

Civil Authority – from the Perspective of African Theology

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This treatment has been long overdue. For the greatest taunt that African Theology has had levelled against it by her sister theologies – Black Theology and Liberation Theology – has been that it seems to ignore the sin of oppression, poverty and structural violence (Apartheid) perpetrated on God's people (M. Buthelezi, D. Tutu etc.) and is concerned rather more with questions of culture and African-ness than those of justice in public life – areas in which Africans at home and in the diaspora have suffered most. Acknowledging this charge, on behalf of African Theology, I have pointed out that that does not mean that there is not inside it a concern for these issues, but that for the immediate past African Theology has been preoccupied with dialoguing its way into acceptance as a legitimate way of doing theology in the face of the arrogant resistance of Western Theologies and their proponents. I pointed out then that when African Theology reaches the stage of theologising in that area, the outcome will make the preoccupations of the other theologies appear like a Sunday school picnic.¹

This essay seeks to address the question of Civil Authority from an African theological perspective. In an essay on

“Salvation and the Secular – From an African Perspective” (Mosala and Tlhagale, *The Unquestionable Right to be Free* 1986) I do what I am reputed for criticizing Black Theology and Liberation Theology for doing, i.e take the Western concept of civil authority for granted and not question its existence and *raison d'être*. I propose that in order to make its point African Theology will have to begin at this fundamental level. Thereafter it will be necessary to assess its human expectations from civil authority. For far too often, especially in many African countries these “principalities and powers” have sought the allegiance, loyalty and slavish obedience of people without seeing themselves as contracted to fulfil reciprocal obligations. This is the case especially in South Africa where civil authority will claim even divine ordination to rule over people whom it denies the right of consent to be ruled by it. Finally we shall attempt to draw out what would be African Theology's understanding of what civil authority should be about.

As African Theology has always claimed not to be a theology of books for some elite academics, but a verbalization of the religious experience and

1. *African Theology en Route.*

feelings of the African people, we shall attempt to show that Africans' attitudes to civil authority are indeed deepseated and emanate out of their African cultural background. This does not necessarily mean to say they are not "Christian". On the contrary I hope we shall be able again to show that these genuinely deepseated African cultural in-sights do not only corroborate Christian teaching at its best, but immensely illuminate the biblical basis out of which it draws its life. An often ignored reason behind the easy acceptance of Christianity as a way of life on African soil lies in the fact that its message was first heard as a confirmation of the values and principles of *Botho-Ubuntu* taught, aspired to and striven for in the traditional African world-view:

"For they did have a strong sense of moral equity concerning the behaviour of man as he lived with others. It is this sense of moral equity they drew from when they condemned the evil they saw among themselves by declaring of the perpetrators: "Ga se Motho" (he is no man!) i.e. he is a beast, a savage. ... What the missionaries stood for corroborated with what was best in their hopes and desires, with their silent and unuttered search and aspirations after human perfection."²

The Rulers of African Traditional Societies

When the white people arrived in Africa, they found African people living in groups bound together by lineage and language and a common origin. These groups they called "tribes". At the head of each groups administering its laws, customs and

usages, speaking and dealing on their behalf was one whom they called *Inkosi* (Nguni)-*Morena* (Sotho-Tswana).

The whites refused to use the term "king" for this leader, as doing so would equate him with their own "kings" back home. They called him "chief". As most of the first contracts were on a military basis, "chief" developed a nuance in meaning that has degenerated it to a military ruler – "Kaptein", and the impression that it was attained by superiority in military prowess. Some of the serious blunders that were made, therefore, in some of the treaties signed with the blacks were made with the rulers – *Amakosi-Marena* – who may at that time have been militarily superior, but were in fact not so in the traditional view and primogenital ceremonies of the people concerned. The case in point is that of Ndlambe and Ngqika in the Zuurveld.³

African rulers derived their authority from their seniority of birth. As Casalis points out –

"the right of primogeniture involves great responsibilities... Thus Reuben, in the plains of Dothar, felt himself responsible for the life of Joseph, and was troubled at the thought of the disagreeable position in which he was placed by the disappearance of the lad."⁴

In a tribal group the ruling family would under normal circumstances be directly descended from the founder of the group by whose name the whole group would be known, e.g. Kwena (BaKwena), Rolong (BaRolong). Family seniority in the group would also be determined by lineal proximity to the original source. So the whole group, tribe or village would, either in fact or

