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**FEAR OF THE MARGINALIZED MINORITIES: THE KHWAI
COMMUNITY DETERMINING THEIR BOUNDARY IN THE
OKAVANGO, BOTSWANA, THROUGH A DEED OF TRUST**

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Introduction

Background

According to Shragge, empowerment is conceptualized as the discovery of a community's strengths, the attainment of participating, competence, and an element of claiming resources from the State¹. In terms of Community Based Natural Resource Management (CBNRM), empowerment generally refers to the transfer of skills and knowledge, initiatives, control, ownership of resources and decision-making by the community.

The Government of Botswana has a developed policy to allow communities greater control over wildlife and other natural resources. This concept first arose in the mid-1980s when the Chobe Enclave, situated in the northern part of the country, was identified as an area suitable for Community Based Natural Resource Management. Thereafter, the Chobe community was introduced to the concepts of CBNRM through a series of workshops, seminars and village *kgotla* meetings organized by the Department of Wildlife and National Parks (DWNP), Natural Resource Management Project (NRMP), the Land Board and district level officials.² The government's experience in CBNRM was then formalized in the *National Land*

¹ Shragge, E. (1993), 'Politics of Community Economic Development' in Shragge (ed.) *Community Economic Development: In search of Empowerment*, Black Rose Books, Montreal; see Hitchcock, R. (1996) *Kalahari Communities: Bushman and Politics of the Environment in Southern Africa*. IWGA Document No. 79, Copenhagen.

² Painter, M. (1995); Nchunga, (1997); Samson and Monyadzwe, (1997) in *Proceedings of a National Conference on Conservation and Management of Wildlife in Botswana: Strategies for the Twenty-First Century*, October 1997, DWNP and KCS. Gaborone.

Use and Development Plan, in which the Ministry of Commerce and Industry and the Ministry of Local Government, Lands and Housing played a leading role.³

This type of CBNRM programme has been implemented through the Department of Wildlife and National Parks and facilitated by the Natural Resource Management Project since 1991. The programme attempts to expand the opportunities for rural people to secure their livelihoods through the utilization of an annual quota of wildlife and other natural resources. The Chobe Enclave Conservation Trust, for example, was given its first quota in 1993. In Botswana, CBNRM applies when communities living within or adjacent to a Controlled Hunting Area (CHA) organize themselves to develop and conserve natural resources in their area.⁴

There was no organizational model at the time the Chobe Trust was formed, but a joint venture agreement was discussed as one of the options for a community-based wildlife enterprise. The government and NRMP presented various options, but recommended the joint venture agreements model as the most viable option. The community took this advice and set up a joint venture with a safari operator.

For the purpose of guiding the process of developing joint ventures between communities and private companies or operators, the Department of Wildlife and National Parks published a booklet in 1997 and 1999 titled, *Joint Ventures: A Guide to Developing Natural Resource Based Business Ventures in Community Areas*. The booklet outlines the role of the community, the private sector, the DWNP and other stakeholders in the preparation, evaluation and awarding of a tender for a community joint venture enterprise, and provides procedures on joint ventures and business opportunities in community areas. According to the NRMP report (1997) these guidelines, have been developed

³ See for example, policy documents such as *Wildlife Conservation Policy of 1986*, the *Botswana National Conservation Strategy of 1990*, the *Tourism Policy of 1990*, the *Wildlife Conservation and National Parks Act of 1992*, *The Savingram :community tourism and hunting development activities*, 20th November, 1995; and *National Development Plans 7 and 8*.

⁴ Community here is used to mean all the residents of the village/settlement or group of villages/settlements that have resource user rights to the wildlife in a Community CHA; see Painter, (1995); DWNP, (1999).

by DWNP and approved by Land Boards and Councils as the system to be adopted whenever a community wishes to tender commercially for a management partner for any of its natural resources.

