



2nd UniSA Nelson Mandela Lecture

Through Their Eyes: Of Diamond Rings and Cows – Diamonds for Love and Cows are for?

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Jointly presented by the School of Law and The Bob Hawke Prime Ministerial Centre at UniSA

Introduction:

Let me start the way a gathering of this nature would be started at home; with a saying that captures our believe in free speech – “*Mua lebe o bua la gagwe, gore mona lentle a tle a letswe*”, meaning s/he who utters a bad word has a right to do, for only then can a good word be uttered in response.

We are gathered here today in the name of a man of great wisdom and courage. All over the world people gather as we do today, under his name, or under the names of other great minds of our time and of times past; to be part of a ritual. It is a ritual The Hawke Centre and other institutions of like minds have come to consider so fundamental that they invest money and resources to enact it – the ritual of the exchange of ideas. A ritual aimed at honoring that age old principle of natural justice – *audi alterem partem*! Hear the other side! I am honored to have been invited and not just invited, but invited so that I can be specially heard.

I think it is fair to say that at the core of Nelson Mandela’s struggle for peace and justice was his insistence that he had a view point and that that he had a right to have that view point placed on the agenda. There were those who thought otherwise, who believed they could shut him up by shutting him in; but his oft quoted statement that: “Only free men can negotiate; prisoners cannot enter into contracts. Your freedom and mine cannot be separated”, perhaps best captures why he finally triumphed.

Your freedom and mine can not be separated. My freedom and yours can not be separated. We need to talk. We need to talk honestly. We need to talk because I too have something to say. We need to talk because only if you hear me out is there a chance for true partnership between you and I. You see, at this point there is no true partnership. There is a relationship but it is skewed in your favor.

The theme of today’s lecture is exactly that – prisoners can not enter into contracts.

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Nelson Mandela is also quoted as having said that “I dream of an Africa which is in peace with itself”. I want to pick on that notion and suggest that Africa can only be at peace with itself if Africa has the confidence to be itself.

Nelson Mandela is further quoted as having described freedom in these terms: “For to be free is not merely to cast off one's chains, but to live in a way that respects and enhances the freedom of others.” Picking on that theme, I want to suggest in this lecture that to be free is also to value yourself – to see the world through your own eyes.

Prisoners are not only those within concrete walls.

We are reminded everyday of how we live in a global village and indeed we see the evidence of this in all areas of our lives. Within this global village though, there are affluent neighborhoods as well poor ones; there are influential sections and powerless ones. This lecture raises the issue of how dominant cultures within this global village push smaller cultures into ghettos from which the latter can only feebly protest, if even at all.

Dominant cultures have claimed the right to describe ‘the other’, frame issues, define the norm and consequently define what is abnormal or aberrant.

Why is it that African marriages are routinely vilified as transactional while Western marriages are of course love-based?

HIV/AIDS is primarily blamed on ‘cultural practices’ that are said to be uniquely African – is this a fair assessment?

How come wife beating in Finland is an aberration but when it occurs in Africa it is ‘African culture’?

How come when an Austrian man imprisons his daughter for years in a cellar under his wife’s nose it is a tragedy; not Austrian culture; but when a man in Johannesburg rapes a baby and it is African culture?

When an adult Head of State in Africa takes five adult educated wives, it is seen as evidence of the inferior position of women in Africa but when a European Head State takes up with an 18 year old girl, adding her to the list of current and past women and/or wives, the position of women in that country does not come under scrutiny. His behavior is certainly not described as European culture!

In this lecture, I look at these and other issues through my eyes, claiming the right to contribute to the definition of my issues and to be heard on the matter. I do not deny the right of an observer to examine and analyze. I do however insist that Africans must start to boldly and loudly insist that a view is not valid just because it is offered by the ‘West’.

Perhaps the challenge for Africa is exactly that – whether it has the confidence to claim its right to be Africa. I have come to wonder how it is that nations that have survived for so long under such hard and harsh conditions could possibly be lacking in values, principles and wisdom. How could they have survived as micro-nations, nations and kingdoms, if they lacked the basic legal rules to protect their constituent members? The problem I want to suggest is that we look too much at events and not the rationale for the events.