2. G.M. Setiloane, *The Image of God among the Sotho-Tswana*, A.A. Balkema, Rotterdam, (1976), pp 138f.

3. See E.V. Tisane, *Nxele and Ntsikana*, M.A. thesis, University of Cape Town, (1987).

4. E. Casalis, *The Basutos*, James Nisbet, London, (1865), p 180.

fictitiously be able to trace some sanguinary relationship with this source of origin. Indeed there would be later appendages resulting from conquest and others who would have sought and found asylum. The allegiance of such would be understood as not only to the physical power but also to the source out of which that power came, viz: the ancestors of the group as their real owners – *Beng*. Naturally, because of incompatibility and internal feuds, fission also occurred. Often it occurred at the very source, in the ruling family. For whatever reason it might have been so, the law of primogeniture continued to hold sway thus affecting the position of the (tribal) groups on the ladder of seniority. Therefore among the Tswana the seniority of the Hurutshe group over others, Ngwaketse, Kwena, Kgatla, etc. etc. is accepted and acknowledged in ritual to the extent that a MoHurutshe commoner would be granted prior place even to royalty in a first fruit ritual performed in another group among whom he lives or sojourns.⁵

This law of primogeniture extends beyond the realm of the living into that of the ancestors. Every family has a long line of ancestors it traces itself from and to whom it owes gratitude for protection and sustenance. Collectively all these ancestors sustain and uphold the total group. In that role the ancestors of the royal household are considered exactly in the same order of importance as they were while they were alive and themselves headed the group. The ruling head, therefore, derives his powers and rights not only out of primogeniture but from his ancestors who are not only his but also the ancestors and protectors of the

whole group. For instance, H. Rider Haggard was right to make the legitimacy of the headship of the group to be judged and finally decided by the verdict of the ancestors, in spite of the fact that Umbopa already bore the indisputable sign of “tribal” headship (*King Solomon’s Mines*). So the ruler (*Morena-Inkosi*) does not rule of himself, nor does he do so only because he is born to do so; but he does it as a Vice Regent on behalf of his ancestors who have ruled before. Therefore a Tswana ruler would never refer to his subjects as “My people” but rather as “The people of my fathers” or call them by the name of the original founder of the group, e.g. “BaKwena”, the people of Kwena. The crucible, therefore, of the morality and righteousness of his actions as a ruler is whether they would be passed by his ancestors. Therefore W.C. Willoughby tells the story of a Tswana chief who under pressure from his courtiers to act in an obviously prejudiced manner against another, retorted: “I cannot do that! How shall I face my fathers if I did so?”⁶

In a similar manner the respect, honour, loyalty and allegiance that an African ruler received from his subjects were/are not offered to him as a person alone but as representative of his forebears.*) In this way he becomes the prototype of the group, and is respectfully addressed as such e.g. “MoKwena”, “MoKgatla”, “MoRolong”. He is Number One! The more he, in his conduct of public affairs, shows respect and adherence to their (i.e. the ancestors’) ways – *mekgwa* – *amasiko* – and traditions, the more and closer the people will be drawn to him. For as he does so, ensuring a good relationship with his ancestors and

5. See R. Moffat, *Missionary Labours and Scenes in Southern Africa*, (1842), passim.

6. W.C. Willoughby, *The Soul of the Bantu*, SCM, London, (1928), p 390.

conducting himself and public affairs as they did and would, he ensures the prosperity and wellbeing of all. The early missionaries often described African rulers as unimpressive people with mediocre physical appearance and lacking in personality. Nevertheless these leaders commanded the respect, loyalty and allegiance of their people. For it was not in their physical appearance and achievements that their premiership lay and was displayed. Although they impressed strangers "with a low opinion of their intellect", their countenances exhibiting "so much mediocrity and mental indocility that one would not take them for a chief unless appraised of it"⁷ theirs was a vital role in the ritual life of the group. Every year at spring they presided over the Seed-Cleansing-Ritual; in autumn they headed the First-Fruit Festival and in winter the Harvest. So also their sons and bullocks annually went first to initiation and circumcision. Above all when disaster and tragedy like drought or plague struck, they were the intercessors who in ritual appealed to "The Owners of the Land" – the fathers departed – for *Lotsididi* – cooler times, a respite. That is why, especially in the more climatically arid parts, the western highveld, mainly Sotho-Tswana-country, rain-making was a coveted propensity of the monarch.

"None but the paramount chief could preside over this ritual ... he, being the senior surviving representative of the line, is the natural priest of his fathers, who are the tutelary deities of the tribe....

Varied as these rain-rites are..., it can scarcely be denied that they were designed as a ritual of intercession with the spirits of the old chiefs, the tutelary gods of the tribe.

