwives to her (go baya botsetsi) in her first confinement. In this way she is gradually introduced into her new status as a married woman. From the husband's point of view this prolonged by his wife at her home is not satisfactory as he cannot exercise his marital powers over her while she is under the control of her parents. His parents also regard this as unduly postponing the benefit which they expect to derive from the services of their daughter-in-law and the training which they must give in her duties in her new home.

On the whole the go ralala serves a useful function. It enables future husband and wife to develop mutual understanding before finally entering upon their married life. It provides the girl, often rather young, with a gradual introduction to a difficult period of life under the personal guidance and instruction of persons with whom she has been familiar since childhood. It renders less violent the shock to her parents at the loss of a valued and loved member of their family. The breaking of this tie is particularly painful to the mother between whom and her daughters ~~is often~~ <sup>often exists.</sup> very deep affection. Finally it gives the parents of the man an opportunity of building a house for their daughter-in-law and their son who is not permitted to build himself a house before he has a wife.

The go ralala is terminated formally by the parents of the man approaching the parents of the girl and "asking for their child". This process is known as go lata mosadi, to fetch a wife. When the parents of the girl have given their consent, a feast is held to which friends and relatives are invited. This is the wedding feast proper. Amid singing, dancing and general rejoicing the go ralala is brought to a close and the girl is taken to her new home by her "mothers" who formally hand her over to her new "mothers".\*\*

J. K. Mattheus