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ETHNOCIDE AND GENOCIDE AMONG KHOE AND SAN PEOPLES IN SOUTHERN AFRICA

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The United Nations Genocide Convention (Article II) defines genocide as follows:

In the present Convention: genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures indeed to prevent birth within the group;
- (e) Forcibly transferring children of the group to another group

In 2002, after several hundred people were relocated out of the Central Kalahari Game Reserve, the largest protected area in Botswana, representatives of non-government organizations accused the Botswana government of 'ethnic cleansing,' 'slow genocide,' 'cultural genocide,' and acts 'tantamount to genocide' (see Isaacson 2004; www.survival-international.org; www.iwant2gohome.com). Evelyn Arce-White, the Executive Director of International Funders for Indigenous Peoples, said, "There is a largely unpublicized genocide occurring in Botswana." The indigenous peoples' human rights advocacy group, Survival International, said about the San: 'They have experienced a genocide which has almost completely been ignored.' Mike Lavene, an op-ed writer, asked the question in a Botswana newspaper, 'Can Botswana be Charged with Genocide?' (Lavene 2002). The Botswana government has dismissed the allegations of genocide, forced removals, and ethnic cleansing.

Survival International (London) and First People of the Kalahari (a Botswana-based San non-government organization) have argued that the relocation of the residents of the Central Kalahari Game Reserve to places outside of the reserve in 1997 and 2002 was done because of the desire of the government of Botswana to exploit diamonds in the reserve. The Botswana government official website (www.gov.bw) addresses the issue of 'relocation of Basarwa' and says that the allegations made by Survival International are false. It explicitly rejects the charge that people were relocated outside of the reserve because of mining. It also explicitly rejects that the government or its officials are guilty of mistreatment of anyone in the Central Kalahari.

Some San and Bakgalagadi argued that what they saw as forced resettlement out of the Central Kalahari Game Reserve and denial of access to water by the government of

Botswana was a deliberate policy aimed at inflicting harm on them as peoples. At the same time, there are also groups and individuals who have publicly disputed the charge that the Botswana government was engaged in genocide or ethnic cleansing (as was the case, for example, with Paul Kenyon, a reporter for 'Crossing Continents' of the British Broadcasting Corporation).

The question of genocide of the San in the recent past, in the case of the Central Kalahari Game Reserve, looms large in the discussions about Botswana government policy and the treatment of the indigenous peoples of Botswana. To claim that San and Bakgalagadi were killed deliberately because of who they were is a severe overstatement according to some observers. There is no question, however, that there were cases where Khoe and San individuals were mistreated physically, some of whom died in the process (see Mogwe 1992, 1993; U.S. Department of State 1993; Survival International 1999, 2001, 2003a, b, 2004, 2005). These cases include that of a 40 year old G/wi man named Gaolikwe at !Xade in the Central Kalahari Game Reserve who reportedly was beaten by Department of Wildlife and National Parks game scouts and who subsequently died in August, 1993. Mothambo Sesana, the brother of Roy Sesana, one of the founders of the San non-government organization First People of the Kalahari, died of a heart attack after alleged rough treatment at the hands of Botswana authorities in 2000.

Unfortunately, these kinds of incidents are by no means new. On April 30, 1931 *The Star* in Johannesburg, South Africa published an article entitled "Man Skinned Alive" which referred to a case in which the three San were beaten and tortured by Bamangwato cattle owners in what is now Central District (then the Ngwato Tribal territory). Such an incident apparently was not viewed as unusual, although it did get attention in the media.

There is evidence that some of the San who did not capitulate to dominant groups and individuals were killed for their behavior. Chapman (1971, I:146), for example, notes that in 1854, 200 or 300 Bushmen came by his camp in great haste, running away from an Ndebele commando. That night, he said, 23 of the adults were massacred out on Sua Pan, and the younger people were carried off to captivity at Mzilikazi's kraal (Chapman 1971, I:146). According to Chapman, the Ndebele were not alone in committing atrocities against San. As he put it, "The Bamangwato are very cruel to the Bushmen, whom they flog with sticks every ten minutes" (Chapman 1971, I:74). As Chapman noted,

Sekhomi's country is divided into districts, over each of which there is a superintendent. Over the whole Matchwe is the master of all Bushmen and Balala stations. Everything is brought to him, and he has masters at certain Bushman villages or traveling amongst them to ensure everything going on right . . . They must deliver up everything . . . even the beads which travelers give them, or death is the result (Chapman 1971:71).

Chapman (1971:145-146) said that San were sometimes massacred and children were carried off into captivity.

In 1869-1870, explorer and trader Edward Mohr said of the San in the area of what is now northeastern Botswana and western Zimbabwe, "The Bushmen are like hunted game in these

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districts" (Mohr 1876:156-157). Cumming (1870:261) point out that a Tswana chief had sent an army out to destroy "a horde of Bushmen" whose robberies had reportedly become so daring and extensive that they allegedly were the terror of all who dwelt a hundred miles around them.

The Ndebele (Matabele Zulu) moved throughout northern Botswana and northwestern Zimbabwe beginning in the 1840s, settling finally in the Bulawayo region. Periodically the Ndebele would enter Botswana, and they claimed areas that are now within the boundaries of present-day Botswana. In 1874, explorer Frank Oates (1881:122) noted that "The Matabele were out on business of murdering a lot of poor Bushmen; the latter are constantly being killed, and their life is one long struggle for existence." Bryden (1893:142) said that the Basarwa in 1890 were "in a state of absolute slavery and of hopeless degradation." He went on to point out,

Woe betide him if the hunting season has been bad, or if the wild beasts have made havoc with flock and herd. He and his family must answer for it, in such a case, with heavy stripes, not seldom, indeed, a brutal death is the penalty. Even his children and women folk are not his own, but may be and are seized and carried away into domestic servitude or concubinage (Bryden 1893:143).

Bryden argued that the San were on the decline as a result of extermination or forced migration. As he notes,

The tiny aboriginal Bushmen are now very scarce; they have been exterminated or driven by the ancient system of Boer commandos almost completely from the old colony, and although they here and there are still to be found along the Orange River or in the lower portions of the Kalahari, another hundred years will probably witness their final extinction (Bryden 1893:246).

Similar observations were made by MacKenzie (1871:133), who said that people he described as "vassals" were "sometimes mistreated, scattered, mercilessly killed."

Frank Oates made an ill-fated trip to Victoria Falls in 1873, traveling through northern Botswana. He said in his posthumously published book (Oates 1881) that a group of San had been murdered by the Matabele at their encampment the year before his trip (i.e. 1872). Mr. Oates visited the site where this incident occurred on the Ramaquebane River, where he found three skulls, mandibles, and some post-cranial bones scattered around the site, which also contained the bones of wildlife, huts, and pots. The three skulls were later donated by Oates' son to Oxford University (Morris 1996:73).

Some Bushmen were having problems in the late 1800s, as indicated in the following observation by Lionel Decle in 1891:

At Mathalamabedi, near the well, we found half a dozen Bushmen, two of

whom were living skeletons, all shriveled up, with face and body covered with wrinkles; they were at least 80 years old. Their hair was perfectly white, and their bodies almost mummified,, covered with ulcers, presented a striking contrast to the natives we had come across (Decle 1900:48).