Hence the surviving successor of any given line of chiefs, who was born to share their divine prestige, is the only possible officiant. For as much as the rites are intricate and ... would be ineffectual unless performed with meticulous conformity to rule, the chief is assisted by his expert hierologist, and often by his uncles, in his dramatic invocation of the favour of his fathers upon his liegemen, herds, fields, pastures and woodlands; but *he is the pontiff, and they are the acolytes.*"⁸

The Role of Women in Ritual

Perhaps this is the point at which mention needs to be made about the role of the women members of the royal household. For while it is true that the ancestors repose their authority on the "Monarch", their insight, wisdom and even power are not restricted to him alone. His immediate relations, uncles, brothers, sisters and aunts share this authority with him. They may not necessarily and always do so in the public place like the *Kgotla* where the various clan heads gather, if they are women; but they certainly do have a unique place in ritual. For instance as J. and E. Krige have brought it to public notice in *The Realm of the Rain Queen* (194?) among the Vhulvedu the monarchy is divided as it were. The matter-of-fact-administration and conduct of affairs is done by the heir who is in fact monarch and ruler. But where it concerns ritual, affecting the whole group's wellbeing, the seasonal festival etc., his mother, the widow of the deceased father and predecessor, acts; especially in rain-making, First-Fruits festivals and Seed Cleansing. Therefore the Krige's title. She is the ceremonial head who links the living community with the deceased ancestral community. While

7. John Cameron, in Archives of the Wesleyan Methodist Missionary Society, London.

8. W.C. Willoughby, *Op cit.*, p 204 and 214.

this is not so very obvious among the other peoples, it is still there. *) Among the Tswana an old paternal aunt to the Monarch joins the Monarch and his elderly uncles as they pray for rain calling upon their fathers (royal ancestors) to intercede on their behalf. *Medimo e menyenyane re rapelleng go Mogolo* – “Little divinities pray on our behalf to the great Divinity”. With the customary privilege that daughters enjoy with their fathers while alive, such a great aunt might even take the liberty of addressing the departed royal ancestors, father, grandfather and grand uncles, by name, this way intensifying the communities’ appeal and exemplifying her greater proximity and intimacy to them.⁹

It must not be forgotten also that the beer, that is always available at the *Kgotla* where men are met, and which is so very important in the invocation of the ancestors, in normal intercourse there and particularly in the reception of strangers and visitors, is brewed by or under the direction of the women of *Kgosing* – the royal household –, i.e. they prepare the sacred drink, sacred because it is shared with the ancestors. By an old Sotho-Tswana custom the most ceremonially senior woman in the Monarch’s household, his mother or wife, was responsible for the fire at the *Kgotla*. That fire was called *Mollo wa Badimo* – the Fire of the Ancestors – and was never allowed to die out. If it did, she was responsible for rekindling it. This she would do before dawn, because normally the *Kotla* was “out of bounds” – taboo – for her as a woman during the normal times of its activity. When the siting of the village was changed – as happened ever so often during *difaqane* – it was this senior woman’s responsibility to carry the

embers of the fire from the foresaken *Kgotla* to the new one and with these to rekindle the fire there. Whatever the case her’s was the responsibility to kindle the first fire in the new site. It is from this central fire place that the senior women in the various clans comprising the group (tribe) would take the light to kindle their household fires.

The purpose of this diversion is to make two points, viz:

- a) That authority was shared inside the family, each member having his/her part to play even before it was exercised on the *hoi poloi*. It was not a privilege or favour bestowed by the royal ancestors on one person. Indeed it cohered and rested ultimately in the ancestors.
- b) That women shared in the favour and privilege bestowed by the ancestors and played a very important ritual ceremonial part in addressing them on behalf of the group. So also down the strata of the community, the clan, the household, and the family (*lapa*), women shared in the exercise of authority. Indeed their role was prescribed; but then everybody’s role, even that of the ruler – *Morena-Inkosi* – was strictly prescribed by tradition, enforced by the invisible powers, the ancestors, and he strayed out of the set rules of behaviour at risk to his status and position.

