

# APDUSA VIEWS

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## CULTURE MISUSED TO TAUNT AND TORMENT

---ANOTHER STEVE MABONA  
EPISODE

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# **CULTURE MISUSED TO TAUNT AND TORMENT.**

## **INTRODUCTION**

On the 31<sup>st</sup> July 2001, the Tim Modise Radio Show dealt with the theme of a clash of cultures and raised extremely important issues relating to the living in harmony of people from different cultural groups.

Specifically, the discussion and debate centred round a function held in the rich and affluent suburb of Bryanston in Johannesburg. The function related to the welcoming home of a son of Mr Steve Mabona who had gone to and returned from an initiation/circumcision school.

Many people had been invited to the function. Three cows and four sheep were killed to feed the visitors. There must have been very many people at the function or those who were there had hearty appetites since, as almost wistfully admitted by Mr Mabona, at the end of the function 24 hours later the meat was all eaten.

The function became the centre of a storm between Mr Mabona and his neighbours.

Mr Mabona, the former MEC for Safety and Security for the Province of Mpumalanga, is no stranger to controversy. Nor is he a person who has much regard for the laws of the land. His entry into politics was via KwaNdebele, which was part of the discredited Bantustan system.

Mr Mabona hit the headlines when he was directly involved in the granting of a driver's licence to the Deputy-Speaker of Parliament, Mrs Baleka Mbete-Kgositsile. The headlines were hit because Mrs Mbete-Kgositsile obtained the licence ***without*** undergoing a driving test. The evidence was that a state car with a driver was sent by Mabona to fetch her from Johannesburg to Delmas where she was issued with the driver's licence.

A Commission of Inquiry was set up to investigate alleged drivers' licence scam. Mr Mabona was involved up to his neck in this scam and was forced to resign as MEC for Safety and Security hours before the Commission's Report was made public in May 1997. His resignation was meant to pre-empt his dismissal on the recommendation of the Commission.

There is more about Mr Mabona along these lines. But the point has been made about his attitude towards the law.

## **RESIDENTS OF BRYANSTON COMPLAIN**

Residents of Bryanston (presumably whites) complained to the Police about: -

- The noise which emanated unabated from Mr Mabona's property for a period of 24 hours during which the celebration took place
- Livestock were slaughtered on Mr Mabona's property in contravention of Municipal Bye Laws
- Fire arms were discharged on Mr Mabona's property
- There was traffic congestion in the road due to a large number of vehicles belonging to Mr Mabona's guests.

It appears that because of the magnitude of the noise and celebration, some residents believed, quite erroneously, that Mr Mabona has set up an initiation school on his property in Bryanston.

### **REACTION OF MR. MABONA TO THE COMPLAINTS.**

Mr Mabona's main point was that in welcoming his son from the circumcision/initiation ceremony, he was doing no more than engaging in the culture of his people. Presumably, Mr Mabona believed that it was his constitutional right to practise his culture.

Mr Mabona also believed that since he had a large property (8000 square metres), it was not possible for disturbing noise to have escaped his property and reached his neighbours.

Finally, it was Mr Mabona's view, which he repeated a number of times, that if the complainants did not approve of his cultural practices, they should leave the area and live elsewhere.

Mr Mabona was cagey about the manner in which the cows were killed. Were they killed with a spear as was done traditionally or was a firearm also used? Clearly he had in mind the very serious legal consequences of using a firearm in breach of the law.

Mr Mabona was in a feisty mood and brooked no suggestion of a compromise.

### **COULD THE CONFRONTATION HAVE BEEN AVOIDED?**

We all know the saying: When in Rome, do as the Romans do. The idea is that when a person comes to an area, community or group of people from the outside, that person should be unobtrusive and try to fit in with the way things are done in that community, group of people or area. The newcomer should not do anything to disturb the atmosphere of the area.

This saying is fine as a general guide and should not be understood to be gospel. There may well be occasions when the customs and practices of a community or group of people could be highly objectionable. In that case, nobody expects the newcomer to do "as the Romans do."

