

In conclusion, looking ahead, I have faith in the future of museums in this country, museums to serve the people of our country. However, the burden of proof is on museums to show that they are worthy of support. Such worthiness depends on good deeds.

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'When I say Land I Talk about my Mother': Contemporary Perspectives on Indigenous Organisations and Encounters in Southern Africa

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The paper will present an outline and appraisal of the different organisations representing Bushmen that have appeared in Southern Africa recently. The discussion will combine perspectives on cultural identity and on legal frameworks. Firstly, what is often called "the claim to indigeness" will be analysed in view of recent international developments in codifying indigenous peoples (ILO Convention 169 and the UN Working Group on Indigenous Peoples), as will the special problems and challenges in applying this concept to an African context. Secondly, the aspirations and achievements of organisations will be discussed in a perspective on identity formation and negotiation, minority-majority discourses, and the policy and practice of the hegemonic state. While keeping an overall regional perspective on South Africa, Namibia and Botswana, my main examples and analysis will be based on material on the Botswana context.

"When I say land I talk about my mother":

Aron Johannes at the NGO Forum of the UN Global Summit, Copenhagen, March 1995, translated by John Hardbatt.

In an answer to a question posed in March 1993 on the government's plan for the UN year of the Indigenous Peoples, the Minister of Local Government, Lands and Housing of Botswana stated that:

"The Government has not planned any programmes or activities ... This is because, as far as we are concerned, all Batswana are indigenous to the country, except those who may have acquired citizenship by registration. In addition, Government's development programmes and assistance schemes do not draw any distinction among the country's citizens" (Parliamentary records, and *Daily News* 05.03.93).

There is little doubt that the Bushmen, San, Basarwa or Kwe are an indigenous people, according to any reasonable interpretation of the criteria of first arrival, cultural difference and non-dominance. They are also, and increasingly vocally, indigenous by self-description.¹

Responding to the Minister's statement, I wrote an article arguing that the Government of Botswana was not comfortable with the concept "indigenous", or maybe not fully conversant with the term, as used in international jurisprudence (Saugestad 1993a). I still hold this view. But I am more open than I was four years ago to recognise the complexity of the concept in an African context.

Southern Africa is probably one of the most difficult regions in the world in which to use this concept - for obvious reasons. This goes for all of southern Africa, but "being indigenous" has different implications in Botswana, Namibia and South Africa. However, if our debate on Khoisan identities and cultural heritage is to contribute to an agenda for a better future, their status as indigenous must be addressed. The objective of this paper is to introduce the concept and to discuss its relevance in a southern African context. I will emphasise that the word "indigenous" has two meanings, the one being more or less synonymous with "local" or "native", the other denoting a *relationship* of a special kind between a minority group and the state in which it resides. The concept "indigenous" used in this second sense, thus focuses more on structural features within a nation state than on the *description* of any given number of features of a group.

Conceptualising the "Indigenous"

One of the paradoxes of the modern world is that at the same time as the struggle against apartheid and racial discrimination - at least in their legal manifestations - is beginning to achieve some success, the need for affirmative action towards groups in disadvantaged situations (and indigenous peoples being prominent among them) is becoming more visible. This need is increasingly recognized internationally. The driving forces here are vocal indigenous organisations, their international networks, and encounters in international forums (UN, ILO).

¹ A note on terminology: All reputable works on the Bushmen include a discussion of which term is the most appropriate to use (Bushman, Khoisan, San, Basarwa), but so far this debate has tried to decide which term has the least derogatory connotations according to their etymological and historical origin. My position is that any term used to express negative attitudes to a group will take on a negative connotation. In this respect, none of the terms is better or worse than the other, and I use them all. No single term of self-reference exists, but the Naro (Central Khoisan) word 'Kwe' or 'Khwe', 'home' (person) is presently a very strong candidate for becoming such a unifying term. The choice of label is not irrelevant, but the debate will need to run its course before a consensus can be reached. In the meantime, linguists should make themselves useful by agreeing on a standardised spelling of the different terms of self-designation.

This need for positive discrimination was first recognised in Article 27 of the *UN International Covenant on Civil and Political Rights* (1966). This is the key provision for the protection of ethnic minorities in current international law, and opens the way for positive discrimination in support of a minority.²

The only legally binding definition so far (for signatories, that is) is the *ILO Convention no. 169 (1989) Concerning Indigenous and Tribal Peoples in Independent Countries*. This convention defines as indigenous peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country...at the time of conquest or colonisation, or the establishment of the present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic cultural and political institutions (Article 1.b).

