

## The Socio-Cultural Functions of Siswati Customary Marriage

Dr J.J Thwala

University of Mpumalanga, School of Development Studies, Mbombela  
Cell: 0731875298

**Abstract:** The objectives of this study are to define, collate and interpret the socio-cultural functions of Siswati customary marriage. It is distinct African marriage that maintains cultural values. It underlies various principles, norms, traditions and practices. The major characters during marriage ceremony are umkhwenyane (bridegroom) and makoti (bride), brought together by lutsandvo (love) and lilobolo (bridewealth). It involves the bride and the bridegroom's entourages in most activities from negotiations, formal betrothal, singing, dances, anointing the bride, departure of attendance of the bride and final aggregation of the woman into her new group. It is a familial bond that is socially, culturally, religiously and legally recognized for granting the participating partners mutual conjugal rights and responsibilities. The study is informed by interpretive and functional approaches.

**Key words:** customary marriage, conjugal rights, familial bond, formal betrothal and negotiations.

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### I. Introduction

The specific Siswati word for traditional, customary or cultural marriage is *umtsimba*. Its occurrences is predetermined by forms of marriage negotiations, formal betrothal, singing, dancing and payment of dowry. The word, *lobola* (bridewealth or bride price) it is a noun that is derived from verb, *lobola* (to pay bride price). The customary marriage is defined as an agreement between two families when it is solicited by bridewealth. It is the passing of bridewealth in the form of cattle from the agnatic group of the man to that of a woman which is the essential act in legalizing a new marriage union. This transfer certifies that vital rights over a woman and any children she may bear are transferred from her father, as representative of her family, to her husband and his family. The emphasis in a marriage is upon the linking of two groups of kin rather than merely a union of man and woman. From these facts, stem many of the unique features and implications of traditional marriage and of the long-lasting linkage and exchange of relationship solicited between affines.

The rights over the woman which are transferred to her husband and his agnatic group include rights in her both as a wife (rights in *uxorem*) and as a mother (rights in *genetricem*). Rights in *uxorem* are matched by the duties on the part of the groom and his agnates to provide women with a house, fields and lifelong security. The second set of rights are transferred on marriage to the procreative powers of a woman. Rights in *genetricem* acquire for the husband and his lineage legal control over all children born to a woman.

Ferraro (2006:154) defines *lobola* as a substantial transfer of goods or money from the bride's family to the groom's family. It is the bride's share of inheritance from her natal group, a share she takes with her upon marriage. Payment of dowries is common in medieval and renaissance Europe, where size of dowry often determines the desirability of the daughter. This custom is still practiced in Eastern Europe.

Bride price is a gift of money and goods given to the bride's kin by the groom or his kin. The gift usually grants the groom the right to marry the girl and the right to her children. Bride price marks the transition of rights from one group to the other. Bride price gives considerable prestige to the woman and her family. Payment is made in a livestock and money.

### II. Research Methodology

The research approach is qualitative in nature as it is concerned with the understanding human behaviour and record the aspects of social reality. (Welman, Kruger and Mitchell, (2012). Furthermore, it is briefly defined, as a kind of research that produces findings not arrived at by any means of statistical procedures or means of quantification.

The researcher establishes a report in order to allow the participants to open up and provide the solicited information. It is as a state of mutual trust and responsiveness between the individuals or groups of people.

Martin and Nakayama (2013:60) assert the following on the interpretive approach:

*It aims to understand and describe the human behaviour within specific cultural groups based on the following assumptions: subjective human experience, creative human behaviour and created and maintained culture.*

Silverman (1995) maintains that the selected approach is expected to correlate with the research process, strategy of inquiry, underlying assumptions to research design and data collection.