Mr Mabona has a pretty good idea of the nature of the majority of the residents in Bryanston.

He could have approached the local ratepayers' association or the local civic association and raised the matter of the celebration, the disturbance it would cause, the inconvenience to the residents using the roads and the boom gates etc.

Between the relevant association and Mr Mabona a reasonable compromise, an arrangement of give and take could have been reached. The celebration could have been held in a modified manner; the residents would be inconvenienced to a lesser extent. Either himself or through the relevant association, the residents of Bryanston could have been given information about the importance of the initiation/circumcision school in the culture of the Ndebele speaking African people and a request for forgiveness in advance for the inconvenience to be caused.

Alternatively or in addition, a public lecture could have been arranged where a knowledgeable person from the University of Witwatersrand could explain the importance of the initiation school as *a rites de passage* and the young man's re-entry in society as an adult. In this manner, the otherwise confrontational neighbours would have been disarmed, and more importantly, they would have learnt something valuable about their fellow South Africans. Especially so the children, for whom it is so vitally essential to learn to grow up with the children of neighbours showing respect for their cultural practices.

We believe that Mabona was not interested in a compromise. But more on this below.

### **CULTURAL DIVERSITY – A CURSE AND A BLESSING.**

South Africa, for the better or the worse, is a country of diverse peoples, languages, cultures and physical features and attributes. It is a country of extremes in many respects. There are large sections of the population living in an environment and economy which is to be found in the most technologically advanced countries; yet even larger sections live in conditions and environment which are found in the most backward countries in the world. Large sections of the population live in an affluent and enlightened world, having at their fingertips access to modern medicine, knowledge and the latest in science and technology. But even larger sections of our population live in ignorance, superstition and deep penury.

There are people whose world outlook comes from a modern industrial society; others from a feudal society and yet others from a tribal society; and still others find themselves in a world of transition – leaving one stage of development and not quite in the other with both feet.

Daily, millions of people in all their diversity come into contact with one another for a million reasons. The potential for clash and conflict is always there. Yet somehow on most days the conflict is averted. How is that possible?

The overwhelming majority of people have simple needs and aims. They will enter into a relationship with any person, regardless of "race" colour, creed, language, religion or sex. That relationship may be a very temporary one - going into a shop, making a purchase, paying for the purchase and leaving with the item bought. It could be a prolonged relationship like employment; it could be one of rendering a service as a medical doctor, an attorney, a plumber, a painter and so on.

People entering into such relationships, almost invariably, communicate courteously, say or do nothing to offend one another; say or do nothing, which would offend the other's cultural sensibilities. For example, it is most unlikely that a non-Muslim employer would offer his Muslim employee a piece of pork as a gift. In this manner, the minefield of cultural beliefs and taboos are avoided, which in turn avoid confrontations and cross cultural/racial/linguistic tensions.

### **RESPECT AND TOLERANCE – THE KEY TO HARMONIOUS RELATIONS.**

These millions of transactions take place because the people involved have been taught and have learnt that transactions cannot take place to best advantage in an atmosphere of disrespect and intolerance. It is not possible to violate a person's cultural sensitivities to that person's face and then expect to do good business. Social intercourse, good neighbourliness, an atmosphere of peaceful co-existence between different cultures is only possible if there is politeness, courtesy, respect and tolerance.

Obviously, there have to be limits to tolerance and respect for a person's cultural practices. Where such practices are blatantly offensive to one's beliefs and principles which are generally accepted by enlightened and democratic societies (a clash of cultures) then a stand has to be taken. The manner of the stand and how the offensive practice is dealt with is something that has to be sensitively considered. All relevant factors have to be carefully weighed up. For example, female circumcision is commonly practised in many of the Muslim communities in Africa. Just because the practice is deeply rooted in the culture of those Muslim communities, is society to allow the women of those communities to be subjected to this barbaric and male chauvinistic practice? Most people who recognise and accept that women are part of humanity and who are entitled as of right self-respect and dignity and full control of their bodies, will react in great outrage at this abuse of women.