Let me also pause to say that I have not easily arrived at the point at which I am today – that like many Africans I have not always been this bold in defending Africa; I have not always been this confident and certainly I am guilty of having looked at my continent for way too long through borrowed eyes.

But I have finally come to realize that there will be no true partnership between the developed countries and developing countries, and consequently the progress of the whole village will be compromised and undermined, until and unless there is true respect of the cultures and traditions of the other. Developing countries must insist on a respectful place within the village and one place to start is a re-claiming of the right to define their issues. The right to be heard!

Let us re-visit the point I make above – the vilification of traditional African marriages as transactional. At a recent event that I attended a Westerner made the announcement that on returning to a village she had worked in for years she was very happy to find out that women in that village had begun to reject the ‘payment’ of bride-wealth. I asked if they were now spotting wedding rings instead and she enthusiastically confirmed that that was indeed the case. She blamed bride-wealth for HIV/AIDS and wife beating.

Let us start with these two cultural transactions one African and the other European: *lobola/bogadi* on the one hand and the engagement ring on the other. Let us to ask the specific question why the engagement ring is a symbol of love and *lobola/bogadi* is consideration for the purchase of a wife.

Let me tell you an open secret – *bogadi/lobola* happens all the time in Africa. It happens in the most rural of places in Africa just as it happens in the most urban of centers. It happens when ‘educated’ people get married just as it happens when the poorest of people get married. In Botswana when missionaries tried to abolish it was masked as something else; but it continued.

Educated human rights activists will write well formatted funding proposals about this bad cultural practice. They will explain how it represents the purchase of a wife, persuading some Western donor to fund its eradication. But come the weekend, away from their computers they will be part of the process.

Let us first set the scene for the giving of an engagement ring – Imagine two young Australians – we will call them Amy and Andy - who have been dating for a while. They have actually been law students at UniSA. One beautiful evening, a few months before graduation they are in a restaurant

not too far from here. Andy suggested the dinner. He has been rather nervous for days. Just before desert he drops one knee in front of Amy, holding out a cute little box in front of him and nervously but hopefully 'pops the question'. Amy is overcome with emotion. Her eyes cloud over but she manages to squeal, 'yes, Andy, yes!' Amy extends her left hand to receive the ring.... The waitress smiles from across the room...Champaign is brought.... After this word is spread to friends and family and marriage arrangements follow.

I am told that the tradition is that a man is expected to purchase a ring that costs at least two of his monthly salaries.

Now the scene for the giving of *bogadi* cattle, in the Botswana I come from would be something like this. Imagine two young Batswana – we will call them Amantle and Agang – who have been dating for a while. They have been law students at the University of Botswana. One beautiful evening, a few months before graduation they are in a restaurant. Agang suggested the dinner. He has been rather nervous for days. Just before desert he clears his voice and nervously whispers... "I, ah...I want to send my parents to your parents to ask for your hand in marriage..." Amantle is overcome with emotion. Her eyes cloud over but she manages to squeal, 'yes, Agang yes. Oh my God yes! When? ..." Champaign is brought. After this each informs their respective parents.

A few weekends later, one early morning, ten or so married couples, a delegation from Agang's family; enters Amantle's parents home and already seated they find ten or so married couples. And the interaction between the two might go something like this:

The maternal uncle/aunt of the visiting delegation: "We come from the family of so and so and we have been sent to you to ask for a water gourd"

- The maternal uncle/aunt of the hosts: "This water gourd, what is its name?"
- The maternal uncle/aunt of the visiting delegation: "Her name is Amantle"
- The maternal uncle/aunt of the hosts: "We accept your proposal."
- The maternal uncle/aunt of the visiting delegation: "We thank you. We offer presents for our future daughter in law. We also offer bogadi cattle."

I think we can all agree that *Lobola or bogadi* is a gendered transaction – it is given by the family of the man to the family of the woman.

I think that we can also agree the engagement ring in this story is a gendered transaction – men give to women.