ILO convention no. 169 goes a long way towards introducing new international standards, replacing the previous more assimilationist orientation of ILO convention no. 107 (Barsh 1994). The preamble recognises the aspiration expressed by indigenous peoples to exercise control over their own institutions, ways of life and economic development. It also acknowledges the aspiration to maintain and develop identities, languages and religion, within the framework of the states in which they live. The Convention stresses the responsibility of governments for developing, with the participation of the peoples concerned, co-ordinated and systematic action to protect the rights of these peoples; to guarantee and respect their integrity (Article 2); and to recognise the rights of ownership and possession of the peoples concerned over the lands which they traditionally occupy (Article 14).

Within the United Nations, the same concern for the protection of ethnic minorities, which was first mentioned briefly in Article 27 of the UN Covenant on Civil and Political Rights, has been taken up more fully by a *United Nations Working Group on Indigenous Populations*, which in 1993 finalised a *Draft Declaration on the Rights of Indigenous Peoples*.³ This document is now on its laborious way through the system, and is presently before the UN Commission on Human Rights.⁴ The whole process of getting a Declaration through the system for final approval by the General Assembly is expected to take many years, and it is expected – or feared – that the original declaration will be modified along the way. But the process in Geneva has been successful in forcing organisational awareness throughout the UN system, and with its open-door policy for indigenous representatives, created networks of cooperation between indigenous peoples and their organizations worldwide. Over the years an increasing number of governments has recognised the significance of this process, as evidenced by the increase in the number and rank of government observer delegations (Alfredsson 1996, Gray 1996).

The preamble of the Draft Declaration affirms the basic principles of the equality of rights and prohibition of discrimination; the right to be different; and the protection of the unique character and attributes of indigenous peoples, including culture, religion and social institutions. The Draft Declaration also recognises the importance of collective or group rights, not only individual rights, as particularly important human rights for indigenous peoples.

The concept of indigenous peoples as it has been developed through international discourse is based on a comparison of similarities in the structural position of indigenous peoples within modern nation states. Over the last decade or so some consensus has been reached regarding the most important criteria, namely:

first arrival: that the people in question are descendants of those inhabiting an area at the time of the arrival of other groups.⁵

2 The Covenant states that in countries which contain ethnic, religious or linguistic minorities, these minorities shall not be prevented from using their own language, practising their own religion or enjoying their own culture. The basic implication of this principle is that it opens the way for positive discrimination in support of a minority, even perceiving this as one of the fundamental human rights. This is also, to an increasing degree, taken to mean a duty to respect and protect livelihood and economic conditions, i.e., what is defined as the 'material basis' of a culture (Eide 1985:204).

3 This group was established in 1982, as a subsidiary of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, which in turn reports to the Commission on Human Rights, under the Economic and Social Council (ECOSOC). Its mandate is to review developments pertaining to the promotion and protection of human rights and fundamental freedoms of indigenous peoples, and to give special attention to the evolution of standards concerning the rights of indigenous peoples throughout the world. The Working Group proper consists of only five experts, but the annual working sessions are open to observers, which means that indigenous representatives with or without formal consultative status can participate. Last year (1996) over 600 delegates participated.

4 In March 1995 the Commission on Human Rights established a new Working Group, to consider, and re-draft the original draft. This Working Group is 'intersessional' because it takes place during the period between Commission meetings, and it is 'open-ended' in that governments, inter-governmental organisations, and NGOs with consultative status at the UN, can participate.

5 There are cases where the settlement history is not sufficiently known to say precisely which group came first, and other cases where a group came later to a territory, but share the other characteristics. It has therefore been argued, rather convincingly, that 'first arrival' should not always be used in a strict linear perception of time.

non-dominance: that the people in question are placed under a state structure with social and cultural characteristics alien to theirs, do not control the national government, and constitute a numerical minority.

cultural distinctiveness: that the people in question have, or have had, a traditional adaptation using resources and territories in a way that differs from the social and economic adaptation of the present majority.

A fourth, subjective criterion of *self-identification*, is becoming increasingly important; that is, the people in question perceive themselves as different from the majority, and define themselves as indigenous.

To what extent are such international standards binding for South Africa, Namibia and Botswana?

