

The Strange Case of the Landed Poor

Land Reform Laws, Traditional San Culture, and the Continued Poverty of South Africa's ǀKhomani People

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Submitted to fulfil the requirements for the award of the degree of
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SCHOOL OF GEOGRAPHY
AND THE ENVIRONMENT



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Abstract

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The ǀKhomani San people received lands in 1999 under the 'restitution' arm of South Africa's land reform programme. Restitution laws, contained in the Restitution of Land Rights Act and the Communal Property Associations ('CPA') Act, seek not only to return lands to peoples dispossessed after 1913, but also to inculcate the ideals of South Africa's dominant agro-pastoral-based society into defined, cohesive land-recipient 'communities'. These ideals include centralised, hierarchical, representative, democratic leadership and decision-making structures that the West takes for granted. However, these concepts of control are not typically found among foraging or post-foraging peoples, who tend to base their societies on decentralised, small-group, egalitarian social structures that strongly oppose hierarchies, representation, or accumulation. Such social organisation remains intact even after these groups become settled or adopt non-hunting-and-gathering livelihoods, and today's ǀKhomani self-identify as San, 'Bushmen', hunters, and indigenous people, despite their settlement and their adoption of varied livelihood strategies, including stock-farming. Among such groups, externally imposed governance structures tend to be viewed as illegitimate, and instead of the cohesion and order these centrally legislated structures seek to create, they instead engender dissent, conflict, and non-compliance. The ǀKhomani, as both a formerly scattered group of apartheid-era labourers and a cultural group of San people, have struggled with little success to plan and implement 'development', infrastructure, and livelihood projects on their lands and have 'failed' to operate the Restitution and CPA Acts' required 'community' land-ownership and decision-making structures successfully. Thus, restitution has failed to bring the socio-economic improvements that the new ǀKhomani lands seemed to promise. Since 2008, however, the government has temporarily taken governance and approval authority from the ǀKhomani, which has led to the creation of smaller, behind-the-scenes governing bodies, as the ǀKhomani have begun taking the reins of power in their own ways. Such bodies, including the ǀKhomani Farmers' Association and the Bushman Raad, have begun achieving some successes on the ǀKhomani farms in part, it is argued, because they allow the ǀKhomani to reproduce the focused, non-hierarchical, small-group structures that are more suitable to them as a non-cohesive group and more culturally appropriate to them as San people. The South African government, with appropriate protections for abuse of power, should provide the space within land reform laws to allow land-recipient groups to make decisions, govern themselves, and manage their lands according to their own community realities and their own conceptions of leadership and social organisation.

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List of Abbreviations

The following terms and abbreviations are used throughout this thesis and are also defined within the text:

ANC	African National Congress, South Africa's dominant political party
CKGR	Central Kalahari Game Reserve of Botswana
Contract Park	Kgalagadi Transfrontier Park sub-section in which the †Khomani received commercial rights
Commission	The Commission on Restitution of Land Rights
Commissioner	Northern Cape and Free State Regional Land Claims Commissioner, to whom Peter Mokomele reports
CPA	Communal Property Association
CPA Act	Communal Property Associations Act, No. 28 of 1996
CPA Committee	One of the four †Khomani CPA Management Committees, one formed during land claim and three operating in succession after receiving the six farms
CSIR	South African Council for Scientific and Industrial Research
DLA	Department of Land Affairs, now called the Department of Rural Development and Land Reform
FARM Africa	Food and Agricultural Research Management, a UK-based charity focusing on supporting small-scale agriculture in Africa
HSRC	The Human Sciences Research Council
IPACC	Indigenous Peoples of Africa Coordinating Committee
KFA	†Khomani Farmers' Association, also called the Farmers Cooperative
KFO	Kuru Family of Organisations, the Botswana-based parent NGO of WIMSA
LED	Local economic development
OECD	The Organisation for Economic Co-operation and Development
Park	Kgalagadi Transfrontier Park, formerly the Kalahari Gemsbok Park
RDP	South Africa's Reconstruction and Development Programme
Restitution Act	Restitution of Land Rights Act, No. 22 of 1994 as Amended
SANParks	South African National Parks, manager of South Africa's twenty national parks
SASC	South African San Council, a San political-advocacy NGO operating under WIMSA
SASI	South African San Institute, the original San land-claim NGO, now focusing on 'development'
Second Constitution	The second †Khomani CPA Constitution, finalised in 2002 and establishing the Ward or 'Wyk' Committees
UN Declaration	United Nations Declaration on the Rights of Indigenous Peoples
UNPFII	United Nations Permanent Forum on Indigenous Issues
WIMSA	Working Group of Indigenous Minorities in Southern Africa, the Namibia-based parent NGO of SASI

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Chapter 1: Introduction

The San or 'Bushmen' of southern Africa are a people who conjure up, in the minds of many, images of iconic hunter-gatherers, wandering through the Kalahari Desert with bows and arrows, tracking game animals, and searching for edible and medicinal plants, honey, and water, as they have for generations. Indeed, recent analyses of excavations of South Africa's Border Cave found that a variety of artefacts 'ranging in age from about 39,000 to 44,000 years old are nearly identical to implements used by the San...during historical times, and in some cases even today, ...[pointing] strongly...to a continuity in material culture and lifestyle [with today's San people]' (Balter,2012:512). Whilst such items, including poisoned arrows, digging sticks, and ostrich-eggshell beads, are not able to demonstrate continuity of San social organisation and practices through history, these discoveries do indicate that some aspects of San culture have remained relatively unchanged for thousands of years. Such findings, however, convey little of the vibrancy, adaptability, and resilience that have brought the San people from their Stone Age origins into the contemporary southern African society and economy.

The San once lived across southern Africa, from the southern shores to the Zambezi River, before Bantu peoples began migrating into the area from the north and white colonists started spreading northwards from what became Cape Colony. In South Africa itself, the San once ranged across the country and were first described by a white person, Jan Wintervogel, in 1655, 370 kilometres north of Cape Town. He wrote of his encounter with 'a certain tribe, very low in stature, and very lean, entirely savage, without any huts, cattle, or anything in the world, clad in little skins' (Barnard,2007:12).



Figure 1.1: The red dunes of the Kalahari (here, on Miershooppan farm near the Park) are often cited by †Khomani as a symbol of ‘home’. Photo by the author.

Thus began a history in which Westerners viewed Bushmen as either expendable or as in need of ‘civilising’. In fact, when Adam Smith created the concept of hunting-and-gathering peoples in around 1748, he placed such peoples on the lowest rung of society, with ‘hunters’ pre-dating and being more primitive than ‘shepherds’, ‘farmers’, or members of ‘the age of commerce’ (*ibid.*:13-14). Following centuries of encroachment, extermination, and pressure to assimilate, the San entered the twentieth century with

dramatically reduced populations. Beginning in 1931, nearly 300 years after the Dutch settled at the Cape, the remaining known Bushmen of South Africa were evicted from the last of their homelands to allow the government to create the Kalahari Gemsbok Park. (**Figure:1.1.**) Under apartheid rule, the San were classified as ‘coloured’ and dispersed across what is now the Northern Cape Province, the largest, most arid, and most sparsely populated of South Africa’s provinces (Pauw,2005). Within the Northern Cape lies Mier Municipality, where most of the remaining South African San resided. This region arguably has one of South Africa’s least diversified economies, centred for most of its citizens on small-scale sheep and goat farming (Coetzee,22ndJan.2010).¹

In 1994, South Africa’s first majority government instituted a land reform programme designed to restore non-white land ownership and to heal the wounds suffered by the majority of South Africa’s citizens under apartheid laws that had kept non-whites largely marginalised, underserved, and under-educated. Under land reform’s ‘restitution’ laws, the San, with the leadership initially of Regopstaan Kruiper and shortly thereafter of his son Dawid, launched a land claim in 1995, and in 1999, Government transferred both parklands and nearby farmlands to the newly (re)named ‘ǀKhomani’ San people. Dawid Kruiper’s niece, Anna Festus, recalls the 21 March 1999 ǀKhomani land-claim victory:

We received the land [from] President Mandela, and the hand-over was officially done...by the then [Vice]-President Thabo Mbeki. ...It was a very important occasion for us to...have the land back from Government, and we *do* appreciate that. Because if you are a nation, or tribal people, and you are without land, you are a lost nation. Then you don’t have anything to live on or to work on or to put your hopes on (Festus,12thSept.2009).

¹ Please see **List of Informants** for a full description of each interviewee’s title, roles, and significance.



Figure 1.2: Anna Festus (centre) and Dawid Kruiper at his 75th-birthday celebration in Welkom. Photo by the author.

When Dawid Kruiper, the ‘traditional leader’ of the ꞱKhomani, met Nelson Mandela during the land claim, Mandela told him, ‘Look after my children’. Dawid reminisced at his 75th-birthday² celebration that, although Mandela is now retired, Dawid himself hopes to be remembered in the same way, as looking after all the people (Kruiper, 5th Sept. 2009). (**Figure:1.2.**) Indeed, Dawid’s leadership of the land-claim

² Several non-ꞱKhomani expressed the belief that Dawid Kruiper’s actual age was unknown.

process with attorney Roger Chennells is noted by many as significant in the history of southern Africa, as it led not only to the public acknowledgement of an indigenous group's ancestral land rights, but also to the physical restoration of those lands. Altogether, under the 1999 and 2002 †Khomani Settlement Agreements, the South African government granted the †Khomani traditional-use and symbolic rights in the extended, renamed Kgalagadi Transfrontier Park ('the Park'), commercial rights inside a sub-section of the Park ('the Contract Park'), title to six commercial farms outside the Park, two additional farms to be purchased by a neighbouring community directly adjacent to the Park, and an additional sum of money to be used for future infrastructure-development work on the farms. (See **Figure:3.6 (Map)** on p. 154.)

Interestingly, in a country with a government typically described as having 'hands-off' governance policies, the land reform laws, including the Restitution of Land Rights Act and the Communal Property Associations ('CPA') Act, contained relatively strict requirements for recipient groups, who must first constitute a 'community' with 'shared rules' and then elect representatives and make community-wide decisions for the use of their communally owned lands. Unfortunately, the legislated 'community' structures and requirements of South Africa's land reform programme have proven unworkable for the †Khomani, such that the land on which they had 'put their hopes' failed to produce community unity, cultural revival, or economic prosperity as the claimants and their advocates had believed it would. As will be seen, a decade of attempting to force Western, agro-pastoral systems and ideals, including community-wide hierarchical representative democracy and centralised leadership, on to these self-identifying 'Bushmen' left the †Khomani in nearly the same conditions of poverty, social unrest, and hopelessness as they faced prior to receiving their lands. Only since 2008 have signs of

progress and hope begun to emerge among the ꞤKhomani, and this study attempts both to explain the first decade of ꞤKhomani ‘development failures’ and to provide some explanations for more recent improvements, in the contexts of ꞤKhomani decision-making, leadership, motivation, cultural activities and pride, and livelihood projects with the potential to generate food and income and to create role models.

Several major themes are developed in this thesis. **Chapter 2** explores aspects of hunter-gatherer cultures that may persist in post-settlement San groups, including small-group organisation, defined territories, and an avoidance of accumulation, of both goods and power. **Chapter 3** analyses key land reform laws that require a cohesive recipient ‘community’ and hierarchical, democratic community-wide decision-making and governance structures similar to systems that have proven unworkable for other indigenous foragers and former-forager groups. **Chapter 4** discusses research methods, including particular challenges of interviewing the San and transcribing the resulting audio recordings. **Chapter 5** describes the fictional ꞤKhomani ‘community’ created to satisfy the land reform laws, and **Chapter 6** depicts the under-resourced provincial and local governments who assumed ꞤKhomani ‘community’ agreement would guide land-use and land-allocation decisions. **Chapter 7** explains the ‘failure’ of the ꞤKhomani to implement land reform decision-making and governance structures effectively, and **Chapter 8** considers the recent progress that has occurred on the ꞤKhomani lands after the mandated centralised community-wide committee structure was temporarily removed by Government due to repeated failures by successive ꞤKhomani committees to produce finalised agreements, community cohesion, strong central leaders, or the motivation needed for the ꞤKhomani to act for their own socio-economic ‘upliftment’.

Overall, I argue that, in addition to suitable infrastructure-building, external funding, government assistance, dedicated mentorship, community healing, individual and group commitment, and agricultural and management training, the †Khomani need the flexibility (either in the letter or implementation of South Africa's land reform laws) to generate ideas, make decisions, initiate plans, consult experts, build houses, and operate cultural and livelihood projects in small, like-minded, perhaps kin-based groups on defined tracts of land. These findings are based largely on the experiences, ideas, and opinions expressed by the †Khomani themselves, plus an analysis of ten years of chaos, de-motivation, and failed attempts to create †Khomani land-use plans and livelihood projects on their lands. In addition, my conclusions consider and integrate important academic critiques of 'development' work conducted among other indigenous/forager groups, the history of †Khomani apartheid-era dispersal, traditional San social organisation, and the recent activities, motivation, and successes on the †Khomani lands that have developed *after* successive failed attempts by the †Khomani to satisfy land reform requirements for 'community' cohesion and the management of their collectively owned lands. Although a very large percentage of land-recipient groups in South Africa have struggled since 1994 to use their new lands profitably, the focus here will be on the ways in which national laws aimed at homogenous groups of poor farmers have proven particularly obstructive and culturally inappropriate to the †Khomani, as an indigenous people who, even after centuries of oppression, marginalisation, dispossession, and dynamic adaptation, retain critical social and organisational aspects that derive from their 40,000-year history as Kalahari hunter-gatherers and serve as essential elements of their (re)emerging identity as 'San', 'Bushmen', or '†Khomani' people today.

Chapter 2: Literature Review

Aspects of San History, Culture, Identity, and Current Status

2.1 Introduction

'Who the Bushmen are is a most complex question. To anthropologists they both are and are not, "living fossils". To the San themselves, the Bushman is both a creature of a lost past and a marginalized member of a larger society' (Barnard,2007:141-42).

Reading the literature written about the San people highlights the need for them – whether as individuals, communities, or sub-groups within communities – to be given the opportunity to speak for themselves, to revive, retain, develop – or even to create – their own sense of identity, and to continue to adapt in their own ways to their changing environmental, political, and socio-economic circumstances.

2.2 Status of San People and the ꞤKhomani Land Claim

Approximately 400 to 500 million indigenous people live in the world today, of whom 5.2 million are or were hunter-gatherers. Of these, Africa accounts for only 450,000, the primary groups being the 1,000 Hadza people of Tanzania, 200,000 Batwa ('Pygmies') in seven central African countries, and 105,000 San in six southern African countries (Hitchcock & Biesele,2000:4-5). The 105,000 San, or 'Bushmen', are the survivors of centuries of actions and policies aimed at San assimilation, dispossession, and extermination by both black and white newcomers on the southern African lands formerly occupied only by the San. In South Africa during colonial and apartheid periods, '[w]hite settlers appropriated more than 90 percent of the South African land surface. The extent of land dispossession in South Africa has no parallel in other African countries' (Ntsebeza,2007:33). The result of this land appropriation was a sharp

decline in San numbers. Lee (1998a:5) summarises the history of the San people, who were first called 'Bushmen' by Dutch colonists:

In precolonial times, the San peoples covered the whole of southern Africa from the Zambezi Valley to the Cape. Their numbers in 1650 can be roughly estimated at 150-300,000 people. ...The San were almost entirely wiped out south of the Orange River by 1850 as a result of a systematic Dutch extermination campaign.

Under apartheid, the San effectively disappeared, as they were lumped into the catch-all, mixed-race category of 'coloured': 'In South Africa, the Bushman had long been perceived as a creature of the past. ...Living San, most of whom speak Afrikaans as their first if not their only language, would remain hidden under the category "Coloured" until the end of apartheid' (Barnard,2007:115).

In 1931, South Africa's remaining southern Kalahari San people found themselves evicted from their lands in the far Northern Cape to allow the government to create the Kalahari Gemsbok National Park.³ Later, as was the case for all coloured people under the Group Areas Act of 1950, they were 'severely restricted' in their 'ability to gain access to land for productive purposes' (Bradstock,2005:Note 3) and thereby became part of South Africa's 'poverty stricken, dispossessed labour reserve' (Bradstock,2006:247), the creation of which had begun officially with the 1913 Natives Land Act. Robins (2001b:847) reports, 'San people were not given their own "Reserves" as it was assumed that they were "extinct" or thoroughly assimilated into the "coloured" population'. Therefore, after the eviction of the ꞤKhomani, '[w]hilst some had built squat shelters in the hamlet of Welkom outside the park, others had spread over the

³ The 'pristine environment' model reflected in the ꞤKhomani eviction of 1931 still, at least in part, guides policy decisions of the Botswana government, with respect to the San of Botswana's Central Kalahari Game Reserve (Good,2008:126-27).

country eking out a living by any available means' (Chennells,2006:2), including becoming part of a base of landless farm labourers, who 'lived with their families on privately owned [white] land' (Ntsebeza,2007:34), and on whose backs white commercial farms were able to flourish. In fact, by the end of apartheid, 86 percent of farmland and 68 percent of *all* land 'was held by white South Africans' (Lahiff,2006, quoted by Boudreaux,2010:15).

In the late 1980s, after having lived as landless, poverty-stricken migrant workers for as much as fifty years, a small number of 'coloured' people – the extended Kruiper family – were 'discovered' by white farmers to be 'Kalahari bushmen'. Thus, a tourist village was established on the Kagga Kamma Nature Reserve in the Western Cape's Cedarberg Mountains, and this San group began to perform for tourists and to be 'portrayed in the media as the last surviving group of hunter-gatherers' (Robins,2001a:7). In January 1992, this small group 'started planning a return to the Kalahari' (Chennells,2006:2). Their land claim, made under South Africa's then-new land restitution programme, was filed with the Northern Cape Regional Land Claims Commissioner in August 1995 under the name 'Southern Kalahari San Land Claim Committee' (*ibid.*:2-3), as the name 'ǀKhomani San' had yet to be chosen as the umbrella term for this group.⁴ In 1996 the South African San Institute NGO ('SASI') was founded by attorney Roger Chennells in Cape Town to support the land claim (Chennells,2006:2). Because of the work of Roger Chennells, the South African San people not only won their land claim – in the face of

⁴ Which people the 'ǀKhomani' group eventually included, and why, will be explored in detail in **Sections 3.12(a)** and **5.1**.

competing claims from their neighbours, the Mier people⁵ – but also succeeded in gaining priority status from Government, such that their claim jumped the queue and was settled in 1999, far more quickly than those from many other groups.

At the beginning of the land-claim process in 1995, fewer than 250 ǀKhomani were estimated to remain in South Africa, down from as many as 100,000 a century before (Robins,2001a:7). The successful ǀKhomani land claim is often held up as an example of a great San victory in southern Africa. This is particularly so as, of the 105,000 San who live across southern Africa today, only ten percent ‘retain access to their former natural resources, and only three percent are currently allowed to manage their natural resources’ (ǀOma & Thoma,2002:39). Even so, the cultural revival, socio-economic development, and political empowerment that many believed would be part of the ǀKhomani land-claim victory have yet to materialise.

2.3 Terminology for San People

Much disagreement, debate, and frustration surround the correct terminology for the San people, whether the preferred term should be Khoisan, San, Bushman, Khwe, N/oakhwe, Basarwa, or individual group names, such as Ju/'hoansi or !Kung. Barnard (2007:ix,5,138) notes that the use of the term ‘Bushman’ – his term of choice – is ‘certainly not without its problems’ today, but that ‘San’ and the ‘European concoction’ ‘Khoisan’ are equally problematic terms:

[T]he currently more politically correct term ‘San’...historically...has carried connotations of poverty, low status, thievery and scavenging, as

⁵ The Mier are a local stock-farming people who are the descendants of a Baster group (see **Section 5.2** for more information on the Griqua and Baster people) who settled in an area stretching from Namibia, through Rietfontein in South Africa, and into present-day Botswana in the 19th century (Dierks,2004 and South African National Parks,2011). In 1998, the Mier filed a land claim, including lands also claimed by the ǀKhomani (Chennells,2006:3).

well as purposeful food-gathering.... 'Khoisan' today is a word that includes both the 'San' hunter-gatherers and the 'Khoikhoi' or 'Khoekhoe' herder-hunter-gatherers. ...Neither 'Bushman' nor 'San' nor 'Khoisan' nor 'Basarwa' is an indigenous term.

Whilst the Germans prefer the gender-neutral *Buschleute*, writers in English almost always use 'Bushman men' and 'Bushman women' to denote the sexes (*ibid.*:139). One often hears criticisms of the various terms for the San people, based on whether a particular term is considered 'colonised'. Barnard (2007:140) counters, "Colonialism" has very little to do with Bushmen. It has to do with the subjugation of previously dominant people, in this case Iron Age Bantu-speaking agro-pastoralists'. Thus, the Bushmen whom the European colonisers encountered in the Cape beginning in 1652 would not have been considered the region's 'dominant' group. Across South Africa, the dominant groups would have been black, agro-pastoral, Bantu-speaking Africans such as the Zulu, Xhosa, and Tswana peoples, who had arrived from west Africa long before the whites (see Oliver,1966). The Khoekhoe term 'saan' and the Tswana term 'masarwa' would have first been used to designate those living on the fringes of these societies, hunting, gathering, and perhaps trading, but under the subjugation of farmers and herders (Stewart & Barnard,2002:2).

Whichever term is preferred by different individuals or groups, the West's image of 'the Bushman' has developed and changed over the past four centuries, but has rarely granted the San people the power of agency in their own lives and over their own affairs. Barnard (2007:2) explains, 'Bushmen or San...seem forever in the background within southern Africa's history, often even as if part of the landscape, ...part of the world that once was'. Thus, by Africans and Europeans, the San have always been viewed as lowly, scavenging people scraping a meagre non-agrarian living on the

outskirts of the dominant society. As will be seen in **Sections 2.8, 3.7, and 3.13**, such views of the San often mean that those who seek San 'development' see salvation for the San and other hunter-gatherers in their adoption of the organisational structures, settlement patterns, and livelihood options of agricultural societies.

2.4 The Field of Bushman Studies

Whilst many Bushman stereotypes are generated or perpetuated by popular/touristic culture (see **Section 2.8(d)**), the academy has not been exempt from stereotypical, primitivistic portrayals of the San.

From the early nineteenth century to the early twentieth century, many anthropologists and geographers described the San people as 'the most degraded and miserable of all nations, the lowest in the scale of humanity' and 'Troglodytes [and]...children of the desert', who maintained 'child-like' characteristics as adults, and who were studied very often only as specimens for measurement, particularly of their heights, crania, genitalia, breasts, and buttocks (Barnard,2007:19-21,29). In early San studies, one not only sees a concentration on Bushman physical characteristics, but this is also where one first encounters academic arguments regarding San cultural purity, again based on anatomical analyses. For example, A. C. Haddon (1931:228) writes, "The southern Bushmen represent the purest type, while the northern tribes show some degree of inter-mixture with other peoples, as their greater stature and darker colour suggest'.

In addition to objects for study and measurement, the San have often found themselves as the objects of live exhibitions. In 1925, a South African explorer and big-game hunter named Donald Bain began an unsuccessful attempt to create a private Bushman

'reserve'. As part of this process, in May 1936, Bain 'collected' seventy individuals from 'the strange Bushman tribes' of the ǀKhomani and /'Auni for the Johannesburg Empire Exhibition. In July, before the beginning of the Exhibition, a team of doctors, anthropologists, and other researchers were invited to Bain's camp at Twee Rivieren in the south-western Kalahari to study, measure, and photograph 'these tiny people'. Bain had succeeded in bringing the Bushmen together by offering them food. In general, it was felt, a Bushman who is offered meat 'feels relieved from the hard task of eking out a difficult existence in a desolate country, and therefore [these Bushmen] had placed their whole confidence, unreservedly, like children, in their benefactor' (Maingard,1937:v-vi). Eventually, Bain was able to bring fifty-five San to Cape Town to argue their case for a reserve before Parliament, but politically powerful white farmers in need of cheap labour, along with the South African National Parks Board, were able to convince the government that these Afrikaans- and Nama-speaking people were 'not pure Bushmen' who were worth preserving (Robins,2001a:6). In addition to the Empire Exhibition skills demonstrations by the /'Auni and ǀKhomani people that were part of Bain's attempts to provide land for the San, other such public displays were simply for entertainment purposes. These included exhibiting San people at the Egyptian Hall in London in 1847, 'Clico' the 'wild dancing South African Bushman' in North America's Ringling Brothers Barnum & Bailey Circus during the 1920s and 1930s, and London's 1883 Royal Aquarium exhibit of the 'Aq' people, billed as 'earthmen' and 'yellow devils' (Barnard,2007:51).

Overall, the field of Bushman studies is relatively new, with 'serious ethnographic field work' not taking place until the Marshall family expeditions to South West Africa, beginning in 1951 (Lee,1998a:9). In fact, Biesele cites Bleek & Lloyd's *Specimens of*

Bushman Folklore (1911) as 'the only substantial collection of San oral texts' in existence before the 1970s (1998:303). And for the South African San people specifically, Lee also lists no 'major San field work sites' since W. H. I. Bleek interviewed San prisoners in Cape Town in the nineteenth century (1998a:9-11). This information was current to 1976 (*ibid.*:11), suggesting that pre-land-claim academic work among the dispersed ǀKhomani San was not done, perhaps due to their believed extinction. Even in the 1930s, much of the research among the San was conducted with the aim of recording something of their unique culture before their inevitable extinction. Because at this point in history, the San had never been 'systematically studied by a trained ethnologist' and information about these people was therefore still largely unsettled and open to debate, Haddon (1931:228) wrote that he hoped additional fieldwork would be done 'before it is too late, if it be not already'.

2.5 Believed or Predicted San Extinction

Proclaiming the actual or inevitable extinction of the San is problematic for two reasons. First, it re-emphasises 'the Bushmen' as relics of the Stone Age who are, perhaps as the natural result of evolution, on their way towards oblivion. Second, those who have declared the San extinct in South Africa may be the first to argue that any claims of 'coloured' South Africans to a San ancestry are simply opportunistic falsities aimed at gaining land and donor assistance.

'[S]cattered people with no land' have long been considered naturally destined for extinction (Ratzel, 1897, quoted by Lindqvist, 1992:145). Pippa Skotnes' *Miscast* (1996) includes a newspaper article from the time of the London 'earthmen' exhibitions described above, which predicts doom for South Africa's San people:

It is impossible to look at the specimens brought before us without feeling a strong conviction, from their defective physical and mental organisation, that they are of a race sentenced to speedy extinction... They cannot compete...and can only live in the bush. When that is invaded, they will become extinct (quoted in Chennells,2009a:148).

In twentieth-century Botswana, Lee (1998a:7-8) found that the main cause of reduced numbers of San people in some areas was not invasion or extermination, but assimilation into dominant Tswana society. Indeed, in South Africa, '[t]he public generally assumed that [the] San had become "extinct" as a result of colonial violence, disease, cultural assimilation and ethnocide' (Robins,2001a:6-7). Such beliefs were not confined to the general public in South Africa, however. Deputy President Thabo Mbeki's 1996 'I am an African' speech indicates Government's belief that the Khoisan were no more:

I owe my being to the Khoi and San whose desolate souls haunt the great expanses of the beautiful Cape – they who fell victim to the most merciless genocide our native land has ever seen, they who were the first to lose their lives in the struggle to defend our freedom and [in]dependence, and they who, as a people, perished in the result (quoted in Bredekamp,2001:192).

Some academics, particularly the revisionists (see **Section 2.8(f)**) also view the South African San as having been exterminated or assimilated out of existence, remaining today only as an underclass, rather than a distinct ethnic or cultural group. Chief revisionist, Wilmsen (1995:202) asks as follows: 'But where does that romantic myth of Bushman – of "absolute primitiveness", of "almost Stone Age throwbacks", of ethnographic authenticity – come from? No longer from South Africa. It must be borne in mind that we cannot talk about first people – in the "Bushmen" sense – in South Africa today; those were eliminated a century ago as a result of black as well as white

oppression'. Guenther (1998:121) also writes of the extinction of South Africa's San populations: 'There are practically no San in South Africa today; those that were not killed have become assimilated racially and culturally to the non-European population of that country'. More specific to the situation faced by those who would come to be called 'the ǀKhomani', Robins (2001b:847) points out that the colonial and apartheid-era discrimination against anyone identified as a Hottentot or Bushman led many Khoe and San people to identify *themselves* as 'coloured', which contributed to the disappearance of almost all Khoisan languages and cultures in South Africa, until the re-emergence of claims to Khoe and San identity in the early 1990s.

2.6 Re-emergence of the San?

Smith et al. (2000:98-9) provide a brief summary of the changing perceptions of Bushman survival in South Africa over the past century: 'By the early 1900s, small groups of Bushmen living in poverty could still be found in...South Africa. In time they also disappeared, or lost their identity, and the notion of a "vanished race" gained ground. ...Belatedly it was recognised that Bushmen...had survived – "against the odds"'.

Those who were re-emerging as San 'survivors' during the 1990s reacted strongly to Mbeki's 'I am an African' speech, ultimately leading Mbeki to 'realise that what he had said...was not quite true' (Bredekamp,2001:192). Bredekamp (*ibid.*:199) lists four events that 'activated government interest in the emergence of Khoisan indigenusness': Mbeki's desire to be viewed as an active participant in the United Nations' human rights fora, the controversy generated by Pippa Skotnes' *Miscast* exhibition in Cape Town in 1996, media coverage of the 1997 Conference on Khoisan Identities and Cultural Heritage, and Roger Chennells' land claim on behalf of the

ǀKhomani San. Thus, the work of, among others, an attorney (Chennells) and an academic (Skotnes) paved the way for official government recognition of San people living in post-apartheid South Africa.

At the 1999 ǀKhomani land-claim victory celebration, which Mbeki attended, the South African Minister of Agriculture and Land Affairs, Derek Hanekom, stated, 'We are here today celebrating more than just the settlement of a land claim: we are here celebrating the rebirth of the ǀKhomani nation' (quoted in Sylvain,2002:1081). Sylvain (2003:3), however, points out an interesting inconsistency with the language being used here by Hanekom: '[I]f the formerly landless ǀKhomani nation is being "reborn", ...then to whom were land rights given, if not the cultural community of the ǀKhomani San?'. Thus – whether a reconstituted group of 'coloured' citizens claiming San-ness or a 'redefined' or re-identified group of San people – to receive land, a recipient community of 'ǀKhomani San' must have existed, by definition. In fact, during Chennells' work on the ǀKhomani land claim, an important discovery was made that provided a sound argument against claims that all South African San 'survivors' were purely self-proclaimed 'Bushmen' with no known San ancestry: fifteen surviving speakers of the ǀKhomani language, N/u (declared extinct during the 1970s), were found (Robins,2001a:3).

Despite apparent ǀKhomani re-emergence, many believe that the threat of extinction-by-assimilation may still be very real for the San and other indigenous groups.

Hitchcock & Totten (2009:1,5) argue, '[G]reater attention must be paid to the plight of all indigenous groups...[otherwise], some, if not many, could disappear or be absorbed into the sizeable populations of rural and urban poor who themselves have few rights'.

Indeed, a San person himself, Gabototwe (2011:4) writes of the continuing San battle for survival: '[T]he San people's life was and often still is one of a constant struggle for justice, recognition and even mere existence'.

2.7 Power Relationships

Much of the way in which the San are viewed, by others and themselves, is the result of centuries of life at the bottom (or altogether outside) of the southern African economic and socio-political hierarchy. During the colonial period, the San, who had a political system and organisational structure based on the hunting band, were 'unable to withstand the impact of the whites', who 'were able to establish themselves as a more rigid oligarchy' and take control (H.Kuper,1964:150). And with 'little to contribute to the colonial economy' – having little or no livestock and even proving 'unsatisfactory as captive servants' – the San found themselves in an appalling situation in which the 'animal-hunters were hunted as animals' (*ibid.*). After this period of Boer commandos and the hunting of Bushmen for sport, Smith et al. (2000:83-5) write that, across southern Africa, including South Africa's Northern Cape province after the †Khomani evictions of the 1930s, '[f]armers...were dependent on Bushman labour', and across the region, a 'patron-client' relationship was created between the Bushmen and their Boer employers, based on 'an ideology of social and moral superiority' of the whites.

Writing specifically of western Botswana, Guenther (1998:122-23) notes that, whilst white farmers depend on San labour, whites typically pay the San with milk, meat, and goods, rather than cash. Where cash is paid, it is 'about one-third to one-half that of an African laborer and is insufficient to feed or clothe the worker or any of the members of his household' (*ibid.*:123). Thus, the San are kept dependent, and the white/San

relationship never moves beyond landowner/labourer, as Boer 'rough but benign paternalism' toward 'their Bushmen' is maintained so long as the San remain appropriately deferential (*ibid.*:122,125-26). In fact, Guenther (*ibid.*:128) writes that even the San agree as to the reality of their position in the southern African hierarchy: '[T]he system of stratification...[includes] a ranking...based on the European mode, of the various ethnic and racial groupings (San, Hottentot, African, Colored, European). ...[A]ll groups, including the San themselves, are agreed that the San are at the bottom of the hierarchy' (see also Hitchcock & Biesele,2000:13). Related to this self-image of the San as 'at the bottom' of the heap, Chennells (2009a:151) writes of the problems of low self-esteem and collective trauma among the San today, resulting from their history of exploitation, dispossession, and poverty:

Well-meaning governments and NGOs ponder helplessly on the apparent inability of indigenous communities to organize themselves to escape the cycles of poverty and dysfunction...a by-product of nonvalidated and suppressed grief, rage, and shame. ...At a meeting held in...2006, San leaders...[admitted to a] lack of confidence when meeting government and other officials.

Thus, the trauma of centuries of subjugation results for many San in feelings of shame or low self-esteem which can further detrimentally affect their relations with other groups, as the San feel too uneducated, uninformed, and/or powerless to participate effectively and confidently in official meetings (see also Robins,2001a:44). A difficulty may occur for those attempting to work with the San, as such official meetings may not generate the true opinions of San participants. For example, among Botswana San, Twyman (1998:759) notes, 'Outside the public space of the *kgotla* the anxieties and concerns of the project are more directly expressed. This is similar to Scott's [1985 & 1990] notion of the public and private transcripts of the dominant and subordinate'.

Not speaking up in meetings or speaking out against certain plans may result, not only from feelings of socio-political powerlessness, but also from poor economic status, as San groups are often both poverty-stricken and powerless to improve their situation: '[V]illagers...[a]greeing (or not denying) visitors' views can be a polite way...to maintain good relations with authoritative outsiders who may bring as yet unknown benefits; a school [or] road...for example' (Fairhead & Leach,1996, quoted by Kull,2002:65).

Tomaselli (2002:205) confirms that, although San advances have been made, the 'balance of power', in terms of control over 'capital, the media, and knowledge production in general', still favours the non-San, including 'the anthropologists, the development workers, the politicians, and the funding agencies'. The San have even had difficulties protecting their own traditional knowledge from being exploited for financial gain by outsiders. A case of San economic exploitation involves the *hoodia* plant. *Hoodia* is a succulent long used by the San people as an appetite suppressant during long hunting excursions or periods without sufficient food resources. However, despite current legislation and without the consent of the San, *hoodia* was used by the South African Council for Scientific and Industrial Research ('the CSIR') to attempt to develop an appetite-control drug or food product without a required benefit-sharing agreement with the San people. Although outcry from local NGOs and the media eventually led to such an agreement, Chennells (2009a:149-50) argues, '[S]ocieties that have a recent history of hunting and gathering do not have the means to exercise collective power. The *Hoodia* case showed that the San were vulnerable to exploitation by users of their traditional knowledge'. Chennells concludes that the San have repeatedly lost out in competitions with other groups:

[E]galitarian hunter-gatherer societies are intrinsically lacking in the powers required to enforce their will on others, such as that fostered in hierarchical societies based upon the accumulation and protection of wealth. Competition rewards power.... Rights...have to be demanded and such demands require strong leaders and strong governance structures (*ibid.*:152-53).

Such power imbalances extend to relationships between the San and Government. Of the current state of San political power in the Northern Cape, Robins (2001a:46) writes, 'San political leverage has been limited, and has tended to be exercised through NGOs and benefactors, thereby reinforcing existing patron-client relations'. Overall, because of their interactions throughout history, government officials and foraging peoples typically do not view the State in the same ways:

[T]hose in government...usually see the state as the protector of the rights of all citizens. Hunter-gatherers...do not.... [The] history of relations between state entities and small-scale, sub-state societies...is a history of subjugation and intervention beyond what in sub-state society is regarded as morally justified (Barnard,2002:16).

In its role as 'protector', the State is in fact protecting the dominant society's shared values, and in doing so, the State is viewed by indigenous minorities – who view themselves first as members of their indigenous group and second as national citizens – as a 'usurper' of the indigenous group's own values (*ibid.*:17-18). As will be seen in **Section 3.4**, this protection of dominant values and structures by Government is evident in the legal requirements of South Africa's land reform programme. Roger Chennells (2002a:2) writes that South Africa's San people are required by the land reform laws 'to operate in accordance with received western notions of "representative democracy"' enshrined in the CPA Act. As such, the South African San Institute NGO ('SASI'), founded by Chennells, gave itself the task of teaching the ꞆKhomani, !Xun, and Khwe San of South Africa 'the normal lessons of democracy': 'SASI focussed its efforts

on training and working with the leadership, attempting to ensure good governance and policies.... However, the [San] began to resent some of the controls on their power that were exerted through SASI' (*ibid.*). This highlights an interesting phenomenon. As the San are struggling to improve their socio-political position, confidence, and economic status through organisations like SASI, they are at the same time beginning to resent the external controls, such as rules requiring community-wide representative decision-making, under which SASI is attempting to train these San to live, organise themselves, and manage their lands. Thus, the San appear to seek empowerment without integration. This is poignantly depicted by Mogwe (1992), quoted by Barnard (2002:12), as a Nharo San person complains of descriptions of the San as being 'remote' from Botswana's capital city: 'If by "*tengnyanateng*" (remote or peripheral) it is meant that we are far away from Gaborone, Gaborone is also far away from us'.

2.8 Others' Views of the San

In addition to the lowest rung of the economic and socio-political ladder, non-San people have held various views of 'the Bushman' that have had, and continue to have, important effects on San efforts, both to survive and to maintain their own sense of cultural identity. Barnard (2007:144) writes, 'Whatever the Bushman does, he or indeed she is brought out as an exemplar of something...[whether] native skill and ingenuity [or]...less savoury things'.

a. Primitive, as in Authentic, Ancient, and In-Tune with Nature

Barnard (2007:1) writes of his time in Botswana: 'Most black and white people...seemed to have a pretty clear notion of which [San]...were the "true Bushmen", and therefore worthy of study'. These judgements about which Bushmen are 'real' or

'authentic' are common, but are typically based on whether an individual or group fits pre-conceived ideas about what a Bushman is, was, or should be.

Writer and film-maker Sir Laurens van der Post (1958:15) writes as follows, regarding his search for the Bushman: '[I]t came to me that he was back in the moment when our European fairy-tale books described as the time when birds, beasts, plants, trees and men shared a common tongue.... Wherever he went he contained, and was contained, deeply within the symmetry of the land'. According to Wilmsen (1995:201-2), part of van der Post's 'quixotic odyssey' is 'to capture a last image of authenticity of human community and culture.... "First People" seem to guarantee that that which...[has] been...lost through...apartheid is potentially recoverable'. Such images indeed form the basis of many outsiders' visions of the San: 'Laurens van der Post's film and written images of the San Bushmen as a First People, depicted as...living in a pure state of Eden before the Fall, are powerful if essentialist and mythological...representations...that every group external to the San has used as a frame of reference' (Tomaselli,2002:203).

Such images may also lead non-San people to view the San as less developed or less evolved than themselves. Kenrick (2002:203) writes that Western scientists often view hunter-gatherers as at an earlier stage of evolution: 'The story of evolution is told as if we increasingly remove ourselves from the base nature of other creatures and ourselves.... Yet we have not descended from the existing rocks, plants and other animals; any more than we have descended from contemporary hunter-gatherers'.

Another image that has guided current perceptions of the San people is Uys's 1980 film, *The Gods Must Be Crazy*, which depicts the San as wearing loincloths and unable to comprehend such modern items as a bottle of Coca-Cola. A San person explains that the

perceptions created by *The Gods Must Be Crazy* are problematic, in that they depict the San as unchanging: 'It is true they were wearing skins [in the past], because there were no clothes, but now there are clothes, so the tourists should understand...that people have changed now' (quoted in Tomaselli,2006:181).

Lee et al. (2002:8) write that, despite 'romantic' images of 'unspoiled natural humanity' created by the works of Laurens van der Post and *The Gods Must Be Crazy*, 'The reality for present-day San is different':

They are second-class citizens in the lands of their birth, and suffer daily discrimination at the hands of other ethnic groups. ...Not so long ago, Tswana tribes-people referred to their San servants as 'bulls' and 'heifers'. One Motswana, seeing a group of San children playing, said, 'If only they went to school they would be people'.

Such treatment of the San by other groups has brought many well-meaning funders and NGO workers to the aid of Bushmen across southern Africa. However, the underlying reasons for such 'save-the Bushmen'-type work may be coming from our own imaginings of the importance of the 'the Bushman', rather than the actual needs and realities of the San people themselves.

b. A People in Need of Protection

The Bushman is perceived by many as 'a picture of authenticity in a world of false values' (Hitchcock, Biesele, and Lee,2003:1; see also Wilmsen,1995:201). Barnard (2007:17), with reference to Rousseau (1755), provides a more in-depth picture of what the Bushman represents in the eyes of Westerners:

Bushmen are seen as timeless, ...as exhibiting characteristics of 'natural' humankind untainted by the evils of...'high' civilizations. The truth in this image comes in two guises. The first is represented by Western

civilizations' self-critiques, [including]...what Rousseau referred to as...*l'homme sauvage*...[and]...twentieth-century disillusionment with the...over-industrialized and war-torn societies of the West. The second is the recognition of features in Bushman society...which the West can regard as of merit...[including] egalitarianism, politics by consensus, an ethos of sharing, and living in a way perceived as close to nature (see also Tomaselli,1999:206-07).

With such an important role to play in the contemporary world, as a reminder of what the technological West has lost through the process of 'civilisation', the Bushman, many believe, must be saved. Wilmsen quotes Botswana government proclamations that created the Central Kalahari Game Reserve ('CKGR') in the 1960s: '[I]t is highly desirable that the wild Bushmen should not be disturbed' (1995:222). Similarly, in describing †Khomani employment as tourist performers at Kagga Kamma, one critic depicted the Kruiper family as Kalahari people 'reintroduced' to the Western Cape. Tomaselli (2002:213-14) counters this wording: 'This way of talking categorizes First People into a species different from the rest of humankind. ...[T]his evolutionist understanding assumes that like...spotted owls, First People have to be placed into a special environment, [otherwise]...their "extinction" is certain'. Wilmsen (1995:222) further suggests that, in Botswana, the creation of the CKGR – 'the creation of a *wildlife* refuge to contain peoples considered to be ontologically prior to the present' – kept intact the 'European scalar ordering of societies' in such a way that there was never any doubt as to whose heritage was being preserved. Sylvain (2003:3) describes how indigenous peoples are defined in this context of protectionism:

New international norms regarding the status of indigenous peoples are based on the belief that 'Indigenous peoples do not just constitute distinct cultures, but...entirely different forms of culture...rooted in a pre-modern way of life that needs protecting from the forces of modernization' (quoting Kymlicka,1999).

Thus, this need to save or restore the ancient, innocent past has led to concerted efforts from NGOs to push for San cultural preservation. Robins (2001b:836) writes that SASI was founded as ‘the first, and only, NGO in South Africa dealing with indigenous issues’ and that SASI later spearheaded the ‘process of San cultural “revitalisation”’. The perceived need for this ‘cultural revitalisation’ often comes from those who fund these NGOs – international (mostly European and American) donors: ‘San development projects...receive generous funding from international donor organisations for whom the Kalahari bushmen represent the last of the surviving Late Stone Age hunter gatherers’ (*ibid.*:849-50). Gordon (1997:119) confirms that the ‘bushman mystique’ has played a key role for NGOs in securing donations (quoting van Rooven,1995). Because of this, beneficiary communities must regularly act in accordance with the wishes and fancies of those who fund projects in their communities. Robins writes that the San are, thus, in a difficult position, having ‘to conform to the “bushman myths” and images of pristine hunter-gatherers that others (mostly of Western cultural orientation) have of them’ (2001a:7) and to negotiate ‘the primordialist desires and fantasies of funders, and the need to gain access to development resources to empower poverty-stricken San communities’ (2001b:852).

Part of what outsiders’ fantasies require is the creation of a unified ‘community’, as will be discussed with regard to the ꞆKhomani in **Sections 3.12(a)** and **5.4**. More generally, James (2000:149-50,152) writes of the ‘internationalist development discourse’ that includes an ‘insistence on the existence of community’ or at least the encouragement of ‘the growth of community out of disparate social elements’, who often disagree on the definition and desirability of ‘development’. Of the San specifically, Sylvain (2002:1081) writes, ‘The San are being compelled to conform to identity expectations placed on them

by states and the international donor community, all of whom expect to find a bounded cultural entity to which rights can be attached, and a culturally discreet “target community” for development funding’.

Government and NGO employees then often guide these ‘communities’ towards ‘cultural preservation’ by encouraging group members to make particular choices and act in particular ways:

[S]ome activities are deemed to be inappropriate while other[s]...are deemed...appropriate. ...The end-result is the specification of a host of outside agencies...to ‘help’ local people.... [A]n undefined local community is encircled by a ‘protective’ ring of actors...intent on mobilizing those inside the ring in an appropriate manner...[for the protection of] ‘a timeless, non-humanized nature’ (Bryant,2002:276-78, quoting Willems-Braun,1997).

As ‘communities’ are guided towards the protection of their primitive cultures (as viewed by outsiders) the aspirations and lived realities of those people may be overlooked. Buntman (2002:81) explains, ‘Seeing the real people becomes incidental as long as the myth and associations with an imagined memory for a lost past are visible’. Critically, donor-held ideas about the elements that constitute ‘real’ San culture, livelihoods, and social practices in need of ‘protection’ may simply be stereotypes of ‘what is perceived as culture’ (see Hewlett,2000) – *i.e.*, outward cultural practices such as craft-making – rather than the inward-looking cultural elements that may include San small-group organisation and decision-making, as outlined in **Section 2.12**. In this way, what Government and donor funds are being spent to protect may not actually be the cultural elements that are central to the San’s own definition of San-ness but, as Robins (2001a:48-9) argues, may instead be based on the ‘romanticised notions’ of outsiders and ‘a questionable understanding of what it means to be San’.

In the same way, stereotyped views of the 'culture' that needs protection may also prohibit – by withholding funding – activities that some San may see as essential in the mix of Kalahari livelihoods needed for survival today. For example, Kuper (2006:22) notes that one of the problems communities may face in presenting stereotyped images of themselves as hunter-gatherers is that these representations 'make it hard for local people to argue for goods that don't fit the image, like goats or cattle, or farm land. Economic priorities are distorted to fit the illusions'. Similarly, Suzman (2003:399-400) explains, 'Southern Africa's San people are frustrated not because they cannot pursue their "traditional culture" but because they are impoverished, marginalized, and exploited by the dominant population'.

Therefore, rather than pursuing pure 'cultural preservation' agendas with 'culture' defined by outsiders, some authors argue that Government and NGOs should seek input from communities themselves, regarding preferred livelihood options as well as the ways in which these groups define 'community' and the actual identity-constituting cultural aspects that they wish to preserve or revive.

c. Primitive, as in Unreliable, Unemployable, and Uncivilised

Whilst images of the San as Stone Age relics are damaging, particularly in the contexts of 'community development' projects and tourism ventures (see **Section 2.8(d)**), more immediate harm is done to San individuals when their assumed 'primitive' status is used to deny them respect or employment.

Images of the San as animal-like are not new. Barnard (2007:34) writes that the filmmaker from the Denver African Expedition of 1925 stated, 'Making the acquaintance of the...bushman was like gaining the confidence of a wild thing. We baited them like we would bait an animal'. Even in the eyes of their Bantu neighbours, the Kalahari San are seen as living 'like wild animals, without leaders, without permanent villages, and without law' (Kuper,1970:45). Gordon (1997:128) quotes Pieter J. Schoeman, chairman of the Bushman Preservation Commission of South West Africa in the mid-twentieth century: '[I]n the history of the past 300 years we find ample proof that the Bushmen, *as a race*, are by nature unable to settle down and lead a settled life of their own, like the Bantu tribes'. In fact, the Khoekhoe, who are believed to be a stock-farming off-shoot of the Bushmen, were often viewed more highly by those in power in colonial South Africa, due to the more recognisably settled, agro-pastoral lifestyle of the Khoekhoe or 'Hottentots'. For example, Macmillan (1927) praises the Khoekhoe, though descending from 'the nomadic aborigines [*i.e.*, the San], a physically inferior stock', for nonetheless managing to achieve 'a measure of civilisation' (quoted in Bredekamp,2001:193). Smith et al. (2000:85) confirm that 'herding people consider foraging to be an inferior mode of existence, practised by vagrant riff-raff and good-for-nothings. The idea that hunting-gathering is an unproductive, non-legitimate use of land is voiced by some government officials even today, with harmful consequences for the cause of Bushman land rights'.

These views of the San as 'wild', 'inferior', and 'unsettled' often cause problems when San individuals attempt to gain employment. Smith et al. (2000:85) write of a situation occurring in the Ghanzi district of Botswana in the 1950s and 1960s: 'The new ranchers hired black and coloured workers, whom they deemed more skilled and reliable.... As a result many Bushmen became or remained unemployed'. These profit-minded farmers

who had relocated from South Africa 'could see little use in hiring San' on their farms: 'They preferred [black] Africans who were more educated and more "reliable", being more used to the European work attitudes learned in schools and on mission stations' (Guenther,1998:126). Taylor (2002:472) confirms that the San are often seen as unqualified for anything but traditional 'Bushman' jobs: their 'ethnic difference classes them...as "raw"; a useful qualification for tracking, but little else'.

d. The 'Pristine', Mysterious Objects of Tourism

Eco- and anthro-tourism are important subsets of the tourism trade, the world's fastest-growing economic sector (Garland & Gordon,1999:267). Because images popularised by Laurens van der Post depicting Bushmen as 'beautiful, "harmless" people' and 'perfectly-adapted relics' have rarely been questioned, such images and stories 'represent the rich historical lode which proponents of bushman anthro-tourism are hoping to exploit' (*ibid.*:268).

One type of representation of Bushmen that is easily accessible to all tourists is the museum exhibit. On the one hand, Thompson (2000:2) writes, 'Over many centuries, [indigenous southern Africans] had been developing social forms and cultural traditions that colonialism, capitalism, and apartheid have assaulted, abused, and modified but never eradicated'. Such a view of the San acknowledges their cultural persistence as living, adapting, contemporary people. On the other hand, even simple travel guides, like *DK South Africa* (2003:43,73,283,303), state rather dismissively, 'These nomads have all but vanished from the subcontinent. ...The modern age has severely affected their culture'. Instead, this tourist book directs its readers to popular plastic dioramas like those found in Cape Town's South African Museum. **(Figure:2.1.)**



Figure 2.1: Bushman exhibit at the Iziko South African Museum in Cape Town.
Photo by the author.

Unfortunately, even the best-intentioned museum dioramas on their own can do little but present to tourists a simplified, static view of the San. A current approach to museum exhibits is called the Nostalgia Style:

[T]his usually narrow, ethnic-based exhibition style...offers 'authentic' representations of what life was supposedly like in the past, suggesting that remnants can still be found among modern descendents. A key

example is the controversial but immensely popular diorama depicting a San/Bushman family in the South African Museum in Cape Town (Marschall,2008:255-56).

Such representations of timelessness are particularly problematic in relation to the history of subjugation suffered by the San. Tomaselli (1992) argues, '[I]maging the San in an ahistorical synchronic moment refuses [their] history of dispossession and extermination' (quoted in Wilmsen,1995:223). Although not involving actual contact between tourists and San, such representations do have the power to affect the San people today, as such static, idealised images tend to keep the San in the past, or outside the contemporary economy and political environment, in the minds of the public.

An even more contentious type of tourist encounter involves interactions between tourists and 'Bushman villages', representing varying levels of connectedness to the real lives of today's San. Understanding the nuances and potential problems created or perpetuated by such ethno-tourist encounters is particularly important for the San, as many San see these ventures as key options in their own economic-development plans. Unfortunately, the interaction sought by most ethno-tourists is one between themselves and their own ideas of 'the Bushman'. Smith et al. (2000:97) describe 'the Bushman' many international tourists are seeking as 'scantily clad', 'toting a bow and arrow', and 'talking...in a click language, of the hunter's kinship with animals and the wind'. In this guise, Bushmen are both 'the most famous cultural "Others" in the world, and also among the world's historically most marginalized and disempowered people', and descriptions of how they are supposed to look and act come not only from films, postcards, and tourist guidebooks, but from academic anthropologists as well (Garland & Gordon,1999:270-71). Filled with images of an unspoiled, ancient, but vanishing

culture, tourists seek out the supposedly childlike, simple San people to 'gain access to their cultural difference': 'By coming into contact with those perceived to be their symbolic opposites, tourists gain reassurance that they are themselves worthy and whole' (*ibid.*:271-72).

In seeking to attract such tourists on journeys of self-discovery ('I am not a Bushman, but I can apply what I learned in my own rat-race of a life'), tourist operators must present 'authentic', 'traditional' items and activities, including villages, dances, crafts, and tracking excursions (*ibid.*:272). Writing of the Intu Afrika tourist farm in Namibia, Guenther (2002:48) analyses an outing to a 'traditional' Bushman village, created for the benefit of tourists: 'Much of what was said...dwelled on things tourists probably already knew – if from no other source than "The Gods Must Be Crazy" Very little of what the tourists saw and heard...was novel, being known to them as either...a specifically Bushman feature or a...generic tribal one'. Thus, tourists' demands for typical 'Bushman' images and performances are based on a desire to see something that, in a way, is already familiar to them. Writing specifically of South Africa's Northern Cape, home of all three of South Africa's known San groups, Buntman (2002:69,74) reports that the 'South African Tourism Board...suggests that there is...a place [where]...tourists...might undertake a journey to...their visions of an exotic other...imagining that an actual experience into the place and space of the original hunter-gatherer will add reality to the vision'. This 'reality', however, may simply be constructed by the tour operators to protect 'the vision' held by the tourists. For example, even though the Intu Afrika tour guide did mention the 'real village' of the San, it was out of bounds to the tourists, as Guenther (2002:49) explains, 'no doubt, in order to keep intact the primordialist illusion' created by the fake traditional village, as well as to preserve the

tourists' 'contentment with what is an "obviously inauthentic experience"' (quoting MacCannell,1976).

In addition to providing contact with, and protecting the purity of, tourists' own pre-conceived images of 'the Bushman', historic master-servant relationships suffered by the San under colonialism and apartheid may also be perpetuated behind the scenes by these tourism operations. Sylvain (2002:1080) makes such an argument with regard to the !Xûn San who had been unemployed farm workers, but who were hired by Intu Afrika, which advertises itself as providing the San the 'scope to practice cultural activities that utilize traditional Bushmen skills'. Sylvain writes as follows:

First, the only identity given 'scope'...is the one that is marketable – that is, the traditional foraging identity as it is defined largely by stereotypes.... [S]econd...transformation of the San from farm workers to culture workers...need not (and has not) removed the potential for exploitative class relationships. In fact, ...the lodge owner has withheld wages, levied unilateral deductions from their pay.... As one former role-player told me: 'The owner of Intu Afrika showed me that I am a Bushman and that I have no say in anything' (*ibid.*:1080-81; see also Sylvain,2005:364-65).

Guenther also remarked on the paternalistic, exploitative attitude of the lodge owner towards the San employees at Intu Afrika, writing that such exploitation was similar to the situation faced by the pre-land-claim ꞤKhomani San at South Africa's Kagga Kamma tourist farm, beginning in 1989 (2002:51,59-60,Note 3). Critically, in addition to employing this stereotype as an excuse for denying pay to the San, this image may also have consequences for the San in their dealings with national governments. In fact, Guenther (*ibid.*:54) writes that protecting tourists' conceptions of the Kalahari was the reason given for the final wave of expulsions of the ꞤKhomani San from the Kalahari

Gemsbok Park in 1970: 'management decided that tourists did not like seeing hungry-looking Bushmen'.

e. A People in Need of Empowerment

Today, the stereotyped image of 'the Bushman' may be used by governments to keep the San on the political periphery:

It represents the Bushman as...removed from the...issues of the day, ...without much of a care about the real world, nor a stake in it. An ethnic constituency of this sort is convenient to the State; allowing itself to be treated with benign neglect; away on under-serviced marginal stretches of the land, it makes few demands on the public purse and political will (Guenther,2002:51-2).

When the San people act as 'identity performers' for tourists, they run the risk of 'participating in [a] process of stereotype reification' that militates against their own political empowerment (*ibid.*:52). Indeed, Garland & Gordon (1999:268,270) ask, 'Can cultural tourism – tourism where the commodity being sold to tourists is...*people themselves* (or at least their cultural Otherness) – actually be empowering the people who participate in it?'. With political empowerment constituting what should be the priority of any programmes aimed at 'development' (see Ferguson,1990), many San view tourism as antithetical to real development. Tsamkxao ꞆOma explains, 'I do not regard cultural tourism as being development... Tourists come here...looking for Bushmen who live in a traditional way. ...If the tourists want Bushmen to dance or sing they should let them do that in the cloth[es] they are wearing. ...It is not good to decide for people' (quoted in Tomaselli,1999:206). For some San, the answer is simple: keep tourists away. In one San community, Ka/gae in Botswana's Ghanzi district, community members state very clearly how they feel about tourists arriving uninvited on to their lands. Tourists are handed a flyer that reads, 'You are not welcome here' (Smith et

al.,2000:97-8). Others have considered this route and decided against it. For example, Staehelin (2002a:54) quotes Axel Thoma, then Coordinator of the Working Group of Indigenous Minorities in Southern Africa ('WIMSA'): 'If there was a possibility for the San to escape tourism we would definitely support the idea, but there is no escape. [W]e must do something to avoid further exploitation'.