WHEN “PRINCIPALITIES AND POWERS” REBELLED

From the foregoing it is clear that African Traditional Society would be highly conservative. Roles in the community were determined by tradition and enforced by the Divinity, through

9. G.M. Setiloane, *Op cit.*, pp 75f.

the ancestors who were the guardians of morality and equity at various levels of the community,¹⁰. Departure from tradition would therefore be understood as acting contrary to the precepts of the ancestors, and for one in authority it would be tantamount to sedition in high places. African “principalities and powers” are, like the Old Testament Kings and Judges assessed good or bad, successful or not to the extent that they do and live by what is considered “just and righteous” in the sight of the Divinity, in this case the ancestors. Departure from traditional usage which might offend the ancestors and thus bring about disaster to the total group by way of drought, pestilence etc. is punishable even by the tribal tribunal. For as Monica Wilson takes pains to mention, drawing from different sources, both among the Sotho-Tswana (Schapera) as among the Nguni (Kuper), a chief “was traditionally below the law and could be tried and fined by his own counselors” who would then be the executors of Divine authority. Such a ruler, who abrogated traditional usage, setting himself above the common good and acting capriciously, lost respect and authority and was described as *Morena wa meKopu* – a king of pumpkins.¹²

African history, oral and written, especially in Southern Africa is replete with examples of how civil authority that went off the path was treated. Certainly loss of loyalty and allegiance of “the people of his fathers” was the first thing. For allegiance and loyalty to a power which is itself disloyal to the higher authority of divinity through the

ancestors is blasphemy and idolatry, i.e. like worship at wrong shrines. Secession would be the next step. By seceding or running off to set themselves up under the leadership of some other person of an even lesser status – some uncle or younger brother – away from the decadent ruler would be a peaceful way of solving the problem. The secessionists would plead departure from tradition and the will of the ancestors as good reason, and see themselves as the defenders of truth and right: The case of Ndlambe and Ngqika in the Eastern Cape in the last century is in point. Among the BaTswana about the same time a young ruler misguided by his *Kgotla* ordered the annual ceremonial castration of the yearling bullocks before the harvest had been brought in. The normal sequence is that the harvest be brought in first. The castrated bullocks can then feed on the grain stalk in the fields without the strain of travelling too far, and thus heal quickly. The courtiers could not convince their *Morena* that he was doing wrong in so departing from tradition and therefore inviting the wrath of the ancestors on the whole group. Late one night these councillors and other disgruntled families taking with them the *Morena's* sister who was mother to a suckling boy called Moeng, secretly leaving the main community with their cattle and household effects to set themselves up as a new tribal or clan group under the leadership (*Morena-ship*) of this woman, *MmaThari*. To this day this incident is celebrated in the oral praise songs of this clan of BaRolong people. Peter Delius describes a similar action by ManKhurwane and a section seced-

10. *Ibid.*, p 65.

11. M. Wilson, et al, *Oxford History of South Africa*, OUP, vol.1, Cambridge Press, (1968), pp 122 and 158.

12. E. Casalis, *Op cit.*

ing from his brother SeKhukuni under the influence of the missionary (1986). In this case the religious element in the motive was even more patent because it was Christianity that was the bone of contention.

The teaching here is that conscientious followers of tradition found themselves constrained to withhold their love, loyalty and allegiance from a civil authority which was handling affairs contrary to the will of the ancestors. Such an authority was deemed "rebellious to higher powers" and its actions could only be followed by disaster for all.

A famous case is that of Sechele, *Kgosi/Morena* of BaKwena under the pastoral activity of George McKenzie of the LMS at Molepolole in the last century. Sechele, having been converted Christian and living under missionary influence, would not conduct the annual communal ritual of "rain-making". In tradition "rain-making" is the monarch's responsibility to ensure the goodwill and beneficence of the ancestors and the survival and prosperity of the group. By so refusing to perform this ritual and others because they were to him now "heathen", Sechele was rebellious as a monarch to the directions and will of the ancestors. Thus left in the lurch, his people settled for second best. They treated Sechele as if he had ceased to be their ruler or had died, and persuaded his brother Kgosi-dintsi to perform the ritual. As he was in the direct line of primogeniture it was proper to do so. Sechele remained their "ruler" in every other way but not in ritual. But as Kgosi-dintsi performed the communal rituals, interceding on behalf of the people with the ancestors, their loyalty, trust and allegiance shifted

from Sechele to him. For instance ritual services after the hunt or harvest, and even straight devotion and respect as *Morena*, Vice-Regent of the ancestors, were directed to Kgosi-dintsi. Sechele realised his mistake and loss of control. He was becoming a "pumpkin ruler" – *Morena wa Mekopu*. He repented and began again to perform ritual and rain-making. As he did so, the people returned their loyalty, love and allegiance to him, recognised him again as their king.*) This again exemplifies the Sotho-Tswana expression: *Morena ke Morena ka Batho* – "A king is one only when and as long as he is acknowledged by the people". Therefore it is clear that African people acknowledge a civil authority only in as far and as long as it is prepared to be the channel of the blessings of divinity to the community. The divine right of kings, so-called, then becomes an onerous burden on the ruler. It is not, as often some think, only and absolute privilege. As Casalis observed – "The right of primogeniture involves great responsibilities among the natives". Precisely because of his mystical involvement with all his people, *Morena* is not above the law. He discharges his responsibilities while fully aware of the two authorities by whom he may be checked – his *Kgotla*—council of elders and his *Badimo*—ancestors who are at the same time *Badimo* of his whole people:

"It is not unusual to hear a chief say, in objecting to some course of action that is proposed to him: 'How will I meet my father (or grandfather) if I do that?' Such a phrase presupposes an unpleasant experience in the spirit world for one who has wasted his patrimony, broken up his tribe or sacrificed the domain that his ancestors won."¹³

13. W.C. Willoughby, *Op cit.*, p 390.

The heart of the matter here is that there is for the *Morena-Inkosi* no cause for personal and individual self-sufficiency and pride even in achievement because all would be understood as a gift of *Badimo* who although his direct physical forebears are not his alone, but his for the total community.

THE VIOLENT OVERTHROW OF AUTHORITY

The case of Tshaka and his brothers Dingane and Mpande who decided to assassinate him has left them as the villains of African history. Unlike Brutus in Shakespeare's *Julius Caesar*, but like Judas of the New Testament their case has lacked advocates and sheer greed – heathen pagan greed – and ambition have been seen as their motive. The other and more African view could be that Tshaka had ceased to be a channel that transmitted divinity and its blessings to the community. The killing of Noliwe, his betrothed, for the attainment of physical power and the inhumanity and the cruelty which he brought his mother's retinue put him beyond the pale of *Ubuntu* – Ga se motho! Also the havoc his cruelty had caused all over the subcontinent with *difaqane* certainly could not win the approval of the ancestors, let alone their blessings. His continued reign only presaged a curse and the wrath of the ancestors on the group. Deciding to assassinate him could therefore be seen as an act of service to the community not unlike shooting a rabid dog.

What we are saying is that in the traditional African view a civil authority which by its actions has ceased to transmit the blessings of divinity to the community, but persecutes, exploits and terrorises, thereby forfeits its authority and is expendable even by

violence. Put in another way, a civil authority is not sacrosanct but owes its right of existence and homage from its subjects only to the extent to which and as long as it continues to be the servant (minister) of divinity to the community. Very appropriate here therefore the British royalty's household motto propounded at the peak of the glory of British monarchy and imperialism viz: "Ich dien – I serve." The civil authority is understood to be a servant of the community, in biblical language "a minister" to the people.

CIVIL AUTHORITY AND PERSONAL RIGHTS AND LIBERTIES

Post-colonial independent Africa has become the laughing stock of the world because of the extent to which its new civil authorities, "principalities and powers" have proved insensitive to human liberties and rights. Often many self-respecting Africans have had to hang their heads, dumbfounded and their nationalist pride quenched by shame. Our enemies have of course made capital of this and inhuman systems and regimes like South Africa's apartheid policies have won support on world platforms and courts because it has become feared that, left to themselves, Africans cannot bring into being nor manage institutions of government which would uphold personal liberties and rights. The "tyrannous" rulers of African history, especially Tshaka and Mzilikazi, misrepresented and misinterpreted by prejudiced imperialist historians and observers, have been cited to indicate how contrary it is to the nature of Africans to be fair in public dealing, sage in council and considerate in judgement of people as persons. A study and knowledge of African religious values and concepts con-

cerning the human person and the community would, however, strongly argue against this. Common everyday expressions indicate a sensitivity that should lead to kindness, humaneness and tenderness which would make for greater respect for human rights and liberties. Examples for this are: *Motho ke Modimo* – “A human person is divine”, and – *Molato wa khutsana o lowa ke ditshoswane* – “The cause of the defenceless orphan is contested by ants”, meaning what has been said above, that in all human intercourse the ancestral unseen *divinity* is a silent observer and ultimate judge and executor.

Actually early observers of African public affairs, before the threat of insecurity and adulteration by other cultures (the very Western cultures which today claim superiority) witness to societies and communities in which these values and concepts were practised and upheld by the civil authorities. “Records of the eighteenth and nineteenth centuries among the Xhosa and Mpondo, and the eighteenth century in Natal, ... depict a society in which disputes were settled in court, trade regulated and the power of the chief bridled ...”