If we look only at instruments using the concept 'indigenous', the situation is easy to describe: The ILO Convention No. 169 has not been ratified by any African country, and the Draft Declaration on the rights of indigenous peoples is still being negotiated within the UN system, and is therefore not binding in any formal sense.⁶

The importance of the ILO Convention and the Draft Declaration cannot, however, be measured solely by their legal status, which as we can see is rather weak. They bring forward a view on the position of indigenous people that is: (a) setting new standards in international law and (b) commanding increasing support among nations. The very existence of these international instruments introduces a moral standard, and sets a new agenda. This moral standard is *not* a matter of degree, and can not be measured in the number of ratifications. In other words, even if a core dimension of the concept is its legal implications, we must also look at 'indigenous' as a sociological concept. The growing cooperative network among indigenous peoples, supported by NGOs and civil society, now look to declarations made in international fora, and take them back to use as levers for reform in a national context. In the foreseeable future, herein lies the significance of the international process for the southern African scene. This is not to suggest that there is unanimity on the status of indigenous peoples in international law. Any concept raising the issue of 'rights' does inevitably touch on conflicts of interest. But the native claims movement has been compared to the genie which escapes the bottle; once out it is very hard to put back in.⁷

The Gaborone San Resolutions, October 1993

The moral force of the ILO and UN resolutions is perhaps not as yet keenly felt in southern Africa. So where can we look for other public statements that may be of relevance to the situation of the Khoisan people? There is not much to be gained from looking for the mention of San or Basarwa in existing national laws. This follows logically from the basic tenet of any modern democratic state – as the Minister's statement made clear – not to draw 'any distinction between its citizens'. Resistance to singling out any particular group for treatment is particularly significant in a region recovering from the evils of apartheid. However, this is also the basic paradox of the situation. From the point of view of indigenous peoples, the *lack of recognition* of cultural distinctions, and the *absence of affirmative action*, are the problems.

There is, however, one document, recognising the presence and the problems of the San/Basarwa. I would like to take this opportunity to draw attention to the two Regional Conferences on Development Programmes for Africa's San Populations, in Windhoek (1992) and Gaborone (1993) respectively, and the resolutions passed in Gaborone in October 1993 (Republic of Namibia 1992, Regional Conference, nd).

The Gaborone Conference in 1993 was unique in the history of southern Africa. For the first time delegates, *in their capacity as San/Basarwa representatives*, met with representatives of their government.⁸ There were 21

6 Of the countries with a Bushman population, Namibia, Angola, Zambia and Zimbabwe have ratified the UN Covenant on Civil and Political Rights, it is signed but not yet ratified by South Africa, while Botswana has done neither. So far 10 countries have ratified the ILO convention 169.

However, while this gives a rather bleak picture of the legal situation, it should be noted that a number of human rights instruments provide for special measures of affirmative action from which indigenous peoples can benefit as both individuals and groups. It follows from the instruments and relevant case-law that indigenous peoples can submit claims under all minority-specific standards (Thornberry 1991, Alfredson 1996).

7 'Indigenous peoples' are increasingly included in general policy statements. The World Commission on Environment and Development (1987) made a number of references to indigenous peoples in its report *Our Common Future*. Agenda 21, the UN programme of action following the 1992 Earth Summit in Rio has a section 'Recognizing and strengthening the role of indigenous people and their communities' (chapter 26), emphasizing the need for indigenous people to control their traditional territories. The UN General Assembly declared 1993 the International Year of the World's Indigenous Peoples and December 1994 to December 2004, as the International Decade, the objective being stated as 'the strengthening of international cooperation for the solution of problems faced by indigenous people in such areas as human rights, the environment, development, education and health'. Among the initiatives proposed for the Decade is the establishment, by the United Nations, of a Permanent Forum on indigenous questions.

8 The first meeting was held in Windhoek in 1992. On this occasion the Namibian San were well represented, but Basarwa from Botswana were picked by the government, and were seen as government spokesmen. This was severely criticised

Namibian San delegates, and 42 Basarwa from Botswana. Extensive preparatory meetings took place in Namibia and Botswana, issues were tabled and speeches were prepared. A large number of NGOs assisted in the process on both sides.

Two points are worth noting. The first is that the Gaborone Regional Conference was an astounding success in terms of attendance, in terms of debates in an atmosphere of openness and frankness, and in terms of 11 resolutions passed unanimously by the conference, under the able joint chairing of two permanent secretaries from Namibia and Botswana. The second point is the total absence of a follow-up from the convenors of the conference.

The resolutions passed are in no way revolutionary. They are straightforward and address very basic issues. Their point of departure is the constitutions of Namibia and Botswana, granting equality before the law to all citizens. The resolutions recognise that this has not been achieved. The resolutions call for affirmative action, monitoring of human rights, hunting and gathering to be recognised as legitimate land use practice, mother tongue education, language development and cultural awareness. The resolutions contain a strong plea to governments to take action. Most of the recommendations concern changes within areas that are recognised as government responsibilities, such as economic development, infrastructure, education and health. Finally the conference calls on national governments to support the formation of a San/Basarwa national fora. (The full text is enclosed).