The nutritional and health status of the San and others was a concern of some of the missionaries and others working in the Protectorate region in the late 19th century (Hermans 1977:57-58; BNA HC 3/2/71, HC 24/23, HC 16/17). The Reverend John Smith Moffatt, the son of Robert Moffatt, the first missionary to establish a mission at Kuruman, near Kimberly, and the Resident Magistrate at Taung, said to the British authorities that a kind of slavery did exist in Bechuanaland. He did point out, however, that there was a case in which two 'Bushwomen' who sought restoration of their children who had been taken away from them had their wishes granted and their children were returned to them (BNA HC 3/2/71, letter from J.S. Moffatt to Shippard, April 16, 1887).

In the 20th century the Medical Officer of Francistown told C.F. Rey, the Resident Commissioner of the Bechuanaland Protectorate, that many San going to the mines have marks of floggings on their bodies (Botswana National Archives S.204/4). One Mongwato was accused of assaulting a San man, his wife, and his brother in January, 1931 (BNA S.204/5). Severe torture and floggings were said to be common (BNA S.204/5; Tagart 1933).

After the Anti-Slavery and Aborigines Protection Society visited the Bechuanaland Protectorate in 1938, there began to be a more enlightened policy with respect to human rights. But reports indicate that both the tribal leaders and the Bechuanaland Protectorate Administration still looked the other way when corporal punishment and slavery were mentioned (Hermans 1977; Miers and Crowder 1988).

There were numerous statements from informants to the effect that they, their parents, and their grandparents suffered indignities at the hands of other groups. There were instances in which San were taken forcibly from their homes and required to work for other people. They had no voice in court so they had nowhere to turn if they disagreed with the ways they were treated. There are indications that some San were punished severely for reporting beatings by people for whom they worked (Tagart 1933; London Missionary Society 1935; Joyce 1938; Miers and Crowder 1988).

Although the Protectorate administration would have preferred to ignore the San issue, events overtook them. In the early 1920s, the League of Nations conducted hearings and investigations into allegations of slavery, some of which led to questions being raised about treatment of San, Bakgalagadi, and other peoples in Botswana (Hermans 1977:61-62; BNA file S.34/8). In 1924 the Resident Commissioner, Jules Ellenberger, attempted to persuade the then Chief of the Bamangwato, Sekgoma Khama, that he had no right to claim San as his chattels and that "slavery was a thing of the past" (BNA file S.34/8).

In 1926, a member of the Bamangwato elite, Simon Ratshosa, did a report on "How the Masarwa Became Slaves," something which brought additional attention to the issue of San sociopolitical status (BNA files DCS 5/2 and DCS 8/6; Hermans 1977:62-63; Miers and Crowder

1988:181-184). The Secretary of State called for an inquiry into "hereditary service" in the Protectorate (BNA file S.43/7). On August 3, 1926 the High Commissioner made a statement in the Bamangwato tribal capital concerning the status of San:

It has been said that the Masarwa are slaves of the Mangwato. The Government does not regard them as slaves, but realizes that they are a backward people who serve the Mangwato in return for the food and shelter they receive. I understand that for the most part they are contented and that they do not wish to change. But the Government will not allow any tribe to demand compulsory service from another and wants to encourage the Masarwa to support themselves. Any Masarwa who wish to leave their masters and live independently of them should understand that they are at liberty to do so and that if the Mangwato attempt to retain them against their will, the Government will not allow it. It is the duty of the chiefs and headmen to help these people to stand on their feet (High Commissioner, BNA file S.43/7).

In essence, this statement effectively reiterated British concern over the ways in which San were treated. At the same time, it was an attempt to transfer the responsibility for taking care of the "Bushman problem" to the Tswana.

A number of people, both Batswana and British, took a dim view of the San. They felt that the San were allowed to move about too freely and that they were guilty of transgressions against the state. In 1928, a letter from the Resident Magistrate in Francistown to the Government Secretary in Mafeking contained the following statement:

I point this out as it seems to me that the sudden release of more or less savage Masarwa who have been kept under control and authority of their lords and masters, the Bechuana, may wander around the country stealing and killing cattle when they feel inclined, and if they collect together in big communities, as they appear to be doing on the Crown Lands at the Nata, the Government will have a difficult business at hand (letter dated 12 November 1928, BNA file S.43/7).

Some Protectorate officials and tribal councilors argued strenuously that economic and other kinds of assistance should be provided to the San (BNA file S.204/8; Tagart 1933; Joyce 1938; Silberbauer 1965; Schapera 1970:89-91).

Assistant Resident Commissioner Almar Gordon Stigand suggested in 1931 that it "was desirable to attempt to improve the lot of the Masarwa." One step in the right direction, he maintained, would be insistence that San receive a regular minimum wage for their labor (BNA file S.204/8). A number of individuals undertook to assist San directly. A Resident Magistrate in the Ngamiland (North West) District, for example, initiated court proceedings in the 1930s to "free

Bushman slaves." Other people carried out what were sometimes termed "rehabilitation" efforts, educating people in agriculture and helping to improve the quality of skin preparation. A Bechuanaland Protectorate policeman in what is now Ngamiland worked diligently to help San, providing them with tools and seeds as well as information (BNA file S. 360/2; Silberbauer 1981:15-16).

The primary methods for dealing with San on the part of the Protectorate Administration were to make public proclamations and to undertake investigations. In April, 1930, Tshekedi Khama, stung by criticism of the Bamangwato for their treatment of San, requested that an inquiry be done into San status in the Ngwato territory. He made this request during a meeting with England's Secretary of State, Lord Passfield (BNA file S.63/9; Hitchcock 1977:163; Hermans 1977:64; Miers and Crowder 1988:185). While nothing resulted immediately from Tshekedi's suggestion, adverse publicity over an incident involving Bamangwato attempting to kidnap San who had left their employ led to renewed pressure on the British Administration to conduct a commission of inquiry (BNA file S.360/2).

Pressure to do something about the San situation intensified in January, 1931 when it was learned that three San were beaten by a group of Bamangwato, one of whom later died (BNA file S.194/9; Parsons and Crowder 1988:246). As the Resident Magistrate from Francistown noted in a letter to his counterpart in Serowe on 26 January, 1931, the man who died had over 300 wounds on his body (BNA file S.194/9). The Resident Commissioner of the Protectorate, Charles Rey, decided that something had to be done. As he put it in his memoirs,

I have made up my mind that we cannot stand this enslavement of the Masarwa by the Bamangwato any more, and I have proposed a cocked hat Official inquiry into the whole question. This will raise Hail Columbia and make the Colonial Office wild -- as the policy hitherto has been hush-hush. But there is bound to be a row about the Masarwa sooner or later, and then I shall be damned for having it allowed it to go on (Charles Rey, quoted in Parsons and Crowder 1988:55-56).

Rey's efforts to cover himself on the San issue led to the instigation of an official inquiry in July, 1931. The inquiry, which came to be known as the "Masarwa Commission," was conducted by Edward S. B. Tagart, a former Secretary for Native Affairs in what is now Zambia (Tagart 1933). The Tagart investigation included the taking of evidence from over 30 government officials, members of the Bamangwato tribe, and other individuals who lived or worked in the region. In addition, a brief survey was done of San on cattle posts in the northern portion of the Ngwato territory (BNA file S.204/8; Tagart 1933).