### **III. Theoretical Framework**

The functions of marriage as an institution are viewed by Haralambos (1996) from socio-economic, socio-cultural and socio-political perspectives. Marriage clarifies how family ties are valued and further shows the relation with other gender and with others in general within the community as a whole. Marriage establishes the relationship with others and demonstrates the relationship with foreigners. Previously, the situation was that if you are not belonging to the nation, you are regarded as foreigner and you cannot be considered for marriage. According to long established definition, marriage is a stable union of a man and a woman procreation. This proper and intrinsic destination of marriage, which appear to be fully realised by people. (Kalule-Sabiti, 1995:170)

Marriage plays a central role in the life of each and every person. Through marriage, children are born, nurtured and educated. It the task of the parents to see that the children get a good education in order to lead a meaningful life. Culturally, the parents must teach children a good behaviour, how to greet and pay respect to others. Parents must see to it that their children behave well so that life can make sense to them. It involves a community of daily life and economic interest and mutual services of various other kinds. (Schapera, 1997:148) *Lobola* is considered as a token of appreciation for the parents' kindness in now allowing their son to marry her or thanksgiving to the wife's parents for the care they have spent in raising their child. *Lobola* is regarded as a registration of the marriage. Marriage with cattle is deeply rooted in the Swati tradition. (Nhlapho, 1992:23). Traditionally, *lobola* was paid in the form of cattle. It must be a female cattle, heifer or cows, and they must be very young. The number of cattle must be an even number. If it is an odd number, it means that the *lobola* is not sufficient they have to make it even. *Lobola* must be paid, and no instalments are allowed nowadays people do not care about this tradition: money controls everything, even *lobola*. (Lye and Murray, (1980:112)

A Swati customary law marriage is considered and registered when a woman who has reached puberty stage is smeared with a red ochre by a member of a man's family during the ceremony with the intention of making her wife of the man. The negotiations of *lobola* by the man or his family to the bride's family should be or will be subsequently completed by both the contracting parties to their satisfaction. Consequently, the anointing of the bride with red ochre confers on the husband exclusively the rights to his wife's sexuality. The children born therefore receive and use their father's surname. (Armstrong, 1985:67)

The payment of *lobola* is not for a marriage in terms of Swati customary law. *Lobola* is sign of appreciation to the bride family. If the groom does not have the cattle he enters into an agreement with the bride's family where the payment of *lobola* is deferred. It may also happens that the children born out of the marriage will pay the *lobola* on behalf of their father. The daughter's *lobola* can be used to pay their mother's *lobola*. (Marwick, 1966:89)

Kasenene (1993:66) says that on the evening before the actual date, a group of people, called *bayeni*, (male entourage) from the groom's family comes to the bride's family homestead. He says that before reaching the premises they shout loudly, *Siyalobola Gogo*; meaning 'we have come to pay dowry/bride price. They mention the number of cows they are bringing with them.

Nowadays, it is common to hear them shouting: *Siyakhulekela ekhaya* and mentioning the surname of the family. The bride's family welcomes them and send *sidzandzane* (young girl) to accompany them to the room which has been prepared for them. On that room, there are two reed mats placed on the floor; one is for bridegroom entourage and the other one is for the bride's family to sit on during discussions.

The bride's family will take their time before meeting with their visitors. Thereafter, both parties meet to discuss about the bride price. There bride entourage will be expected to pay *imvulamlomo* (mouth opener) since the bride's representatives will not talk to them until their mouths are opened. After these process, the bridegroom entourage will say: *Sitocela buhlobo* meaning that we are here to solicit relations.

### **IV. The Significant of Bridewealth**

The culture of *kulobola* (bridewealth) has created many controversies to many people. This confusion is caused by people who are being assimilated to the western cultures and at the same time embracing indigenous cultures. This culture has been commercialised by various families.

Bridewealth varies within the length and the education of the bride, due to this practices, there is increasing number of young people with mixed feelings about this customs. Among the Swati nation, dowry is a highly

respected custom. It is essential because both lovers receive approval of their relationship from parents, senior members of their family and regimental structures. It is building a relationship between the families and to promote the support structure when conflicts arise between the couple.