No action has been taken by the national governments.⁹ The need for a follow up, however, has been somewhat different in Namibia and Botswana. In Namibia, as noted above, a dialogue was established in 1992, and the resolutions passed at that time can to some extent be seen as reflected in national policies. This has not yet been the case in Botswana, where the Ministry of Local Government, Lands and Housing, that called the conference, never considered whether, and to what extent, the resolutions should be followed up (personal communication, RAD-coordinator, June 1997). On the NGO side, however, a number of workshops initiated by the Botswana Christian Council, in collaboration with The First People of the Kalahari, and Kum Development Trust, were held in 1994, but the process was discontinued mainly due to lack of economic resources. Later, from 1995 onwards, the meetings that led to the formation of WIMSA (Working Groups of Indigenous Minorities of Southern Africa) can be seen as a follow up of the same commitment on the NGO side. Neither of these processes have succeeded in establishing a dialogue with the government of Botswana. Some of the reason for this inertia lies with the political interests dominating in the respective countries. But some general political and bureaucratic inhibitions on recognising the existence of indigenous peoples in Africa, must also be considered.

An Inconvenient Concept in Africa

Indigenous is a difficult concept in an African context. If we look at the colonial roots of the concept, indigenous peoples are simply the descendants of those who occupied a given territory that was invaded, conquered, or colonised by white, colonial powers. Structurally similar problems were created in regions as diverse as North and South America, Australia, New Zealand and Greenland (Brøsted *et al* 1984, Brantenberg *et al* 1995).

Africa is difficult to analyze because the dominant position of white colonial forces left all of black Africa in a dominated position that in many respects was similar to the position of indigenous peoples elsewhere. In relation to colonial powers, all native Africans were (a) first, (b) non-dominant and (c) different in culture from the white intruders. Thus the dominant 'black - white' dichotomy in Africa corresponded to a notion that all native Africans were 'indigenous'. In this sense of the term, political independence abolished an 'indigenous-settler' dichotomy - the Minister of Local Government was right.

The problem, however, is that this linking of indigenous with a colonial situation leaves us without a suitable concept for analysing the same type of internal relationships that have persisted after the liberation from colonial dominance. In some African (and Asian) countries, minority ethnic groups have historically occupied the more inaccessible regions, often relatively isolated or marginalised, and with a culture distinct from the national hegemonic model. They coexist with the dominant majority that identifies the national state and they suffer various forms of exploitation and domination by the economic and political representatives of the national society (Veber *et al* 1993, Erni 1996). A concept is needed in international law to describe these populations, similar in their marginal positions in relation to the politically and numerically dominant.¹⁰

in the press, and in 1993 a reasonably representative delegation was put together, based on extensive meetings and consultations (Saugestad 1996a, forthcoming).

9 Delegates were not invited from South Africa. At that time only the !Xuxu and Khwe Trust was perceived as a Khoisan based organisation, and allegedly uncertainties in citizen/passport issues prevented participation. Plans are now underway for a third Regional Conference, which will draw representatives from the whole region. A proper analysis of official follow-up (or lack of such) of the Gaborone Sun Resolution is also needed.

10 The term 'internal colony' and 'Fourth World' are also used, to refer to peoples that never will achieve independent statehood. Unlike other ethnic minorities, Fourth World peoples are not immigrants but original inhabitants of lands that

Moreover, it is especially important in Africa, to distinguish the type of relationships we are talking about here from tribalism. During the early phases of nation building in Africa after independence - and, we may add, as a natural contrast to apartheid South Africa - ethnic and tribal distinctions were seen to conflict with the overriding ideals of national unity and cultural diversity was systematically downplayed. Botswana is a typical case in point. There are good reasons for being wary of the potential hazards of too strong tribal manifestations. But we make a serious analytical mistake if we fail to distinguish between tribal differences and conflicts, and the relation of subordination that characterises indigenous groups. Groups that are disadvantaged and deprived for a variety of reasons may want to be included under the umbrella of indigenous, for whatever protection or support that can afford, but it is not helpful to describe all ethnic minorities suffering from human rights abuse as indigenous. However, while the discussion of criteria is important, the problems and areas of disagreement can easily be exaggerated. All the elements of a definition are known, and most groups have been or can be identified: "on that basis it is up to governments to respect rights while any grey areas, including the question of beneficiaries, should be subject to international scrutiny" (Alfredson 1996:42).¹¹