The focus of the inquiry was on the conditions under which San were employed by the Bamangwato and their rights to payment and property. Another area of concentration of the inquiry was on corporal punishment (High Commissioner's Proclamation, 11 July, 1931; BNA file S.204/8). It is important to note that Tagart, by his own admission, did not get direct evidence in writing from individual San during the course of his work (Tagart 1933:4). Thus, the

degree to which San participated in a major investigation of their social, economic, and political status was minimal.

The witnesses interviewed by Tagart had three different positions on what should be done about the San situation. The first set of opinions, espoused by Tskhekedi Khama and a few older Bamangweto, was that a policy of non-interference should be pursued (BNA file S.204/8; Tagart 1933:11). The second set of ideas was that the San were in an extremely difficult position relative to the Bamangwato; as a consequence, they felt that government should carry out drastic reforms (Tagart 1933:11). Finally, the government officials all felt that precipitate action should not be taken, but "something more than leaving the Masarwa to work out their own salvation should be attempted" (Tagart 1933:11).

Tagart concluded that the right of a Mongwato to exact compulsory service from San should not be recognized (Tagart 1933:11). Tagart (1933:11, 13) recommended that San should pay taxes, something that was not a common practice, judging from statements made by Gaofetoge Mathiba at the hearings (BNA file S.204/8). Finally, measures were suggested that would give San rights that were similar to other people in the tribal territory (Tagart 1933:10-14).

In July, 1934 an administrative officer, J.W. Joyce, was posted to Serowe in order to begin work on the "Masarwa Census." A final report on Joyce's work was presented to the Resident Commissioner in Mafeking in October, 1937. It stressed that the policy of the both the government and the tribal administration was one of "the complete incorporation of the Masarwa as ordinary tribesmen into the body politic of the Bamangwato" (Joyce 1938:71). Like Tagart, Joyce (1938:72) suggested that land be granted as close as possible to their present residences. One of the things he pointed out, however, was that many San expressed an unwillingness to move from their current locations. He also said and that they feared that they would all be gathered in one place and settled forcibly by the government (Joyce 1938:59).

During the time Joyce was conducting his census, the Protectorate Administration issued two proclamations, the Native Laborers' (Protection) Proclamation, No. 14 of 1936, and the Affirmation of the Abolition of Slavery Proclamation, No. 15 of 1936 (BNA file S.370/7). These proclamations reiterated the policies of the Protectorate Administration concerning employment and the rights of individuals to dispose of their services as they chose. The Abolition of Slavery Proclamation noted that "slavery in any form is unlawful" and that "the legal status of slavery does not exist."

Interest in San increased exponentially in 1936 when a group of southern Kalahari San were exhibited at the Empire Exhibition in Johannesburg (Gordon 1985a:30). The Minister of Native Affairs of South Africa was so impressed by these people that he said that they should be allowed to continue hunting freely in the Gemsbok National Park; as he put it, "We must treat these Bushmen as fauna" (*The Cape Argus*, August 25, 1936). In 1936, an entrepreneur, A.C. Bain, took a deputation of 55 San to the Houses of Parliament in Cape Town in order to protest their mistreatment by Parks officials (Gordon 1985:31).

The cause of the San was taken up by social scientists in late 1936, when a group of anthropologists from the University of the Witwatersrand in Johannesburg put forth a proposal to the High Commissioner that a substantial portion of the Kalahari be ceded over to San (BNA

file S.469/11). This suggestion brought a quick reaction from the British Administration. The Resident Commissioner, C.F. Rey, said,

In the first place I saw no reason whatsoever for preserving Bushmen. I can conceive no useful object to the world in spending money and energy in preserving a decadent and dying race, which is perfectly useless from any point of view, merely to enable a few theorists to carry out anthropological investigations and make money by writing misleading books which lead nowhere

(C.F. Rey, 6 November, 1936, BNA file S.469/11).

Rey expressed the opinion that the main objective of anthropologists was to preserve the San as "living fossils" for their own scientific and pecuniary purposes. He also suggested that development efforts among San would have little effect (BNA file S.469/11).

The Tyua of Northeastern Botswana and Western Zimbabwe: A Case of Genocide?

The Tyua (Chwa) of northeastern Botswana and western Zimbabwe are former foragers who now are agropastoralists and wage laborers living in northeastern Botswana in what is now Central District and in western Zimbabwe, primarily in Tsholotsho and Bulalima-Mangwe Districts in Matabeleland North Province. Tyua differ somewhat from other peoples of hunting and gathering origin in southern Africa in that they were generally sedentary for a substantial portion of the year and were heavily integrated into the regional economies of Tswana, Ndebele, Kalanga, and other non-foraging southern African populations in the region (Cashdan 1979, 1986; Hitchcock 1982, 1988, 1999).

The Tyua are Central Bush or Khoe-speaking peoples who are divided into a large number of named groups (Hitchcock 1982:125-137; Cashdan 1986:155-159; Barnard 1992:117-133). Some of the names given to Tyua groups apparently are geographical (e.g. Mashuakhwe, which means people of Sua, the large pan just to the south of the Nata River which is part of the Makgadikgadi Pans Complex). Others are derived from Setswana, the national language of Botswana (e.g. Phaleng, which apparently comes from the word *phala*, or impala). Still others are ethnic names (e.g. Danisan or Madennassena) (Westphal 1963; 1971; Kohler 1971). The Tyua were part of a larger group known as the Shua-Khwe. Zimbabwe does not have an official term for its indigenous peoples of San origin, although the term Amasili is used on occasion to refer to the people south of Hwange (Wankie) National Park in Tsholotsho and Bulalima-Mangwe Districts of Matabeleland North Province.

An interesting feature of the Tyua and other Bushman populations in the northern Kalahari region is that they were divided into totemic groups (Dorman 1917:53, 1925:6; Hitchcock 1982:136-137; Cashdan 1986:157-158, 168-170). These totemic groups were exogamous, and they had taboos relating to the consumption of their totemic species. It is

possible that the totems were a means of providing a fictive kin link with other persons, thus facilitating mobility and access to resources.

A major difference between the riverine-adapted Tyua and San populations occupying semiarid savanna areas in the Kalahari was that the Tyua tended to be relatively territorial. Rights to areas of land, sometimes referred to as territories or *ngos*, were passed down from one generation to the next, often through the male line, although bilateral inheritance of territorial rights was relatively common. There were people who had resided in these areas over the long term who were known as the "owners" (*cho k'ao*) of the places. It was these people who had to be contacted by individuals or groups wishing to cross their areas or to exploit resources there. In most cases, permission to enter areas was granted, but there were instances in which conflict over resource access occurred (e.g. over patches of morama beans and tubers). Territorial rights were sometimes extended to individual point resources such as baobab trees, which were reported to have been controlled by specific families (Clifford 1930:19). Decisions about access to territories were generally based on consensus, though individuals and families sometimes claimed rights to specific areas or sets of resources.