Others argue that avoiding 'further exploitation' is possible, but will require that the operations run and the images displayed for tourists be generated, managed, and controlled by the San themselves. Guenther (2002:56) writes that the establishment near Cape Town of !Khwatla, both as a tourist destination and as an education centre for San themselves, is an example of a positive endeavour by the San to run their own tourism operation that not only benefits San communities directly through training and profit-sharing, but also strives to teach others 'about the Bushmen's historical and contemporary situation'. Other examples of tourism operations that are conceived and run by the San themselves include the community-based tourist rest camps that are beginning to emerge in Namibia and Botswana. Guenther (2002:57) describes Botswana's Dqae Qare game camp: 'In addition to... "traditional" elements, the tourists...see how the Bushmen...look after their stock animals.... They [are] drawn into discussions about the people's contemporary lives and problems' (see also Smith et al.,2000:97). Tomaselli (1999:207) echoes the need for San agency, choices, and control in tourism: 'The "Bushman image" projected is derived from the merging of "reality" and myth. It is this myth which can become an income generator for [San] communities, *provided they want to play the role*'. In addition to generating income and taking control over their own image, San-based tourism ventures may also lead to the preservation or re-emergence of aspects of San traditional culture, some of which will be discussed in

Section 2.12. Smith et al. (2000:98) write that tourism activities can revive cultural practices: '[I]t is...possible for tourism to boost cultural integrity and people's sense of identity. It may revitalise culture, as people rediscover or re-emphasise forgotten, ignored or neglected features' (see also Buntman,2002:78 and †Oma & Thoma,2002:39).

The results of such participatory tourism can include a much-needed participatory renegotiation of San identities, away from the mythology of static, detached, child-like pristinism and towards a modern, real-world 'perspective that is their own, that they are in the process of reclaiming' (Guenther,2002:59). Importantly, this is a process that is part of the current San struggle for political empowerment:

For the Bushmen...and...the tourist...community-based tourism...is part of a process of rediscovery and reformulation of culture, history and identity. ...[A]ctive, purposeful self-representation becomes a process...of 'transcultural image construction' in which stereotypes held by the tourist are negotiated and contested.... Reflexive construction of identity, along with a struggle for land, ...rights and recognition, constitute...the political and social agenda of post-foraging Bushmen (*ibid.*:57-8, quoting Phillips,1999).

Buntman writes of the †Khomani San as being a 'transitional society' today, as they demonstrate adaptability and flexibility in 'constructing alternatives to stereotypes' of Bushman-ness: 'New and possibly alternative popular visual images...would be an assertion of their own power. ...[A]s [they] undergo political and socio-economic change and are instrumental in shaping new cultural forms, they are creating a different authenticity' (2002:79-81). However, this assertion of power and invention of a new 'authenticity' by the San, whilst critical in gaining control over the image of 'the Bushman' and thereby working towards the improvement of their own economic and

political status, may not neatly fit the views of academics regarding the origins, history, and current status of the San.

f. The Kalahari Debate and San Realities

Bushman studies is 'a subject that has suffered from politicization and scholarly fisticuffs' (Stahelin,2002b:74). Part of these 'scholarly fisticuffs' has centred around what is known as the Kalahari Debate. Although largely academic, the Kalahari Debate does have important consequences for the ways in which academics and development workers approach questions regarding the most useful avenues for San 'development'.

According to Smith et al. (2000:72), there is a definite debate about the Bushmen's hunting-and-gathering way of life. One side – the traditionalists – see the San as isolated, independent, egalitarian, harmonious, and technologically simple. The other – the revisionists – see the San way of life as developing through contact with more powerful agro-pastoralists and becoming the lowest class in that hierarchy. Chief among the revisionists is Edwin Wilmsen. Wilmsen (1989) argues that the San are essentially an underclass, rather than an ethnic group, who were pushed by their livestock-owning neighbours over a thousand years ago to the fringes of society and of the land, where they were forced to become foragers (cited by Barnard,2007:98,104).

Against this view, Silberbauer (1996) argues as follows:

Wilmsen's hypothesis that the hunting and gathering life was the last resort of a redundant, dispossessed *Lumpenproletariat*, discarded by their pastoralist Bantu-speaking masters, is made improbable by those [San] who chose autonomy in their bands, and who returned to their territories despite the hardships (quoted in Barnard,2007:107).

Did contact with non-foragers destroy San culture, or are the San themselves merely a socio-economic class that came into being as blacks and whites pushed their way on to San lands? Sylvain (2003:2) characterises the Kalahari Debate as follows: '[T]he idea of San culture (as an autonomous creation) is in tension with their highly dependent underclass status. ...Should the San be seen as creations or as casualties of colonization and global capitalism?'

Such creation/casualty polarities, however, are viewed by some authors as failing to depict accurately the real lives and views of many San, who are both the lowest-class citizens of southern Africa and the possessors of a distinct, continuing culture. Barnard (2007:108-10) explains,

Little is said...of what remains of traditional culture in a post-contact context, and this has misled anthropology...to believe...that contact creates cultural 'impurity'. England did not disappear with the Norman Conquest, nor did the Kalahari Bushman way of life with the arrival of Iron Age pastoralists or...Afrikaner ranchers. ...Whereas traditionalists...emphasize egalitarianism within San society, revisionists emphasize the unequal relations between San and others. Neither view is necessarily at all close to a San view of the world (see also Hitchcock, Biesele, and Lee,2003:1).

However, some researchers are finding evidence of Kalahari Debate polarities within San communities today. Smith et al. (2000:100-01) write of the artist Qwaa, who produced a painting that combined traditional San images with new ones: a herd of eland, each branded like cattle with Qwaa's name: 'The artist's work symbolises, perhaps, the struggle of the Bushmen...: their demand...for rights in the new economy and polity...and...their insistence that this happen in a world that will recognise and tolerate their distinctive identity'. Similarly, citing a study by Botelle & Rohde (1995)

that showed Namibian San were still relying on *veldt* plants and hoping for increased opportunities to hunt, Barnard (2007:119) writes,

All this reflects a...playing-out of the Kalahari debate, with some favouring a return to hunting as what San want (traditionalists) and others a more rapid entry into the modern economy (revisionists). It seems also that here San have been recruited: they too, by the answers they give, line up as traditionalists and revisionists.

These divisions create tension, not only in San communities, but even within San individuals who are struggling to find ways of both making money and expressing their identities in contemporary southern Africa, creating pressure 'simultaneously to constitute themselves both as Late Stone Age survivors *and* modern citizens of the nation state' (Robins,2001b:844).

As the San increasingly work to create or re-create an image and identity for themselves, Sylvain (2003:4) critiques the 'revisionist' side of the Kalahari Debate, as these scholars seem to deny that communities may act to construct valid identities:

The revisionists...claim...that if we do not find the Bushmen of 'traditionalist' ethnography, but instead find...serfs, ...then...the category 'Bushmen' is...a creation of capitalism and colonization and, ...if the category is...'invented', then it is a Western fiction. ...[T]he implication is that if an identity has been constructed – if it is a product of history – then it must be fictitious.... [This view also]...obscures San agency in [their]...relationships [with]...the agents of colonialism, capitalism, or newly independent governments.

Thus, it is important to understand the historic lack of San voices and the efforts of today's San to ensure that their voices are being heard.

2.9 Voices and Agency of the San

a. Previously Silenced Voices

Similar to the Kalahari Debate, largely confined as it is to academic circles, Tomaselli (2002:204) notes that debates about the San among academics, development workers, and others 'seems to leave out the direct opinions and experiences of the San themselves'. These problems become much more immediate when the voices of those whose lives are being affected by government decisions are ignored by those in power. Hitchcock (2002:816) writes of the efforts of a San negotiating team to meet with Botswana government officials regarding Basarwa evictions from the CKGR: 'Many of the team's letters simply went unanswered. When asked why they thought this was the case, several [San] claimed, "It is because we are considered *balata* (servants) and we have no voice"'. People who 'have no voice' are not only silenced, but are often spoken for by their country's dominant groups: 'Post-colonial theory has provided a platform for..."subaltern" groups, subjects occupying a position so marginal, and whose voice is so fragmented in relation to a dominant culture...that they are potentially forever silenced and spoken for by that dominant culture' (Home,2004:75-6).

In fact, once the Botswana government – comprised of and representing Botswana's dominant Tswana culture – did eventually respond to the Basarwa regarding the CKGR evictions, they did so using language that indicates a desire to speak and act for the San: 'We...believe that it is...unfair to leave a portion of our citizens undeveloped under the pretext that we are allowing them to practice their culture. ...[A]ll we want to do is...enable them to partake of the development cake' (quoted in Hitchcock,2002:820). In South Africa, San author Gabototwe (2011:3) further emphasises the lack of San voices:

'I went to school for 12 years...but not once did a teacher mention the past accounts of any San community. ...We must find many different ways to make our voices heard'.

b. Speaking for Themselves

A !Kung woman told Megan Bieseke, 'Black people cry for themselves.... The Afrikaners cried for themselves, and they are alive. ...We who are [San], let us cry out, so we will be lifted up. ...[Y]ou write a letter to the government. Tell the government how we live' (quoted in Lee,1998a:23-4). This quotation is particularly interesting, in that it not only identifies San deficiencies versus other groups in the arena of 'crying out', but also seems to acknowledge the need for assistance – Bieseke's letter to government – in doing so. In addition to research, writing, and correspondence from academics, the San may also benefit from others who increasingly wish to hear the San speak. Praising the film *In God's Places*, Tomaselli (2002:214) writes that Dawid Kruiper's brother, Buks, is allowed to speak for his family regarding their time as tourist performers at Kagga Kamma: 'Buks Kruiper speaks for them. ...Instead of simply parading another list of experts, ...[t]hese...records...provide the San and their visitors with something to read or see that isn't somebody else's story. ...[The San] will become their own experts'.

Beyond the opportunity to speak out and tell their own stories, the San are critically in need, based on Williams (2003) below, of the voice that ensures that development policies take into account the 'local and regional differences' that determine those policies' effectiveness. For example, the Botswana National Front, Botswana's opposition party, issued a statement regarding the CKGR evictions: 'Development...is not something that can be done to the people.... It must be endogenous, people-centred.... People must be the architects and authors of their own development' (quoted

in Schimmel,2009:517). Such a 'people-centred' approach to development goes beyond merely asking community members about their needs for food and income, but must incorporate a group's views of family, environment, and cultural identity based, for example, on the elements to be discussed in **Section 2.12**. One high-level effort in this field of culture-driven development is taking place in the United Nations Permanent Forum on Indigenous Issues ('UNPFII'). The UN decided in 2010 to appoint a Special Rapporteur 'to conduct a study on indigenous peoples' models of development...consistent with [their] cultural aspirations and world views' and deemed it 'urgently necessary' for the UN Development Programme to 'develop a deeper understanding of indigenous peoples' world views' (UN,2010:4,6). The 2010 UNPFII report concludes with a recommendation 'that indigenous peoples be given a decisive voice in formulating policies affecting their communities, lands and resources' (*ibid.*:44).

In southern Africa, similar work is needed. Taylor (2002:469-70) argues that, even as studies on livelihoods are increasing, these studies have focused on the material aspects of livelihoods and 'have often failed to make explicit the *symbolic* importance of how different aspects of livelihoods are constituted...taking account of the wider social and political contexts that give varied meanings to different livelihood options'. In

Botswana, Taylor explains as follows:

Employment...is associated largely with Western values and products. Livestock is associated with the politically and economically dominant [blacks].... Hunting and gathering is associated with Basarwa. ...Although hunting and gathering may become peripheralized...through legislation and welfare handouts, these practices remain essential as markers of [San] identity (*ibid.*:470-71,487).

In post-apartheid South Africa, such an understanding is particularly critical as formerly dispersed people attempt to re-create communities on newly received lands: 'One cannot understand how Africans have endured the fragmentation of their family life by migrant labor unless one has knowledge of their customary social values and networks' (Thompson,2000:2). Land-reform legislation that ignores these 'customary social values and networks' is therefore destined to fail, and it is increasingly important for land-recipient communities to make these failures known. In 2004, *The Cape Times* reported that ǀKhomani traditional leader Dawid Kruiper had hitch-hiked to Parliament in Cape Town to report that 'the system of a community property association (CPA) that managed the land, had not worked, as it showed no respect for his people's tradition and culture' (Gosling,2004).

c. Acting for Themselves

Despite the struggles of academics to place the San and other indigenous peoples into a category, as either a) in need of traditional-culture preservation or b) in need of socio-economic improvement, the San themselves seem to have no problem stating their concerns as a combination of both: 'Trying to survive the loss of land, of resources, livelihoods and components of our cultures, many of us still struggle today to access rights to education, health, housing and cultural expression' (Gabototwe,2011:2). In addition to increasing their efforts to speak out, this 'cultural expression' may include actions designed to take advantage of economic-development opportunities that arise, by for example, adapting their 'Bushman' identity to circumstances in the Kalahari. Barnard (2007:140) notes that part of the flexible San identity may have been an adaptation to the conditions in southern Africa during apartheid: 'Many San call themselves "red" rather than "black" or "white", and the "neither-this-nor-that" status

enabled them to make best use of the tragic circumstances of the subcontinent in that time’.

In the Kalahari, individuals’ cultural identities can indeed shift, based on the economic opportunities that present themselves: ‘[Vierich & Hitchcock,1996] stress the different identities individuals assume.... [P]ast strategies of the mixed economy of livestock production, wage labour and foraging were not enough, and [San] were deliberately diversifying “culturally” as well as economically’ (Barnard,2007:107). Sylvain (2005:358) notes that, particularly among San groups who have intermarried amongst themselves and with Nama⁶ (Khoe) peoples, ‘[e]thnicity is often reckoned opportunistically’ depending on the availability of assistance, employment, or economic opportunities. Citing Sharp & Douglas (1996), Gordon (1997:138) writes, ‘Bushmen are not simply independent or dependent, nor merely prisoners or opportunists...; they possess a well-honed ability to flip from one to the other and back again according to context’ (see also Robins,2001a:10). Thus, asserting and shifting their identities are important adaptive acts of the San. Buntman argues that, since ‘identities are political statements...shaped by past experience and contemporary social realities’, individual South African San people ‘should decide for themselves to what degree they should assert their “Bushman” identity’ (2002:78, quoting Sharp & Boonzaier,1994).

Critically, the San are increasingly viewed as possessing the agency to gain control over their own image. Tomaselli (2002:207-08) writes, ‘[W]e...question that academic perspective which assumes that the San are unwitting and powerless pawns in the making of...films, and in performing for tourists.... The San have social agency’. As such,

⁶ This would include the Nama-speaking family of the †Khomani traditional leader, Dawid Kruiper.

Guenther (2002) writes of the need for the San to build their own new image, which is neither mythological nor placed statically in the past, by 'negotiating a new identity...that jettisons the static, iconic elements of pristinism...and [is] in tune with the economic and political aspirations of the people today' (quoted in Barnard,2007:87). Indeed, when assessing 'progressive' Bushman tourism ventures that do not cast the San as 'unchanging primitives', Garland & Gordon (1999:282) see the San as being in a position to choose 'how much they want to cater to tourists' desires to consume their cultural otherness, and how much they want to assert their more modern identities as indigenous peoples or tourism producers'. However, the view of the San as 'modernizing subjects' (*ibid.*:275) does not negate their cultural Otherness: 'At times it even seems that their status as Others is the very thing that makes their modern subjectivity possible in the first place – it is because of their appeal as authentic Others, after all, that people called bushmen have something to sell in the modern marketplace' (*ibid.*:275,279). Therefore, it appears that the San walk a fine line: acting to assert, adapt, and display their own identities as contemporary citizens of southern Africa, while at the same time recognising that the keen interest of outsiders, including academics, film-makers, and tourists, is at least partly based on the position of the San as 'others', with cultures that differ from dominant societies.

The ꞤKhomani San themselves have capitalised on this 'other' status. Robins (2001b:850) writes that the Kruiper family 'recognises that...“traditional” bushman images [including loincloths and bows] are invaluable cultural and economic resources in their quest for...more than...“cultural survival”. They are...self-conscious producers of the cultural commodities that fuel a fledgling tourist and donor-driven economy'. Such an approach also has value as an agent for 'the recuperation of social memory and

identity' (*ibid.*; see also Robins,2001a:32). Visible efforts of San community members to assert the agency of the San to claim, adapt, express, market, and 'recuperate' their cultural identities may result in the increase of San cultural pride and the creation of community role models as well. San author Gabototwe (2011:4) writes,

[A] balance of formal and traditional education...and...enterprises [including tourism and game farms]...is needed to change certain circumstances [including San poverty and idleness]. ...[T]hose who have overcome...challenges and are still happy to continue the journey...could become role models.

New role models are indeed rising among the San and are not only increasing San pride in their traditional cultural practices, but are also emerging as the voices of their communities. For example, in Botswana, trance dancers are increasingly admired for their traditional knowledge and 'for their independence and wealth, earned not by working for the *buuru* (Boer), but by doing a "Bushman thing". ...[They]...have become the community's spokespersons on issues of political rights and land' (Smith et al.,2000:86-7). One important way that the San are gaining the platform from which to speak more publicly about their need for land and political empowerment is by actively participating in the indigenous-peoples' movement, which 'secures them a potential of power beyond that of the cultural intermediaries whose images have previously defined...and...confined them' (Tomaselli,2002:204-05).

2.10 San and 'Indigenous' Identities

Regarding the !Xun and Khwe San, who had previously served in the South African Defence Force in Angola and Namibia, Taylor & Battistoni (2009:113) write, 'Khwe in Namibia and...!Xun in South Africa have...sought to...tone down their military past in favour of...identities as "indigenous people" to garner support from NGOs, form

international alliances, and strengthen their claims to authority'. Garland & Gordon (1999:275) explain that San efforts to join the 'indigenous peoples' movement have altered how their status and activities are viewed by outsiders: "[B]ushmen" are increasingly...coming to define themselves...as "indigenous peoples" – not primitive, untouched Others, but fully human Selves, universal subjects grappling with modernity from a historically- and culturally-specific position of poverty and marginality' (see also Barnard,2007:143 and Bredekamp,2001:191,Note 1).

Pippa Skotnes' *Miscast* exhibition at the South African National Gallery in 1996 is viewed by many as the first time Khoe and San people were given the opportunity to debate their identities publicly (Tomaselli,2002:205). Part of the debate over San identities centres on the inclusion of formerly 'coloured' people in the category of 'indigenous peoples'. By embracing an 'indigenous' identity, hunter-gatherers and other First Peoples can gain access to the financial and political resources increasingly made available to groups classified as 'indigenous' as a result of the growing international network of funders, NGOs, and international bodies like the UNPFII, who have among their guiding principles the preservation of indigenous peoples' rights to their traditional lands and livelihoods. As such, it is important to understand how 'indigenous' may be defined and who may be included in this category. Hitchcock (2002:823) writes of the struggle to define 'indigenous':

There is no all-encompassing definition of the term 'indigenous peoples'. Some San...pointed to...four criteria [as] crucial...(1) pre-existence, (2) non-dominance, (3) cultural difference and (4) self-identification.... As the San noted..., indigenous peoples possess ethnic, religious or linguistic characteristics that are different from the dominant.

In South Africa, Robins (2001a:12) writes, 'the gains made by a growing indigenous rights movement could encourage many of [the 3.6 million "coloured"] people to reclaim...San and Khoe ancestry' to help improve their political and economic status. However, some academics strongly oppose the term and concept of 'indigenous peoples' as a return to primitivistic stereotypes:

[D]iscredited old arguments may lurk behind new words. ...[I]n the rhetoric of the indigenous peoples movement the terms 'native' and 'indigenous' are often euphemisms for what used to be termed 'primitive'.... [T]he ghostly category of 'primitive peoples' [has] been restored to life under a new label (Kuper,2003:389).

Still, in Kuper's own words, it is 'a good idea to call people by names they recognize and find acceptable' (*ibid.*). In this vein, Barnard (2007:125-26) writes, '[W]hile Kuper [2003] is right that "indigenous peoples" may be an archaic and faulty category..., it is the preferred means of battle for San support organizations and San leaders, and is gaining currency among ordinary people as a means of self-identification'. As such, Daes (1995) argues that 'indigenous people themselves have stated on numerous occasions that they are the rightful authority to define and determine whether they are indigenous' (quoted in Bredekamp,2001:203-04; see also Hitchcock & Biesele,2000:13).

Although southern African governments are reluctant to identify or provide special treatment to any group based on race or ethnicity today, as all 'black' and 'coloured' people were victims of apartheid (Robins,2001b:848), Tomaselli (2002:206) does confirm that, as a result of the April 2001 National Khoisan Consultative Conference in Oudtshoorn, South Africa, the Khoisan generally were able 'to secure government recognition of the Khoisan as a "First People"'. However, because of colonial and apartheid-era oppression by whites, many black Africans consider themselves

'indigenous' also. Where Bantu-speakers are labelled as 'indigenous' by governments, the San may refer to themselves in terms that maintain their sense of primacy. For example, young Xhaikwe San man, Jobe Gabototwe, refers to the San as 'primary indigenous people of southern Africa' (2011:4).

Whether the San people's identity as 'aboriginal' or 'indigenous' granted them special treatment during their South African land-claim process, their land-claim attorney, Roger Chennells, did write that, as of 2002, the †Khomani restitution represented 'the only current example of a successful aboriginal land claim in southern Africa' (2002b:51; see also Sylvain,2002:1074).

2.11 Does Loss of Land Mean Loss of Culture?

Archbishop Desmond Tutu, describing what he believed had already happened to the Native Americans and Australian Aborigines and what was currently happening to the Tibetans, stated as follows regarding the San: 'When a culture is destroyed in the name of progress, it is not progress, it is a loss for our world. Hundreds of thousands of years of wisdom, knowledge of nature, medicines, and ways of living together, go with them' (quoted in Schimmel,2009:517). In the context of indigenous land claims, Sylvain (2002:1080) notes that the indigenous-rights movement tends to follow a 'cultural survival' paradigm, emphasising the people's unique and spiritual relationship to the lands on which they currently reside and are trying to remain. Whilst different people may have different beliefs regarding the 'spiritual' connection to the land of the San people, when lands are lost, is that culture thereby 'destroyed'?

The UN and World Bank are key actors in the arena of indigenous-peoples issues, including the definition of 'indigenous' itself. An example may be found in the World Bank's Operational Policy 4.10, which concerns World-Bank-financed projects that may impact indigenous peoples. In this policy, the World Bank's definition of 'indigenous peoples' includes the following elements:

[C]ollective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;

A group that has lost [such] 'collective attachment' ...because of forced severance remains eligible for coverage under this policy;

'Forced severance' refers to [the above] loss...within the concerned group members' lifetime because of conflict, government resettlement..., dispossession..., natural calamities, or incorporation...into an urban area (World Bank,2005:OP 4.10,Paragraph 4).

Downing & Moles (2002:68) characterise this policy as one that concerns 'those who are [viewed as] impediments to "development"' and note that part of the World Bank's definition of 'indigenous peoples' is problematic:

Impoverishment has led many...indigenous people to leave their communities...and find temporary jobs as laborers. ...[M]any of these people maintain close links with their communities.... The...policy unjustifiably excludes these.... It creates an international definition governments may use to justify claims that indigenous peoples...are not really indigenous.

Thus, for example, San who are forcibly removed from their lands by processes of dispossession or government resettlement are still eligible for World Bank protections, including the right to consultation regarding potential development projects and the possibility of risk mitigation and compensation for any adverse impacts (World Bank,2005:OP 4.10,Paragraph 1), but those who were forced to move away from their

traditional lands by a lack of employment opportunities would no longer be defined as 'indigenous'. 'The Bank recognizes that the identities and cultures of Indigenous

Peoples are inextricably linked to the lands on which they live' (*ibid.*:Paragraph 2).

Thus, when individuals choose to sever their land-culture link, their culture is no longer 'indigenous', by definition. In this way, land is seen, by the very influential World Bank, as absolutely essential to an indigenous person's culture and identity.

Sylvain (2002:1077-78) writes that those San, like the ǀKhomani, who were dispersed on to farms during the colonial and apartheid eras, are viewed today in a 'discordant' way. In the Omaheke Region of Namibia, for example, farmers refer to the 'ethnic character', 'traditional culture', and 'primitive', 'childlike' nature of the San as making them wandering, unreliable employees who deserve lower wages than their non-San counterparts. At the same time, because these San no longer hunt and gather, they are viewed by these farmers as 'detrribalized' and no longer 'authentic' (see also Sylvain,2005:359-60). As with 'indigenoussness', then, when defining 'San-ness', land is typically given primacy by outsiders:

Three connected assumptions...influence how Bushman identity is recognized (or misrecognized): first, Bushman identity is pegged to a unique relationship with the land; second, this relationship is crucial to a pre-modern lifestyle and identity; and third, class relationships – by alienating the San from their land and incorporating them into 'modern' social relationships – dissolves their cultural identity (Sylvain,2003:3).

Similarly, Sylvain (2002:1075) notes that the efforts of indigenous Africans to distinguish themselves from the politically and economically more powerful Bantu-speaking people are prioritising and essentialising connections to ancestral lands:

SASI recognizes that 'A significant proportion of [ǀKhomani] are no longer dependent on the land or traditional ways of making a living and are...forced to eke out an existence within the market economy'. Yet according to SASI, the primary distinction between marginalized minorities and indigenous people is the latter's 'relationship to the land'. So the San's status as laborers or...squatters results in the 'loss of culture' (*ibid.*:1076, quoting SASI,1999).

Sylvain (*ibid.*) critiques this position as damaging to the San's efforts to fight for rights as indigenous people: "The problem with pegging cultural identity to a unique relationship to the land...is that we are compelled to conclude that the ǀKhomani...have already been "deculturated" and so no longer possess a culture that could count as "indigenous". On the contrary, cultural identities need not be 'given back' to landless San (*ibid.*:1081), as such identities can remain, even without traditional clothing, traditional livelihoods, or the lands on which to practise them. Lee (1998a:20-1) concurs:

Without land on which to maintain their...social and economic institutions, [aboriginal minorities, including the San] are rapidly and tragically absorbed into the poorest economic stratum in...slums. ...Nevertheless these people...retain something...far more valuable than physical amenities...: *a continuing, functional community and family organization and a continuing sense of personal and social identity.*

Therefore, aspects of San 'personal and social identity' and traditional San 'community and family organisation' may remain among the ǀKhomani, despite their decades of landlessness.

2.12 Aspects of Traditional Hunter-Gatherer and 'Bushman' Cultures

Archaeological evidence suggests that the San were hunting and gathering 'in small mobile groups' for thousands of years before the Khoe took up herding and split off

from the San approximately 2,000 years ago (Lee et al.,2002:8). The definition of 'San', thus, includes current or historic hunting-and-gathering livelihoods:

Four criteria...identify San peoples....

- A history of hunting and gathering subsistence.
- The possession of click languages.
- Self-identification as San.
- (Least reliably) a distinct physical type.

...A history of hunting and gathering and self-identification as San are probably the best guides to who the San people are (*ibid.*).

The San have been studied by social scientists, in part, as representatives of hunter-gatherer societies, past and present: 'The importance of the San comes from the fundamental role which hunting has played in human history' (Washburn,1998:xv).

Among the various San groups in southern Africa, the Ju/'hoansi (sometimes referred to as the !Kung, as in Barnard,1992, Lee,1979, and Marshall,1976) of Namibia's Nyae Nyae region and the Dobe !Kung of Botswana have been studied the most extensively (/Useb,2001:18, Smith et al.,2000:65). Rather than separate groups, they were likely a single people who ended up on either side of a new national boundary (Smith et al.,2000:66,Map). Writing of the Ju/'hoansi, Biesele & Hitchcock (2000:307) note that South West Africa's 'apartheid practice of setting aside blocks of land for specific ethnic groups actually protected a portion of the ancestral land of the Ju/'hoansi, who were able to remain on that land in relatively intact communities'. As such, they may be an example of what life might have been like for other San groups, like the †Khomani, had they not been dispersed on to white-owned farms in other parts of southern Africa during colonial and apartheid periods. Although as much information as possible will be provided from other groups, much of the evidence of traditional San cultures below will be based on work done by researchers among the Ju/'hoansi and !Kung.

a. Livelihoods and Relationship to the Land

A Khwe man, on hearing of the Botswana government's plans to force the San out of the CKGR, reacted as follows: 'I will not agree to migrate from my ancestral land where my soul and spirits are' (Smith et al.,2000:95). Whilst, as noted by Sylvain (2002) above, many in the indigenous-rights movement place too much emphasis on indigenous people's spiritual connections to their land, to the detriment of the rights, respect, and land claims of already dispossessed communities, many hunter-gatherers do express their feelings about their traditional homelands in such terms.

For many hunter-gatherer societies, including central Africa's Mbuti people (or 'Pygmies'), a close connection with their environment is based, at least in part, on respect for their ancestors:

[T]he Mbuti...relate to the forest as being their ancestors and themselves... as expressed in the statement that 'the forest and the ancestors are the same'.... For the Mbuti the process of dialoguing with the presence of forest/ancestors...is...a process of...engaging with an environment that is...alive with presence (Kenrick,2002:199-200,209).

Engaging with the land in such a way, however, precludes many hunter-gatherers from espousing a Western conception of ownership. For the San specifically, the concept of 'ownership' applies to the products of the land, rather than to the land itself: 'Real property...and waterholes are not owned by individuals.... However, meat, once it is distributed after the hunt, and plant foods, once they are gathered, become private property' (Marshall,1998:366). Hitchcock & Biesele (2000:15-16) further explain:

Under [hunter-gatherer] systems of tenure, land could not be bought or sold, nor could it be pledged as collateral for a loan. ...Thus, hunter-gatherers tended to have de facto but not de jure rights to land. They had

these rights on the basis of their membership in a specific social group. Land was held in the name of that group.

Such groups neither owned the land nor sought to 'improve it' in the ways common among agro-pastoralists. Chennells (2009a:150) writes, 'Hunter-gatherers...are... imbued with little desire to protect, conquer, or develop [their natural environment]'. Similarly, Washburn (1998:xvi) notes one way in which the San 'economy' does not fit Western conceptions of the use of spare time for advancement: '[T]his [hunting-and-gathering] way of life is relatively easy except in time of crisis. Deeply embedded in our intellectual tradition is the idea that surplus time makes technical advance possible. Yet the San have much time'. Similarly, Stow & Bleek (1930) wrote as follows of the idleness of the San, but without any judgement regarding their state of 'advancement': 'A race that is satisfied with such a slender outfit leads of necessity a simple life, has little work to do and many idle hours to dispose of. ...Half or more than half of each day was spent in lounging about, watching bird and beast' (quoted in Barnard,2007:47-8).

Regarding the traditional *n!ore* territories of the San, which will be discussed further below, many misconceptions exist. One is that hunter-gatherers are nomadic wanderers with no sense of borders:

Notions of 'nomadic hunter-gatherers'...have done harm to land claims.... [T]he structural opposition between 'nomadic hunter-gatherer' and 'settled cultivator' is fallacious.... It is the hunter-gatherer who is settled (on ancestral land in a known territory), and the cultivator who is nomadic. Cultivators migrate...much more frequently (Barnard,2007:142).

Thus, the hunter-gatherer conception, relationship, ownership, and use of land differ markedly from those of their agricultural neighbours. As societies who have

traditionally lived off the land, these differences are also bound up in different senses of the purposes of economic activity.

b. The Immediate-Return Economy

Based on the work of Lorna Marshall and Richard Lee, Sahlins (1968a & 1974) coined the term 'the original affluent society' for hunter-gatherers:

[Sahlins] suggests that there are two routes to 'affluence': producing much, or desiring little. Hunter-gatherers follow the latter route, and sacrifice the accumulation of wealth for the accumulation of free time.... This turned on its head the usual images of hunter-gatherers and their supposed struggle for existence (Barnard,2007:67,69).

Further developing the model put forth by Sahlins, Bird-David (1992) described hunter-gatherer societies as having 'immediate-return' economies: '[I]mmediate-return systems involve a lack of planning or investment of time in activities whose yield is postponed [including] cultivating [or] herding' (in Barnard,2007:70). As such, few power- or wealth-based inequalities are typically found among hunter-gatherers. Woodburn (1982) writes that such 'equality is achieved through direct, individual access to resources...and through the procedures that prevent saving and accumulation and impose sharing' (quoted in Ichikawa,2000:265-66). Chennells (2009a:150) confirms that the traditional mobile, day-to-day, hand-to-mouth existence of the San discouraged accumulation in a way that is quite foreign to Westerners:

[M]aintaining an egalitarian social structure...[l]ittle effort was devoted toward accumulating material wealth in any form. ...Ambition to succeed ...materially, so essential as a motivator in Western culture, is...regarded with suspicion. ...The very concept of planning for the future is alien to peoples who live off their land, day by day.

Finally, Marshall (1998:367-68,371) famously described the !Kung of Namibia as disinclined to accumulation, based on their traditionally nomadic and gift-giving culture:

The !Kung live in a kind of material plenty because they have adapted the tools of their living to materials which lie in abundance around them and are free for anyone to take.... [T]hey carry...all their belongings. With plenty of most materials at hand..., the !Kung have not needed or wanted to encumber themselves with...surpluses. ...[F]or these reasons...the accumulation of objects has not become associated with admirable status. Instead of keeping things, they use them as gifts.

As suggested by Woodburn (1982) and Marshall (1998) above, such immediate-return economies involve a system that discourages accumulation via a strong ethic of gift-giving and sharing.

c. Sharing

The 'key values of Bushman society' include co-operation, egalitarianism, individualism, personal autonomy, and sharing, including the distribution (rather than personal accumulation) of goods and meat, both of which may be distributed widely, even to members of other bands (Smith et al.,2000:71,73). Although plant foods or small animals would not typically be shared outside the nuclear family, the meat of large, hunted animals is shared widely: 'The fear of hunger is mitigated.... There are no distinct haves and have-nots. ...The idea of eating alone and not sharing is shocking.... Lions could do that, they say, not men' (Marshall,1998:357).

Based on the knowledge of such sharing practices, however, white farm-owners often pay lower wages to their San workers, accusing the San of an inability to save:

Farmers claim that, just as San ancestors gorged themselves after a kill..., the contemporary San spend all of their wages on payday.... San widely ...insist on high standards of generosity among themselves...and few San, whether kin or not, are denied...assistance (which explains why the San are 'unable to save money') (Sylvain,2005:360).

This sharing culture, however, does not extend to trading or buying and selling with each other. Whilst Marshall (1998:365) found sharing among the San to be a key feature of their traditional culture, she notes that trade within communities is not condoned: 'The !Kung do not trade among themselves. They...avoid it because it is too likely to stir up bad feelings. They trade with the Bantu, however'. In this way, the social structure of the San can be viewed as one based on conceptions of, and rules for, insiders versus outsiders.

d. Kin-Based Community Organisation – Band and *N!ore*

Xhaikwe San community member Gabototwe (2011:1) writes, '[O]ur ancestors had unique ways of organizing their societies.... However, due to...unjust government policies, ...we have been forced to adapt to the dominant cultures' way of life. However, assimilation or integration into dominant societies obviously did not work for us'. The San, therefore, still see community organisation as an important part of their culture and as markedly different from that of 'dominant societies'.

Lee (1998a:7) writes that the San do not traditionally organise themselves in the same ways as stock-farming societies do, with the pastoral Khoe, for example, employing a 'social and political organization [that] resembles that of tribal stock-raising peoples elsewhere in Africa', despite their 'common ancestry' with the San. These different social/organisational models, then, can be viewed as representing a contrast between hunter-gatherer and agro-pastoral societies. Across hunter-gatherer societies,

Hitchcock & Biesele (2000:19-20) describe the specific aspects of such group structures: 'Some hunter-gatherers...lived in small...groups...known as bands that were widely dispersed.... The average group size was twenty-five to fifty people...united through bonds of kinship, marriage, friendship, and reciprocity'. With respect to the kin-based social organisation of the Ju/'hoansi and other Kalahari Bushmen, Smith et al. (2000:73) explain, 'The bands...are the core of their societies.... Such a group maintains, in [a] loose and non-exclusive manner..., ownership and control over a water hole and *n!ore* [or territory]. In tune with the seasons the group exploits its resources in small family groups or camps⁷'. Marshall (1998:350) also found such structures among the !Kung, or Ju/'hoansi, of Namibia, writing that all of these San 'live in bands composed of several families' and that affiliation with a particular band determines one's rights to water, plants, and other resources.

Other San co-operative adaptations include '[r]eciprocal access to resources at all times' to ensure survival of different groups during periods of scarcity, as well as a pattern of 'concentration-dispersion' that involves groups coming together temporarily at different times of the year to visit, dance, trade, perform ceremonies, and sometimes fight, followed by fragmentation back into smaller groups (Lee,1998b:86-90). Lee notes that these two adaptations – 'concentration-dispersion' and 'reciprocal access to resources' – are seen in hunter-gatherer groups around the world, including the Inuit, Aborigines, subarctic Indians, and Pygmies (*ibid.*:90-1; see also Hitchcock & Biesele,2000:20). Lee explains that, for the !Kung specifically, these adaptations

⁷ Among authors, there is some disagreement on whether the small-group organisation of the San should be termed the 'band' or the 'camp'.

allowed for the survival of larger population densities and for adjustments to be made based on scarcity or abundance (*ibid.*:91).

Lee (1998b:77) goes on to describe the typical San territory, or *n!ore*: 'At the core of each...camp[] are two...or more siblings and/or cousins, both male and female, who are...owners (*K''xausi*) of the waterhole. Around each waterhole is a block of land or *n!ore*. This...is the basic subsistence area for the resident group'. Among Ju/'hoan bands, the typical *n!ore* ranges from 100 to 400 square kilometres and usually contains 'sufficient resources to sustain a group over the course of a year' (Hitchcock & Biesele,2000:15-16). Smith et al. (2000:70,73) also write of the typical territory structure of the 'foraging band'-based 'Bushmen of the Kalahari', which specifically includes the ꞆKhomani:

N!ore boundaries overlap, and reciprocal access to resources is granted (to those asking politely). Moreover, land ownership is loosely defined; the 'owner'...(*kxao*) of a territory, or of a permanent water hole that defines it, ...[is] 'more an informed person who can care for a water resource so that it can be shared than an exclusive holder of rights to that water' (quoting Katz, Biesele & St.Denis,1997).

In fact, band structure and flexible group membership are critical in resolving conflict among the San: 'Conflict within this familistic society, in which bonds of co-operation are vital for the group's survival, is...avoided as much as possible.... The "withdrawal option" is a solution readily available.... One party in a dispute that cannot be settled packs its things and leaves the group' (Smith et al.,2000:76-8; see also Lee,1998b:91).

Lee writes that groups of 90 to 120 San camped together long term would be 'abnormally large' unless those individuals were settled due to 'the introduction of an

economic “magnet”, like a Bantu cattle post, or due to local or national legal requirements (1998b:92-4). When San population concentrations do increase too much, social problems can erupt. For example, when the South African administration’s land policies forced San population concentrations to increase beyond what the land could sustain in pre-independence Namibia, the results at Tsumkwe (now ‘Tjum!kui’) were ‘apathy and poverty, conflict, jealousies, fighting and alcohol abuse’ (*ibid.*:88-9). As a result, San simply began to leave Tsumkwe and ‘to return to their old band territories, leading quite self-sufficient lives based on foraging, herding and agriculture, as well as some wage labour’ (*ibid.*:88,92). This is strong evidence that the band and *n!ore* structure can persist or be revived, even after government policies lead to more concentrated community settlements, so long as San lands remain available.

e. Leadership and Decision-Making

In addition to the small bands living in relatively fixed territories, hunter-gatherer societies differ from their agro-pastoral neighbours in their typical lack of overall headmen, hierarchies, or decision-making structures in which large groups are bound to the decisions of leaders or representatives.

As such, San organisation, leadership, and governance may seem non-existent to outsiders. For example, /Useb (2001:15) quotes Tswana Chief Tshekedi Khama’s statement regarding San leadership: ‘I have never known of one of their own people who could...lead them’. /Useb writes that these sentiments remain today: ‘Nowadays my San colleagues and I have to listen to government officials and others making statements to this effect: “You people have never had leaders...” or, “If you want a leader, appoint one chief for all of you”’ (*ibid.*). /Useb himself describes San leadership

structures generally as 'dissimilar to the common hierarchical leadership structures.

...[W]e choose to make decisions by reaching consensus' (*ibid.*). However, continuing to operate with a system whereby decisions are reached with the input and agreement of all participants would seem to require that small-group organisation be maintained.

/Useb (2001:16) explains the traditional leadership and decision-making structures of his own Hai//om San:

[E]ach community⁸ – consisting of 20 to 30 families residing at one waterhole – had its own leader...[for that] traditional resource area.... Only after [Bantu] people and settlers had intruded...did it become necessary for the Hai//om to look for strong leaders. ...The system of reaching decisions by consensus and the tradition of exchanging information in an informal manner remained unchanged.

Thus, consensus and information-sharing are central to the San and remain so, even in the face of outside pressures. Barnard (2002:9) describes typical leadership and decision-making structures in foraging cultures:

[F]oragers...have a political ethos in which leaders emerge for specific tasks. The position of leaders is not hereditary. Often it is transient... Leaders aid in group decision-making, but...do not hold power. ...[S]eeking power is discouraged.... Politics in foraging society is ideally politics by consensus. Leaders...typically do not like making...decisions for the rest of their communities.

Among the !Kung in Namibia, Thoma & Piek (1997) found similar leadership structures: 'The...definition of a leader [includes]...the capacity to give advice. ...[A] leader has to serve the people, but is not allowed to represent them unless he/she is requested to talk on their behalf' (quoted in /Useb,2001:17-18). Similarly, Ritchie (1987) found 'no

⁸ Because this San writer defines 'community' as a collection of families around a single waterhole, this passage is particularly interesting in the context of South African land reform (see **Sections 3.4** and **3.12(a)**).

centralized formal authority' among the Ju/'hoansi: 'There was no hierarchy and gender relations were egalitarian' (quoted in /Useb,2001:18). Leadership among the Kalahari San, although occasionally centralised, for example, to fight against encroachment by the Boers in South Africa during the eighteenth century, reverted to an egalitarian system after the particular need had passed. Throughout San history, Smith et al. (2000:76) state, '[w]e can probably assume that...leadership roles have not changed' from the following:

[A] Bushman *band usually has a tenuous authority figure*,...[who] is 'as thin as the rest'...has no special privileges...[and] holds what little authority he has through...his ability...to give sound advice.... When decisions are made..., he may not...exercise any pressure on the group. The *deliberations are a free-for-all*, to which everyone adds his voice – and hers.... The aim is to reach *a decision that all can live with, since all have had a say in it*. ...Nowadays an 'uppity' leader is brought into line, through ridicule, criticism and *non-compliance* (quoting Marshall,1976; emphasis added).

Thus, all San have a voice in decision-making, and to have their advice followed, any leaders must remain meek, as illegitimate or haughty leaders will see their suggestions (or demands) ignored. Another reason that a San group's decisions may not stand involves San adaptations to life in the Kalahari. Because of the porosity of the soils and the variability of rainfall, standing water, and food resources, the !Kung have adopted a long-term survival strategy based on flexible decision-making: 'The !Kung ability to operate successfully in this environment...involves them in sorting out a complex set of variables...[a]nd their subsistence plans must be continually revised in light of the unfolding rainfall situation' (Lee,1998b:79-84). Within this flexible, adaptive strategy, hunter-gatherer decision-making may be viewed, not as a large group following final, binding decisions made by a leader, council, or committee, but rather as a group of

individuals taking the statements of band leaders or experts merely as advice or suggestions for today.

Hitchcock & Biesele (2000:19-20), explain, 'The politics of hunter-gatherer communities were such that individualism...was admired. ...[V]irtually all communities had people whom they respected and whose suggestions they frequently chose to abide by'. With 'leadership' equating to the giving of advice or the sharing of expertise in a particular matter, and with the *choice* of whether to follow such advice left to each San individual, such societies clearly lacked formal hierarchies. Silberbauer (1965) described the G/wi Bushmen: '[E]very adult member of the band has rights equal to those of all the other members.... In the regulation of the band's affairs, ...no man or woman yields to the superior authority of any other member' (quoted in Barnard,2007:73; see also Lee,1998b:77).

/Useb (2001:19) concludes that, in general, it is 'evident that the San had traditional governance structures which were not necessarily discerned by the intruding pastoralists, missionaries, settlers and colonial powers as differing from their own'. Traditionally, a San leader was only the leader for a particular resource area, and problems emerged when overall cross-group leaders were required by colonial governments, who either failed to 'discern' or actively ignored the existing San structures. For example, during the 1970s, /Useb (*ibid.*:16-17) writes, '[T]he South African colonial regime [controlling Namibia]...ordered [the Hai//om] to immediately choose a central leader.... [C]haos erupted [and]...no decision was reached'. Today, San leaders are still under pressure to expand their traditional duties 'drastically': 'A leader, who traditionally was seen as just one among others in the social organisation of the

community, [is] now requested to bring the aspirations, plans and concerns of their communities to the attention of central government' (*ibid.*:20).

Kxao Moses ꞤOma described the representative governance structures that were instituted in Namibia's Council of Traditional Leaders as follows: 'We never wanted to represent our communities. That was a white people's idea in the first place' (quoted in /Useb,2001:24). Saugestad (2001b:315-16) further notes that such imposed representative structures have caused 'tremendous personal strain on people in leadership roles' in indigenous communities:

[N]ew...structures...are...'alien' to the culture they are set up to represent. ...[N]ew leaders...are...faced with the paradox that...to defend their own cultural values they have to...break with the norms and values of that culture. ...[There is] a significant difference between the *participatory democracy* practiced by most hunter-gatherers, and the *representative democracy*, on which modern organizations are depending.

Among Barnard's concluding recommendations is that we let the San 'have the last word', that we strive to describe their social life in a way that is 'similar to the way San see themselves' (2007:144,147). So what has happened to these aspects of San culture for post-foraging San like the ꞤKhomani?

2.13 San Adaptability and Cultural Persistence

a. Diverse Economic Pursuits

Kuper (2005:207) argues quite strongly against the idea that, for a people, the loss of culture constitutes the loss of identity. For many, however, the status of a group's culture is based on its livelihood practices. One often hears statements from non-San individuals that non-hunting San are no longer 'real Bushmen'. But do aspects of a group's culture or its culture-based identity remain, for example, when San spend their

days herding sheep for white farmers? What constitutes 'culture' among the San? If to be a true San person, one must rely on a 'pure' hunting-and-gathering livelihood, then Bushman culture surely no longer exists.

First, it is important to note that San culture has not come to us fully formed and unchanged from some distant human past. Smith et al. (2000:82) explain, 'Most Bushmen...have never been static in their social, economic and cultural forms'. Tomaselli (2002:204) writes of the misalignment between images of the 'timeless' Bushman and the reality of the San as a modern, adapting people: 'San...cultures...adapt, change, and develop continuously.... This...contradicts...[depictions of] the San as a "vanishing species" ...frozen-in-time, who are supposedly losing...precious (preindustrial) innocence in their encounter with the modern world'. Similarly, Kuper problematises indigenous movements by arguing against the 'purity' of 'primitive' peoples over time, in terms of livelihoods, migrations, displacements, and adaptations. He argues that, even among supposedly 'primitive' societies, hunters may be dependent on trade with farmers, and livelihoods may adjust, for example, from gathering to herding and back again, based on seasonal or economic circumstances (2005:205; see also Barnard,2007:6). In this way, one should not view a static, traditional San way of life as something that existed and was 'lost'. The San have adapted their livelihood strategies over millennia – including hunting, gathering, trade, stock-farming, begging, and wage labour – and the cultural and social practices and preferences that one sees today may also be the result of generations, not only of periods of community solidarity, but also processes of interaction, co-operation, and adaptation. Washburn (1998:xvi) notes that even hunting itself is a complex livelihood adaptation: 'hunting is not one simple way of life'.

!Oma & Thoma (2002:39) explain that, for many San today, cultural practices go beyond mere foraging: 'The traditional skills still practiced by the San include game hunting and identifying and tracking wild animals, gathering and preparing bush foods, producing crafts, identifying and applying medicinal plants, and healing individuals and communities through dances'. This still, perhaps, paints too simple a picture of how the San are surviving in today's economy. 'An assumption about hunter-gatherers is that they are self-sufficient societies.... In fact, there are few people today who are totally exempt from the market' (Hitchcock & Biesele,2000:7). Examples of outside inputs include income from the sale of crafts, receipt of government grants, and 'the collection and recycling of castoffs' from other groups (*ibid.*:6-7).

Even when anthropologists began researching San communities in the Kalahari in the early twentieth-century, 'There were no pristine hunter-gatherers, miraculously available for study.... All hunter-gatherers had been living for generations... cheek by jowl with neighbours who practised pastoralism or agriculture. They were all disadvantaged citizens, or subjects, of modern states. Their ways of life were adapted to this situation' (Kuper,2005:9). Lee & DeVore reflect that they began their research among the !Kung in Botswana in 1963 to shed light on 'the evolution of human behavior' and early man (Lee,1998a:10,18). However, Lee writes that 'a more realistic picture...began to emerge', as the Dobe !Kung, chosen because of their 'unacculturated' status, were not pure hunter-gatherers. Although these presumed 'pristine' San did hunt, gather, and move freely across the unfenced Botswana/Namibia border, they also had owned livestock in the past, worked on Bantu cattle stations, planted small gardens during periods of good rain, and were beginning to acquire livestock again, to seek jobs

in South Africa's gold mines, and to buy food from shops (*ibid.*:18-19; see also Taylor,2002:475).

Taylor (2002:471) confirms that, across southern Africa, 'money has been essential to...many [San] since the middle of the nineteenth century'. As such, the San have been involved in the ivory, fur, and dried meat (biltong) trades since that time (*ibid.*:481). One San man stated, 'God gave us those things to use' (*ibid.*:483). These 'things' given for the San 'to use' may include not only wildlife, but also tourists. Garland & Gordon (1999:274) point out that evictions from the Etosha Game Park in Namibia and the Kalahari Gemsbok Park in South Africa – and this would include the CKGR in Botswana today – have been justified by government claims of 'untraditional behavior', including begging, by San residents. However, the authors note that begging, as well as putting on loin cloths for tourists, can be seen as 'an elaboration of [their] foraging strategy' (*ibid.*). Thus, even the 'foraging' way of life may take many forms over time.

b. A 'Hunter' Identity

It appears to be just as simplistic and incorrect to assume that all Bushmen have *lost* their 'hunter-gatherer' identity as it is to assume that all Bushmen *remain* 'pure' hunters. For example, the famous N!Xau, star of the *Gods Must Be Crazy* films, owned cattle, typically spoke in Herero (not Ju/'hoansi) language, and had worked as a herder in Botswana and a school cook in Namibia before being 'discovered' in 1978 by filmmaker Jamie Uys. Still, he told Tomaselli, 'I was a hunter then, and I am sitting here now, I am a hunter' (2006:173). Similarly, Taylor quotes a conversation he heard amongst San men in Botswana: 'I cannot live without game meat because that is what my culture is.... That is my life' (2002:479). Taylor notes that such statements are both

'narratives of identity' and protests against conditions – in Botswana, legal restrictions – that make subsistence hunting risky, problematic, or impossible (*ibid.*).

Hunting, thus, remains both a means of obtaining food and a statement of cultural identity as a San. Guenther (1998:124-25) describes Botswana's farm-based San as continuing hunting-and-gathering practices for a variety of economic, social, and cultural reasons:

[W]omen go out..gathering... Along with this economic task there is the social one of visiting kinsmen and friends.... While not important economically, the hunt...is a male activity that enjoys high cultural esteem.... Both of these activities...are culturally valued practices that parents still teach their children (see also Tomaselli,1999:208).

An important area of study has been the lives of the dispossessed San of Namibia and Botswana who, like the ǀKhomani, have been forced by legal and economic circumstances to live as workers on white- or black-owned farms. Livelihoods of many such San people today include working as farm labourers, domestic servants, or 'part-time foragers' who also rely on government grants (Sylvain,2002:1074). Guenther (1998:212) studied the 'farm San' of western Botswana and found that a century of interaction with black Africans and over seventy years of contact with whites had led to changes in the livelihood practices of this 'culturally heterogeneous' San population. However, in addition to working as unskilled farm labourers (herding and watering livestock), domestic servants, and employees in temporary works projects (such as fence-building), these San were also blending in aspects of more traditional San livelihoods: 'Not only do the less acculturated free-ranging San still live off the land, but even the most farm-oriented San leave their jobs at least once a year to hunt and gather in the bush for a few weeks' (*ibid.*:122-23).

Sahlins (1999) states that it is not isolation that leads to the survival of hunter-gatherers today, but their subsistence is now dependent on modern means of production (in Robins,2001b:843). However, 'this does not mean that they are simply swallowed up by the homogenising forces of modernity and globalisation' (*ibid.*). In the same way, Barnard (2007:81) writes of the continued San-ness of today's 'farm San': 'All Bushmen are "acculturated", and have been for centuries. Farm Bushmen retain kinship ideology, exchange practices, mythology and ritual despite the existence of farmers living just a few kilometres away'. Such retained San-ness clearly includes speaking about, practising, and teaching the culturally important traditions of hunting and gathering, whether or not such activities are legally permissible or economically necessary.

c. Social Organisation and Other Cultural Practices

Barnard warns against 'an assumption of a uniformity', or generalising aspects of traditional culture across San groups: 'While there are similarities in language, social structure, and so on, among Bushman peoples, there is by no means uniformity' (2007:145-46). So which characteristics of San culture might likely be found across different San groups? Evidence from numerous researchers in the field of Bushman studies suggest quite strongly that many facets related to sharing, mobility, and kin-based social organisation are not only similar across San groups, but also survive San sedentarisation.

Barnard (2002:17-18) argues that San adaptations, contact with other cultures, and sedentarisation do not weaken San identities or aspects of their traditional culture:

Foraging cultures have been adapting for millennia, and...they have retained their significant aspects: elements of ritual, belief, ties of sociality, ties to land, etc. ...When foragers settle and come into greater contact with others, their values are strengthened, not weakened, and so too are their respective identities.

Sylvain explains that the Omaheke 'farm San', even without their lands, 'do not consider themselves "detrribalized"':

A large part of what it means to them to be 'San'...today comes from *their culturally unique ways of...coping...* [H]ealers...conduct trance dances for those suffering from poverty-related diseases.... Their traditional sharing ethos remains..., so that there are few...who do not have...kinfolk who will provide food. ...They are also highly mobile [and] redistribute people as well as resources...: [c]hildren are fostered out..., and...menfolk go 'on the road' to search for work (2002:1078-79).

Here we see healing, dancing, sharing, mobility, and kin-based organisation that are relatively intact, despite the current economic conditions faced by these San, who are forced to settle on land owned and controlled by others. Lee (1998b:95-6) also writes that, even when current conditions do not demand it, the San and other recent hunter-gatherers may continue patterns of organisation and behaviour developed over centuries on their traditional (often former) territories:

Maintaining...a large [subsistence] area [requires]...cordial...relations with one's neighbors.... So the environmental problem has a social solution. ...When we see hunters moving widely about their range, in the apparent absence of ecological necessity, we are watching intergroup, economic relations that take...generations to unfold.

Thus, these hunter-gatherer adaptations, developed over generations, do not suddenly disappear post-settlement. Barnard's own revisiting of his *Hunters and Herders of Southern Africa* (1992) leads him to postulate that general San 'kinship, settlement patterns and perhaps religious belief' are resilient to contact with other groups, whilst

'political organization...may be more susceptible to outside influence' (2007:111). One such kinship-based cultural feature of many San societies is the 'band' or 'camp' structure discussed above. Kuper (1970:47) confirms that, even where Kalahari Bushmen who were working for Bantu 'masters' took up some form of agriculture or marginal animal husbandry of their own, the structure of Bushman society into separate bands remained intact. Thus, the 'band' survives economic adaptations and livelihood changes. Guenther (1998:123) – although characterising the 'band' as a 'sociopolitical unit', which in Barnard's terms above, might suggest alteration due to contact with non-San peoples – also finds the existence of 'band' or 'camp' organisation, even among the San living on stock farms in Botswana, indicating that this structure remains important for both 'traditional' (*veldt*) and 'farm' (settled) San groups: '[W]hile the number of San that live on a farm (between 30 and 200) is usually larger than the residential unit of the veld San, [farm San] units usually consist of clusters of kinsmen resembling in numbers and composition the band, the basic sociopolitical unit of traditional San'. Perhaps that these bands 'resemble' those of 'traditional San' indicates that Barnard (2007) is correct in postulating that political organisation may be *altered* by outside influences – here, the white farm-owners – but that Kuper (1970) is also correct in finding that, even if somewhat altered, the band structure *remains*. This, too, would fit the notion, above, that San societies, while maintaining cultural threads through time, are not static.

Turning to other elements of San cultures, Guenther (1998:124) also found mobility and concentration-dispersal practices among the San who are tied to white-owned farms in Botswana:

[T]here is one basic [economic] pattern which has been retained...: ...mobility...moving about in search of work and...a place to live.... Also, the...pattern of seasonal concentration and dispersal still marks the yearly cycle...; they alternate between living in large villages as farm laborers during the dry season, and hunting and gathering in small groups...during the wet season.

Another resilient cultural feature is the 'ideology of sharing', related to hunter-gatherers' typical 'immediate-return economies': '[T]hey value sharing over accumulation...in the sense that failing to share is...literally anti-social, as society itself is constructed on the ideal of widespread sharing. ...[Such an] ideology...persists among part-time and former foragers' (Barnard,2002:7).

A fascinating example of social organisation adapting, but retaining essential traditional elements involves the !Xun and Khwe soldiers, who had been taken from Angola and Namibia and pressed into service with the South African Defence Force from the 1960s to 1990. Barnard (2007:121) notes that, even the !Xun and Khwe people (which he spells *!Xũ* and *Kxoe*), who had been subjected to years of military education, service, housing, and hierarchies before being settled on the Schmidtsdrift military base in South Africa, eventually reintroduced traditional housing arrangements:

!Xũ and Kxoe...were required to place their tents in traditional army style.... When this policy was changed, they re-formed their canvas shelters. The !Xũ built circular groupings of canvas huts..., and the Kxoe did much the same but with the addition of...canvas windbreaks, just like...on the edge of the Okavango. ...[T]hey had recreated the 'traditional' in modern materials..., [and]...the reported drunken behaviour and other social ills...were suddenly a thing of the past.

Unfortunately, once the !Xun and Khwe were relocated to their new farms outside Kimberley, the South African government built fixed houses for them, this time in typical township rows, and the drinking and violence resurfaced and remain today.

As for the ꞛKhomani, an abstract concept of ‘San culture’ might be particularly problematic, as the ꞛKhomani ‘community’ was, in essence, invented for the purposes of their land claim (see **Sections 3.12(a)** and **5.1**). In this way, some aspects of traditional South African, Namibian, and Botswana San culture may have come into the community through individuals, like the Kruiper family, who had actual memories of living in the Park, albeit as a combination of hunters, herders, and wage workers. On the other hand, the ‘rebirth’ of a sense of San-ness among the ꞛKhomani may have (re)introduced more generalised aspects of San culture, including social organisation, as these formerly ‘coloured’ land claimants were taught some elements of ‘Bushman culture’ from members of more intact San societies through the land-claim process, the *Miscast* exhibition, and training offered by such bodies as SASI and !Khwa ttu.⁹ Indeed, Barnard (2007:140) writes that the ꞛKhomani people themselves have not had a clear relationship with our own concepts of ‘traditional’ Bushman culture: ‘The ꞛKhomani...were forced to live on handouts and were classified...as “Coloured”, so what...use could they be in understanding traditional Bushman life? ...[T]he last few ꞛKhomani, still speaking [N/u]..., would [eventually] achieve celebrity status in academic circles’. Perhaps, as Barnard suggested above, the answer is to let the ꞛKhomani tell us how they ‘see themselves’.