We can also agree that *bogadi/lobola* is the transfer of wealth from the male's family to the female's family. Family to family

I believe we can also agree that the giving of the engagement ring represents the giving of wealth by a man to the woman. Individual to individual.

In the *bogadi/lobola* case the giver is the young man, his uncle (and aunt) and his parents and the receiver is his future wife's uncle (and aunt) and her parents.

In the *bogadi/lobola* case the transaction involves the family while in the engagement ring case the transaction involves only the lovers – is that a good enough reason to vilify one and glorify the other?

The ring giving is located in a culture that focuses on individual rights and responsibilities while the *bogadi/lobola* takes place in a culture that focuses of group and family rights and responsibilities.

Let me tell you a few things about *bogadi/lobola* as it occurs in my own micro-nation:

- The number of cattle given is not negotiated ahead of time.
- The cattle are given by the man, his parents and his maternal uncle (and wife).
- The cattle are given to the woman's parents and his maternal uncle (and wife).
- The cattle are available to support the woman in the event of divorce or some other marital problem.
- The cattle are available to support the woman's children in the event of need.
- The woman's brother(s) being the maternal uncle to the woman's children will have responsibilities later to marry, bury them etc – he will use this pool of wealth to execute those responsibilities.
- In the event of the woman's parents' death, when the family cattle are divided, the woman (and therefore her husband) will get a share from the cattle.
- In a cattle economy the practice actually served an important cattle-gene-pool expansion function.
- No where in the local language does the word pay get used.

The question I am asking ultimately why is it that a diamond ring is a symbol of love but *lobola/bogadi* is a purchase of a wife? Both are gendered transactions but only one is singled out as aberrant; why is that?

A more important question is why have we, Africans, been persuaded to that view?

Not all prisoners are caged in concrete walls!

Let us move to an equally important topic – HIV/AIDS.

If truth be told, the unuttered sentiment is that if only those Africans would behave themselves this scourge would abate. In fact, if only they had behaved themselves to start with, they would not be in this pickle!

One can almost imagine the hands of exasperation thrown into the air!

But of course political correctness calls for tact – so we talk of ‘cultural practices’ that fuel the epidemic and we call for their abandonment.

What, may we ask, are these cultural practices? Many have been identified but here is Daniel B. Hardy’s view on the matter:

“Promiscuity, especially the total number of sexual partners, is correlated with AIDS in both the United States and Africa. Although generalizations are difficult, most traditional African societies are promiscuous by Western standards. Promiscuity occurs both premaritally and postmaritally. For instance in the Lese of Zaire, there is a period following puberty and before marriage when sexual relations between young men and a number of eligible women are virtually sanctioned by society. The father of a woman may judge the suitability of the man on the basis of the perceived willingness to invest in his daughter. In the so-called "matrilineal belt" centered in south-central Africa, there is an especially high degree of adolescent promiscuity and uncertainty about paternity. This situation has probably contributed to the prominent family role of the mother's brother. For example family wealth is inherited by offspring of the maternal uncle rather than by patrilineal descendents from the husband. That is, wealth is passed on to a known biologic relative, rather than to the offspring of a wife who may or may not be biologic kin. Matrilineal inheritance thus may reduce societal pressure to prevent promiscuity; matrilineal societies are often promiscuous societies. However, promiscuity is correlated not only with matrilineal societies. Many patrilineal African societies are promiscuous as well.” Cultural practices contributing to the transmission of human immunodeficiency virus in Africa. REVIEWS OF INFECTIOUS DISEASES (Chicago), Volume 9 Number 6: Pages 1109-19, November-December 1987.