Kuper (1963:97-98) gives vital factors to be considered by Swati on paying brideweath:

*The Swazi nation pays special attention to the question of lobola when determining the status of women in the harem. The counsel requires into the source from which the cattle were provided. It is the duty of the father to lobola the first wife of a son, and if possible to assist the boy to obtain additional wives, in particular, the first wife. The family counsel must negotiate for him.*

The number of cattle given is another important factor. Kuper (ibid) further explains that, it is generally accepted that the more important a woman; the higher her *lobola* (brideweath) value. The average number of cattle to a commoner's daughter should be 'ten plus two cattle. The ten are known as *emabheka* (brideprice) and the two have special names, *lugege* and *insulamnyembeti* (the wiper-away of tears) is given to the mother of the girl as a recognition of all that she has suffered in bringing up her daughter. It is also called '*inkhomo yenina wamakoti*' meaning the bride's mother's cow. The *insulamnyembeti* is not slaughtered and is not given to anyone else other than the bride's biological mother. Once the *lugege* and *insulamnyembeti* are accepted, *emabheka* can be paid later, but nothing can dissolve the marriage except a special ritual called *kubhukula sisu* (to break the stomach).

Kuper (1963) further states that in cases the marriage is approved by both families, later payment of the cattle is relatively done when there is antagonism, suspicion, perhaps even a rival suitor (*lisoka*), the cattle are emphasized in the law courts as indisputable evidence of marriage. Therefore, the essentials of Swati marriage can be regarded as (i) the consent of parents or guardians of young people (ii) the slaughtering of *lugege*.

Kuper (1963) on the issue of *kulobola* (to pay bride price) relates that, the general consensus of the opinions that a clever self-respecting woman will not remain long with a man who has not pay bridewealth. A woman who leaves her home against her parents' wishes and no bride price is taunted in the moments of anger as being a wife of no importance. However, her status will be redeemed whenever bridewealth cattle are given.

The paying of the bridewealth is a fundamental issue of marriage among the Swati nation. There are number of processes which should be followed when bride price is paid. Both families of the bride and bridegroom should be prepared for the ceremony. Arrangements are made prior, whereby the date is set in which the bride family will come.

Marriages is the state in which a man and the woman can leave together in the sexual relationship with the approval of their society. Marriage is always regarded as a normal cultural procedure and it was the duty of everyone to marry. The country comprises various types of customary marriages. It is noted that the relevant act is the customary marriage act 120 of 1998 (RCMA). A customary marriage is negotiated and entered into in accordance with the customary law. Customary marriages such as polygamous marital practices which are practised differently from one cultural group to another and according to the customs.

Marriage is a socially recognized and prescribed relationship between two persons: man and woman. It defines economic and sexual rights and other duties each owes the other. It provides primary mechanism in a society by bringing legitimacy, legal and full birth status rights.

The type of property given as bridewealth may be determined by agreement between the parties. In the absence of agreement, however, it should be commodity having specific association with marriage. This commodity is generally livestock, preferable cattle, which are currency of all social relation. Whether bridewealth took the form of cattle some other type of livestock, in capitalist economies, it was relative easy to select particular commodity to be used marriage exchanges only. With the advent of capitalism, commodity has inevitable acquired a cash value and became the subject of regular commercial transactions.

People insist on a least portion of the bridewealth being paid in cattle regardless of the practical difficulty for the groom indeed, throughout the country. Although payment is now usually made in cash, the parties to *lobola* agreement preserve the association with marriage by saying that the money represents so many head of livestock. For many years, parties have had the option of paying bridewealth in cash or livestock equivalent. If they decide to pay in cattle or livestock, they are free to agree on the nature and type.

Ferraro (2006:10) states that marriage is regarded as a cross-cultural phenomenon. It is a relationship between the groups rather than a relationship between individuals. They are emphasized by the fact that in many societies, the contact established by marriage does not necessarily ends with the death or withdrawal or divorce of other partner. The levirate and sorority marriages are the demonstrating evidence of this fact.

Ferraro (2006:10) gives this information on the socio-cultural function as follows:

*Marriage is not only for sexual relationship. It is the form of exchange involving a transfer of rights over a woman's group gifts to compensate them for the loss of her labour.*

Marriage establishes an economic cooperative unit, with each partner contributing a political mechanism by which groups are formed to set up an alliance. Alliance is a system whereby descent groups or other kin groups

are linked by a rule of prescriptive or recurrent so that the group remains in a financial relationship to one another across generations.

Ferraro (2006:11) further states that marriage functions to control sexual activity within the society, following the rules by which the group is organized. Marriage creates families by procreativity abilities. A family, therefore, functions as a primary group; the most important influence in a socialisation of the young.