Generally, however, when a group has had a hunting-and-gathering past, Barnard (2002:6) sees a definite ‘continuity of foraging culture, even after new modes of subsistence are taken up’: ‘My findings in the Kalahari [show]...that foraging populations are more resilient than has previously been acknowledged. Mode of

⁹ For further discussions of !Khwa ttu, see **Sections 3.12(a)**, **5.2**, and **7.4(a)**.

thought is more resilient than mode of production'. Similarly for Guenther (1998:131-32), important socioeconomic institutions of a hunting-and-gathering society remain in place among both farming and non-farming San today: 'Despite...changes in...economic practices, there are continuities in social organization.... The...camp continues to be the basic living group.... It would seem...that the farmer San of today...is still more a hunter and gatherer than he is a farm laborer' (*ibid.*). Indeed, Barnard (2002:19) concludes that, in the Kalahari and elsewhere, the 'foraging mode of thought is not dead': 'Foragers' values...are retained in spite of the loss of a strictly immediate return economy. ...Rather than culture contact, trade, and mixed subsistence strategies negating the notion of a foraging society, I see them as enabling a vision of foraging thought as transcendent of material forces'.

Finally, Buntman (2002:78) writes of the efforts of the †Khomani to begin to create sustainable projects and rebuild their own sense of identity and culture on their new lands. In doing so, she interestingly separates the maintenance of an outward, touristic/material culture from the revival of 'their culture and traditions', which she seems to suggest is primarily a behind-the-scenes, inward-looking, organisational process, rather than a particular act, performance, or livelihood choice:

[I]t is...initially most likely, that they will maintain the generic...ethnic vision of themselves and...a...touristic form of artefact and material culture. Simultaneously however, they are attempting to reclaim and reconstitute their culture and traditions. ...[O]ne of the challenges is to encourage internal social order and agency which will allow the voices of the people...to be heard.

Thus, aspects of the traditional social organisation seen among various Kalahari Bushman societies, as well as San ideas regarding sharing, accumulation, mobility,

decision-making, land, and leadership, may remain, or may at least be desired, among members of the resettled, post-foraging ꞆKhomani San. Perhaps their own words regarding South Africa's land reform requirements, their views on past and current 'development' efforts taking place on their lands, and their actions, including *inaction* and *non-compliance*, will provide some insight into the ways in which the ꞆKhomani would like to live together, to organise themselves, and to share, divide, and manage their new lands today.

Chapter 3: Context Chapter

Land Reform, Development, and the †Khomani San Land Claim

3.1 Land Claim Victory

The return of the †Khomani to their lands in the Kalahari was certainly not as smooth as some might have hoped. †Khomani jubilation led to a disorganised rush of these former ‘coloured’ land claimants on to their new farms, as †Khomani San citizens of the new South Africa. Meryl Joy Wildschut, Director of the South African San Institute (‘SASI’), remembers, ‘Some of the [white] farmers were still on their way out. [The †Khomani] came and said, “...Get out! We’ve been waiting to move in for ever and a day!” It was like a land invasion of their own land. They weren’t *strategic!*’

(Wildschut, 21st Sept. 2009). **(Figure: 3.1.)** Jean Lambrechts – the owner of Molopo Lodge, now surrounded by †Khomani-owned farms – witnessed the local economy changing almost immediately: ‘A lot of farming came to a standstill when they handed the ground over to...the †Khomani San’ (Lambrechts, 16th Jan. 2010). In a country desperately trying to grow its still-developing economy, there is some evidence that this land-reform-induced reduction in land productivity may be happening across South Africa (Bradstock, 2006: 252, 257).

3.2 †Khomani Land Restitution – Twelve Years of Disappointment

The front and back covers of the South African Department of Land Affairs booklet *Restitution of Land Rights Act, No. 22 of 1994 as Amended* (‘the Restitution Act’) state, ‘This is our land.... We will work and develop it’.



Figure 3.1: Formerly white-owned Scotty's Fort farmhouse, now in severe disrepair, that was 'grabbed' by the stock-farming Vaalbooi family during the disorganised rush on to the newly won #Khomani farms. Photo by the author.

Unfortunately, from the time of the historic #Khomani land-claim victory in 1999 until fairly recently, almost nothing had happened in the way of work or development on the six farms to which the #Khomani so hastily and joyously returned. This and the following chapters will focus primarily on perceptions of the promises, processes, and serious challenges of South Africa's land reform programme, as stated by government officials, members of the #Khomani San community, and those who work alongside

them. These important views, expressed by those who are struggling on the ground every day to survive, do their jobs, or *find* a job, provide some insight into what has gone wrong so far for the ꞤKhomani, at least in terms of their relationship with Government. With so much money, so many lives, and perhaps the final remnants of South African San culture at stake, understanding more about the reasons land reform has failed to live up to expectations may help all of those involved begin to realise the enormous potential that land ownership holds for rural communities in South Africa.

3.3 Back on the Land – Now What?

In 1999, the Commission on Restitution of Land Rights ('the Commission') fell under what was then called South Africa's Department of Land Affairs ('DLA') and was the body responsible for the return of the land to the ꞤKhomani. Peter Mokomele, Deputy Director of Post Settlement for the Commission in Free State and Northern Cape, explains that the ꞤKhomani rush on to their new farms was typical of successful land claimants: 'In the beginning, people say, "...We just want to come to the land!", and...if you try and put restrictions...and say, "Hey, you cannot do this", they see it as an obstacle, [as if] we don't want them to enjoy the benefits of the land. And so they then start this tough relationship with Government' (Mokomele,15thSept.2009).

In Peter Mokomele's view, it took time for the ꞤKhomani to begin thinking about development on their lands. In the beginning, 'there was lots of euphoria.... There was a focus of attention on the ꞤKhomani..., so they did not have the space themselves. ...In about 2004, people started to say, "...I think we have been doing things [the wrong] way"' (Mokomele,15thSept.2009). As will be discussed in **Chapter 8**, significant development progress only began to happen for the ꞤKhomani a decade after their land-

claim victory. In the meantime, there were naturally many complaints from community members and outsiders alike about the repeated failures to develop the †Khomani farms. Peter Mokomele responds on behalf of Government:

Some people might say we don't have time...to allow people to make mistakes.... It's only...in hindsight, [communities]...say, '...We have wasted time and resources....' But because they are now at that point, they are more eager...to participate better in planning. ...Lots of people started to say, '...[H]ow do we get hold of our own development?' (Mokomele,15thSept.2009).

Here, of course, it is essential to understand what 'development' means to different land claimants, government officials, and outside observers.¹⁰ In terms of the concrete goals of individual land claimants, Phillipa Holden, ecologist and technical adviser to the †Khomani, provides some insight, reporting that †Khomani land-claim leader Dawid Kruiper 'didn't ever want a farmhouse. ...His *biggest* thing has been to get back into the Park, and since he's been able to access...the Park...his ancestral land, that has put the greatest peace to him' (Holden,19thJan.2010). Thus, for Dawid, a San elder wishing to return to the place where his father is now buried and to sit under the tree where his father once sat, a significant victory was indeed won. (**Figure:3.2.**) Although, as of 2010, the economic and social conditions on the new †Khomani farms were still greatly in need of improvement (see **Sections 7.3** and **7.4**), it is important to acknowledge that South Africa has done more to restore lost lands to its indigenous citizens than almost any other country.¹¹ Long-time San activist Axel Thoma remarks, 'The people got land, intellectual property rights, ...rights to education, ...everything which didn't *exist* before. ...I think these achievements will actually move the young generation to say, "We *have*

¹⁰ Theoretical concepts of development will be explored in some detail in **Sections 3.5** and **3.6**.

¹¹ The UN's Department of Economic and Social Affairs notes that, even today, 'Dispossession of traditional lands and territories is one of the major problems faced by indigenous peoples all over the world' (2009:87,108).

something. We are not anymore the *poor* San in the loin cloths.... We *are* somebody”
(Thoma,6thJan.2010).



Figure 3.2: Dawid Kruiper’s home, built under his father Regopstaan’s favourite tree, located on Sonderwater farm, which overlooks the south-western boundary of the Kgalagadi Transfrontier Park. Photo by the author.

However, as will be discussed in **Section 3.10**, across South Africa, restoring land has been insufficient on its own to bring peace, organisation, income, and healing to previously dispossessed, scattered, and poverty-stricken people. †Khomani elder Andries Steenkamp explains how problems began in the Kalahari, as individuals

attempted to access the funds held in trust by the †Khomani Communal Property Association ('CPA'): 'Before, there was no land, no money. ...After the land is coming, and there come a little bit of money, the fighting is starting' (A.Steenkamp,8thSept.2009). In fact, despite Phillipa Holden's characterisation of Dawid Kruiper as at peace in the Park, in a private moment, Dawid definitely expressed the frustration referred to by Andries. Dawid repeated several times that the whites had 'dropped' him after the land claim and that he had not seen any of the land-claim money himself, despite being 'the *leader* of the land claim' (Kruiper,4thSept.2009).

Even after their successful land claim, many †Khomani remain scattered across Northern Cape settlements. Andries Steenkamp states, 'All the people cannot come to the farms because here is not work, not houses, not water' (A.Steenkamp,23rdJan.2010). According to Andries, the 1,024 †Khomani San are distributed as follows:

360 †Khomani living on or adjacent to the new †Khomani lands:

Six land-claim farms – 218;
Settlement of Welkom, outside the Park – 82;
Town of Askham – 60.

664 †Khomani remaining in more distant Northern Cape towns:

Rietfontein – 180;
Loubos – 102;
Mier I and II – 72;
Philandersbron – 80;
Noenieput – 30;
Upington – 200.

These figures confirm Bradstock's findings (2005 & 2006) that many †Khomani are still unable to relocate to the new †Khomani farms and live there. As will be discussed in **Sections 3.12(b)** and **7.3**, this is based largely, as Andries suggests, on the longstanding absence of housing, water, allocated grazing areas, and livelihood opportunities there.



Figure 3.3: Typical #Khomani self-built home. Photo by the author.

Collin Louw, who is a resident of the primary #Khomani neighbourhood in Upington, adds, '[T]here's no accommodation there. ...[Y]ou need to buy yourself some...material to go and put your house on [a farm].... [I]t's expensive. So we're still waiting for the government. ...We'd like to go there, but we can't. ...All of [the #Khomani] want to go there' (Louw, 12th Jan. 2010). **(Figure:3.3.)**

Thus, although many jubilant ꞤKhomani rushed to occupy their newly won farms, many others still live elsewhere. Those who did return ultimately faced years of conflict, frustration, and a lack of 'development'. In order to assess where South African land reform has had successes and where it has, thus far, failed the ꞤKhomani and other land-recipient communities, it is important to understand what Government intended, and what others expected, this programme to accomplish.

3.4 Aims of Land Restitution, Official and Unofficial

Leyshon (2009:756) writes, 'One of the difficulties with land reform, especially for those who see change as imperative, is gaining proper perspective on the desired result and the means to achieve it successfully'.

a. Restitution of Land Rights Act

The first African National Congress ('ANC') Minister of Land Affairs, Derek Hanekom, stated in 1994, 'The resolution of the land question...lies at the heart of our quest for liberation from political oppression, rural poverty and under-development'

(Walker,2005:805). Under Nelson Mandela's leadership, 'Land reform was conceived as a positive measure to reverse the racially-skewed patterns of land ownership, but also as an intervention to promote social justice and socio-economic equity'

(Boudreaux,2010:14). In 1994, the ANC claimed that 'in implementing the national land reform programme, and through the provision of support services, the democratic government will build the economy by generating large-scale employment, increasing rural incomes' (Walker,2005:816). This optimism is echoed in the articulation of objectives by the DLA in its 1997 *White Paper on South African Land Policy*. One such objective is 'to reduce poverty and contribute to economic growth'

(Bradstock,2005:1982). Thus, Government's 'desired results' for its new restitution

programme appear to have included improving equity, initiating development, and reducing rural poverty. (Figure:3.4.)

The restitution programme itself came into being via the Restitution of Land Rights Act, No. 22 of 1994 (the 'Restitution Act'). Within the Restitution Act, the DLA lays out the following goals, definitions, and policies:

Explicit Goals:

These include 'to promote equity for victims of dispossession', 'to facilitate development initiatives', 'to promote reconciliation' (Commission,2004:1), and 'to promote the achievement of equality' (*ibid.*:5) through 'restitution of a right in land', defined as 'the return of a right in land or a portion of land dispossessed after 19 June 1913 as a result of past racially discriminatory laws or practices' (Restitution Act,Ch.1,Sec.1);

Beneficiaries:

Those entitled to restitution include 'a community or part of a community' (*ibid.*:Sec.2(1)(d)), with 'community' defined as 'any group of persons whose rights in land are derived from *shared rules* determining access to land held in common by such group' (*ibid.*:Sec.1; emphasis added);

Priority Status:

While a restitution claimant may be a dispossessed person or direct descendant, rather than a complete or partial community (*ibid.*:Sec.2(1)(a)-(d)), the Restitution Act directs the Commission to 'ensure that priority is given to claims which affect a substantial number of persons' (*ibid.*:Ch.2,Sec.6(2)(d)).

There were definite advantages, both in terms of overall success and resolution timing, if communities' advocates could find ways of gaining this 'priority' status for the claimant 'communities' they represented.



Figure 3.4: Idyllic banner outside Peter Mokomele's DLA office in Kimberley.
Photo by the author.

b. Communal Property Associations Act

Beyond the transfer of land, South Africa's land reform programme includes laws and policies that further define how recipient 'communities' should own, govern, and manage the lands they receive. The primary piece of legislation in this context is the Communal Property Associations Act, No. 28 of 1996 (the 'CPA Act'). The CPA Act is

premised on the following precepts, which establish common-property ownership and democracy as ‘desirable’ and ‘necessary’ ideals:

[I]t is *desirable* that disadvantaged communities should be able to establish appropriate legal institutions through which they may acquire, hold and manage property *in common*;

[I]t is *necessary* to ensure that such institutions are established and managed in a manner which is non-discriminatory, equitable and *democratic* and that such institutions be accountable to their members;

[I]t is necessary to ensure that members of such institutions are protected against *abuse of power* by other members (CPA Act,Preamble; emphasis added).

The CPA Act defines ‘members’ as members of a communal property association (‘CPA’) or the members of a ‘community’, which is itself defined as a group who ‘wishes to have its rights to or in particular property determined by *shared rules* under a written constitution and which wishes *or is required* to form [a CPA]’ (CPA Act,Sec.1; emphasis added). Those required to form a CPA are communities receiving land under the Restitution Act, where the Land Claims Court has issued an order making land-claim success conditional upon the formation of a CPA (*ibid.*:Sec.2(1)). The †Khomani San community is one such group. The ‘shared rules’ definition of ‘community’ also mirrors that found in the Restitution Act. A ‘committee’ of elected members must ‘manage the affairs’ of the CPA (*ibid.*:Sec.1), and nowhere in the CPA Act do lawmakers appear to contemplate any groupings of individuals smaller than ‘a community’ (see, e.g., *ibid.*:Sec.2(1)).

The CPA becomes officially registered when its Constitution is approved by ‘the majority of the members of the community present *or represented*’ at a meeting in which ‘a substantial number of the members of the community’ were present

(*ibid.*:Sec.8(2); emphasis added). Such Constitutions must include the following ‘general principles’:

[D]emocratic processes, in that all members have the right...to attend, speak at and participate in the voting at any general meeting;

[F]air access to the property of the [CPA], in that the [CPA] shall manage property owned...by it for the benefit of the members;

[A]ccountability and transparency, in that...the committee members shall have *fiduciary responsibilities* in relation to the [CPA] and its members and shall exercise their powers in the best interests of *all the members* (CPA Act,Sec.9; emphasis added).

In addition, the Constitution must include policies and procedures outlining the ‘purposes for which [the community’s property] may be used’, ‘the physical division and allocation of the property’, guidelines for the ‘distribution and division of profits’, measures of ‘representivity’ for meetings, and dispute-resolution and disciplinary guidelines (CPA Act,Schedule).

Where CPAs face chronic disputes or mismanagement, the CPA Act authorises the Director-General of the DLA to inspect CPA records, conduct an enquiry, issue subpoenas, or assign a dispute-resolution conciliator (CPA Act,Sec.11). In fact, any community member may request assistance from the Director-General regarding disputes among community members, among CPA Committee members, or between a CPA Committee and the community (*ibid.*:Sec.10(2)). The Director-General would then appoint a conciliator, whose role may include ‘mediating the dispute’ and/or ‘making a recommendation to the parties to the dispute’ (*ibid.*:Sec.10(2)-(3)). If conciliation efforts reveal a problem or dispute that cannot be mended, the Director-General may either require CPA members to elect a new CPA Committee if ‘the integrity, impartiality

or effectiveness' of the current CPA Committee or of any Committee member 'is in question', or the Director-General may request that the Court place the CPA under 'administration' (*ibid.*:Sec.11). Under 'administration', the Director-General gains the delegable power 'to manage the affairs' of the CPA in lieu of a CPA Committee (*ibid.*:Sec.13 & 15). In the worst cases, where a CPA 'because of insolvency or maladministration or for any other cause is unwilling or unable to pay its debts or is unable to meet its obligations' or if the Court determines it would be 'just and equitable' to do so, the CPA may be liquidated and its land distributed by court order (*ibid.*:Sec.13).

The end result of the CPA Act itself, then, may be viewed as the establishment of representative, democratic governance of the lands given to, and held in common by, an entire community with, by definition, shared values. Where a CPA Committee fails to perform its functions – making decisions, allocating, and managing the community's lands – the options are a new CPA Committee, administration by the Director-General, or liquidation. Whilst a new CPA Committee may be elected after a period of administration – during which the community has shown its increased capacity to manage community lands and make community-wide decisions – there is no other organisational structure contemplated by the CPA Act. If a community falls under the CPA Act, it must learn to function with the CPA structure, as 'communities' with 'shared rules' managing commonly owned property in a democratic manner are key ideals espoused (and required) by South Africa's land reform programme.

c. Development Goals of the Two Acts

Except for vague references to 'development initiatives' and a mission of promoting 'equity' – not explicitly defined – for 'the landless and rural poor' (Commission,2004:1),

the Restitution Act itself cannot be read as the guide for a programme of actual rural development or poverty reduction. Working in conjunction with the Restitution Act, the CPA Act was designed to allow 'disadvantaged communities' to hold land collectively and manage it through elected trustees, who are 'given extensive power as holders of the land on behalf of the community' (Everingham & Jannecke,2006:549). Thus, the CPA Act 'intended to empower communities to achieve housing, agriculture and social welfare, to allocate land rights by majority consent, and to co-operate with state agencies or private entities' (*ibid.*). How communities were expected to 'achieve' these goals is, however, left all too unclear, and as Andries Steenkamp indicated above, the †Khomani CPA Committee would come to be seen by community members as little more than the keepers of a pot of available money. Similarly, although Minister of Agriculture and Land Affairs Thoko Didiza characterised her 1999 shift – after only 241 of 63,455 restitution claims had been resolved – from a court-based land-claims procedure to a speedier settlement process as 'a more developmental' approach to restitution (Cliffe,2000:274-75), the resulting increase in the rate of land transfers does not seem to have had much impact on actual community 'development', as seen below in **Sections 3.10** and **3.13(b)**.

However, some authors have found a general 'development' aim within the spirit of South Africa's land reform programme. A 1994 issue of the National Land Committee NGO's *Land Update* claimed that restitution was part of a land reform programme that would be critical in ending 'poverty, inequality, injustice and misery' and that would be 'the starting point in any real debate about redistributing wealth and providing opportunities' (quoted in James,2000:159). Similarly, Philander & Rogerson (2001:85) argue that in South Africa there is a 'distinctive marriage' between local economic

development and poverty alleviation through land reform. More comprehensively, Hall (2004:214-15) notes,

To different groups within South Africa, land reform is, variously, about the deracialisation of capital, the promotion of smallholder agriculture, direct poverty reduction by transferring assets to the poor, human security and secure tenure, and historical justice. ...[T]he South African state would provide redress for past injustice and promote development.

Attfield et al. (2004:411) note that the South African Constitution recognises 'the right to a sustainable environment and to sustainable development', and they determine that 'land reform would in many circumstances be the best and sometimes the only way to implement these constitutional rights'. Other authors agree that land restitution is designed, not only to remedy past injustices, but also to support poverty-reduction and development in communities (see, e.g., Thwala & Khosa,2008:41 and Everingham & Jannecke,2006:545), including improving individuals' ability to find or establish livelihoods to feed themselves and their families (Attfield et al.,2004:410-11 and Leyshon,2009:756). If land reform is indeed 'a crucial part of the solution' (Attfield et al.,2004:413) to poverty and underdevelopment in rural South Africa, then it is important to delineate the processes and intended outcomes of 'development' itself.

3.5 What Is Development Supposed to Look Like?

Bellows (2010:31) argues, 'The idea that progress is a great collective movement toward a better world ignores that with any change there are winners and losers. It also implies that we know in what direction a better world lies'. Indeed, part of creating development policies often involves a very problematic effort to describe in general terms what 'progress' or 'development' might mean.

In recent years, indigenous groups have increasingly argued for their right to participate in, guide, and benefit from development programmes. The DLA's Peter Mokomele explained to me that the indigenous status of the †Khomani San is recognised by the government of South Africa (Mokomele, 15th Sept. 2009), confirming Tomaselli (2002:206) above. Although South Africa did vote in favour of the UN Declaration on the Rights of Indigenous Peoples ('the UN Declaration') in 2007, the UN Declaration does not bind South Africa's national law, but may be seen as providing moral guidance in the State's dealings with the San. The UN Declaration states in Article 3 that indigenous peoples should 'freely pursue their economic, social and cultural development', and Article 23 affirms their right 'to determine and develop priorities and strategies for exercising their right to development' (Anaya, 2009:68), but just what exactly 'development' is to entail is left largely open. However, the UN Permanent Forum on Indigenous Issues ('UNPFII') has worked to define 'development' from an indigenous viewpoint, conveying indigenous peoples' fears of 'dominant development paradigms', which indigenous groups understand as involving modernisation, industrialisation, and assimilation (2010:2). Instead, the UNPFII argues that the UN Declaration 'provides a strong basis from which indigenous peoples can affirm their rights and define their aspirations in their relations with States...around development with culture and identity', which employs 'a holistic approach' that includes collective rights, self-governance of lands and resources, tradition, solidarity, sustainability, and sharing (*ibid.*). The UNPFII further encourages States and others to provide financial support to assist indigenous peoples as they 'consolidate their own development models and concepts and practices of living well' (*ibid.*:3).

In this context of modes or models of development, B. C. Smith (2007:12-13) provides a useful distinction between two types of development, 'economic/growth-centred' and 'human/people-centred' development. The former is measured by indicators such as Gross National Product, whilst the latter's indicators include life expectancy and literacy (*ibid.*). People-centred development involves 'creating an environment in which people can...lead productive, creative lives in accord with their needs and interests', 'expanding the choices people have to lead lives that they value' and 'building human capabilities' (UNDP,2003b:1, quoted in *ibid.*:13). Although people-centred development sees human capabilities, rather than economic growth, as the ultimate gauge of development, it is clear that 'economic growth is needed to achieve human development objectives such as poverty reduction', and there is, therefore, 'a virtuous circle of human and economic development, each enhancing the other' (*ibid.*:13-14).

Another conceptual structure for 'development' is presented by Amartya Sen (1999:35-41), who describes five 'instrumental freedoms' as follows:

Political Freedoms:

Including 'the possibility to scrutinize and criticize authorities';

Economic Facilities:

'[T]he opportunities that individuals respectively enjoy to utilize economic resources for the purpose of consumption, or production, or exchange';

Social Opportunities:

Including arrangements for education and healthcare;

Transparency Guarantees:

Important 'in preventing corruption, financial irresponsibility and under-hand dealings';

Protective Security:

A 'social safety net' to prevent 'abject misery, and in some cases even starvation and death'.

These instrumental freedoms link, reinforce, and supplement each other, thus increasing an individual's ability 'to live more freely'. As such, expanding these freedoms is the primary means of development. The end of development is also the 'expansion of freedom', including the life-enriching 'substantive freedoms', such as literacy, political participation, and the ability to avoid starvation or under-nourishment. Development, then, is 'a process of expanding the real freedoms that people enjoy' (*ibid.*).

Andreasson (2010:6) argues against attempting to find a 'complete definition' of development – '*i.e.*, what it *is* and how it can be achieved, and, therefore, how it ought to be pursued' – and instead envisions a new approach that is 'open-ended, with no teleological assumptions being made about an end stage towards which development must move and against which "success" must be measured'. He states that 'post-development' aspirations 'revolve around the concepts of emancipation, the restoration of individual dignity in the context of indigenous cultural values and the casting of development as a genuinely holistic process including material as well as ideal/spiritual aspects' (*ibid.*:6-7). Although this is meant to represent or ultimately trigger a 'transformation of society and a move beyond development' (*ibid.*:7) and a 'radical reconceptualization of development, and of what it means to transform human and natural well-being' (*ibid.*:69), his concepts of emancipation and dignity sound not unlike Sen's (1999) 'expansion of freedom' and the UNDP's (2003b) goal of 'expanding the choices people have to lead lives that they value', both of which are part of current, at least somewhat measurable development policies. However, Andreasson's call for a 'holistic' development process that includes 'indigenous cultural values' does indeed

echo what the UNPFII (2010) argues is much needed: 'a holistic approach' to 'development with culture and identity' that includes indigenous concepts of tradition and self-governance.

Cowen & Shenton describe the 'agrarian doctrine' of development – 'schemes of development based on small-farm, household production...to compensate for mass unemployment, urban poverty and the threat of rural emigration' (1998:49-50) – and help to highlight a conundrum involving the expansion of choice mentioned above. First, they write, we must recognise the difference between an unintentional process, such as the 'development of capitalism', and the idea of intentional development, which in its agrarian form, actively seeks to 'renew the "old" ...renewing the agrarian conditions of development' (*ibid.*:50). This 'old' is defined as 'peasant household production or artisanship in the town', but because this is often in fact a mythical image, 'there is little to inhibit inventing of "new" methods of production or forms of social organisation within this mythical old'¹² (*ibid.*:51). However, the authors quote Chambers (1989:7) as stating, 'For any urban-based outsider to state the priorities of poor rural people is [an]...act of paternal guesswork' (*ibid.*:53). Chambers (1989:14,16) describes a process of rural development in which centralised bureaucracies sit in capital cities, designing programmes 'for whole countries...regardless of diverse conditions' (*ibid.*). Instead, Chambers suggests that a better system would be 'baskets of choice' made available to farmers based on their 'varied local requests', such that 'the state is not school but cafeteria, and development is decentralised' (*ibid.*). For Chambers (1989:20), 'there is more that the state can and should do...[including]

¹² In relation to the history of the San, see **Section 2.8** and **Chapter 5** for discussions of 'mythical Bushman-ness'.

permitting and promoting more independence and choice for the poor. The task is to establish the enabling state' (*ibid.*:54).

As in Sen's (1999) 'expansion of freedom' above, a conundrum occurs when we see that both the end and means of development are the promotion and enlargement of choice for the poor. If individuals do not have the desire and capacity to choose, or the knowledge of the choices that are available to them, 'then development...cannot truly happen' (Cowen & Shenton,1998:55). In this sense, the end of development must occur at the beginning; *i.e.*, 'the end of development, namely the process of enlarging choice, becomes the means for making development possible' (*ibid.*). This will be critical in communities who are in need of capacity-building or 'empowerment', as trustees 'who have had the desire, knowledge, and capacity for exercising choice' will then be required to engage in this process of intentional development and fill 'the development gap' by acting on behalf of community members who still lack the necessary desire, knowledge, and capacity to choose (*ibid.*). Only then can what the †Khomani call 'development' – housing, water sources, and ongoing livelihood projects – begin to take shape on the ground.

3.6 Theoretical Critiques of 'Development'

Some authors, particularly James Ferguson, argue that 'development' is a self-perpetuating industry that serves only its own interests in endlessly channelling development funding into suitably defined projects. Such a view explains the repeated failures of 'development' projects in the alleviation of poverty, as poverty-reduction is not seen as one of the real goals of development agencies. Other authors, including Gavin Williams, point to the neglect of local systems, circumstances, and knowledge in

nationwide development policymaking as critical omissions that lead to the repeated failure of well-intentioned development programmes. Because of the history of development-project failures among the †Khomani, it is important to understand these critiques of ‘development’.

a. James Ferguson

Ferguson (1990:xiii) writes that, like ‘civilization’ during the nineteenth century, ‘development’ today ‘is the name not only for a value, but also for a dominant problematic or interpretive grid through which the impoverished regions of the world are known to us. ...Within this problematic, ...debtor Third World nation-states and starving peasants share a common “problem”, ...both lack a single “thing”: “development”’. Based on his landmark study of Lesotho, Ferguson summarises his analysis of the development ‘apparatus’ as ‘an “anti-politics machine”, depoliticizing everything it touches, everywhere whisking political realities out of sight, all the while performing, almost unnoticed, its own pre-eminently political operation of expanding bureaucratic state power’ (*ibid.*:xiv-xv). Ferguson (1990:8-9) ties the failing development activities of groups in Lesotho with rural-development projects across Africa: “Rural development” projects are...scattered liberally across the African continent and beyond; and, in nearly every case, these projects seem...to be planned, implemented, and justified in very nearly the same way as...in Lesotho...[and] seem to “fail” with almost the same astonishing regularity’.

The World Bank Country Report on Lesotho (1975) characterises Lesotho as having ‘an aboriginal economy’ and a ‘traditional society’, being poor because it remains at ‘a low stage of social and economic development’ (in Ferguson,1990:25,32). Although these

statements are, according to Ferguson, completely incorrect, they cannot be explained as an instance of 'gross ignorance or incompetent scholarship', as they do serve an important purpose for the development industry. The report blames 'economic stagnation' on 'government inaction' and explains that 'development' only comes from 'development projects' (*ibid.*:27-8,37,39). Government itself, then, appears 'as a machine for implementing "development" programs, an apolitical tool for delivering social services and agricultural inputs and engineering economic growth' for the people, who are an 'undifferentiated', 'egalitarian "peasant society"' (*ibid.*:65-6). With internal population differences, numerous actual livelihood strategies, governmental corruption, and political marginalisation all pushed aside, the country is constructed as 'potentially prosperous', but locked in 'primitive, ancient conditions' and, thus, ripe for the technical inputs – roads, markets, agricultural assistance, credit, training, and education – that 'highly standardized' development intervention can provide (*ibid.*:65-6,69).

Development agencies and bureaucrats, thus, create a space – by using development discourse to represent a country as having 'all the right deficiencies' – where they can plug themselves in, 'sell' their development packages, and fulfil their institutional goal of 'spend[ing] the money they have been charged with spending' (Ferguson,1990:69,70).

In Lesotho, Ferguson points out that the only real results of the development project he studied were neither agricultural improvement nor poverty alleviation, but 'side effects' – a new road and a stronger government presence in the area (*ibid.*:252). He writes that, despite repeated 'failures' in the poverty-reduction sphere, these 'side effects' have 'political uses' and are thus attractive to development planners, even though these effects may not have been overtly or consciously planned (*ibid.*:256). The accomplishment of these important, if unintended, 'strategic tasks' may help explain

why “failed” development projects should end up being replicated’ (*ibid.*). Describing a plan that sounds much like South Africa’s CPA Act requirements, Ferguson (*ibid.*:265) writes that development plans in post-independence Zimbabwe may indeed lead to government control over rural populations as their ultimate effect:

The plan...calls for the regrouping of settlements into ‘unified village settlements’ where ‘village leadership committees’ would...‘plan the whole life of the village’, including allocating land.... As Williams [1982] caustically remarks, ‘Bureaucratic rationality requires that people’s land and lives should be reorganized the better for government to administer them’.

In addition to this ‘expansion of bureaucratic state control’, development’s depoliticizing effect involves ‘insistently reposing political questions of land, resources, jobs, or wages as technical “problems” responsive to the technical “development” intervention’ (*ibid.*:267,270). The expansion of state control, Ferguson argues, is not an expansion of ‘the capabilities of “the state”’, but is more accurately described as ‘an infestation of petty bureaucrats wielding petty powers’, resulting in more people needing to ‘stand in line and await rubber stamps to get what they want’ (*ibid.*:273-74). Instead, ‘since it is powerlessness that ultimately underlies the surface conditions of poverty, ill-health, and hunger, the larger goal ought therefore to be empowerment’ (*ibid.*:279-80). Political-empowerment work can happen through a variety of avenues, both academic and ‘applied’, but the assumption that all good things must come via government departments or programmes has its dangers, making it ‘all too easy to enter into complicity with a state bureaucracy that, after all, ...serves the dominant...interests in society – the very social forces...that must be challenged if the impoverished and oppressed are to improve their lot’ (*ibid.*:284-85).

The inclusion of political empowerment in poverty-alleviation work is key, but one must also understand that “[t]he people” are not an undifferentiated mass’:

There exists neither a collective will nor a collective subject capable of serving it. ...[T]he most important transformations...are not simply ‘introduced’ by benevolent technocrats, but fought for and made through a complex process that involves...all the diverse categories of people who craft their everyday tactics of coping with, adapting to, and...resisting the established social order. ...[Any] advice...[should be aimed at] answering specific, localized, tactical questions (*ibid.*:280-82).

For the †Khomani, this call for political empowerment, the recognition of their self-identified cultural difference *vis-à-vis* dominant South African society, and the need to resist increased bureaucratic control and centralisation of community organisation and governance appear to apply quite directly. The †Khomani people’s ‘indigenous’ identity, complex and flexible social and economic adaptations, apartheid-era dispersal, and history of socio-political marginalisation put them in a position in which decentralised, Kalahari-specific, culturally appropriate poverty-alleviation and livelihoods-creation are more critical than ever. Perhaps even more so than other groups, the †Khomani are not an ‘undifferentiated’ ‘peasant society’ likely *ever* to benefit from ‘highly standardized’ programmes or interventions.

b. Gavin Williams

Like Ferguson, Williams (2003:37) sets out to understand ‘the persistent failures’ of development projects and policies. Williams finds that government programmes aimed at settling or re-settling rural populations and consolidating them into villages have not only disrupted complex social networks, but have also served the political interests of capturing or controlling these populations more than they have led to actual improvements in rural livelihoods, agricultural productivity, or the provision of

government services (2003:45-6). Specific to South Africa's land reform programme, Williams writes that, because South Africa's land transfers are funded by grants to individual beneficiaries of R15,000 each, receiving larger plots of land required gathering together as many potential beneficiaries as possible: 'The small grants and consequent multiplication of beneficiaries tend to lead...to land being underused' (2003:47), a problem that, Bradstock (2006:252,257) contends, hinders South Africa's efforts to grow its still-developing economy. Also, Williams (2003:47) argues, South Africa's required community-ownership structures for land recipients 'echoe[s] the distrust, which colonial officials and radical intellectuals share, in private property', and instead of bringing social and economic improvements, exposes 'differences of interests...and may generate new conflicts among the beneficiaries'.

Often in the course of land reform or other development-related work, government departments or NGOs may change their functions, for example, from a focus on land transfers to post-settlement development. In such cases, Williams argues, the potential effectiveness of these institutions suffers from 'institutional inertia', as they are 'ill equipped, irrespective of who staffs them, to turning themselves around to realize [these new] quite different aims. Implicit assumptions, everyday practices and institutional interests are more likely to shape the ways in which policies are implemented than are the declared intentions of policy-makers' (2003:51). In addition to 'institutional inertia', Williams (*ibid*:50-1) also critiques the policymaking function itself as causing development-policy outcomes to be so often at odds with what the policymakers seem to have intended:

Policy-making is...engaged for its own sake, with little immediate regard for the world beyond. ...Its language is drafted with an eye to the concerns

of...powerful interests and to enlisting political support. Policies generally have to be specified in ways that embody common procedures, which can be applied generally, across whole countries, irrespective of local and regional differences (see also Kull,2002:59).

Thus, in line with **Section 3.4(b)** and Ferguson (1990:284-85) above, South Africa's land reform laws espouse the ideals of South Africa's powerful interests and dominant society, whether or not local people like the †Khomani also regard such tenets as the centralised, representative, democratic governance of community-owned lands as being 'necessary' or 'desirable' as the CPA Act contends. Development policies, according to Williams (2003:52), are also based on unrealistic assumptions:

Policy planning starts by postulating a desired state of affairs and then working back to the present. This procedure assumes a degree of control over the environment that is likely to be lacking. It also depends on an ability to get 'participants' or 'beneficiaries' to act in accordance with policies, which is unrealistic and sits uneasily with any commitments to 'participation' or 'empowerment'.

In this way, national development policies, created by lawmakers without regard to local particularities, are likely to lead to development failures, regardless of the good intentions of the lawmakers themselves. Such 'failures', according to Williams, might include not only increased government controls, continued community poverty, and a lack of real empowerment, but also disrupted social networks, conflicts among beneficiaries as they struggle with the difficulties of communal property ownership, and the inability of Government to persuade land recipients 'to act in accordance with policies' that were designed (unrealistically) to apply to all.

3.7 Critiques of Development Projects Conducted in Indigenous Communities

Lee criticises what he calls the 'processes of development (and underdevelopment)' in the context of indigenous peoples, as follows:

The past ten years have witnessed the radical shrinkage of the world's viable tribal and band societies. This has been accompanied by a corresponding expansion of commercial and governmental interests into the arctic, desert, and jungle hinterlands of the world where traditional societies have successfully persisted (1998a:3).

Based on the development critiques of Ferguson and Williams above, it would appear that indigenous communities – already defined as differing markedly from a country's dominant culture – are least likely to benefit either from a-historical, a-political, standardised, pre-packaged 'technical and bureaucratic' assistance (Bryant,2002:272) or from generalised development policies that are designed to be easily implemented nationwide and to uphold the political interests and cultural ideals of a country's dominant society.

In the context of the indigenous people of the Philippines, Bryant (2002:273-74) explains the role NGOs have played, moving away from their earlier political work towards the creation and training of new Filipino citizens: 'NGOs...have been...active in "constructing" a citizenry...[turning] these socially "peripheral" [indigenous peoples] into subjects fit for governance'. Rather than the political empowerment recommended by Ferguson above, NGOs are involved in teaching these indigenous peoples how better to govern their lands and their communities, within the laws and processes of the Filipino state. When such training and development work is planned and provided solely by outsiders, there is little chance that the wishes or needs of the communities themselves will be adequately addressed, and this can have extremely detrimental effects in communities already suffering from poverty and social problems. McIntosh (2002:76) writes that, in Australia's Arnhem Land, 'The development agenda in...communities is still being established by non-traditional means, or worse, by

outsiders. The resultant apathy and loss of self-esteem, and the rise in anti-social behavior...are reaching alarming proportions'. Similarly, Hitchcock & Biesele (2000:12) write that the continuing poverty, low literacy, and poor health that typify current and former hunter-gatherer societies today results both from the geographic isolation of these communities and from the fact that 'States have certain, often incorrect, perceptions of the lifestyles of hunter-gatherers', thus rendering their socio-economic development strategies aimed at these groups ineffective in 'enhancing the well-being of local people' (see also Taylor,2002:486).

Government development programmes often seek the integration of these groups into the State's economy and dominant society, instead of working to incorporate (or allow flexibility for) hunter-gatherer systems of social organisation and governance, as well as the livelihood aspirations of these communities, in development plans or policies.

Taylor (2002:486) writes that the varied livelihood strategies employed by the San over time must be incorporated into any plans to 'develop' their communities today:

[C]ash, livestock and wildlife...are essential to the way Basarwa construct their livelihood strategies. Interventions that attempt to replace one type of livelihood with another (such as...attempts to turn...hunters to pastoralists), or to push a singular livelihood agenda (...through the commercialization of wildlife), are thus unlikely to meet with success.

Also in the sphere of economic/livelihood activities, von Bremen (2000:279) explains that development work among hunter-gatherers like the Ayoréode people of Paraguay results in great frustration for project managers. Resisting programmes aimed at 'integrating them into the dominant society', the Ayoréode continue with their own 'immediate returns' belief system and 'adapt to imposed economic activities' including 'projects, development aid, and wage labor' by simply 'gathering' the resources that

these programmes introduce into their region (*ibid.*:280-82). This mismatch of the actions expected by planners and those actually performed by indigenous communities is but one aspect of poorly planned economic-development projects. Repeatedly failing to deliver on promises of 'improved income or livelihoods that become common assertions in project proposals for rural development' ultimately turns community members, including the San, against government officials, who are no longer trusted (Twyman,1998:756).

Development activities may involve more than programmes of economic integration, however, as where development laws and policies seem to aim at the replacement of a group's deeply ingrained social structures and values with those of the dominant society. For example, Twyman (*ibid.*:765) writes that, for residents of Botswana's Kalahari region, government development policy 'explicitly targets the rural populations [mostly San] for assimilation and modernising development', but that this is not supported by all of the people themselves: 'Such development directions are not community-led nor determined by the rural populations. ...[Among the San] [t]here is a desire to meld both modern and traditional, old and new to form a new kind of development in the settlements'. However, rather than integrating 'old' and 'new' within San communities, Smith et al. (2000:95) write that the Botswana government's stated reasons for its forced removals of San people from the Central Kalahari Game Reserve ('CKGR') were the integration of San into Tswana society: '[T]he people must be rescued from their allegedly miserable life "among animals" and moved into settlements, so as to integrate with the rest of Botswana society'. Hitchcock (2002:813) also quotes the Botswana government regarding the forced removal of the San/Basarwa from the CKGR to fixed settlements outside the Reserve. According to the government,

such removals would allow them to provide better social services to its San citizens, with the government arguing that the relocated residents of the CKGR 'were culturally oriented toward mobility and needed to be settled "so that they could develop"'. This statement suggests government misunderstanding of San culture to the extent that lawmakers believed, or at least argued, that the San could not develop until they adopted the settled life of the Tswana majority. Ignoring or forcing the end of San living patterns, however, has proved disastrous to the San: '[T]hese attempts to "develop" the Bushmen have resulted in cultural and social rupture and degradation; widespread alcoholism...; depression and suicide; poverty and dependency on government handouts', along with increased marginalisation (Schimmel,2009:514-15).

Writing of the Baka forest foragers (or 'Pygmies') of Cameroon, Hewlett (2000:385,387) explains that, although government and NGO perceptions of the Baka people are quite different (e.g., government officials view the Baka as needing 'assistance to move into the modern world' before they become extinct, while NGO workers see the Baka as 'peaceful', 'close to nature', and in need of protection), both government and NGOs see agriculture as the answer, but for different reasons: NGOs emphasize independence from the Bantu, whilst Government seeks Baka social and economic integration into the rest of society. Beyond economic changes, both government and NGO workers believe that social/organisational changes are required: 'The establishment of hierarchy (*i.e.*, community leaders) and formally educating Baka are also desired goals of the government and NGOs, but again the...government emphasizes integration..., while the NGOs...emphasize independence' (*ibid.*:387-88). Interestingly, despite theoretical differences between government and NGOs in the believed development benefits that

would accrue to these hunter-gatherers, the practical results for Baka culture, it is argued, would be the same:

[W]ith the adoption of agriculture, hierarchy, and formal education, few elements of Baka culture – e.g., egalitarian social relations, interactive styles, conflict resolution, sharing – would be left. *What is maintained is what is perceived as culture* (language, ritual, and medicines). Generally, both government officials and NGOs want the Baka to be more like them: sedentary, responsive to hierarchy, healthy, wealthy, and wise (Hewlett,2000:388; emphasis added).

Thus, development efforts of both government and NGO workers tend to promote the survival of ‘what is perceived as culture’ by outsiders, rather than the Baka’s own, inward-looking sense of their culture, including sharing and a lack of hierarchical governance. Bredekamp (2001:206) takes this a step further, arguing that efforts to maintain such external trappings of culture can hinder the San in other ways:

[A]id agencies put money into ‘teaching’ the San to do things like... [creating] works of art for sale, whereas they do not...for the Nama and Griqua who are perceived as already integrated into the contemporary economy and society. ...The...stereotypic perception of the San as ‘children’ who are incapable of establishing themselves as ordinary citizens is [thus] being perpetuated and they have not been able to establish themselves as a viable political force.

In this way, aid agencies’ funds and activities are seeking economic integration for the San and to preserve, not necessarily the underlying aspects of culture, but again ‘what is perceived as culture’. In addition, this paternalistic hand-holding is ultimately stifling the process of political empowerment that, as Ferguson (1990) argues, should be the ‘larger goal’ of development work.

Also with respect to the San, Schimmel (2009:515) argues that development work that is composed of standard packages of technical assistance may cause harm to a community's own sense of culture:

[T]he...classic components of 'development' [including] healthcare, schooling, housing, and water...are not so benign if the way in which they are introduced...does not allow [indigenous people] to participate as equals in...deciding how to integrate the fruits of development into their...way of life in a way that does not undermine their culture.

O'Malley (1996:314-15) writes of the great 'formal distance between modern liberal forms and assumptions of government and those which are endemic to their colonized (as opposed to...culturally familiar) subjects': '[One such] assumption [has been] that self-determination could be achieved by providing colonized subjects with the forms of government associated with self-determination in the liberal state...[including] community councils...impersonal administration...and meritocratic hierarchicalism'. Such programmes frequently fail, even when governments strategically place some governance in the hands of 'communities': '[G]overnment at a distance frequently becomes problematic as locals react by "failing" to take their duties seriously, or grasp the reins of power and direct community activity in ways not intended by programmers' (*ibid.*:313; see also von Bremen,2000:279). That such imposed governance structures are a severe burden to foraging communities is demonstrated in the work by Ichikawa (2000:263-64) among Congo's Mbuti 'Pygmies'. There, the government attempted to institute policies aimed at the '*émancipation des pygmées*', which included inducements for the Mbuti to settle along roadsides, build village-style houses, take up farming, and pay taxes. Ichikawa (*ibid.*) explains further:

The Mbuti band [now] also has a representative, called the *kapita*, who serves as a liaison with the government.... These forms of participation in

the state system are...felt as a burden by the Mbuti. ...The *kapita* system itself was introduced by external forces for administrative reasons and does not derive from Mbuti social relationships in any sense.

As seen in **Section 2.12(e)**, the San address issues of illegitimate, hierarchical leadership with acts of ridicule and non-compliance. Non-compliance – viewed by government as ‘failure to govern’ – appears to be the reaction of other non-San foragers, as well. Many communities that are not ‘culturally familiar’ to the dominant society often fail to operate their received community-council structures as the planners had intended. O’Malley’s study (1996:314-15) in an Aboriginal community displays how “‘self-managing” corporate entities’ there were doomed to fail:

Indigenous Aboriginal governance – attuned to nomadic existence – reflects far more fissionable and temporary arrangements and non-corporate forms.... Consequently, community councils frequently ‘broke down’ into factions...thus...‘failing’ to govern.... Within governmental discourse,...[t]here was a clear sense that government and administration were objective relations necessary to self-determination but these were being ‘impeded’ by Aboriginality.

Regarding the San, †Oma & Thoma (2002:39) found problems of legitimacy among the five San communities who run Namibia’s Omatako Valley Rest Camp. When an executive committee was created to manage unrealistic payment expectations that had begun to spread among the camp workers, ‘the committee’s hierarchical structure defied the San’s traditional consensus-based governing structures. As a result, a number of community members rejected the committee’s decisions’. Biesele & Hitchcock (2000:306,321-24) describe similar traditional-versus-imposed governance conflicts among the Ju/’hoansi of Namibia, as the San, development workers, and government officials interacted during the formation of the grassroots human-rights and resource-management body, the Nyae Nyae Farmers Cooperative, which instituted

region-wide 'government by committee', rather than the smaller, kin- and *n!ore*-based governance structures typical of the San:

Some Ju/'hoansi were distinctly uncomfortable with the idea of representative government, saying that they should have the right to speak for themselves at meetings.... [N]ational and developmental expectations were that [traditional leadership, band, and *n!ore* structures] ...would vanish overnight and give way to...'democratic' structures...as the cooperative became in the eyes of...government the 'local traditional authority' in the absence of a [San] headman tradition.

In this way, Government saw a lack of the strong leadership, hierarchies, and representative structures that are basic elements of the dominant society, and instead of seeking to understand and work within the San structures, Government insisted on the creation of systems it could recognise. This was extremely detrimental to the San:

New Ju/'hoan leaders have been expected to transcend both the long-tenured social attitudes of their relatives toward non-self-aggrandizement and their own traditional altruism patterns as they forged new public selves and organizational functions. Individuals have suffered mightily in this process.... Nowhere are injustice and cultural blundering more apparent than in the tragic inability of the Roman-Dutch legal system still reigning in Namibia today to address the needs and sensibilities of Fourth World groups such as the Ju/'hoansi. Like former foragers everywhere in a world of agriculture and industry, San frequently run afoul of this system because it defines out of existence some of their very bases of survival (*ibid.*).

Based on Biesele & Hitchcock (2000), then, San ideals of leadership are not merely preferences that can be unlearned or abandoned. These social structures are among the 'very bases of survival' for foragers, as these ideals have emerged over generations, guide how groups interact with each other and their environment, and cause severe unrest in communities who are forced by national laws to abandon them. Importantly for groups like the †Khomani San, who were landless labourers from the 1930s to the 1990s, such social structures do appear to survive in post-foraging communities.

Barnard (2002:5) describes foraging as 'a way of life and not just means of subsistence'. He distinguishes the 'foraging mode of thought' from that of bureaucrats, who are 'archetypal exponents of the accumulation mode [of thought]' (*ibid.*). He notes that non-foraging peoples admire strong leadership and view followership as a sign of a 'lack of initiative' in foraging societies, whilst foragers themselves have a negative view of leadership and instead see followership as indicating the appropriate 'deference to the will of the community' (*ibid.*:9). Such a system of leadership, however, 'only works in areas where [the San] have political control themselves' (*ibid.*:10).

Land-use and land-ownership concepts and priorities also differ between government officials and foraging societies generally:

Some [land] uses...will be acceptable to government...(perhaps those...yielding the most profit). Different means of exploitation will be acceptable to foragers (perhaps...those which do not disrupt traditional boundaries...). ...[Sedentarisation]...does not...cause a drastic change in the foraging ethos or a breakdown of the social order (Barnard,2002:15).

Unfortunately, it often appears that government officials and NGO workers feel that, if democratic structures fail to take hold or operate effectively in communities, these communities simply must receive more training to help them understand these structures and how to operate within them. For example, Robins (2001a:29-30) writes of SASI's role in providing the ꞆKhomani with the training in governance, leadership, democracy, and conflict resolution that is necessary for them to become 'economically independent' and 'to pursue a living under conditions of their own choosing'. After their successful land claim, the ꞆKhomani were seen by many as needing to be 'drawn into the "civilising process" through development and...capacity-building programmes' (Robins,2001b:844). Regarding the community-wide representative structures

imposed on the ꞛKhomani by South Africa's land reform laws, Robins (*ibid.*:841) found during 1999 that the ꞛKhomani CPA Committee was finding it difficult to 'make decisions concerning natural resource management' on their lands due to 'tensions between the decision-making procedures stipulated [by law] and the *ad hoc* decisions of the traditional leadership'. As noted in **Section 2.7**, Chennells (2002b:51) confirms that the ꞛKhomani have struggled with governance, leadership, and decision-making structures imposed from outside:

[L]egislation required the San...to operate in accordance with received Western notions of 'representative democracy'. ...A significant number [of] ꞛKhomani...abhor the constitutional instruments required to manage their affairs. Holding meetings...and formulating land use plans...in accordance with government requirements are processes totally foreign to these San (see also Chennells,2002a:2)

In addition, as will be discussed further in **Section 3.12(a)**, the ꞛKhomani are a community created out of an amalgamation of individuals who had had very different experiences during apartheid, ranging from more 'traditional' members who performed for tourists to more 'Western' members who had been primarily stock-farm workers. Robins (2001b:841-42) believes that the 'traditional/Western' divide, although taken up by the San themselves, was actually generated initially by the dual mandate of NGOs 'to promote the "cultural survival" of indigenous peoples *and* to socialise them into becoming virtuous modern citizens within a global civil society'. This 'socialisation' includes a mission 'to inculcate Western ideas about "civil society" and democratic accountability' (*ibid.*). However, the combination of a) the traditional, small-group, consensus-based decision-making structures typical of the San and b) the divisions within the ꞛKhomani community in particular create a situation in which legally required community-wide agreement on such items as livelihoods and land uses seems

doubly unattainable. In this context, Robins (*ibid.*:846) depicts San 'development' as particularly 'messy':

The San...have been constructed as a ['homogenous'] 'target population' by a range of...institutions, including [the] state.... [However] the San 'target population' is a 'moving target', unable and unwilling to live up to either 'western' fantasies of...Late Stone Age survivors, or developmentalist visions of...normalised, ...'civilised' modern subjects (citing Ferguson,1990).

In this way, Sylvain (2003:4-5) argues that the 'common view' that 'the San traditionally lived in foraging band societies' and had no 'formal leadership structures' is one based on 'stereotypical definitions of their cultural identity'. Sylvain, thus, problematises the view that '[i]ntroducing leadership structures and modern property relations would compromise their cultural authenticity' as relying too much on 'a static definition of "pre-modern" and "primitive" San culture' (*ibid.*). However, if we abandon the quest for 'cultural authenticity' and simply consider the desires of today's foraging and post-foraging peoples – as well as looking at the social, economic, and development consequences for ignoring such desires – then there is certainly strong evidence that imposed agro-pastoral hierarchies, representative governance, and strong, centralised leadership structures create severe hardships and social breakdown in these communities. In fact, Sylvain's concern seems to be whether indigenous peoples are the victims of pressure to *conform* to 'primitive' stereotypes, and indeed Sylvain finds that the Omaheke farm San with whom she worked, 'despite their conditions of dependency, still exercise considerable autonomy in the creation of their own cultural identity – they have a hand in the invention of their own traditions. If we want to find the "authentic" San, we must look to the world the San made for themselves' (*ibid.*).

Unfortunately, 'the world' of the San today is 'made', in large part, by government policies: "[E]xternal domination of hunter-gatherer societies is increasingly structured by the bureaucratic state..." [via]...settlement schemes, social services, land-tenure policies, and political representation policies' (Hewlett,2000:380, quoting Hitchcock & Holm,1993). Under such policies, the San can and do suffer. For example, Botswana's Remote Areas Development Programme did little to promote the traditional culture, livelihoods, or social organisation of the Basarwa 'beneficiaries':

The Bushman headmen whom the government have set up as official authority figures...have credibility and legitimacy problems.... In egalitarian societies there are cultural barriers against an 'official' style of leadership. ...[G]overnment settlements...are places of social breakdown and despair (Smith et al.,2000:89-90,95).

In Botswana, the San have argued for 'culturally relevant development assistance': 'They...wanted development, but development on their own terms, ...[including] ...maintaining [their] languages, cultures and identities' (Hitchcock,2002:813). '[E]fforts must...be made...to allow local people to have a say in development planning, and...to make decisions about their own land, natural resources, identities, and political participation' (*ibid.*:824). Based on the research outlined above, conducted among San and other current and former hunter-gatherer societies, such development planning will surely have to involve allowances for the ways in which foraging societies choose to organise and govern themselves. As one Bushman woman argued, 'Let them call us primitive. ...Our way of life suits us. We have seen their development, and we don't like it' (Schimmel,2009:514).

3.8 Focus Areas for Bushman Development

James (2000:143) describes 'development' as 'processes of managed and haphazard social change' that includes the work of 'people in South Africa's land NGOs and in national and regional government – who concern themselves with restoring land to their claimants and with developing and improving such land'. However, James also notes that one of the problems of development generally is 'development rhetoric which represents the Third World as backward: as a *tabula rasa* on which knowledge must be written by the West' (*ibid.*). This belief in Western superiority is further described by Plaice (2003:397):

Groups the world over have been invaded..., usually with devastating consequences. ...In a liberal Western democracy, we prefer to soften the blow with...racist policies [*i.e.*, targeted to ethnic minorities or indigenous groups] while doing...little to prevent the inevitable outcome: the loss of a distinct way of life.... We justify our complacency with...arguments about the survival of the fittest or the principles of democracy.

Interestingly, the Working Group of Indigenous Minorities in Southern Africa ('WIMSA'), which is the parent NGO of SASI, sees its role as assisting the San, both in regaining 'their identity and pride in their culture' and in becoming 'self-sustainable through development projects' (Brörmann,2002:45). As such, WIMSA's activities include training workshops on 'administrative procedures', 'laws affecting traditional leaders', and 'leadership and representation skills' (*ibid.*; see also Smith et al.,2000:94). Such activities do seem to be subject to the critiques of James ('*tabula rasa*') and Plaice ('principles of democracy') above, in the sense that WIMSA is focusing much of its development efforts for the San on teaching them how to lead, represent, and organise themselves to fit the Western democratic ideals espoused in South Africa's land reform laws. However, WIMSA's own parent organisation, the Kuru Family of Organisations

('KFO'), makes a very poignant statement regarding the San people, whom the KFO characterise as 'hunter-gatherer societies entering a capitalist environment': 'To avoid excessive Westernization, San must understand development in culturally relevant terms' (Kuru,2002:42). As such, the originally larger Kuru Trust was reorganised into a collection of smaller organisations under the KFO umbrella. The KFO explains, 'True empowerment...called for smaller organizations that would be easier for the San...to manage' (*ibid.*). Dividing Kuru's organisations into smaller units, whilst a clear effort to introduce 'culturally relevant' structures to their San-development work, would seem, however, to be superficial so long as the smaller units, including SASI, are continuing to focus on instructing South Africa's San people in Western, agro-pastoral principles of leadership and community-wide democracy that appear to be neither effective for, nor 'culturally relevant' to, the San.

Beyond leadership, governance, and social organisation, other writers view economic self-sufficiency as the most important goal for San development. Tomaselli (1999:209) quotes a comment from Wiessner (1998): '[U]nless development takes the course of making Ju/'hoansi self-sufficient..., I see little hope.... People do not make good decisions for the future when hostages to hunger'. Such efforts at self-sufficiency, however, still need to be 'culturally relevant' to the San, and to contribute to San empowerment, development should proceed 'through self-directed development projects' (Sylvain,2002:1075). Thus, 'development' remains an important goal of the San and their advocates, but for such work to be effective for the improvement of San social, economic, and political status, while building 'identity and pride in their culture' and avoiding 'excessive Westernization', development must be 'self-directed' by the San.

