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The politics of headmanship in the Mokhokhong Valley

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land can be increased, for virtually every ploughable patch is ploughed. On the other hand, the amount of land available is diminishing, both in area and in depth. The crisis which is advancing rapidly on Mekhokhong is only now beginning to be comprehended by the community.

2. Grazing.

In summer the slopes which are too steep to plough are used for grazing. The grassy places and ridges between the fields may also be used for this purpose until the new crops are up. A number of people take their stock up on to the plateau to the south and graze them there. A few stock owners send their animals away to distant cattle posts in the mountains.



The grazing in the valley is nearly always scarce and the grass, especially near the villages is usually grazed to an inch or so above the earth. Grass is slightly more abundant on the southern slopes of the valley which are further from the villages and hence less popular with the herd boys. Bushes on the slopes provide some browsing, especially for goats.

The grazing is generally sweet, i.e. it is palatable in winter, but some large areas are populated with a thatching grass which is very unpalatable. There are several places, in the most overgrazed slopes near the villages, where the soil is completely bare over several acres and naturally in these spots erosion is very rapid.

3. Water.

The valley is provided with two perennial streams, named Khohlong and Nokholdong Rivers (see map ~~facing page 203~~ at end). The latter, which marks the boundary is much stronger than the former, although unfortunately I have not measured its flow. Its uses are, however, limited from the point of view of the people of Nokholdong, to watering stock and washing clothes. Although at the end of very dry periods the flow in this river is reduced to an estimated ½ cusec*, it is just sufficient for the use of the combined populations of the Nokholdong Valley. The Khohlong River is smaller, delivering a fairly constant ¼ cusec, except after heavy rains when it is swollen by run-off water, and after prolonged dry periods when its flow is reduced to about 1/8 cusec. But this river provided, until the installation of the new village water supply in October 1968, the main source of all domestic water for Ngakalaneng and ha Mapetja. Most stock are watered there, and the majority of the community still bring their clothes to wash there. Now a weir has been put across it to divert the flow of the water into pipes which lead it on to what was intended to be a communal garden.

A number of people have dug small earth dams next to their houses to catch the run-off after rain. These contain up to 1,000 gallons and provide domestic water for the owner. After a few days the contents of these dams are

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* 1 cusec=1 cubic foot of water per second.

pretty unwholesome, but still they are used.

Molhokhong is unusually fortunate in relation to many other communities in that it possesses several excellent and relatively clean sources of water that do not fail during drought. One reason for this reliability is that the plateau above Molhokhong is sparsely populated and the vegetation cover is still fairly intact, so that the absorptive capacity of the soil is still good. The area acts like a sponge, absorbing water and slowly disgorging it again. By contrast, some communities have to queue all day and night during drought to get sufficient water from a muddy hole, often several miles from their homes.

4. Vegetation.

Two of the most vital functions of vegetation have already been mentioned - grazing and soil cover. Thatching grass, however, is another important commodity which grows in sufficient quantities to meet most of the requirements of the community. There are very few iron-roofed houses and although a thatch usually only needs replacement or repair after ten years or so, sufficient new houses are being built to make thatch grass a valuable asset. If bought from a neighbouring chief's area it may cost 15c per bundle.

Lesotho is generally treeless. This is not, as some observers have speculated, because all the trees and bushes have been chopped down for fuel, but is a condition that has existed at least since the first half of the last century.



BRINGING HOME FIREWOOD.