### **CONFRONTATION:**

Mr Mabona knew well in advance that the slaughtering of cows and sheep on his Bryanston property and the loud sound of celebration, whether it came from music, laughter, intoxication, singing or talking emanating from his property would invite a loud storm of protest from other residents, mostly whites. Mr Mabona may even have relished the idea of the inconvenience or discomfiture of his neighbours. They could go to hell as far he was concerned. The Whites do not rule the country any more. The Africans rule and their customs and cultural practices must be allowed to be practised without regard to consequences.

By the way Mr Mabona will not be the only one who exudes this kind of arrogance. This attitude is the badge or flag of the New Elite members of which class attained power, position and wealth through crooked affirmative action, nepotism, cronyism or plain fraud. Those of the previously oppressed who attained position, power and wealth through hard work, merit or just affirmative action, do not have the time nor the inclination for brash antics to make a point.

### **WHAT ABOUT THE LAWS?**

Laws have to be obeyed. There is too much lawlessness in this country. Lawlessness is the country's biggest enemy. Concerning the breaking of any law, there has to be zero tolerance. This Mr Mabona knows only too well being a Member of the Executive Council of the Province of Mpumalanga. To reinforce the point it has to be mentioned that Mr Mabona is the Minister of Safety and Security, a function which deals with the enforcement of laws.

Has Mr Mabona acquired a respect for the law? It does not appear to be so.

- The slaughtering of livestock in an urban area other than in places designated the by law is illegal.
- The prolonged making of noise in a residential area is a disturbance of the peace and an invasion of the privacy of other residents. There are bye-laws which make such conduct an offence.
- The discharging of a firearm in an urban area is an offence unless a lawful reason can be provided. Discharging of a firearm in an act of celebration or for purposes of slaughtering livestock will not stand up as lawful reasons.

### **REACTIONS TO THE KILLING OF THE LIVESTOCK AND TO THE NOISE FROM THE CELEBRATION.**

Predictably, the reactions were more or less divided on racial lines. The whites stuck to the letter of the law and condemned the celebration as being in breach of the law. The Africans found nothing wrong in the practice of Mabona's culture. Pleasantly surprising were callers, both African and White, who urged that there ought to have been tolerance and understanding from both camps.

Let us deal with three reactions, one on the Radio Show and two in newspapers.

### **1. ABDOOL FROM MAYFAIR:**

This gentleman is a very regular caller to the Tim Modise Show and is referred to as "ABDOOL FROM MAYFAIR". Mr Abdool has his own agenda for making the regular and expensive telephone calls. He is well known for being "politically correct" and is notorious for stating the obvious, as if that will enhance his political CV. For example, he telephoned this morning (15/8/02) to the Show to criticise those lunatic right wing Whites who have been charged for various charges, broadly relating to treason. If the charges against the accused are justified, then they will be condemned by the whole country including the right wing Afrikaners. But Mr Abdool had to state the obvious as if to prove his loyalty to the country or to the ANC government.

Mr Abdool was magnanimous to Mr Mabona and stated that the latter ought to be allowed to practise his culture. Mr Abdool believes that he is saying the right thing and wants to be heard saying it.

The question is: Would Mr Abdool be as magnanimous and tolerant if he had neighbours who slaughtered a number of pigs which died fighting amidst a loud cacophony of screams? Clearly it is easy to be tolerant and big-hearted if you are not a victim of unneighbourly behaviour and conduct.

### **2. WELL KNOWN JOURNALIST, MR MAX DU PREEZ:**

Mr Du Preez has impeccable credentials. He is a man of immense moral courage. As an Afrikaner, he realised the indefensibility of the oppressive regime and took active steps to expose its atrocities. Because of his highly principled position he was drummed out of the SABC. He is held in high regard by journalists and politicians alike.