There are suggestions in both the ethnohistoric literature and oral history information that the Tyua marked their areas carefully. The Tyua reportedly were well aware of the identities of the people who had rights to specific places. As Hodson notes,

Bushmen in this country generally have their own well-defined districts in which they hunt, and it would be bad form for a Metsibotlhoko Bushman to hunt in the Sebanene District. They do not like leaving their districts at all, and nothing at all will tempt him to do so. If a native wishes to from a cattle post, he sends the cattle to the Bushmen, not the Bushmen to the cattle (Hodson 1912:227).

Tyua communities were characterized by a kind of land use pattern in which extended forays were taken from stationary village sites along rivers, especially the Nata, Semowane, Mosetse, and Lepasha Rivers in Botswana, and the Amanzanyama River in Zimbabwe to areas in the savannas where there were pools that contained water during the dry season. There they undertook foraging activities, including the hunting of large game which they processed for storage.

Hunting and gathering was the predominant strategy for meeting Tyua subsistence needs in the Nata River region in the 19th century (Livingstone 1857; Mohr 1876; Holub 1881; Oates 1881). At the time explorations by travelers, missionaries, and hunters began in the 1850s, there were cattle posts in the region that had Tyua herders working on them (see, for example, Chapman 1971, I:154). Some of the Tyua also worked as hunters for the people who entered the area (Holub 1881, I:345-346). Others did agricultural labor and carried loads for travelers and explorers (Oates 1881:138). There are also indications that some Tyua were employed as spies and helped facilitate the flow of information in the northern Kalahari Desert (Holub 1881, I:348).

Among the Tyua there were traditional leaders or headmen and headwomen, known as *//kaiha*, who played a role in community decision-making and who were influential in discussions concerning resource utilization. According to Tyua informants, some of these individuals, who

they referred to as headmen and headwomen, sometimes organized group labor activities such as cooperative hunts, and they oversaw the distribution of meat and other resources. In addition, some individuals in Tyua society were known for their abilities to manufacture craft items such as baskets or iron spear points.

The Tyua were known throughout southern Africa for their hunting abilities (Mohr 1876:156-157; Holub 1881:82-83; Oates 1881:25, 28; Hodson 1912:205-206, 227-228). The most common type of hunting method in the northeastern Kalahari was pursuit hunting of game using spears or clubs. Most of the hunting close to the villages along the river was done by individuals in an opportunistic way. Cooperative hunting was also carried out, especially during the dry season around pans which still held water. Sometimes hunting was carried out around gardens and fields, in part to reduce the numbers of duikers, baboons, and other animals that were damaging people's crops.

Although division of labor tended to be along lines of age and sex, there were occupational specialists among the Tyua, including hunt leaders known as *dzimba* who organized and led communal hunts and who were often the ones contacted by outsiders wishing to seek elephants and other large game in the northeastern Kalahari. There were also traditional doctors (*cho k'ao*) who cured ills and performed other kinds of ritual acts using a variety of means (e.g. application of medicinal herbs, trance dancing, and divination).

A major change in hunting came about with the introduction of guns. This led to more solitary hunting by individuals. One day opportunistic hunts were carried out more frequently once guns came into widespread use. Guns increased the effectiveness of hunting and were responsible, according to some informants, for the reduction in the efficiency of hunting using traditional weapons. As several Tyua hunters noted, animals that had been exposed to guns tended to have greater flight distances from people. It was much more difficult, therefore, for hunters to get close enough to animals to get a spear into them.

Game laws have had marked effects of Tyua hunting practices. Some animals were declared "royal game" by chiefs in the late 19th century and were considered off-limits to subsistence hunters (Schapera 1943; Spinage 1991). People who killed royal game without permission were punished, and in some cases they had their weapons and other possessions taken away from them. There were also cases in which people were beaten for their actions.

From the perspective of the Tyua, the state has played a major role in limiting their access both to land and natural resources. By the mid-19th century, the Ndebele and the Ngwato had established themselves in the northeastern Kalahari region, and they employed Tyua and other local people as guides for their hunting parties and as assistants for processing animals they dispatched. The Tyua were required by the Ndebele and Ngwato to provide tribute in the form of elephant tusks, lion skins, ostrich feathers, or meat (Mohr 1876:156-157; Holub 1881:83; Chapman 1971, I:61, 71). The Tyua were known for their skills in elephant hunting, and specialized hunters known as *dzimba* were hired by Ndebele and Ngwato and, later, by Europeans, to do the tracking and the actual shooting of the elephants.

In the late 19th century, the Nata River and what is now the border between Botswana and Zimbabwe was called "the Hunters' Road," because of the number of European hunters and traders who passed through this area on their way to Victoria Falls. Some of these hunters later

established trading stores which were used to supply goods to travelers and local people and which facilitated the purchase of wildlife products.

Major changes in land tenure and administration occurred in the northeastern Kalahari region in the 1885-95 period. On the Botswana side of the border, calls were heard from Chief Khama III of the Ngwato and other Tswana chiefs for British protection due to fears on the part of the Tswana of potential Afrikaaner domination (Parsons 1973; Maylam 1980). The Pioneer Column under Cecil Rhodes moved into what is now Zimbabwe in 1890 and established a settler colony. War broke out between the Ndebele under King Lobengula and the settlers in 1893.

In February, 1894, Khama III, chief of the Ngwato, claimed in a letter to the British Administration that some British South Africa Company men had taken guns away from 'his Bushmen' (Botswana National Archives [BNA] file HC.110/4). The Company claimed it had the right to do this disarming, as it owned the territory (Maylam 1980:141). Taking guns away from people was part of the general policy of the British South Africa Company which was aimed at both protecting game resources and maintaining control of the local populace.

The rinderpest epidemic of 1896-97, combined with extensive hunting of large mammals by both European and local people, led to a reduction in wildlife numbers. Elephant populations in particular were disturbed considerably by hunters in the latter part of the 19th century. One response of the elephants was a tendency to bunch up in small mixed herds. Without the leadership of the matriarchs, there was greater destruction of crops of local people who responded accordingly, shooting the animals on sight.

The depletion of wildlife fueled concerns in the Bechuanaland Protectorate Administration and the government of Rhodesia that the resource potential of the region would be lost unless steps were taken to stop the killing. One way to deal with the problem, it was decided, was to utilize the 'royal game' principle of the Tswana and Ndebele chiefs and to declare wildlife species as state property. It was made illegal for individuals to kill game even if it invaded their fields or threatened their lives. As one Tyua put it, "The Europeans became the gamekeepers, and the Africans became the poachers."

In the period between 1890 and 1923, the Department of Agriculture oversaw the administration of game in Southern Rhodesia, now Zimbabwe. The first full-time officer with responsibility for overseeing game management was appointed in 1928. The Game and Fish Preservation Act of 1929 saw the establishment of several game reserves and national parks, including Wankie (now Hwange) Game Reserve, now Hwange National Park, the largest protected area in Zimbabwe.

As a result of the establishment of the protected status of Hwange and hunting legislation, local people were required to cease their subsistence hunting activities. Police patrols were carried out to seek "ivory poachers" (Davison 1977:5-6). The game ranger who was appointed to oversee the Hwange area in the late 1920s, Ted Davison, undertook trips into the region to assess its status and to tell Bushmen and other residents that they were breaking the law (Davison 1977:17-24). These efforts were not easy, as noted by Davison, who said, "Bushman who knew the area kept their secrets, refusing to divulge any information at all - probably because they felt this might lead to the arrest of relatives engaged in poaching" (Davison 1977:16). One of his tasks, according to Davison, was to warn people that the area was now a game reserve and that they

were not allowed to live there (Davison 1977:20).