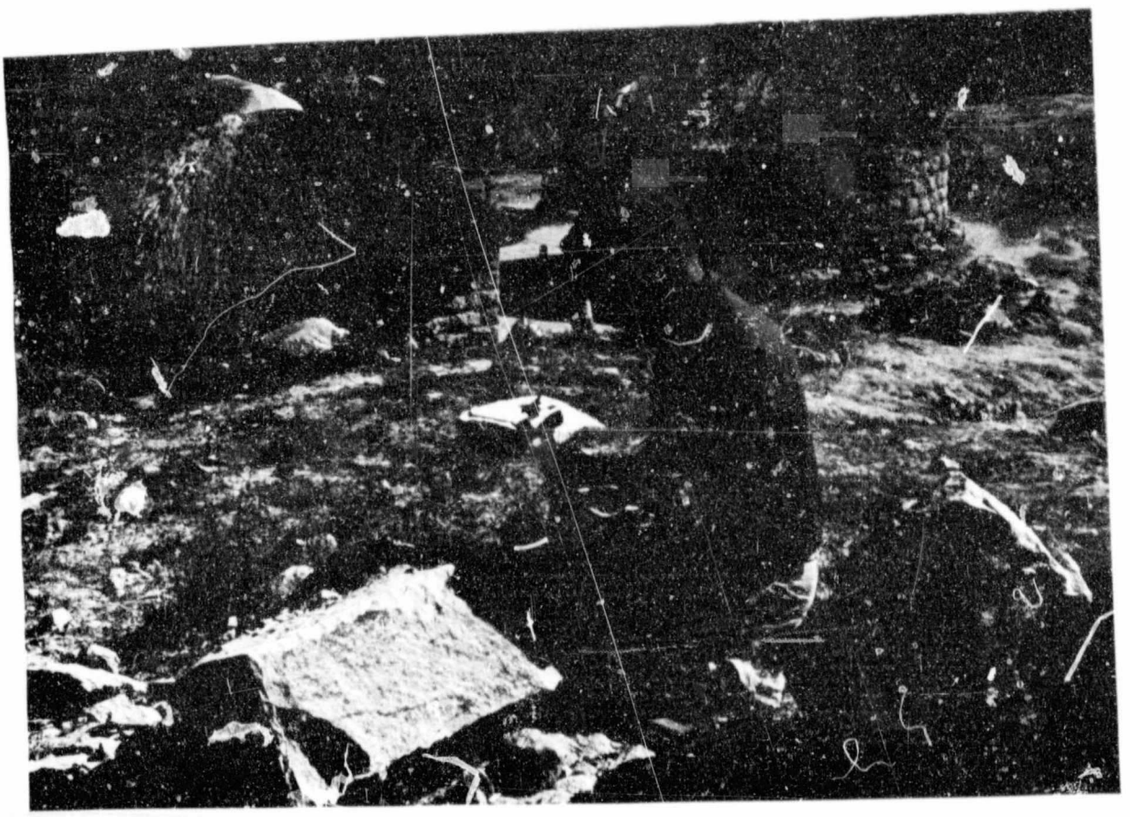
Casalis remarked, in 1861, on the lack of trees, which struck him on his arrival in Lesotho some twenty eight years previously. Mokhokhong, however, is unusually well endowed with trees. Many of the donga are lined, and in places, filled with trees, ranging from saplings to specimens fifteen inches in diameter. The southern slopes of the valley are still covered with quite dense natural bush. The eastern slopes of the valley are still thinly covered with bushes but these are fast disappearing as they are chopped down for fuel. In spite of this relative abundance of wood, dung and maize stalks are still used by the people as fuel, though probably not to the same extent as in totally treeless communities.



The first part of the summer is a lean period for most Basotho. Most of the last harvest has been consumed or sold. Green maize, pumpkins, beans and other crops have not developed sufficiently to be edible. Cattle are often still thin and exhausted from the ploughing so that milk is scarce. At this time, therefore, the collection of small green vegetables is of special importance. These merobo are found in the fields among the crops and to a lesser extent in the veld. It takes a great deal of time to collect enough for a meal because the plants are very small and boil down to almost nothing. Merobo continue to supplement the household diet well into winter for they are hardy plants and do not suffer from the cold as the crops do.

5. Building Materials.

Most houses are built of cut stone. The material is taken from the sandstone cliffs and also it is split off



A STONE MASON.