Van der Kemp, the first missionary to the Nguni, reported in 1800, of the Xhosa Chief Ngqika:

“He has his counsellors who inform him of the sentiments of his people, and his captains admonish him with great freedom and fidelity, when he abuses his authority to such a degree that there is reason to fear that the nation will shew him their displeasure. This is done, if he treats the admonition with contempt ... most effectually by gradual emigration.”¹⁴

Casalis reports that Tshaka and his

successor Dingane were not the norm but historical freaks (like Hitler and Napoleon). He calls them “the tyrants of Natal ... who exacted almost divine homage. Those who approached them were obliged to crawl into their presence with adverted heads ... These servile habits were entirely without precedent in this part of Africa, and the country was deluged with blood in order to establish them. Nothing like this is ever found among the Bechuanas ... There everyone approaches the most powerful chiefs without the least ceremony. No one dreams of rising in their presence, either as a mark of respect or to give them a more comfortable seat when they enter unexpectedly a circle already formed. They are interrupted and contradicted without ceremony, and are merely addressed by their names, pompous titles being reserved for State occasions.”¹⁵

Moffat confirms that primogeniture, the divine sanction of the ruler’s position as *Morena* (authority) did not necessarily limit the freedom of speech, censure or even the freedom of action of the members of the group who were under his authority against the authority:

“The government of these people partakes both of the monarchical and patriarchal, comparatively mild in character. Each tribe has its chief or king, who commonly resides in the largest town and is held sacred from his hereditary right to that office. A tribe generally includes a number of towns or villages, each having its distinct head, under whom there are a number of subordinate chiefs. These constitute the aristocracy of the nation, and all acknowledge the supremacy of the principal one. His power, though very great, and in some instances despotic, is nevertheless controlled by the minor chiefs, who in their *pichos*

14. M. Wilson and L. Thompson, *Oxford History of South Africa*, OUP, vol.1.

15. E. Casalis, *Op cit.*, p 219.

or pitshos, their parliament, or public meetings, use the greatest plainness of speech in exposing what they consider culpable or lax in his government. An able speaker will sometimes turn the scale even against the king, if we may call him such. I have heard him inveighed against for making women his senators and his wife prime minister, while the audience were requested to look at his body, and see if he were not getting too corpulent; a sure indication that his mind was little exercised in anxieties about the welfare of his people. ... the national council (*Pitso*) (was and still is) the stronghold or shield of the native customs, in which speakers have, in a masterly style, inveighed against any aggression on their ancient ceremonies, threatening confiscation and death to those who would arraign the wisdom of their forefathers. This was their forum, while the responses on nobles were the pulse of the nation."¹⁶

Just to what extent free critical speech was exercised at the *Pitso* against the *Morena* is exemplified by this record of the proceedings of one vital *Pitso*. The occasion was the discovery of the MaNthatisi warriors, about to attack the BaThlaping's principal village. The speaker, one Taisho, was one of the subjects of King Mothibi of BaThlaping:

"Turning to the king, he said: 'You are too indifferent about the concerns of your people; you are rolled up in apathy; you are now called upon to show that you are a king and a man'."¹⁷

Nor was this freedom of speech and expression restricted as "Parliamentary privilege" to the precincts of the *Pitso* ground which Moffat rightly describes as "their parliament". Casalis in his *Etudes de la Langue du Bechuana* records how even a highly respected and loved monarch like Moshoeshe had sharp and incisive

criticism levelled against his decision concerning the use of *his own property* by a poor warrior:

"Moshesh had given a few cattle to a very courageous officer. And then he wanted to take these cattle back in order to send them to Leshwe, chief of Bathlaping ... The officer was extremely angry and presented himself in front of Moshesh with these words:

"Is this the way a just man should behave? You take from me all my food, all the subsistence of my wife and children in order to send it to foreigners. Have you not other cattle to give him? Must you leave those to whom you owe your salvation living in misery? Look at my body, it is covered with wounds. I fought against MaNthatisi, the Zulus and the Korana. If the enemy comes again will you see Moshesh expose himself to the assegais? No! He will not dare to follow me. It is I who is going to fight, suffer hunger, thirst and fatigue, while my chief will eat, drink and sleep peacefully."¹⁸

WHO SPEAKS THE WORD OF CORRECTION?