In 1995, other villages in Ngamiland like Sankuyo, the only settlement with the CHA of NG/34, followed the precedent set by the Chobe Trust by registering themselves as a community based organization and also by choosing to form a joint venture. They chose to sub-lease their Controlled Hunting Area and the resources contained therein to a commercial safari operator who pays them an annual rental and hunting quota fee. This agreement also provides opportunities of employment. The people of Khwai (40-50km away from Sankuyo), on the other hand, would prefer an arrangement where they retained the lease themselves, and where they exercise greater control over their land and the management of their wildlife resources.

This study aims to understand the Khwai community's choice of wildlife development model, and why this differs from the standard model that has been developed by the Botswana government and that has been adopted by the other communities in the north and north west of Botswana in terms of rules, motives (incentives) operations and perceived benefits. It will also explore the reluctance of the government authorities to recognize the Khwai community, grant it leasehold title and a hunting quota in order to develop a wildlife-based community enterprise. This paper tries to show that unless the issues of land tenure, resource ownership, the politics of relocation and ethnicity are addressed, enterprise development will be hindered within some communities.

Study area

The Khwai population, which numbers about 370, is predominantly Bugakhwe of San origin (the so-called 'River Bushmen'). Historical evidence shows that the people of San or Bushman origin, commonly referred to as Basarwa, were the original settlers in what today is known as Botswana.⁵ Groups such as Yei, Batawana, Hambukushu, Bakgalagadi, Whites, and various other people that live in Ngamiland today also regard the Basarwa as the first occupants of the region.⁶

In-depth interviews were conducted between 1997 and 1999 in the village of Khwai which is situated close to the Moremi Game Reserve, some 95km north-east of the town of Maun in north-west Botswana, Ngamiland. Like villages of Mababe and Sankuyo, Khwai fall within a category of land reserved as wildlife management areas for hunting and photographic tourism. Although the focus of the study was Khwai, interviews were extended to people living in Sankuyo, Mababe, Okavango Community Trust and / Xai / Xai to enable the researcher to have a broad perspective of CBNRM in Ngamiland.

Development of Botswana CBNRM models

Establishing a CBNRM trust

According to the definition given by the DWNP, a community should form a trust consisting of one or more villages that utilizes a hunting quota to generate jobs and revenues, and that benefits members of the community. A community that has a representative and accountable management group or legal entity can therefore obtain a wildlife quota or head-lease to start a wildlife based enterprise.

⁵ Tlou, T. and Campbell, A. (1998); see also Tlou, T. (1985). This paper will use the names Basarwa and San interchangeably.

⁶ Ibid. See also Bolaane, M. and Darkwah, K. (1997); Hitchcock, R.K. (1980), in *Journal of African Law*, Vol. 24 No. 1, pp. 1-34.

The CBNRM programme allows communities to manage the quota for the CHA in which they live, provided they have:

- registered themselves as community trusts,
- made decisions about wildlife and other natural resources,
- negotiated contracts with commercial safari companies or operators, and
- either identified and developed small-scale income generating projects
- or accumulated the proceeds from the sale of their wildlife quota and land rentals in community bank accounts.
- made decisions on utilization of benefits accrued through CBNRM projects.

The CBNRM approach was introduced at village *kgotla* meetings in Sankuyo, Mababe, Khwai and the Okavango Community Trust at about the same time. In 1995, both Sankuyo and the Okavango Community Trust took the initiative to start their community enterprise development but Khwai and Mababe (both San communities) were left behind.

Joint venture models

The official guidelines describe two basic methods: Joint Venture Agreements and Joint Venture Partnerships, both of which are subdivided into three possible options. In this case the community and the safari company do not merge their assets. Usually, the community has a head lease from the Land Board and in turn sub- lease it to the safari operator. The safari company is given sole and exclusive rights to do hunting and photographic ventures depending on what the area has been zoned for. The community gets money from the operator for land rental and quota fee. In addition they benefit from employment opportunities and the development associated enterprises or services. Still under the arrangement, the community can lease the land from Land Board and in turn sub- leases specific areas to an operator for the development tourist infrastructure (for instance a lodge). The community benefits income from venture it is running maybe hunting or wildlife

viewing, while the operator aims to profit from the tourist lodge. The operator has security of tenure on lodge or camp sites and the community is directly involved in the management of the area and the tourism venture having hands on experience. The third possible option is when the safari company sub-leases the land from the community and provide their services at an agreed daily rate per tourist, the remainder of the daily rate income (gross profit) is then equally divided between the partners.