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A modern tendency, however, is
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Roof poles are cut from local
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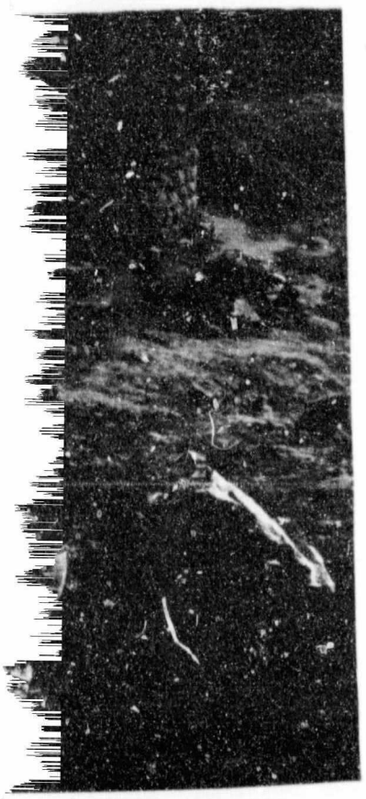
from large sandstone boulders which have toppled down from the cliffs.

A modern tendency, however, is to build with rectangular sods cut from the earth adjacent to the house site. The walls are then usually reinforced with wooden stakes.

Roof poles are cut from local thickets or occasionally from the agave aloes which grow abundantly in the valley; and thatch, as mentioned above, is also available locally. Reeds are also used and are imported from a valley to the west.

Buildings not made of stone need to be smeared to protect them from decay and this is done with a mixture of wet dung and mud.

With the exception of a door and windows, therefore, a simple round hut may be constructed entirely with local materials.



Historical.

For a century or more the people of Mokhokhong have been caught up in a series of eddies and currents generated by the alliances and agreements, the conflicts and antagonisms, of the leading figures and groups of the time. These events have left their mark on the community and many of the observations that can be made today can only be partially understood without knowledge of what led up to them. My purpose in presenting this section of historical information is therefore primarily to provide the foundation for the an-

alysis of contemporary facts which follows.

The cliffs surrounding the Mokhokhong Valley contain a layer of 'cave sandstone' which is easily weathered to form the deep overhangs favoured by the Bushmen when they inhabited Lesotho. And at some time in the past, probably not less than one hundred and fifty years ago, Bushmen did in fact dwell in the caves of Mokhokhong, and have left some small paintings as evidence of their presence. Later they were replaced by groups comprising members of the modern Basotho nation. These groups were extremely unsettled and roved the country in search of grazing, good agricultural land (if they had time to plough it and reap the harvest), peace, and sometimes booty. In the early part of the last century the waves of unrest caused by Chaka's operations had the effect of making the mountains of Lesotho the scene of a great game of hide-and-seek among the fragmented groups fleeing from and pursuing one another. Some of these groups, in their desperation, became cannibals, and a large cave in the valley, where the remnants of mud structures still cling to the walls, is known as 'Maliseng', 'the place of the cannibals'.

It is not clearly recalled who the inhabitants of the valley were at the time when Moshoeshoe, the founder of the Basotho nation, decided to settle it and bring it under his administrative arm. It is unlikely that the cannibals remained, although it is possible they had ceased to eat people, for by 1831 Moshoeshoe had brought a large measure

of peace to this part of the country.

This much I gathered from the older and more knowledgable inhabitants of the valley. They were not sure what happened to the people living in the place before the arrival of the first headman, 'Mabathoana, some time before the death of Moshoeshoe in 1870, or if there were any people there at all. The community and many of its members trace their descent and the origin of present day social groups, and many of their conflicts and alliances, back to the time of 'Mabathoana. A few claim to remember one or two of 'Mabathoana's forebears, one of whom is said to have been a Zulu, but for the great majority of the community, modern history begins with the arrival of 'Mabathoana in Mokhokhong. From this point a high degree of coherence enters into the accounts of various informants. Often these accounts are strongly biased because many of the stresses existing in the community today relate to events which took place many years ago, and the rights of the living antagonists are established through the statuses of ancestors. Thus parts of genealogies may be omitted by members of one faction because the omission may give a junior brother an apparent seniority over other brothers. The order in which bohali was paid for various wives may be adjusted in the account in order to give one house primacy over another, and so on.