However, notwithstanding the laudatory traits, Mr Du Preez, has in our view, made a serious error of judgement on this issue.

Writing in The Star of the 8<sup>th</sup> August 2002 in the column "Opinions and Analyses", Mr Du Preez referred to the celebration by Mr Mabona:

"It meant open house to all friends and family, and it meant the slaughtering of cows and sheep. Absolutely nothing weird about that. But the poor blue-haired white madams of the neighbourhood, used to seeing only maids in uniform around the block, got the shock of their lives. To them it was something primitive and threatening."

We consider Mr Du Preez's approach regrettable and wish to deal with his statement:

- How can Mr Du Preez state that there was "nothing weird" about the slaughtering of livestock in a built up urban area? Do the bye-laws prohibiting such slaughtering count for nothing? Or is Mr Du Preez exempting Mabona from obeying the relevant bye-law?
- There is something distasteful about Mr Du Preez pouring ridicule on the white female residents of the area. There was a time when "madams" were only female whites. Today it is no longer the case. There are a significant number of "madams" of different hues and colour. Apart from that, Mr Du Preez must be asked the question: "Don't the non African residents of Bryanston have rights? The right to privacy and peace and to be free from noise and disturbance?"

One gets the distinct impression that Mr Du Preez is putting on a show for the New Elite like Mr Mabona. He is pouring ridicule on "blue-haired white women" to show how liberated he is and how much he broken with traditional whites. He also wants to show that he is on the side of the African people and their culture. Mr Du Preez wants to collect plaudits from the likes of Mabona and his ( Du Preez's) African colleagues. He wants them to laugh at the ridicule he has heaped on the whites and to approve of his loyalty to the African culture. He wants to be known as a "good whiteman."

We believe that Mr Du Preez, in writing as he did, has demeaned himself.

### 3. **PROFESSOR MARTIN PROZESKY.**

Professor Prozesky is presently director of the Unilever Centre for Comparative and Applied Ethics.

Professor Prozesky wrote his views in The Natal Witness of the 6<sup>th</sup> August 2002 under the title "WHEN CULTURES CLASH."

The article commences as follows:

"In welcoming his son back from initiation school, a black South African arranges a traditional celebration at which a cow is ritually slaughtered. Large numbers attend and the singing continues well into the night, according to some reports."

Unfortunately, Professor Prozesky starts off with inaccuracies:

1. Not one but three cows were slaughtered and some four sheep met the same fate. In other words, the property in Bryanston was converted into a mini slaughterhouse.
2. He claims that the singing continued well into the night. The people complaining spoke about noise going on for 24 hours. One woman caller kept referring to the noise going on for 24 hours/48 hours. It will be seen that the celebration was not just a one late night affair. It went far beyond that. Maybe that was the reason why some



people believed that there was an initiation school being conducted on Mabona's property.

It is a pity that Professor Prozesky should open his article with statements which will have the effect of misleading the reader into believing that the affair was a small one which has been blown out of proportion.

Unfortunate also, is the heading, which speaks of 'WHEN CULTURES CLASH'. Professor Prozesky assumes that the tension generated was due to a clash of cultures, namely the white residents showed no understanding, respect or tolerance of the culture of a section of the African people who engage in the practice of initiation schools and circumcision.

**However, there is no evidence whatsoever that intolerance of culture concerning the institution of initiation school and circumcision was the basis of the confrontation.**

It is true that there was a clash of cultures, but not the way Professor Prozesky sees it. In a period of transition, the old culture faces severe strains, while aspects of new culture keep rising. One such aspect is the culture of entitlement, another is the culture of impunity or immunity. This culture makes a person to believe that now that there is a government which is predominantly African and headed by the ANC, the Mabonas of the world can get away with murder. It is this culture which clashes with the culture of adherence to the Constitution and the laws of the country, both common law and statutes which are not in conflict with the Constitution.