A family defines the channels through which membership in a kinship group is transferred from one generation to the next. It controls the relations of a conjoined pair to each, their kinsman, their offspring and society at large within the complexity of group's social norms at all times.

## V. Types of traditional marriages

According to Woods (2005:17) *kutfwala* (abduction) is a form of *Nguni* marriage which appears in three different forms. Firstly, it is when a group of friends or one person waits for the girl on the way to her home, often during the late hours, and forcibly taken to the boy's home. It is well-planned and carefully executed with precision. Sometimes, it is undertaken with prior arrangement and knowledge of the senior girls. In most cases, there is resistance from the girl suggesting to the onlookers that is against her will. However, the girl may scream as a form of ritual resistance. This is done to show her parents and family her happiness in leaving them. Screaming is part of the social expectation with traditional elopements.

Woods (2005:17) states that for the girl to appear unwilling and to preserve her maidenly dignity, she will usually put up a strenuous but pretend resistance for, more often than not, she is a willing party. The element of force used in the act of abduction is for the sake of appearance only to the onlookers. In this form, there is consent from the girl. Woods (2005:17) defines consent in this article as a form of agreement to or giving permission to another person to do something. It means agreeing to an action based on the knowledge of what action involves the likely consequences and having option of saying no. The issue of consent is paramount. Consent provides some sort of validity throughout the negotiation process. Secondly, *kutfwala* occurs where the concerned families will agree on the union, but the girl is unaware of such agreement. The form of *kutfwala* (abduction) happens in the cases where the woman might not otherwise agree to her parents' choice. After the woman is forcibly taken by the boy, both families meet and reach consent on the marriage. The girl is closely watched until she gets used to the idea of marriage. There is no consent between the bride and bridegroom.

Thirdly, *kutfwala* occurs where the custom goes against the will of the girl. There is no consent from the girl, her parents or guardians. A girl is taken to the family home of the young man by the force without her consent. The following day messages are sent to her family to discuss the marriage negotiations. If the negotiations of brideprice between the two families are not positive, the girl is will return to her parent's home. The boy's family is liable for the damages in the form of fine.

When the girl resorts to the *kubaleka* (elopement), she is accompanied by her best friend, will surreptitiously betake herself to her lover's byre dressed in leather skirt which she steals from somewhere in her father's byre. They arrive after sunset when the people are in their huts, and on entering the byre they walk up the right side byre to *indlunkhulu* hut where the girl taps in dish carried for this purpose, and then remains silent.

Whereupon, she names her sweetheart. The girls will then be shown a hut and asked to enter, but they refuse to enter until given a present of a goat from the father of the boy. The goat is called *umngenisandlini* or *umhlaliso*. The bride then refuses to sit upon a mat that is offered her till another gift and finally will partake of no food until a further gift of a goat is presented to her. This goat is called *indlakudla*, and is given usually on the day after her arrival to open her mouth to eat. All this gifts become the property of the girl's companion-hence the selection of the best friend. A beast or goat, known as the *imvuma*, is slaughtered by the bridegroom on the occasion of *kubaleka* to show that the girl has been accepted.

On the day after arrival of the girl on her *kubaleka* visit, the byre head gathers the members of the byre on the *ibandla* and informs them. The passing of the bridewealth does more than transferring the childbearing capacities of the woman from one agnatic group to another. It gives the man and his family the right to children and, in addition, lays the foundations of a new house within the family. It is a basic precept that, once established, a house should not be allowed to die out. The greatest internal treats to the continuation of the house lie in bareness on the part of the woman, in her feeling to bear male heir and in the pre-mature death of the spouse. The vicissitudes are usually ensured against by sororate and levirate as secondary unions.