The Joint Venture Partnerships involve the merging of portions of both parties assets. In the first option the community holds a head lease from Land Board, and the safari company will have a lease agreement for a number of years, but paying no rental fee. The operator will supply all facilities, marketing and management, and agree to train and employ local people and to support local enterprises that complement his/ her activities. The community supplies local building materials and guides services, and are actively involved in managing the resources and able to learn about the tourist industry.

In the second option a Joint Venture Partnership is formed between the safari company (providing expertise, infrastructure and equipment) and the community (providing the land, natural resources and labour) and this entity effectively becomes a natural resource and tourism management group, receiving all revenues and responsible for all costs. The community learns about the business aspects of the tourist industry and has a say in day resource management decisions. The community and safari company share all profits from the enterprise.

Lastly, the community that wishes to act as safari operator can develop their area for tourism. To this they hire the services of, or offer equity to, a skilled management company which markets and runs the enterprise. The community will provide most of the labour and the tourist facilities while the managing company provides the expertise in exchange for a fee in line with market rates. Although this is not a true venture the community is essential in control and it guarantees employment and directly involves local people in day- to- day management, therefore broadening their experience. To date, only the first option of the Joint Venture Agreement model has been introduced.

By 1999, five communities in Botswana, with the support of different stakeholders, had entered into Joint Venture Agreements with commercial safari companies.

The communities in Ngamiland and Joint Venture Agreement

Forming a joint venture

In order to establish a hunting and photo-tourism-based enterprise, a formally registered community-based organization, first made a written request to the Land Board to acquire the leasehold over the CHA in which they live. When the community had met the government's criteria regarding organizational equitability, accountability, and capacity to manage such areas responsibly⁷, the Land Board allocated the CHA to the community and granted it user rights to resources stipulated in a lease agreement.⁸

Shortly after the Tawana Land Board had allowed the Management Trust to acquire a head-lease, the DWNP, which participated closely in the facilitation of the planning process, then gave the right to the community to use and manage the hunting quota. Thereafter, the DWNP assesses progress and monitors the number of animals which are subject to subsistence hunting, or are hunted commercially. The tender is then awarded to a commercial operator.

Tendering procedures

The community cannot make an agreement with the third party without the consent of a relevant Land Board and DWNP. Any joint venture arrangements between the community and a commercial safari operator is subject to the tendering procedure and certain formal rules must be followed.

⁷ See Savingram: MCI and MLGH op. cit.

⁸ The Land Board may grant leases effective for 15 years based on three renewable five years periods to provide greater security of tenure.

For example, if the community decides to sub-lease its CHA and sell its quota, they cannot simply choose a joint venture partner, but must advertise the tender through the local newspapers. Government officials argue that the tendering requirement protects the interests of the local communities, allows for greater transparency, safe-guards communities against possible bribes and manipulation, and encourages competitive bidding.⁹

The tendering of a CHA is administered by the District Land Use Planning Unit which consists of the DWNP, Land Boards and other co-opted members. This unit sits as the Technical Committee to facilitate the tendering process. It visits the village to meet the board of trustees and the community to verify their interests in a joint ventures initiative. This committee also offers technical advice on restrictions governing the CHA, the number of camps allowed (hunting and photographic tourism), and discusses issues of employment. The committee then helps set out tender guidelines and prepare the tender document. The guidelines help interested bidders prepare a comprehensive technical proposal and financial offer. The technical proposal section is required to address issues of employment and training/skills. In the financial offer, the bidder is required to state the contributions and other benefits which would accrue to the community.