The history of Mokhokhong ha Philipi as I shall relate it is, as nearly as I can make it, history as seen by the members of the community, both with respect to its time depth and its relevance. Some of it was told to me by old

men and women whose families, or whose husband's families, had been in Mokhokhong for many generations. Some of it was told by 'Mabathoanas who no longer lived in Mokhokhong but whose ties with the place and interests in it are still strong. I also got valuable information from a young member of one of the senior 'Mabathoana branches who works in Maseru as a civil servant. He had done several months' work on his own on the 'Mabathoana genealogy before he came to me to compare notes, and we sorted out several inconsistencies in each other's work. This man was particularly insistent that no single account of a genealogy could be trusted, nor even several accounts from people belonging to the same house of 'Mabathoana.

These verbal accounts of the history of Mokhokhong have often taken the form, during interviews, of genealogies annotated with explanatory comments and biographical detail. I have used them in conjuction with five legal documents of which Jobere had copies in his house and which he kindly allowed me to see. These were recordsof cases heard before

(1) The Central Appeal Court at Matsieng (the King's village) on 6.8.53;

(2) the same court on 3.10.53;

(3) the Court of the Judicial Commissioner on 27.7.54;

(4) The Standing Committee of the College of Chiefs on 2.11.61; and

(5) The High Court of Basutoland on 8.12.65.

'Mabathoana arrived from Thaba Bosiu with a small band of followers, and settled in the place now known alternatively as ha 'Mabathoana, ha Mamane and ha Matete. Henceforth

I shall use the name ha Matete since it avoids confusion with the place of Philipi 'Mabathoana and his descendants with whom we are mainly concerned in this analysis. The date of this arrival, as I have said, can only be located some time before 1870. 'Mabathoana had three wives and the order of their houses is still a matter of hot dispute and a source of friction.[x] The first wife was Maletlala and her primacy is not in question; but her only son, Letlala, left Mokhokhong to follow Sekhonyana, the son of Moshoeshoe, to Matatiele and thence to Quthing. Later 'Mabathoana took Mareta 'to live with him', but he did not at that time pay bohali for her. Lastly he took Magdalena. She was a member of the Makhoakhoa tribe who at that time had not accepted subjection to Moshoeshoe. 'Mabathoana was sent by Moshoeshoe to conquer this people, which he did, and cattle and women were taken from them. Magdalena was one of those captured in war. Moshoeshoe gave her to 'Mabathoana as a wife, and to her parents 'Mabathoana and Moshoeshoe jointly paid bohali cattle. Apart from its legitimising functions this payment was intended to mollify the conquered Makhoakhoa and to join them in bonds of affinity to Moshoeshoe through his loyal supporter 'Mabathoana. It is said that 'Mabathoana, in order to pay his share of Magdalena's bohali took cattle

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x The reader should here ~~fold out~~ consult the genealogy facing Page 46 since frequent reference to it will help in understanding the text. ~~(See p. 45.)~~

from the house of Nareta.[xx] Nareta was affronted by this unconventional and offensive use of the property attached to her house, for the purpose of establishing another house. Therefore she left her husband, taking her young son Potja with her. She bore Motebele shortly after her arrival at her father's house. It is said that she made friends with one Nakana in her father's village and lived with him for many years. He was largely responsible for the raising of the two boys. When both Potja and Motebele had been circumcised 'Mabetheana sent bohali cattle to Nareta's father, who accepted them, and she and her sons returned to 'Mabetheana. At this point reports conflict and I have not been able to arrive at an authoritative version. The most plausible version is that Potja killed a wild animal in a hunt and delivered the carcass to his mother's father. The correct procedure is to give the carcass to one's senior male kinsman, who will then pass it on to his headman and thence to the chief. Thus the carcass should have been given to 'Mabetheana, and the fact that it was given to Nareta's father indicated that Potja acknowledged the authority of

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xx It was the custom for a man to allot goods and cattle to the houses of each of his wives for their support and for the payment of bohali for the sons of each house. The goods and cattle were then regarded as belonging to that house and were no longer at the free disposition of the husband, who should obtain the permission of the house to use its property.