## VI. The sororate

The sororate is initiated in the event of a wife proving to be barren or dying without issue. In the case of barrenness, a sister of the woman may be sent, as the Siswati culture says: to put children in the womb of the barren woman. It is argued that, in failing to bear children, the wife and, by extension, her agnatic group, have not fulfilled one of the major purposes for which the marriage was initiated. Thus, at least amongst the Swati, no

bridewealth is passed for the second woman. The obligation to replace a wife is strong in these societies that, if no substitute is sent, the bridewealth of the barren woman should be returned in order allow the husband to acquire another wife to bear children. The house established by original marriage is continued and fulfilled. In the cases the death of the wife without progeny, the family of the death woman may send a substitute to set up the house that has fallen (Kriger 1943:159). Among the Swati, should no children have been born of a union, sending a substitute is a definite affine obligation and no bridewealth need to be passed. (Gluckman 1950:185; Kuper 1963: 23)

It is understood that the sororate takes place against a social background in which under normal conditions the wives of a polygamist are often sisters or classificatory sisters. Among the sororate polygyny is believed to be advantageous as less friction is thought to occur between the sisters than between the unrelated co-wives (Gluckman 1950:182). In this case, the sisters are completely independent of each other and each establishes her own house, the relationship between these houses being subject to the normal rule of ranking.

## VII. The levirate

Sheddick (1953:39) expresses that should a married man die a selected relative may assume responsibility for the widow and children. While in some cases the levir undertakes full marital duties in relation to the woman, in others, he visits and provides economic support for the widow who remains in the homestead of the husband.

The important duty of the levir is to beget children for the deceased. No bridewealth is paid and the issue of the leviratic union refers to the deceased man. This type of union is a continuation of the original marriage. The levir is younger brother or junior agnate of the dead man. He is fulfilling an agnatic duty ensuring the continuance of the house established by the marriage.

The levirate may have other important consequences. It keeps the woman and her children under the effective control of her deceased husband's agnatic kin. Their position in the family and in the homestead remains unchanged and the security offered by marriage is secured beyond the death of the father.

## VIII. Data Interpretation

The sample number both male and female respondents is twelve. The respondents are chosen in pairs and categorised according to their stages of growth, as highlighted by Kuper (1963:134-136). The males include the following Siswati stage names, namely: *lijele* 15-17 years, *lijaha* 17-27 years and *indvodza* (man) 27-60 years. The females include *ingcugce* 17-21, *umlobokati/makoti* 21-24 years and *make* (mother) 24-55 years. Both male and female categories concentrated on three selected stages:

The first *lijele*, responds to the topic by saying that marriage is an institution which can join people's lives to the formation of a new household. The second *lijele* insists that it is a formalised ceremony that may be officiated by government or religious official. The key words are institution and ceremony that are vital in qualifying the definition. The first *lijaha*, views customary marriage as an African law marriage that is set within the parameter of African traditions, cultures and norms.

The second *lijaha*, abruptly mentions it as well-planned sexual relations by married persons. The two opinions are depicting the socio-cultural functions of marriage at various levels. The first *indvodza*, sees marriage ceremony as a special occasion of uniting two people through traditions and customs as well as the full incorporation of music, prayers and poetry. The second *indvodza*, elucidates that marriage is the family council's (*lusendo*) matter.

If the father of a girl is prepared to let the marriage proceed he will prepare *sidvwaba* (skin skirt) and *sidziya* (skin apron) for his daughter. When these preparations are complete, he tells his mother, the girl's mother and his elder sons. He sends the word to the *lisokanchanti* of his father and *lisokanchanti* of his grandfather. (*Lisokanchanti* is the first son born to a family) and to his brothers and other near relatives, inviting them to come to the marriage. The girl's father would invite all the girls of the neighbourhood to join the proceedings. These girls would usually be of the age of puberty and over. The significant classes of girls for these ceremony are: (i) *ematjitji*, that is, girls who have reached the age of puberty but who have not chosen lovers, (ii) *emachikiza*, that is, girls who have chosen lovers and (iii) *tingcugce*, that is, girls who have chosen lovers and put up their hair preparatory to marriage. The *tingcugce* are approaching the time for their own marriages.