Once proposals have been submitted, the Technical Committee evaluates the technical proposals and makes its recommendations to a Review Committee. The Review Committee consists of the Technical Committee and certain elected members of the community. It first considers whether the recommended proposals satisfy the tender specifications outlined in the advertisements. It then considers the financial offer and the company profile to check the credential of the company. The next step is for those safari operators who have been short listed to present their proposals and answer any questions at a village *kgotla* meeting of members of the community trust. The meeting gives the community members an opportunity to meet their potential partners face-to-face and ask them any questions. The tender is then awarded to the bidder with the most votes at the *kgotla* meeting. The safari operator enters into an agreement with a community trust and the user rights

⁹ Interviews with members of the Technical Committee in both Gaborone and Maun, North West District Administration, Maun; 1998/99.

over the CHA are transferred through a sub-lease to the commercial safari operator.

Benefits

Since the implementation of CBNRM some community-based organizations have generated considerable income. In the Chobe Enclave, for example, the annual concession fee has leapt from 20,000 Pula (1993), to 65,000 Pula (1994), to 200,000 Pula (1995) and now to about 800,000 Pula (1999). In Sankuyo the revenue in the Community Trust by 1998 was 462,850 Pula. By the end of their contract with Crocodile Camp Safaris they will have earned over 15,000,000 Pula (2001).¹⁰ Overall, the income generated from CBNRM has grown from 24,000 Pula in 1993 to 2,716,720 Pula in 1998.¹¹

In the Sankuyo and Chobe model for instance, the rules are such that the great majority of revenues accrue to the community trust. The benefits associated with the tourist operation are largely in the form of land rent, quota fees, employment opportunities, community development opportunities and infrastructure development. The study shows that apart from receiving windfall profits from land rent and wildlife hunting quotas, the joint venture arrangements have been successful in providing jobs for local residents and that employment is one of the main income generating activity for individuals.

Both the community development trust and the commercial safari operator are to provide jobs in a joint venture arrangement.

¹⁰ Hazam, J. (1999); Interviews with the management of Crocodile Camp Safaris, (1998), Maun; Interviews with Sankuyo Board of Trustees, (1999).

¹¹ Wynter, P. et. al. (1999) op. cit.

The Khwai model

Historical background

When the Moremi Game Reserve was created in 1963, the Basarwa of Khwai were evicted and relocated several times until they were eventually settled in their present position (NG/19). Not only were they deprived of their land and natural resources within the new wildlife management area, but conservation policies, such as the 1962 Fauna Conservation Proclamation, placed severe restrictions on their traditional dependence on hunting for subsistence and the gathering of veld produce.¹² Instead, they were granted special licences to hunt specific animals during part of a year. Nor could they move or settle freely within their territory as their circumstances and the seasons dictated. Rather, they were prohibited, under the Wildlife Conservation Act, from collecting veld products on which they had subsisted in the past. Moreover, the people are not allowed to keep cattle because Khwai falls inside the foot and mouth quarantine area designated as a livestock-free zone.¹³ Although households have tried to grow crops, these are often destroyed by wild animals, especially elephants and hippopotamus.

These difficulties are compounded because, although the settlement, the *kgotla* and the village development committee have been officially recognized by the local authority office, their village has not been gazetted yet. Khwai village is located at the present north gate of Moremi Game Reserve and a recommendation was made that to preserve the wilderness appeal of the Wildlife Management Areas, the existing settlement should not be allowed to expand. This has since brought uncertainty about the status of Khwai village. As a result, the village is not provided with facilities such as schools and clinics.¹⁴ This lack of social services, as well as the lack of

¹² Ibid.; see also the report by van der Heiden (1991) ; Bell, R. (1998); interviews conducted by Bolaane, M. (1998/9) at Khwai and Sankuyo.

¹³ See Bell, R. (1998).

¹⁴ Report on Management Plans for Controlled Hunting Areas Allocated to Communities in Ngamiland WMA's (pp. 96, 104 & 108, (1995); interviews with Government officials, Department of Wildlife and National Parks and Tawana Land Board, (1998/9).

employment, has prompted many young people to migrate to the district town, Maun.

In light of these hardships, the Khwai people were encouraged by the authorities to relocate once more by joining the residents of either Mababe or Sankuyo where social services are provided. This is associated with not gazetting their present location. However, in order to maintain their ethnic and territorial integrity, they have adamantly refused to move. In order to survive, the Khwai people today engage in the sale of thatching grass to lodges, the making and selling of baskets and other curios to tourists, and providing entertainment (traditional music and dance) to tourists and local residents. Faced with such limited options, CBNRM opened up a major new strategy to improve their livelihoods.