his maternal grandfather before that of his own father. Potja's decision thus became a defiance of paternal and political authority, since 'Mabathoana was both his father and his headman. So 'Mabathoana cursed Potja and set him behind Motebele in seniority so that, as my information goes, 'he would inherit nothing'. Another account has it that 'Mabathoana summoned Motebele to him one day and asked him who his real father was. Motebele replied, with apparent sociological insight, that he had two fathers - that 'Mabathoana was his genitor, but that Makoma was his pater. Then 'Mabathoana cursed him and set his aside from the line of succession to the headmanship. It seems to me that these accounts are simply saying something about Mareta's house, which is that the bohali for her was paid after that for the other wives and hence her sons, although older than their step-brothers, belonged to the most junior house, and could not succeed. There is still hostility between the houses of Mareta and of Magdalena. Philipi and Jobere were descendants of Magdalena. At the recent funeral of Jobere the descendants of Motebele of the house of Mareta, although present, refused to put soil in the grave.

It is customary for all the male kinsmen of the deceased to assemble at the grave side after the service and the speeches. They range from the most ancient men to small boys who can just wield a spade. The senior man of the senior line should then deposit the first spadeful of earth in the grave. He is followed, in order of seniority, by the other members of his line, down to the smallest. The con-

ior member of the next line begins, and so on. Now according to the situation in the 'Mabathoana lineage, as it is at the moment, the line of Motebele should come last, with the exception of the descendants of Potja, who in any case no longer exist in this area as a group. But some descendants of Motebele still maintain that after the departure of the line of Letlala, succession to the headmanship should have passed to the house of Mareta. Issues of this kind tend to spring forth to public prominence at funerals, for there is normally no other occasion when so many kinsmen are assembled at one place. Here too, the question of seniority and succession must arise, and this is especially significant at the funeral of a headman or a chief. Nor is there any other occasion when seniority is publicly and ritually enacted, as at the ceremony of the putting in of the earth.

The previous occasion when the same problem arose was at the funeral of Souru, son of Motebele, some ten or fifteen years ago. Here there was an actual altercation at the graveside between the descendants of Motebele and those of Namane. Namane's people won. Hearing of this division in the family, and being personally disinterested in the outcome, a senior descendant of Letlala offered to arbitrate on the case. On the death of 'Mabathoana Letlala had been asked to return ~~to Mokhokhong~~ to Mokhokhong from Quthing to succeed his father, as the eldest son of the family. He had refused on the grounds that he was already [illegible] to stay with his [illegible]. Letlala's sons and descendants have shown no desire to return to Mokhokhong,

but they are nevertheless regarded as the senior line. Their position as arbitrators of family disputes is therefore strong, since they combine seniority with detachment.

More attention must now be given to the house of Magdalena because it is from her that most of the principle figures in this discussion are descended. 'Mabathoana died and was succeeded by Namane, the eldest of Magdalena's three sons. The date of this event is not remembered, but in 1868 Namane took his youngest brother, Philipi, and 'placed'x him over the eastern portion, about half, of his area. By placing him thus, Namane gave his brother certain headmanship rights in this area, but it is not entirely clear whether these were full headmanship rights or not. The evidence of the legal documents mentioned previously indicates that Philipi had full rights, including those of land

vals to armed combat, that was the point at issue in the court hearings whose records have contributed to this account. Phomane, the brother between Mamane and Philipi, does not enter the field of interest. He did not become a headman, nor does his name occur in discussions of the Mokhokhong past except in the genealogies.

The matter of Philipi's rights is still debated. My own informants and the witnesses in the recorded cases agree that he first went to live on the plateau to the south of the valley. Some time thereafter he descended to the lower slopes of the valley and established himself in Maqakalenong. Jobere and his followers maintained that this was perfectly in order since he had a full right to do so as headman of that area. He suffered from the harsh climate, especially the cold in winter on the high ground and therefore came down to the more sheltered valley. Jobere's opponents, most of whom live at ha Matete, maintain that the valley belonged entirely to Mamane, who had ceded no rights, or at most, temporary caretaking rights, there to his brother, and that Mamane allowed Philipi to reside, without headmanship rights, in the valley because of his health. According to this view Philipi, once established at Maqakalenong, began to exercise headmanship rights illegally, by allocating lands and establishing lebella.* It is said (and recorded) that

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* Areas of reserved grazing, upon which, once they have been declared, it is an offence to graze stock until the lebella is lifted.