African traditional community life in the interaction between the people and their civil authority seems not to have a set-up that would identify a single person who would stand out as the spokes-person on behalf of divinity – i.e. a prophet, an Amos or a Nathan. In comparison with biblical Israel, African traditional society seems to be at the pre-prophetic period where the priest suffices (besides the king!) as the interpreter of divine will and purpose. In this context this role would be filled by the *Ngaka ya Morafe*, the official doctor of the community/group, who could be the specialist, always available to advise as to the details in the conduct of

16. R. Moffat, *Op cit.*, pp 248ff.

17. *Ibid.*, p 352.

18. E. Casalis, *Etudes de Langne du Bechuana*, Royal Press, Paris, (1843), p 16.

affairs and especially rites.¹⁹ The king is the priest-patriarch, except that he is not an autocrat. The *Kgotla*, Elders' Council, is not only his board of executors or ministers of state, but also his check. It is out of this group which is composed of "the aristocracy of the nation" that despotic tendencies are checked in the name of tradition and appeal to the authority of the ancestors for the good of all.

Guardianship of the morality and advocacy for the cause of the helpless and deprived who are seen as *Batho ba Modimo* – the people of *Modimo* (in a specially deeper sense than all the others) was not left to select people. As in the case of the warrior who challenged Moshoeshe (above) they themselves enjoyed straight and unrestricted access to the seat of power, there to "use the greatest plainness of speech in exposing what they consider culpable or lax in his government" or conduct as head of the group. So the situation is that the community itself through the persons (individuals) who compose the various levels and in different capacities exercised spokespersonship towards equity and righteousness in society in the name of divinity. It is true that knowledge about the workings of divinity – *Modimo* – through the ancestors was deposited on or acquired by the *Ngaka* more than anybody else, even the King himself. However, revelation or inspired insight into things was the prerogative of all, royal, noble and common folk, men and women. In this way it would seem aggression and evil in public affairs would be curbed before it had grown to inordinate proportions.

It needs to be said though, that age gave an even greater freedom of speech and authenticity as speaking on behalf

of the divinity. A word of warning or censure from a grey-haired, bodily feeble, wise old man uttered with a trembling voice at the *Kgotla* or informally, was greatly heeded by the wielders of power. It had resonances of the words of their fathers now gone and living in the realm of *Badimo*, those he had consorted with in youth and manhood, and whom he expected to claim him soon to join their company in the land of *Badimo*. Who could speak for divinity with more authority even if less ostentation!

APROPOS THE CURRENT THEOLOGICAL DEBATE

Before entering the area of pointing out what I would call the perspective of African Theology as regards civil authority and its dealings, it seems appropriate to make clear what I believe lies behind the hermeneutic of African Theology. African Theology maintains that theology is a verbalization of an existential (subjective?) experience of divinity. Naturally different people have different experiences of the same divinity – (for "Behold, O Israel, the Lord thy God is One!"). Each group of peoples interprets or understands divinity and its workings at any one time, out of its aggregate historical experience of life and the view thereof, *A Weltanschauung*. So although we may stand in a common Christian solidarity of confession, each group nevertheless has its own understanding and view, therefore its own interpretation of that which we together commonly confess. This uniqueness of each group's confession (called theology) is based on and to a great extent is moulded by its historical experience called culture. In Afri-

19. G.M. Setiloane, *Op cit.*, p 76.

can theology, we Africans encounter the materials of the Christian faith (the Bible and teachings of the church) with our whole history from the beginning of time and of existence, and how it has schooled us to comprehend, appropriate and live with reality. I suppose this is what is meant by culture! Without denying others their own expression according to the path we each have travelled from time immemorial to the point at which we have all converged at the cross on Calvary's hill, we stubbornly declare that our experience, dedication and comprehension are clear, real, could educate others too, and certainly deserve a place in the record of the various unique existential confessions of this reality in universal experience. Our African traditional practice and/or religion, therefore, becomes our path to the universal revelation of divinity through the man of Nazareth and his cross on Calvary. In other words our hermeneutic key then is our traditional historical existential experience of divinity in community from the beginning of time. What representatives of other cultural groups have had difficulty in accepting is this stubbornness in claiming the uniqueness of our understanding of this reality when they claim to have been the tutors who brought us to the foot of the cross. Perhaps we should refer them to Paul's words in the Epistle to the Galatians, viz. that a child who is the heir is totally under the direction of the tutor, but when it has attained adulthood it might even instruct its erstwhile tutor (Gal. 4:1 ff.)

WHAT THEN IS AFRICAN THEOLOGY'S PERSPECTIVE OF CIVIL AUTHORITY?