Unfortunately, many who work among the San still champion development projects that satisfy their own sense of what is best for the San. While John Marshall, creator of the film *N!ai, the Story of a !Kung Woman*, advocated cattle herding for the Ju/'hoansi as a means of 'development from dependency to self-support', long-time San activist Axel Thoma instead sought to reinstate the San system of traditional territories to 'enable Ju/'hoansi to regain a hunting lifestyle'. To this, Marshall responded that such efforts were merely attempts to place the San into an 'inappropriate lost world' (Barnard,2007:57-8,114). Thus, perhaps, one can see the Kalahari Debate being played out, not only among academics and San communities as discussed in **Section 2.8(f)**, but also among development workers and San advocates. A revisionist view (that the San today are an underclass in need of the means to participate in the contemporary economy) would see attempts to 'restore' traditional livelihoods and territory structures as 'inappropriate'. Neither approach appears to be self-directed by the San. However, many San advocates today – including Axel Thoma, as we shall see – do view the ideas and ambitions of the San themselves as paramount. For example, Lee (1998a:21-3) writes that the San of Botswana have expressed their livelihood and development goals to his team, who are committed to assisting the San by providing knowledge, political advocacy, and aid projects:

[M]any San communities *want* to maintain their identity while at the same time move forward economically. ...[T]he responsibility of the scholar...goes beyond merely publishing...[to include] using our knowledge in *working with the people* in their struggles to determine their own futures...[and] achieve their development goals.

In South Africa, therefore – in addition to the stated or implied goals of land reform, government officials, and development workers – it is the goals of those being served by

land reform and land-*cum*-development NGOs that must be referenced when determining whether San development is proceeding successfully.

3.9 Specific Indicators of Development for South Africa?

Moving to more specifics of development 'on the ground', South African land reform's ultimate aim is seen as 'achieving social justice', which involves 'a future in which more black¹³ citizens own and benefit from the use of land' (Boudreaux,2010:19). Thwala & Khosa (2008:42) further define the 'challenge for restitution' as 'the settlement of rural claims in a way that...redresses the racial inequities in land holding, while reducing poverty and enhancing livelihood opportunities'. And because South Africa is not the agrarian nation that it was in 1913 when the Natives Land Act was passed, Walker demands, 'The answer to the land question must today be sought also in jobs, education, ...housing and...public health services' (2005:824). These tend to be the areas the ‡Khomani mention when discussing the 'development' they seek. However, do statements from politicians – like Mandela's pledge of 'work, bread, water, and salt for all' (Fuller & Nachtwey,2010) – create a duty to assist, at least in bringing community members up to the point at which they have the ability to feed their families day-to-day? Among current inhabitants of commercial farms, communal lands, and urban formal and informal settlements interviewed by the Human Sciences Research Council, the top three 'challenges facing South Africa today' were found to be *not* land reform itself (mentioned by only 3%), but unemployment (74%), poverty (47%), and HIV/AIDS (42%) (OECD,2008:86).

¹³ Although land restitution is designed to benefit all previously dispossessed South Africans regardless of race, most writers tend to refer to 'blacks' as beneficiaries. However, this should be understood to include other races and ethnicities, including those citizens previously categorised as 'coloured'.

As seen in Thwala & Khosa (2008) above, an oft-mentioned component of development includes the encouragement or establishment of 'livelihoods'. Indeed, Attfield et al. (2004:405-06), for example, look at land reform as an important 'component of sustainable development' (see also Bradstock,2006:248), which itself includes 'the eradication of poverty and ensuring sustainable livelihoods'. Critically, the authors follow Robert Chambers and define these 'sustainable livelihoods' as involving 'the long-term maintenance and survivability...of food and income adequate for basic human needs to be met, without undermining other such livelihoods...for the coming generation' (*ibid.*:407). Chambers & Conway's later idea of livelihoods contains important additional elements: 'A livelihood comprises the capabilities, assets (stores, resources, claims and access) and activities required for a means of living' (1992, quoted in *ibid.*:406-07). In the more arid, more economically risky areas of South Africa like the Northern Cape, having choices for livelihood diversification is also key, and land reform 'policies do need to carry out their promises of...supporting rural livelihoods...through...realistic opportunities for diversification' (Twyman, Sporton & Thomas,2004:84).

The land itself is seen by many as an essential tool for land-recipient groups: 'considering the lack of economic opportunities that exist in many of the sparsely populated rural areas of the country, transferring land to the rural poor may provide them with an asset that they can utilize to develop pathways out of poverty' (Bradstock,2005:1980). Unfortunately, it appears that communities creating their own 'pathways out of poverty' and their 'own development models' (see **Section 3.5**) require much more than the transfer of the land asset itself. James points to a flawed assumption by the ANC in 1994 that 'land will provide the basis for...viable livelihoods'

(quoted in Cousins,2009:426). In fact, in its original 1994 Reconstruction and Development Programme ('RDP') document, the ANC appeared to have much loftier land-based development goals for South Africa, defining the RDP's 'achievable' five-year goals as including the following:

Land:

'[R]edistribute 30 percent of land to landless people' (RDP,1994:8,22);

Basic Needs:

'[B]uild over one million houses, provide clean water and sanitation to all' (*ibid.*);

Employment:

Work to create new jobs, since 'a system of "handouts" for the unemployed should be avoided' (*ibid.*:18);

Funding:

'[S]ubstantial transfers of funds from the central government to the rural areas will be required' (*ibid.*:84);

Training:

Train 'officials dealing with land reform' because the rural poor are in particular need of 'education, support for entrepreneurship (including agriculture),...local development,...[and] capacity-building' (*ibid.*:85).

These goals do echo what many ≠Khomani seem to feel would be the ideal, specific outcomes of a concrete plan of development that has yet to be implemented on their lands.

Based on the recent San history of dispossession, serfdom, and the resulting feelings of hopelessness and depression, Chennells adds an important element to be considered in any San development plans: 'Development strategies for the San aiming at restoring power would...be advised to consider methods of healing the traumatic past, in order to unlock the victim status resulting from unresolved past trauma' (2009a:153). However, for the attainment of any of these development goals – including poverty-reduction,

empowerment, livelihood options, water, equity, justice, healing, training, and housing – political and financial resources must be mobilised. At least in terms of the need for ‘substantial transfers of funds’, the RDP seemed to acknowledge this above.

Unfortunately in South Africa, Jacobs (2003:221) finds, ‘The political will to...invest in poor rural people remains to be demonstrated’. So what has land reform actually been able to achieve to date, in terms of development across South Africa?

3.10 Overall Results in South Africa

From early on, the concern with restitution has focused on the rate of land transfer. As James (2000:159) wrote, only a year after the successful †Khomani claim, ‘The last few years have seen bitter complaints about the slowness of the process and...the small number of claims that have been...finalised’. Walker points out that ‘urban settlements have outnumbered rural by a wide margin and the majority of settlements...have involved financial compensation rather than land.... For most analysts, “failure to deliver” constitutes the chief crisis of land reform’ (2005:818-19). Regarding the RDP’s 30 percent land-transfer goal, above, the Organisation for Economic Co-operation and Development (‘OECD’) writes that, ‘in the [first] decade..., no more than 2%-3% of the land was reallocated’ (2008:84), and the original 30-percent target date was moved out to 2014 (Boudreaux,2010:15).

A think tank determined in 2008 that the restitution programme had failed¹⁴ (see also Cousins,2009:421). With almost 80,000 urban and rural restitution claims filed, there remained 4,296 unresolved (mostly rural) claims as of 31 March 2009 (Boudreaux,2010:15). More than 80 percent of commercial farmland was still owned

¹⁴ *Africa Research Bulletin*, August 16th - September 15th, 2008, p. 17943.

by white farmers as of June 2010 (Nachtwey & Fuller,2010:85), and in the context of speedy farm-ownership diversification, the fact that land reform was 'back as a lead item on the government's agenda' in May 2011 was seen as 'a tacit admission that the process over the last seventeen years was a failure' (Fakir,2011). With respect to the ANC's development goals, the head of the RDP, Jay Naidoo, confessed, 'I miss the times that we chanted slogans in the street. It's much easier than building a country' (in Johnson,2010:72).

Beyond the rate of land transfers, 'government has furnished little or no real post-transfer development support to resettled communities' (Philander & Rogerson,2001:85). Hall (2004:213,225) accused land reform of having 'fallen far short of both public expectations and official targets' and described the first ten years as 'disappointing', as a 'relatively "hands-off" state' proved ineffectual in 'transforming entrenched forms of exclusion and marginality'. In the same year, it was found that land reform had not improved 'the concrete living conditions of the large majority of...beneficiaries' (Attfield et al.,2004:412; see also Lahiff & Cousins,2005:129). Indeed, the expectations of land reform's beneficiaries seem to have extended far beyond the payment of financial compensation or the return of former lands. Hall (2005:623), writing on the proceedings of the 2005 National Land Summit hosted by the Ministry of Agriculture and Land Affairs, reported that many attendees were 'people who had returned to their land but were disillusioned with the impact of restitution on their livelihoods': 'The restoration of...land had not led to development.... The Summit called for improved planning and support..., including the provision of infrastructure, agricultural training and creation of small enterprises'. This disillusionment is strong evidence that '[r]edistributing land and rights in land cannot, by itself, achieve the

objectives of alleviating poverty, promoting equality and contributing to economic growth' (Lahiff & Cousins,2005:129; see also Bradstock,2006:252).

In addition to a lack of post-settlement support, some authors noted that Government's focus on the number of beneficiaries and transferred hectares led critical pre-transfer foundational work to be rushed, thereby 'undermining prospects for strong beneficiary institutions, capable not simply of holding title deeds but of managing ownership of their land effectively after transfer. ...Land reform linked to serious developmental objectives will almost invariably be slow' (Walker,2005:819-20; see also Leyshon,2009:767). In a country where 21 percent of 'coloured' citizens and 29 percent of blacks are unemployed, 8 percent of the population still have no access to clean water, and 47 percent live below the poverty line of \$63 per person per month, (Nachtwey & Fuller,2010:94-5), 'serious development objectives' must constitute key government priorities. However, as Lemon (2011:257-58) writes, the restitution process in general has turned out to be a 'quagmire', in which 'the great majority of projects are known to be dysfunctional, with almost none achieving their development goals'.

3.11 A Problem of Expectations

The OECD reports that 'the task of land reform is difficult, complex, and expensive – it may be that popular expectations have outstripped what is possible' (2008:85). Indeed, across South Africa, the elections of 1994 'raised utopian expectations', particularly regarding opportunities for restored land and rural livelihoods (Leyshon,2009:756). Unfortunately, Government has been unable to live up to such expectations, as land restitution has been 'bedevilled with insuperable difficulties whenever people are

restored to...land in the context of disrupted social, political and economic networks' (*ibid.*:768). As discussed in **Chapter 2**, the ꞤKhomani people and ways of life were certainly 'disrupted' during apartheid, and they, too, saw land restitution as a means of restoration. Ellis (2010:192-93,195) writes that restitution narratives across South Africa often referred to a 'return to the old ways' or a revival of the 'community that was lost', and that, for the ꞤKhomani, Roger Chennells' original land-claim agreement with Dawid Kruiper included seeking both land and the right to begin 'authentic' subsistence hunting once again: 'The [ꞤKhomani] expected...restitution...to set in motion a range of...revival, reconciliation, reconstruction, and rediscovery processes. But the restitution program is only a land and rights acquisition program' (*ibid.*:193-94).

Whilst the Restitution Act itself does speak almost entirely of a restoration of rights in land, statements from both academics and politicians, above, suggest a definite development aim as part of South Africa's restitution programme. As will be discussed in **Section 6.1**, Peter Mokomele stated that the DLA soon realised it needed to shift its focus from a land-rights-only approach to one that addresses communities' serious development needs. And although traditional 'Bushman' livelihoods, including subsistence hunting, still appear to be central to the ꞤKhomani identity, the dissatisfaction felt by community members today is based, as will be seen, far more on their expectation that restitution was to come with significant Government-led infrastructure-building, capacity-building, farm mentoring, and job-creation activities, across a whole spectrum of livelihood options. These tend to be seen by ꞤKhomani not as a simple revival or cultural rediscovery process, but much more as an invention of 'new methods' within a 'mythical old', as seen in Cowen & Shenton (1998) above. Thus, in 2010, cries of 'we need some development here!' related to everything from fence

repairing so that springbok would stop escaping, to water-pipe laying so that farmers could water their sheep, to English-language teaching so that trackers would feel more confident taking European tourists on hiking excursions.

However, it also seems clear that Government officials themselves had expectations regarding land-recipient groups. As will be seen in **Sections 5.3** and **6.5**, Peter Mokomele expected the †Khomani to know, or swiftly reach agreement on, what they themselves wanted on their lands and to have the motivation to initiate infrastructure and livelihoods projects based on the will of the group. This expectation on the part of Government appears to be, at least in part, the result of (or reflected in) the Restitution and CPA Acts' requirement of 'community', the absence of flexibility within the CPA Act to accommodate traditional San social organisation, leadership, and decision-making structures, and a general lack of understanding of the status of †Khomani and other land-recipient groups' cohesion after years of landlessness, dispersal, and farm labour.

3.12 Restitution Outcomes for the †Khomani San

a. The Invented Community

Deputy President Thabo Mbeki gave a rousing speech at the signing of the †Khomani land-restitution agreement in March of 1999: 'It is by...acting together, by...dreaming together...that we shall produce a better life for you who have been the worst victims of oppression' (quoted in Robins,2001b:834). Robins describes the †Khomani as returning 'from exile', coming home to the Kalahari after having been 'scattered across the Northern Cape, living in rural ghettos...in communal areas and on white farms' (*ibid.*; see also Lee et al.,2002:8).

This 'return from exile', however, was not a straightforward process of reconnecting with family members, cultural identities, and ancestral lands. As noted by Chennells (2002b), years of dispossession and dispersal had led to a †Khomani 'community' in which 'no central coherence remained'. Thus, as essentially a *non*-community in the early 1990s, the †Khomani would have been unlikely to succeed in a land-restitution claim. Ferguson (1990) argues that the development industry requires a bounded, defined target group, and in line with this, South Africa's Restitution Act and CPA Act both require a 'community' for the purposes of receiving, owning, and managing lands. Therefore, a group or collection of individuals may portray an essentialised image of themselves as an intact, coherent community for the purposes of gaining access to land, assistance, and development funding. In this way, an identity and community may be invented strategically.

Robins (2001b:840) writes that attorney Roger Chennells 'recognised that the land claim process required...consistent narratives of cultural continuity and belonging'. Indeed, Kuper refers to 'the †Khomani people' in quotations and writes that 'just as under apartheid, people have been obliged to reformulate their ethnic identities in order to get access to resources' (2003:394). Chennells himself writes of the state of the †Khomani 'community' as their land claim was launched: '[T]hey were no longer a...community. ...[T]hey had to a large degree become assimilated in or dominated by the local pastoralist groups, and their ancient cultural practices were sporadically maintained' (2002b:51). Thus, 'the †Khomani community' of today was invented to satisfy South Africa's land-claim laws. Sylvain (2002:1081-82) describes the 'strategic essentialism' that guided the land-claim efforts of the †Khomani:

[Prior] pressure to assimilate into the 'Colored' community...[means that] ǀKhomani identity must be more deliberately reinvented. ...The ǀKhomani...and [their] activists and lawyers...recognize that the legitimacy of their claims for land...requires concealing the truth about who they have become after a history of colonization and apartheid (see also Guenther,2006:18).

After receiving land, it became necessary for the ǀKhomani themselves to deal with the implications of 'who they have become'. Robins (2001a:31) states that the ǀKhomani 'have to create a sense of community solidarity virtually from scratch'. In fact, many of the ǀKhomani land claimants 'were meeting for the first time', and their 'extremely diverse backgrounds' were making it 'difficult for them to forge a cohesive collective identity' (*ibid.*:26). Robins (2001b:840) quotes Chennells as saying, '[T]he...major challenge is trying to make the myth that we've actually created in order to win the land claim now become a reality. It is the myth that there is a community of ǀKhomani San. At the moment there is no such thing'.

Even among San groups that do not have a history of dispossession and dispersal, Barnard (2007:146) notes the existence of a multitude of complicating differences: '[D]iversities of all kinds exist...through time...[and] between individuals within the same...group'. With diversity even within more intact San groups, it is important to examine the concept of 'community' and why policymakers might insist on the existence of such cohesive groups. Williams (2003:52) explains,

Policy-makers construct...scenarios and write scripts.... Social entrepreneurs invoke and even construct communities to conform to the expectations and requirements, and values,...of the scripts imagined by the policy-makers. Participants seek to secure their own ends by conforming to the expectations of policy-makers.

O'Malley (1996:313) describes the reasons neo-liberal governance structures might incorporate the language of 'community' into policies and programmes. Liberalism itself, defined as 'government at a distance', 'is attracted to technologies of rule which distance the processes of regulation from the forms or images of coercion': '[T]he language of "community" ...locates rule in the everyday...commonalities of interest of private individuals. ...[T]his...permits the apparent retreat of formal, exogenous or imposed government, as rule is carried out by the community "itself"' (*ibid.*). In addition to the 'language of "community"', these 'commonalities of interest' sound remarkably like the 'shared rules' invoked by the Restitution and CPA Acts. However, even as liberalism enlists 'communities', the resulting 'governing manoeuvres aim to mobilize a *particular* sense of shared interests, train participants in *specific* skills, provide information about certain *selected* "community" risks, enlist *targeted* local participation in "community" efforts' (*ibid.*). These 'shared interests' and 'selected "community" risks' also seem to appear in the CPA Act's Preamble, above, as the 'desirable' nature of communal property ownership, the 'necessary' institution of democratic procedures, and the 'necessary' protections against the abuse of power that the CPA structure itself is designed to provide.

Thus, concepts of 'community' rule may serve governments in allowing them to appear to govern in a non-coercive, 'hands-off' manner, even while they encourage the adoption of a particular set of ideals. 'Traditional community' images may in fact be used strategically by both governments and indigenous land claimants. Robins (2003:398-99) explains that the South African government strategically exploited images of the ꞤKhomani as a traditional, indigenous group to serve its own interests in being viewed as a human-rights champion, even as the ꞤKhomani were employing the same image to

satisfy the South African land reform laws and win their land claim. 'This was indeed an instance of "strategic essentialism"' (*ibid.*). This 'strategic' image adopted during the ꞤKhomani land claim has been described as one based solely on the 'traditional' (see, e.g., Draper et al.,2004:350), but interestingly may also have its origins in Western stereotypes of 'the Bushman', an image that the ꞤKhomani had adopted earlier to help them gain employment as tourist performers:

[T]he...self-representation of the Kagga Kamma Bushmen is a socially significant identity.... [I]f the icon of the original forager is...a Western construct...then ironically it would appear as if it is the Bushmen who are doing the consuming here, in appropriating a Western trope as the organising principle of their own rhetoric of identity (White,1995, quoted in Barnard,2007:115).

Whilst clearly useful to the San in certain circumstances, these strategically employed self-representations of cohesive, 'traditional' 'communities' do not represent the realities of post-apartheid, post-foraging San groups, as the ꞤKhomani have demonstrated after achieving success in their land claim. After their 1999 victory, the perceived 'cohesive and "harmonious" San community' quickly gave way to 'intra-community tensions' as the ꞤKhomani were revealed as 'a deeply fractured group of individuals struggling to constitute themselves as a community' (Robins,2001b:833-34). Similarly to White (1995) above, Buntman (2002:66) writes that images, ideas, and 'established myths about Bushman-ness' are 'the social constructs' of non-San people and fail to take into account the real differences among members of a San group. Buntman introduces the idea of 'imagined communities' that are the result of these constructed attitudes and 'long-held fantasies' (*ibid.*:66,69). Kuper (2003:395) further argues that, in playing to these images of homogenous San 'communities', '[n]ew identities are fabricated and spokespeople identified who are bound to be

unrepresentative and may be effectively the creation of political parties and NGOs'. These 'representations of identity' are 'far from the realities on the ground' (*ibid.*). Indeed, such idealised, but ultimately fleeting images have been generated for the benefit of other South African groups' land claims, including the black land claimants of Doornkop (James,2000) and the formerly 'coloured' Khoisan inhabitants of Elandskloof (Everingham & Jannecke,2006:549-50).

Convincing the government of a group's a) status as an appropriate 'target community', b) indigenusness, and c) need for land, rights, and assistance is at the centre of many indigenous peoples' struggles today. Sylvain (2005:355) argues that globalisation involves not only the spread of Western culture around the world, but also 'a Western idea of what culture is – specifically, the idea that cultures are bounded, ahistorical "facts of nature"'. The indigenous peoples' movement then incorporates this view in a process that has been coined 'globalization-from-below': '[P]eople on the ground are manipulating the idea of "culture" as a tool for securing political, economic, and development resources' (*ibid.*). Sylvain describes the †Khomani land claim as an example of such a process, whereby the San 'present themselves, in stereotypical terms, as Bushmen whose identity is organically linked to the land', as their means of 'responding to identity expectations placed on them by...mainstream society, the state, NGOs, and the international donor community' (*ibid.*:357). In this way, the cultural claims of many groups may be viewed as attempts to meet the 'identity expectations' of those who hold economic and political power. Kenrick (2006:20) argues that 'indigenous peoples are often forced by the huge imbalance in power to fit their complex realities into the obsolete anthropological schema required by the courts'. Similarly, Theun (2006:24) points out the pressures that lead communities to put

forward an image of indigenusness: '[T]o substantiate their land claims many indigenous peoples are expected to prove their "authenticity" by demonstrating an archaic lifestyle. ...Essentialised presentations of self tend to be a legal and political requirement'.

Thus, in attempting to satisfy the legal requirements of South Africa's land reform programme, groups of dispossessed individuals may be attempting the impossible: images of cohesive, 'authentic', 'traditional' 'communities' may satisfy lawmakers, but post-land-claim, such images prove to be false – to the detriment of land reform's success as an instrument of socio-economic improvement. Kull (2002:69) writes, "The danger occurs when the naive, strategic representation of "community" is used to operationalize decentralized resource management. Planners then risk developing [a programme or policy] that ignores intra-village divisions'. Intra-village divisions are quite prominent among San groups, based on their recent histories and livelihoods. Just as in South Africa, many of Botswana's San people were dispersed on to white-owned farms when Europeans were given the traditional San subsistence lands in the name of 'development' (Guenther,1998:123). Based on Guenther's findings, it appears that placing San groups with different recent livelihood histories together may always be problematic:

[For] the farm San...the old people in the bush are regarded with contempt.... Most [farm] San...were in favor of...the chance to have their own area away from Europeans and Africans. Some said that they would return to hunting and gathering...; however, the majority [also wanted]...stock available and...their own headman. Some doubts were...expressed as to how harmonious their relations would be with the ['dangerous', 'wild'] free-ranging San (*ibid.*:128,133).

Here, we see 'farm San' expressing distaste for, and perhaps fear of, the more traditional San, while at the same time, many 'farm San' were contemplating a return to more traditional ways. Central to these demands, however, were desires for land, livelihood options, and leaders for their particular group, even if various farming and traditional San were brought together in one area. Without such options, however, 'communities' that are stuck with structures that assume cohesion and centralised leadership typically fail to *become* the communities they need to be to manage their lands effectively. Even where some 'tenuous' connections may exist among individuals in a land-claim 'community', these connections 'may not be an adequate basis for them to share property, to plan its collective use or to manage the land': 'Little provision, legal or managerial, seems to be made for land use and...rights...to be sub-divided to individuals or households. Thus...there is a hidden presumption for cooperative production.... [C]hallenges...are compounded...where there is limited sense of community' (Cliffe,2000:282-83).

Perhaps there is also room for the San in general, and the ꞤKhomani in particular, to begin reviving or re-inventing their own sense, not of those elements that are 'perceived as culture' by outsiders, but of what they themselves want to practise, in terms of those inward-looking aspects of San culture, including their own relationship to the land and ideas for land uses, leadership, decision-making structures, sharing, territories, and smaller-group organisation. Staehelin (2002a:54) writes that a large part of the impetus for founding South Africa's !Khwatla San Cultural and Educational Centre was to 'educate...the uprooted San themselves, about the cultural legacy of the Bushmen'.

(Figure:3.5.) Similarly, the Kuru Development Trust and First People of the Kalahari in

Botswana educate the San on 'their ancestral territories...and the crucial nature of San custom and tradition' (Hitchcock,2002:799,809,811-12).



Figure 3.5: Ivan Vaalbooi demonstrating ostrich-eggshell beadmaking at the !Khwatlu San Cultural and Educational Centre north of Cape Town.
Photo by the author.

However, one need not prove the continuous practice of such customs and traditions through the ages in order for them to be factual or valuable today. Suzman (2003:399) writes as follows:

[F]or many 'indigenous' people, the formal assertion of their rights as indigenes often involves the...reconceptualization of concepts such as 'history', 'culture', and 'tradition'. Culture in these instances ceases to be grounded in a continuity of practice and instead becomes the primary vehicle for the articulation of identity.

Along these lines, Sylvain (2003:5,7) argues that, in the context of cultural identity, reconceptualised or 'invented' need not mean 'fictitious': 'San activism self-consciously reflects their colonial and post-colonial experiences of dispossession, marginalization, exploitation and stigmatization. The recognition of this historical, contextual and emergent identity is critical to the empowerment of the San, and to the improvement of their material conditions'. With empowerment and socio-economic improvement as key goals, perhaps the people's *own* ideas, beliefs, and self-images based on practices stretching back to, but evolving since, *pre-colonial* times might also be counted among the sources of 'emergent identity' ingredients for the San today. Indeed, despite acknowledgement by Chennells that the 'ǀKhomani community' was an invention for the purposes of satisfying South Africa's land reform laws, he does write of a 'cultural resources' project that is 'recording all existing forms of...San culture, and encouraging ways of reincorporating them into daily life', a process that 'has great power to resonate with and empower the reviving community' (2002a:1). Interestingly, recuperating 'social memory and identity' (Robins,2001b:850) and 'reincorporating' aspects of San traditional culture might actually, based on **Section 2.12**, lead to the re-instatement of decentralised, small-group organisation among the ǀKhomani, rather than increasing community cohesion.

Thus, although the ǀKhomani put forward images of cohesion, continuity, common cultural heritage, and optimism in reclaiming their 'ancestral land' (Robins,2001b:833-

34), the successful †Khomani land claim and the legally required ‘community’ ownership, decision-making, and governance structures that came with it neither gelled with San ideas about legitimate leadership and decision-making structures nor led to the creation of a cohesive, functioning community on the ground. Significant impacts of this failure to create, or function as, a ‘community’ include more than a decade of development stagnation and economic disappointment for the †Khomani.

b. Economic Impacts

In all, the †Khomani received freehold title to 25,000 hectares inside the Kgalagadi Transfrontier Park (‘the Park’), but since no residential or agricultural activities were allowed in the Park (Ellis,2010:184), the †Khomani also received six farms outside the Park, totalling 36,889 hectares (Chennells,2006:3). The 25,000 hectares inside the Park constitute the †Khomani Contract Park, in which community members may use the land relatively freely, including accommodating and guiding tourists, and may enter via the newly built †Khomani community gate, rather than having to pass through the Park’s official tourist entrance. Outside the Contract Park, but still within the Kgalagadi Transfrontier Park, the †Khomani also received symbolic and cultural use rights, which allow community members ‘to visit, and to carry out various medicinal, gathering, cultural, educational and related activities’ (*ibid.*:4). This agreement also provided for government funding to build a hotel – now called !Xaus Lodge – in the Contract Park, as well as matching funding from South African National Parks (‘SANParks’¹⁵) for the creation of a †Khomani game park outside the Park fence. The settlement also included 7,000 to 8,000 hectares to be donated by the Mier community and R516,000 to

¹⁵ The official abbreviation ‘SANParks’ seems to have been created without an intended reference to the San people.

purchase commonage around the primary post-eviction settlement of Welkom (*ibid.*:3), where the Kruiper family had settled.

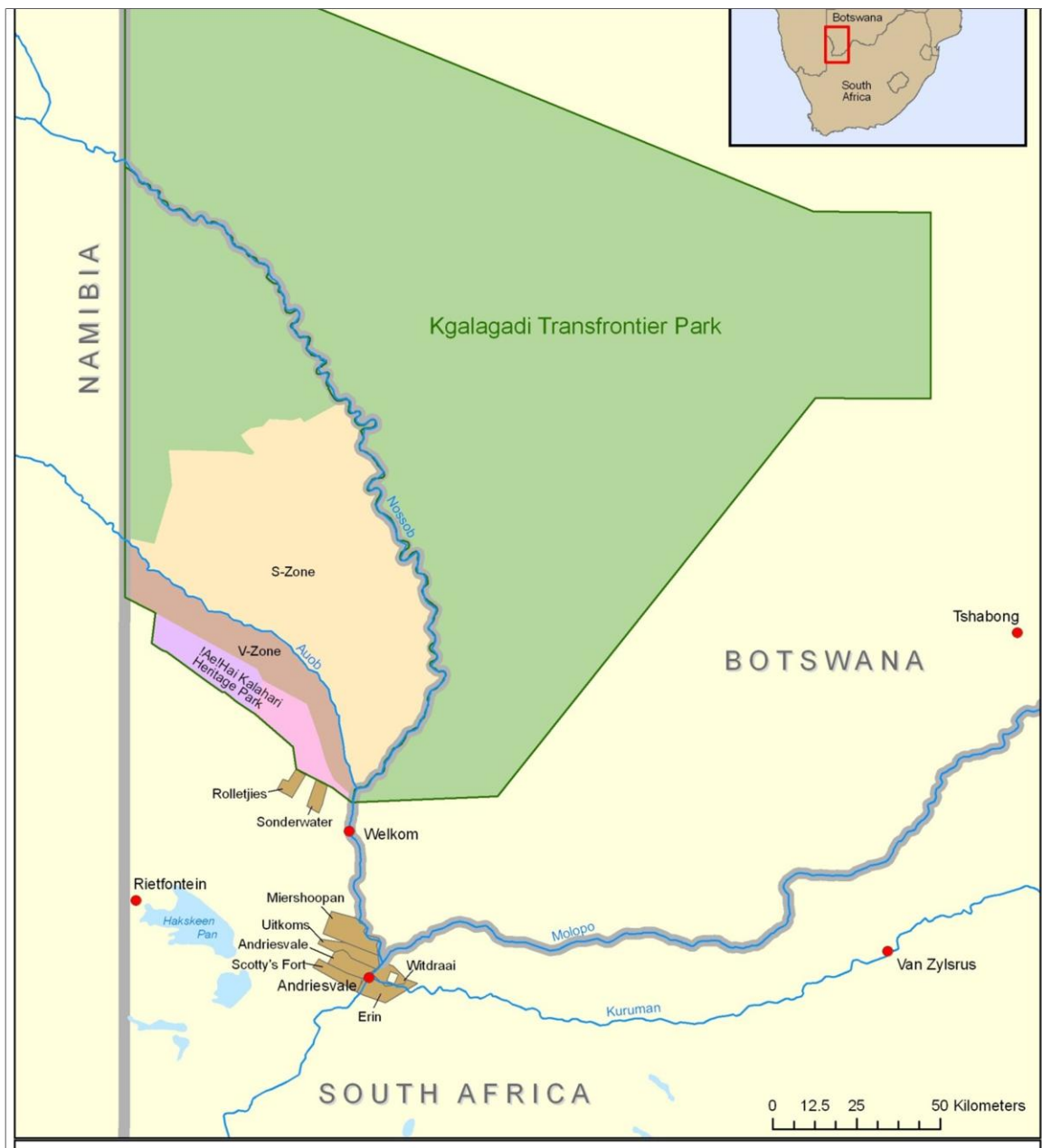


Figure 3.6: Kgalagadi Transfrontier Park, including #Khomani symbolic-rights area ('S-Zone') and Contract Park (Heritage Park and 'V-Zone'), plus the six original land-claim farms and two newer farms (Rolletjies and Sonderwater) donated by the Mier community. Source: David Grossman.

The #Khomani land-claim settlement also included R2.3 million in cash, the principal of which may only be used for 'development' work on the lands, but the interest on which the #Khomani CPA Committee could initially access for farm maintenance and related

expenses. The R2.3 million was simply the difference between the overall value of the land claim, R15 million – based on the number of land claimants – and the value of the six farms, R12.7 million (*ibid.*). **(Figure:3.6.)**

Land-claim attorney Roger Chennells writes, ‘Restitution of traditional lands together with self-determination are regarded by indigenous peoples as the highest priorities’ (2009a:151). Indeed, across southern Africa, the †Khomani land-claim victory is often held up as an example of a successful effort to have land rights recognised, which indeed it is, especially when compared to San struggles in places like Botswana’s CKGR (Hitchcock,2002:824). James (2000:147) depicts land restitution generally as restoring ‘property to those whose original ownership of it assured them a better life’. For the †Khomani, however, restored lands have not yet resulted in a complete return to ‘a better life’. James describes the results of restitution for many groups in South Africa: ‘Since those to whom land was given back...were often those with least motivation or ability to use it, much of it has lain fallow’ (quoted in Leyshon,2009:757). Robins’ (2001a:x-xi) findings two years after †Khomani resettlement included widespread unemployment, ‘erratic sources of income’, an inability to sustain ‘San cultural and language projects’ in the face of socio-economic insecurity, ‘Government delays in...housing and infrastructural development’, ‘[d]eep intra-community divisions’ over land use and livelihood strategies, and a continuing †Khomani ‘perception...of political and economic marginality and disempowerment’. He concludes that ‘land and cultural rights...will amount to very little without a concerted effort to confront directly the community development challenges that lie ahead’ (*ibid.*).

Although the six farms received by the †Khomani had been white-owned commercial livestock and game farms with ‘a comprehensive and well-maintained infrastructure’ at the time of transfer (Bradstock,2006:251), this certainly did not remain the case. During my visits in 2009-10, it was very common to hear of broken water pipes and failed water pumps on the farms, as well as huge gaps in farm fences, allowing both game and sheep to escape. ‘An additional factor is that while a limited number of San people have some basic agricultural skills the majority have none’ (*ibid.*). As for Government’s responsibility in this area, Bradstock states, ‘To date, the government, in particular the Department of Agriculture, has been unable to transfer the technical skills that the group requires’ (*ibid.*). In my experience, this incapacity and slow farm development seemed to be the result of a) as Bradstock suggests, a lack of organised farm-management training provided by the Department of Agriculture or the DLA and b) in line with Robins’ findings, an almost complete lack of †Khomani community-wide agreement on suitable land-use plans and livelihood projects and little personal or group motivation to carry out development plans or repair farm infrastructure.

Roger Chennells completed a report on the †Khomani situation in 2006, by request of the Commission on Restitution of Land Rights. Chennells was clearly disappointed with, among other things, the economic and development stagnation of the †Khomani over the first seven years, using terms like ‘poverty-stricken’ and ‘anarchy’ to describe the †Khomani and the state of their farms (2006:7). Bradstock’s research confirms at least the ‘poverty-stricken’ aspect, revealing that the primary source of †Khomani income is non-farm wages¹⁶ (accounting for 36.2 to 56.6 percent of family income), while the secondary source is public transfers (32.7 to 47.3 percent of income) made up of old-

¹⁶ My own fieldwork suggests that these wages are usually earned from rare, temporary road works.

age pensions, disability grants, and child grants (2006:255). Surprisingly, Bradstock found that farming activities generated only 0.2 to 4.2 percent of †Khomani family income: '[I]n spite of the fact that [they] are beneficiaries of the land reform programme there is no evidence to show that agriculture is a key livelihood activity [among the †Khomani]' (*ibid.*). Bradstock's findings should not be viewed as suggesting that no one on the †Khomani farms is raising livestock. Indeed, many of my interviewees, including Andries Steenkamp and Dawid Kruiper, owned at least some sheep or goats. **(Figure:3.7.)** What Bradstock's results do indicate, however, is that very few †Khomani are currently generating income from stock-farming, despite their collective ownership of 36,889 hectares of farmland.

Chennells places much of the blame for †Khomani development failures on the shoulders of local government and the Department of Land Affairs. He identifies specific government shortcomings as follows: a) the failure of the DLA to undertake proper planning prior to the land transfer, which has led to an uncoordinated, 'self-help' mode of land and resource use on the farms; b) the failure of the DLA to appoint and pay the salary of an overall farm manager as promised by the Minister in 2002; c) a lack of assistance in completing the process of allocating sheep camps to individual farmers; d) delays in providing housing and the failure of local government to work with the †Khomani to find suitable sites; and e) a lack of proactive support by the DLA in helping the †Khomani plan and run income-generating projects (2006:11-19). Chennells concludes that the Director-General of the DLA 'is obliged to take charge and implement a series of steps necessary...to correct the [chaotic] situation and provide the foundation for the development that should take place' (*ibid.*:21).



Figure 3.7: #Khomani sheep and goats on Andriesvale farm.
Photo by the author.

3.13 Suggestions for Change

Insofar as Government did have some conception of 'development' as part of its official or unofficial goals for land restitution, academics and beneficiaries agree that land reform has not lived up to the poverty-reduction expectations of South Africa's rural communities. Many authors have, thus, provided suggestions for achieving increased

socio-economic improvements for land-recipient communities, via modified land policies, improved priorities, economic reforms, private-sector involvement, additional training, or attention to, and space for, specific community needs.

a. Alternatives to Communal Property and ‘Communities’

To improve land reform’s effectiveness, Attfield et al. (2004:418) argue that what is needed is a new ‘self-conscious and critical ethics of implementation, ...to prevent [land reform’s] practical implementation becoming a new source of discrimination, injustice, human rights abuses, unemployment and poverty’. A major prong of this ‘ethics of implementation’ structure would be ‘integrated approaches...[such that] appropriate forms of land-holding (for example Communal Property Associations, individual holdings and equity-share schemes) [could be] *selected* and combined with appropriate services...and...policies’ (*ibid.*; emphasis added). Attfield et al. define ‘equity-share schemes’ as structures whereby ‘workers...receive shares in their farm’, which could ‘make a positive contribution to productivity..., through the workers’ increased identification with the purposes and...operation of the enterprise’ (*ibid.*:414).

Cousins (2009:425) writes that land reform’s required CPAs are ‘complex legal entities’ that usually fail to operate in accordance with their founding constitutions. According to James (2007), the reasons for these poorly functioning CPAs are a) their complexity and b) the fact that, once land ownership is transferred to communities via their CPAs, government support tends to stop, ‘abandon[ing] their members to their own devices’ (quoted in Cousins,2009:425-26). Any attempts to help, for example by Government or NGOs clarifying individual rights within the communal-ownership structures, have also usually failed, by presuming ‘more capacity on the part of poor people to “behave as

investors and rent-payers” than actually exists’ (James,2007:174, quoted in *ibid.*:426). Thus, whilst James views the utopianism of the land-claim policies as the key to CPA failures and the inability of land recipients to use their new lands to create sustained livelihoods, Cousins argues that to these ‘problems of design’ must be added the utopian ‘lack of realism about the capacity of the post-apartheid state’ to implement land reform policies successfully and to provide the support and oversight needed by recipient communities (*ibid.*).

Everingham & Jannecke ask, ‘Has restored land in communal form enabled returnee members of dispossessed communities to receive justice for past abuses and to enjoy the benefits of property ownership?’ (2006:545). The authors answer as follows:

Bureaucrats, practitioners, and activists considered communal landholding the best way to reconstitute communities.... However,...[t]he work of Deborah James [2003] revealed ‘an ideological view of community which supposes that rural/African people are different from other property owners, and which thus stultifies all entrepreneurial initiatives’ (*ibid.*:560).

For example, when a white family moves into the Kalahari, they may purchase a farm, but members of a land-recipient community must ‘own’ their land in common with their fellow community members. In this way, lawmakers seem to have deemed rural Africans (in this context, black or coloured) as somehow ‘different from other property owners’. Even after a 2003 national review of South Africa’s CPA Act and approximately 150 CPAs, ‘evaluations have yet to examine whether...other models of restitution [might be allowed]’ (*ibid.*:561). Thus, despite mounting evidence that the ‘ideological views of unified contemporary communities’ that led to the creation of the CPA Act during the democratisation period were misguided or romantic, Government’s adherence to the

CPA system today continues to hinder the opportunities that land-recipient groups might have 'to innovate land ownership and property regimes' to fit the realities they face as South Africa's 'reconstituted communities' (*ibid.*:560-61) and to work, like any other landowners, to use their land productively and profitably.

A group's own sense of 'community' may ultimately determine the success of that group in creating sustained livelihoods on their restored lands. Leyshon writes, 'James's [2007] experience of communities who have suffered forced removal is that they have not been able to establish workable ownership and management systems when they are restored to their previously lost lands' (2009:762). In contrast to the Restitution and CPA Acts' definition of 'community' based on 'shared rules', Sylvain (2005:360) notes that the scattered farm San of Namibia have their own 'San self-definition as a community', which revolves around 'high standards of generosity among themselves'. For these San, 'forms of sociality', including reciprocity, sharing, and engaging with each other 'as Bushmen' *create* a sense of 'community' (*ibid.*), much more so than any rules- or livelihoods-based *definition* of what a community is or should be. Indeed, in the Kalahari, Twyman (1998:763-64) problematises the concept of 'community' altogether:

[S]ettlements...comprise diverse groups of people...who employ differing livelihood strategies. ...[N]otions of 'community' and 'community consensus' mask the...diversity of interests within such groups...making resource management at a communal level highly problematic. ...Previously people [in the Kalahari] lived in small groups...with little concept of 'community'.

Twyman (*ibid.*:766-67) thus concludes that alternative management structures must be found, based on local contexts: '[A] single organisation can hardly...mobilise...collective

action. ...The concept of community...obscures...potential alternative units of social organisation’.

Therefore, according to these authors, groups who have different conceptions of leadership and different histories and realities regarding what constitutes a ‘community’ should be given opportunities to *select* ownership, land-use, leadership, and organisational structures that allow them to decide and operate more effectively than South Africa’s Restitution and CPA Acts currently allow.

b. Increasing Government Spending for Post-Settlement Support

Many authors write that a lack of government resources and the low-priority status of land reform among government officials generally have led to less investment in post-settlement support than is necessary for communities to make effective, profitable use of the lands they received through South Africa’s restitution and redistribution programmes.

Walker (2005:806) confirms that, despite grand rhetoric, land reform has actually occupied ‘a rather lowly place on the ANC’s transformation agenda’. In addition, Government was unprepared to handle the ‘kaleidoscope of particular, localised, messy, often conflictual and personality-inflected projects’, in which beneficiaries must be carefully identified, community participation must be encouraged, and post-transfer services must be provided for land reform to become operational on the ground (*ibid.*). In the ‘high drama of the moment’ of democratisation, lawmakers made ‘little space for thinking through the practical requirements for implementing a restitution programme – procedures, budgets, staffing’ (*ibid.*:815). For example, over the ten years from 1994

to 2004, the DLA received only around 40 percent of the budgetary allocations that the World Bank had predicted a successful land reform programme would require in a *five*-year period, but the DLA still usually failed to spend even what was allocated to it (*ibid.*:816-17). These shortfalls in thinking, planning, staffing, budgeting, and often in spending have led to 'serious problems in the institutional capacity of the state to drive a major programme of land reform' (*ibid.*:819).

Unfortunately, economic-development planning is increasingly having its 'locus of responsibility' shifted from the national level to the even more resource-constrained local level (Philander & Rogerson,2001:74). Local governments across rural sub-Saharan Africa find it particularly difficult to 'fulfil a development mandate' due to 'both weak institutional capacity and a lack of financial and administrative resources' (*ibid.*:75-6). In South Africa particularly, local economic development ('LED') is seen as a key part of land reform for rural areas, and 'LED-type ideas are now enshrined in the national constitution and various important policy documents' including the Reconstruction and Development Programme (*ibid.*:77-8, quoting Nel,2000). Such economic-development efforts are critical to successful land reform projects: 'merely putting people back on their own land will not be adequate to ensure their economic viability', as land-recipient communities need assistance in 're-establishing themselves' in the first few years after resettlement (*ibid.*:79, quoting de Wet,1994). However, the DLA and South Africa's provincial agriculture departments lack the expertise and staff to assist land-recipient communities adequately (Cliffe,2000:283). With severe capacity and resource limitations in South Africa's rural provincial and local governments, Philander & Rogerson (2001:82) show that successful pre-settlement planning and post-settlement development support are best undertaken via a participatory process

that combines community initiatives with the assistance of external consultants, who are appointed by the government as project managers and given a mandate to 'engage with the community as well as furnish the technical expertise necessary..., taking into consideration the principles of...empowerment and capacity building'. This 'essentially survivalist' strategy allows land-recipient communities to work toward their own development objectives, especially poverty alleviation (*ibid.*:85), without unrealistic reliance on resource- and capacity-constrained local governments.

Wisborg & Rohde (2005:423-24), however, appear to place greater emphasis on Government's responsibility for achieving land reform's success: 'A neo-liberal assumption that property rights and markets by themselves will transform rural areas where people are in deep crisis owing to unemployment, corruption, food insecurity and HIV/Aids appears ill-founded'. The authors find, therefore, that increased government involvement (and, it would appear, significant monetary investments) are required. Land-recipient communities should receive 'access to inputs, credit, extension, services, assistance with transport, provision of access to markets and government complementary actions to stimulate the rural economy' (*ibid.*:421; see also Bradstock,2005:1989-90 and Lahiff & Cousins,2005:129-30).

Thus, in addition to, perhaps, more realistic community expectations, additional community input, and better co-operation with external technical advisers, some authors argue that Government must not only increase the priority status of land reform, but must also begin to allocate more resources to post-settlement assistance.

c. **Changing the South African Economy**

Far beyond the increased government expenditures proposed above, some authors argue that the best solution for achieving the actual or implied development goals of land reform would involve a larger-scale restructuring of South Africa's rural-development and agricultural systems, in part to re-introduce the subsidies and price-protections enjoyed by white farmers during apartheid.

For example, Ntsebeza (2007:34) suggests that white-owned farms prospered under colonial and apartheid regimes due to 'substantial state subsidies' and 'cheap' labour (see also Bradstock,2006:257). Since the end of apartheid, however, it is argued by some authors that all South African farmers have struggled:

South Africa has one of the lowest levels of agricultural state support in the world and since the end of subsidies...white farmers have struggled... James [2007] asks how, if white farmers cannot make the land economically viable, it can be assumed that new communities of African farmers will be any more successful...without substantial state support and investment (Leyshon,2009:760).

Along these lines, Bradstock (2006:258) concludes that 'market intervention¹⁷ on a considerable scale will be required if poor households are to be able to make agriculture a key component of their livelihoods' (see also Lahiff & Cousins,2005:129-30). Short of this macro-economic reform, Bradstock questions whether land reform's return on investment is enough 'to justify [its] continued support' (2006:257). Similarly, Hall (2004:214,225) sees 'a wider agrarian restructuring' as the necessary, but unlikely, means by which land reform could achieve a significant reduction in poverty:

¹⁷ Bradstock mentions that such 'market intervention' could potentially include 'input price subsidies and output price stabilisation to protect farmers from global commodity price fluctuations' (2006:257).

The limited public resources made available for land reform result from the macro-economic policy environment that favours limited state involvement in the economy. ...[T]he deregulation and liberalisation process has...[brought the] removal of subsidies and other supports,...to produce a uniquely hostile environment for new entrants into agriculture (*ibid.*:219-20; see also Lahiff & Cousins,2005:127).

Rather than 'the current patchwork pattern of land acquisition' under South Africa's market-based land reform programme, Lahiff & Cousins suggest that a 'proactive state' could pursue an area-based model of land reform, whereby large blocks of land could be acquired by Government,¹⁸ which could then implement district-wide agriculture-planning, infrastructure-building, service-provision, and produce-marketing schemes for multiple land-recipient groups in a more hands-on way (2005:130). Earlier, Cousins (2000:285) had also advocated 'district-based spatial and development plans for integrated rural development', but admitted that such district-wide planning would 'require...amended methods of work and skills...for the DLA...[plus] major breakthroughs in promoting "cooperative governance", the South African jargon for coordination' (*ibid.*). Indeed, as Masie (2012:1) notes, the National Planning Commission of South Africa, in releasing its recent National Development Plan, acknowledged 'the weakness of government to co-ordinate'.

If followed, it would seem that the recommendations of the authors in this section would represent the pinnacle of Government commitment to, and involvement in, land reform as an agent of socio-economic improvement. Unfortunately, such extensive programmes of market intervention, government co-ordination, and regional planning would also clearly involve massive expenditures, significant alteration of South Africa's

¹⁸ Whilst the authors do not mention specifically whether this plan would involve government expropriation of land, they do advocate the 'systematic acquisition...of...farmland, in ways that have not been possible to date under the market-based system' (Lahiff & Cousins,2005:129).

free-market economy, and enormous shifts in South Africa's current planning, policy-making, and governance functions.

d. More Modest Goals and Some Private-Sector Involvement

James (2000:147) suggests that Government may actually have intentions that are more limited than the complete agrarian reform recommended by some of the authors above:

[T]he...greater strength of restitution than other motives driving land reform may indicate the state's preference to pursue short-term and realisable objectives rather than more radically redistributive and...prolonged processes of agrarian reform which may ultimately prove unsuccessful.

In contrast to arguments that Government should take more control over agricultural markets in South Africa in order to improve land reform's ability to bring effective poverty reduction, Boudreaux (2010:19) sees the private sector as part of a solution currently proceeding 'rather quietly': 'The private sector is...providing valuable mentoring and support services to black farmers, services that the public sector is having difficulty delivering...[due in part to]...limited budgets and...capacity'.

Others have shown that, even among farmers themselves, less disruptive methods than Government-led market restructuring might be preferred. The Human Sciences Research Council ('HSRC') conducted a survey-based case study, with the express goal of 'measuring the realisation of democracy and human rights' in the context of South Africa's land reform programme (OECD,2008:83,85). Interestingly, the majority of black respondents desired 'very small amounts of land, enough to provide household food security', and both black respondents and white commercial-farm owners broadly supported 'a conservative approach to land reform, *i.e.* one that is careful not to disrupt

the economy' (*ibid.*:89-90). Echoing the HSRC's findings, the *Africa Research Bulletin* provides very clear recommendations for dealing with 'the whole land issue':

Firstly,...ownership of agricultural land is not a natural right.... South Africa cannot afford millions of hectares of...land to be used for subsistence farming.
Secondly,...South Africa cannot afford to drive successful farmers off their land. It will not only be unfair, it will breed instability, undermine the economy and create more unemployment.
Thirdly,...those emerging black farmers who get agricultural land will eventually have to operate financially sound concerns. They need lots of help to start of[f] with, but then they need to get on with it
(August 16th – September 15th,2008:17944).

Thus, some authors have demonstrated that, while the poverty-reduction failures of land reform continue to cause great frustration and unrest in South Africa's countryside, many today are advocating solutions – including initiating public/private partnerships or simply offering enough land and assistance for families to begin growing food – that are significantly less dramatic than a thorough restructuring of either the land reform programme or the current agricultural market would be.

e. More Training on How to Fit In

Such 'assistance' to land recipients and budding farmers often takes the form of training or 'capacity-building'. However, what that training should involve can be a contentious issue, particularly with regard to indigenous groups. The UN Permanent Forum on Indigenous Issues, for example, observes that 'the partnership between United Nations agencies and indigenous peoples needs to be further strengthened' and recommends that this include efforts by the UN Development Programme to increase the number of, and resources allocated for, indigenous development projects and to include capacity-building in its indigenous-peoples projects (UN,2010:37-9). Thus, 'capacity-building' is

something that is viewed by indigenous peoples themselves as necessary for development projects to be run successfully.

However, if development assistance is, as Ferguson (1990) argues above, largely made up of pre-packaged services that can be applied and implemented by development agencies on a global scale, there seems to be a threat that such training would typically be developed by, and espouse the ideals of, dominant Western culture. Even those who work among indigenous peoples as technical advisers, researchers, and advocates regularly view training as a positive means of helping such groups to achieve economic independence or to integrate into the dominant society/economy, as demonstrated by Hewlett (2000) above. Robins (2001a:29-30,32,43), for example, makes specific recommendations for improvements in the †Khomani development process:

[Creation of successful †Khomani livelihoods]...will require considerable capacity-building in terms of the development of governance and leadership structures. ...†Khomani...leadership has not always demonstrated a capacity for independent planning and decision-making. ...The need to develop...strong leadership structures and a cohesive and effective CPA is urgent (see also Chennells,2006:7,11,20).

Thus, Robins believes that the San need to be trained on the 'processes and procedures of local and provincial government structures' (*ibid.*:11), rather than, presumably, Government taking into consideration any of the traditional structures of the San:

Traditional leadership needs to be confined to specific cultural domains. Access to economic resources...ought to be regulated through democratically elected...institutions like the †Khomani San CPA. Such institutions are also able to overcome the gender and age hierarchies and inequalities of traditional institutions (*ibid.*:36-7,49).

Although traditional San leadership and decision-making, as seen in **Section 2.12(e)**, is a non-hierarchical, age- and gender-neutral 'free-for-all', Robins views such systems as problematic and best 'confined' to 'cultural domains', arguing instead that the †Khomani must adapt and learn to use the current CPA structures.

Beyond relegating traditional structures to particular 'cultural domains', some authors argue that the †Khomani should not be treated as a cultural group at all. For example, whilst writing that he will not 'prescribe a purist notion of identity' for the †Khomani, Ellis (2001:256,263) – based precisely on identity markers such as prior †Khomani livelihoods, lack of hunting experience, and limited N/u language skills – questions 'the utility of focussing on the San as a separate group who should be funded, developed and helped as if the rest of the region does not experience similar development problems'. Seemingly following a revisionist line of thinking – *i.e.*, that 'the Bushman' is more a social class than a cultural group (see **Section 2.8(f)**) – Ellis argues that this is not 'an issue of identity, San-ness or even traditional lifestyle, but simply a case of rural poverty' (*ibid.*:256). As such, Ellis recommends, 'The focus...may need to be shifted away from the emphasis on indigenous [identities and issues] to other domains. ...The real work here is to get people to think as a group with common goals' (*ibid.*:268,270-71).

In arguing against the tradition, indigenoussness, and San-ness of the †Khomani, Ellis appears to place the †Khomani into the generic group of rural South African coloured poor who can, thereby, be taught to 'think as a group with common goals'. Efforts to 'train' the San towards independence or integration, thus, seem to require that any special cultural aspects of San group organisation, leadership, and decision-making be

defined out of existence. If they do not 'initially understand' (see Robins,2001a:20) the need for strong leaders and community-wide decisions made by representatives who speak on behalf of all community members, then, so the argument seems to go, the San must simply need more training until they do understand.

f. Incorporating Indigenous Structures into National Laws

Cousins (2009:427) writes that James (2007) 'overstates the difficulties of farming as...a significant proportion of commercial producers in South Africa are highly profitable... Many proponents of land...reform argue...that the *potential* for productive small-scale agriculture exists...and that appropriate policies (for agriculture as well as land) can help realize that potential'. Therefore, improving the effectiveness, inclusiveness, and reach of these policies may be critical. For example, in their study of three southern African regions, including the area inhabited by the †Khomani today, Twyman, Sporton & Thomas (2004:83) found a 'real lack of coordinated rural and agricultural policies in South Africa and...ineffectiveness at reaching the people in need'. Based on their case studies, the authors recommend that 'policies and programmes...accommodate and encourage diverse...livelihood strategies.... This is a particularly important finding for South African land reform...given the tendency to view full-time small-scale commercial farming as the only viable and sustainable model' (*ibid.*:82,84).

In addition to restricted livelihood options, land-recipient groups may also find that their traditional social organisation and leadership structures may not be given space by nationally legislated requirements. On the one hand, neo-liberal policymakers view the State's role as more detached: '[N]eo-liberal governmentality...promotes the selective "withdrawal of the state"...in favour of enhanced self-regulation by individuals'

(Bryant,2002:287). On the other hand, the stated ideals and requirements of South Africa's CPA Act are evidence that such 'self-regulation' may have to take place within particular decision-making and governance structures prescribed by the State. Bryant (*ibid.*) cites O'Malley (1996), as demonstrating that some indigenous groups have been able to insert "quite alien elements" into neo-liberal management schemes as they have sought to assert their own forms of indigenous governance'. By 'rethinking resistance as positive and productive', it allows space to be created for 'forms of rule...which are other than the outcomes of increasingly refined or adapted liberalism' (O'Malley,1996:312).

Against neo-liberalism's detached, universally applicable ideals and rules, Saugestad (2001b:301) attempts to address the needs and particularities of indigenous Africans. She begins by looking at two different 'modes of politics' that are 'based on the notion of equal respect: a politics of universalism emphasising the dignity of all citizens, and a politics of differences.... The danger of a politics of universalism is that it may become blind [to] differences'. She describes the situation faced by many indigenous groups today:

[N]ational economic and political structures...are commonly designed to reflect the interests...of the national majority. ...[A] group is only indigenous in relation to another encompassing group, which define the dominant structures of the state. ...The core feature of this relationship is...[the state's] *lack of recognition*...of the distinct background and...needs of the indigenous population (*ibid.*:304-07).

Thus, Saugestad (*ibid.*:309-10) argues against the kind of solution proposed by Ellis (2001), above. Tackling only the poverty of an indigenous group, particularly hunter-gatherers like the San, is ineffective:

[I]ndigenous peoples' problems almost always include...poverty, which can be alleviated by welfare. *But this removes the symptoms, not the cause.* ...Addressing the root causes...means to *challenge* the dominant rules of society, whereby culturally specific qualifications and skills are rewarded differently, consistently leaving the minority in a disadvantaged position.

Therefore, accepting that hunter-gatherers may have different world views that affect how they perceive leadership, organise and govern themselves, and make a living, governments should work with indigenous groups to overcome 'bureaucratic ignorance about the logic of foraging systems and the...non-farming use of land' and then use such co-operative engagements to create government policies that take into consideration 'a group's cultural heritage' (*ibid.*:311-12,317).

Beyond policymaking, assistance that is aimed at development and empowerment may prove ineffective without the participation of the communities themselves. In seeking to provide effective development assistance, NGOs and aid donors need to be aware of local conditions and to recruit local volunteers in order to avoid a lack of legitimacy, which may result from top-down decision-making, overseas funding priorities, or a lack of consultation with, or support from, the communities being served (B.C.Smith,2007:280-81). Similarly, Kull (2002:58) speaks of a 'growing international consensus on the importance of local and community participation in development', with empowerment as the goal: '[R]eal decision-making power must be vested in legitimate community institutions. ...The *legitimacy* of community institutions is rooted in the notion of popular acceptance...that leaders be granted certain rights and responsibilities...and...that certain institutions are the proper venues for activities such as management'. In this view, empowerment – also seen as essential by Ferguson (1990) above – requires not only that communities be given the power to make their

own decisions regarding their resources, but also that the bodies and leaders involved in decision-making be viewed as legitimate by community members. As seen in **Sections 2.12(e)** and **3.7** above, indigenous peoples tend to react against leaders and structures viewed as illegitimate with acts of non-compliance.