Davison, unlike other wildlife personnel, had a certain amount of empathy for Bushmen. This is revealed in a statement he made in his book:

These Bushmen, in fact, evoked a degree of sympathy. They were not really poachers in the worst sense. Just like a pride of lions, they killed only for their own needs, amounting to not much more than an animal a week. However, the law had come to Wankie Game Reserve and it had to be implemented.

Unfortunately, there were other, less positively inclined individuals, some of whom worked for the government, and others who were "self-appointed conservationists." One of these men, H.G. Robins, was a former hunter who resided on a farm to the north of Wankie Game Reserve. According to Davison (1977:23), Robins was obsessed with the idea that the region was "infested with poachers, all of whom were concentrating their efforts on his land." Robins carried out patrols both by vehicle and on foot, looking for the tracks of Bushmen who he believed were responsible for what he saw as declining numbers of large game. Tyua in the region described how Robins hunted people down and either beat them or turned them over to government authorities.

Davison concluded after some of his initial surveys of the Wankie region that the poaching problem was not nearly as serious as he had been led to believe (Davison 1977:23-24). He admitted that there were indeed Bushmen families moving around the area, some of them with muzzleloaders (Davison 1977:24). These Bushmen apparently were not using either poisoned arrows or wire snares, items which were considered highly lethal to game populations. In Davison's opinion, the biggest constraint affecting wildlife populations in Wankie was not poaching but rather the availability of surface water.

In the late 1920s and early 1930s, Bushmen were informed that they had to move out of the Wankie Game Reserve. Some of them did so, but others retreated into the dry interior along the Botswana-Zimbabwe border. Patrols were sent in to arrest people and to remove them from the game reserve. Some people were arrested and jailed, while their families attempted to eke out an existence in areas south of Wankie National Park in what are now Tsholotsho and Bulalima-Mangwe Districts in Matabeleland North Province.

Oral history data indicate that the Tyua who left the reserve shifted into a more mixed economic system in which livestock production played a significant role. Some of the Tyua male household heads became herders (*badisa*) for Ndebele, Kalanga, and Ngwato cattle owners, receiving milk, grains, and sometimes a cow a year in exchange for their labor (Parsons 1973; Hitchcock 1982, 1987). Many of the Tyua households raised crops, especially sorghum, millet, melons, millet and, in the mid-20th century, maize and beans.

In the 1940s a whole series of changes occurred in population distribution and land use patterns in the northeastern Kalahari region. In 1943 two fliers from the Royal Air Force air base near Bulawayo disappeared and were presumed to have been murdered by a group of Ganade Tyua from Gum/gabi, a pan northwest of the Nata River (Hitchcock 1991).

Twaitai Molele, a well-known Tyua traditional doctor, and seven other Tyua were arrested for the crime and were put on trial at the High Court in Lobatse on September 25, 1944.

At the trial evidence was presented by witnesses, but it was considered insufficient. The bodies of the men were never found, and the little material supposedly belonging to the men that was in the possession of the Tyua could not be traced to them directly. As a consequence, the Tyua were acquitted of the murder charge.

After the end of the trial A.D. Forsyth-Thompson, a Bechuanaland Protectorate Administrator, expressed the opinion that the acquittal could have dire consequences for those who bore witness against the defendants, and he urged that Twaetwae be arrested (Botswana National Archives file S.303/8/1). Once TwaiTwai was released from jail, he was arrested immediately on a charge of killing royal game, specifically a giraffe.

On October 11th, 1944 a meeting was held between the Protectorate Administration and the Acting Chief (Regent) of the Ngwato, Tshekedi Khama, and four of his headmen. It was decided at the meeting to remove the Molele family into the Ngwato Reserve and to disarm all of the Bushmen in the Crown Lands south of Tamasetsi Pan on the Bechuanaland-Rhodesia border. It was also recommended at that meeting that livestock improvement centers should be established in the area to provide alternatives to hunting for local people.

Efforts were to be made to have the police and government representatives enter the area "with the object of making closer contact with the Masarwa generally and inducing them in time to become agriculturalists" (BNA file S.303/8/1). Subsequent administration and tribal correspondence shows that one goal of disarming the Bushmen on the Crown Lands was "To furnish them with a means of subsistence other than those depending on the gun, the bow, and the trap" (BNA S.303/8/1). Another goal, according to archival materials, was to encourage the Bushmen to become more settled and "law-abiding." Discussions with the region's residents indicated a desire on the part of the Bechuanaland Protectorate government and the Ngwato state that the people should settle down in villages in areas south of the Nata River in Ngwato tribal territory (BNA file S.303/8/1). Local people expressed concerns the sedentarization process and disarming of hunters would have adverse effects on the livelihoods of local Bushmen. The general sentiment in the Protectorate Administration and the Ngwato tribe, on the other hand, was that moves needed to be made to discourage what they felt were "acts of anti-social behavior" on the part of Bushmen in the northern Kalahari. The object of government policy, it was noted, was not so much to drive the Bushmen out of the area or frighten them but rather "gradually to teach them a better way of life" (BNA file S.303/8/1).

On December 22, 1944 Ngwato Chief Tshekedi met with 70 Bushmen and told them of the displeasure of the government in connection with the murder of the two cadets. He also told them that certain members would be expelled from the Crown Lands and that orders for this expulsion had been duly served. People were informed that they could not bear any arms and that some of them were required to leave the area. By March, 1945 the settlement at Shashane of the Tyua who had been expelled from the Crown Lands was completed. In December, 1945 the District Commissioner said that that Twaitwai and the other Tyua were living a quiet life, and that they were working in the chief's fields (BNA file S.303/8/2). By late 1945, there were relatively few Bushmen left in the Crown Lands, most people having been escorted to the Nata River region or having moved north to the Nanga area in Chobe District (BNA file 2.218/3).

Disarming of the Bushmen living in the northern Crown Lands continued in the mid-

1940s. By October 5th, 1946, it was reported that 47 muzzle loaders and 7 Martini Henry rifles had been confiscated from the Bushmen on the Crown Lands. Subsequently, the Veterinary Department said that a livestock improvement center in the area was not justified, given the fact that the numbers of cattle were so small. According to a veterinary officer's estimate in July, 1946, there were only 98 head of livestock owned by Bushmen in the region in July, 1946 (BNA file S.426/1).

In the late 1940s and even into the early 1950s, people were still being rounded up by police patrols and forced at gunpoint to migrate south to the Nata River area, where they were settled in villages, some of which were overseen by Ngwato and Kalanga, a number of whom were self-appointed headmen. There are no official indications of any major violence on the part of either the British Protectorate Administration officials or the Ngwato tribal police, but some of the people who lived in the area at the time maintained that they were beaten and tortured for refusal to comply with the orders to leave the area. There had been a number of incidents in the past of Bushmen being mistreated and killed in the Nata area (see BNA files S.34/8; DCS 5/2; Gadibolae 1985:27), and it is likely that the violations of human rights continued during the time when forced relocations were occurring.