I am not going to argue about whether by the time of his/her marriage, the average African teenager has more sexual partners than the average Australian teenager, but I am going to ask that before you join the chorus of blame please consider the following:

- The African teenager who engages in unprotected sex gets pregnant and keeps the baby – period. The Australian teenager who engages in unprotected sex has access to the morning after-pill, abortion and adoption services. So her sexual exploits are hidden, so to speak.
- Someone in the West is using the services of commercial sex workers – and that someone is most probably in some publicly declared relationship.
- What happens in small villages is much more visible than what happens in cities.
- If what occasionally bubbles to the surface about some Western newsmakers even remotely approximates what actually happens in real life, then the promiscuous society is the Western one... but who knows?
- The practice of serial relationships is part of Western culture.
- How do we reconcile the statement that ‘most traditional African societies are promiscuous’ with the assertion that ‘Women in Africa do not have the power to negotiate

sex'. The latter statement too is often offered as an explanation for the spread of HIV/AIDS in Africa.

- It is said above that: "For instance in the Lesotho of Zaire, there is a period following puberty and before marriage when sexual relations between young men and a number of eligible women are virtually sanctioned by society." Oh... are we sure the writer is not describing a college campus in Australia or Germany or The Netherlands?
- It is said that the African girls get married really young, before they are physically ready for sexual relationships –People, Africa is huge and diverse! And can we be consistent about what we say the problems are?

If indeed the reason for the spread of the virus in Africa is because of their unique behavior and if developed countries have indeed modified their behavior in response to the threat of HIV/AIDS has any one actually observed:

- The closure of abortion clinics, because everyone is so careful now that no one is having unprotected sex?
- The rotting in pharmacy shelves of the morning-after pill?
- The closure of brothels? I want to see madams re-training as kindergarten teachers before I accept this theory.

I would dare to say that since the appearance of HIV/AIDS Africa's traditions and cultural practices have received renewed scrutiny and assault and that all sorts of unsupported and unsupportable claims have been made about them.

A few cultural practices have actually been manufactured!

Let me end this particular section of the lecture by suggesting that perhaps HIV/AIDS has, more than anything else in recent times, justified the making of blanket, stereotypical and racist statements about Africans.

We now know that the Southern African virus is particularly virulent and that the genetic makeup of the West African is closer to that of a Caucasian than it is to a Southern African. We also know that HIV infection prevalence in West Africa is much lower than in Southern Africa. The suggestion being that genes have something to do with one's predisposition to HIV infection.

I invite you to ask the question whether indeed empirical data exists to support the claim that the special sexual behavior of Africans is what is responsible for the disproportionate prevalence of the scourge in Africa.

This topic leads me to the issue of gender and human rights and I ask you to critically examine the way in which discussions of gender and human rights in Africa invariably turn to 'African culture'.

How come Africa appears to have cultural practices while the West has aberrations and/or tragedies?

Let us examine the case of the Austrian man who imprisoned his daughter and then proceeded to father several children with her. He was married and to a woman whose role in this sad case is unclear to us. Perhaps he was an overbearing character and she was afraid of him.

Or the recently exposed case of the American man who abducted an 11 year old girl 19 years ago and has held her captive all these years. During the 19 years he fathered two children with her. His wife stayed with him and helped raise the child and the children all these years. Perhaps she too was sick and twisted.

Now imagine that any of these incidents had taken place anywhere in Africa – the words and/or expressions 'African culture', 'women's rights', 'children's rights', 'patriarchy', 'bride-wealth', 'HIV/AIDS', 'cultural sexual practices' or at least some of them, would certainly have ended up in print.

No one has suggested that the silence of the wives in these cases was due to the place of women in society. No one has suggested that culture has anything to do with these sorry acts. They are tragedies perpetuated by criminals, who may or may not be sick, who must be punished or treated.

We can even go further and examine the much reported Belgian pedophile ring of a few years ago. Can you imagine the language that would have been employed had that taken place anywhere in Africa?

Recently, I have come to be bothered by a thread that seems to run in all efforts aimed at promoting human rights in Africa – the wholesale vilification of African culture. I have come to increasingly question the assault on African traditions and the labeling of any that are different from Western traditions as all backward, all bad, all dark and ugly. I have come to wonder why there is such limited space to challenge this assault.

In short, the world has come to be accustomed to assuming the worst about Africa and Africa has come to be accustomed to accepting the world's view of it.

I have come to wonder whether perhaps, part of the challenge of solving Africa's problem lies in the fact there is always a feeling of being watched, evaluated, scrutinized, studied.... perhaps there lies the problem.