Community-based wildlife management: Khwai grievances

The village of Khwai itself falls within NG/19, which is a prime wildlife area. Under the new Land Use and Development Plan for Kwando and Okavango Wildlife Management this area has been designated as a photographic and game-viewing zone for three existing tourist lodges, whose leases expire after the year 2000.¹⁵ This plan also places the management of the CHA (NG/18) under the control of the Khwai community which holds the citizen hunting concession for this hunting area.

San communities, like other communities in Ngamiland, are enthusiastic and appreciate being invited to participate in CBNRM. The people of Khwai, however, were slow to respond to the government's CBNRM initiative in 1995, mainly because of their mistrust of the government and safari operators. The Khwai community's view of CBNRM as a means of restoring their authority over land and wildlife, which they regard as

¹⁵ See the reports by van der Heiden, L.J. (1991) and Okavango Community Consultants (1995); interviews with officials at the Department of Wildlife and National Parks and Tawana Land Board, Maun and Gaborone (1999).

historically theirs is not shared by the government.¹⁶ Differences emerged regarding the issues of ethnic identity and social insecurity related to relocation.¹⁷

Interviews with both Khwai residents and government officials confirm that Khwai's historical grievances over their access to wildlife and land frustrated attempts by NRMP and the DWNP extension division to mobilize people during PRA exercises, when trying to establish joint venture arrangements. The extension division felt it did not have the power to solve unilaterally this issue of land rights, or the issue of recognition of Khwai's status as a community in NC.¹⁸ Nor was it clear to Khwai residents, for example, why their Special Game Licence (SGL) Quota¹⁹ issued in 1995 for subsistence hunting would be withdrawn under the new CBNRM initiative and replaced by an off-take quota determined by the DWNP. The government's rule is that once the community takes a step to form the representative and accountable entity, and the trust is registered then the SGLs will be replaced by an off-take quota. The important difference is that, the benefits of an SGL accrue directly to the individual holder, while the off-take quota is held by the community as a whole.

The Khwai people also felt offended by safari operators who supported the idea of relocating them so that their land could be used as a wilderness area for tourism. These safari operators reported the local Khwai residents to the Botswana Defence Force for poaching, which resulted in them being

¹⁶ Interviews by Bolaane (1998/ 9)- the concern about the rights of ethnic minority of Basarwa was still one major issue which clearly dominated discussions in the three communities of Khwai, Mababe and Gudikwa, composed mostly of Remote Area Dwellers. This is highlighted in the Report on *Land Use and Development Plan- Kwando and Okavango Wildlife Management Areas* (1991) pp. 4-16.

¹⁷ See Bolaane and Darkwah (1997); Bell (1998); Peake (1998) : Report on *Land Use Plan-Kwando and Okavango* (1991).

¹⁸ Interviews in Khwai (1999); interviews expressed by elders and youth, females and males; see also Report on *Land Use Development and Plan* (1991), p5.

¹⁹ Botswana Government (1996) *Guidelines for Community Management of Hunting Quotas*.

harassed by the army.²⁰ The local people also claimed that they were exploited by lodge owners, who bought Khwai thatching grass and crafts at low prices and failed to employ Khwai residents. They accused lodge owners of giving preference to those who came from outside. As one resident remarked:

When CBNRM was introduced we were told that we would have to invite a white businessman who will be conducting the tourism activity. We, the people of Khwai, refused because if we invite a white man into our concession area, he is going to control everything. In joint venture partnership the white man is basically going to get more money from selling the hunting quota than what he gives to us as a rental fee. After all, the government would not allow us to put a price to the quota to enable us to get a better deal in the business. There is photographic tourism and the hunting quota, but in joint venture partnerships the white man will basically be paying the community for the quota and money for photographic area is his alone, therefore he will be cheating us, this is why we want to operate our own business.²¹

Local people also maintain that the safari operators are to blame for the reduction in the number of game, the lack of co-operation with and respect for communities and low wages paid to staff.¹²

Khwai aspirations

Given these perceptions, Khwai opted out of the government's joint venture model and proposed an alternative arrangement, which is 'ownership model'. They argue that tourism has always operated in their area, and contributes to the huge profits earned by commercial safari operators and the government.