According to the Ngwato District Commissioner, poaching was reduced considerably in the Crown Lands as a result of the efforts of the Protectorate Police (BNA file S.218/3). From the standpoint of the Tyua, the actions of the Administration and the Ngwato Tribe were tantamount of dispossession and destruction of their way of life. As one Tyua put it, "We were forced to eat grass because they took away our land and our weapons." A Tyua woman pointed out that children and the elderly were starving in the Nata region because of the actions of the government. One of the herders who worked for Tshekedi Khama in the 1940s and 1950s noted that he believed that the decisions to remove people from the Crown Lands were done so as to ensure that the well-to-do livestock owners in the region had sufficient laborers who they were able to convince to work for only milk and occasional handouts of tobacco.

In the opinion of the Tyua, the disappearance of the airmen incident played into the hands of the Ngwato, who wished to gain greater control over land and people in the northeastern Kalahari. It also served the interests of the Protectorate Administration, which was able to expand its own influence in the Crown Lands and Ngwato Reserve boundary area. In addition, the incident provided a justification for removing the Bushmen from the Northern Crown Lands, something which made it easier for the government to establish ranching and agricultural schemes in the region.

In the late 1940s the Colonial Development Corporation (CDC) established a ranching scheme northwest of Nata Village and close to Pandamatenga. Some local Tyua were employed to help build fences and later they worked as herders on the ranches. The scheme had a number of problems, not least of which were fences destroyed by wildebeest and deaths of cattle from predators and poisonous plants. The ranch managers engaged Tyua to hunt lions for them. They also shot wildebeest, hartebeest, and other antelopes in an effort to protect their fences. The result was a further reduction in the numbers of wild animals in the region.

The construction of a veterinary cordon fence from the Botswana-Zimbabwe border to Dukwe and south along the side of Sua Pan in 1954 in order to prevent the spread of

Hoof-and-Mouth Disease had several significant impacts. It restricted the movements of wildebeest, zebras, and other mobile species, some of which died along the fence. When Hoof-and-Mouth Disease broke out among livestock herds in northern Botswana, as it did in 1958, people were stopped from taking meat and other goods such as baskets made from palm leaves to the Kalanga area to the east of Nata. This resulted in hardship for people since they were not able to earn income through trade. It also meant that people could not move their cattle from cattle posts to the villages, thus restricting access to milk and draft power. Some Tyua went to Francistown or to Bulawayo and Wankie in Zimbabwe to find work.

In the mid-1950s the CDC cattle ranching operation at Nata and Pandamatenga was abandoned, and most of the ranches were allowed to fall into disuse. Those Tyua who had become dependent on cash wages and payments in kind for their work for the CDC were forced to find an alternative means of making a living. Some of the Tyua men went to the mines of South Africa or to the farms in Zimbabwe. The women and children who remained behind had difficulties in getting sufficient labor to plow fields, and some of them said that they suffered severe privation because of the lack of food. The only source of protein for some was the meat they were able to scavenge from elephants killed by safari hunters who continued to visit the area.

Efforts were made by the Wildlife Department to expand its presence in the northeastern Kalahari in the 1950s and 1960s. Game scout camps were established near Modala and Sepako on the Nata River in 1958 in order to control local hunting in the area. There were reportedly informants in the Tyua villages along the river, something that exacerbated social tensions. People tended to be closed-mouthed about hunting for fear of being arrested, and most people did not advertise the fact that they were taking part in hunting activities. If they made a kill, they butchered the animal in the field and made biltong (dried meat) which they then concealed. This strategy had the added advantage, according to some informants, of ensuring that they did not have to share part of their kill with relatives or visitors to the villages.

The late 1950s and 1960s saw incursions of Kalanga and other cattle owners in the Nata region. Some of these people came from the Tati District to the east, most of which had been turned into freehold land by the Protectorate Administration (Schapera 1943, 1971). Tyua in the Nata region came into conflict with some of the immigrants over burning practices. The Kalanga and Ngwato felt that the Tyua were burning the bush at inappropriate times and that it was destroying the grazing for their cattle. Efforts were made by the government to stop fire-setting, and some Tyua were arrested for their actions.

Besides the efforts to control hunting and burning, rising livestock densities in the Nata region had substantial effects on the foraging activities of Tyua. The Kalanga and Ngwato dug a number of wells in the region for their cattle. The numbers of cattle increased significantly in the 1960s, something which precipitated a number of ecological changes. In the vicinity of the water points, heavy grazing pressure and trampling reduced the vegetation cover. Perennial sweet grasses began to be replaced in some areas by annual grasses which generally were less palatable to livestock and were more susceptible to drought. In some areas, especially around pans such as Dzivanini, bush encroachment occurred, with resulting changes in wild animal composition.

Informants suggested that a number of other biogeophysical changes occurred in the

region as a consequence of the greater livestock densities. One such change was a decline in the water table. Pans which formerly had held water throughout the year were now only seasonal, and in some years they contained no water whatsoever. Long-distance expedition hunts into the sandy plains north and west of the Nata River were reduced in number, and those that were carried out tended to concentrate on specific pans. Hunting pressure on local faunal populations increased concomitantly. Disturbances of elephants in particular led to changes in movement patterns, with some herds moving significant distances in the dry season in order to avoid being exposed to the hunters.

Another of the changes that occurred in the northeastern Kalahari, according to informants, was increased dry-season temperatures, which, they maintain, contributed to greater fire intensities and a further reduction in vegetation cover. Surface soils were affected by wind patterns, with a consequent loss in organic matter and nutrients as well as water-retention capacity and soil moisture. While there are insufficient environmental data to support this suggestion, officials from the Ministry of Agriculture in Botswana suggested that the decreased vegetation cover led to increased surface albedo (reflectivity) which, in turn, had a depressive effect on local rainfall.

Tyua noted that there was a reduction of wild plant species important to wildlife, in part because of the impact of fires in the northern Kalahari. Burning late in the year by pastoralists appears to have increased in frequency and extent in the 1960s, something that Tyua foragers maintained was detrimental to the growth of grass and shrubs utilized by large herbivores. The changes in burning patterns had impacts especially on vegetation in the Kalahari Sands areas of Wankie Game Reserve, which make up 9,470 square kilometers of the 14,651 square kilometer reserve, or approximately 65% of the region.

The periods of heavier rainfall between droughts saw a build-up of fuel which was burned off by both foragers and pastoralists. The greater frequency of burns in dry seasons and dry years served to reduce local vegetation, which contributed to an increase in soil erosion. There was, again according to local informants, an expansion run-off, which led to the siltation of dams, lakes, and pools in the rivers. These erosional processes contributed to a reduction in fish populations. Using fishing as an alternative to hunting was no longer as productive a strategy as it once was. Even the cattle were affected negatively, since they tended to avoid drinking the muddy water.

By the 1970s, the Tyua had shifted almost completely away from foraging. There were numerous game scouts in the region, and arrests were commonplace. By the time of my fieldwork in 1975-76, over 90% of the households were involved in sedentary food production (Hitchcock 1982:314, Table 25). Just over half of the households in the 10 Nata River villages (43 of 82, or 52.4%) had livestock of their own (Hitchcock 1982:317). These figures can be compared to those for the more mobile Kua households in the east-central Kalahari, only 6.8% of whom were involved in raising crops (8 of 118) and 1.7% (2 of 118) who had livestock (Hitchcock 1978:280-281, 339, 1982:314). Agricultural productivity in the northeastern Kalahari was affected relatively heavily by topsoil losses, lowered amounts of soil nutrients, and reduced soil moisture.