Philipi came to the valley under a concession known as paballo. According to Duncan (1960:70),

> "In administration paballo is an arrangement by which a chief or headman will cede benefits such as lands, reeds, etc., in his area to the people of an adjoining area. In this arrangement the ceding chief loses no territory; nor does he gain subjects.
>
> ..... the longer term it creates great difficulties, and often ends in public violence."

If the arrangement between Nkmane and Philipi was in fact paballo, then it was a grant of residential rights and some arable land for Philipi and his few followers. The finding in the Judicial Commissioner's court was that Philipi was rightfully occupying and administering the area allocated him by his brother, and that this arrangement was not one of paballo, but of ceding full headmanship rights over the eastern portion of the valley. This situation was immeasurably complicated by the fact that although the court confirmed Philipi's rights of headmanship in the valley it did not define the boundary between his and Nkmane's sections of the valley.

The adherents of Nkmane and of Philipi have from time immemorial both ploughed on either side of the Mokhokhong River. This lack of a distinct boundary between the areas of chiefs and headmen is fairly common in Lesotho and has greatly contributed to discord between neighbours. Some forty acres of land to the east of the river are still ploughed by the people of ha Matete, and about eight people of Mokhokhong ha Philipi have land on Matete's side. This arrangement is known as interploughing. Duncan (1960:72)

[illegible]

comments,

> "Interploughing is a word coined in Basutoland to describe the state of affairs described in Sotho as mekoma e nasalane (the pumpkins have intertwined). When no boundary has been made between two chiefs there is often an area in which both chiefs allot lands, and in which the subjects of both chiefs are mixed up. This is not a form of pabalio..... With pabalio there is a boundary, but a lean of rights has been made across it; but with interploughing there is no boundary. Sometimes interploughing leads to trouble and the remedy is to define a boundary. When the boundary has been defined all the lands on one side are under one chief; and all on the other side to the other. The people are then given the opportunity of choosing. A land occupier who finds the boundary has been drawn between himself and his lands may either a) give up his lands and remain under his chief in his dwelling site, or b) give up his site and his chief, and follow his lands, becoming a person of the chief under whom lie the lands. All pabalios have now been 'killed' by paramount chief's rule dated 1st April 1950...."

Duncan's phrase 'sometimes interploughing leads to trouble' is apposite in Mokhokhong. Numerous conflicts and skirmishes have taken place over this issue. On one famous occasion some time after the end of the first world war the people of Nazano came from ha Matete to plough their lands on the east bank of the Mokhokhong River. There they were met by a contingent of Philipi's men and the two sides locked in combat. Sticks, stones, spears and assorted blunt instruments were employed and there were many casualties. At the peak of the fighting a man arrived from ha Matete with a gun, compensating for his lack of ammunition by shouting,

'Tsoe! Tsoe'. From this occasion the land on which the event took place was given the name of Malithunya - the mother of guns. That place is still ploughed by Mamane's (now Matete's) people.

There is still conflict between Mamane's and Philipi's descendants and subjects. The headmen of Mokhokhong ha Philipi have always, up to the present, claimed that the land on their side of the stream should not be ploughed by people from Mokhokhong ha Mamane. Until 1958 the people of Matumaneng, the largest of four villages in Mokhokhong ha Philipi, gave allegiance to Chief Matete, claiming that there was no real boundary in the Mokhokhong Valley and that it all fell under Matete's jurisdiction, a matter I shall return to below. At this point it is necessary to understand how Matete came to Mokhokhong since he is not related to Mamane, but is the son of the ward chief of a large area which includes Mokhokhong.