An Untidy Bureaucratic Concept

While the troubled history of Africa must be recognised, we must also keep in mind that the idea of special status for indigenous peoples is difficult to handle in all contexts, by all bureaucracies, in all countries. Any procedure for singling out one group for special treatment and/or affirmative action disrupts standard administrative routines for equal treatment, and goes against administrative preferences for clear-cut and unambiguous target groups. My own country, Norway, provides ample examples of government dismissal and administrative neglect of the indigenous Saami population (Mathiesen 1978, Eidheim 1992, Saugestad 1993b, Thøen 1995). It took the greatest civil conflict in post-war Norway (the Alta-Kautokeino case in 1981) and a new paragraph in the Constitution before "Saami" became a legitimate category in the Norwegian administration.¹² A claim for aboriginality is contentious in all countries, and the idea of indigenous peoples is perceived by bureaucrats and politicians all over the world as an inconvenient, diffuse and difficult concept to handle. It adds to the bureaucratic confusion that the concept introduces and emphasises collective rights, while all previous human rights instruments have emphasised individual rights.¹³

Common to all democratic states with indigenous minorities within their borders is the need to find a balance between the general ideals of equal rights and equal treatment, and the special needs of the minority for protection. The conclusion we can draw from other countries, is that a gradual recognition of special problems and therefore special needs, only has come about reluctantly, after indigenous peoples have mobilised. Few changes have been initiated by governments in power. Changes have come about as reactions to pressure from organisations, and from political movements.

In a comparative perspective, we find that the formation of indigenous representative organisations, and the recognition by governments of such organisations as legitimate partners in negotiations, over time have been the most successful innovations in the troubled field of relations between nation states and their indigenous minorities. A constructive minority policy can only be developed through consultation. And consultation requires independent, representative indigenous organisations that can negotiate with the government. Far from being a threat to political stability, these emerging native associations have become a vital contribution to the democratic process.

Saikuta's Story

It has been noted above that bureaucrats have difficulties in handling the complex and multi-dimensional concept "indigenous". The corollary is that indigenous peoples have problems in dealing with their respective national bureaucracies. I will illustrate this by a story told by Saikuta,¹⁴ which has become a kind of "signature-story" for the First People of the Kalahari. It is about the relationship between the Botswana State

today form the territories of nation-states. And unlike the peoples of the Third World who can...take control of their countries one day through strength of numbers, the tiny internal colonies that make up the Fourth World are fated always to be minority populations in their own lands" (Dyck 1985:1).

11 The most obvious examples in Africa are the Khoisan people (some 100 000) and the Pygmy or Twa people of central Africa (some 250 000). It is also argued that pastoral peoples in East-Africa (some 6 million) and West-Africa (8 million) should be included because they fit most of the usual criteria, although in many cases they are clearly not the first to inhabit an area. The Maasai and Twareg have strong organisations and participate in the Geneva WIGIP meetings.

12 Up to 1987 the Saami were not recognised as a distinct group within the Kingdom of Norway, but were described according to criteria such as language (Saami speaking), domicile (Inner Finnmark, the County with the largest proportion of Saami), or economic adaptation (reindeer herding).

13 A third point, which is not specific to Africa, is that confusion is caused by a linguistic ambiguity: As a noun and as an adjective 'indigenous' is frequently used to mean 'local' and 'native'. This is fairly unproblematic when used about e.g. 'indigenous agriculture' or 'indigenous plants', clearly referring to species originating in a country, as opposed to imported species. The ambiguity arises in the social sciences, when indigenous is used to denote a contrast to 'European', because that contrast is not the dominant one in contemporary African states.

14 Saikuta, now deceased, was one of the founding members of The First People of the Kalahari/Kgeikani Kweni.

and the Bushmen, and it illustrates beautifully the differences in world-view between the political and administrative apparatus of a hegemonic state, and the people controlled by this apparatus, a difference which is at the core of the indigenous predicament.

Just before the time of the year you call Christmas I went hunting and shot a gemsbok.

The same day the Game Warden came around, took my hunting license, and said:

– Don't you see that this has expired a long time ago?

And I said: But I only just got it.

– Nonsense, this license is very old, it expired a long time ago.

And I said: But you know I can't read

– Never mind, this one is expired. So, where is the animal?

So I go with the Game Warden, show him the animal, and he takes it all, skin, bones, meat, horn.

He takes it to feed his own family. He tells me that this time he will not fine me.

Every time I see him I ask for my new license.

– Take it easy, this is not the time for hunting.

And I say: But this is the time when we Bushmen go hunting. This is when the game is around.

– Nonsense, old man, you must wait until I tell you. This is the government's game, and we decide when you are allowed to hunt.

Many, many days passed and we were nearly dying from hunger. My son was nearly dying from hunger. I know well enough, he belongs to the government. The government owns all of us, and we own nothing. So it was difficult for me to make this decision: should I leave the government's son to die, or should I shoot one of the government's elands. Which of the two had to die?