²⁰ Interviews with the local residents of Khwai (1998/99); similar complaints expressed and documented in the *Okavango and Kwando Land Use Plan*. op. cit.

²¹ Interviews with local residents of Khwai -- views expressed by elderly men and women and the youth (1999).

Therefore, they now wish to run their own tourist/safari operations. Their plan is to provide their own camping structures and sell animals in their CHA directly to clients through the services of an employed professional hunter.

Although Khwai has applied to operate both hunting safaris and photographic tourism, they intend to begin their business with hunting, as it is less expensive to run than photo-tourism. Their aim is to make sufficient profits quickly in order to contribute to the Government Financial Assistance Policy (FAP) for the funding of photo safaris, which they believe is a more sustainable use of their natural resources.²²

The Khwai people acknowledge that they lack both the experience and skills in tourism operations and do not have the finances to start their own business. They have therefore applied for the Community Conservation Fund to set up a modest hunting camp,²³ which could operate profitably with as few as six clients. If they receive this funding and the government approves their application for the head-lease and allowed the hunting quota for NG/18, they intend to build and manage their own camp by hiring the services of an experienced manager with a professional hunter's licence. This share-holder partner would be expected to market their hunting area effectively and bring in clients using his or her own game-viewing vehicles. As evidence that this approach will ensure the smooth running of the enterprise and protect the interest of the community, the Khwai residents point to the example of lodges in NG/19 whose owners have hired the

²² The Government of Botswana has established a fund, Financial Assistance Policy to assist small businesses owned by citizens of the country. It has since been extended to tourism activity.

²³ According to the Khwai Development Board of Trustees, they applied for P150,000 for building a camp for hunting. The Representative and Accountable Legal Entity (RALE) can apply for funding by submitting a written proposal through DWNP. If successful the funds can be used to start a project such as game ranching. It can also be used for training personnel in the safari tourist industry and activities related natural resource management. The proposal for funding may not exceed P150, 0000 and, like FAP, there should be a community contribution of 25 %-either in cash or in kind (e.g. labour, materials, etc.) Pula is the Botswana currency and P1000 is equivalent to approximately £100. The Government of Botswana has put a fund in place in NDP8 to financially assist communities' initiatives. This fund is in grant form (see C. Monyadzwe, 'DWNP/ GoB Enterprise Development Mechanisms' in Workshop Proceedings, 9-12 March, Maun, 1999).

services of a manager. These enterprises, they claim, has generated employment for guides, drivers, waitresses, cooks, etc.

There are, however, aspects of the government model that the Khwai residents intend to follow, such as the government tendering procedures to recruit the most suitable professional hunter. The tender document would guide the Technical Committee in the short-listing of bidders, and the selection of the successful candidate would be conducted through a village *kgotla* meeting. The memorandum of agreement between this shareholder partner and the Board of Trustees would be drawn up by the community's attorney and bind the appointed partner to a specific period. It would also require the partner to transfer marketing and financial management skills to the community particularly the youth and train members to become professional hunters. The partner would not only be required to operate in a camp built by the community, but employ members of the community for the various jobs at the camp as guides, cooks, drivers, laundry people, etc. The community itself would grant a number of apprenticeships during the safari operator's term of operation in order to speed up the transfer of skills to the youth.

They are aware that they may not make much profit during the initial stage, but believe that they would have something to build on. With the profits from the hunting operation and their assets in the hunting campsite structures, they hope to contribute to the FAP government fund or receive a commercial bank loan to set up the photo-tourism operation. As with the hunting operation, their photo-tourism shareholder partner would be responsible for marketing and financial management, and would be required to transfer these skills to the local community. As part of their initiative, they wish to draw up a management plan for the area themselves, which would enable them to decide where to locate the hunting camp sites and the photo tourism camp.