Africans are keenly aware of the stereotypical lenses through which they are frequently viewed and unfortunately accepting that vision of themselves has not too infrequently brought development funding and other assistance – a friend of mine said to me recently, explaining her decision to leave NGO work; “I am tired of having to insult myself so that I can get funding”.

Why, you may ask, does Africa need development funding? Why is such a rich continent so poor? I do not want to in any way trivialize the efforts of many development ‘partners’ be they individuals, NGOs or governments.

But I assert that, contrary to the oft made assertion, Africa is not poor because it ruled by corrupt leaders.

If by corruption here we are talking about kick-backs, giving special favors to persons related to the givers, using public resources for personal use – then surely no one in this room can possibly believe that is a uniquely African practice? Corruption makes the developed world go round!

You may be able to point to several African leaders and remind me of how many villas they have in this or that Western country – But please stop and ask yourselves:

- If you were to liquidate those assets and return the proceeds to the country, would what is realized really make a difference in the lives of the nationals of that country? Of course there was a massive theft, but it a red herring to blame the poverty of the millions in that country on the corruption of its leader or leaders.
- Who was paying these leaders all this money and what were they being rewarded for?
- If we accept that Africa is rich with natural resources, shouldn't the question be why these insanely rich leaders are the only rich ones? That is, the question should not just be why are the leaders rich, but why are the people poor.

I say that Africa is poor because it has surrendered itself to the will and domination of others, economically, socially and politically.

Economically, it has allowed others to dictate its development models.

Politically, Africa is ruled by people it did not vote into power – development partners with power over its leaders.

Socially, Africa rejects its own religions, its own food, its own music, its own family structures, its own rituals...

- Africa recognized the need for maternity leave (*botsetse*) long before someone thought to negotiate into human rights documents.
- African town and village planners are recreating mini-Londons with regard to their actual needs – there was a reason for the open spaces in front of every cluster of homes!

I say Africa is poor because it is wrecked by self-doubt and it is too busy trying to be non-African. It has for too long headed the demand 'change so you can develop'. It has not had the courage and confidence to challenge this development model.

I challenge Africa to speak its mind, to find the confidence to assert its views, even if others may disagree, for only then can there be true and honest debates and therefore a true partnership between the developed world and Africa.

A few years ago there was much talk of blood diamonds and how they were fueling civil wars in Africa. So there was a call for the identification of blood diamonds so that those who benefited from this trade could be starved of cash. This was a good thing. But why didn't African leaders call for the identification and boycotting of:

- Blood guns? Surely targeting gun manufacturers and/or suppliers who are aiding and abetting civil wars in Africa would be an easy matter?
- Blood army vehicles? Who is supplying the 4x4 we see roaring through the Sudan?
- Blood fuel?
- Blood army uniforms? Militias in Africa often sport rather impressive uniforms... why aren't they targeted at blood uniforms?
- Blood machetes? Who supplied the machetes that were used to hack off limbs in Rwanda? Sierra Leone?

Let me end with three pieces: The first two are the very wise words of the late President Sir Seretse Khama, the first and founding president of the Republic of Botswana. He has said that:

"A Nation without a Past is a lost Nation, a People without a Future is a People without Hope"

He has also angrily retorted, in response to some act he did agree with:

"That is not African. That is lawlessness!"

I urge Africans to head this, to acknowledge their past, to cherish their knowledge and to build on their past instead of trying to obliterate it.

The third piece I want to end with is a short poem that I wrote a couple of years ago and recite whenever I get a chance because for me it paraphrases all that I wish to say on the subject of the Africa's position in the world:

“Africa, why are you so stoic, hugging your hurts to yourself?
Are you afraid they will dislike you?
Africa, why are you secretive. Burying your ills deep within yourself?
Are you afraid that they will judge you?
Let them dislike you.
Let them judge you.
But Africa, do like yourself; and
Above all, Africa, do judge yourself.

I thank you for listening, I thank the organizers of this event for giving me this special space but above all, I thank Nelson Mandela for inspiring us all.