**THAT ON THE FACE OF THINGS IS THE BASIS OF THE CONFRONTATION CONCERNING THE CELEBRATION IN BRYANSTON. AND THAT BASIS MUST STAND UNLESS COGENT EVIDENCE REVEALS THE CONTRARY!**

### **CONCERNING THE POSITION OF ABDOOL FROM MAYFAIR, MAX DU PREEZ AND PROFESSOR PROZESKY**

1. All three assume that the cause of the tension was the intolerance shown by the white residents of Bryanston to the Ndebele ritual of welcoming a son from an initiation school. As stated above, there is no evidence to support this accusation. It is an assumption. It is an assumption based on racial stereotyping of the wealthy whites, especially those "blue haired white women."
2. Did any of the three persons take the trouble to visit the area and find out first hand why the people raised objections to the celebration? I believe not! Yet that is what a journalist

ought to have done. So too an intellectual like Professor Prozesky who is engaged in the study and comparison of ethics.

3. Was any credence given to complaints of the residents that there were blatant violations of the bye-laws against the slaughter of livestock in a urban residential area; against the prolonged noise and the discharge of firearms in an urban area without lawful cause? If no credence was given, then surely we are entitled to ask the grounds on which one basis of the complaints is preferred over the other.
4. These three gentlemen must ask themselves the question: **Are the residents not entitled to lodge complaints if the byelaws governing their area are violated?** The three gentlemen must further ask themselves the question: **Why do they look the other way and not say a word about Mabona breaching the byelaws? Do they believe that it is in order for Mabona to violate the byelaws? Will they also condone the rest of the population violating not just the byelaws but all other laws? Is there a line to be drawn? Where is the line to be drawn and who has the authority to draw the line and who takes the responsibility?**
5. Do the three gentlemen believe that if the celebration, the noise of the celebration, the slaughtering of livestock and the discharging of the firearm was done by Whites, there would have been no protest or complaints by the White residents? We do not believe that the White residents of Bryanston would have allowed these activities to go unchallenged regardless of the racial characteristics of the perpetrators of the nuisance.

#### **OUR POSITION:**

1. The conduct of the people of South Africa must be governed by the Constitution and the common law and statutes of all tiers of government provided the latter two are not in conflict with the Constitution.
2. Section 31 of the Constitution, which guarantees the right to enjoy one's culture, must be upheld. However, this right is subject to the qualification that this right must not be exercised in a manner which is inconsistent with any provision of the Bill of Rights.
3. There is Section 24 of the Constitution which gives everybody the right to an environment that is not harmful to their health. There is Section 14 of the Constitution, which gives everyone the right of privacy, while Section 12(2) of the Constitution gives every one the right to bodily and psychological integrity.
4. The celebration, which took place on Mabona's property, violates the rights set out in 3 above.

5. This means that there is no *carte blanche* concerning cultural practices. All cultural practices must be subject to the Constitution and other laws.
6. The suppression and rubbishing of cultural practices through racism and prejudice ought not to make us defend all cultural practices regardless of the surrounding circumstances and the nature of the practice. For example, the stoning to death of an adulterous couple will never be tolerated by a civilised and enlightened people.
7. The New Elite of the type of Steve Mabona will claim criminal and disgusting practices as cultural practices and will use culture as a weapon to beat victims to submission. Who will forget that students of Natal University who were charged for rape claimed that rape was an acceptable practice in African culture? There was silence initially until it was broken by Dr. Ramphela, the principal of Cape Town University who delivered a public lambasting to those scoundrels who had made that sickening and false claim.
8. The Mabonas of this world have already displayed their public contempt for the law. The law means nothing to them unless it is to their advantage. Where it is not, that law will simply be brushed aside.
9. When a violation of the law takes place, as was the case with Mabona, politicians, journalists, academics and intellectuals have to make it their duty to take a good look at the perpetrator before they yank out their trusty pens from the inkwells to go into action. Knowledge of the perpetrator will assist in coming to conclusions about intention, motive and the like. Had they done this in the present matter they may well have come to different conclusions.

17/8/2002