Kull (2002:63) connects these concepts of empowerment and legitimacy to the effectiveness of current regulations: '[I]f local levels gain rights commensurate with their responsibilities, they are empowered. Such rights, or powers, can include...decision-making, access to resources, control over finances'. In many cases, however, as where community decisions must 'conform with existing legislation and rules', Kull finds that such policies ultimately transfer 'insufficient rights' to the community (*ibid.*). Without empowerment and legitimacy, programmes risk 'ineffectiveness due to non-compliance and resistance', and 'problems with establishing legitimate "community" institutions plague efforts to implement...new policy' (*ibid.*:58-9). The State granting local communities 'sufficient freedom' to manage their activities and simplifying 'the onerous bureaucratic process' required by the laws are seen as two key changes needed in the resource-management programme analysed by Kull (*ibid.*:75).

Ultimately, government officials must, it is argued, recognise the ineffectiveness of their current policies that apply to indigenous groups and seek to make improvements to those policies. In the Australian desert, O'Malley (1996:315-16) found that policies based on liberal principles proved unworkable and that politicians eventually began to take notice:

The governmental version of self-determination was failing...because of the robust nature of Aboriginal forms of governance. These subjects... were not liberal subjects...primed with the taken-for-granted assumptions ...and practices of...urban, white Australia. ...[R]esistant indigenous governances asserted themselves not through overt opposition..., but by rendering white practices of rule unworkable.... In the face of this, profound observations crept into government discourse,...noting the irony in 'Aboriginal communities...being asked to accept non-Aboriginal structures in order to have greater control over their own affairs'. ...[O]rganizations 'that have emerged from within the Aboriginal community...are functioning better than [those] imposed by the government' (quoting the House of Representatives Standing Committee on Aboriginal Affairs,1990).

Thus, and very importantly, evidence that imposed structures are inadequate to address the special circumstances, preferences, and traditions of an indigenous group may not come from community protests, but instead may be seen through the behind-the-scenes emergence of indigenous structures that simply 'function better'.

At such a stage, some authors argue that lawmakers must work with communities to amend 'failing' government policies. O'Malley (1996:321-22) notes with approval that Australian government officials ultimately did become 'involved in a reciprocal process of constituting their programme in ways that are acceptable' to the Aboriginal people in whose community they were working:

In order to access the Aboriginal subjects and render them self-determining subjects of liberalism, it became necessary to incorporate their forms of indigenous governance...[reflecting] a far more constitutive role for the resistant Aboriginal domain than is compatible with its interpretation only as an obstacle to rule or a source of failure.

In this way, 'Aboriginality', 'indigenoussness', or 'Bushman-ness' need not be something that is blamed for slow development progress and trained away. Instead, by incorporating some of the traditional organisational and kinship practices of a

particular group into the policies that apply to that group, Government not only serves that community more effectively, but serves its own purposes – governance, development, poverty reduction – better, as well.

In the context of legislation and development work among hunter-gatherers, 'It is necessary to...create greater cooperation and communication between state officials and anthropologists' (Hewlett,2000:388,390) and ultimately to ensure that information-sharing among government officials, hunter-gatherer groups, and social scientists leads 'those non-foragers who are in power over foragers...both to respect foraging values and to work towards a social order based on a merging of conflicting ideologies' (Barnard,2002:19-20). However, co-operative lawmaking is something that is very rare today. Hitchcock & Biesele (2000:14-15) write, 'Obtaining greater civil and political rights, especially the right to participate in decision-making and policy formulation...remains a yet-to-be realized goal for most indigenous peoples'. As San continue to organise themselves and speak out concerning their struggle for rights, land, and recognition, 'It remains for governments to listen, to hear and to act' (Smith et al.,2000:98).

3.14 Conclusion

Examining the differences that, in part, define indigenous peoples, Saugestad (1998) writes that indigenous people 'are placed under a state structure with social and cultural characteristics alien to theirs' (quoted in Bredekamp,2001:201). However, those indigenous 'social and cultural characteristics' that remain today are often ignored by the national laws and well-intentioned development activities aimed at these communities. San-specific cultural practices in need of respect or space today may

include traditional systems of land-use and resource-sharing, egalitarian decision-making structures, band and territory organisation, some aspects of a foraging economy, and leadership characterised as the sharing of information, advice, skill, and expertise within small groups, rather than strong, centralised authority. Instead of completely fencing off the San so that they are not 'disturbed', perhaps the ꞆKhomani would prefer to be connected to the contemporary politics and economy of South Africa, but be given the space to organise and lead themselves as they choose.

By requiring the existence of a land-recipient 'community', did Government believe that, in 'restoring lands' to the South African San, the resulting 'rebirth' of a cohesive community of 'Bushmen' would lead the people to return to nature, in full knowledge of how to survive on their own – as the unified, knowledgeable, traditional Bushmen the Restitution Act required Roger Chennells to argue that the ꞆKhomani were – with minimal outside guidance and assistance? If so, how does this fit with Government's insistence on a Western-style, representative, community-wide CPA democracy for the ꞆKhomani? Perhaps, instead of minimal development and infrastructure-building assistance and the imposition of an 'alien' decision-making structure for the ꞆKhomani, the opposite is what was needed: socio-economic and livelihoods support from the State, along with room for some San organisational and governance structures.

In failing for more than a decade to build housing, to provide sufficient water sources, or to offer the assistance, funding, and culturally appropriate decision-making structures necessary for the ꞆKhomani to begin sustained food- or income-generating livelihoods on their lands, perhaps Government at least partially denied the ꞆKhomani their 'subsistence rights', including access to water, food, and shelter, and 'cultural rights',

including space for 'social, economic and cultural activities' (see Hitchcock,2002:821).

If so, the DLA could be viewed as having implemented a programme designed in part to heal past injustices in such a way that it is in fact perpetuating a new injustice (see Attfield,2004:418).

A member of the Hai//om San, /Useb (2001:27) writes, 'I hope that all San traditional leaders...will be given the opportunity to live up to *their own concepts of leadership*, and serve but also motivate their communities...to reach their goals' (emphasis added).

Such goals, for the South African government as well as the ꞛKhomani, centre around the creation of a physical, cultural, political, and economic environment that allows the ꞛKhomani, instead of relying on perpetual government grants and other assistance, quite simply to produce food and earn a living from their lands. After largely failing to achieve this goal on a community-wide basis since the ꞛKhomani gained their new lands in 1999, it appears that the opinions, aspirations, and experiences of government officials, NGO workers, social scientists, and ꞛKhomani San themselves must now be combined with the facts of repeated expensive failures (and the beginning of small successes) in the Kalahari to gain a picture of how the ꞛKhomani can finally, permanently, and confidently leave behind the poverty and chaos that have marked and marred the early years of their 'revival'.

Chapter 4: Methods

4.1 Research Aims

My primary aim in conducting research among South Africa's San people was to gain an understanding of the processes, relationships, and structures that had by 2009 resulted in ten additional years of social problems, political marginality, and severe poverty for the !Xun, Khwe, and ꞤKhomani San people who had received lands from the South African government in 1999. Whilst time and word limits forced me to place my writing about the !Xun and Khwe on hold, my four months of South African fieldwork, comprising two two-month trips between August 2009 and February 2010, did include significant time in the Northern Cape with both the !Xun and Khwe outside Kimberley and the ꞤKhomani north of Upington.

In focusing primarily on the experiences and views of the San themselves, particularly regarding how they would like to use their new lands and why sustainably profitable livelihood projects had still not arisen on their lands, I was engaging in a kind of research lying in the spectrum of 'post-colonial', 'decolonizing', and 'inclusionary':

Post-colonial research...is intended to contribute to the self-determination and welfare of 'others' through methodologies...that value their rights, knowledge, perspectives, concerns, and desires....

Decolonizing research goes further still in attempting to use the research process and...findings to break down the...asymmetrical power relationships...and political, economic, and social structures through which colonialism and neo-colonialism are constructed....

[I]nclusionary research...[is] a...revolutionary kind of decolonizing research aimed at helping to empower...marginalized...others and providing...tools they can use to 'overturn their world' (Howitt & Stevens,2010:42; emphasis added).

I believe that my findings, in their specificity, are such that the knowledge of particular impediments to San development can be applied as useful 'tools' to effect direct, transformative changes that could indeed 'overturn' the world created for the †Khomani by required land reform structures.

My research began with the reading of historical and academic texts, particularly regarding development, land reform, the status of the San across southern Africa, and aspects of San traditional culture. In my initial reading and discussions, I was disappointed by findings that either suggested more democracy and leadership training for the San or merely found that, with the †Khomani specifically, the situation was 'complicated'. My resulting research aims, then, fit into a current trend in human geography: 'The upsurge of academic research into indigenous knowledge and politics is a global phenomenon.... At the heart of this project is the opening up of geography to previously unheard voices typically positioned as curios on the margin' (Winchester & Rofe, 2010:7, citing Johnson et al., 2007:118). In bringing previously 'unheard voices' to the forefront, I hoped to illuminate the ways in which the San, as both 'curios' and 'indigenous people', and Government, as the representatives of broader South African society, might have conflicting views on how best to manage the newly won lands of the San, particularly with reference to any externally imposed structures that might unwittingly create crippling and unnecessary impediments. Writing of cross-cultural research specifically, Howitt & Stevens (2010:64) argue as follows:

We often need to train the focus of our research on the structures of privilege, power, and marginalization to really get at the questions of what local groups can or can't do. In many cases, it is the lack of capacity among the government agencies...to actually work on the ground with

people in their community groups...that frustrates people so profoundly – and that can be investigated by social researchers.

4.2 Getting Started

With this 'inclusionary' goal in mind, I began planning my fieldwork by contacting individuals who had been directly involved with the South African San people. These included attorney Roger Chennells, Oxford African Studies researcher Chris Low, Natural Justice employee Harry Jonas, and !Khwatla educator Axel Thoma. The results of these e-mails and conversations were initial impressions of the situation 'on the ground' for the San, tips on additional South African contacts and travel routes, and advice on initial strategies when visiting the San.

First, I was asked to complete the standard consent form produced by WIMSA and e-mail it to their headquarters in Windhoek, Namibia, along with a copy of my Oxford Upgrade Report, which contained information about my research aims and hoped-for results. Howitt & Stevens (2010:47,63) write that this is an increasingly common and important aspect of conducting research among indigenous groups: 'One...part of [decolonizing research]...is...mak[ing] it possible for [groups] to voice their concerns...about us and the research project...and how knowledge will be shared and used. ...Some peoples and communities are...developing their own research authorization...requirements'. Indeed, I was told that WIMSA developed its San research consent and approval form, which includes a promise by researchers to share the profits of any research-related products with the San, after the makers of a famous set of films failed to provide what the Namibian San believed to be sufficient pay for their services and a particular author failed to fulfil his verbal promise to share the profits of his book with the ≠Khomani.

Beyond obtaining community consent, Howitt & Stevens (2010:56) suggest that researchers prepare for their fieldwork in 'culturally sensitive ways' including 'learning the local language'. This would prove to be a particular difficulty for me. There are several languages – including !Xun, Khwedam, N/ǀu, Nama, Afrikaans, and English – spoken in the !Xun, Khwe, and ǀKhomani communities, with the primary common language across all of these groups being Afrikaans. Unfortunately, although I did purchase Afrikaans language materials and received some private tutorials in Oxford from a native Afrikaans speaker, my attempts to learn the language proved inadequate in terms of conducting interviews, particularly given the accents I heard among the San. Thus, as will be discussed further below, I hired three different interpreters during my time in South Africa, one for each of these San groups.

Once in these communities, 'we may need to work hard to counter suspicions that we are agents of the central government, a transnational corporation, or a locally unpopular NGO' (Howitt & Stevens,2010:60). This was particularly important for me, as both SASI and Government regularly came under verbal attack for their perceived shortcomings, and Harry Jonas advised me to distance myself from SASI when arriving in the Kalahari, both by explaining that I was independent and by avoiding having members of SASI 'show me around', at least initially. Chris Low had an ingenious recommendation, which I followed. So that the ǀKhomani would first see me on my own, and to encourage the ǀKhomani to 'spread the word' about me on their own, I spent my first few days in the Kalahari driving my car up and down the road between Andriesvale and the Park, offering rides to people walking along the road. In this way, I

was able to begin relationships and conversations with some ꞤKhomani, who would then tell their family and friends that ‘the new white guy is OK’.

This technique proved successful, and over time, the ꞤKhomani fortunately began to view me as a bit of a character. For a group who clearly enjoy a bit of light-hearted teasing and laughter, I apparently provided some comic relief early on, as I clearly suffered a bit in the Kalahari heat, struggled with the zipper of a ‘safari vest’ that my parents had given me as a fieldwork gift, and was chased repeatedly by a male ostrich who seemed to find me attractive. Howitt & Stevens (2010:60) write as follows:

The importance of the perception of our character should not be underestimated. Often, it will be based primarily on our personal qualities, the evaluation of which...may well include whether we are considered to have a good heart or spirit, whether we can be trusted, how we treat and interact with people, how well we listen, and what skills and resources we bring to the community.

Thus, beyond comic relief, I worked to ensure that, in initiating interview conversations, I always emphasised my legal and financial training (to indicate potentially useful knowledge and skills), sought to use audio recording instead of note-taking as my primary data-collection tool (to allow me to focus on creating and maintaining enjoyable conversations with these well-known conversationalists), and offered each informant a Coca-Cola at the outset (to provide, according to all of my interpreters, a commonly recognised and appreciated token of friendship in the Kalahari).

4.3 Interviewing

a. Interview Types and Numbers

Choice of interview type was also an important consideration. With reference to cross-cultural research, Howitt & Stevens (2010:59) explain,

Cultural protocols...may have considerable ramifications for the use of particular research techniques. ...[Q]uestionnaires or formal, structured interviews...may be considered intrusive.... Informal, semi-structured interviews...can be interactive...conversations [with]...reciprocal exchanges of information. Interviewees may...value such interviews as social occasions.

When interviewing non-#Khomani and particularly South African government officials, who always began interviews by explaining that they had limited time, I chose to conduct semi-structured interviews, defined as having 'some degree of pre-determined order but maintain[ing] flexibility in the way issues are addressed by the informant' (Dunn,2010:102). Thus, I found that listing my proposed topics up front alleviated some of the tension and resulted, I believe, in longer interviews, as the informant (particularly Peter Mokomele) was able to relax to some extent, knowing that he or she could control the flow from one topic to the next and the overall length of the interview, without having to wonder 'what's coming next'.

With the #Khomani themselves, I conducted unstructured interviews: 'One of the major strengths of interviewing is that it allows you to discover what is relevant to the informant. ...[T]he unstructured interview is informant-focused. ...The questions you ask are almost entirely determined by the informant's responses' (Dunn,2010:103,111). This was particularly important, based on my desire to conduct 'decolonizing', 'inclusionary' research. When I arrived in the Kalahari, I had a good sense of the problems faced by the #Khomani, largely through my reading of Chennells (2002a & 2006) and Robins (2001a & 2001b). Although I knew that Government and SASI were struggling to provide services and mentoring to the #Khomani, I did not arrive with my own ideas for solutions to their continued poverty. As such, it was critical for me to

explain why I was visiting the †Khomani and what I was concerned about, but then to let the †Khomani themselves provide their own descriptions, histories, frustrations, and proposed solutions – or at least proposed areas of investigation. Thus, I sought to make my interviews with the †Khomani more collaborative, as two of us (or sometimes focus groups of youth) tackled a problem (continued †Khomani poverty) together, with the informants always free to introduce ideas, vent frustrations, or refute any suggestions or comments from me.

In all (including !Xun and Khwe interviews that will be used in future work), I recorded 59 interviews in South Africa, totalling nearly three days of recorded material, with individual interview durations running from ten minutes to four hours. Dunn (2010:127,135) advises as follows: ‘You should...seek out diversity of opinion. By interviewing more than one informant from each study group, you can begin to draw out and invite controversy or tensions. ...Also important...is “some discussion of why particular voices are heard and others are silenced through the selection of quotes” (quoting Baxter & Eyles,1997:508). In my †Khomani interviews, particularly in light of San cultural preferences for egalitarian discussions in which everyone has a voice, I spoke with as wide a variety of informants as I could, including ‘traditional’ and ‘Western’ †Khomani, city and Kalahari †Khomani, old and young, male and female, ‘leaders’ and non-leaders, formally employed and unemployed, and more- and less-educated †Khomani, as well as non-San museum staff, professors, lawyers, San advocates, †Khomani neighbours, employers, NGO staff, advisers, provincial government, local government, teachers, and volunteers. My choice of each interviewee was not pre-determined, but was simply based on topics or suggestions raised in previous interviews. Thus, for example, when one †Khomani informant mentioned that

Molopo Lodge pumped water across the road to the †Khomani for free, I decided to ask the Molopo Lodge owner, Jean Lambrechts, for an interview shortly thereafter. In the final version of this thesis, it is clear that certain voices are heard more often than others, and this is simply the result of the depth of our conversations about – and their opinions on, knowledge of, and involvement with – the government-required structures that came with the new †Khomani lands.

b. Power

In the context of conducting fieldwork interviews, Dowling (2010:31-3) writes as follows regarding ‘reflexivity’ and power relations:

Reflexivity...is a process of constant, self-conscious scrutiny of the self as researcher and of the research process. ...What social relations are being enacted? Are they influencing the data? Both you and your informants occupy different ‘speaking positions’. Not only do you and your informants have different intentions and social roles, but you also have different capacities to change situations.... [Y]ou cannot eliminate the power dimension from your research, since it exists in all situations. The best strategy is to be aware of, understand, and respond to it in a critically reflexive manner...not necessarily...altering your research design, but...modify[ing] it where appropriate (citing England,1994; see also Mansvelt & Berg,2010:343).

Whilst I did, as mentioned above, prefer to conduct all of my San interviews in a collaborative, problem-solving, unstructured way, I did find that certain aspects of interviewing the †Khomani, although uncomfortable to me, were not able to be modified. The primary example of this was the use by many (including Dawid and Buks Kruiper) of large plastic or tin buckets, probably left over from the Park roadworks. When entering a †Khomani settlement, I always walked with my interpreter, Richard Steenkamp, who would approach the person or ‘type’ of person (e.g., roadside craft-seller) that I had arranged, or hoped, to interview that day. After a brief chat, usually in

Afrikaans, the interviewee would give his or her consent and bring out one of these buckets on which I was asked to sit. In addition to white/San, city/rural, tall/short, 'rich'/poor, outsider/insider, foreign/local, Northern/Southern, or fat/hungry contrasts in these cross-cultural encounters, the use of these buckets created severely unequal 'speaking positions' physically, as I was perched nearly two feet above my interviewees, who preferred to sit in the sand beneath me. Since I could not change their preference for this practice, my best solution seemed to be simply leaning down towards them as best I could. **(Figure:4.1.)**

Although some of my informants and I were in 'reciprocal relationships' such that we were 'in comparable social positions' (as between myself and Holly Shrumm, David Grossman, or Grace Humphreys, for example), others would have been considered asymmetrical, 'studying up' relationships (as with Roger Chennells, Peter Mokomele, and Pippa Skotnes), such that they were 'in positions of influence in comparison to [me]' (Dowling,2010:32, citing Nader,1969). With all of these, particularly as a 'learner' and a non-South African, I ensured that I demonstrated due respect and deference, which I believe caused them to relax and encouraged them to talk in more depth, to share more histories, and to talk for longer periods. Long explanations of 'the history of the San' or 'the troubles with the ꞤKhomani' or 'the way South Africa works' proved invaluable to my understanding. Indeed, Dowling (*ibid.*:36) writes that 'being an outsider can...bring benefits...[including having] people make more of an effort to clearly articulate events, circumstances, and feelings to [you]'.



Figure 4.1: The author interviewing #Khomani traditional leader Dawid Kruiper.
Photo by Richard Steenkamp.

Because of their history of marginalisation, I approached interviewing the San as a 'potentially exploitative relationship', defined as one in which 'the researcher may be in a position of greater power than the research participant' (Dowling,2010:36). In such relationships, Dowling argues, researchers should seek informants' ideas regarding what situations should be researched and then give 'participants a number of opportunities to verify or refute the researchers' interpretations' (*ibid.*:33). Thus, my

'inclusionary', joint problem-solving interview style with the San was also a choice made in response to power inequities, and the ꞤKhomani and Khwe people in particular responded very positively to this style, which led, for example, to informal invitations to Dawid Kruiper's birthday festivities and the private celebrations for Khwe Culture Day. The San in general and the ꞤKhomani in particular have received much research interest since their land-claim victory, and approaching them is not always easy. Thus, it was important to show that I was seeking to have respectful, interactive conversations with them regarding possible ways that their socio-economic situation could be improved, rather than arriving to 'study' them. In fact, many informants among the ꞤKhomani, !Xun, and Khwe expressed happiness that I was not 'another anthropologist', and their apparent belief in the potential usefulness of my work ultimately led to an invitation for me to attend the United Nations Permanent Forum on Indigenous Issues ('UNPFII') in New York in April 2010 as an invitee of the San and a guest of the Indigenous Peoples of Africa Coordinating Committee ('IPACC').

c. Control and Subjectivity

As noted above, one of the ways a researcher can respond to past 'colonial' research practices and current power imbalances is to give up some control over their research:

[T]he greatest potential for fieldwork to be decolonizing...is to give up 'control'...and develop either truly collaborative research or...offer our skills as colleagues, consultants, or allies. ...Participatory research can...be carried out with an agenda of...empowerment by addressing locally relevant issues, supporting self-determination, human rights, and indigenous rights, [and] providing new knowledge that is of use to subordinated peoples (Howitt & Stevens,2010:48,57).

While I was in the Kalahari, Oupa Jan Pietersen expressed satisfaction with my inclusive research style and his ability to talk to me about topics that he preferred. He told me

that many researchers had come to him before, but had focused too much on †Khomani problems. Although initially frustrating to me (I was there to analyse development problems!), once I stopped trying to steer Oupa Jan towards discussions of †Khomani problems, his descriptions of emerging †Khomani successes (his preferred topic – see **Chapters 8 and 9**) ultimately led me to a better understanding of the situation in the Kalahari. If I had not allowed Oupa Jan to guide my research direction, I may never have thought to look at †Khomani life with and without a CPA Committee.

Still, even if we are guided by our informants, we are not removed from the research process. Dowling (2010:35) explains,

[I]ntersubjectivity...refers to the meanings and interpretations of the world created...as a result of interactions...with other people.... [Y]our personal characteristics and social position – elements of your subjectivity – cannot be fully controlled or changed, because...dialogues do not occur in a social vacuum. ...Critical reflexivity is the most appropriate strategy for dealing with [these] issues.

Part of ‘dealing with’ subjectivity in my research included thinking about my own background in business and law and informing interviewees of this at the beginning of interviews, as well as remembering my position as a white, Northern outsider. As part of this process, I reflected on whether I was in fact a member of a power structure that, as discussed in **Section 2.8(b)**, looks down on the San as a separate ‘species’ in need of protection. The answer I arrived at, however, is that my goal was not paternalistic protectionism or a desire to fit the †Khomani into a box based on what is ‘perceived as culture’ by me. I set out to explore how creating the space for †Khomani ideas, organisation, and structures might improve their efforts to live sustainably and profitably off their new lands. In fact, Dowling (2010:37) writes, ‘Intersubjectivity also

means that neither you, your participants, nor the nature of your interactions will remain unchanged during the research project. Your...opinions may...change as [a] result of your research'. This is indeed what happened as a result of giving up some control to the ꞤKhomani: only through discussions of new plans, projects, leaders, and successes were some of the causes of previous ꞤKhomani conflicts, development disappointments, and livelihood frustrations more fully illuminated.

4.4 Transcribing

As noted above, my lack of conversational skills in Afrikaans meant that all of my interview recordings were in English, either directly from the informants or through an interpreter, who, for all but two of my ꞤKhomani conversations (Dawid Kruiper's birthday and my first interview with Oupa Jan), was Andries Steenkamp's son, Richard. **(Figure:4.2.)** Richard's grasp of English, learned during his schooling in Rietfontein and Upington, was fairly good, but like all of the San who spoke English, he spoke with, to my ear, a strong accent, which presented problems when trying to transcribe the recordings, which I chose to do only after returning to England. I also encountered language-related pride issues, with some San elders (particularly among the !Xun) insisting on speaking in a non-English language to avoid potential embarrassment. Unfortunately in the case of the !Xun, their leaders' English was often better than my interpreter's, but they still refused to switch to English for my interviews.



Figure 4.2: Richard Steenkamp (right) translating from Afrikaans into English.
Photo by the author.

Although all of my digitally recorded interviews were very clear and my memory of the interviews was good, my English-speaking San informants and interpreters, in addition to speaking with strong accents, also occasionally drifted into Afrikaans for a few words or phrases before returning to English. Fortunately, my previous Afrikaans lessons and my Afrikaans dictionary were sufficient to allow me to translate these occasional 'lapses', but this of course contributed to the slow pace of transcription. With the

‡Khomani specifically, I had some concerns about the accuracy of Richard's translations during our interviews, but had little means of checking except by occasionally pausing the interview to ask for a clarification from him. A more serious problem involved Richard's passion for the topic of my interviews. He was adamant that SASI and Government should be doing more to help the ‡Khomani and often interjected his own comments, complaints, and explanations into interviews with other informants, without denoting that such comments were his own opinions. I was able to solve the problem, both by discussing my concerns with Richard and by interviewing him separately on several occasions. These separate interviews not only allowed him to vent his frustrations directly to me (without interjecting into other interviews) but also allowed me to understand more about his opinions and get to know his own way of speaking so that I could identify his personal comments within the interviews he was interpreting.

Needless to say, these language-related issues meant that my transcription work had to be done with extreme care. Under more normal conditions, Dunn writes, '[a] 60-minute interview will require at least four hours of transcription if you are a fast typist, and verification of the record of interview could stretch out over a couple of weeks. After all that, you have still to analyze the interview material. These are time-consuming activities' (2010:101). During my transcription, many colleagues suggested either passing the recording chips to a typist or finding voice-recognition software to speed up the process. However, I chose not to employ these means, as I feared that the typist's or software's lack of familiarity with the interviews, interviewees, Kalahari accents, or Afrikaans words would lead to many mistakes. Dunn (*ibid.*:121) confirms, 'You should transcribe your own interviews [because]...you were present at the interview [and] are best placed to reconstruct the interchange...[and] [y]ou are also better able to

understand the meaning of what was said and less likely to misinterpret the spoken words'. And going through my interviews word-by-word gave me, as Dunn suggests (*ibid.*), excellent familiarity with my data.

Another transcription concern that I encountered involved the instinct to edit the spoken word. Dunn (2010:123) explains as follows:

In general, it has been thought that a transcription should be a verbatim record.... This would include poor grammar, false starts, 'ers', and 'umms'. ...A range of researchers...have expressed...concern about the political effects of exact transcription [noting]...the embarrassment that many informants articulate.... This anxiety is even more strongly felt by informants who live in societies where the dominant language is not their first language. ...[For] the less powerful in society...such quoted material reconstructs images of illiteracy, powerlessness, and inferiority. ...[A transcript] is a constructed document that is of the researcher's making.

My original transcriptions are all absolutely verbatim. As a lover of fiction-writing, I appreciated the character displayed in individual informants' use of, and occasional struggles with, language. For particular informants, including government officials and SASI leaders, I felt that including the 'false starts, ers, and umms' also provided interesting indications of possible moments of hesitancy or indecision.

During the writing of my thesis, however, a few other considerations came into play. First, I was indeed sensitive to my portrayal of the ꞤKhomani and did not want to 'reconstruct images' of San 'inferiority'. However, in 'fixing' some of their statements, I was always careful to indicate my changes by the use of brackets. Thus, although my interview transcripts may be 'of my own making', I did not edit the speakers' words without making such edits clear. Second, some of the white advisers and advocates working with the ꞤKhomani, perhaps due to discomfort with the written word, insisted

that, if they corresponded with me via e-mail, I would edit any mistakes (spelling, grammar, or punctuation) in any of their statements that I chose to quote. With this authorisation, I chose to make these admittedly rare editorial changes without the use of brackets. Third, Oxford University regulations for overall thesis word counts meant that most of the 'ers and umms' were ultimately cut from the text. Again, where deleted, I made such deletions or changes clear by inserting brackets or ellipses.

A final transcription concern involved confidentiality. Dunn (2010:128) writes, 'Naming an informant...and directly associating them to a quotation could be personally, professionally, or politically harmful'. Indeed, because my topic centred on government officials, departments, and policies, informants would occasionally tell me that they had received particular information 'in confidence' or that a certain statement was 'off the record'. During the interviews themselves, I would often challenge such 'off the record' requests, and I was very often able to receive permission to use these statements. However, during transcription, I of course had to decide on my own how to deal with confidential information. Ultimately, I chose to incorporate most of this information in my thesis without identifying the individual speakers.

With this range of concerns, involving power, politics, and language, and the amount and length of my interviews, my transcription process (excluding interviews from my last visit to the !Xun and Khwe) lasted nine months, stretching from early May 2010 to late January 2011.

4.5 Interpreting and Discussing

In collecting and making sense of my interview data, I recognised that I was engaged in personal and collaborative processes of knowledge-production, rather than seeking and finding 'the facts'. Mansvelt & Berg (2010:343) write, '[W]hat may appear to be the truth...is actually a partial perspective spoken from *somewhere* and by *someone*. ...As the researcher writes and inscribes meaning in the qualitative text, she or he is actually constructing a particular and partial story'. Thus, it was important for me to find and consider my *self* in my research:

[I]f we are to *locate* our knowledge, then we must locate ourselves as researchers...within our own writing. Accordingly, post-structuralist writers...opt for locating their knowledge-defining objectivity as something to be found...through contextuality, partiality, and positionality...reflect[ing] upon and analyz[ing] how one's position in relation to the processes, people, and phenomena...actually affects both those phenomena and our understanding of them (*ibid.*:339).

Part of understanding my influence on my research findings involves not only including myself in the text (*i.e.*, writing in the first person), but also acknowledging that my position as a white, well-fed, Western outsider certainly influenced the problems I sought to understand, the questions I asked, and the meanings I assigned to the answers I received. As a non-San, I will never fully understand aspects of San/indigenous/forager cultures, land uses, and world views, even as I seek to make space for them in national laws. On the other side of this issue, the San themselves understand my usefulness to them as a 'powerful' outsider and have their own parts to play in this knowledge-construction process. Tomaselli (2002:207-08) writes, 'The San have social agency. The San *are* able to influence...academic studies in terms of their own agendas'. The personal and cultural influences on knowledge production, however,

as much as they should be 'reflected upon', do not render the resulting knowledge any less 'valid':

Writing qualitatively should encourage researchers...to elaborate on how they believe their research text constitutes the 'truth' about a particular subject.... [I]f conscious reflexive writing produces qualitative texts that...present challenges to taken-for-granted ways of seeing and knowing..., then perhaps this goes some way towards establishing the 'validity', credibility, and trustworthiness of a qualitative research text (Mansvelt & Berg,2010:351).

Indeed, when presenting my findings at a conference in 2012, a distinguished discussant remarked, "This sounds wonderful, but how do we know you're right?" I believe that, in giving voice to the †Khomani (through presenting their words and describing their actions) and thereby moving beyond prior authors' focus on the 'traditional' versus 'Western' split and the need for more training in the 'lessons of democracy' for the †Khomani, I have been able to bring new knowledge into discussions of South African land reform and its relationship to a particular cultural group. I also believe that the credibility and potential usefulness of my findings have been at least partially verified by the feedback I sought from two South African experts in this field (see **Section 8.6**). Similar to Lee (1998a) above, Howitt & Stevens (2010:61-2) write of the duty to assist communities by sharing one's research, and they add that such sharing and feedback can be quite useful:

There is a responsibility for researchers to share findings with the people they work with. ...Academic publication is often not a very effective way of doing this in any cross-cultural situation.... It can...be very...rewarding to discuss findings directly with individuals.... These methods...provide opportunities for feedback that may correct misimpressions..., provide alternative information and analyses, ...and provide opportunities to discuss how findings...can be used.

The sharing of my results with Phillipa Holden in particular has allowed me to make updates and corrections before submission, and I also intend to seek ways to share this research with others, including Andries Steenkamp, Roger Chennells, and Peter Mokomele. For the readers of this research, I hope that I have presented a convincing picture of the 'complicated' situation of the †Khomani and at least one aspect of a potential solution. Mansvelt & Berg (2010:348) explain how a thorough description of a situation can enhance a text's value and veracity:

[H]ow...is it possible to construct truthful research texts? ...[G]ood qualitative research comprises thick description. Such descriptions take the reader to the centre of an experience, event, or action, providing an in-depth study of the context and the reasons, intentions, understandings, and motivations that surround that experience or occurrence (citing Geertz,1973).

Indeed, in my research, I sought to explain land reform's relationship to the South African San through investigations of history, cultures, events, outcomes, and the words and actions of those 'on the ground' in the Kalahari.

Finally, Dowling (2010:33) asks, 'Have you reflected as faithfully as possible what you have been told or observed without reproducing stereotypical representations? ...Remember, the stories you tell may change the worlds in which you and your research participants live'. As an outsider, but one who has fully acknowledged and tried to 'deal with' the implications, advantages, and disadvantages of his position as such, I have attempted to produce collaboratively constructed knowledge that could indeed 'change the world' of the †Khomani from one prescribed by legislation to one of their own making. And in *not* seeking standardisation, conformity, or assimilation for the †Khomani, I am again participating in a 'decolonizing' endeavour. According to Howitt

& Stevens (2010:48), 'post-colonial research is...attracted to difference rather than wary of it... [A] decolonizing project [is] based on rejecting the ethnocentrism and exploitation of colonialism through cross-cultural respect and...support for self-determination'.

Chapter 5: ‡Khomani Identity and ‘Community’

If land restitution failed to bring the ‡Khomani San out of their state of dire poverty during the first decade after their land-claim victory, we must begin to investigate the specific reasons. First, did Government understand the people – *i.e.*, their cultural traditions, level of real community cohesion, and political and economic aspirations – to whom they were, at least to some degree, attempting to bring meaningful development? Based on **Sections 2.8** and **2.10** above, I set out to investigate South African attitudes as to what constitutes the ‘true Bushmen’ of the Northern Cape and to determine whether the ‡Khomani land claimants themselves self-identify as San and believe that a ‡Khomani ‘community’ exists today.

5.1 Experiences of Creating ‘the ‡Khomani’ and Government’s Demand to Combine Groups

When the process of South African San eviction began in 1931, it first involved restricting the San to smaller areas within the new Kalahari Gemsbok Park (‘the Park’) and denying them both the right to hunt and access to areas important to them for maintaining their livelihoods (Ellis,2010:182). Nonetheless, some San continued to live inside the Park until the last evictions took place in 1976 (*ibid.*). During the land-restitution process in the 1990s, the dispossessed San began to reunite under the name ‘‡Khomani San’. The term ‡*Khomani*, however, does not appear to have been used, at least by a majority of the South African San, before this time (see N.Thoma,2009:33 and Ellis,2010:185). The name ‡*Khomani* is attributed to Dorothea Bleek (1911), who divided the region’s San geographically, into eastern ‘N//n’ and western ‘‡Khomani’ (Ellis,2010:185). Attorney Roger Chennells explained that, during the land claim, the

term †*Khomani* was ‘a construct of the best research available at the time, which the San accepted. It was a very handy political short cut but it is not very valid’

(N.Thoma,2009:33). ‘Valid’ or not, the Restitution and CPA Acts required the creation of a ‘community’ with shared rules and values, and creating or borrowing a name for that community was a logical step.

†Khomani elder and stock-farmer Andries Steenkamp had been living, not at the Kagga Kamma tourist farm with the Kruiper family, but on a Northern Cape sheep farm during apartheid. He describes what happened: ‘The people respect [Dawid Kruiper] because he is *beginning* with the restitution claim. ...He stand up and he say, “I want *land* for my community!”’ (A.Steenkamp,8thSept.2009). At the very outset of the land claim, there ‘were only thirteen people. ...And the government looked into that and said, “No no no..., where is the other people?” That started the whole process’

(A.Steenkamp,8thSept.2009). Community member Annetta Bok remembers, ‘[W]hen the land claim was started, Oom Dawid [Kruiper] and his...small family...asked Roger Chennells...to help them with the land claim. But then the government said, “We can’t just give land to a family. We need to give land to a community”’ (quoted in

N.Thoma,2009:69). As long-time San activist Axel Thoma explains, this ‘community’ requirement had a serious impact on potential land claimants and their advocates:

When apartheid was abolished..., you *had* to run! Communities didn’t *exist* at the time! So you had to form a kind of community to put a land claim forward.... We had to look at the government legislation and the timing and do something in order to get it. ...That is just a question of *speed*! Otherwise, somebody else would have put the land claim forward for the same piece of land, and they would have gotten it. ...That was all...Roger [Chennells] running for it (Thoma,6thJan.2010).

So in 'running for it', Chennells had to gather a group of San people together, give them a name, portray them as a cohesive community, and create a Communal Property Association ('CPA') under the 'ǀKhomani' name in order to receive the lands.

ǀKhomani community member Anna Festus comments, 'It's for years that our people have been scattered all around. And now we...have the opportunity, through that land claim, to get them all together' (Festus,12thSept.2009). Unfortunately, the process of bringing the scattered remnants of the South African San 'all together' was quite problematic. Once the original group of Kagga Kamma performers, first under Regopstaan Kruiper and then under his son Dawid, had an agreement with Roger Chennells to proceed with a land claim, the South African government approached Roger with a request. Just how much leverage Dawid and Roger¹⁹ actually had to say 'no' is not known. One of the primary technical assistants to the ǀKhomani, Phillipa Holden, describes the events:

The original claimants were people that were removed from the land. Then...Land Affairs said, 'No, we need to include other people'. Actually *illegally*, the claim was expanded to include people that hadn't been removed from the Park. The first [ǀKhomani] Constitution verified that list of...people. ...[Originally] you had to be...a *bona fide* ex-Park resident. But then...there was another process [added]...so if you had *associated* with these people, then there was another process for having you accepted as a member [of the ǀKhomani]. ...The whole membership thing is a botch-up (Holden,19thJan.2010).

Thus, Phillipa Holden, whose work will be discussed in **Chapter 8**, believes that the Department of Land Affairs ('DLA') violated its own land-reform laws by initially denying the ǀKhomani land claim unless they added more land claimants, including

¹⁹ My occasional reference to interviewees by their first/Christian names only indicates the close working relationships that I had the privilege of establishing with some individuals during my fieldwork.

those who could not trace their families to the post-1913 evictions for which the Restitution Act is expressly designed to provide redress. Holden's colleague in the Kalahari, David Grossman, also explains that political expediency led Government to violate its own Restitution Act:

The law says that it's a[n]...initiative which will enable those people who were...removed from their ancestral land to gain restitution and recompense. It doesn't say, 'We cater for ethnic...claims...so let's solve the whole "Bushman problem" by making this a claim for Bushmen'. ...But because Land Affairs...feared that there may be more...claims by indigenous people...they said, 'Try and settle this...[by including all] people who might have [some connection] to Bushmen'. So it became too open (Grossman, 19th Jan. 2010).

Roger Chennells believes that the †Khomani group's 'representatives had to lead [a] re-constituted and "virtual" community' (2002a:2). In other words, like so many of restitution's reconstructed 'communities', the †Khomani had forgotten, or never knew, how to go about living together as a sizeable community. Critically, Ellis (2010:187) writes, 'Their [post-1931] experiences and interpretations [of 'development'] highlighted the fragility of the group cohesion that was assumed to exist'. If the †Khomani people and Roger Chennells were fully aware that this was a constructed community, this *assumption* of cohesion must have been on the part of Government. The reality was quite different. This collection of '†Khomani San' land claimants – a 'collective', rather than a 'community' – was anything but cohesive and homogenous in the 1990s, due both to a traditional lack of large community structures among the San and to the variety of apartheid-era experiences and circumstances faced by dispossessed South African San families. Chennells explains how the combined land claim – pushed through via Government's promise of more land – soon led to more obvious fissures:

The Kruipers...were the original legal owners of the land claim. ...There were a whole lot of other San, who were not...from the Kalahari Park, and the government asked me as the lawyer, 'Would you like to expand the land claim to include non-Kruipers, who were not from the Park?' They said, 'If you would do that, we will raise the value of your claim from 8 million to 15 million Rand'. So I went to Dawid Kruiper and the family, and they all said, 'We don't know where we're going on this bus. Let them climb on board the bus...'. So they climbed aboard..., and then...they started taking over the steering wheel (Chennells,13thDec.2009).

Over time, the two groups who were combined into the single land claim were dubbed the 'traditional' group and the 'Western' group. Chennells' phrase 'taking over the steering wheel' refers to the fact that members of the 'Western' group – those primarily focused on sheep farming – rushed on to the new †Khomani farms and took over grazing lands and formerly white-owned farm houses, initiating an attempt, as Chennells, Holden, and Grossman believe, to commandeer the CPA leadership positions and farm resources from their more 'traditional' counterparts.

As noted above, the Restitution and CPA Acts' definitions of 'community' centre around shared rules and values. This mismatch between the legal requirement of 'community' and the realities of land-claimant groups has meant, for the †Khomani specifically, that many of the development challenges faced since 1999 have resulted from 'the difficulties they experience in defining and implementing rules governing resource use' (Bradstock,2005:1983). †Khomani community members disagreed on 'the appropriate direction for "San" development', believing variously that the land would now allow them to do one of the following: to make a living by gathering wild foods and performing for tourists; to gain access to housing, water, and electricity; or to raise livestock (Ellis,2010:187). Ellis (*ibid.*:186-87) further delineates the 'traditional/Western' divide among the †Khomani as follows:

‘Traditional’:

Earlier claimants, who traced their families to the 1930s or 1970s Park evictions, plus those very few who still spoke the N/u language;²⁰

‘Western’:

Later claimants added in 1998 based on the insistence of the DLA that all Northern Cape San people be included in the restitution claim. Many †Khomani consider this group ‘culturally less pure’.

Although these terms are believed to have originated from outsiders studying the post-settlement †Khomani, definite differences already existed among the land claimants:

There was a very small group of original claimants, and Land Affairs deemed them too small.... So they said, ‘...Let [in] people who can claim affinity or kinship or recognition’. ...That is where the division came in. The people who came in were...more wily in the ways of the Western world and very soon dominated the...original claimants, who were less...wily (Grossman,19thJan.2010).

This ‘very small group’ would initially have been 28 members of the Kruiper family living at Kagga Kamma, plus 57 *bona fide* ex-Park residents and their families, who were recruited from the Welkom/Park area and added to the land-claim group before the filing of the †Khomani land claim in 1995 (Kruiper,2012:19,21-2). However, under ‘immense pressure from the State’, which in Dawid Kruiper’s words, ‘led us to believe that it would not support the settlement of the land claim unless we adopted an inclusive approach’, this list grew to include 297 named ‘†Khomani’ members (of whom no more than 90 were related to the original claimant group) in 1999 when, under CPA Act rules, the †Khomani Constitution was first drafted (*ibid.*:23). Under these ‘inclusive’ membership rules, the number of purported †Khomani members soon swelled to over 700, as an increasing number of individuals in the Northern Cape who were hearing

²⁰ Today, between eight and twelve N/u speakers are believed to exist. Most, if not all, are elderly women living in various settlements in the Northern Cape.

about the †Khomani land claim were allowed to join the 'community' (Chennells,2006:2-4). In 2001, Robins reported that the †Khomani 'rules of inclusion and exclusion' were still quite unclear and that community growth was expected to continue (p.841). Phillipa Holden provides a helpful summary: 'You've got a real mismatch of people. ...It wasn't a *community* that was being reconstituted. It was far-flung people that weren't related in any way, being pulled back together and lumped under...this umbrella' (Holden,19thJan.2010).

Thus, on one hand, it can be argued that some DLA officials would have been well aware that their demand to combine a family of Kagga Kamma-based 'traditional' †Khomani people with the remnants of South African San people, relatives, or associates then living on scattered white-owned farms or the outskirts of Northern Cape towns would not result in a cohesive land-claim community. If so, this demand would indeed constitute a violation by Government, not only (as Holden and Grossman suggest) of restitution's stated aim of serving to remedy actual past evictions, but also of the precepts of 'community' and 'shared' rules and values set forth in the Restitution and CPA Acts. On the other hand, it is possible that Government simply failed to understand, or to take into sufficient consideration, two realities. First, scattered people with vastly different apartheid-era experiences would unlikely be able to create a cohesive community and, as such, the images of cohesion put forward by Chennells and the †Khomani were merely fictional. Second, San people have typically organised themselves into, and made plans and decisions within, smaller, non-hierarchical, *sub-community* bands that are clearly not contemplated by the Restitution and CPA Acts.

The fact is that Roger Chennells 'running for it' and achieving priority status for the ꞛKhomani land claim led to victory relatively early in South Africa's land reform process. As such, most of the experience-based critiques of land reform seen in **Chapter 3** would not have been available during the years that the ꞛKhomani were building their land claim. Looking back now, it is clear that a cohesive community is critical to the successful functioning of a Communal Property Association ('CPA') as the law now stands (see **Chapters 6 and 7**), and as of 2012, those who work among the ꞛKhomani agree that a community still does not exist on the ꞛKhomani lands. In order to explore the opinions of the ꞛKhomani people themselves on the status of this community, we begin by looking at various views on what it means to be ꞛKhomani San.

5.2 The ꞛKhomani Identity – Who Are We?

That a constructed community, suffering from deep divisions that were by necessity concealed during their land claim, should find itself unable to make unified governance and land-use decisions is not surprising. However, an interesting phenomenon may have occurred as a result of this process of community-construction. Through their land-claim struggles, the ꞛKhomani began to identify or re-identify themselves as San people, moving away from their apartheid designation as 'coloured': 'The ꞛKhomani...could not have been called a "cultural community" before the land claim. ...[T]hey only became aware of their "San-ness" ...after coming through the process that led to successfully claiming the land' (N.Thoma,2009:45-6,77). Thus, many South African San land claimants during the 1990s began to feel connected to a San and/or ꞛKhomani identity, despite the adoption of the term *ꞛKhomani* as a 'political short cut'. However, one of the most interesting aspects of my Kalahari fieldwork was coming into

contact with so many different, flexible, and changing conceptions of what it means to be San, KhoiSan, Bushman, or ꞤKhomani in the Kalahari today.

Andries Steenkamp explains, 'As you go to Petrus Vaalbooi,²¹ he'll say, "No..., don't tell me about the ꞤKhomani...I am a Bushman". Other ones say, "OK, ...I am ꞤKhomani"'. Others only like to be called 'San' (A.Steenkamp,8thSept.2009). In the opinion of South African San Council ('SASC') Secretary Collin Louw, 'We want to be San, not KhoiSan. ...KhoiSan is...a name that came from...apartheid.... It's *colonised*. [With the term] KhoiSan, you don't have your identity. You are...nothing! ...They took our identity. They made us Cape Coloureds. Now the new Government came and made us South Africans. They didn't give us back our identity' (Louw,12thJan.2010). Thus – whether or not "Colonialism" has very little to do with Bushmen' (Barnard,2007) – it does seem that to be a San person is to be something special. 'KhoiSan' and 'South African' are simply too generic, too inclusive. Collin admits, however, that ethnic or cultural identity is quite complicated in South Africa today. Of the Upington community where he lives, he states, 'It's not all San people. There are Griqua people, there are Koranas. There are also other people who [say], "We are coloureds, we are confused". We understand' (Louw,12thJan.2010).

As discussed above in **Section 2.9(c)**, the San have a history of adapting their 'Bushman' identity to circumstances in the Kalahari, for example, as economic opportunities arise. Indeed, various groups in South Africa today are often in competition for the same resources, whether donor funding, job opportunities, or particular stretches of their

²¹ Petrus Vaalbooi was the first leader of the group of ꞤKhomani who prefer stock-farming livelihoods and would, thus, be considered 'Western' by some.

believed former homelands. Depending on the context – community pride versus access to resources – identities may shift. This is seen quite markedly in the Kalahari where many may self-identify variously with Griqua>Nama/Khoe²² pastoralists or ǀKhomani/San/Bushman hunters. Professor Pippa Skotnes witnessed inter-group prejudices and shifting identities first-hand during her famous *Miscast* exhibition²³ in 1996: ‘A lot of the criticism *I* got was in not making a distinction between the cattle-owning Khoekhoe and the cattle-*stealing* Bushmen. [Smiles.] ...Some of them [who were complaining] were Griqua groups or groups who were *aligning* themselves to one or other group, but who had not necessarily a deep, *known* connection to that group’ (Skotnes, 4th Jan. 2010).

Even among the ǀKhomani and their neighbours, such shifting ‘alignments’ occur. Holly Shrumm – a social worker and community volunteer in the town of Askham, which lies directly behind the ǀKhomani ‘traditional’ farm of Witdraai – describes these flexible self-identifications:

Under apartheid, they were...trying to lump them together [as] ‘coloured’.... Today...there’s no straight line between the different communities here, but often they try and separate themselves, along whatever characteristics they may want to distinguish themselves by that day: ‘I’m Griqua. I’m a farmer’. But then the next day, they might say, ‘Oh, I’m a San. I’m a Bushman’ (Shrumm, 23rd Jan. 2010).

Whilst much of this is surely based on actual intermarriage amongst ‘coloured’ populations during colonial and apartheid periods, it is also understandable that a

²² The Griqua are the ‘mixed-culture’ descendants of Europeans and stock-farming Khoekhoe people (Barnard, 1992:193 and Wilmsen, 1989:71,80). The Nama people probably originated in the Northern Cape, number approximately 90,000, and are ‘the best known of the Khoekhoe groups’ (Barnard, 1992:176).

²³ See also Skotnes, Pippa (ed.). *Miscast: Negotiating the Presence of the Bushmen*. Cape Town: University of Cape Town Press, 1996.

people who previously had, as Chennells says below, ‘no right to be anywhere’, might do their best to *be* whatever is necessary to get the most benefit today. This ties in very well with a comment made by Frederik Brou (‘Fonnie’), the acting ꞛKhomani assistant to the DLA’s Peter Mokomele. Fonnie explains that the ꞛKhomani generally do not understand working, paying bills, and saving money ‘because...now they are not in a job, so if ever they get any money, they want to buy food...clothes...drink. ...[T]hey live *day-to-day*. If you come into [money] today, you must use it today’. He agrees that this attitude, discussed in **Section 2.12(b)**, is derived from traditional Bushman culture: find and eat what you can today, ‘tomorrow you can find more’ (Brou,8thSept.2009). Thus, the ꞛKhomani people’s focus on *today*, both in terms of identities and income, seems to indicate the persistence of some traditional San cultural adaptations based on a hunting-and-gathering past.

This cultural heritage, however, is often not a source of pride for the ꞛKhomani. Holly Shrumm mentions that, in the Askham Primary School, the grand-daughter of Dawid Kruiper ‘didn’t want to admit that she was San’. The San kids were ‘ashamed that they were San’ (Shrumm,23rdJan.2010). (**Figure:5.1.**) A similar feeling of shame is described by Ivan Vaalbooi, a tour guide and assistant trainer at the !Khwatla San Cultural and Educational Centre. Ivan explains, ‘[W]hen I got here, I didn’t have...self-confidence to talk about me being a San person. Because at school, [students]...would talk bad things about San people. ...But...some of the things that I learned here [at !Khwatla] was how to work with people...[and] the respect of [San] culture’ (Vaalbooi,7thJan.2010).



Figure 5.1: Principal Benjamin Manyora with schoolchildren at the J. J. Adams Primary School in Askham. Photo by the author.

While the ꞆKhomani San are struggling to reconstruct a sense of their own identity, culture, heritage, and pride, their efforts have been attacked by San in other parts of southern Africa. Professor Skotnes describes criticism that she witnessed among the San themselves during *Miscast*: ‘There were big divisions between native speakers and Afrikaans...or...Nama speakers. ...The Afrikaans-speaking descendants who were claiming a Bushman ancestry were...disparaged’ (Skotnes, 4thJan.2010). Among the

ǀKhomani, land-claim leader Dawid Kruiper, who spoke Afrikaans and Nama but not N/ǀu, was chosen as the ǀKhomani traditional leader, but language loss is provided as evidence by other San groups that the ǀKhomani are 'less real', despite the fact that it was not the ǀKhomani, but apartheid (and pre-apartheid) governments that placed the San under the control of Afrikaner farmers. Skotnes continues, 'Dawid Kruiper and his group came under a lot of critical attack...because...they came dressed in their skins, ...and other people saw that as...pandering to...other interest groups' (Skotnes, 4th Jan. 2010). This is also interesting because when I attended Dawid's 75th-birthday party, I was the only true outsider present during the festivities. Several ǀKhomani men, including Dawid's brother Buks, were 'dressed in their skins' and clearly seemed to be enjoying this opportunity. (**Figure:5.2.**) Although loincloths might be used regularly in an attempt to attract tourists or funders, this cannot be viewed as an instance of that, occurring as it did behind the settlement of Welkom, with no television cameras in sight.²⁴

In the Kalahari, I was confronted almost daily by differing views on what today's 'Bushman' life should be. Ivan Vaalbooi explores the ǀKhomani identity, the loincloth, and traditional San practices in contemporary South Africa:

For us, ...if you are close to...nature, then you are at your best and...happiest. ...You can wear traditional clothes.... But what happens if you go into the Park, you have your bows and arrows, and you are...hunting a springbok? ...In the past, ...you [were] free in the bush... [Today] there are...fences...which are electric, so if a lion chases you..., you can't escape! You are like a caged animal (Vaalbooi, 7th Jan. 2010).

²⁴ I had not been officially invited to this event, so no preparations could have occurred on my behalf. And although television crews had been invited, it became clear very early on that reporters would not be attending. Even so, as easy as it would have been for the ǀKhomani men to return to their homes, metres away, and change into Western clothes, they chose to remain dressed in their loincloths.



Figure 5.2: #Khomani man wearing traditional San clothing in Welkom.
Photo by the author.

Jan Johannes Pietersen ('Oupa Jan'), who, as a member of the Park Committee and Bushman Raad, works to establish possible livelihood options for fellow non-farming #Khomani, often comes under attack from other #Khomani who feel that sheep-farming is the only productive use of Kalahari lands, and who believe that the 'traditional' #Khomani do nothing productive with their lives. Oupa Jan responds that, on the designated 'traditional-use' farms of Erin and Witdraai, 'There is a life, but it's not

permanent. But we're living. ...We came from the nature, so if there are problems, the nature is there. Things to eat come in seasons, rain in seasons. ...Fire is our electricity..., and we sit by the fire and cook our meat. We can do in the different seasons something to bring money in' (Pietersen,16thJan.2010).

For the ꞤKhomani, however, after years of labouring on white-owned farms, much of their traditional knowledge had been lost. Therefore, elements of San knowledge and livelihoods (including animal-tracking and the use of medicinal plants) are being taught or re-taught to the ꞤKhomani by outsiders, either Bushmen brought in from Namibia and Botswana or whites. German expatriate Axel Thoma comments on what he has seen among San students during his time as the head of education at !Khwa ttu: 'They say, "...We want to learn. We don't care if there is a guy like Axel, ...if he brings the knowledge back to us or if it's our old guys. We don't care, as long as we get the knowledge back"' (Thoma,6thJan.2010). (**Figure:5.3.**) Similarly, Ivan Vaalbooi describes his feelings about learning San traditional knowledge from San activist, author, and wife of Axel Thoma, Magdalena Brörmann-Thoma: 'At first, it sounded a little bit strange.... How can a white person tell me about this? ...But...I don't think it's a problem. In the past, we didn't have that much time to go with our parents into the bush..., but today we have the opportunity to learn that, even though it's from other people' (Vaalbooi,7thJan.2010).

Others display anger when faced with the fact that the ꞤKhomani are having to re-learn aspects of San culture. Collin Louw laments, 'The apartheid regime destroyed *everything* of us. ...There's a couple of old people who still talk the language, but it was very *hard* for them to come out! Because in the past, they were killed if they talked the

language. ...But God gave us a second chance by bringing us back! It's our *dream* to be what we really are' (Louw,12thJan.2010).



Figure 5.3: San youth gathering and studying traditional San medicinal and food plants with Axel Thoma at !Khwa ttu. Photo by the author.

For Collin, the San identity is still very much based on traditional cultural practices, including teaching the children to speak N/u. Although I have not found evidence that South African San people were ever killed for speaking their traditional languages, it is often mentioned that white farm-owners did punish their ꞆKhomani workers if they

were heard speaking N/ū, and the children of other San groups, like the Ju\`hoansi, are still punished for speaking their languages in the schools (see Le Roux & White,2004:74-5), which often view only the dominant languages, such as Setswana, Afrikaans, and English, as appropriate or valuable. Indeed, language was identified at the *Miscast* exhibition as one of the keys to Bushman-ness. Professor Skotnes remembers, 'One of the Bushmen at *Miscast*...said, "You know, I feel very sorry for somebody who doesn't speak their language anymore, because if you don't speak your language, you're not a person" What you are is something else' (Skotnes,4thJan.2010). Professor Skotnes then described a book, Jonathan Lear's *Radical Hope* (2006), that helps her understand the cultural-identity struggles of today's ꞤKhomani:

Plenty Coups,...the leader of the Crow,...said, 'After the buffalo died, nothing happened'. ...Lear...explains what it must have meant to say that nothing happened. ...[He] gives the example of a chessboard..., and...the chessboard's gone...except there's a knight left. ...So what does it mean to be a knight when there is no chess anymore? And it's in a way the San kind of question. ...I don't know what it means to be a Bushman anymore (Skotnes,4thJan.2010).

Dawid Kruiper's brother, Buks, argues that, for him, Bushman-ness is just in his blood (B.Kruiper,4thSept.2009). He does not speak N/ū, but even in the settlement of Welkom, he ventures out to gather traditional medicines, both earning a living for himself and expressing his Bushman-ness in his own way. Collin Louw also mentions traditional medicines as part of a re-emerging sense of Bushman-ness among the ꞤKhomani: 'Most of us want to call ourselves Bushmen. ...Today, it's a word to be proud of.... You're *born* with it! ...[E]ven a track of a...lion, they will tell you the time it was passing here. ...It's in them! They can give you medicine. They will tell you, "This medicine, this plant". ...It's still there' (Louw,12thJan.2010).