In 1917 Mamane requested his ward chief Masaa to 'give' him his son Matete to be placed over him in Mokhokhong. It may seem strange that an existing political authority should actually request that a superior be appointed over him. There were, however, many benefits for all concerned arising out of such a 'placing'. These are expressed by Jones (Goody, 1966: 62) as follows:

> "The superior chief was thus able to reward the more able of his relatives and followers, while at the same time the people gained by acquiring as their local head a person who was in favour with their lord and also in touch with his capital."

Mamane's request was therefore probably made in the

interests of better communications upwards, with the possibility, even, of enhanced political influence in his own area through chiefly support. It may also have been that Mamane knew that somebody would ultimately be placed over him, and preferred that the initiative and the choice should come from himself rather than from above. By requesting Matete he also presumably ingratiated himself with both the ward chief and with Matete. The request was granted and the young chief Matete Mamma came to live in Mokhokhong, where he still resides in the village established by 'Mabathoana but which has now come to bear his name. A further peculiarity of this arrangement was that Matete's area was identical with Mamane's. It is usual in Africa for the headman's unit to be smaller than a chief's, but in Lesotho there are many cases where both a chief and a headman occupy exactly the same territory. This is due to the system of 'placing' whereby a chief tried to find an area for each of his sons to establish himself with the exception of the eldest who was to be his own successor.

On the death of Mamane his eldest son, Patrick, left Mokhokhong and settled at the village now known as ha Patrick near the mountain Popanyane, to the south of the Valley. From here he continued to exercise the duties of headman.

The placing of Matete over Mamane did not immediately affect Philipi, for he was de facto established independently of his brother, and did not come under the authority of Matete. In 1922, however, Lebamang, another son of chief

Maama, a step-brother to Matete, was placed over Philipi. Philipi had in fact died in 1918 and, since his own son Maesa predeceased him, had been succeeded by his grandson Jobere. Lebamang's area coincided with Jobere's in the same way that Matete's coincided with Maama's. Jobere told me that when the young chief arrived Jobere showed him an area of arable land which he might use for himself and allocate as he wished. This was not more than about sixty acres. As for the rest of the area Jobere continued to administer justice, allocate land and declare lebaalla as before. All cases that could not be settled by the village heads were, as before Lebamang's placing, brought to Jobere at Maqekalaneng. Only if the dispute could not be settled in this court was it brought to LEBAMANG'S COURT. THIS function of providing a court of appeal from the headman's court appears to have been the main significance of Lebamang's presence. Jobere continued to be responsible for the appointment of village heads and also of subheadmen who looked after groups of villages on the plateau where it was difficult for Jobere to go frequently. He appointed his brother Motebele in 1935 to the subheadmanship of an area to the extreme south of his territory. Motebele subsequently became the right hand man of chief Lebamang, and when Lebamang died in 1966, of his wife who succeeded him. The nominal authority of Lebamang over the whole of Jobere's area was of small practical importance, and in Molchaichang it was scarcely noticed up to the time of Jobere's death.

Until recently the situation has been that, although of

different rank, Matete and Jobere were de facto peers, and competed for authority over the people of Matumaneng and over the land at Malithunya and elsewhere in Mokholchong ha Philipi. The court records indicate that in 1953 it was established that Philipi and his successors were rightfully exercising the function of headman in the valley to the east of the Mokholchong River. But interploughing continued reciprocally by the people of Matete and those of Jobere. Eight subjects of Jobere plough, and have ploughed since the time of their grandfathers, on Matete's side of the river. They all live in Matumaneng and most belong to the central kin group of that village. The members of these families, Manko, Tsoamamatsie, and Majaro, all gave allegiance to Matete, as they had done before to Mamane. They were registered on Matete's tax roll. They also aided with Matete in the disputes with Jobere and appeared in court as Matete's witnesses. Jobere found it very difficult to administer his area as a unit when it contained a hostile group over whom he had no authority. His efforts in this direction were resisted vigorously by the people concerned and by Matete, who in 1947 brought matters to a head by taking Jobere to court for 'interfering' with his people and his rights at Matumaneng. Jobere had declared lebollla over a piece of veld near Matumaneng, the inhabitants of which had ignored this order and grazed their cattle there. Jobere had impounded the stock, summoned the offenders to his court and imposed fines on them. Matete reacted to this by stating that Jobere had no right in the first place to make lebollla in an area that was not his own, nor in the second place to summon to his court people who were not his subjects.