Changes in Land Tenure

As early as the 1930s, the Protectorate Administration was planning to use the Crown Lands region in northern Botswana as a place for resettling people from the crowded Tati District (Schapera 1943, 1971). The basis of land tenure in the region was changed in the late 1940s with the inception of the CDC Ranching Scheme. Some of the abandoned ranches were taken over by individuals in the 1950s who employed Tyua to herd for them and to assist in groundnut production. Some Tyua also worked on timber concessions in the Chobe District of northern Botswana and in the area south of Wankie, which in 1950 had been declared a national park. In spite of the conserved status of the Chobe and Wankie regions, individual entrepreneurs, most of whom were non-Africans, were able to benefit from resource extraction.

The Rhodesian government, convinced that the reasons for declining agricultural harvests and livestock losses in dry periods were a result of poor farming methods on the part of local people, enacted the Native Land Husbandry Act (N.L.H.A.) in 1951. The objectives of this act, as noted in the preamble, were as follows:

To provide for the control of the utilization and allocation of land occupied by natives and to ensure its efficient use for agricultural purposes; to require natives to perform labor for conserving natural resources, and for promoting good husbandry ((Southern Rhodesia, Native Land Husbandry Act, Act No. 52, 1951, p. 893).

A major purpose of the act was to reduce the mobility of farmers in Southern Rhodesia on the assumption that permanent residence was beneficial to agricultural productivity. One outgrowth of the implementation of this land act was to increase the density of people living in the tribal reserves such as those in the Tsholotsho and Bulalima Mangwe areas south of Wankie National Park. The idea behind the act was to promote sound agricultural practices along the lines of individual tenure. In order to facilitate this process, individuals with cultivation and grazing rights were allowed to obtain additional rights from people legally in possession of them. There was widespread opposition to the land policy, just as there general opposition to state conservation efforts such as the establishment of parks and game reserves. The imposition of the land and wildlife policies contributed to the rising levels of dissatisfaction on the part of the rural populace in Southern Rhodesia which led eventually to the successful struggle for independence in the 1965-1980 period.

In 1980, an incident occurred which resulted in increased concern on the part of both the Zimbabwe and Botswana governments about wildlife and land use issues. In June, 1980, several Tyua and Kalanga were hunting illegally in Wankie National Park, and they had a firefright in which several Zimbabwe game scouts were killed along with some of the alleged poachers. Subsequently, some of the people who were involved in the incident were hunted down and killed inside Botswana by former members of the Rhodesian military (at least one of whom had been a member of the Selous Scouts).

The problems for the Tyua continue to be ones involving insecurity of land tenure and

access restrictions to important natural resources. These difficulties were exacerbated by the decision of the Botswana government to allow a corporation to establish a soda ash mining operation in the Sua Pan area. The continued land reform efforts have contributed to a process of dispossession, reducing the amount of land available to Tyua and other rural people. The erection of a veterinary cordon fence along the Botswana-Zimbabwe border and one to the south of Hwange National Park restricted the movements of giraffe, eland, and other antelopes and resulted in the deaths of at least some wildebeest and hartebeest. An electric fence was also established two years ago to try and prevent movements of people from Zimbabwe into Botswana, and military and police patrol the border.

The Tyua were well-acquainted with military activities. During the Zimbabwean War of Independence (1965-1980), they had been subjected to repeated military attacks by government forces and were forcibly resettled into "protected villages" where they were not allowed to have weapons, carry out hunting activities, or even protect their crops from marauding wildlife.

In the early 1980s, after Zimbabwe achieved its independence, tensions continued to be felt in Matabeleland, where one of the major groups of freedom fighters, the Zimbabwe African Peoples Liberation Army, the military wing of the Zimbabwe African Peoples Union (ZAPU), had its primary base of support. Some of the former guerrillas felt that they had not been treated appropriately by the new government under Robert Mugabe, and tensions erupted into conflict in late 1980 and early 1981. Some of the former guerrillas returned to the bush and began what turned in to a low-level insurgency.

Beginning in 1982 and continuing into the mid-1980s, the Zimbabwe government carried out counter-insurgency operations against what they termed "dissidents." These operations included military attacks on villagers, kidnappings of suspected terrorists, torture and murder of detainees, committing of a wide range of atrocities against the civilian population, and restriction of the movement of food into the area. Before it was over, as many as 2,000 - 20,000 people were killed, and many of their bodies dumped into old mines that dotted the area, as noted in the Catholic Justice and Peace Commission and Legal Resources Foundation's *Report on Massacres and Atrocities in Matabeleland, Zimbabwe 1982-87* (Harare, Zimbabwe: Catholic Justice and Peace Commission and Legal Resources Foundation, 1997). By the late 1980s, the atmosphere had improved considerably and a peace accord was signed between the Ndebele and the government of Robert Mugabe.

Measuring Khoe and San Peoples

In the 19th century, there were efforts by science to obtain, describe, measure, record, and dissect Khoisan bodies. This concern can be seen in drawings, anthropometric photographs, casts, and collections of body parts. As Skotnes (1996a:20) points out, the images of Bushmen are more often those of a physical type or specimen, defined under the rubric of science generally and physical anthropology specifically, rather than individuals who have specific histories of struggle with powerful political and economic forces or as ones who were kind to their relatives and friends and who were sensitive also to the animals, plants, and other phenomena that were a part of their world.

The Europeans had a long-standing fascination with Khoisan anatomy, including small stature, yellowish skin, steatopygia (fat deposits on the buttocks), wrinkled skin, epicanthic folds over the eyes, peppercorn hair, and the shapes of people's private parts. Their physical attributes were one of the reasons that the Bushmen were so popular in exhibitions in Europe and the United States in the 19th century. Several Bushmen were exhibited by a man who went by the pseudonym of G.K. Farini, a former circus strongman, who had traveled in the Kalahari in the 1880s and who brought back a group of what he described as 'African Earthmen.' These Bushmen, who were from the southern Kalahari region near the Orange River, were enticed by W.A. Healey, who offered them sugar and coffee, to accompany him to London and to take part in exhibitions on stage. Some of these individuals managed to escape and to return to Cape Town, but they later were recaptured and taken back to England as the Aposeessions of the exhibitors, who claimed to have saved them from slavery (Skotnes 1996b:40).

It was not unusual for museums to request access to Bushmen for purposes of study, and there were cases where national science academies and museums sent representatives to the Kalahari to obtain Bushman 'specimens.' In 1907, for example, the Austrian Imperial Academy of Sciences sent a well-known Austrian explorer, Dr. Rudolph Poch, to southern Africa 'to study the last remaining Bushmen of pure race.' He was provided with assistance by the Bechuanaland Protectorate government after having crossed into the country from what was then German South West Africa. He was provided with some mounted Basotho policemen and a San servant as an interpreter (Hermans 1977:59; BNA S. 36/5).