Their model also tries to link other income-generating projects with the hunting safari and photo tourism operations. Such projects would include tours of the traditional villages to display San history and culture to those tourists wishing to view both the wildlife and the culture. At the village, tourists would be able to see traditional dance and music, story-telling, bush

walking or game trekking. The community would provide tents and food for a small number of clients. In fact, the community has already set up income generating projects such as the sale of thatching grass, a craft shop and the traditional dancing group. Currently, money from sales is paid to individuals. In their community model this would continue, but a fraction of the money from each project would go into the trust coffers. The Board of Trustees will enforce the levy.

Perceived benefits

The Khwai model highlights projects which increasingly generate income and create jobs. It envisages that the profits earned from their safari company will provide loans for Khwai people living in both Khwai and Maun to open up small businesses. According to members of the Khwai Community Development Trust Board, the small business owners will be encouraged to buy shares in the wildlife-based company. The company's accumulated capital would also offer bursaries for the training of suitable local people for courses in book-keeping, marketing, as couriers, etc.

The earnings from wildlife would also be targeted for funding of projects such as building a private school in Khwai for their small children, who currently attend schools in other villages, such as Maun, which is a long way from their homes. Sankuyo, however, would not envisage such a project because, like other gazetted villages, the government provides a primary school, a clinic and water facilities. This is a catch-22 situation. The project can only proceed if Khwai is gazetted, in which case it would receive government assistance for social services. Earnings from wildlife would therefore not have to be spend on schools, clinics and water.

Differences between models

Control over land and natural resources

The Khwai and other communities' models are based on issues of management and control over land and natural resources by the local community. Most of the communities acknowledge their lack of technical, business and managerial skills for tourism-related business. As such, they welcome the idea of working with professionals in this area in order to transfer skills, technology and benefits. However, unlike the Sankuyo model for instance, which sub-leases land to a safari operator, the Khwai model prefers not to sub-lease to the safari operator, but rather to employ his services and expertise.²⁴ This would enable the community to exercise greater control over the productive use of land resources by allowing for more autonomy over decision-making, while still having someone who can help them manage the place.²⁵ In simple terms, they want Khwai people to be more empowered as resource custodians and as such do not desire the standard model. Khwai is opting for one of the Joint Venture Partnerships's versions which has not been fully developed.

Community participation and transfer of skills

The Khwai community criticises other neighbour's joint venture model because of the minimal participation by its members in the running of the wildlife-based enterprise. They see it as a model:

where the community just see hunters and tourists getting into their area for hunting and game viewing and leaving for their countries; the community only get to know what is happening when the Board of

²⁴ Interviews Khwai Community (1998/9).

²⁵ Interviews Khwai Community (1998/9).

Trustees comes to the *kgotla* meeting to tell them how much money the community has in the bank account.²⁶

They feel that the joint venture model does not adequately address the objectives such as the transfer of skills, self-reliance and effective participation in the management of their natural resources. As Hazam argues, success in generating income does not mean that it is a successful approach to resource management in the long term.²⁷ The transfer of skills to communities is crucial in order for them to regain control of the wildlife-based enterprises. In the current joint venture partnerships the private sector has the right to choose the appropriate person for the position with the right formal education, irrespective of where the person comes from. They have argued that people residing in rural communities have no or very little formal education and are therefore not selected for employment and, hence for the development of tourism skills.

Constraints to implementing the Khwai model

The Deed of Trust and ethnicity

Khwai has applied for the user rights to NG18 and 19, but DWNP and the Tawana Land Board have not approved the Khwai Deed of Trust. As a result Khwai cannot be granted a lease by the Tawana Land Board or allocated a hunting quota by the DWNP. (Hunting quotas are issued to a community that has a representative and an accountable management group or entity.²⁸) The impasse has arisen because the deed of trust discriminates against the non-*Basarwa* residents of Khwai as members and beneficiaries of the wildlife-based enterprise. The government, for its part, accepts Agrawal's argument that, it is important to recognize groups within communities because excluded groups can make conservation impossible in the same manner as the non-

²⁶ Interview Khwai Community (1999).
²⁷ Hazam, op. cit.