The response of the first *umlobokati* reflects the arrival of the bride's entourage. The bride advances slowly towards the *sibaya* (byre) gate with one or two of their attendants, and old women of the groom's village come forward to welcome her. When they meet the bride drops a string of white beads and says, *Ngitekukhonta* ('I have come to pay allegiance'), and the old woman replies, 'Where do you come from?' to which the bride will provide the appropriate answer. The old woman will pursue with questions 'Who sent you?' if the girl comes with her father's knowledge and consent she will say, *Ngitfunywe ngubabe* ('I was sent by my father')

thereupon returns to her party and the old woman will go to report the results of her investigations to the groom's father, and the latter will direct which hut should be allotted to the *umtsimba*. While the hut is being prepared the *umtsimba* will, at the gate of the *sibaya*, will be singing the songs. The second respondent of *umlobokati* describes the marriage negotiations in a broader manner. There is antagonism between the two groups in the early stages of the marriage negotiations. The people of the girl family make it quite clear that she is a valued member of her group and they are not prepared to part with her. When the male members of the boy's family come to discuss the bridewealth, the father of the girl looks impossible and adopts an offensive tone. When the bridewealth cattle are brought, the male members of the family of the girl's byre to prevent the entrance of the cattle.

Throughout the marriage negotiations, there is antagonism and at the actual wedding expression is exhibited to these feelings by mutual vituperation in the form of *umgcumushelo* songs in which each party insults the other, accusing them of unchastely behaviour, witchcraft and all the worst things they can think of. There are wedding dances in which each party tries to outdo the other. After the wedding feast, both parties partake of meat and beer. It is an end to the antagonism and there is interchange of presents between the two groups and friendliness is displayed.

The gift of bridewealth cattle from the family of the boy to that of a girl produces a feeling of friendship and co-operation between the groups. From the moment the marriage negotiations begun, there is a series of gift exchange taking place between the two families, so that while the boy's family bring bridewealth cattle during the betrothal period. The girl's family slaughter goats or beasts for the entertainment of the party who bring the bridewealth.

The first *make* responds by giving the following narration on traditional wedding. On the arrival of the bride at the bridegroom's byre the marriage celebration can be said to begin. The most noticeable fact is the rivalry between the two parties, which culminates in the wedding dances the following day. Each group shows the other its superiority. The bride and the bridegroom have the support of their whole byre. Underlying this rivalry, there is an effort on the part of both groups to gain the friendship and goodwill of the other. Various goats are slaughtered for the bridal party by the father of the bridegroom as a sign of welcome and goodwill.

At the wedding, it is not only the two parties that are rivals, a similar sort of rivalry is found among the spectators too, who are placed each in their respective age, group and areas. On nearing the byre, the bride's party finds the bridegroom's party seated on *sigcawu*, (scene) specially chosen for the dancing. All the girls begin singing the *inkondlo* (recitation) and the bride and the bridegroom proceed from the back of their parties.

They are going around till they meet opposite the centre of the line of singing girls. The women warn the husband to treat her well, the old women dance in and out among the girl currying mealie cob stuck on an assegai which they flourish for luck and prosperity. Finally, the girl's party sing *umlolotelo* (lullaby) which the bride's mother composed for her when she was a baby and this is sung for the last time.

The second *make* gives more biblical information on bachelorhood, spinsterhood and marriage. The word bachelor, does not appear in the Old Testament. Jeremiah's call to remain unmarried was a unique prophetic sign from God (Jer 16:2). For the specific reasons celibacy can be god's call to Christians (Matt 19:10\_12) I Cor 7:7-9) although marriage and family life are usual calling (John 2:1-11; Eph 5:22) (Holly bible 2006).

## **IX. Conclusion**

Various bodies of literature indicates a shift in marriage practice over time. However, there are complexities in such cultural dynamism across countries It is, however, reflected that marriage practice promote the rich Siswati culture and achievement based on the past and its contribution towards building a healthy nation. It embraces broader knowledge and fundamental truth about the history of the nation. It is a cultural ceremony that helps the nation to rediscover its original identity, fundamental principle of human life and distinctive traditional values. It is a lifelong union which involves various rituals.

## **X. Recommendations**

It is recommended that all cultural steps involving norms, rules, values and principles about Siswati customary marriage must be collated, outlined and interpreted. All compulsory and optional ritual performances need to be highlighted and discussed. The value of the special places where the formal encounter between the families and ancestors such as cattle byre and religious houses in a homestead warrants recognition.

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