I decided that the government's son should live on, and so I went hunting. I shot an eland, butchered it, and went home, but the Game Warden was already there waiting for me:

– You have shot an eland, now you must go to jail.

They took me and the eland to Ghanzi, and there they started to sell the meat.

And I asked: Is it the meat of the eland that I shot that you are now selling. You are not allowed to sell game meat, that much I know.

– Now you watch yourself or you will stay in jail for so long that no one will recognise you when you come out.

So I was silent.

Then I came before the magistrate, and I told him the story as I have told you now.

– You are too old to hunt. You are supposed to live from the mealimeal that the government gives you; the magistrate told me.

– But I never received any mealimeal.

– Yes, your name is in the book. Go home and wait, and you will get a bag every month; the magistrate told me.

Then he gave me a six months suspended sentence.

Now it is May, and the mealimeal has been distributed five times already, but my name is not in the book.

So now I again am faced with the same dilemma. Who should die, the eland or the son of the government. And so I now have taken a new surname. From now on I am Mr. "Thrown Away".

(Translated from Naro by John Hardbatt).

This story can be seen both as an account of a series of real events, and as an allegory of a type of relationship. It reports on the hard-won experiences that the N/oakwe have in relation to what they see as the deficiencies of the hunting regulations ("but this is the time when we go hunting..."), the inadequacy of its implementation ("this license has expired...") and the corruption of some of those tasked with enforcing the regulations (selling game meat, threatening with jail).

But on a deeper level the story goes to the very core of a nation state's responsibility towards its citizens. It describes a well-intended but inadequately operated welfare system ("the mealimeal has been distributed five times already, but my name is not in the book") and deplores the moral inadequacy of a government that deprives some of its citizens of the basic human right of self-reliance ("Should I leave the government's son to die, or should I shoot one of the government's elands"). This sort of experience is the driving force behind indigenous movements.

"When I Say Land I Talk About my Mother" – Aron Johannes

The quote I gave as a *motif* initially, illustrates further aspects of this situation. The close relationship to the land, as the indispensable source of life and livelihood, is common to all indigenous peoples. But being close to the land is *not* unique to indigenous peoples. Ask any farmer, and he will say that he is close to the land he ploughs. What is unique – the defining feature, as I see it – is the *lack of recognition or protection by the ruling nation state, of particular ways of using the land*, especially use of land that (a) leaves little visible impact and therefore can more easily be neglected (e.g. hunting-gathering), and (b) renders less cash profit than e.g. cattle ranching, agriculture or mining. Paine (1984) notes how easily a "mother country" may become a "step mother" to indigenous minorities, disregarding the value of traditional systems of adaptation and organisation. This is most manifest with regards to land. The deprivation is also manifested by a lack of control in a host of other matters that do not necessarily imply a zero-sum situation, concerning e.g. respect for language and culture (see Biesele 1994, Hitchcock 1996).

The quote from Johannes is taken from a new type of situation, where such issues are brought out in the open. This particular event was an NGO Forum in conjunction with the UN World Summit for Social Development, illustrating the global network where groups from southern Africa are finding their place. Like in Saikuta's story, a main theme in Johannes' presentation was the loss of control over one's own destiny: "We are a people that held life in our hands. Now 'development' means that others give us things. We do not want that others take our land and property, then they come and say that they will give us development".

The present debate over the Central Kalahari Game Reserve illustrates the same conflict of interests. In this case there is an undisputed continuity of occupancy of the residents, that may be *exceptional* in that the occupancy for a period of time has been protected by the Game Reserve status, but the settlements are *typical* of the earlier, sustainable, use of the land. The guidelines from international thinking – morally, albeit not legally, binding for Botswana – call for proper negotiations when conflicts of interest arise. In the present paper I will not try to address the technicalities of how human settlement and wildlife conservation can be made compatible within the Reserve, or the economic constraints on providing public services to very remote areas. These are very valid points, taken up by the Government of Botswana. Nevertheless, these are practical problems, and compromises can be found. At the present time the lack of dialogue recognising local groups as legitimate partners, is the main problem.

Botswana: Challenges of Nation-Building

Indigenous movements are based on a recognition of similarities across the boundaries and continents; but, we should also keep in mind that national histories have created significantly different contexts. The first part of this paper emphasised the universal moral basis for indigenous claims. Such claims, however, have to be negotiated under varying circumstances. Among the many types of categorisations and stereotypes encountered in the encompassing society, I will briefly consider some characteristics of the relationship between the national, Tswana, majority in Botswana, and the indigenous minority.