1. That *Morena – Inkosi* is what he/

she is through the working of divinity and that not just anybody can take his/her place and head the group, seems to be fully in line with Romans 13, that "the powers are ordained by God". The African traditional view, and therefore African Theology, would enthusiastically echo Peter when he states the purpose of being of these powers: "for the good ordering of society", i.e. life together. Our historical traditional life shows this all the way in the prescriptions it sets for the responsibility of the civil authority – e.g. conducting ritual for the transmission of the graces and beneficence of divinity to the people. In fact in its view of the whole sphere of society being an arena of the divinity's activity (i.e. no sacred-secular dichotomy) the African traditional concept bears witness to the fact that it considers that all civil authority is under the charge – and that means for good or evil, for blessings and for judgements – of divinity.

2. That the civil authority exists for the people in the community to subject themselves to it (i.e. to be obeyed) is without question. The African traditional situation would even say that wilful and persistent disregard of civil power as Vice Regent of divinity would be seen as apostasy against divinity and therefore punishable. That is why treason is such a serious offence, punishable even with death.

3. However, African Theology, drawing from African traditional practice would never view any civil authority as absolute. All rights and powers of such an authority are vested in the divinity, and the authority is under its judgement. "How shall I meet my fathers...?"

4. When the civil authority ceases to be the transmitter of the graces and benefits of Divinity, i.e. execute what

has been entrusted to it, it forfeits its validity. The case of Sechele when he stopped performing the rituals which were vital for the group's life points to this.

5. Such a forfeiture of validity means an extrication of the people from its authority and rule. Should it, however, persist to exert itself as authority, then it becomes the "abomination of desolation" ... standing in the holy place" (Matthew 24:15), a hindrance to the people's access to divinity, viewing itself as the final point of reference, and as such expendable. Here we come to the belaboured question of uprising against or violent resistance to the civil authority. African Theology would, therefore, stand by this and perhaps even advocate it as an act of faith, thus reminding us of Islam's teaching on the "Jihad".

Throughout my life and career in ecumenical discourse and across debate the African continent (and elsewhere) I have never once come across an African Christian theologian who would forswear the validity or legitimacy of violence against a reprobate civil authority. Many of us have shied from open advocacy of violence because of the logistics of it. Men of God, however, like Bishop Lowun of Uganda during the Idi Amin regime, and some Nigerians during their tragic civil war, have not resisted condemning aggression by the civil authority even to the point of martyrdom. Canon Burgess Carr as the spokesperson of African Christian religiosity verbalized it, *ex cathedra* in his capacity as General Secretary of the All African Conference of Churches (AACC) at its Third Assembly in Lusaka 1974:

If for no other reason, we must give our

unequivocal support to the Liberation Movements, because they have helped the Church to rediscover a new and radical appreciation of the cross. In accepting the violence of the cross, God, in Jesus Christ, sanctified violence into a redemptive instrument for bringing into being a fuller human life.²⁰

In the *Book of Revelation* there is exhibited a strong revulsion, similar to that of African traditional practice, against a civil authority which usurps the role of divinity in determining the fate of people. It is seen as "the Beast", the "AntiChrist". It is true that the *Book of Revelation* does not explicitly advocate the destruction of the "AntiChrist" by its victims. It, however, sees it deposed and destroyed by God's might. African traditional practice would support the former option! For, in its understanding, divinity always acts out its purposes through people. We have pointed out also how in African traditional practice the word or act of censure and judgement (prophecy) is spoken and acted out by even the commoner. Hence the "ant" in the proverb *Molato wa khutsana o lowa ke ditshoswane* (see above) could be the downtrodden victim of systemic aggression and misgovernment.

I have argued in this paper and elsewhere that when any people become Christian they willy-nilly and even unconsciously bring with them into their Christian understanding values, insights and perceptions inherited from their pre-Christian past. The world has reacted rather judgementally to the frequency and multiplicity of coups d'état in Africa since the departure of the colonialists. Perhaps the world should stop and look and listen. Is it not still the African's traditional, very religious understanding

20. See Report of the All Africa Conference of Churches: "The Engagement of Lusaka" in *The Struggle Continues*, p 78.

that actuates the *dramatis personae* in this drama; That a civil authority that has ceased to transmit the beneficence of life from God on whose behalf it acts as an authority, loses validity? I once heard a Zulu lay person declare in a church conference that the South African white regime, as far as he was concerned, had lost its *Isithunzi* = its essence of being and had therefore

become, as it were, a wraith, an empty shell. When once such a conclusion has been reached and, mark you! after very long and deep religious reflection, is not the obedient devotee called upon, in the name of God and in preservation of its integrity, to "rise up and strike"? It is logical. To my understanding of African Theology – "To falter would be sin".