Subsequently, in 1909, Dr. Poch wrote to the Bechuanaland Protectorate authorities concerning whether or not there were 'any members of a pygmy tribe of Bushmen' living there. The government investigated the matter and replied that they were able to find no evidence of any Bushmen of abnormally small stature. One of the correspondents, a Corporal McIntyre, did make an offer to the government secretary, however, saying that there were many Bushmen squatting around Macloutsi (Motloutse) and that it would be no trouble at all to send in a 'specimen.' The Government Secretary then wrote to the Imperial Secretary in South Africa, saying that the Bechuanaland government would be happy to send a Bushman to Dr. Poch. As Hermans (1977:59-60) notes, 'Fortunately, this was never followed up, and the Bushman did not get sent, but the incident gives an indication that officials regarded the Bushmen as being easily manipulated at that time.'

There was a lack of concern for Bushman sensitivities both among the residents of Bechuanaland and on the part of the government. An example of this lack of sensitivity can be seen in the response to a request from the South African Museum in Cape Town in 1908, which expressed a desire to do plaster casts of Bushmen and requested some living examples (Hermans 1977:60; Shaw 1971). It was decided officially that these specimens could best be obtained from Kanye (in the Ngwaketse chiefdom area) because the chief there, Bathoen, 'would take more trouble and interest in the matter than Sebele' the chief of the Bakwena area, where there were also sizable numbers of Bushmen). It was finally decided, after some discussions and negotiations, that the people from the South African Museum would come to Kanye to make the casts rather than the Bushmen being sent to Cape Town. The visit was made by the South African Museum authorities to Kanye in 1918 and Bushmen were provided for the purposes of casting. As Hermans (1977:60) notes, it was interesting to note that the first scientist to develop the technique of doing plaster casts of living people at first made no allowance for breathing and he nearly killed the Bushman of whom a cast was being made (BNA S.36/5).

Later on, in 1920, the South African Museum again wrote to the Bechuanaland authorities, saying that they had heard that one of the Bushman of whom they had made a cast had died of influenza while serving a jail sentence in the prison in Gaborone, and they asked the following question:

So much scientific interest attaches to the study of this branch of the Bushman race that I make bold to ask you to authorize, or issue instructions for the removal of the skeleton to this Museum. The place where the body was buried, near Kanye, is, I understand, well known to the local authorities (BNA S.36/5).

This request was granted, and, although the logistics of the move were complicated (Hermans 1977:60), the exhumation and removal of the remains of the unfortunate individual was carried out, and the South African Museum obtained its Aspecimen (BNA S.36/5).

The similarity between this case and that of the treatment of Ishi, a member of the Yahi Tribe, who was exhibited at the University of California museum in San Francisco from 1912-1916, is striking. Upon Ishi's death, a doctor who had befriended him, Saxton T. Pope, did an autopsy on Ishi, which was against Ishi's wishes and those of Alfred Kroeber, who was in New York at the time of Ishi's death from tuberculosis. Ishi's brain was removed and sent to the Smithsonian Institution in Washington, D.C. Eventually, the effort to have Ishi's remains repatriated to California was successful (Kroeber and Kroeber 2003; Starn 2004).

In 1910, the South African Association for the Advancement of Science began working on the idea of introducing legislation for the protection of what were termed 'Bushman relics.' A major impetus to this initiative was the interest in the large numbers of rock paintings and engravings found throughout southern Africa.

The ethics of research is a crucial area of concern in these cases. Clearly, research

was done without much attention, if any, being paid to the concerns of the informants. Even when there were proclamations made to protect cultural materials relating to Bushmen, such as the Bushman Relics and Ancient Ruins Proclamation (No. 40 of 1911) of the Bechuanaland Protectorate, there was no mention made of Bushman skeletons (biological property) nor of the rights of Bushmen to keep their cultural property. Some important cultural property included their strings of ostrich eggshell beads, which were considered so important to Bushman groups that they retained them over several generations, exchanged them in complex systems of reciprocity, and sometimes buried them with the dead.

In the Proclamation which was made by the Bechuanaland Protectorate administration, 'Bushman relic' was defined as "Any drawing or painting or stone or petroglyph of the kind commonly known or believed to have been executed by the South African Bushmen or other Aborigines." The Proclamation also called for the protection of 'ancient ruins' which were defined as 'any building or remains of a building constructed either of stones packed loosely or otherwise which is known or is believed to have been erected by the people who preceded the Bechuana tribes in occupation of the country, or any material which has been used in construction of such a building.' It should be noted that this proclamation did not specify anything whatsoever about Bushman skeletons or artifacts in the possession of Bushmen. Subsequently, the Bushman Relics and Ancient Ruins Protection (BP) Proclamation of 1911 was amended a number of times, eventually being renamed the Natural and Historical Monuments, Relics, and Antiques Proclamation of 1934. The Resident Commissioner was the one who was to decide what was or was not 'an antique, monument, or relic,' and it was this official who had the power to give permission to study or remove such articles from the Protectorate. This was amended in 1935 to allow for individuals to seek permission from the Chief and the tribe in 'native reserves' in the Protectorate (Hermans 1977:61).

It is important to note here that the Bushmen were not recognized as a political entity (i.e. a tribe) nor did they have their leaders recognized as legitimate political authorities by either the tribal governments in the Protectorate or the British colonial administration. Thus, researchers presumably could obtain Bushman biological and cultural property by asking permission from other groups, notably the eight Tswana tribes and the Bechuanaland Protectorate government, but there was no requirement that they seek permission from the Bushmen themselves.

There are trophy skulls and heads of San killed in battle or by execution that are now in the possession of the British Museum of Natural History in London, the Anatomy Department of Edinburgh University, Oxford University, and Cambridge University. Many of these skulls reportedly were identified as having come from individuals identified as 'murderers' or 'robbers' (Morris 1996:73-75). Some of these skulls have been the subject of controversy, as was the case, for example, in 1995, when the British Museum of Natural History in London refused to allow a researcher, Pippa Skotnes, to obtain photographs or other images of the remains in its collection. (Skotnes 1996a:15).

Ms. Skotnes was able to obtain permission to reproduce photographs depicting

Bushmen by other museums, some of which were reproduced in her volume Miscast: Negotiating the Presence of the Bushmen (Skotnes 1996b). Some of these photographs, which include Bushman prisoners of war in Windhoek, executions of Bushmen, and photos of trophy heads from German and British collections, are extremely disturbing.

The British Museum decided to hold on to its collection of Bushman trophy heads because they were considered to have scientific potential, and they were unwilling to allow drawings or photographs of these items since, as they put it, they 'wish to avoid the offense that may be caused' (letter from R. Cocks, Keeper of Palaeontology, British Museum of Natural History to Skotnes, November 2, 1995; Skotnes 1996a:20). As Skotnes notes,

Apart from the more obvious issues of power and control over the material evidence of the past, the attitude of the natural History Museum points to a perceived hegemony of knowledge, one that values scientific enquiry (the value of the heads for DNA sampling, for example) over other kinds of knowledge (the value of the heads as symbols, as material evidence, or as means to encode knowledge in visual form in the attempt to understand the past). In suggesting that the images of the heads may cause offense, the Natural History museum is not suggesting that the heads should not be 'used.' On the contrary, it asserts the rights of science to use them (Skotnes 1996a:21).

This is a clear example of the efforts of scientists to place their work ahead of the concerns not just of indigenous people, but of other scholars, in this case an artist, as well.

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