Critically, however, it is important to distinguish these †Khomani-based efforts to reconnect with a San cultural past – accessed and expressed as part of their own re-emerging San identities – from the Western-based, essentialised images of ‘the Bushman’, used by outsiders to keep the San at the political and socio-economic margins for centuries. Along these lines, I discussed the South African Museum’s Bushman dioramas, mentioned above in **Section 2.8**, with Professor Skotnes and South African Museum Curator Gerald Klinghardt. Despite the debate surrounding these images among academics, self-styled KhoiSan ‘representatives’, and museum staff (Klinghardt, 19th Aug. 2009), the dioramas do seem to be surprisingly powerful for many San people today. Regarding the original diorama and the current exhibit, which includes photos that attempt to provide an update, Professor Skotnes remarks, ‘I organised a meeting with representatives from lots of Bushman groups.... The Bushman groups all looked at the diorama and *loved* it: “This is the life we want to remember. This is what we dream of. This is what we want people to see”’ (Skotnes, 4th Jan. 2010). She further explains, ‘That was the time before things changed...before the colonisation, before the destruction. That was the good time! It was an image of freedom’ (Skotnes, 4th Jan. 2010). Indeed, with †Khomani people like Oupa Jan, there certainly seems to be a sense of freedom that is associated with the return to their lands, particularly in the Park, whether they actively engage in any traditional practices or simply talk about the way their ancestors once lived there.

Andries Steenkamp, despite his focus on stock-farming as a livelihood, strongly identifies himself as a Bushman. Andries describes his actual ethnic heritage: ‘In the

old days, my great-grandfather was working with the Basters²⁵ in Mier. And before any people could come in, they had to go to [him],...and he made the agreement to work together and stay together. That's why you see my face doesn't look like the Kruipers'.²⁶ I asked whether this was due to his Baster blood. 'Yes, so mixed up' (A.Steenkamp,23rdJan.2010). Still, as also evidenced by stock farmer Petrus Vaalboo's 'I am a Bushman' statement above, individuals who may have mixed genetic backgrounds and different ideas for ideal occupations – tour guide, sheep farmer, professional – may feel a strong connection to a 'Bushman' identity. Collin explains, 'If you have your identity, then you have your culture. Your tradition – ...if you have that, you can *live* according to...what you really are. I am a San, and I want to live like that. ...If you have a job, that doesn't say you can't be a hunter – because it's your tradition' (Louw,12thJan.2010). Thus, even among ꞤKhomani living away from the land-claim farms and pursuing more professional or mainstream livelihoods – like Collin's political work with the South African San Council and his service as an Uppington church elder – the 'hunter' identity discussed in **Section 2.13(b)** is still strong.

In this way, it is clear that 'Bushman-ness' cannot be defined by choice of livelihood or 'what is perceived as culture' (Hewlett,2000). A San identity is based on a belief in, and identification with, a hunting-and-gathering past, whether or not those skills actually remained in the knowledge of the 1990s 'ꞤKhomani' land claimants. To address the fears of academics concerned with promoting San agency against essentialised San

²⁵ By the early 19th century, within the 'mixed culture' group of the Griqua people, those who remained 'more Khoekhoe in descent and custom' maintained their Griqua identity, while those who were 'more European than Khoekhoe' came to be known as the Basters, at first a derogatory name and now preferred by the people (Barnard,1992:193-95).

²⁶ Although a Nama-speaker, Dawid Kruiper, as the ꞤKhomani traditional leader, is considered more of a true 'Bushman' than many other ꞤKhomani. Here, Andries is pointing out that a Nama (Khoekhoe) person would be genetically more similar to a Bushman than a Baster (European+Khoekhoe) person would be.

imagery, it is important that ꞤKhomani voices be heard, and their actions or inaction be considered, when assessing the persistence of San cultural practices or beliefs among the ꞤKhomani today. Andries Steenkamp illustrates the complexity that exists: 'This is the land of the ꞤKhomani San, not only the land of the traditional people. It is the land of *all* the ꞤKhomani San, because all of us are traditional!' (A.Steenkamp,23rdJan.2010). What this seems to indicate is a view that all ꞤKhomani, including stock-farmers, are interested in preserving San heritage, that all San are by definition traditional. For Andries, being San does not relate to occupation, blood, or physical features. Being San, perhaps, is more inward-looking: it means identifying with and maintaining aspects of San culture. Andries' statement also provides evidence that the strict 'traditional/Western' divide outlined by Ellis (2010) above may not represent a clear-cut division among the ꞤKhomani themselves, or that if this division does exist, it is based much more on the visible livelihood choices and land uses of individuals (one group is farming, while one group is gathering) than on varying connections to more internalised senses of a Bushman/ꞤKhomani/San identity ('I am a Bushman!', 'All of us are traditional!'). And if a devout sheep-herder like Andries – viewed, like Petrus Vaalbooi, as strictly 'Western' by outsiders – considers himself 'San' and 'traditional', then his ꞤKhomani cultural identity must go beyond 'what is perceived as culture', as Andries is not personally involved in any activities, such as craft-making, that outsiders would readily identify as pursuits of 'the Bushman'.

Thus, in exploring ꞤKhomani self-conceptions, identities, preferences, aspirations, and frustrations, it will be necessary to look beyond the obvious livelihood choices – stock-farmer, craft-maker, hunter – that individuals have made since 1999. A choice to raise sheep, whether temporarily or permanently, does not equate to an antagonistic attitude

towards, or the abandonment of, 'the traditional' in the minds of †Khomani individuals. Like the Crow in *Radical Hope*, the †Khomani now have to determine what it means to be a Bushman, even if they have lost some or all of what being a Bushman used to mean. The people still believe in, and identify with, a Bushman past and a set of Bushman ideas and skills, and this can be a point of pride and may perhaps, as some have argued (see, e.g., Robins 2001b), help to 'forge a collective sense of belonging...and social cohesion' such that the †Khomani 'community' may one day move from Government-required fiction to day-to-day reality. However, if what it means to be '†Khomani' includes the small-group leadership, land-use, and decision-making structures identified in **Sections 2.12 and 2.13**, it is also possible that 'community' and 'social cohesion' will never fit a †Khomani view of life, no matter how long they live together on their new lands and regardless of how much energy, money, and time government officials and NGO workers invest in 'capacity-building', community-building, and leadership training designed to help the †Khomani fit the structures required under South Africa's current land reform laws. After more than a decade of †Khomani failures to adapt to such structures, the views of outsiders as to just who the †Khomani are today – ethnically, professionally, and culturally – should highlight some of the obstacles the †Khomani have faced as they have sought to live according to their own emerging cultural identities and socio-economic aspirations.

5.3 Lack of Understanding by Others, Including Government – Who Are *They*?

A general theme at †Khomani traditional leader Dawid Kruiper's 75th-birthday party was that the †Khomani considered Dawid irreplaceable, in part because the government knew him and came to see him. This was a major point of pride for the †Khomani, that at least one of their members was known by Government. But how well do outsiders, in

government and elsewhere, really know the ꞤKhomani? Based on the views of the San expressed in **Section 2.8**, I asked several non-San people in the Kalahari – including NGO workers, government officials, school teachers, and local employers – for their perceptions of the ꞤKhomani San, in terms of the ꞤKhomani identity, the status of their traditional culture, and their political and economic goals.

Dupel Erasmus is Tourism Manager for the Kgalagadi Transfrontier Park ('the Park'), in which the ꞤKhomani received land and use rights as part of their land claim. Dupel explains, 'I don't think currently there is a single thing within the Park that *exhibits* the Bushmen...because I don't think that is the justified thing to do. ...I don't think there's one single tourist coming here who would like to see the Bushmen running over the dunes' (Erasmus, 18th Jan. 2010). Although this is a justified reaction to former 'living-Bushman' exhibits in Johannesburg, London, and elsewhere in the 19th and early 20th centuries, it is true that many non-San people still view the Bushman as the exotic, mysterious, all-knowing 'other'. Ivan Vaalbooi explains a common tourist reaction at !Kwa ttu, where he works as a tour guide: 'If they heard you are a San person, they get curious, and they want to know more, what you know about the bush' (Vaalbooi, 7th Jan. 2010). About why the San tour guides are not in traditional clothes, Ivan says, '[The tourists] do ask you. For me, it's...modern life now, but if I want to wear those clothes, then I want to be in the open spaces – in the nature.... [T]he clothes are very valuable to the San people.... But when you are wearing the traditional clothes and you have a lot of observers, they will *always* look at you as if you are something strange' (Vaalbooi, 7th Jan. 2010). The use of the term 'something' here is very powerful, indicating that, despite efforts not to put the San on display today, they are perhaps still objectified by others, confirming the authors' findings in **Section 2.8(d)**.

Peter Mokomele is the DLA official in charge of †Khomani post-settlement development. My interactions with him indicated that he does work very hard to try to understand the †Khomani, particularly their development and land-use objectives. However, when first asked about the †Khomani, his response was very telling: 'The †Khomani San, I mean, are just, like, I'm not sure – it's a difficult question to answer'

(Mokomele,15thSept.2009). As a Tswana man who was simply assigned to the †Khomani post-settlement, Peter did not have a history of living and working with San people. Sophia Coetzee, Mayor of Mier Municipality did, however: 'Before they came in 1999, we had some of the people...living here together [with us in Rietfontein], so we knew each other.... So it's not difficult working with them – not for me. It's my old school friends' (Coetzee,22ndJan.2010). Thus, she believes she has some understanding of the group of people who now make up the †Khomani community and has little trouble conceptualising their shift from 'coloured' to '†Khomani'.

In the eyes of other Kalahari neighbours, however, the †Khomani do not fare so well. Regarding the efforts of some †Khomani to live in a more traditional way, Jean Lambrechts, the owner of Molopo Lodge, which is surrounded by the †Khomani farms, argues, 'Why? It's 2010. I don't think they've got...a lot of their culture back. ...It's not only the Bushmen that are changing. ...The whole world is changing' (Lambrechts,16thJan.2010). Whilst this 'time to move on' attitude is expressed by this neighbour and employer of some †Khomani, the attitudes of those charged with educating the †Khomani children could have a greater impact on any efforts to re-establish a sense of San pride, which as Holly Shrumm and Ivan Vaalboo indicated above, is an important need for the †Khomani. Meris Kocks is head of the Social

Sciences Department at the Rietfontein Combined School, where the ꞤKhomani children must board, 55 miles from home. He expresses his views as follows:

The ꞤKhomani San...are not truly the San, in the sense of being 'the Bushmen'...because...during...apartheid..., there was only 'coloureds'.... After...1994, ...[t]hose people turned up and said, 'I am ꞤKhomani San...'. I say those people were incorporated...in society. ...If they want to be traditional Bushmen, why are they collecting money from...tourists? Bushmen for me – in the literature – are people living in the field, in the mountains, at Kagga Kamma. ...Also from the literature, ...the San are around 1.5 metres tall, and none of those kids are only 1.5 metres tall. ...[I]t's like in animals – in-breeding...so that you do not have the *true* Bushman...here at all. The young ones are speaking Afrikaans.... I can't perceive them as a true Bushman (Kocks,22ndJan.2010).

This is a very good example of a prominent person in the lives of the young San with clearly stereotyped ideas about San identity, even referring positively to Kagga Kamma, the tourist farm where the original group of land claimants had been exploited and put on display. His well-reasoned excuses for dismissing the San-ness of the ꞤKhomani – including being defined out of existence by apartheid 'colour' categories that did not include a 'San' category, plus language loss, incorrect stature, mixed blood, and attempts to earn money –are strikingly similar to the dismissive prejudices noted in **Section 2.8**. However, all of the elements used by Kocks to dismiss ꞤKhomani Bushman-ness could be categorised under 'what is perceived as culture' (Hewlett,2000), rather than addressing those inward-looking cultural aspects, like self-identity and group organisation, that define San-ness to the San themselves.

In line with such prejudices, Jean Lambrechts regards standard school education as the best route for the San children:

Rather...than...teach them...to walk naked on the tar road, ...send them to school, where they'll teach them, 'Brush your teeth...wear clean clothes.

Use the ladies' loo, not the [bush]'. ...Their tradition is the opposite. ...Why must they stay still Bushmen? ...Rather...educate them to go earn a salary and have a decent living (Lambrechts,16thJan.2010).

Thus, many non-San believe that being a Bushman is a livelihood choice. One can either be a Bushman or a wage earner. However, although many ꞤKhomani would very happily take up wage-earning jobs if available, many still would not. Aside from the issue of what constitutes a 'real' Bushman, it is this traditional livelihood choice that is so often a source of misunderstanding and scepticism among outsiders. On the one hand, Meris Kocks expresses dismay over the two ꞤKhomani traditional-use farms in agricultural terms: 'Erin and Witdraai – what has happened to those farms? Who is cultivating the land?' (Kocks,22ndJan.2010). On the other hand, much of the debate about appropriate San livelihoods is based on the misconception that farming is not an option for the San at all. Jean Lambrechts explains, 'It's not their *culture* to farm. Farmers are white people...and Zulus. ...Bushmen are not farmers' (Lambrechts,16thJan.2010). This again defines San culture by livelihoods or 'what is perceived as culture'. If being a Bushman is itself a profession, then an individual can be either a farmer or a Bushman, but not both. As seen quite clearly above, however, such a distinction is completely foreign to the ꞤKhomani themselves. Staunch sheep herders Petrus Vaalbooi and Andries Steenkamp, whose respective sons, Ivan and Richard, have received training in computers and management, both believe that they are 'Bushmen' and 'traditional'.

As Tourism Manager for the Park, Dupel Erasmus is an important potential employer for the ꞤKhomani. He describes the lack of ꞤKhomani employment as resulting from 'a

skill shortage. ...I think [the Mier people²⁷] are more committed actually to better themselves to...qualify for a position. Whereas...the ꞤKhomani...are more traditionalists' (Erasmus,18thJan.2010). Unfortunately, he clearly sees tradition as the opposite of qualification and betterment, and in the eyes of this government employee who must follow an open hiring process, rather than one that includes positive discrimination, the tradition-versus-qualification distinction may be justified. Erasmus continues, arguing that the ꞤKhomani have chosen 'tradition':

It's purely that they've not progressed through the...schooling system. ...[T]hey're...saying, 'Yeah, we'd rather go and walk in the bush'. ...You want to appreciate...that...because that is where they come from. But...I think that is the sacrifice that they have to make, in order to either pursue the cultural...route – a traditional route – *vis à vis* a more modern approach to career planning and to the challenges that are out there. Life is not standing still just because of the ꞤKhomani (Erasmus,18thJan.2010).

This image of the ꞤKhomani as 'traditional' and therefore less qualified or entitled to employment, respect, or pay was also found with respect to other San groups in **Sections 2.8(c) and (d)**. Contrasting the continuation of San traditional practices ('where they come from') versus 'a more modern approach' also appears to place the ꞤKhomani soundly in the past, as many authors noted throughout **Chapter 2**. And both beliefs that the ꞤKhomani 'must fit into the 2010 life' (Lambrechts,16thJan.2010) and that 'life is not standing still' for the ꞤKhomani (Erasmus,18thJan.2010) tend to characterise San-ness (or indigenusness or Aboriginality) as an impediment to progress, a notion that O'Malley (1996) discredited in **Sections 3.7 and 3.13(f)**.

In addition to grappling with the ꞤKhomani identity, livelihood choices, and land-use goals, many outsiders – government officials and NGO workers alike – have struggled

²⁷ See **Section 2.2** for a description of the Mier people.

with the lack of hierarchy among the San. Andries Steenkamp puts it very simply: ‘The San structure is not the same as the Zulu, the Xhosa, the Sotho. It is another culture’ (A.Steenkamp,23rdJan.2010). For Andries, land reform laws have attempted to impose the hierarchical structures of South Africa’s dominant Zulu, Xhosa, and Sotho societies on to the ꞤKhomani. Axel Thoma explains more fully:

The San leaders...were not chiefs.... They were only respected due to their *knowledge*. ...You ask somebody for advice because he is good about... hunting, but you would not ask that person for advice in a different field! ...You have several leaders within the same community, giving advice in the field they are a professional in. ...I think...development is moving a direction that to be a San is a profession.... This is [nonsense] (Thoma,6thJan.2010).

Therefore, the Bushman-as-profession fallacy is damaging, not only because it comes with a set of limited ‘real Bushman’ livelihood options, but also because it conflicts with a key organisational aspect of San culture: their traditional system of non-hierarchical leadership. These arguments by Thoma and Steenkamp, both stated in reference to the ꞤKhomani San, tie the general non-hierarchical, expert-based leadership structures of San and other hunter-gatherer communities discussed in **Section 2.12(e)** to today’s ꞤKhomani. Thus, Government’s attempt to create an overall chief out of someone like Dawid Kruiper was artificial (Thoma,21stAug.2009). As Axel points out, this illustrates a misguided process of development, based as it is on concepts not found in San culture. Clean, top-down decision-making, representative democracy, and clear statements of the goals of all members of a large community simply do not exist among the San, and government officials, who are used to working primarily with hierarchical agro-pastoral communities with defined leadership structures, grow increasingly frustrated in their efforts to find trusted authority figures who can, and want to, speak for all ꞤKhomani and, more importantly, whose decisions are *final*. In a way, it appears that the Mayor of

Mier Municipality, who grew up with many ꞤKhomani in Rietfontein, has come to understand this: 'Yes, there are leaders, but...I must...bring all the leaders together and speak to them all. ...That would put people off if I chose one person I thought was the best, and they don't think he's the best. But if I speak to the people, it must be in a group' (Coetzee,22ndJan.2010).

Typically, however, Axel Thoma argues that 'the government we are living with today require someone to talk to [and] place leaders into a hierarchical structure.... The community is, due to the system, made to depend on one person to deal with the government' (Thoma,21stAug.2009). DLA official Peter Mokomele explained that he believed Dawid Kruiper was indeed the ꞤKhomani leader, but over the past couple of years, Peter has also begun working with other ꞤKhomani, including Andries Steenkamp, Andries' wife Magdalena, Fannie Brou, Oupa Jan, and Oom Jan, and Peter believes he will soon be collaborating with Anna Festus in Upington: 'She would understand certain things better than other people because she has a formal job' (Mokomele,10thDec.2009). Whilst this statement may represent an unconscious prejudice in favour of the wiser, city-dwelling ꞤKhomani like Anna Festus and Collin Louw, it is nonetheless important that Peter has been attempting to adapt his community interactions to a more San style. Still, as will be seen in **Chapter 6**, the ꞤKhomani have grave doubts about Peter's understanding of, and his ability to satisfy, their particular needs.

Even as progress is being made in recognising that the ꞤKhomani lack hierarchies, San decision-making is still a source of frustration for government officials and NGO workers in need of direction from the community they are trying to serve. Axel Thoma

explains, ‘They don’t...realise how much longer it takes to make decisions..., due to the consensus-based system in the community’ (Thoma,21stAug.2009). For Axel, Government has not yet grasped that San decision-making is very fragile, as a decision made one night can be contested the next day. Traditionally, small groups would have concentrated on thinking about their *n!ore* (see **Section 2.12(d)**), not trying to make decisions for a whole community: ‘It’s far too much for them – very overwhelming for the people’ (Thoma,21stAug.2009).

Thus, the community-wide leadership, decision-making, and land-ownership structures required by the Restitution and CPA Acts, combined with local prejudices about what constitutes a ‘real’ Bushman person or livelihood choice, have led to frustration for both †Khomani and non-†Khomani people as ‘the †Khomani’ have struggled since 1999 to create or re-create a †Khomani identity, to live according to their own conceptions of ‘tradition’ and San culture, and to find ways to use their new lands to earn a living as they choose.

5.4 Was a ‘Community’ Created?

In the context of these emerging †Khomani cultural-identity struggles and the analyses of ‘community’ provided in **Section 3.12(a)**, I initiated many discussions among †Khomani people and those currently working with them on the topic of ‘community’. Government required a ‘community’; Roger Chennells created a ‘†Khomani San community’ to satisfy the laws and win the land claim; do the †Khomani themselves believe they are living in a community today?

Among the †Khomani, there does not appear to be consensus on the existence of 'community'. Fannie Brou explains that, at the moment 'on the farms, each and every one is for themselves' (Brou, 8th Sept. 2009). Fannie does not see an indication of 'community' developing among the †Khomani, as no one has reached a sense of loyalty towards the community or responsibility towards performing community work, maintaining community assets like water pumps, or participating in community-wide development projects. The †Khomani are still engaged in subsistence-based activities and have neither the means, nor in most cases the interest, in working for the benefit of the whole community. However, Peter Mokomele contends that, although 'they were not a community', there is now 'a process to build a community' (Mokomele, 10th Dec. 2009). I did not witness such a process in operation, but a few interviewees did express what seemed to be evidence of a budding sense of cooperation. For example, Bushman Raad member Oupa Jan explains that, although in his opinion farmers Andries Steenkamp and Fannie Brou do not actually understand or have much interest in San traditional culture, he is happy to work with them, because the lands belong to all †Khomani and they all need to work together as a community (Pietersen, 5th Sept. 2009). Similarly, Collin Louw in Upington expresses his frustration with the 'farmer/non-farmer' divide: 'There's no "Western" and "traditional". It's just San. You are a San, and that's it! You are a Bushman, and that's it' (Louw, 12th Jan. 2010). Thus, in line with Andries Steenkamp's statements above, indicating that a †Khomani sense of San identity and tradition need not hinge upon individual livelihood choices, a collective Bushman identity may be a cure for 'traditional/Western' divisions in the community. Andries Steenkamp and SASI Assistant Project Manager Vinkie van der Westhuizen both lament that elsewhere they could be making more money. However, for both, community work is too important for them to leave. Vinkie contends, despite

the low pay, 'I don't want to leave SASI because I want to help our *community*' (van der Westhuizen, 25th Jan. 2010). Likewise, Andries says, 'Why I am here now is, this is *my* community' (A. Steenkamp, 23rd Jan. 2010).

However, many †Khomani believe that the efforts of a few towards creating a community are still far overshadowed by actual †Khomani divisions. Salomme Steenkamp, a Sisen²⁸ craft-shop clerk, explains, 'I don't know [if this is a community]. Everybody just struggles for himself' (S. Steenkamp, 2nd Sept. 2009). Andries Steenkamp's son Richard further illustrated these struggles, using the example of the continued lack of †Khomani housing: 'If the houses are going to be built, it will [mean some employment], you see? But, no, there's fighting: "No, we cannot build [here]. We must build there!"' (R. Steenkamp, 2nd Sept. 2009). As Richard's statement indicates, the †Khomani are unable to come to an agreement on where housing should be built, particularly as many †Khomani would prefer multiple, smaller groups of houses spread out across their farms, rather than the single, large village that local government officials and their contractors would prefer. And unfortunately, Government has consistently used this lack of agreement as an excuse for even further housing delays. When asked why house-building had not yet begun, the Mier Mayor responded, 'It's because of the location issue. ...Some people say "not there". Other people say "not there". But in the government, you mustn't always listen to *all* the people. ...When you listen to all the people, you get stuck with no village, like we have now. Dawid Kruiper's people say [this], and Petrus [Vaalbooij]'s people say that. That's the [problem] we have as leaders, you see?' (Coetzee, 22nd Jan. 2010). In this context, Dawid's people represent the 'traditional' †Khomani, and Petrus's people represent the farmers, who were 'let on

²⁸ 'Sisen' translates to *we work* in N/u.

the bus' as a result of Government demands. Coetzee's Kruiper-versus-Vaalbooi explanation for †Khomani housing delays, in addition to highlighting traditional/Western divisions among the †Khomani, also clearly shows the †Khomani attempting to use consensus-based decision-making, in which all †Khomani have a say, and which a) is considered inappropriate and inconvenient by government officials and b) seems incapable of reaching permanent, community-wide decisions. These divisions, however, are not strictly 'traditional'-versus-'Western' disputes. The perceived Kruiper-Vaalbooi feud is analysed by Andries Steenkamp as follows:

Most of them is fighting each other every time, and that's why [farm progress] cannot go forward. ...There is *not* a fight between the Kruipers and the Vaalboois. The Kruipers fighting with everyone he see! [And the Vaalboois fight] with everyone he see...[about who belongs in the community]. My mother was a Vaalbooi, and my father was a Steenkamp...so [Petrus will] say, 'No..., he is a Steenkamp'. ...[But] Petrus come here after my mother. She was the oldest Bushman woman in the Vaalboois' community! (A.Steenkamp,8thSept.2009).

Thus, in terms of identity, a prominent woman (Andries' mother) in the stock-farming Vaalbooi family was still a 'Bushman woman'. Andries' choice of the phrase 'the Vaalboois' community' is also extremely interesting, indicating a definition of *community* that is kin-based, unlike Government's definition, which is based on the 'shared rules' of a large group for accessing and using a particular piece of land. This is further evidence that San 'communities' are based on smaller groups and that the †Khomani still identify with such structures and would likely have fewer conflicts and housing/livelihood/development stalemates if such structures could be re-initiated.

Importantly, it appears that divisions within this †Khomani community are not based on varying degrees of identification with a †Khomani, San, or Bushman identity. As seen

in Collin's statements above, the †Khomani with whom I spoke all felt a strong connection to some form of 'Bushman' identity. By contrast, it is land-use and livelihood planning that primarily divide the †Khomani. And, as will be argued, a collection of individuals who identify themselves as San, but who have different goals for making a living on their new lands, could still use their farms profitably if allowed to divide themselves into sub-groups or 'bands' based on ties of kinship or livelihood choices and to make decisions *for* that band from *within* the band, to apply to that band's territory and activities. As discussed in **Section 2.13**, shifting, adaptive ways of making a living have never determined San identities among the San themselves. Thus, it is possible to explore the ideas behind varying †Khomani land-use aspirations without thereby challenging individuals' identities as Bushmen.

The different world views among the †Khomani are evident when discussing land use and allocation with those who are decidedly and unabashedly aligned with the farmers. Speaking with Fannie Brou, I suggested that eventually tourism operations on the Witdraai traditional farm could be very profitable. He responded, 'I shall say no. ...Because...[if a farmer] has 1,000 or 500 sheep in the field, he knows every six months, there will be *another* 500. So then you can sell them. So you can [see] your money. But on the tourism side, you don't [see] your money.'²⁹ ...Farming is the best way in the Kalahari to make money' (Brou, 8th Sept. 2009). This is a good demonstration of the †Khomani farmers' view and, like their non-San neighbours, their lack of understanding of the land-use goals of the non-farming †Khomani. Regarding how much land should be set aside for those who would like to practise traditional San livelihoods, Fannie

²⁹ This statement appears to indicate that farmers can count their sheep and goats and, thereby, see their assets or potential income, whereas tourism ventures in the Kalahari are more speculative, as tourists tend to visit sporadically.

answers, 'Only one place, only Witdraai.... To bring money in – *farming*'
(Brou,8thSept.2009).

Roger Chennells explores this land-use rift in the community and its meanings and consequences. Because of the insistence by some ꞤKhomani that farming is 'the best way' and that more traditional-use land should be reallocated to stock-farmers, Chennells advocates a protective separation between the two sides, for the benefit of the non-farming ꞤKhomani. He explains, 'Essentially that so-called community, which is actually two different world-view communities, to make it live happily together, there would need to be a nice fence down the middle where people can choose which side they want to go' (Chennells,13thDec.2009). I mentioned to Roger that, although the three farms of Scotty's Fort, Uitkoms, and Andriesvale had been set aside for stock-farming in the ꞤKhomani Constitution, Richard Steenkamp and Fannie Brou had told me that even more of the ꞤKhomani land should be set aside for sheep-farming, because these two young 'Western' men did not see the 'traditionals' like Oupa Jan as doing anything productive with their traditional-use land on Erin and Witdraai. Roger responded, 'That's a very good example of a clash of values' (Chennells,13thDec.2009). Roger then referred to a book that has influenced his thinking, in the same way that Jonathan Lear's *Radical Hope* had been important to Pippa Skotnes. This book is called *The Other Side of Eden*, and in it, Hugh Brody describes the relentless pursuit of new agricultural land by farming communities as a 'curse', such that they feel they must forever take over more and more land from non-farming groups in order to produce more and more crops. Whilst many characterise non-farming, hunter-gatherer groups as nomadic, their territories are actually fairly fixed, and it is the farmers who constantly spread out into new lands (Brody,2001). According to Roger,

Fonnie characterises those who have got the 'curse of Eden'. [They say], 'Land is for developing...'. And the others are saying, 'The land is perfect!' ...It's two different views, so all we have to do is put the *fence* where the two views can actually not try and persuade each other. Because they will never. ...[W]hat tends to happen is that the 'cursed' ones win. And...when I started the land claim, my aim was to try and help the *un-cursed* ones, ...to get land for those who don't want to farm. ...[But] because [the San farmers] were allowed 'on the bus', ...they...said, 'We want at least half the land for farming'. There was an original Constitution, which actually said, 'At least 50 percent of the land shall be used for traditional reasons'. Then the Constitution was re-written at a time where I was slightly excluded, and...they...said that Erin and Witdraai are protected for the traditional people, whereas...Miershooppan was also meant to be part of that. ...But...you've [still] got the *curse*. The farming guys are saying, 'Well, that's nice farming land there'. ...They regard hunting and gathering and sitting under a tree as doing nothing (Chennells, 13th Dec. 2009).

This traditional 'sitting under a tree' way of life is clearly something that outsiders and, as the attitudes of Richard Steenkamp and Fonnie Brou above suggest, even most of the San farmers would not easily understand. In line with Chambers (1989) and Williams (2003) above, how can government policies, written in towers in cities to apply uniformly across the country, espousing and promoting the ideals of dominant society, possibly be expected to accommodate this kind of world view? Roger's idea of a fence, whether physical or metaphorical, between farming and non-farming San confirms the potential expediency of San-style sub-groups based on livelihood choices. With more cultural subtlety than a simple farming/non-farming fence, multiple sub-group organisation would not only allow for more occupational variations among the ≠Khomani, but would also create the space for smaller groups to use more traditional San leadership and consensus-based decision-making structures for whichever occupations they choose, as Oupa Jan states above, in whichever seasons.

In this context, it is important to consider what Peter Mokomele knows, feels, or understands about †Khomani community divisions. Although Peter was not involved in the 'let them on the bus' scenario, he is the government official now dealing with its consequences:

With the †Khomani San, ...we're not talking *a community*. We are talking groupings that the only thing common to them is the land. ...I think the San should be left to...decode for themselves what it means to be a San.... But when people go there and tell them, 'You are a San, and you are Western, and you are traditional', then it creates this division. It's not helping building a community (Mokomele, 15th Sept. 2009).

Whilst the lack of 'community' is clear today, Dr. Grossman disagrees with Peter's assessment that outsiders created this rift: 'The people didn't need someone to start dividing them. They came from fundamentally different geographical, social, economic, and spiritual backgrounds. They were lumped together³⁰ and did not coalesce into an instant, magic community' (Grossman, 19th Jan. 2010). However the divisions began, here again is confirmation that the †Khomani are comprised of 'groupings', rather than being a cohesive community. It is also important to note that Peter, although apparently still hoping that a community may be built, recognises that the land reform laws that define his own role have not actually led to the creation or 'rebirth' of a †Khomani community, regardless of what Thabo Mbeki and Derek Hanekom may have believed, or at least said they believed, during the 1999 handover ceremony. Ten years after, Peter Mokomele expresses his views on the DLA's actual struggles with post-settlement community-building:

Sometimes I feel our programme is not taking cognisance of...the fact that, when people have been removed from the land and they come back, it

³⁰ Whilst 'outsiders' of course caused the †Khomani to be 'lumped together', the argument here is that the different experiences, livelihood ideas, and land-use aspirations already existed among the †Khomani.

takes a longer time to build – rebuild – a community, particularly when people...went different ways...because they have been exposed to different things. They have not been staying *as* a community. ...Now, they are different communities coming together.... So they need...space...to sit down and say, 'Let's reconstruct this...' (Mokomele,15thSept.2009).

Thus, Peter recognises the problems land reform faces in insisting that dispersed people quickly build or rebuild former communities. However, Peter very importantly also acknowledges that, for the ꞤKhomani, 'reconstructing' the way they were may not lead to what Government views as a typical 'community':

[The ꞤKhomani] were not a community in the classical sense of other people that would have said they had one structure, they had one traditional leader,...they met often, and they agreed about issues. They were not like that. This family was there and hunting..., and then they would move from there. And this one was there and doing that. All that they knew was, 'Yes, we speak the same language', but the families were different. So they were not...a community in that way (Mokomele,10thDec.2009).

This is a key statement by a DLA official, who has come to understand that, in addition to the general challenges of re-forming a community from scattered individuals, San peoples in particular would not satisfy a classical definition of 'community', even in their 'reconstructed' pre-colonial or pre-apartheid societies. Peter provides an example of a group who would naturally meet South Africa's standard definition of 'community':

Those communities that have been in one place, or have stayed together for a very long time, they have evolved systems and procedures, and they have a way of running their own lives – everyone knows – and they have packed themselves. I mean, you go to KwaZulu-Natal. Everyone is packed in their particular order: you are at this level, you graduate to be there...in terms of what the society has determined (Mokomele,15thSept.2009).

Therefore, what constitutes a true 'community' for the man charged with implementing the Restitution and CPA Acts for the ꞤKhomani revolves around the hierarchical,

agricultural mode of existence typified by the Zulu people, who exemplify the agro-pastoral traditions of the black majority of South Africa. By this definition, it seems clear that, in order to meet land reform's requirements for communal land ownership, centralised leadership, and community-wide, representative decision-making as the laws now stand, the †Khomani would essentially be required to abandon central elements of their San/forager culture, particularly those that relate to egalitarianism, small band organisation, and consensus-based decision-making. Thus, the inability of the †Khomani to create a true community since 1999 is as much about traditional San structures as it is about the mismatch of occupational backgrounds and land-use aspirations of factions within the combined †Khomani land-claim group.

5.5 From Laws that Ignore Difference to Actions that Lack Cultural Specificity

Based on the analyses of development failures in **Section 3.7**, I sought to understand how the †Khomani feel about Government, in terms of the post-settlement efforts of government officials, particularly the DLA's Peter Mokomele, to encourage and facilitate the creation of †Khomani livelihood projects that are based on †Khomani ideas and that are both culturally appropriate and profitable. Beyond the written legal prescriptions of land reform regulations, are the livelihood preferences and the cultural identities, structures, and priorities of the †Khomani being supported, or even acknowledged, by government officials working with the †Khomani on their new lands?

Former Bushman Raad leader Oupa Jan expresses feelings of great frustration towards Peter Mokomele, saying that because Peter is not San, he not only does not understand San traditional culture, but also shows no interest in it. Jan complains that, even when Peter comes to the Kalahari, he primarily attends stock-farming meetings. He

contributes very little to conversations, and if he does provide government funding for traditional uses, such as the new gatekeeper's office for the private ǀKhomani Park entrance, Peter chooses not to visit the site to see the results of ǀKhomani efforts (Pietersen, 5th Sept. 2009). **(Figure:5.4.)**



Figure 5.4: Former Bushman Raad leader 'Oupa Jan' Pietersen at the new ǀKhomani private entrance to the Kgalagadi Transfrontier Park.
Photo by the author.

Although Peter is extremely busy, managing the post-settlement development work of several land-recipient communities in the Northern Cape, his perceived lack of respect

for, understanding of, or interest in ꞤKhomani cultural practices and priorities sends a message of 'standardised agriculture for integration' as observed by Hewlett (2000) above.

It is because of these perceptions of a lack of understanding of, or interest in, both ꞤKhomani culture and the hungry, fractured status of the ꞤKhomani community that many farm residents believe that Government simply does not know about their plight. Similar to the !Kung woman's entreaty, seen in **Section 2.9(b)**, that Megan Biesele should 'Tell the government how we live', the ꞤKhomani commonly express a view that, if only Government knew, they would act. For example, Anna Festus complains that the reports Peter Mokomele sends to his boss, the Northern Cape and Free State Regional Land Claims Commissioner ('the Commissioner'), surely must not be saying what the ꞤKhomani want to say: 'I don't think always he clearly understands what is our real problem' (Festus, 12th Sept. 2009). Andries Steenkamp displays considerably more dissatisfaction, believing that it is increasingly his own responsibility to 'tell the government how we live', in the absence of sufficient efforts from Peter:

I have sent a letter to brief the Premier of the Northern Cape, that I want to see her immediately. If she never can see me, I can get on the line to the President *directly*! It is time to listen to what I say! ...The [ꞤKhomani] ...must wait for a *long* time for an answer! ...She is never coming to the Kalahari, so she doesn't know us.... I must *tell* [Government] what are the problems in the community! (A. Steenkamp, 23rd Jan. 2010).

Thus, many ꞤKhomani feel that Peter must not be reporting to the Commissioner about the ꞤKhomani, because if he were, it is believed, Government would know what the ꞤKhomani need. Andries' insistence on communication with government leaders also indicates his understanding that, as Ferguson (1990) argues, rather than repeatedly

failing development projects, what is truly needed is political empowerment. In this context, official government 'recognition' of the ꞤKhomani would grant the ꞤKhomani a permanent seat in the national and provincial Houses of Traditional Leadership, which they believe would allow their voices to be heard more clearly by Government.³¹ Anna Festus explains, 'I think it's really time now for *full* recognition...from Government. Our people...have been identified as indigenous people. ...As ꞤKhomani San people, we would...also...[like to] have a representative on the highest level, which is...Parliament' (Festus,12thSept.2009). Although Namibia today has a San member of Parliament, South Africa still does not. Whilst neither Namibia nor South Africa allow for the election of Members of Parliament for the purpose of representing particular racial or ethnic groups, many younger ꞤKhomani, like Anna, believe it is time for the South African San to gain the realistic opportunity – including access to higher education, nationally recognised qualifications, and appropriate work experience – to reach public office. For now, however, the San believe that perhaps their status as an indigenous people will assist them in having their voices heard. Ivan Vaalbooi speaks about the participation of his father, Petrus, in the international indigenous movement: 'He has travelled all over the world. He went to places like Greenland, he was in Geneva.... He even went to visit the Saami people in Finland' (Vaalbooi,7thJan.2010). Indeed, Fonnie Brou also travelled to Finland in 2009. The San are, therefore, clearly involved in the general indigenous peoples' movement, but as yet, they lack the knowledge of how their 'indigenous' rights under the UN Declaration might be applied to improve their everyday lives in South Africa.

³¹ An interesting question, however, is whether one person could effectively represent the variety of interests we are seeing among the members of the ꞤKhomani 'community', particularly given the traditional San reluctance to speak for other San people or to have other San speak for them.

Regarding the South African government, Andries Steenkamp complains, 'They say all of us [South Africans] are indigenous. That is right,...but there were indigenous peoples *before* the black people! ...[Government] must *respect* [the San] because I try to respect his [culture], and that is the only thing first indigenous peoples want! You cannot go [forward] without us! That is not the right way to develop people'

(A.Steenkamp,23rdJan.2010). For Andries, part of this respect is simply an expression of cultural understanding towards a group. For example, comparing Mier Municipality to the Siyanda District government, Andries reports that the new Siyanda Mayor says 'San' instead of 'KhoiSan', and he finds this encouraging (A.Steenkamp,23rdJan.2010).

However, Andries' experience with other government officials has not been so promising. Upon meeting the previous Premier of the Northern Cape, Andries remembers, the Premier 'confused the problems with the Griquas and the Nama and the San and the KhoiSan, and I say, "No, I am the Bushman from the Kalahari! So let [me] tell you my story! ...Let [me] tell you the Bushman story!"' (A.Steenkamp,23rdJan.2010).

Part of 'the Bushman story' that needs to be heard seems to include the !Kung woman's plea, 'Tell the government how we live'. In general, such a 'story' might include the current poverty-alleviation needs of a particular community, but in the context of the San, it might also mean 'tell the government how we – *as San people* – live'. Failing to take specific San cultural aspects – including decision-making, livelihoods, and leadership structures – into consideration in Government's post-settlement development efforts seems to have led to many misconceptions about what would be most appropriate for †Khomani socio-economic improvement today. An excellent example of this was a suggestion made by Peter Mokomele: 'If they had a herd of cattle, I think they would make some money' (Mokomele,15thSept.2009). All three San groups

I visited in South Africa – the ꞤKhomani, !Xun, and Khwe – laughed out loud whenever cattle-farming was mentioned as a livelihood option for them. The ꞤKhomani, !Xun, and Khwe all regularly explained that, although the San often herd goats and sheep, the herding of cattle is a ‘black’ occupation. Racial stereotypes aside, a lack of understanding of what the San people want is still a visible problem. Thus, Peter, even after working with the ꞤKhomani for several years, still does not fully grasp ꞤKhomani aspirations and the cultural meanings and ‘symbolic importance’ (see Taylor,2002) attached by the San to various livelihood options, particularly as these serve as San identity markers.

More practically, Peter Mokomele appears to lack knowledge of the various ways in which his government can assist particular groups, as indigenous peoples: ‘The government supports the notion that [the San] are indigenous, and they are the First People. So there are programmes in Government to actually support indigenous groups. ...Not with our department, but I think – I am not able to point you to a specific department, but I know there is [an] indigenous programme that is run from some – there is a Commission on What What What What Indigenous Groups’ (Mokomele,15thSept.2009). Aside from displaying a detrimental lack of government coordination among potentially helpful departments, this statement also indicates that simply recognising the ꞤKhomani as ‘indigenous’ does not seem to have come with any particular insight or benefits for the people, in the context of post-settlement development as the ꞤKhomani had hoped. Roger Chennells assesses Peter Mokomele’s development vision and livelihoods-planning work for the ꞤKhomani:

He’s been there for about five or six years. ...He’s a very, very nice person. He’s very committed. He’s very *over*-committed, actually – elsewhere as

well. And I must say that I've personally lost faith in his ability to understand the big picture and to put things in place. ...I don't think he knows what to do.... There should have been a clearer vision from his side (Chennells,13thDec.2009).

Roger continues, describing what many consider to be a key moment in the 'story' of the †Khomani San:

The Human Rights Commission came in three years ago...and investigated the †Khomani as a result of a shooting.... For the first time, they actually said the government should acknowledge that there are two different ways of seeing things in this community. Because up until then, the government had said, 'No, no, they're all the San, they're all the Bushmen, they're all the same' (Chennells,13thDec.2009).

Thus, along the lines of the 'traditional/Western split' outlined by Ellis (2010) above, the Human Rights Commission suggested that Government finally acknowledge that a cohesive †Khomani community does not exist. Livelihood and land-use goals are not consistent across the 'community' that the land reform laws required Roger to invent. However, in already acknowledging that the †Khomani are 'the Bushmen', it also seems that the door may be open for government officials, by listening to the †Khomani themselves and assessing their actions and *in*-actions, to come to understand (as Peter already has) that no group of San people would ever be likely to live permanently and function efficiently in a large, hierarchical community in the way that agro-pastoral cultures like the Zulu might, unless of course the San were to abandon important aspects of their traditional culture. And as Barnard (2002 & 2007) and others demonstrated in **Section 2.13(c)**, taking up farming practices or becoming settled does not tend to eradicate these San organisational structures, including non-hierarchical leadership and small-group, egalitarian, consensus-based decision-making. The implicit assumption in the Restitution and CPA Acts' requirements of 'community', however, is

that 'the ǀKhomani' would all be, do, and want similar things and would be willing and able to live, decide, and act in a large, cohesive group, whether initially or as a result of extensive training. With constrained government resources and a focus on the rate of land transfers rather than slower, expensive post-settlement development assistance, perhaps Government made the assumption that a community of like-minded Bushmen, once returned to (part of) their ancestral lands, would come together based on shared values, adopt representative governance structures, elect a strong central leader, make unified, community-wide decisions, and get on with the business of being Bushmen, or at least happily settled citizens of rural South Africa. The mismatch between the post-settlement expectations of Government and the ǀKhomani and the resulting failure of the ǀKhomani to live up to the CPA Act's requirements will be discussed in the next two chapters.

Chapter 6: Expectations and Actions of Government

At the opening of Professor Skotnes' *Miscast* exhibition, a San person opined, 'All the trouble in the world comes from people not staying in their own place' (Skotnes, 4th Jan. 2010). Now that the ǀKhomani are back 'in their own place', efforts aimed at ǀKhomani development have led primarily to additional 'trouble' – frustration, domestic violence, poor health, alcoholism, school dropout, and despair – resulting largely from a mismatch of expectations between Government and the ǀKhomani. Who is meant to make decisions and lead post-settlement development efforts, and how have the South African government's assumption of 'community' and its neo-liberal, hands-off policies discussed in **Sections 3.10** and **3.12(a)** worked for or against ǀKhomani efforts to govern themselves and earn a living from their lands?

6.1 Government's Changing Mandate

In Molopo Lodge owner Jean Lambrechts' view, Government fulfilled its mandate by returning land to the ǀKhomani: 'They've got the ground that the people have taken away from them. ...What they do on their farms [now] is nothing to do with me' (Lambrechts, 16th Jan. 2010). Thus, Lambrechts indicates that post-settlement farm activities were the responsibility of the ǀKhomani themselves, rather than coming under the mandate of the Department of Land Affairs ('DLA') or anyone else. Initially, with respect to the DLA, Lambrechts' statement would have been correct, as DLA official Peter Mokomele explains:

If we are able to assist the ǀKhomani San to be able to make a living out of their land, limited as it would be, and...to...participate in what is happening around them as fully fledged citizens of the country...that would be ideal. As [to] the Restitution [Commission], if someone asks us,

‘What have you done?’, we say, ‘Look, ...our mandate was only threefold: it was to accept claims, to investigate those claims, and to resolve them’. ...That’s what the [Restitution] Act says (Mokomele,15thSept.2009).

Some time after the †Khomani land-claim victory, however, the DLA began to shift or widen its focus to include post-settlement development. David Grossman, who works with Phillipa Holden as a technical adviser to the †Khomani, expresses intense bitterness towards Government, both for demanding that the ‘contrived construct’ of the †Khomani ‘community’ be created and for the DLA’s ineptitude in supporting the †Khomani after their land-claim victory. He remarked that the DLA ‘was undergoing *rapid* changes in personnel, philosophy, ideology, approach, ...at the time this [rubbish] happened’ (Grossman,19thJan.2010). According to the head of the South African San Institute NGO (‘SASI’), Meryl Joy Wildschut, such disruptive, ‘rapid changes’ are a common part of post-1994 life in South Africa: ‘The Departments’ names...change. Every time there’s a new Government, the names change!’ (Wildschut,21stSept.2009). As such, South African citizens regularly struggle to understand which newly named or newly created office performs what functions. Echoing Bradstock’s (2006:252,257) concerns about the economic impacts of underutilised land, Meryl Joy was scathing about the DLA’s initial assumption that land transfer would be sufficient:

Any normal-thinking person could have thought that it’s not going to be enough! Because you don’t want to give land back for people to *squat* on the land! ...You don’t want profitable land to suddenly fall into a complete state of disrepair and not contribute to the economy. ...Erin and Witdraai and Scotty’s Fort [farms] were *beautiful* places (Wildschut,21stSept.2009).

Peter Mokomele explains that Government came to the conclusion that such land-use and development questions were important and responded by changing the name of the DLA:

Politicians started to raise questions, saying, 'Hey, what happens to the land that you give?' So it's not necessarily in our mandate to be doing development planning or facilitating..., but that's why...Government has changed it and said, 'Let's be called Rural Development so that then we can deal with these things. We then will have a mandate'. ...[A]fter 2000... the [Restitution] Commission then...said, 'Let's have a Post-Settlement [office] so that we can then say we're helping' (Mokomele,15thSept.2009).

Thus, Peter Mokomele became Deputy Director of Post-Settlement for the Free State and Northern Cape Regional Land Claims Commissioner, under the newly named Department of Rural Development and Land Reform.³² Peter explained how this change occurred legally, with special powers and financial arrangements added to the Restitution Act 'so that [the Post-Settlement office is] able to do the development', receive government funding, and provide reports on land-recipient groups, describing 'what has happened since we gave them land' (Mokomele,15thSept.2009). As discussed in **Section 3.6**, however, such name-and-mandate changes often do not result in effective shifts by institutions, due to what Williams (2003:51) calls 'institutional inertia': despite newly 'declared intentions', departments find themselves 'ill equipped...to turning themselves around to realize...different aims' because everyday practices of the past continue even after mandates have shifted. In addition, it appears that the legal ability to receive funds from Government has actually resulted only in meagre funding for Peter's office:

We don't have the funding. The funds go to different departments to do development, but no department wants to do development unless we then can have a plan and say, 'OK, this is where people are going to stay [and this is what people want to do]'. So we then are tasked with the responsibility that should have been the Municipality's responsibility, to do the planning [for housing and land uses] (Mokomele,15thSept.2009).

³² Despite this official name change to the DRDLR, I use the term DLA throughout, as this was the name still used by all of my interviewees in 2009 and 2010.

Thus, regarding the †Khomani, Peter sees his role as one of co-ordinating the plans of the †Khomani with the appropriate government departments so that development can proceed. However, as noted in **Section 3.12(a)**, neo-liberal governments like South Africa practise a kind of ‘government at a distance’ that tends to ‘distance the processes of regulation from the forms or images of coercion’ (O’Malley,1996:313), and Peter’s own statements suggest that his post-settlement development efforts among the †Khomani have followed such practices: ‘You have to revisit the issue of what is *their* vision. They need to come up with whatever common vision for them should be’ (Mokomele,10thDec.2009). With a legislated development mandate and a newly named department, how Peter went about interacting with, and soliciting the ‘common vision’ of, the newly settled †Khomani ‘community’ has been sharply criticised by those who expected a much more systematic, speedy, reasoned, and ‘hands-on’ approach.

6.2 The Need for Agricultural and Management Training

As discussed in **Section 3.10**, a chief complaint among both academics and land reform’s recipient communities has been a lack of post-land-transfer support from Government, particularly in the areas of ‘capacity-building’, agriculture, and farm management. Indeed, Bradstock (2005:1990) argues, ‘One important explanation for the [land reform] program’s poor rate of progress is the presumption that poor [non-white] people with low levels of human capital would be able to manage large farms with little external agricultural and managerial support’.

Among the †Khomani and their neighbours, there is general agreement that training is both essential and the responsibility of Government. Jean Lambrechts, on whose

Molopo Lodge steps the land-transfer ceremony took place, describes the situation he witnessed among the †Khomani after the government officials left:

If I give you a jumbo 747 plane and I don't teach you how to fly it, you're going to stay in it, but you can't fly this thing! That is exactly what happened here. They gave these people 45,000 hectares of agricultural land. They've got no money to buy animals. They've got no infrastructure, nobody to teach them how to do it (Lambrechts,16thJan.2010).

Andries Steenkamp, head of the †Khomani Sheep Bank, explains why the †Khomani currently lack farm-management experience: 'The capacity is not there to manage farms because, in the past, ...the farmer is do[ing]...the planning, not you what work on the farm! ...You look to the water of the sheep and feed the sheep..., but you have never the capacity to *manage* the farm in a way that you can make a profit. And that is one of the great problems now in our community' (A.Steenkamp,8thSept.2009). As such, most †Khomani believe it was, and is, Government's responsibility to provide the training they need to manage their new lands. Regarding the former white owners' ability to run the six †Khomani farms profitably, Andries explains,

The planning on the farm[s], the management, was right. ...Most [†Khomani stock-farmers] say, 'I can farm, I can farm!' I am not sure.... Only the white man, the farmer, does the planning! ...So you must take the people to *teach* them how to do it. That is a problem from the side of the government. They gave commercial land away from a commercial farmer. After ten years, the †Khomani San cannot pay (A.Steenkamp,23rdJan.2010).

Like Andries, Rietfontein schoolteacher Meris Kocks places the †Khomani situation in a larger context:

The government are...responsible for some chaos in South Africa. ...They bought land, but there is not someone who can assist [land recipients] ...to become commercial farmers. ...And...the State is now a silent partner.

They are not doing *anything* to come up with a solution for the land problems [across] the Mier region (Kocks,22ndJan.2010).

Another local educator agrees that Government is responsible for rectifying this legacy of apartheid, during which the San and others were denied the right to own and manage their own farms. Askham Primary School Principal Benjamin Manyora, who has taught †Khomani children for many years, explains as follows:

We came from a regime that, maybe our parents thought, 'No, I am working on the farm, and my boss will do this for me'. [In]...1994, we got a new regime..., and all of a sudden, [the people] woke up and said, 'Oh, we must do it ourselves now'. ...We became our own farmers, but we don't have the equipment – we are not *educated* to run a farm.... In the early years, [the †Khomani] got...money from the government to develop the farms, but they were not really educated. They must get trained on...how to maintain the farms. I think [Government] should have done that (Manyora,24thJan.2010).

†Khomani community members agree. Ivan Vaalbooi pleaded, 'The government needs to support the people in a way [that will] help them get back on their feet' (Vaalbooi,21stAug.2009). Collin Louw argues that this indeed centres on training, which is now 'the most important thing. Because you can't tell me to go and work in the garden if I don't know about plants. ...We have to know exactly. You have to train people!' (Louw,12thJan.2010). In addition to agriculture and management, some †Khomani mentioned that they would like assistance in understanding their rights, both as South African citizens and as land recipients. Anna Festus explains, 'Because we were born in the Park...this gave us...symbolic rights. And then we also have business rights within the Park, which are called in your modern language, commercial rights. ...We didn't really...understand all these rights...written up in very thick documents' (Festus,12thSept.2009).

Peter Mokomele describes how he approaches land-recipient communities with regard to farming and management capacity:

We normally start with a base that there is not enough management capacity. Because, in a sense, we are asking people...to do things for themselves.... About [ǀKhomani] management capacity, it's not there. So when you get to the community, you look at enterprises...that can happen there, but then the difficulty is, where do I get management capacity? (Mokomele,15thSept.2009).

With the shifting mandate from land transfers to post-settlement development discussed above, it does make sense that the DLA would find itself asking such questions. Still, these questions, if unanswered by concrete government plans, do little to assist the ǀKhomani in finding the training they need. Land-claim attorney Roger Chennells provides his summary of the situation, complaining that Peter Mokomele 'doesn't seem to have a plan. ...I've started to get confirmation for the notion that actually he's too often been optimistic and subsequently discovered there was no grounds for optimism at all' (Chennells,13thDec.2009).

6.3 Does Government Care?

Among the ǀKhomani, a frequently expressed belief is that, based on the lack of post-settlement assistance and training, Government clearly does not consider the San a political priority. For example, Anna Festus laments as follows:

We felt that our government...left us on the side path. Left us alone to deal with this big land, and there were a lot of problems, really. ...[O]ur people are not planless. They always know, if they [are] asked, they will always have a plan on the table, but if you don't have the necessary assistance, you are lost somewhere (Festus,12thSept.2009).

Other ǀKhomani express far more bitterness toward Peter Mokomele and Government for their lack of effectiveness in providing what the ǀKhomani feel they need. Collin

Louw complains, 'He didn't do training. He didn't do anything! ...They are not helpful! They want to show the world that the Bushman people are not capable, of thinking or doing things for themselves!' (Louw,12thJan.2010). This is an important comment, in that it illustrates the ultimate goal, first to receive training and infrastructure-building assistance, and then to operate autonomously. A decade of delays in providing this initial assistance has only added to the resentment that dispossession created. Collin argues, 'Now if they are coming back and...saying, "You have to give back what belongs to the San", [that] means there's a *lot* of things that you have to give back to them. And that's what [Government] does not want to try to do' (Louw,12thJan.2010). This statement is indicative of the trauma that, as Chennells (2009a) mentioned in **Sections 2.7 and 3.9**, still needs to be healed among the South African San. This kind of suffering appeared to be behind some of Dawid Kruiper's statements – 'What have you got for *me*?' and 'The white people dropped me' (Kruiper,4thSept.2009) – both of which seem to signify land reform's inability, at least thus far, to return everything that twentieth-century dispossession took from the Southern Kalahari San.

Regarding the reasons for ineffective post-settlement assistance from Government, Jean Lambrechts makes a very matter-of-fact statement: 'I don't think the Bushmen are important to the government. To the government, who is Dawid Kruiper in the Kalahari? Just a name on a piece of paper' (Lambrechts,16thJan.2010). Technical assistant David Grossman also provides examples of Government's apparent lack of concern for the #Khomani:

Rodolfo Stavenhagen...came. He's the United Nations Special Rapporteur on the Rights of Indigenous People. He...produced a report...urging the South African government to treat the 'sad story of neglect' as a priority. It was...just...washed aside. ...Because the [DLA] is overwhelmed.... We've

got seven unsolved murders.... We've had suicides. We've had such social despair that...it's pitiful, but blind eye, blind eye, blind eye, by Government, by local authorities, by everyone (Grossman,19thJan.2010).

Thus among whites, there is a sense that the †Khomani are suffering both from political marginality and as a result of an 'overwhelmed' DLA. For many †Khomani, however, these grievances often contain a racial element. Andries Steenkamp bemoans the lack of San in South Africa's government: 'In the local governments, there are some San...but not [higher] up! I don't know why. I have people who have matric.³³ I have people who have tried to go to universities. So I think it is time that [Government] must take a look and make sure that he develops not only the black people' (A.Steenkamp,23rdJan.2010). Similarly, Collin Louw laments, 'Government only concentrate on the black people. If there are jobs, seventy-five percent black people have to get those jobs. To me, this is not what's supposed to happen in a democratic country' (Louw,12thJan.2010).

Despite the presence, according to Andries, of San people in local government, the †Khomani do suffer from neglect at the district and municipal levels. Andries agrees that part of the problem is a lack of accountability in local government, which leads to a situation in which many government officials fail to do any work and use their political position to make, or take, money: "That is in South Africa the "in" thing. ...As you go and look at Mier Municipality, the Mayor...never make[s] sure that the Municipality Manager [or the staff] do [their] work' (A.Steenkamp,8thSept.2009). The result of this lack of

³³ In South Africa, 'matric' or Senior Certificate refers to the passing of final school examinations.

sufficient oversight is further neglect. Askham community volunteer Holly Shrumm describes what she has witnessed:

The so-called leaders...are not visible. The local Mier Municipality Councillor...is pretty ineffectual. ...I don't know [what he does].... Most of the time, I see him either drunk or washing his truck.... He is supposedly the Government elected, appointed leader, but no one trusts him. No one believes that he does anything to help the community. I've never really heard him *say* he's gonna do anything (Shrumm,23rdJan.2010).

Based on Mier Mayor Sophia Coetzee's statements in **Section 5.3**, that she knew the †Khomani in Rietfontein and now finds working with them 'not difficult', I asked Andries Steenkamp what he thought of the Mayor's work for the †Khomani:

[Laughs.] I'm not sure Sophie understands her work. One time she'll tell you one thing, and...the next time...she'll tell you another thing. Last year...she came...[and] said the community must try and come together and give her a memo to build us houses – a plan. I did it.... The next time she came, she just talked about the election of 2011. ...I'm waiting for her to say what [she thinks of] the plan now, because I had given it to her! She had done nothing about it! So for me, I'm not scared to say...she has never done good work for the community (A.Steenkamp,23rdJan.2010).