In the main, the social structure of Botswana was shaped by the well organised Tswana tribes that moved in, most extensively from early in the nineteenth century, while colonial presence was limited. In the more densely populated parts of the country, the indigenous Bushman population was gradually integrated in a semi-feudal relationship (Datta and Murray 1989). The dry savannah expanses of Kgalagadi (the great thirstland) were conquered late in this century, following improved borehole technologies opening up new expanses for cattle ranching.

At Independence in 1966, Botswana, like many other African nations, had to address the problem of nation-building. In the process of creating a unified, and unitary, nation state, ethnicity was associated with tribalism and was seen as an obstacle to national development. The constitution, guaranteeing the "fundamental Rights and Freedoms of the Individual... whatever his race, place of origin, political opinions, colour, creed or sex", was, in the 1960s, a courageous and visionary statement. It was, however, combined with a political rhetoric overlooking the *de facto* cultural diversity of the nation.

In spite of the official non-racial ideology, no one remotely familiar with Botswana society will deny that there is a social division between San/Basarwa and the Bantu/Tswana groups. This is, as Bateson (1972) puts it "A difference which makes a difference". Interaction over centuries has reduced many of the overt and visible signs of difference. There is no discrimination as expressed in any official policy or regulation (Holm and Molutsi 1989). However, adaptation for the Basarwa so far has taken the form of assimilation or submission in

various forms and degrees, and the social division is acted out in day-to-day, and face-to-face sequences of interaction that consistently leave the Bantu/Tswana as those who lay down the premises for interaction, and the Basarwa as those who must adapt.

While the contrast may be clear, the ascribed status of Basarwa is diffuse. Dominant public discourse includes a number of Levi-Strauss-type binary contrasts: modern/old, settled/nomad, civilised/wild, culture/nature, relegating the Basarwa to a category that is quaint, exotic, but marginal both in time and space. It is their generalised characteristics, not specific traits, that are being noted. This imputed communality is characterised by two dominant negations:

- They are *people of the past*. In history books they are situated in-between the Stone Age and the Iron Age (Tlou and Campbell 1984), representing a (poverty ridden) past which the greater part of the society has left behind.
- They are defined by *negations*, providing by their lack of command of central cultural values and resources, a contrast that highlights a Tswana sense of control.

In an analysis of the Remote Area Development Programme in Botswana (Saugestad 1995 and forthcoming), I show the unfortunate effect on the target group of being defined by negative socio-economic characteristics, that underscores all the qualities they do not possess (living outside villages, not speaking Setswana, lacking access to water, land, livestock, and not having political organisation), rather than the cultural qualifications they actually possess (such as exceptional knowledge of nature, an egalitarian and caring social organisation, rich oral traditions etc.) The result is a welfare programme, that has not contributed to empowerment.

The nation-building process called for a construction of a unified "imagined community" (Anderson 1983) of the Batswana. In a situation which was perceived as a choice between unity or diversity, the solution, in Botswana's case, has been to overemphasise an image of a non-racial, non-ethnic homogenous state. In effect, this meant that the culture and language of the numerically dominant Tswana people became the dominant symbol for Botswana as a nation. In Botswana, the moral force behind this negation of cultural diversity has probably been a major obstacle for any Bushman emancipation. Basarwa simply does not exist as a category in official documents and discourse. Paradoxically, this professed liberal and non-discriminatory negation of the distinct culture of the Basarwa, has a damaging effect on their self-image and their potential for self-realisation, an outcome very similar to the blatant discrimination of the apartheid system further south.

It was one of the main achievements of the first years of the organisation First People of the Kalahari that this pattern of restraint was broken, repeatedly, eloquently and in the most public of fora, through John Hardbatt's travels, translations, and speeches. As John Hardbatt put it: "What we want is respect". Expressions in the press, and from government officials in Botswana, denied him legitimacy by holding up the conventional perceptions of a Bushman: a person being so vocal is not typical, not representative, not authentic, and need therefore not to be listened to.

Fairness, not Favours

So far, Botswana's process of nation building has led to a construed ethos of a non-racial, non-ethnic, homogenous state. This is a nice map, but it does not epitomise the territory. Both the Namibian and the South African governments have, for obvious reasons, more readily accepted the multicultural "rainbow" diversity in the new independent states. This does not in itself guarantee that the subtle nuances of identities tied to membership in previously deeply stigmatised and nearly exterminated Khoe and San groups, will be recognised (Skotnes 1996, Saugestad 1996b). On the other hand, the international networks outlined above, the multitude of local organisations, and umbrella organisation such as WIMSA, represent proven avenues for bringing indigenous issues on to the national agenda. The Indigenous Peoples of Africa Coordinating Committee works towards the same objective, as part of the process in Geneva (Chennells, personal communication). And judging from international experience, once people begin to voice an identity linked to an indigenous status, there is no turning back.