The higher court at Mateleng which heard the case found against Matete and maintained that Jobere was rightfully exercising his headmanship rights in this area and over this village. There was no appeal against this finding. But in 1951 Jobere brought a case to the court at Mateleng against certain members of Matumaneng. At this hearing two of my respected informants, heads of the Mankoe and Tsenamatsie families, were sent to prison for disregarding the judgment of 1947, being found guilty of 'turning the doors of their houses towards another chief', i.e. wrongfully giving allegiance to a chief not their own. The court also warned, in this judgment, that the rest of the people of Matumaneng would be prosecuted should they fail to recognise the authority of Jobere. An interesting point, illustrating the ambivalence of attitudes concerning this matter, is that the same man, a descendant of Mamane and a subject of Matete, was the president of the court which awarded Matumaneng to Jobere in 1947, and also represented Matete in 1953, in the same court, in a case in which Matete alledged that Jobere had no headmanship rights in Mokholchong at all.

The court in 1953 considered this a piece of duplicity and censured the man thus: 'This fact might lead the court to the opinion that 'X' is not fit to be entrusted with the duty of dispensing justice in the Native Courts'. This was a triumph for Jobere who had pointed out the inconsistency of this man in his rôles in both cases. The court also expressed itself strongly on the conduct of the two Matumaneng

heads of families who were sentenced in 1951 and who had appeared again in court in 1953 as witnesses for Matete. By consenting to appear as witnesses they had, in the opinion of the court, violated the judgments of 1947 and 1951 again. The court had this to say: 'The court is aware that these two people.....are the direct cause of the breach of peace in Maama's area between chief Matete Maama and Joubert (Jobere) 'Mabethoana, and the court intends to place their names before the Paramount Chief who is responsible for maintenance of peace in Basutoland.....so that the Paramount Chief, in the powers in her vested, may decide whether or not these people should continue to live in the Matumaneng area.'x

In spite of these very positive judgments it was not until 1958 that Matumaneng ceased to give public and continuous allegiance to Matete. This was the year in which the Paramount Chief abolished mabelle. Section 40 of the Laws of Lesotho[xx] states:

> "A. In this rule unless inconsistent with the context, mabelle means.....
> (2) land in the caretaking of one Chief or Headman used by a person or persons subordinate to a different Chief or Headman.....
> (b) where such person or persons live as well as use land in the caretaking of the Chief or Headman granting the mabelle, while continuing to owe allegiance to their own Chief or Headman."

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x One of these men was in 1967/8 Jobere's right hand man and the chairman of the village council (lekhotlana); the other was village head in Matumaneng.
xx Quoted in Duncan (1960: 150)

This clause covers what Duncan has called interploughing, and it means, in effect, that one cannot reside and plough in the area of one chief and owe allegiance to another chief. One must give up either dwellings and fields or chief. When this rule was announced Jobere made clear his intention of enforcing it. Had he been able to prove continued disloyalty by his Matumaneng subjects he would have had a strong case for evicting them from their village, where their families had been established for about 100 years, and from their fields to the east of the Mokhokhong River. Some of them, it is true, had fields on the other side of the river, but these were far too few and small to sustain them. Thus the cause was finally won by Jobere. The people of Matumaneng have, since that time brought their cases to his court, registered on his tax roll, submitted to grazing restrictions adjacent to their village and imposed by Jobere,* and placed their fields under his jurisdiction. But there is still a strong feeling in most of the people of Matumaneng that they are really Matete's people and that they have only fallen under Jobere due to a series of legal manipulations. They take the attitude that they are now, whether they like it or not, effectively a part of Mokhokhong ha Philipi and that further protest is pointless. There is no real advantage to be gained by maintaining the ties with Matete, and in any case he has produced no children at all so that his line dies with him.

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x In fact one of the Tsoana notsies is in charge of laboella for the whole of Mokhokhong ha Philipi, subject to the authority of the headman.

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