Such treatment of the †Khomani and their neighbours understandably leads to the belief that, as Lambrechts stated above, Government focuses only on those groups it deems 'important'. Andries' son Richard complains, "The local government is going only to Upington. ...[They say], "Don't worry about [those] people [in the Kalahari]" (R.Steenkamp,2ndSept.2009).

As mentioned in **Section 5.5**, many †Khomani believe that part of the reason for delays in progress on their farms has to do with a lack of knowledge in the more powerful national and provincial governments (where there are no San) of the dire state of the †Khomani. Others working with the †Khomani add that Peter Mokomele alone does not

have the power to initiate government action for the †Khomani. Regarding whether Peter has the backing of his DLA superiors, Phillipa Holden states, 'We're not sure that he does' (Holden,19thJan.2010). Roger Chennells describes his perception of DLA internal politics:

I'm...concerned that Peter Mokomele is quite low down, so he doesn't have support from above him. And if you're working in a political department, unless you've got the support of your boss, you can't really *do* very much. ...When he needs to call a big meeting or to have something happen, he needs to have the support of his bosses so that he can actually access the money. So Peter is very hard-working...[but] not really able to deliver the goods (Chennells,13thDec.2009).

Thus, the †Khomani appear to be faced with two problems related to political power – their own political marginality within South Africa and Peter Mokomele's lack of power within the DLA – both of which have resulted in frustrating delays in †Khomani development, including the approval, or even the sufficient consideration, of †Khomani ideas and plans, both large (as in Andries' housing plan) and small. An example of a smaller-scale plan is Richard Steenkamp's idea for his own business:

In my view, the Municipality [officials]...are only for themselves. They are paid enough so they don't care. Even though this is community land, if I get a sponsor and I want to open a bottle store, for example, I must go to the Municipality. The Municipality always says, 'No, you must go through Peter'. Long story. So it's not that easy to make a project (R.Steenkamp,25thJan.2010).

Thus, as Ferguson (1990:274) argues, the expansion of government control – an 'infestation of petty bureaucrats' – via development work leads to an increase in the need for community members to 'stand in line and await rubber stamps to get what they want'. In the case of the †Khomani, ineffectiveness at various levels of government

adds to the frustration, since approvals may never be given, and if given, the necessary training and assistance are unlikely to follow.

So with the power relationships as they now stand, what can be done to help the ꞤKhomani begin to have their own decisions made and their plans implemented?

Andries Steenkamp answered, 'I think [Peter] can do a good job, if he listens to the people on the ground. As he listens to us, I [will] tell him how he must do the work here and take our plans' (A.Steenkamp,8thSept.2009). This is a critical statement from a respected ꞤKhomani elder. The key seems to be the word *how*. The ꞤKhomani see Peter's main fault as the way he works with them. They are more interested in explaining to him *how* he should work with them than they are in telling him *what* he should do. This is a strong indication that the ꞤKhomani wish to have their traditional ways of deciding, organising, and planning not only acknowledged and respected by Government, but also incorporated into their interactions with Government. This tie to aspects of San traditional culture was apparent in my conversation with Collin Louw about the work being done in Upington to teach the children to speak N/u.

(Figure:6.1.) Regarding the difficulty in obtaining funding from Government to pay more than one or two ꞤKhomani elders to teach N/u, Collin responded, 'We're still struggling.... You see, the government are not really helpful because they want us to *die*' (Louw,12thJan.2010). By this, I assumed he meant that Government cared little about the survival of San-ness, the San identity, and San traditional culture, and I asked what Collin thought was necessary for ꞤKhomani San cultural survival in the Kalahari:

We have to go and ask Government to come down. Let them sit and listen to us: '...This is what we want to do. This is how we want to *live* here. These are *our* farms.... We want this kind of houses, that you have to build for us'. Come and sit and ask, 'What do you want?' Then we will tell them,

‘This is what we want. This is how we want to live’. This area here belongs to *us*! If there’s any wild animals here, let’s go and hunt! And [use] this land the way we want it. Let’s show you guys how we were working in the past. And we can still (Louw,12thJan.2010).



Figure 6.1: Ouma Geelmeid teaching the N/u language to #Khomani children in Upington. Photo by the author.

Here again, the emphasis is on *how* – how they want to live, how they lived in the past, how they want to live again. As seen in **Section 2.13**, it is the elements of San small-group organisation, decision-making, and leadership that are most likely to survive

dispossession, settlement, and post-foraging livelihoods. Unfortunately, ignorance of these systems (and insufficient flexibility within the CPA Act) led Government to continue to approach the †Khomani as a unified community for many years and to use a lack of community-wide †Khomani consensus, along with shortcomings in Government capacity and funding, as excuses for continued delays in the post-settlement development work that the DLA belatedly gained the mandate to perform.

6.4 The Under-Funded, Under-Staffed Government

a. Lack of Mier and DLA Resources

Even the work that DLA official Peter Mokomele and Mier Mayor Sophia Coetzee have identified as important for the †Khomani has gone uncompleted, due largely to a severe lack of government capacity and funding. Robins (2001a:x) writes, ‘While government policy at the national level has generally been positive and constructive, delays in implementation have occurred due to logistical and political problems at the level of provincial government.... The †Khomani are...growing increasingly impatient waiting for infrastructure developments’. Regarding the training and assistance needs identified above, Principal Benjamin Manyora argues, ‘Land Affairs – a lot of departments – must cluster together and see that the people are educated’. Regarding whether Government has the ability to provide funding for this training, Manyora admits, ‘Not always. Money does not fall from heaven’ (Manyora, 24th Jan. 2010).

At the local level, the Mayor of Mier³⁴ feels powerless to assist her †Khomani neighbours, constituents, and former schoolmates. She explains that Mier is a Type-B

³⁴ Mier Municipality is the current local government entity for the †Khomani, with a jurisdiction that roughly corresponds to the South African territory settled by the Mier people. The name ‘Mier’ originates from the Afrikaans word for *ant*.

'Local' Municipality established in 2000 and based in Rietfontein. Mier works with Siyanda, a Type-C 'District' Municipality headquartered 300 kilometres away in Upington, on projects for the ǀKhomani San. Mier itself is a very large Municipality, with the Mayor's jurisdiction running from the straight-line Namibian border eastward to the Botswana border, including the Kgalagadi Transfrontier Park, and then south towards Upington, totalling 11,000 square kilometres. This is as large as the entire Free State Province. Despite its vast size, Mier is the least populated Municipality in South Africa, with a total population of 9,000 and a voter population of 4,600. 'We have a big area.... The first little [ǀKhomani] village of Welkom...is 150 kilometres from the head office. Noenieput in the south [where 30 ǀKhomani live] is 100 kilometres from here on a gravel road. ...Because our population is so small, we have only five councillors...[and] thirty-three workers for the whole area' (Coetzee, 22nd Jan. 2010). (**Figure:6.2.**) She describes Mier's lack of funds as follows:

In Mier Municipality, most people are farmers, and we depend on them for income. ...Eighty percent of our people are getting grants from the government: old-age pensions, child grants, and disability. So our income is very low. So we depend on government grants to do our duties.... These come from...the Province and...National. It's still not enough. ...We always write business plans and send them to people [for funding]. We always struggle.... We cannot afford loans, because we cannot afford to pay them back. We must only depend on a grant (Coetzee, 22nd Jan. 2010).

The Mayor explains that the primary duties of the Municipality are to provide borehole water and sanitation to 'people who are in a small village or town':

We have a relationship with the ǀKhomani San.... On their private land, we cannot serve them with basic services, like water. But we are struggling to talk to the C-Municipality and the Province. There...must be services on that ground. ...We have not money. ...We have not enough

staff – and *trained* staff – to do it. ...In the pipeline [is] an overall plan...for the #Khomani San, and someone must only put the plan on the table and...put *money* on the table. I don't have the money (Coetzee, 22nd Jan. 2010).



Figure 6.2: Headquarters of Mier Municipality in Rietfontein.
Photo by the author.

Thus, a lack of government co-ordination, capacity, and funding had, as of 2010, meant eleven years without sufficient water, sanitation, or housing for the #Khomani. Jean Lambrechts describes his experiences with Mier Municipality: 'It's not functional at all.

...They come and pump the [Molopo Lodge] septic tanks once a month. ...That's all they do, and you must phone them about a hundred times to get them'. He believes Mier is probably going to be dissolved:

I think there's a lot of Municipalities...that have...the same problem. They haven't got skilled people. ...When apartheid died in '94...a lot of people said that the white people were against it. ...That's not true. ...[W]e were against...employ[ing] people who haven't got the knowledge and the skill. It doesn't matter what colour you are (Lambrechts,16thJan.2010).

Indeed, in 2010 the Mayor confirmed that, after initially being given an even 'bigger area' in 2011, Mier's dissolution would be 'in the pipeline', such that Mier's territory would ultimately come under the jurisdiction of the Siyanda District Municipality in Upington (Coetzee,22ndJan.2010). Phillipa Holden – who attends meetings of the Park's Joint Management Board with representatives from the †Khomani, the Mier people, SANParks, and Mier Municipality, including the Mayor – feels that Mier's demise would be a positive step: 'They probably are collapsing, and hopefully they will go away' (Holden,19thJan.2010). Andries Steenkamp has even stronger feelings about the inability of Mier to assist the San:

[President Zuma] can close Mier Municipality. They do *nothing* for the people! ...They will never build houses! The Municipality Manager of Siyanda [said] that Sophia has the authority to make a decision to build the houses. But she says, 'No, no, no. You!' Why are you saying the community must make the decision, but when they give you the decision, you say, 'No, ...make another decision'? ...I am saying to her, 'Show me one house that you have built here! Show me one water tank that you brought here!' (A.Steenkamp,23rdJan.2010).

Andries also mentions theft charges against the Mayor:³⁵ As for money, Mier has ‘very little. And then the other [money, they have] stolen it! Our Burgermeister, Mayor, is going to jail, and the Municipality Manager. ...But now, I think [Mier Municipality] is very afraid for the new President. ...He will close the...Municipality because Mier...is not so good’ (A.Steenkamp,8thSept.2009). Still, this savvy †Khomani elder has no illusions about the structure that will likely replace current local government in the Kalahari: ‘There shall come another structure in its place that will do the same work. [Laughs.] ...Zuma is coming and making a whole lot of [changes]...making a structure that he thinks [is best]. I try to understand why’ (A.Steenkamp,23rdJan.2010).

As seen above, Peter Mokomele sees his role as one of co-ordinating government departments to help carry out the infrastructure, housing, and development goals of the †Khomani. Peter confirms that, in the short term, Mier Municipality ‘will get involved...in the building of the houses’. He says, however, that he does not have confidence in Mier’s ability to assist: ‘They don’t have capacity’ (Mokomele,10thDec.2009). Recognising this statement as contradictory to Chennells’ argument above, about Peter’s constant, unfounded sense of optimism, I asked Peter to explain his concerns about Mier:

[With] Mier...it’s not only about theft, but also about capacity. ...Before 2005, ...we had municipalities [only] in towns.... Now...it is wall-to-wall municipalities. [Some] are not able to make it because they are mostly rural. ...There are not people [there] paying any services, rents, and taxes...but then you still have to pay salaries to these...Municipality Managers and [staff], and what are they doing? ...[For] some, there’s a realisation that, ‘Whatever we do, it’s not gonna work’. Mier is one of those (Mokomele,10thDec.2010).

³⁵ Although Peter Mokomele also mentions theft charges, below, I chose not to investigate whether these were filed against Sophia Coetzee or a prior Mier Mayor.

In addition to the capacity, distance, and financial issues hindering Mier Municipality's efforts to serve its citizens, Peter Mokomele's own post-settlement development work suffers from a lack of DLA funding. For example, one of Peter's ideas has been to appoint and pay a Social Facilitator for the †Khomani, who would assist with what Peter sees as necessary community-building and policy-writing work: 'I have raised it with management. ...I have been told maybe we can look at next year and see how...maybe we can get some allocation and can then look at a Social Facilitator who could go there [and] try to...get the people to build these policies and put the procedures in place for different things' (Mokomele,10thDec.2009). Peter had mentioned this role in an earlier interview, but seemed uncertain of his ability to have it created:

I keep hoping that one day someone will say, 'Here is 1.5 million', and then I can [create the role and hire someone]. For right now, I am continuing to look after it, but the budgeting system of Government is changing.... So it's...possible that we could...in the future have money for such things. Although Government says, 'OK, if we can find a cheaper way to deal with it, internally in Government...then we should do that'. But there are not many [current staff available to take this role] (Mokomele,15thSept.2009).

These two statements present a clear picture of the situation for Peter, as he faces both a lack of DLA funds generally and, as discussed above, his own lack of power within the DLA to carry out the processes and push through the ideas that he feels will benefit the †Khomani. Ultimately, Peter hopes that another department will come to the DLA's financial rescue: 'We are talking to our sister department, the Department of Agriculture, that is more responsible for...[farm infrastructure-building]. So they might also...come to the party and say, "Well, we have two cents to add...to whatever you are doing"' (Mokomele,10thDec.2009). In the meantime, the †Khomani have grown increasingly frustrated. In fact, Andries Steenkamp attempted to bypass the DLA and

procure assistance directly from Northern Cape Provincial Government: 'I asked [the Premier], "Can you pay for...a San [person], who can work...for your office here in the community?" He say, "No no no..., [you should go to] Mier Municipality". I say, "No, [they] do nothing for us. Please listen to us"' (A.Steenkamp,8thSept.2009). In addition to the feeling often expressed by the ꞤKhomani that there is funding somewhere in Government that could be used to assist them if only their plight were known, much frustration was also expressed over the issue of the ꞤKhomani's own land-claim money, which they knew existed, but which the DLA would not release to them.

b. Inaccessible ꞤKhomani Money

Although at the time of my fieldwork, the ꞤKhomani themselves had funds remaining from their land claim, they were only allowed to access the interest from those funds, as the principal could, by law, only be used for further land purchases or 'development', both of which required DLA approval. Peter Mokomele explains, "The money...was 2.7 [million] at one stage. So out of the 15 million, we got land, and what was remaining was about 2 million that we put into an account so...every month, they get interest out of that money. ...Fonnie [Brou]...has to make a budget for the month...and then I have to approve the budget. ...Then the [interest] money gets released to them' (Mokomele,15thSept.2009). This interest money, however, is not enough to make any significant improvements in terms of infrastructure or livelihoods for the ꞤKhomani. In fact, Peter was seemingly interested in using ꞤKhomani money to appoint and pay the Social Facilitator he believes is necessary, but because such facilitation would not likely be deemed 'development' work, this salary would have to come only from the ꞤKhomani interest money, which is insufficient:

The 2 million [in principal] has got restrictions.... It cannot be used for facilitation, but it could be used to either buy land or to do developments on the land. [The interest money] is not enough [to hire a Social Facilitator]. It's not enough because they use it. Say we get 20,000 ...or sometimes it's just less than 20,000, so we use it for...stop-gap measures to deal with things on the ground (Mokomele,15thSept.2009).

Fonnie Brou expresses frustration that none of the activities that do happen on the †Khomani lands are funded by Government. Regarding whether Peter is actually helping the †Khomani, Fonnie responds, 'Um, a little, yes – with the money of the *community*, not with the money of the government. ...So if the people of the farms want a water engine, or...a tank, or...pipes, we buy it with community money, not with government money' (Brou,8thSept.2009).

As of 2009, ten years had passed without the DLA's release of the R2 million principal for †Khomani development and infrastructure work, a fact that seemed to baffle all †Khomani. Peter Mokomele, who would ultimately be responsible for advising the Commissioner to release the R2 million in †Khomani principal, explains, 'The thinking is...once they start building houses, ...we can then look at using the 2 million to do other things on the land' (Mokomele,15thSept.2009). As will be discussed below, Peter's reasoning for this delay is a lack of community-wide decisions on how the †Khomani would like to allocate, develop, and use their lands, including the placement of housing. In the meantime, the Mier Mayor provides a poignant picture of a people without homes:

We have struggled to give them a village. The Government [has]...money ...for the San for a village. ...The sand of Andriesvale, where most of the people live, is a dune. It's not comfortable for establishing a town there. Some of them have electricity there, some not. They have only one borehole there. There is no money, and the people are suffering there (Coetzee,22ndJan.2010). (**Figure:6.3.**)



Figure 6.3: Andriesvale, where the largest concentration of †Khomani currently live – in homes built of any available materials. Photo by the author.

c. Lack of DLA Time and Staff

As emphasised above, the chief complaint from the †Khomani about Peter Mokomele is the way he works with the †Khomani people. Peter does not make himself available to go out on to the farms and meet with †Khomani families and does not allocate enough time to witness, participate in, or allow the slower, consensus-based decision-making

procedures of the San to happen. He is not a San and, therefore, is perceived as not understanding or caring about San traditional culture, structures, or land uses.

However, many †Khomani members and those who work with them also understand that Peter has neither the time nor the support to do his job as he would like. Peter himself explains,

It's...challenging...because I'm not there every day.... It's straining because it takes lots of your time if you have to get there and do all the things that you want to do. ...But also because I am...working with lots of other communities – 34.... I have to visit all the time. I have to listen to all the complaints (Mokomele,15thSept.2009)

As for visiting each land-claim community once a month, as the †Khomani had hoped, Peter states, 'I am not able to do that' (Mokomele,15thSept.2009). Andries Steenkamp believes that all of Peter's time is spent travelling and attending meetings, and he recognises that Peter's workload and schedule are impossible for him to maintain single-handedly: 'I ask Peter, "Tell your bosses that you cannot do this work like that!" ...Sometimes I think, hey, this guy works too much! ...I understand...he is very tired, but he cannot do his work properly' (A.Steenkamp,8thSept.2009).

Andries' son Richard complains that Peter has too much decision-making power and, being based in Kimberley (approximately 350 miles distant), is too far away to be useful for †Khomani progress (R.Steenkamp,4thSept.2009). Richard explains as follows:

Every month he *must* be here at the meeting. [He is] not here, but he's supposed to be here. ...He has too many jobs. I can't blame him because he's not [living] here [in] the Kalahari, ...but...you must not be...two months away.... [People] will begin to speak, '...Why is he not coming back to us?' (R.Steenkamp,2ndSept.2009).

Andries complains that, because Peter's time is spent 'going all the way to meetings', Peter 'cannot implement anything'. Andries also recognises that Peter is in dire need of assistance: 'I am asking him..., "Peter, is there no *other* people to help you?" He said, "The other people never *do* the work because [they] don't *like* the work". Andries believes that there are staff available in the Land Claims Commission to assist Peter, but that they are not doing their jobs (A.Steenkamp,8thSept.2009). Indeed, Peter admits that he has had a problem 'keeping staff in the Commission' and that this ultimately 'frustrates the communities' (Mokomele,15thSept.2009).

Thus, Peter acknowledges that, without sufficient time and reliable support staff, the DLA is frustrating the communities it is trying to serve. Specifically, this is resulting in Peter's inability to groom role models among the †Khomani, a process that was identified as a key need among many San groups in **Section 2.9(c)**. Peter laments, 'Management capacity...is there, but it takes time..., encouragement.... If I was there...five days each month, it would...be better. ...There are young women there that...one could build on.... But...they don't have coaching, they don't see any role models that they could emulate' (Mokomele,15thSept.2009). Phillipa Holden agrees that Peter's absenteeism is neither his own fault nor beneficial to the †Khomani: 'I don't think Peter Mokomele is *able* to do a good job. ...I think he's swamped, and I don't think his Department gives him the support that's necessary. ...You can't turn your back on the community. They have to be given...assistance to become functional' (Holden,19thJan.2010).

6.5 The Expectation of 'Community' Agreement

In addition to the nurturing of potential role models, in order for the †Khomani 'to become functional', they must also have permission and assistance from Government to

move ahead with their development, infrastructure, and livelihood plans. In Peter Mokomele's view, the †Khomani have, since 1999, been unable to reach agreement on such plans, and therefore, it is his duty to withhold any approvals until the †Khomani have shown that they agree as a community. In line with South Africa's 'hands-off' governance approach discussed above, Peter is reluctant to provide direct development-project suggestions or, as Chambers (1989) advocates, 'baskets of choice' or 'cafeteria options' to the †Khomani. Thus, the †Khomani wait for Peter's approval while Peter waits for community-wide †Khomani agreement, and stagnation and frustration ensue. Peter describes in detail his preferred means of working with the †Khomani:

My approach has been to say, '...Whatever the community initiates, we'll give it support'. ...So that they are able to...grow, exercise their own rights and feel that they are in control of projects. So I have not wanted to enter into their own internal discussions about how things should be done. All I say to them is, '...We can agree about what must be done, but I will not define it for you. You...have to discuss it and agree how you want to do it...'. So the idea must come from them, and they must say, 'This is what we want to do', and then I will say, 'OK, ...what are the implications for this?' So we'll then [discuss] it, and then I'll say, 'OK, fine. You do it; I'll support you' (Mokomele, 15th Sept. 2009).

Using Peter's words, the decisions that he requires the †Khomani to explore, discuss, define, agree on, and initiate for themselves include livelihood projects, investment procedures, membership rules, land allocation, and community-building itself:

They still have to build as a community, but that...cannot be done by people from outside. ...We have given them a common land...so now they have this thing which is common to them. *Now* they must form a community. Now they must...say, 'Who are we? How do we engage with each other? How do we debate issues without killing each other? How do we reach consensus?' ...I don't want to meddle up in their own politics, but...we just want to *create* that space (Mokomele, 10th Dec. 2009).

Referring to the farm-condition, inventory, and needs-assessment report that Peter asked Andries Steenkamp to perform, Peter explains, 'Part of the work that we're giving Andries to do...[is to enable us to] deal with the allocation of land. ...But that policy cannot be developed here in Kimberley and [then we] go and [proclaim] it there. It has to...come from them...and then we can support or guide' (Mokomele,15thSept.2009). Similarly, with regard to community membership rules and policies for outside investors, Peter states, 'Not *impose* it on them, but they're...saying, "This is how we want to accept anyone who comes to us and says he's a member. Someone who...wants to invest, what is gonna be the procedure?" So then they need to cover that' (Mokomele,10thDec.2009). Without government time, staff, and funding to provide some level of training for the †Khomani – who, understandably and by their own admission, have no management experience – it seems almost absurd to expect them to develop, for example, external-investment policies completely on their own. However, this has been Peter Mokomele's persistent policy since he began working with the †Khomani. He listens, but does not decide.

Instead, Peter expects the †Khomani to form a community, reach final decisions, create development, housing, and livelihood plans, and draft a number of operational policies on their own initiative to direct and govern †Khomani activities and projects on a community-wide basis, while Peter assists merely by 'creating the space' for their own discussions. This would appear to be the ultimate in hands-off governance. Because of their history of dispossession and farm labour and their self-identity as San people, the †Khomani have neither the management experience nor the large-community cohesion necessary for such consensus ever to be reached. Peter's proposed solution, like many of those seen in **Sections 3.7** and **3.13(e)**, is to encourage the †Khomani to fit the

Restitution and CPA Acts' definition of 'community', creating 'shared rules' and using representative democracy to make decisions for all members of the †Khomani community. Peter explains that more training is needed to teach the †Khomani how to decide and present their unified decisions to Government:

I think what we have needed...was an...NGO working on advocacy and lobbying and strengthening group work.... Because most of the time... you'd wish that they were organised in how they are talking. Because this one...is saying this, and this one is saying that.... So if someone was there, you would then [be able to] say, 'OK, guys, what is the issue? Let's organise it. This is how we'll present it to Government'. ...In the Kalahari, there is no one who does that, and...that creates a problem for us (Mokomele,15thSept.2009).

For Peter, training and facilitation are key: 'The social facilitation would need quite extensive work...because...in the past, not much money was spent on bringing people together because they have different issues, different visions. So...in the end, people have to agree to a common vision' (Mokomele,10thDec.2009). Importantly, this proposed training and facilitation would not be agricultural or management training, but training on *how* to decide. This appears to be the crux of †Khomani frustration.

A primary reason for Peter's insistence on a 'common vision' among the †Khomani seems to be that Peter views the San as being similar to the other land-recipient groups with whom he works: 'The San obviously have got their own unique issues, but the general issues...the conflicts...the differences on land use are the same' (Mokomele,10thDec.2009). Although in **Section 5.4**, Peter acknowledged that the †Khomani 'were not a community in the classical sense', his desire for a †Khomani community-wide 'vision' indicates his belief that today these San can be trained to *become* a community, or at least to *decide* like one. However, in the eyes of the

‡Khomani, as with other indigenous groups discussed in **Section 2.10**, it is their 'own unique issues' that, in a sense, make them who they are. For example, Collin Louw, in expressing his great frustration that the ‡Khomani 'development' monies at the time had not been released by the DLA, appears to indicate that Peter's ongoing postponements, blamed on a lack of final land-use decisions by the ‡Khomani community, were ultimately the result of cultural difference, as Peter tried to push Bantu structures on to a non-Bantu group:

There's two million Rand of the San people's money that was left. ...It's now for years that it's just lying there. ...He blocks or disapproves *anything* that we are putting forward. ...We don't understand. No, *I* understand. The reason...is he's not part of us. He doesn't share the same culture and the same value of tradition. ...Let's develop! Let's start doing something! ...He didn't do it! You know why? He's a Tswana person. He's not part of us (Louw, 12th Jan. 2010).

Peter's failure to adapt the Restitution and CPA Acts' defined 'community' and decision-making structures to a more 'San style' – due to a combination of inflexibility in the laws, Peter's own time constraints, and Peter's unwillingness to recognise San cultural difference, significance, and persistence – has led to ‡Khomani frustration with the ways Peter engages with the community. Andries Steenkamp explains,

Peter can do [a] good job for us..., but he never do his work properly. ...Because as he come here, then he come...only for one day. And the meeting...cannot only be one day. That is not enough to make resolutions and take processes forwards. You...must stay for a week here and go with me in the bush. He shall see! (A. Steenkamp, 8th Sept. 2009).

I argue that what Peter 'shall see' as he stays for a week and goes 'in the bush' with Andries would be not only evidence of the problems and poverty out on the farms, but also glimpses of San traditional small-group organisation, information-sharing, time-

consuming consensus-based decision-making, and a community that lacks, and may never attain, cohesion, centralised leadership, or unified livelihood plans.

Mier Mayor Sophia Coetzee believes that the solution is to abandon consensus-seeking among the San: 'We are listening to the people, but I am very angry about why...over ten years, there's nothing happening'. She believes this is largely because the †Khomani have never been able to come together and reach consensus on an overall land-use and farm-development plan. If you seek input from too many people, she argues, 'in the end, nothing is done. I think this is something that will go' (Coetzee, 22nd Jan. 2010). In other words, the San will eventually be forced to adopt community-wide representative governance by majority vote, and only then will development begin. In the meantime, with the lack of local and DLA resources and the inability of the †Khomani to reach 'community' decisions that the laws require, Peter continued to stall. Young †Khomani Richard Steenkamp explains, using the different ideas and plans of the residents of different †Khomani farms as an example:

Maybe next year, we're gonna talk about building houses. I don't know... Every year is a story. It takes too long. Some guys want to stay [on one farm]; some guys want to stay [on another farm]. ...Because we have six farms, it's a problem. ...So it's a long story. You must talk with Mokomele about that. But he says you must wait and wait. Every time it's 'wait!' (R. Steenkamp, 2nd Sept. 2009).

6.6 Perceived Lack of †Khomani Motivation

Alongside †Khomani complaints about Peter Mokomele's delays, the †Khomani themselves are blamed by many for an apparent lack of motivation. An unidentified South African National Parks ('SANParks') employee explains a frustrating aspect of working with the †Khomani: '[A]ll the damage done during...apartheid...has brought

about...a...state of “I’m not responsible for anything. I’m not even responsible for my own life”. ...They need to be de-traumatised...to get rid of...that baggage’ (quoted in N.Thoma,2009:66-7; see also Chennells,2009a). Similarly, SANParks Tourism Manager Dupel Erasmus expresses his disappointment with the ꞤKhomani:

As a parastatal, ...I think we are [doing all we can].... We are...limited in our human and financial resources...to facilitate these processes. And there is something called ‘wasteful expenditure’. So you can launch all of these...projects, but the moment that project doesn’t...deliver a return, that is deemed as ‘wasteful’. ...And I think historically, ...where there is... funding being pushed into a community-development project, ...six months down the line, you go back to what has been established, and...the glass of the windows has been taken out to be sold for liquor. [When Park job openings are advertised]...there are some [ꞤKhomani] that...apply, but in most instances, ...they just don’t apply (Erasmus,18thJan.2010)

In addition to apartheid-era trauma, the lack of ꞤKhomani initiative is often blamed on what is perceived as ‘weak’ ꞤKhomani leadership. Rietfontein schoolteacher Meris Kocks explains,

I don’t know who are the real leaders of those people and whether they know what is their destination. ...If you travel to Andriesvale [farm], you will see them along the road. What are they doing to themselves, and where are they headed? ...Maybe next decade, there will be no Bushmen again. ...They must have real leaders to show them the way.... I don’t know where they are going (Kocks,22ndJan.2010).

Thus, the lack of a unified ꞤKhomani ‘destination’ is seen as the result of an absence of ‘real leaders’. For South Africa’s dominant agro-pastoral society, ‘real’ leadership would involve a strong, central leader and a hierarchy that includes community representatives who make decisions, elect leaders, and implement plans based on democratic procedures, as espoused in the CPA Act. Such structures did not exist in San societies, and I argue that the ꞤKhomani people, who self-identify as San today, find such structures, and the supposed ‘real leaders’ they attempt to create, illegitimate. And

as described in **Sections 2.12(e)** and **3.7**, leaders and governance structures that are viewed as illegitimate or inappropriate by indigenous/forager groups typically produce a lack of motivation and acts of non-compliance among community members.

In this way, attempts to reach final land-use, livelihood, governance, and development decisions for the †Khomani by artificially attempting to raise Dawid Kruiper to the position of †Khomani ‘chief’³⁶ and by requiring the CPA Act’s community-wide, representative committee structures, instead of leading to the organised, unified plans and implementation strategies that one might expect in non-San groups in which ‘everyone is packed in their particular order’³⁷, for the San only results in a state of almost paralysing de-motivation and despair. These feelings have, in turn, led to domestic violence and alcoholism among the †Khomani. (**Figure:6.4.**) Community volunteer Holly Shrumm explains that domestic violence ‘happens all the time’:

There is such low self-esteem here. ...The traditional role of the man in the Kalahari family is...the bread-winner. ...[W]hen they were still hunter-gatherers, the men were the hunters. ...They were the providers. And even though that was a few generations ago, that mentality still, I feel, is there. And when the men virtually have no employment opportunities, they just sit around and...drink a lot.... And...their women say, ‘Why don’t you just go get a job? Stop drinking’. Then they just feel worse and...when there’s alcohol involved, there’s a lot of domestic abuse and...child abuse (Shrumm,23rdJan.2010).

Thus, with no community cohesion and land reform laws and DLA practices that *rely* on community cohesion, no final land-use, livelihood, or land-allocation decisions and no concrete development or housing plans were agreed and implemented by the †Khomani between 1999 and 2010. With no settled decisions or plans, illegitimate leadership and

³⁶ See Axel Thoma’s assessment in **Section 5.3**.

³⁷ See Peter Mokomele’s description of Zulu society **Section 5.4**.

decision-making structures, little hope of future progress or livelihood projects, and neither development options nor truly empowering capacity-building assistance³⁸ offered by Government, many †Khomani since 1999 have descended into inactivity, despair, and alcoholism.



Figure 6.4: †Khomani drinking outside the bottle store adjacent to Andriesvale and Witdraai farms. Photo by the author.

³⁸ See Chambers (1989) and Cowen & Shenton (1998) in **Section 3.5**.

6.7 Exasperation

With limited DLA staff and funding, serious capacity and financial shortfalls at the local level, national laws that assume the existence of a cohesive, hierarchical, democratic 'community', and his own lack of political power within the DLA, Peter Mokomele has been able to achieve very little in the areas of †Khomani empowerment and development. Roger Chennells has become very pessimistic about Peter's chances of ever successfully facilitating †Khomani development:

He's been single-handedly in charge for something like five years, to the point where, if things are not working, there's only one person to blame, and it's *him*. ...He's very well meaning, and he's trying very, very hard. ...I just personally feel that I've heard that unfounded optimism...for too long now. ...There have been a number of initiatives where people would actually like to make specific suggestions to assist, and he said, 'No..., I've got another plan'. But the other plan never seems to happen (Chennells, 13th Dec. 2009).

Whereas Roger expresses his impatience with Government, Phillipa Holden believes that Government, likewise, is losing patience with the †Khomani:

They...feel that they've spent enough on this issue. It's been around for long enough, and they don't want to have to think about it any longer. In fact, that is what Peter said: they feel like they've spent enough money and worried enough about the †Khomani San, and they must get on with it and sort themselves out. The fact that they failed to deliver the agreed and necessary support from the beginning, which caused us to go into such disarray, seems to have missed them. There are land claims in this country which serviced smaller communities..., where land has been bought...at an *absolutely* astronomical rate. So how they think they've 'spent enough' on this group and not enough on another group, I don't know (Holden, 19th Jan. 2010).

If, as seen in **Chapter 5**, Peter Mokomele did understand that a grouping of San people would never have constituted a classical hierarchical 'community', then the governance, motivational, and decision-making problems faced by the †Khomani as a result of the

apparent 'illegitimacy' of the CPA structure in the eyes of this group of former foragers must have resulted from, as Roger suggests, Peter's lack of a vision or plan to deal with this reality, Peter's inability to train the †Khomani to abandon their preferred cultural practices in favour of CPA Act structures, or the lack of accommodating flexibility within the CPA Act itself, under which Peter must operate. Perhaps an opportunity for the †Khomani to form sub-groups and make farm- and band-based decisions and plans outside of an imposed community-wide CPA structure would begin to allow the †Khomani to 'get on with it' in a manner that is both culturally relevant and individually empowering. Then, whilst Government would still have the responsibility to provide agricultural and management training for the †Khomani, the delay- and conflict-causing need for more instruction on *how* to make decisions in accordance with the CPA Act would disappear, ultimately allowing the DLA to spend less time and money in carrying out its new development mandate. Not surprisingly, with the CPA Act requirements as they now stand, the †Khomani have repeatedly failed to elect and operate successful CPA Committees, the circumstances and results of which will be explored next.

Chapter 7:

‡Khomani CPA Failure and the Absence of Progress on the Farms

As discussed in **Section 3.7**, indigenous groups may respond to the introduction of development funds simply by ‘gathering’ those funds as a newly available resource and may react to imposed governance structures that they deem illegitimate by ‘failing’ to decide, lead, and act in the ways Government intended. The failure of three post-land-claim ‡Khomani Communal Property Association (‘CPA’) Committees and the DLA’s takeover of ‡Khomani governance under the CPA Act illustrate these processes remarkably well.

7.1 ‘Failure’ of the ‡Khomani CPA

In 1998, the ‡Khomani formed a preliminary Land Claim CPA Committee (the ‘preliminary CPA Committee’) to assist with the land-claim process and take ownership of the land. After their successful land claim, the ‡Khomani then began the critical task of managing their new lands under the leadership of an elected official CPA Committee (the ‘first CPA Committee’), as required by the CPA Act. Divisions in the ‡Khomani community regarding livelihoods, land allocation, and land uses – along with extreme poverty and a lack of familiarity with leadership hierarchies, representative governance, and farm management – led to the inability of the first CPA Committee to function, either effectively or ethically. Technical adviser Phillipa Holden was working among the ‡Khomani as they were first trying to follow the CPA Act’s requirements:

That first CPA [Committee]...started crumbling.... Land Affairs... conduct[ed] a forensic audit and...remove[ed] them from power. ...Then a second election was held, with a second...[CPA] Committee, but...the second Committee was relatives...of the first bunch! So it was business as usual. ...Dawid and the traditional people [told me], ‘You’re not going

anywhere until we've sorted this mess out'. Because by this stage, they'd now been completely marginalised from the Committee, weren't notified about meetings (Holden, 19th Jan. 2010).

Thus, the first CPA Committee was removed by the DLA for improper farm management and financial recordkeeping. At the same time, traditional leader Dawid Kruiper, who served with both the preliminary and first CPA Committees, found himself and other 'traditional' †Khomani excluded by members of the first and second CPA Committees from the community-wide decision-making that the CPA structure was designed to provide. Without community cohesion, the stock-farming †Khomani had attempted to move forward by grabbing financial resources and decision-making power for themselves.

Andries Steenkamp, who had served as Treasurer of the preliminary CPA Committee, also describes what happened after the DLA removed the first CPA Committee:

After that first CPA Committee come two CPA Committees. He³⁹ must manage the land. He tried to do it, but my my.... [The third] Committee *can* do a good job because he have for one year training in financial management. ...But I don't know what [the third Committee was doing] with the money.... And then..., from the beginning of the third Committee, Peter was there. ...[During the third Committee's] second year, [Peter said], 'OK, now can you go ahead. I shall not come every month, but... every second month'. ...But the evaluation and monitoring was the job of Peter Mokomele, so he [should] look all the time (A. Steenkamp, 8th Sept. 2009).

Thus, the third CPA Committee also failed to govern the six †Khomani farms effectively.

Based on Andries' statement, this failure occurred, not primarily as a result of insufficient training, but largely due to a lack of oversight by Peter Mokomele, who

³⁹ Many †Khomani, in translating from their primary language, Afrikaans, into English during my interviews, very often used 'he' to indicate 'they', and in most cases, I have chosen to leave their words unchanged.

believed that the †Khomani were adapting to farm management by committee. Head Programme Manager for the South African San Institute NGO ('SASI') Grace Humphreys agrees that the failure of Government to guide the three official CPA Committees was the key to their downfall:

Three consecutive management committees failed to be proper managers and proper leaders. ...It is not as simple as the leaders not rising to the occasion. ...You can't take a herder boy and make him a manager all of a sudden. ...The Department of Land Affairs did not provide enough guidance and support to these Committees, many of whom were illiterate people who are suddenly going to manage assets of millions of Rands (Humphreys, 26th Aug. 2009).

However, such 'guidance and support' by the DLA would still have had to revolve around the requirements of the CPA Act, and thus would have involved much of what was discussed above in **Section 3.13(e)** – teaching the San to organise themselves like hierarchical agriculturalists – which would seem to be just as doomed to fail as the CPA Committees themselves.

Young †Khomani Fannie Brou, who is assisting Peter Mokomele with financial recordkeeping since the failure of the third CPA Committee, describes how this last CPA Committee took and used community funds:

[At] the bank, ...there was a ...form [to allow] ...you [to] ...draw money ...so they [did] this ... I shall not say they [were] *stealing* money. They take the money and work with the money, but they doesn't give slips. ...For two [years], they sign cheques, and the cheques [have] come back. ...We must pay it now ...it's 28,000 [Rand in] ...bounced cheques. ...From October [2008] I start [assisting Peter]. The electricity account was 36,000, and I pay it. [The 28,000 in bounced cheques] is also paid. It was for food and for stipends ...and diesel for the bakkie⁴⁰ (Brou, 8th Sept. 2009).

⁴⁰ 'Bakkie' is Afrikaans for *pickup truck*. The DLA purchased one bakkie for the †Khomani, and aside from walking or using donkey carts, this is the only means most †Khomani have to travel on the six farms.

Thus, †Khomani community funds were stolen by CPA Committee members, but interestingly, not for personal accumulation, but for much more basic survival needs.

The topic of CPA Committee corruption was raised quite often by both the †Khomani and those working with them. In this context, Grace Humphreys, who has worked unsuccessfully for many years to initiate sustained, food- or income-generating projects among the †Khomani (**Figure:7.1.**), provides her own assessment of the CPA failures:

It's human, and it's a South African thing. We operate with the idea of scarcity. As soon as you see an opportunity to get a little bit more, you will take it, because you're so used to having nothing and you don't know if tomorrow will bring more of the same.... There is a lot of corruption... involved in the San [CPA] Committees, but where there's poverty, where there's no guidance, where there's no monitoring and proper controls in place,...and where people have no other income, what do you expect? (Humphreys,26thAug.2009 and 12thJan.2010).

In this way, the †Khomani, like the Ayoréode people discussed in **Section 3.7**, 'gathered' the funding made available to the CPA Committees. Faced with extreme poverty and an inability to reach community consensus, CPA Committee members helped themselves to community money. As such, Andries Steenkamp believes that larger salaries, instead of small honoraria, for CPA Committee members – although not solving the issue of community-wide decision-making required by the CPA Act – would at least have alleviated the financial burden placed on the elected representatives:

The seventeen people of the CPA – I was there, I know – he can...do nothing for himself to make money for his own house. ...Every week I was for three days in a meeting – every week! ...And what [they] give you [is] only 500 a month, ...[approximately \$2 per day]. ...The people, ...cannot do it. ...I say, 'Peter, the people is taking all the time the money. ...Why?' ...In Limpopo is the only [successful] CPA, the Makuleke CPA.... Because all the peoples is rich there! (A.Steenkamp,8thSept.2009).



Figure 7.1: Remains of the SASI vegetable garden, an example of a failed 'development' project for the #Khomani 'community'. Photo by the author.

In a later interview, Andries complained further about the need for a salary and, in doing so, described the San spousal conflicts mentioned by Holly Shrumm in **Section 6.6:**

If you look at all the Committees, they are suffering, and the Treasurer who works with the money, he takes it. ...In *our* community...it's... absolutely poor people. He works from his hand to his mouth. And if you sit him on a Board and he has...a wife, children in...school,...the wife is

angry at him: 'Hey, there's no bread! ...You want some food, but you bring no money!' ...The first money you put in his hand, he'll take it. ...I said all the time to Peter and his former boss the same thing. [They always responded], 'No Board member or Committee member must be paid [a salary]'. ...But all the committee members in the government are paid! Peter is paid! (A.Steenkamp,23rdJan.2010).

As CPA Committee members continued to take community money, from the preliminary CPA in 1998 until the third and final failed CPA in 2008, those who worked with the †Khomani grew increasingly frustrated with this practice. For example, Phillipa Holden argues that the DLA should have sent the †Khomani a strong message that 'corruption and crime do not pay' (Holden,19thJan.2010), and Natural Justice NGO lawyer Harry Jonas reports that Andries Steenkamp is himself untrustworthy, as Andries had taken †Khomani funds during his time as Treasurer for the preliminary CPA Committee (Jonas,25thSept.2009). In countering such characterisations of some †Khomani as criminals, attorney Roger Chennells explains,

Andries...took a loan, and...didn't pay the loan back. ...Some of these really fine people...say, 'I am a leader, and I'm...creating work...for *everybody*.... I'm doing an incredible amount of work...so it's fair. Maybe there's no official salary, but I'll just take it from there, and it'll be *just*'. Not a bad rationalisation.... Contextualising it in a social context, I wouldn't call [Andries] a 'criminal'. I'd actually call him one of the few straight leaders that I've actually worked with (Chennells,13thDec.2009).

In addition to a lack of oversight and assistance by Government and the 'gathering' of community funds by impoverished CPA Committee members and their families, the failure of the †Khomani to come together and make cohesive, community-wide land-use plans led to the inability of the CPA to manage the †Khomani farms. Fonnie Brou and two NGO representatives from the Kuru Family of Organisations and SASI all agree that the main problems for the three failed CPA Committees included fighting amongst different †Khomani groups regarding land use (Brou, Humphreys, and

Stewart,3rdSept.2009). Andries Steenkamp describes what he witnessed, involving both a lack of government attention and increasing ꞤKhomani confusion with the CPA system:

In the beginning, [Peter was meant to] evaluate the Committee, but he never do it because he [took] too long out of meetings...and then he think, 'Oh, good, it's going right', but [it was] not going right. And the people is writing letters to him. OK, he come back and say, 'The community is saying [this] and that', and then the Committee is saying, 'The community don't understand what I do' (A.Steenkamp,8thSept.2009).

That the ꞤKhomani community members failed to understand the purpose and function of the CPA Committee clearly illustrates the mismatch between the CPA Act's required structures and those that would probably be more familiar to the San. And as discussed in **Section 3.7**, leadership and governance structures that are not supported by indigenous-group members often spawn community ridicule and inactivity. In the case of the ꞤKhomani, such inactivity in turn rendered CPA Committees powerless, both to generate community consensus and to encourage the implementation of any decisions that might have been reached. Andries explains, 'The CPA Act says that the CPA is the manager of the land. But they cannot do the work.... They can do the planning, but they cannot do the implementation'. Ultimately, the ꞤKhomani people themselves must carry out the work on the farms (A.Steenkamp,23rdJan.2010).

Peter Mokomele provides his own assessment of the CPA Committee failures as follows:

With the previous CPA Committee, we...[had] the taking of minutes and chairing of meetings, so in the beginning, it went well. [Then]...I said, '...I will no longer be chairing meetings or coming every month. I will now give you space to start doing things on your own'.... Unfortunately, I was disappointed.... Some of the [Committee members] took advantage of others, and they started to do things that I did not...foresee.... They needed more oversight. I trusted them (Mokomele,15thSept.2009).

This ties in well with Stenson's (1993) findings cited by O'Malley (1996:313) above that '[G]overnment at a distance frequently becomes problematic as locals react by "failing" to take their duties seriously, or grasp the reins of power and direct community activity in ways not intended by programmers'. Thus, by taking community resources and 'failing' to produce †Khomani community agreement and motivation, all three post-land-claim CPA Committees 'disappointed' the DLA, which was empowered under the CPA Act's 'administration' procedures to disband the CPA and take 'the reins of power' away from the †Khomani.

Whilst several †Khomani informants (including A.Steenkamp,8thSept.2009) stated that DLA 'administration' began after the dissolution of the third CPA Committee in October 2008, an original administration court order was issued on 8 November 2002 (Kruiper,2012:2-3). Indeed, the CPA Act does allow for the election of a new CPA Committee under the monitoring and inspection role of the Director-General (CPA Act,Sec.11(6)). Thus, the third CPA Committee was actually elected at the last †Khomani AGM in July 2003 (Kruiper,2012:77) after the administration order had been issued, continued to meet under Peter Mokomele's supervision, and was not completely disbanded until 2008, when Peter hired Fannie Brou to assess the desperate financial situation of the †Khomani. Phillipa Holden describes the chain of events as follows:

Whilst the DLA sought 'administration' and the removal of the second Committee [in 2002], they oversaw the election 9 months later of a new Committee and did nothing to change the situation at all. It was obvious that the same thing would happen again. Only because [David and I] started the consultative process with Peter and...[our lawyers] in 2007, going on until 2008, did Peter finally start to take things seriously (Holden,19thSept.2012).

Thus, regardless of the 2002 administration order, I will use October 2008 as the time †Khomani ‘administration’ actually began, as this was when Peter Mokomele formally or ‘seriously’ took control of †Khomani governance *without* the presence of a †Khomani CPA Committee.

Unfortunately, as mentioned in **Section 3.4(b)**, where CPAs face chronic disputes or mismanagement, the CPA Act authorises the DLA Director-General or the Director-General’s chosen delegate ‘to manage the affairs’ of the CPA in lieu of a CPA Committee, *after* which the only two options are the election of yet another CPA Committee or the liquidation and distribution of the CPA’s lands as the Court ‘deems just and equitable’ (CPA Act, Secs.11,13,15). When asked whether he believes that, after ‘administration’ by the DLA, a newly elected †Khomani CPA Committee would lead to improvements, Andries Steenkamp responded, ‘The community is saying that they don’t think it would be better, that it would be the same as before. ...The last Committee was the highest-level educated Committee, but they did the bad work. [Laughs.] That is the truth! It is not training [that is needed for the †Khomani to manage their lands effectively]’ (A.Steenkamp, 23rd Jan. 2010). As of 2012, however, learning to function with a new CPA Committee or liquidation of their lands are the only options available to the †Khomani under the CPA Act.

7.2 Administration While Waiting for Another CPA Committee

Thus, the DLA Director-General used his delegation authority to assign Peter Mokomele as the ‘administrator’ in lieu of a CPA Committee for the management of the †Khomani lands, in addition to Peter’s long-held role as DLA post-settlement official for the †Khomani. However, there appears to be some disagreement among informants, with,

for example, Collin Louw (12thJan.2010) describing Peter as the †Khomani ‘administrator’ and others, including Dawid Kruiper, contending that the DLA’s Director-General is still by law the †Khomani ‘administrator’, as he has failed to delegate his authority to an appropriate, high-level, full-time manager/administrator for the †Khomani (Kruiper,2012:11,118 and Holden,19thSept.2012). The fact that there is disagreement regarding the specific role(s) that are, or should be, currently performed by Peter Mokomele provides a strong indication of the ‘chaos’ noted by Roger Chennells (13thDec.2009) regarding the governance of †Khomani lands. Whatever Peter’s precise role is in the view of the DLA, the †Khomani, and their advocates, and whether Peter’s appointment as †Khomani ‘administrator’ was official, timely, or adequate, the †Khomani indeed entered a period without their own CPA Committee, which has continued into 2012.

As discussed in **Section 6.4**, however, Peter lacks the funding, staff, and time to administer the †Khomani farms as the †Khomani people feel he should. Just as happened during the successive †Khomani CPA Committees, Peter is still unable to be present on the †Khomani lands for sufficient amounts of time to participate in meetings, bring plans forward, or guide community members, and thus, the problem of community disagreement continues. Andries Steenkamp describes the situation, ‘[Peter] is saying, “...I take over now, and I try to do things...better. ...Here is problems”’ (A.Steenkamp,8thSept.2009). Such †Khomani ‘problems’, including inter-group conflicts and an overall lack of coherent land-use and development plans authored and agreed by the †Khomani themselves, have led Peter to believe that, under his administration, the best course for the †Khomani is further delay, to allow for an audit, social facilitation, and community-building to proceed. In 2009, Peter outlined his plans as follows:

Let's say we have the forensic audit [of the third CPA Committee] and the [ǀKhomani community] social facilitation within a year. Then the next year, 2011, we can...confidently look at the appointment of a...mentor. ...He would do [farm] management.... Once we do the [fourth CPA Committee] elections, then I would hand it over...to the mentor to deal with...everyday management and see that things are done and cheques are signed.... So once the people get into a pattern of implementing the [CPA] system, ...then they'll be...on their way. ...And if all of those things are performed well, at the end of six months [in 2012 at the earliest], we...say, 'OK, you have actually succeeded. You have proven that you *can* actually run these things' (Mokomele,10thDec.2009).

Thus, the standard for ǀKhomani 'success' continues to be the ability to 'run' a CPA Committee structure, whether or not such a structure is culturally relevant to the ǀKhomani. As Peter's role is itself defined by the CPA Act, Peter clearly must look to the CPA Act's current requirements for guidance, including the ultimate goal of electing yet another ǀKhomani CPA Committee. As of mid-2012, however, there was little sign that a new CPA Committee election would be taking place anytime soon. These continued delays, even after DLA takeover of ǀKhomani governance, have been both unexpected by, and frustrating to, many ǀKhomani. Collin Louw argues for what he believes Peter Mokomele should be doing as the ǀKhomani administrator:

He is the sole [manager] who can make decisions, not the community, because we are under administration. We were not capable of doing things for ourselves. So *administration* means there is someone coming in to do things on behalf of you.... If I respect the [ǀKhomani] leaders, I will call in the leaders and say, 'Guys, this is what I will do, and I want your full support...'. ...He is supposed to...make decisions and do it! Because he is now the CPA! [Government said] we were not *capable* of doing it. ...If you are the administrator, you are the one who has to guide me, and you are the one to make sure I am capable...of running the CPA again. ...How can you wait for us to do it? ...We work with Peter Mokomele, but...after we are under administration, nothing happens...no development happens - for years! (Louw,12thJan.2010).

In addition to the obvious frustration evidenced by Collin, it is important to note both his use of the term *leaders* (i.e., Government must work with multiple San-style leaders, rather than a single, central 'chief' like Dawid Kruiper) and Collin's acknowledgement that Government deemed the †Khomani *incapable* of running a successful CPA. To be successful under the CPA Act, a Committee must not only manage community funds responsibly, but must also lead a system of representative, democratic, community-wide decision-making whereby the 'community', defined by its shared values, plans land-use and land-allocation schemes by majority vote. Of this, the †Khomani, in Collin's words, are 'not capable'. However, in order to avoid liquidation of their lands, Collin is aware that their only option is now to *become* capable. As Peter says above, he wants the †Khomani to prove that they '*can* actually run these things'. Perhaps, as O'Malley's (1996) work suggests, Aboriginality or San-ness, rather than being seen by the DLA as something that needs to be given space by South Africa's land reform structures, is viewed simply as an impediment to 'progress' or 'development'. Having 'failed' on their own, however, the †Khomani are now looking to Peter to provide the capability to 'succeed' under the current CPA Act requirements: 'you are the one to make sure I am capable'.

Interestingly, Anna Festus indicates that, despite their prior struggles, a sense of †Khomani optimism came with the dissolution of the third CPA Committee: 'From the very beginning, there should [have been] more support and assistance, but it's only half a way, when we have already [lost] a lot of our resources' due to resource-grabbing, game-poaching, and mismanagement. 'It's only later when Peter was coming in, when [we thought] maybe we could still [be] rescued' (Festus, 12th Sept. 2009). Just what the †Khomani primarily need 'rescuing' from is an important question. Perhaps the answer

is the CPA structure itself. Stepping back and looking at †Khomani poverty more broadly, Mier Mayor Sophia Coetzee feels that, indeed, something that has not yet been grasped or fully considered may be holding back †Khomani development, motivation, and empowerment:

Yes, things are going slowly. ...I can't put my head on it, but there is something. ...They had a CPA..., but now...they're under administration. So there are things that block the growth of the †Khomani San. I don't know if it's the people themselves, or if it's other people. I cannot put my finger on it. But there is something that hampers their growth.... Development is not going fast. Why? (Coetzee, 22nd Jan. 2010).

7.3 Minimal Progress through 2010

Like the Mier Mayor, the †Khomani have struggled to understand development delays, as well as to survive since 1999 with few opportunities to earn a living on their new lands in the Kalahari. Anna Festus believes that Government took too long assigning Peter Mokomele to assist the post-settlement †Khomani: 'Government...put a project manager from the Department of Land Affairs to...assist us with the...various development plans for the land. Yet, it was a slow process' (Festus, 12th Sept. 2009). Since his appointment, however, Peter has been ineffective in moving †Khomani development forward. Young †Khomani Fannie Brou cites a lack of progress as the reason Peter ultimately asked for Fannie's bookkeeping assistance in October 2008: 'Peter asked me to help, because nothing was going on on the land' (Brou, 8th Sept. 2009). Indeed, Andries Steenkamp, who has worked tirelessly to initiate development, farming, and housing plans for the †Khomani, laments, 'I am now twelve years here, and I have [had] the land ten years. I am not going forward. No, nothing' (A. Steenkamp, 8th Sept. 2009). Looking at the situation since the 1999 †Khomani land-

claim victory, Rietfontein schoolteacher Meris Kocks, like SANParks employee Dupel Erasmus, finds blame on both sides:

There was not...*upliftment*, through all those interventions of the State... The †Khomani San can't show what has happened to the money that the State pumped in. I will blame the government for what has happened to the †Khomani San. But I will also blame the †Khomani San because they let themselves down (Kocks, 22nd Jan. 2010).

Indeed, while the †Khomani have been blaming Peter Mokomele for minimal assistance and lengthy delays, and Peter himself has been accusing the †Khomani of CPA Committee corruption and community indecision, nothing has been happening on the †Khomani farms towards the realisation of the poverty-reduction objectives, or possibilities, of land reform.

a. Little Infrastructure

An important area for †Khomani 'upliftment' is the improvement of farm infrastructure, including repairing fences, replanting over-grazed flora, maintaining water pumps and pipes, and allocating plots of land, or 'camps', on the †Khomani stock farms (Scotty's Fort, Uitkoms, and Andriesvale⁴¹) to individual stock-farmers to provide uncontested space for their sheep and goats to graze. Andries Steenkamp, whom Peter hired to conduct a farm-status and infrastructure assessment, describes the condition of the six farms, all of which have deteriorated since the previous white owners vacated:

On most of the farms, the fence is *finished* on the whole farm. On Miershooppan [where commercial hunting was then taking place], the...fence is down. ...The game is walking out! [On Uitkoms],...water is not effectively [distributed throughout] the whole farm. ...You need a pump. ...The fence...is not good. Andriesvale is the same. The *only* farm

⁴¹ As noted by Chennells in **Section 5.4**, Miershooppan ultimately transitioned into a stock farm as well.

where the water is [good] is Scotty's Fort...but fences are not good.
...All the farms [previously] had too much livestock
(A.Steenkamp,23rdJan.2010).

If this were an assessment sponsored by Government for an action plan in 1999, it would certainly sound reasonable, but it is astonishing that the poor state of farm infrastructure was only coming to light (via Andries' report to Peter) eleven years after the land-claim victory. Community technical adviser David Grossman agrees.

Regarding insufficient access to water, he complains,

Speak to...Mier Municipality. They were asked [about water by] the Human Rights Commission. The Mayor of Mier actually blushed, hung her head in shame, and said, 'We haven't done right by our people'. As of now, if you go to where people live and ask where the water is, they'll tell you that they can get water from where the farmers, under the previous CPA, put in a pump for their livestock. Sometimes, there's water available from the shop. Otherwise, there's no water. ...The owner of the shop, the owner of [Molopo] Lodge, and the cattle farmers' pump are what people survive on. ...It's a national disgrace (Grossman,19thJan.2010).

Similarly, Collin Louw, like Chennells (2006) above, expresses dismay that grazing-land allocation has not yet occurred, both because it is a community requirement under the CPA Act (CPA Act,Schedule) and because it is viewed as essential for stock-farm profitability. Speaking of the †Khomani Sheep Bank, which allows San stock-farmers to borrow sheep to grow their flocks and pay back the 'bank' with new lambs, Collin argues that, without 'camp' allocation, the †Khomani cannot become profitable farmers: 'Livestock Bank...is not really effective. ...First of all, [the †Khomani] don't have camps. They don't have hectares for their sheep to go⁴²...which means it's not sustainable' (Louw,12thJan.2010). Part of sustainability on the farms, the †Khomani believe, is the

⁴² Although there are clearly hectares available for grazing on the †Khomani stock farms, Collin's statement seems to indicate a problem of 'the commons'. The †Khomani wish to have individual, designated plots of land where they can graze their own sheep and goats, rather than risking conflicts over rights and responsibilities that may arise from common grazing land.

appointment of a long-term farm manager, whose job it would be to assist the †Khomani in their move from apartheid farm labourers to post-apartheid farm managers. Andries Steenkamp, as head of the †Khomani Sheep Bank, blames Government for repeatedly promising to appoint and pay a farm manager, but failing to follow through effectively: 'He give us six farms, without a manager. Peter say, "OK, I shall give you a manager". That is now four years [ago]. [There] is no manager. 2007 he send someone here – for six months – and the money is up, and he's never paid the man, and the man is going. So now I sit where I was in the beginning' (A.Steenkamp,8thSept.2009).