cooperation of communities in top down coercive conservation made that form of conservation non-viable.²⁹

With the assistance of their lawyer and an independent University of Botswana consultant, Khwai produced a constitution which recognizes their ethnic identity as *Basarwa*. Although the trust has been registered with the Registrar of Societies at the Ministry of Labour and Home Affairs in 1998, officials within the DWNP and the Tawana Land Board are unhappy with certain clauses, such as article 2.2, which states that Members shall mean all *Basarwa* citizens presently residing at Khwai...³⁰ According to government officials this would exclude non-*Basarwa* citizens within Khwai from participating in the management of the wildlife and share in the benefits. The government claims that this runs counter to the rules set up for CBNRM, which require communities to have organizations that are representative of all residents residing in the CHA at the time the organization is established.³¹ Furthermore, they maintain that the discriminate nature of article 2.2 is at odds with the Botswana constitution. The constitutional issue is being used as an excuse not to implement a different model.

The residents of Khwai, except the few households which are non-*Basarwa*, have resisted the pressure from the DWNP and Tawana Land Board to amend this clause. They recognize that it is discriminatory, but argue that there is a need for affirmative action in order to preserve their distinct ethnic identity and culture, and to secure their territory from encroachment by dominant groups in Ngamiland, especially the Yei. The Khwai youth, who represent the few literate groups in the community, argue that article 2.2 does in fact accommodate the membership of non-*Basarwa* citizens provided they are approved as members at a *kgotla* meeting. In addition, article 4.5 states that non-*Basarwa* can apply to become members if they have lived in the area for at least five years.³² The non-*Basarwa* who have lived in the area longer

²⁸ See CBNRM Policy, Government Paper No. 19, (1998) Gaborone; MCI and MLGH (1997); SAVINGRAM: Ref. Nos: WP/SAF2V.

²⁹ Agrawal, A. (1997).

³⁰ Khwai Development Trust (1998). Notarial Deed of Trust, Pg. 2.

³¹ Wynter et al. (1999); interview with some officials of DWNP and Tawana Land Board (1999), Gaborone & Maun.

³² Khwai Community Development Trust, (1998) Notarial Deed of Trust, p. 4.

than 5 years become citizens. This provision is similar to article 2.7 of the Sankuyo Tshwaragano Management Deed of Trust:³³ the differences being that Khwai's deed of trust refers to San ethnicity, whereas the Sankuyo clause refers to citizenship of Botswana.

Resource constraints and institutional support

Although Khwai's model has popular support, the government feels that rural communities such as Khwai need large external inputs of skilled manpower and financial support to set up and manage wildlife-based enterprises properly over the long term.³⁴ Khwai, however, seeks to take advantage of the Community Conservation Fund set up by the government to provide assistance to deserving initiatives under the National Development Plan 8, for which P8.1 million has been set aside.³⁵

The effective participation of secondary stakeholders have ensured the success of community-based initiatives in villages like Chobe Enclave and Sankuyo by providing an institutional environment conducive to CBNRM. Khwai, on the other hand, has not received the same attention.

Conclusions

The government has developed guidelines that provide communities with a choice between joint venture agreements and joint venture partnerships options. Although these policies seem to be well thought through and are of benefit to rural Botswana, only part of the first model - Joint Venture Agreements - has so far been tried and tested. Accordingly, government, donors and NGOs have developed CBNRM support systems geared towards

³³ Sankuyo Tshwaragano Management Trust (1995) Notarial Deed of Trust, p. 3.

³⁴ Interviews with officials of DWNP and NRP, Maun & Gaborone (1998-9).

³⁵ DWNP (1998). Community Conservation Fund: Guidelines, Criteria and Procedures.

this model. Other communities, such as Khwai, however, would prefer a more participative model, such as the third type of joint venture partnership suggested by the DWNP, where the community acts as the safari operator: hiring experts for management and providing most of the labour themselves. They believe their perceived model will allow them as marginalized community to exercise greater control over their resources and benefits, as well as the rules governing their projects.

If the Khwai model is adopted, it could change in the nature of people's role in development from passive dependent beneficiaries to active participants in the management of their resources.

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