Being indigenous is an ill-defined and precarious status. The legal concept is complex and contentious. Despite its global intentions, it is clearly not designed with the African experience foremost in mind. Moreover, no party in power likes the issue, as it calls for delegation of power. Neither do bureaucrats like the concept, mainly because it is so difficult to operationalise in rules and regulations. This can not and should not keep us from addressing the concept, examining it, and while recognising its shortcomings make use of the potentials. The San, Basarwa, Bushmen, Kwe people will not achieve an equal standing until it is recognised that the issue is a question of fairness, not of special favours.

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The Politics and Economics of Bureaucratic and Ethnic Identity among Remote Area Populations in Botswana

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Since 1977 the Botswana government has used the term "Remote Area Dwellers" (RADs) to cover all of those people living outside of *tengyanateng*, which, according to some analysts, means "people from deep within the deep", a description that is not necessarily appreciated by the people to whom it is applied. The Remote Area Development Program (RADP) in the Ministry of Local Government, Lands and Housing (MLGLH) has concentrated its development efforts on a target group defined on the basis of its spatial location (remote areas outside of villages), socio-political status (marginalised), and socio-economic status (impoverished). Changes have occurred over time in the coverage of the Remote Area Development Program as rural people have moved into settlements established by district councils. Some of these settlements have been turned into officially gazetted (recognized) villages and no longer are served by Remote Area Development Program personnel. Some Remote Area Dwellers have been redefined as "desituates", people without sufficient means of support, who receive assistance from the Department of Community Development in the Ministry of Labour and Home Affairs. Thus what is happening in Botswana, in effect, is that remote area populations are being redefined in such a way that they no longer receive the same levels of development assistance as they did in the past, and this has significant implications for their social and economic well-being.

The San (Basarwa, Khwe) and other remote area populations of the Republic of Botswana face some serious problems in terms of their social, economic and cultural rights in spite of some gains made in political participation over the past two decades. Some of the major areas of concern are: (1) the degree to which San and other minority peoples' rights are recognized in a context in which bureaucratic and ethnic identity issues are both complex and contentious; (2) decisions of the central government and district councils on land use and land rights, rights to the use and management of natural resources by both communities and individuals, and the special case of livestock disease control impacts in Ngamiland; (3) the future of people in areas set aside as parks, reserves, and national monuments, particularly those residents of the Central Kalahari Game Reserve (CKGR); and (4) the implications of elimination of Special Game Licenses (subsistence hunting licenses) and cutbacks in various livelihood supports for Remote Area Dwellers. This paper deals with each of these topics in some detail, and draws general conclusions concerning the contemporary socio-economic status and the politics and economics of bureaucratic and ethnic identity of San and other remote area populations in Botswana.

Terminology

The terms "Basarwa," "Bushmen," "San," and "Khwe" have all been used to refer to click-speaking peoples of hunting and gathering origin in Botswana. Various terms have been put forth at national and international meetings to refer collectively to these populations. In April 1992 it was suggested by representatives of a newly formed indigenous advocacy organization, Kgeikani Kweni, at a Botswana Society workshop on sustainable rural development that the term "/Noakhwe" should be used, while it was noted by speakers at a Conference on Basarwa Research held at the National Institute of Research (NIR) in Gaborone in August 1995 that the term "Basarwa" should be employed. Yet another term used by researchers and development workers in Botswana is "Khwe" (Kwe) which means "people" in Central Bush languages. The term employed most often in Botswana is "Basarwa" (singular, "Mosarwa"). This term is said to be derived from a word signifying "people of the south". In the past, the term "Masarwa" was used, but this word was seen as pejorative because it did not signify the status of being a person.

The government of Botswana has made efforts to avoid identifying people on the basis of their ethnicity. Such a strategy, in the Botswana government's opinion, is reminiscent of the kinds of terminology used by those espousing *apartheid*. Since 1977 the Botswana government has used the term "Remote Area Dwellers" (RADs) to cover all of those people living outside of villages in rural areas. A Setswana term for this appellation is *tengyanateng*, which, according to some analysts, means "people from deep within the deep", a description that is not necessarily appreciated by the people to whom it is applied.

It is preferable, according to linguists and to local people, to use the word(s) in their language that they use to refer to themselves. The people of north-western Botswana (in Ngamiland and north-eastern Namibia (in what was known as Eastern Bushmanland, now Eastern Otjozondjupa) call themselves Ju/'hoansi, which means real, genuine, or "true" people, while those in the central Kalahari region of Botswana call themselves G/wi and G//ana. Adopting terms of self-appellation acknowledges the new sense of empowerment of indigenous southern Africans.