In addition to grazing rights and infrastructure on the farms, the †Khomani often express disappointment in the general government services provided to the San, who as a result, continue to feel socio-economically and politically marginalised. Anna Festus, who is one of the few †Khomani employed in Upington, argues,

I think that there can be done much more from Government....
They should...provide the same services to our people as...to the rest of...South Africa.... We don't have...schools, ...health system, ...houses. ...That's the *basic* rights, ...but it's [been] *years*.... I can't...say, after these years, specifically...this has been done... – there are the houses, there is the health system – I can't say that (Festus,12thSept.2009).

Indeed, the lack of a single government-built home on †Khomani lands since 1999 is an oft-mentioned complaint. Andries Steenkamp has been in the centre of †Khomani house- and settlement-planning for several years. In 2009, he was extremely hopeful that a †Khomani agreement, plus training on sustainable housing provided to a few †Khomani by the University of Stellenbosch, would finally lead to Government home-building for the †Khomani:

[Now] we are waiting only for the Municipality. And then I waiting for the people [who are] coming back from Stellenbosch. As they come back from Stellenbosch, I can say [to] the Municipality, 'You come and do your job'. Commission and Housing come together and give some money [in addition to remaining land-claim funds] to build the houses. ...At the next meeting...then he do it (A.Steenkamp,8thSept.2009).

As of 2012, however, no houses have yet been built.

b. Lack of Food, Water, and Income

With little infrastructure on the farms, the †Khomani have been largely unable to generate sustained income for themselves. While the former head of the Bushman Raad, Oupa Jan, finds ways for the Erin and Witdraai 'traditional farm' residents to live off the land in more traditional ways – blending hunting, gathering, tracking, tour-guiding, selling traditional medicines, and craft-making with the keeping of a goat or two – he has noticed that the †Khomani stock-farmers have not actually fared better since relocating to their new farms post-land-claim. Oupa Jan notes that farmers' herds and fortunes did not increase during the first ten years (Pietersen,5thSept.2009). On the more purely farming side of the †Khomani divide, Fannie Brou explains in greater detail that †Khomani farming has failed to become profitable since 1999:

[As] the people come in, they have a little bit of livestock...ten sheeps, five goats. And then they must grow.... Now, some of them have...enough to be commercial.... There are three guys now on the farms [all in the Vaalbooi family] to go big.... This is the growing way [and it takes time]. That is why [some †Khomani] are not [profitable] on the farms. You must live from your livestock now. ...Every month, you must sell one or two, and...kill one for the house. So you go up and down (Brou,8thSept.2009).

Andries Steenkamp keeps a list of the 46 registered †Khomani stock-farmers. Based on Fannie's statement above, 43 are still farming on a purely subsistence level, which corroborates and updates Bradstock's (2005 and 2006) findings in **Section 3.12(b)**.

Along with farming, many †Khomani are hoping that increased commercial hunting will create income for the farms. As of 2010, the farm of Miershooppa was alone being used for such an operation, under the financial management of Fannie Brou. He explained, however, that they had yet to generate profits:

You need money to repair the things. And also the foreman – we must pay him.... There's only three months per year when you can hunt. So it's 79,000 Rand for all three [May, June, and July].⁴³ So it is not enough.... It's a big farm. The game is going off on to another guy's land and stay there, so we must also repair the fence now...but we [don't] have a [functional] bakkie. ...Peter doesn't want to buy a new one because they say they have already [bought] enough vehicles (Brou, 8th Sept. 2009).

Thus, from 1999 to 2010, organised hunting operations employed few people, lacked the infrastructure even to keep the game animals inside the farm boundaries, and produced no community profits.

Askham community volunteer Holly Shrumm provides her assessment of how people are earning a living in the Kalahari and how many of the †Khomani and their neighbours have jobs:

Not many people. Farm work, for the white farmers mostly...maybe a week, if they're lucky, just doing things like laying pipes or water drilling. So it's...temporary and...not very good money. ...I've also heard...that some farmers still treat them very badly: beating them, swearing at them, paying them in alcohol. Sometimes, the women get work as domestic workers on farms. Again, usually not very well-treated: low wages, sometimes abuse. ...There has been some construction work in the past – the roads mostly, leading into the Park. That came with its own issues: increased prostitution, ...HIV/AIDS. ...They used to have a café..., but it just fell under. Whenever people try stuff, they just fail (Shrumm, 23rd Jan. 2010).

⁴³ Thus, according to Fannie, fees paid by private hunters visiting Miershooppa were generating (at 2009 exchange rates) an annual income of approximately \$10,500, all of which was required to operate the hunts and maintain the farm.

According to Collin Louw, the employment rate among ꞤKhomani who live in Upington is actually no better: 'maybe five...or seven...or ten percent':

That's why most of them are getting caught stealing goats, sheep, ...breaking into other people's houses for food, clothes, something...to go and sell, just to get money. There are people who are getting money from Government: old-age pensions, ...sick pensions, disability, ...[child] grants.... Like last night, we didn't have something to eat. But I told my wife, 'This morning someone came and gave me 60 Rand', and she said, 'There now, we can go and buy bread' (Louw,12thJan.2010).

I witnessed this myself among all three San communities – ꞤKhomani, !Xun, and Khwe – with whom I spent time in South Africa. Any gifts I gave them for interviews were taken directly to the nearest shop to purchase bread, a clear sign of significant hunger in San families.

Among the ꞤKhomani, several youth described the ways their families are surviving today. Ivan Vaalbooi, who left the Kalahari to become a tour guide at the !Khwa ttu San Cultural and Educational Centre north of Cape Town, remembers his previous Kalahari work experience as consisting of sporadic, temporary wage work similar to Shrumm's statement above, Bradstock's (2005 and 2006) findings in the Northern Cape, and Guenther's (1998) findings among the San of Botswana. Ivan was part of the road crew that built the tar road from Andriesvale to the Kgalagadi Transfrontier Park gates and also assisted the SASI team that built the as-yet-unprofitable 'Bushcamp' tourist camp on the Witdraai farm (Vaalbooi,21stAug.2009). As Petrus Vaalbooi's son, Ivan's work as a temporary labourer indicates that even the three stock-farmers who, as Fannie reports above, are 'going big' are not actually creating significant family wealth by non-San standards.

Other #Khomani families, however, seem to be faring even worse. Vinkie van der Westhuizen is the daughter of the #Khomani traditional healer Oom Jan and is one of the most successful of the #Khomani youth, having a job in the Kalahari office of SASI and running the #Khomani tracker-training project. **(Figure:7.2.)**



Figure 7.2: SASI employee Vinkie van der Westhuizen (right) participating in #Khomani tracker training. Photo by the author.

In Vinkie's family are her father, mother, a sister who is finishing high school, three smaller siblings in the Askham Primary School, and a small orphan boy, plus Vinkie and her new baby conceived by the white shop-owner, who is not contributing to the child's upkeep. In total, there are fourteen ꞛKhomani living in two self-built houses, all being supported by Vinkie's SASI salary: 'It's 1,300 Rand per month. And I can't afford it. My mother gets a grant from the government for two small children...400 Rand [total] per month.... And my father is selling the traditional medicines, and I think he's making 1,000 Rand a month. A bag of medicine [sells for] 15 Rand' (van der Westhuizen,25thJan.2010). Thus, one of the most professionally active families on the ꞛKhomani farms are living off approximately 75 cents per day per person. The inclusion of the orphan in the van der Westhuizen family also indicates that the traditional San sharing ethos discussed in **Section 2.12(c)** is still strongly felt by today's ꞛKhomani.

Other ꞛKhomani youth also indicate that, in addition to government grants, the sharing of meagre income among extended families continues to be an important San survival strategy. Thirty-year-old Lena Jacobson explains, 'There are seven in our house.... I stay with my aunt. My uncle is working...in Bloemfontein. ...My cousin is now in training to be a policeman. So only my uncle is getting paid, but we also get money from the government for the two children' (L.Jacobson,25thJan.2010). Maria Gooi is 26 years old. She describes the grants and temporary work that sustain her family: 'There are six of us in the house. ...Only my father [works]. He is doing contract work at the...Park border - temporary road work. It's two or three months, then the work is done. My mother gets 1,010 per month from the government for old age. I also get 240 per month for my child' (Gooi,25thJan.2010). Andries Steenkamp's son Richard depicts the hunger faced by ꞛKhomani families who have few options when it comes to purchasing food:

'Here in the country nowadays, everything is too expensive. You can't wait for pay day. You must go to the shop, and it's – *whoa!* [over-priced]. There's nothing at home. You get hungry. The school is opening, and the children want every day something to eat' (R.Steenkamp,25thJan.2010). With such limited opportunities to earn money and exploitative food prices in the local white-owned shop, Holly Shrumm explains that schools often take up the slack: 'Pretty much every school...has a feeding programme that's provided by the Department of Education...so that each kid gets at least one meal per day, because the chances are they don't eat much at home' (Shrumm,23rdJan.2010). Finally, 21-year-old Marius Jacobson describes how his family earns a living through a combination of government grants, temporary farm work, and the technically illegal practice of cutting and selling camel-thorn trees: 'There are five in our house. None of us has got work. Only for the two children, we get a grant from the government. When we can, we chop wood to sell or find work for a couple of weeks on a white farm' (M.Jacobson,25thJan.2010). Combined with Shrumm's statement above, that white-farm work often results in abusive treatment, it is difficult to see how the lives of some of these #Khomani families are much different from the lives they would have led as 'coloured' labourers under apartheid. As Collin Louw expressed in **Section 6.3**, land reform has a long way to go to 'give back what belongs to the San'.

Still, even in this seemingly hopeless environment, the #Khomani youth do have professional aspirations. They recognise, however, that opportunities may never come to the Kalahari farms as they are currently governed and operated. Lena Jacobson hopes 'to be a social worker. At the moment, I am doing that almost for free, for 500 Rand – for a year. I have been doing this for three years now. But this year, I didn't get paid – nothing, no 500. I have the experience, but I need the opportunity to get a better

job' (L.Jacobson,25thJan.2010). To find suitably paid work, many ꞤKhomani, like Ivan Vaalbooi at !Khwa ttu, are beginning to look elsewhere. According to Holly Shrumm, 'There's talk all the time: "Oh, I wish I could go to Upington", "Oh, I wish I could go to Cape Town...". But *rarely* I hear of people actually going. There's generally the feeling that anywhere else would be better. But I see little action to move' (Shrumm,23rdJan.2010). Whilst Ivan did relocate to !Khwa ttu, other ꞤKhomani indeed seem only to talk about leaving. Marius Jacobson, for example, complains, 'I want to go to study further, but the money is the problem. I don't know what to do anymore. I can't go to my father and mother – we're *all* struggling. I just want to go. If I wait and wait, I will still be sitting here. I want to be a policeman' (M.Jacobson,25thJan.2010). The most motivated and best educated young ꞤKhomani person I interviewed was 20-year-old Ricardo Seekoei, who aside from Richard Steenkamp, was the only young ꞤKhomani able to speak English with any confidence. Although he comes from what would be considered a relatively prosperous ꞤKhomani family and was able to attend the more expensive school down in Upington, he is disappointed that he cannot find work in the Kalahari: 'We are eight people in the house.... My mother...used to work in the community's HIV campaign. ...My two aunts work. One is a nurse, and the other one works in the town. But that's all. ...It's not easy to find jobs' (Seekoei,25thJan.2010).

Regarding ꞤKhomani income and employment opportunities, the Mier Mayor seems to express some of the possibly groundless optimism of which Roger Chennells accused Peter Mokomele in **Section 6.2**: 'At this moment, they are worse off. But they have that land. The San would make money if they had guest houses or something like that. So they are worse off now, but I think they will be better after two or three years' (Coetzee,22ndJan.2010). Although Chennells himself also feels that, because they own

the land, the †Khomani ‘will eventually get better...even if they get worse first’ (Chennells,13thDec.2009), his realistic timeframe for improvement is much longer than the two to three years (*i.e.*, 2012-13) predicted by the Mayor. Sadly, after eleven years of waiting, some of the †Khomani at the time of my interviews seemed to be losing hope that their people would ever be able to use their farmlands profitably. Ricardo Seekoei told me that ‘even if [a job opportunity] is in England, I am prepared! ...I can live with you!’ (Seekoei,25thJan.2010).

c. Alcoholism, Apathy, and School Drop-Out

Meanwhile, the reaction of many †Khomani to the overall absence of development progress, legitimate leadership, or the ability to reliably feed their families is the hopelessness that breeds apathy and alcohol abuse. SANParks Tourism Manager Dupel Erasmus describes a programme that he had hoped would help employ the †Khomani:

I initiated last year what we call learnerships, which are funded by Department of Labour.... I...got funding for 21 learnerships, which meant they would get a qualification. They will be paid...a monthly income, plus they’ll be given practical experience in the workplace. ...It was widely advertised, and if two percent or five percent applied from the Bushman community, I didn’t see that. ...I filled the 21 spaces. Maybe only four of them were even *related* [to the San]. ...There’s opportunity, but you do not want to take the opportunity. It is the makeup of the †Khomani. ...Then you say, ‘What is your requirement? What is it that you want to do?’ ...We have to change [their] mindset.... You can’t just say, ‘Because I am †Khomani, now I want that job’. ...What gives you that...preferential treatment? Because you are †Khomani? No! (Erasmus,18thJan.2010).

This seems to be an excellent example of an available programme, the †Khomani reaction to which stands in sharp contrast to the apparent motivation expressed by the †Khomani youth above. Perhaps the †Khomani apathy, bred by years of conflict, confusion, delays, and disappointments, truly has created a kind of community paralysis, the inactivity that – as seen in McIntosh (2002), von Bremen (2000), O’Malley

(1996), and Smith et al. (2000) above – results when outside planning, decision-making, and governance structures are forced on to an indigenous community.

This inactivity also leads to severe social problems. Meris Kocks referred to an article written by the Northern Cape Department of Social Services and Population Development regarding the 26 July 2008 celebration of World Population Day in Askham (pop. 1,000). This town is on the edge of the †Khomani farms and contains residents who are San descendants and the school that most †Khomani children attend through Grade 8. According to the article,

75% of babies born in Askham during 2006 were to mothers younger than 18 years;
teenage girls who fall pregnant do not return to school to finish their education;
alcohol abuse is rife;
the community is dominantly poor, with little or no source of income;
the majority of living units [are] shacks;
youth are very de-motivated (Fortune,2008).

Commenting on the above data, Kocks argues,

Everybody in the Mier [region] has to compete... [P]eople are hired who have the skills, and the *only* way to get those skills is to study. Maybe we must...ask...the †Khomani San, did they have the opportunities to study? And from this survey..., it is [shown] that it is other underlying factors that cause drop-out in school. And afterwards, you *claim* you have never...had a chance in life, and...it's not the truth! (Kocks,22ndJan.2010).

If †Khomani parents in Askham and on the †Khomani farms have little or no work and little hope of future †Khomani success, it seems possible that even the very talented, but locally focused children might ask themselves what the value of school is, particularly if there will be nothing to do with that education. Richard Steenkamp, who did complete high school, laments that, in the Kalahari, there are few places to use the training he

received. In fact, he is so unsure about his future that he keeps his professional dreams a secret to avoid embarrassment if they never materialise (R.Steenkamp,25thJan.2010).



Figure 7.3: Rietfontein Combined School, where several #Khomani children attend Grade 9, but few typically complete Grade 12. Photo by the author.

Indeed, poverty and hopelessness typically keep most #Khomani from completing high school. (**Figure:7.3.**) Meris Kocks describes a situation that he has seen repeatedly over his eighteen years as a Northern Cape teacher:

We start with four Grade-9 classes...[that] are around 150 to 180 total [students]. And...last year, we ended up with one class of 43 [Grade-12] matriculants. ...We as teachers have to look seriously into this problem. [Drop-outs] are lost for the community...[and] for South Africa. ...Where there is a State pumping grants, they will never, ever break the poverty circle in South Africa.... We will remain a Third World country as long as the majority of our people are not literate (Kocks,22ndJan.2010).

It must be emphasised that this school-graduation rate (24 to 29 percent) is taken from those students who *began* Grade 9, which many †Khomani do not. Part of the reason for this is a lack of funding. Although the Rietfontein school is technically fee-free, there are in fact several fees associated with books, sports, and boarding, along with the cost of the transportation needed to reach the school from the †Khomani farms. In addition, students must have the supplies and clothing they need to avoid embarrassment in the classroom. Askham Primary School Principal Benjamin Manyora states, 'For the kids who are in high school, we have a...programme giving soap and toiletries to them, so they can go to school. And the Social [Services] Department is sponsoring clothes – shoes, shirts, and trousers – for them'. He reports that teachers also try to motivate their pupils to stay in school, and a big part of their stay-in-school campaign centres on food. In line with Shrumm's statement above regarding the importance of school meals, the Principal explains that the schoolchildren are fed during the day, but if they drop out, they lose access to this kind of nutrition (Manyora,24thJan.2010). Thus, rather than post-matric job opportunities, the schools often stress school meals as a primary reason for students to continue with their studies.

Vinkie van der Westhuizen deeply regrets dropping out of school, but did so out of both poverty and embarrassment:

I didn't finish school. I went just to Grade 10. Most of my friends [did the same]. [I stopped] because we are a poor family.... I had to pay [this] fee, that fee, and my father didn't have the money. And I got shy at school: 'Ooh, I can't go to school like this!' I didn't have money for my school fees or for sports and things...and we must get our books and [transportation]. ...[I lived] at the school and [had to pay fees] for that. And I am a young lady. My mother and father must give me money for toiletries and things, [but] they can't afford to give me that money. I *wish* I had finished! (van der Westhuizen,25thJan.2010).

Similarly, Richard Steenkamp explains that, although he completed matric, it was a financial struggle: 'Even in a free school, you need money. You need shoes, and you cannot wear short trousers in high school. Whoa – never! ...You cannot wear old stuff. You must have long trousers, books, pants' (R.Steenkamp,25thJan.2010). Finally, Marius Jacobson relates a story that is common among the †Khomani: 'I was living at the Rietfontein school and left at Grade 10. ...I [had] to go my own way and do some piecemeal work to make a living. That's how it always is here in the Kalahari. My mother said to me, "My child, you cannot go further because we don't have enough money". So I dropped out' (M.Jacobson,25thJan.2010).

For the †Khomani who attempt to reach matric, many face problems at home that lead to poor performance in school. Principal Manyora describes †Khomani home life:

They have social problems – many of the †Khomani people – and I think that affects their learning at school. ...Housing issues are the biggest problem. Most of them are living in shanties. ...One room, the whole family must sleep there, [and studying is difficult without] a proper home. ...From the age of 15, 16, they start drinking, once they have finished [Grade 8]. ...[Few parents assist their children with their studies] because ...they don't have good housing, and...some of them are not really literate (Manyora,24thJan.2010).

In this way, the inability of the †Khomani to make a final, community-wide decision on how and where Government should construct houses, and Government's refusal to

accept any of the plans previously submitted by individual †Khomani like Andries Steenkamp, continue to cause harm to †Khomani children, who thereby fail to 'break the poverty circle', lose hope, begin drinking at an early age, and come to rely, as their parents, on grants from Government. Holly Shrumm reports that such grants (R200 to 240 per month per child) are not spent as Government intended: 'A lot of people have the social grant here, ...but often, they spend it on alcohol, not on the kids' (Shrumm,23rdJan.2010). The Mier Mayor recognises this as a serious social issue in her jurisdiction, reporting that, in Mier generally, the biggest problems are sheep-stealing, drinking, fighting, and the self-destruction that results from drinking. For the †Khomani, 'because they sit along the road and tourists coming by give some money to them, they have money every day. And because of that, we have the problems that the police see and that we as leaders see' (Coetzee,22ndJan.2010). Unfortunately, the resource constraints described in **Section 6.4(a)** mean that the Municipality does not have the funds to provide alcohol-abuse counselling to the †Khomani. And for the †Khomani themselves, the 'drunk Bushman' image is both understandable and embarrassing. Andries Steenkamp argues, 'No one is going forward on this land. So the developing in the community is very slow.... As you going, you see a drunk Bushman. All the time you shall see him, because he never focus on any other thing. There is nothing for him to focus on' (A.Steenkamp,8thSept.2009).

Thus, a decade of little progress, or even a sense of hope for future progress, on the †Khomani farms created a crippling apathy among the †Khomani, such that many of those with professional ambitions became either too afraid to discuss their dreams or too hopeless to continue to pursue them. Principal Manyora explains, 'I think the *big* problem...is we must get them interested in something to do. There was a boy here. I

wanted him to become a tracker, in the ꞤKhomani tradition. And I learned the other day that he has dropped out, at Grade 9. ...Throughout *our* school, we teach them that you must work hard...so that you could become *something* in life' (Manyora,24thJan.2010). Inspiring such hard work should be the role of the ꞤKhomani leaders, but with a CPA system that disregards traditional San leadership structures, many of the leaders themselves, including traditional leader Dawid Kruiper, also descended into frustration, apathy, and alcohol abuse.

7.4 Different Views of Development

Part of the reason for ꞤKhomani apathy and frustration appears to be the divergent views among Government, NGOs, and the ꞤKhomani on development priorities. Based on the extensive literature on development discussed in **Chapter 3**, I asked various Kalahari residents and activists for their views on what 'development' would ideally entail for the ꞤKhomani.

a. Capacity-Building

Many non-ꞤKhomani see the future of ꞤKhomani development in training that provides the skills needed to increase cultural pride, confidence, employability, and management ability. At the forefront of this mission is the !Khwa ttu San Cultural and Educational Centre north of Cape Town, where small classes of San youth selected from across southern Africa come for nine-month training programmes. Head of education at !Khwa ttu, Axel Thoma, proudly says, '!Khwa ttu reflects...the idea of real development, because it has this holistic approach. We want to make income, but we also want to provide training, education, development, and we have not forgotten the communities out there' (Thoma,6thJan.2010). Michael Daiber, CEO of !Khwa ttu, describes these programmes as imparting knowledge that typical South African skills-training courses fail to provide:

We have developed a curriculum...where we train tour guides and hospitality workers...and where the foundation is working in nature and combining that with your culture and your tradition.... It's developing things like...ethno-botany..., indentifying plants...knowing the Latin names..., but...also knowing the ancient uses of the plants. ...So that gives somebody just that edge to get him a job, because what we *ultimately* want to do is to have training that doesn't just give you a [useless] certificate with big, golden letters (Daiber,6thJan.2010).

Richard Steenkamp, who applied unsuccessfully to attend !Khwa ttu, agrees that the training courses offered by Government, NGOs, and social workers in the Kalahari are very weak. He reports that there are many ꞤKhomani people wanting training and many training providers, but that the training offered is poor, including for example, instruction only on how to turn on a computer and save a file. A collection of such training certificates does not lead to employment (R.Steenkamp,25thJan.2010), particularly if no jobs are being created on the ꞤKhomani farms. Maria Gooi confirms, 'Most of the time, the training here isn't something you can do anything with. ...It's not about, "You will get a job if you do this training". Most of them, you just get a certificate – wow. ...It's just a piece of paper. You can't get anywhere with it' (Gooi,25thJan.2010). Thus, the ꞤKhomani youth corroborate Michael Daiber's assessment of the typically poor, certificate-focused training offered by 'the development world of the new South Africa' (Daiber,6thJan.2010). Daiber argues that a major part of San development work today needs to involve confidence-building for these people who, as seen in **Section 2.7**, have a history of being forced on to the political, economic, and geographic outskirts of society. At !Khwa ttu, such training includes teaching in geography and the history and languages of various San groups. Overall, 'It's really just improving your general knowledge, ...life skills, ...communication skills, building confidence, ...building a human

being and preparing him, ...to...be confident and ready for the world out there'

(Daiber,6thJan.2010).

Many who are attempting to work directly with the ꞤKhomani in the Kalahari understand that the ꞤKhomani currently lack significant management experience.

Dupel Erasmus provides his assessment:

SANParks has just now completed the whole tourism-development framework for the [ꞤKhomani and Mier] Contract Park, which... encourages all the tourism developments. But at the end of the day, we are...merely the facilitators. The drivers are the two communities. So there are processes that are being put in place to *develop* the two communities. ...You can...put up a beautiful structure, but they've gotta drive it. ...I don't think that the competency levels are there to...effectively manage (Erasmus,18thJan.2010).

The result for the ꞤKhomani is often that, with repeatedly failing livelihood and development projects, NGOs and government employees begin to feel that new projects ought to be delayed until the ꞤKhomani display increased capacity or skill, as evidenced, for example, by completing school:

Rather than trying to establish [individual]...projects, ...let us take that [funding] and push that into educating. ...In the long run, the returns on that investment will be far greater than trying these small, silo-type...projects. ...I'm talking about...providing bursaries...to go to institutions, to come back and plough back that expertise into the community. As opposed to saying, 'There's 50,000 Rand. We are now going to start a bead-working business, and...we're gonna take that, and we're gonna sell it'. It doesn't work. ...We have to change our approach to community development (Erasmus,18thJan.2010).

SASI Programme Manager Grace Humphreys reports that, like the DLA, SASI has shifted from its origins as an advocacy group supporting the ꞤKhomani land claim towards a focus on 'broader community development' with a focus on San traditional culture. For

SASI now, 'The ultimate aim is to enable people to make a living from [guiding, tracking, medicinal plants, etc.]. ...Tracker training is good for transfer of knowledge and to ensure that the culture survives, but on the other hand, this is a modern world, and if you can make a living from your tracking skills, why not?' (Humphreys,26thAug.2009). Grace worked in South Africa's Department of Social Services from 1980 to 2000 as a manager in the Social Development division. For her, 'Development means enabling people to do things for themselves' (Humphreys,12thJan.2010). However, according to the Director of SASI, their main efforts to do such 'enabling' in recent years have focused on providing management, leadership, and capacity-building training sessions (Wildschut,21stSept.2009), which †Khomani youth like Richard Steenkamp argue have led to no actual employment opportunities (R.Steenkamp,25thJan.2010).

With an NGO drive for more training first, rather than more livelihood projects, a conundrum becomes evident. As seen above, students drop out of school because of poor housing, insufficient income, and parents who are too drunk, apathetic, or illiterate to provide the necessary support, assistance, and encouragement at home. If parents continue to be unable to find employment, sufficient food, money, or role models in the community, any stay-in-school campaigns, training certificates, or even top-notch educational opportunities as seen at !Khwa ttu may not produce results. With few job opportunities on the †Khomani farms, school students will likely continue to see no benefit to continuing their studies, parents are likely to continue to ask their children to drop out due to insufficient family funds, and the 'poverty circle' mentioned by Kocks will remain unbroken. Similarly, those who complete school or SASI or !Khwa ttu training will likely move away and, thereby, actually bring little of their knowledge back to the farms. As such, Peter Mokomele appears to agree with SASI's focus on enabling

the †Khomani to act for themselves, but seems to argue that actual project work would provide more useful experience than repeated training sessions:

Capacity-building is a process of establishing an environment where people are able to take their own decisions and act on them. It takes some time.... The moment you give people that space..., they don't...know how to deal with that space. But you then have to coach them so that they're able, ...because most of the time, people would be used to...someone taking decisions for them.... So you say to them, 'Look, this is your space. Tell me what you'd want to do'. ...And once they get used to that, they have to take the decision, talk through the project or idea, and actually start to agree about how they are going to create it. Then, it builds off one [project] being successful. Then they can go to the next one, and they can see...the successes...and then say, '...We can take decisions on our own and actually get things done' (Mokomele,15thSept.2009).

This sounds very much like the process of development described above by Cowen & Shenton (1998), by which communities, with the help of a mentor, gain the knowledge and capacity to make decisions and expand the choices they have. In Peter's model, such learning occurs most effectively through the creation and operation of sustainably profitable development or livelihood projects, but in their first eleven years, the †Khomani were unable to 'see' any of these hoped-for 'successes'.

b. Beneath Maslow's Pyramid

With the absence of sufficient employment, sustained income, useful training, or role-model-producing project successes, the †Khomani are struggling literally to survive today, remaining in a state in which 'development' is viewed as seriously lacking. Axel Thoma admits, 'In the development field, we are sometimes over-sensitive to...romantic images. There is nothing romantic about living in the Kalahari. ...Today you struggle more to live there than in the long past. It used to be a lovely place, but with the resources missing [due to white commercial herding undermining the resources] it is

no longer easy' (Thoma,21stAug.2009). Roger Chennells explains current †Khomani development needs in terms of the well-known 'Hierarchy of Needs' (Maslow,1943):

If you're thinking development there, ...Maslow said it all.... You're talking about the bottom level: you're wanting security of tenure, water, shelter, all that. They're not even there yet. ...At least no one can say, 'It's not your land. Get off!', which they had before. They had no right to be *anywhere*. At least they have the right to be there, though without water and so on. It's a basic development thing (Chennells,13thDec.2009).

'Basic development' in this context means assistance in meeting the essential requirements for survival on the †Khomani farms, including food, water, and some infrastructure, such as houses and fences. Phillipa Holden argues, 'If you want to reduce conflict, ...create opportunities! Because when people have got food in their stomachs and they can send their children to school, they don't need to fight anymore! At least you're going somewhere!' (Holden,19thJan.2010). David Grossman agrees that the †Khomani are still struggling just to survive in the Kalahari:

Because we don't live here, we don't experience the day-to-day realities of trying to get water. Then you've got to earn some money to go into this *inflated* shop to buy some flour and sugar to survive on. And that can preoccupy people, especially when there's all this negativity and social problems that still persist. ...If you're not preoccupied with getting water and bread..., you can think about moving forward (Grossman,19thJan.2010).

These real, daily survival struggles, combined with the hopelessness and despair generated by over a decade of stagnation, do indeed create †Khomani social problems that make individuals less likely to have an interest in working to make improvements on the farms. As such, Holly Shrumm has rather humble, but very specific goals for her own volunteer work in the Kalahari: 'People are...drinking [as] an escape. ...Even if

there's just one girl who doesn't get pregnant when she's fifteen, I'll be happy'
(Shrumm,23rdJan.2010).

In 2009 and 2010, those who still had the enthusiasm to attempt to use, maintain, and improve farm infrastructure found Government less than supportive, particularly when the plans submitted were not backed by the entire †Khomani community. Andries Steenkamp expressed his frustration with Peter Mokomele, who despite his statement above in favour of pursuing project successes as the best means of †Khomani empowerment, tended to focus only on reports and assessments, rather than discussing concrete project ideas for each farm. Based on Andries' experience, Peter 'doesn't care about the projects' (A.Steenkamp,8thSept.2009). As discussed in **Chapter 6**, while Government continued to wait for †Khomani community agreement, plans, policies, procedures, and audited books, the †Khomani themselves felt that the time had come for progress on the land itself. But as the youth indicated above, continued development delays created the real risk that many would begin to give up on their dreams of creating a life on the farms and simply move away. Indeed, Richard Steenkamp, who attended school in Upington, believes that Upington is a more attractive option: 'There is more development, more jobs. ...But here, nothing' (R.Steenkamp,2ndSept.2009).

With the DLA acting as the †Khomani CPA Committee under the CPA Act's 'administration' rules, Government now controls both †Khomani development approvals and funding, and without completed, agreed plans from the †Khomani people, delays continued from 2008 into 2012. Peter Mokomele stated in 2009, 'We will use [the capital], but we want...a plan to be in place properly. ...I don't want to go and

release 5 Rand, and then tomorrow I release 10 Rand. So let's have a total, new plan [for all of the †Khomani farms]' (Mokomele,10thDec.2009). Because this land-claim capital could only be used for land purchases or 'development' work, Peter and the †Khomani had to agree on what 'development' should entail. Andries Steenkamp explains,

As I talk to the government, ...[I say] 'I don't understand what you think...is development'. ...[For] example, the...six farms is commercial land, so there is work you must do with the infrastructure.... As you go to the fence, ...you must go to Askham with a vehicle to buy some things and bring it [where] you want [to repair the fence]. But they say, 'No, that is not development. You cannot [use] this money...[for those] things' (A.Steenkamp,8thSept.2009).

Such disagreements about the appropriate use of 'development' funds, particularly in the areas of food, water, and farm infrastructure, have led to a situation whereby Government's idea of 'development', rather than meeting the immediate survival needs of the †Khomani in any systematic way, seems instead to involve moving community members towards an understanding of *how* to create the farm-development plans that Peter wants to see and *how* to decide according to CPA Act requirements (see **Section 6.5**). A statement from Fannie Brou, who is both Peter's unofficial assistant and an employee of SASI, indicates that this is indeed the definition of 'development' that he has been taught. In describing training he received from FARM Africa and SASI, Fannie explains, 'FARM Africa...[gave] the finance training, and SASI was giving the development training. Development [was about] how to develop the organisation, everyone's responsibility on the CPA, what you must do and how to grow and how to plan. Those things is development' (Brou,8thSept.2009).

David Grossman disagrees with Government's apparent definition of 'development'. In addition to assisting the †Khomani in overcoming the immediate pressures of thirst and

hunger, Grossman describes his work with Phillipa Holden: 'Our philosophy from day one was: people at the moment here have no options. What is our role as ecologists, as activists? It's to give people a bit of a choice in life.... Employment, entrepreneurship, rights, ...housing. Give them the option to actually decide what they want!'

(Grossman,19thJan.2010). This definition of 'development' is very similar to the one described by Chambers (1989) above: 'promoting more independence and choice for the poor'. Options and choices are indeed what the younger ꞤKhomani seem to long for. For example, Anna Festus pleads, 'We can't always let other people do things for us. It is...time, and I think our young people are eager to try. ...So we...ask, "Give us the necessary skills, and also give us the opportunity"' (Festus,12thSept.2009). Similarly, Ivan Vaalbooi expresses his ideas as follows:

Someone can maybe just give...a small training..., and give [each ꞤKhomani individual or small group]...money...and check regularly on them....how they are performing with their own small businesses and so on. ...I think there must only be someone that can observe them and help them where they've done bad, encourage them.... [Otherwise,] people will take the money and...not do anything with it. ...If you plant the seed, then you have to give the seed water (Vaalbooi,7thJan.2010).

As discussed in **Chapter 6**, this 'someone' to whom the ꞤKhomani look for help, encouragement, and 'water' for their 'seeds' is Government.

The end result of such help, encouragement, food and water assistance, and expansion of choice would not be a more hierarchical, compliant, un-San CPA Committee, but would be, as Ivan suggests, a collection of individuals or smaller groups running their own livelihood projects in ways that both satisfy their need for food and income and express their own sense of San identity. Axel Thoma describes his ideal of indigenous development as resulting in the following:

[The San] having the ability to understand and respect their traditional culture and *wanting* to understand it. ...At the same time, they don't need to be a Bushman for that, sitting out in the bush in the loincloth. They understand that they can be modern people with a good cultural background, and this is what's going to *strengthen* their spine and this is where development has to go: ...'I want to enjoy my tradition. I want to enjoy my...Kalahari. ...That's where I relax, but I do have another job' (Thoma,6thJan.2010).

For now, however, the above visions of †Khomani activity, confidence, cultural pride, income, education, stability, livelihood choices, and even adequate nutrition remain largely unfulfilled. Apathy, the absence of sufficient food, water, mentoring, income options, and community-wide agreement, plus sharply differing views about the definition and 'appropriate direction' of †Khomani 'development', both between the †Khomani and Government and among different †Khomani factions,⁴⁴ led all †Khomani CPA Committees from 1999 to 2008 to 'fail' to lead the †Khomani, to motivate †Khomani development, to make land-allocation and land-use plans, and to act as the DLA and land-reform lawmakers intended, upholding such CPA-Act-declared ideals as democracy, accountability, and communal property management. Peter Mokomele contends that he sees pride and self-motivation beginning to sprout among the †Khomani, but that the overall picture in the minds of most outsiders is one of †Khomani laziness: 'People understanding their own development [involves]...an understanding that "Yes, we can do things for ourselves". I think now I am starting to see [that this] is coming up slowly in the San. In other communities,...some have more pride in that; some don't. So someone who comes from outside, who misunderstands it, might interpret it as laziness or people not wanting to work' (Mokomele,10thDec.2009). Here, Peter insightfully suggests that the perception of San laziness 'from outside' may

⁴⁴ See Ellis (2010) in **Section 5.1**.

be the result of a lack of pride or action-inspiring confidence among the San, and the statements of Ivan Vaalbooi and Holly Shrumm in **Section 5.2** verify that low self-esteem is prevalent among the †Khomani. In addition to this, **Sections 3.7** and **6.6** indicate that such perceived apathy or laziness may also be an indigenous community's reaction to what they see as illegitimate leadership and governance structures imposed from outside. As such, it is important to understand how the †Khomani and their close associates regard the Communal Property Association itself, as an imposed structure for the governance of this fictional 'community'.

7.5 Opinions on CPAs Versus Smaller, 'San-Style' Groups

a. The Law Is the Law

Because the Restitution and CPA Acts are current law in South Africa, it is understandable that many would argue that the best route for the †Khomani would be to participate in the kind of processes outlined in **Section 3.13(e)**: *i.e.*, the †Khomani must simply, for their own good, learn to use the Acts' ownership, leadership, and decision-making structures as they now stand. For example, David Grossman recognises that, under the current laws, a fourth CPA Committee will one day be elected. When this occurs, David believes that, in order to avoid repeated instances of resource-grabbing, the role of the next CPA Committee should centre on oversight, rather than hands-on management of the farms, particularly due to the problems associated with managing the communal lands of a fictional 'community':

If there is another CPA...Committee, they are...responsible for ensuring the proper...management of the estate, which is probably what the... legislation intended. The way it was interpreted was that the CPA [Committee]...became the local mafia. There is a space for a CPA, provided it is there in an oversight role.... [Mismanagement has] happened in just about every other land claim, where the CPA model – which is an attempt to reconstruct an old community, whether real or

imagined – is now filled with people...from all over the place coming back [with] different ideals and visions and skills (Grossman, 19th Jan. 2010).

Dr. Grossman's statement ties in with the concept of agrarian development described in **Section 3.5**, in the sense that the community being recreated might in fact be imagined or mythical. As we saw, Cowen & Shenton (1998:50-1) explain that agrarian development seeks to restore the 'old', defined as 'peasant household production', but because this is often in fact mythical, 'there is little to inhibit inventing... "new" ...forms of social organisation within this mythical old'. Land reform's attempts to 'reconstruct old communities', thus, should leave room for communities to introduce their *own* forms of social organisation into the Acts' requirements. Unfortunately, as discussed in **Section 3.4**, land reform's goals include inculcating the ideals of South Africa's dominant culture on to all land-recipient 'communities' (whether Bantu agriculturalists or not), who will thereby learn to organise themselves in representative, democratic hierarchies. However, as Chambers (1989) warned above, 'For any urban-based outsider to state the priorities of poor rural people is yet another core-based act of paternal guesswork'. This would appear to be even more pertinent when the 'poor rural people' in question are San people.

The Kuru Family of Organisations⁴⁵ and two of its subsidiaries, WIMSA and SASI, who have struggled since 1999 to establish sustained livelihood projects among the †Khomani almost entirely without success, do believe that the †Khomani must learn to organise, lead, and motivate themselves according to the CPA Act. SASI believes that, in this effort, what is most needed now is a very strong central †Khomani leader who is

⁴⁵ See **Section 3.8**.

paid by the DLA to help the †Khomani run a new CPA Committee (Humphreys,3rdSept.2009). Key characteristics of this leader would, they argue, need to be the strength to avoid being ‘bullied’ by other †Khomani and the confidence to ignore †Khomani criticism of his or her elevated position (Brou, Humphreys, and Stewart,3rdSept.2009). However, as seen in **Section 2.12(e)**, such a chieftaincy would be totally foreign to the San, except as temporary wartime circumstances required, and bullying, ridicule, criticism, and non-compliance by other †Khomani could almost be guaranteed. However, this well-meant suggestion illustrates that, for the †Khomani to run a successful CPA, San-style social organisation would have to be abandoned. Indeed, some in government positions seem to feel that such adaptation is necessary for the future of South Africa. Dupel Erasmus argues as follows in the context of the †Khomani:

We’re not a First World country by far, but we are trying to achieve certain First World standards. ...We’re not gonna drop the benchmark to conform to certain factions...and I think that would be the biggest injustice..., to actually inhibit the development of a country because of [the needs of one group]. How do you build a nation? How do you...stimulate economic growth and community empowerment? ...The economy can’t just consist of marijuana and liquor (Erasmus,18thJan.2010).

As discussed in **Section 3.5**, the United Nations Permanent Forum on Indigenous Issues (2010:2) contends that many indigenous groups live in fear of such ‘dominant development paradigms’ that call for assimilation, rather than allowing indigenous peoples to ‘affirm their rights and define their aspirations in their relations with States...around development with culture and identity’, including the rights to practise their traditional cultures and to govern their lands themselves. Indeed, forcing the abandonment of traditional cultural practices and structures in the name of ‘progress’ does not seem to be producing either ‘economic growth’ or ‘community empowerment’

in the Kalahari, and as seen above, the drug and alcohol use cited here by Dupel has resulted from the failure of land reform to bring improvements, motivation, or even Maslow's basic level of food, shelter, and water security to the †Khomani.

Regarding the inability of the †Khomani to agree as a community on development and land-use plans, Peter Mokomele uses the example of the family of 'traditional' †Khomani member Oupa Jan to explain that he would not want the community officially divided into farming and non-farming groups: 'I don't want to see that. Because [in terms of] their livelihoods, ...Oupa Jan's father is a farmer in Erin...his parents are *there* [on a 'traditional-use' farm]. So [a division] doesn't make sense for me.... We should allow them to make those decisions' as to where they live and which livelihoods different family members pursue (Mokomele,15thSept.2009). Moving beyond livelihood choices to consider the CPA Act's community-wide governance, leadership, and decision-making structures, however, Peter does wonder 'whether a CPA is the right structure for the San. ...But if you are...trying to establish democratic principles..., then it's the right structure' (Mokomele,15thSept.2009). Thus, Peter, in line with the text of the Restitution and CPA Acts themselves, ultimately defends the land reform laws as agents for the instruction of all citizens on dominant ideals, including democratic community governance. Still, after years working with the †Khomani, Peter's admitted questioning of the CPA structure's appropriateness for the San specifically is significant.

With the laws as they currently stand, however, Peter must work within the requirements of the Restitution and CPA Acts. As such, Peter believes that, instead of a different kind of community organisation and leadership structure, what is needed now is *more* structure for the †Khomani:

Before [I feel comfortable allowing] the [next CPA] elections...there are a number of things that need to be dealt with: the procedures, the systems, the policies...need to be put in place so that we don't have a repeat of all these failures.... Otherwise, it will look like we're just running a machine that keeps on breaking, and we just elect new people, they come in [and fail] (Mokomele,10thDec.2009).

Many would agree that the CPA structure is 'a machine that keeps on breaking'. Roger Chennells compares the general failure of the CPA structure with the wider failure of local government in South Africa: 'Local government is in a complete shambles, through lack of capacity. So...the San's complete chaos of their CPA was just the same as other small institutions that have never had a history before. ...The [DLA] is trying to address that, but that's quite slow and it's not gonna affect the San soon' (Chennells,13thDec.2009). Therefore, while the governance failures of Municipalities across South Africa, discussed in **Section 6.4(a)**, are leading Government to shut down poorly functioning Municipalities, Government is holding fast to its CPA requirements for land-recipient 'communities'. And if, as Roger suggests, the DLA's efforts to 'address' CPA failures take months or years to lead to new plans, structures, or legal options, 'complete chaos' for the †Khomani will likely continue. Interestingly, the Mayor of Mier (one of the Municipalities targeted for closure) seems to believe that the †Khomani will ultimately learn to run a successful CPA: 'I have no doubts about the †Khomani San's development. They will grow, and they will develop. When you come back after three or five years, you will see the †Khomani San are on board' (Coetzee,22ndJan.2010). As will be seen, however, †Khomani views of the CPA Act's requirements indicate that getting the †Khomani 'on board' with the idea of communal ownership, leadership, and management is unlikely to happen on any timescale.

b. We Do Not Understand this Law

Young †Khomani Lena Jacobson expresses her frustration, 'We've had three CPAs in the past. They don't *work*. We don't know any more what to do about that'

(L.Jacobson,25thJan.2010). Part of this failure of the CPA system to 'work' for the †Khomani appears to be their lack of understanding of the laws and the structures they require. Speaking on behalf of other †Khomani, Andries Steenkamp explains,

The San don't understand the Acts of the government very well. And that's why no leadership is taking the lead now. ...I don't know if the CPA is the right thing. All the [†Khomani] CPAs...have never done good work. I think the community members on the CPA are not at a suitable level to take over management of land. ...So before you give land to a community, you must make sure that the community *understands* all the management problems. [Government] messed that up (A.Steenkamp,23rdJan.2010).

Thus, as outlined in **Section 6.2**, the †Khomani would benefit from more targeted management training. However, the †Khomani lack of understanding of the CPA Act itself does not appear to be a problem that further training would effectively solve.

Anna Festus, as an employed professional, complains as follows:

The CPA laws...I, as an educated South African, can't really understand [them]. What about my people...who are illiterate? ...The voice and the formality of that law must come from...our people also, who need to deal and work with that law. ...It was difficult for us...to...understand this thing. ...We need to maybe look into an...alternative, to bring in a structure which is...for the people, from the people. ...If you are not familiar with laws being put on to you, how [do] people expect you to manage? (Festus,12thSept.2009).

This is a poignant illustration of the †Khomani belief that these laws were 'put on to' them, without any opportunity for them to have a 'voice' in their content. For Anna, a new, alternative structure 'for the people, from the people' would allow the †Khomani to organise and govern themselves in ways that they do understand. As Andries

suggests above, this would then allow San-style leadership to emerge and begin 'taking the lead' in their own ways.

As one of the ǀKhomani most aware of, and involved in, community planning efforts, CPA issues, and struggles with local and provincial government, Andries Steenkamp has definite, informed opinions on the conflicts created by the imposed CPA system:

As you make resolutions [as] a [CPA] Committee member, ...the Act makes it so easy for a community member, who hasn't made the resolution, not to come...to the Committee, but to go directly to the Commission and say that he doesn't like the resolution, even if...only five or ten people...feel the same way. Then the Commissioner says [to the CPA], 'The people do not agree with the resolution, so you must look again'. If you go to the community again and say, 'Tell us what is going on', they say, 'No, no, go ahead!' (A.Steenkamp,23rdJan.2010).

This statement illustrates CPA Act Section 10, discussed in **Section 3.4(b)**, in operation, with the Director-General using the Commissioner, or a member of his office, as the ǀKhomani community conciliator, responding to complaints from individual community members and making recommendations apparently designed to generate ǀKhomani agreement. However, as seen in **Sections 2.12** and **2.13**, typical, consensus-based San decision-making is often described as a 'free-for-all', in which all San have a say, group members strongly oppose having representatives speak for them, and any decision made one evening can be challenged the next day. Such systems suit small, like-minded, family-based groups who must adapt to daily climatic and resource-based changes in their environment and who, rather than electing a central chief, follow the informal, day-to-day advice of subject-matter experts within their group. A CPA system that requires representatives, central leaders, and decisions by majority vote has proven both unworkable for the ǀKhomani, who cannot reach their preferred consensus across

the whole community, and frustrating for Government, who ultimately waited in vain for a decade for 'final' †Khomani 'community' decisions.

Regarding the current CPA structure and its impact on †Khomani development efforts, Andries comments, 'The structure now is not good..., and I think that the government [is] not helping the San very well' (A.Steenkamp,8thSept.2009). Similarly, former Bushman Raad leader Oupa Jan argues that the CPA system failed the †Khomani because it allowed some of the stock-farming San to take control of community resources and thus 'didn't represent the people's interests correctly' (Pietersen,1stSept.2009). Andries has argued with Government over why so little has happened on the †Khomani farms since 1999: 'I asked the local government, "What is going on?" They said, "There's too much conflict in the community". I said, "...That is because you only go to Dawid [Kruiper] and talk to Dawid alone. Then you come to me, and talk alone with me. I tell you one story, and Dawid tells you another story"' (A.Steenkamp,23rdJan.2010). These last two statements, one from Oupa Jan on the 'traditional' side and one from Andries Steenkamp on the 'farming' side, highlight the divisions and different livelihood and land-use visions among the †Khomani, discussed in **Section 6.5**, that Government has consistently used as an excuse for delays in implementing any development plans or projects. However, the Restitution and CPA Acts assume the existence of a cohesive, hierarchical, democratic 'community' and require community-wide planning and agreement. With a fictional †Khomani 'community', different factions seeking different livelihoods and land uses, individuals lacking management experience, and a people traditionally opposed both to strong, centralised leadership and to systems that allow others to speak for them, the CPA Committee could not possibly 'represent the people's interests correctly'. Either one

group (the more 'wily' stock-farmers) would have to take the reins, create hierarchies, implement the CPA structures, and therefore most likely exclude or override the voices of the less numerous, less politically savvy, more 'traditional' San, or the CPA structure would have to be altogether abandoned in favour of smaller groups who make their own consensus-based decisions on their own territories.

Indeed, according to Andries Steenkamp, Government does not understand how the †Khomani would like to manage their lands: 'I [do] not think that the CPA structure is a very good structure to manage the land. ...[We] cannot manage the land like [we want] to do it, because all the time the government is [saying], "Oh no, not that!".... The community on the farms can do it better. We understand better. We practise it on the lands' (A.Steenkamp,8thSept.2009). As such, Andries, as Chair of the South African San Council ('SASC'), is attempting to convey to Government that the CPA Act does not suit the needs and management style of South Africa's San people and that new legislation is required: '[If] you [want] to make another structure, you must...*lobby* the government to...look into the Act. ...That is what the San Council now try to do: go to the government and say...that this Act is not a good Act for restitution land' (A.Steenkamp,8thSept.2009). If, as discussed in **Section 3.4**, poverty-reduction is truly an aim of South Africa's restitution programme, proposed changes to the laws that would thereby allow the Restitution and CPA Acts to better fulfil such aims should surely be welcomed. Andries describes his continuing campaign on this front:

I am telling the former Land Commissioner that I don't think that is the right way to manage land, with CPAs. The Act is written by Government, and it is too strong for the people to manage the land. The South African San Council is busy now to try to find the Premier of the Northern Cape, Hazel Jenkins, to talk with her.... Because the Act is written in one way,

and they didn't know – that is fifteen years back! I think [Government] must try now to look again to this Act. I think this Act is the whole mess! (A.Steenkamp,23rdJan.2010)

Thus, Andries feels that Government was unaware that the CPA Act would fail to achieve its goals when it was written in 1996, but that now Government is, or should be, well aware (A.Steenkamp,23rdJan.2010). Therefore, the South African San – the ꞛKhomani, !Xun, and Khwe working together in the SASC – believe that alternatives to the CPA structure must be considered by Government, as the CPA Act is currently 'too strong' for the San, which based on statements from Andries and other ꞛKhomani above, seems to indicate that the CPA Act creates, and relies upon, too much formal, hierarchical structure for the San.

c. ꞛKhomani Ideas

As Roger Chennells noted above, the DLA's attempts to address CPA Act issues are 'quite slow'. In addition to the slowness of Government, it is also possible that new restitution legislation would still fail to consider the voices of the geographically and politically marginal San people in any revised governance requirements. Therefore, following Barnard's (2002:19-20) plea in **Chapter 3** that 'it should be the goal of those non-foragers who are in power over foragers...to work towards a social order based on a merging of conflicting ideologies', I sought ideas from several of the ꞛKhomani on the kinds of management structures they would ultimately prefer to have on their farms. Peter Mokomele argued above that the growth of ꞛKhomani skill and confidence might coincide with, or result from, the first successful ꞛKhomani projects. However, for project successes to occur, the ꞛKhomani must be allowed to exercise, in Andries Steenkamp's words, 'our own right to get ourself up and *do* things for us' (A.Steenkamp,8thSept.2009), thus leading development and livelihood projects as they

choose. In this arena, ꞤKhomani preferences seem to revolve around the idea of small groups of San coming together to manage projects, businesses, and farms.

Collin Louw, in arguing that under current conditions it is impossible to make a living on the ꞤKhomani farms, provides his vision of ꞤKhomani 'development': It was Peter's job 'to...bring all the stakeholders to the table and say, "...This is a problem.... There's no [food and water] security". But why can't you put five people together and give them [a piece of] a farm? That's *development!* But they didn't do it!' (Louw,12thJan.2010). By 'they didn't do it', Collin indicates that the CPA Act, implemented by Peter, did not allow it. With a focus on community-wide decisions, plans, and projects, Government frowns upon smaller groups trying to manage their own activities. Andries himself argues for the same kind of small-group projects: 'You see everyone is standing...[along] the road.... I tell them, "...Why [do] you stand [separately along] the...road with things [to sell]? Come together and make a business! Then you can make money"'

(A.Steenkamp,8thSept.2009). Andries explains his own idea for a small business, a new farming venture in which eight ꞤKhomani would come together, combine four sheep 'camps' and 330 sheep, manage the livestock and water sources themselves, and share the responsibility and the profits: 'That is the best way to organise things right, to make a life. ...If I go forward, I must go now together. ...I try...to do things that I can *manage*' (A.Steenkamp,23rdJan.2010). Thus, in line with traditional San social organisation, preferred, 'manageable' ꞤKhomani livelihood ventures would involve neither lone individuals nor large groups.

Beyond day-to-day livelihood activities, Andries analyses the CPA Act's insistence and reliance upon community hierarchies to govern their lands. Even as a dedicated stock-

farmer, Andries finds hierarchy anathema to the San, providing further evidence that San-ness does not require a hunting-and-gathering livelihood choice and that the adoption of some farming practices neither indicates nor necessitates the abandonment of traditional San organisational structures. Andries argues against the use of centralised, representative CPA Committees: 'That style...is not a San style. That come from West Africa, not...southern Africa. [Having a hierarchy] is...not a San style'. By pointing to West Africa, Andries refers to agro-pastoral governance systems developed by the Bantu-speaking peoples (including the Zulu), who originated in West Africa (see, e.g., Oliver,1966). Andries would prefer a more 'San style' of governance on the †Khomani lands, with separate groups headed by 'the bloodline leaders'. He says 'every one of them' would be very effective as leaders of kin-based †Khomani sub-groups (A.Steenkamp,8thSept.2009). Such a structure would very closely match the leadership and organisational structures discussed in **Section 2.12**, such that smaller groups of San would be headed by various subject-matter experts, rather than having SASI and Government continue to seek to establish an overall †Khomani leader and a sense of †Khomani community cohesion, which no †Khomani seem to believe exists today.

Many †Khomani would prefer to have this kind of decentralised management – smaller groups making decisions on their own pieces of land – applied to the governance and planning functions across all of the †Khomani farms. An idea that seems to be very well supported by the †Khomani and those who work with them would be to have a separate farm manager for each of the six land-claim farms. These six farm managers would be †Khomani people chosen by the residents of each farm and would be responsible for spearheading the planning and management of farm activities, infrastructure, and projects. Andries explains that 'in our community is good guys to do the job. ...I tell

[Peter] that is a better way than...seventeen people [on a CPA Committee] to manage.... [Each] can look after the farm where he stays. And [these] six people come every month together, and a part-time coordinator comes two times a month.... At the beginning of the month, he do the planning for this month..., and then he will evaluate it [to make sure] that what the plan says is implemented' (A.Steenkamp,8thSept.2009). Although such a plan would involve six farm managers instead of seventeen CPA Committee members, which would seem to be creating a larger territory per leader, each of the six new farm managers would only be responsible for planning, managing, and consensus-building on the farm where he or she lives, whereas the CPA Committee had been charged with creating consensus and making decisions for the †Khomani people and lands as a whole. Indeed, this new plan takes into account both the †Khomani lack of management experience and the San inability, or unwillingness, to make agreements across large groups or between different factions. Andries explains that the part-time coordinator or mentor position should be filled by 'an outsider, not from the community, because the †Khomani San...don't listen to each other. ...Some of them say, "...I can do the job", and I say, "Yes, you can do the job, but you cannot plan it!"' (A.Steenkamp,8thSept.2009).

Peter Mokomele does seem to be considering whether this kind of system might benefit the †Khomani: 'I suppose that would be the ultimate goal. ...[But] it will have to be evaluated against other things. ...Would [it] be the best thing?' (Mokomele,15thSept.2009). However, even if Peter determines that decentralisation would be 'the best thing' for the †Khomani, he must still operate under the CPA Act's requirements, and as seen in **Section 6.3**, Peter may not have the political power within the DLA to implement a plan that deviates from CPA Act norms. In addition, the severe

funding shortages described in **Section 6.4** would also be an impediment to this plan's implementation. Andries complains, 'I am telling Peter, "Let there be a manager for every farm, who takes all the responsibility for that farm – and *pay* this guy!" He says, "No,...there is no money. You must do it!"' (A.Steenkamp,23rdJan.2010). In fact, a lack of government funding led to the failure of a prior attempt to implement at least the centralised-coordinator aspect of this plan. Head of SASI Meryl Joy Wildschut remembers, 'Two years ago, for six months, there was a person who was supposed to be the farm [mentor]. [SASI] managed him on behalf of the Department of Land Affairs. ...Government didn't come to the party with their co-funding. Once the [external] funder's money died, that was the end of it. How can you have somebody there for six months? He spent half of his time just doing an assessment of what *needs* to happen!' (Wildschut,21stSept.2009).

The †Khomani seem to believe that what ultimately 'needs to happen' is the avoidance of a return to the same failed CPA structure. Andries explains, '[If] you bring back the CPA Committee as is stated in the Act, that is the same. ...He shall never do his work. [We must]...let [separate farm managers] work with [our own] policies. So I think my plan is...better...[than] the plan in the Act' (A.Steenkamp,8thSept.2009). If, however, the CPA Act is not amended in such a way that CPA Committees are no longer required, other †Khomani who are familiar with the current CPA Act, like Fannie Brou, would like to have the focused farm managers replace the community-wide representatives as new †Khomani CPA Committee members: 'CPA is not a good structure.... It's better for [us to have] a mentor and the six managers.... But not a new [ordinary] CPA. ...You must have six managers on [the] farms, and they *form* the CPA...[along with] the...mentor. And then you can say, "OK, this is the CPA [Committee]"' (Brou,8thSept.2009). Fannie believes

that this redefined, seven-member CPA Committee, plus a separate †Khomani Council of Elders who would take charge of preserving San traditional culture, would be the ideal structure to manage †Khomani life and land in the Kalahari.

Roger Chennells, who has witnessed the successive ‘failures’ and disappointments of the †Khomani as they have tried to implement the current CPA Act requirements, opines that, after community-membership rules and land-allocation processes have been finalised, salvation for the †Khomani may indeed require less centralised leadership and fewer externally imposed requirements:

What would be the right kind of development plan? ...What is the word ‘development’? ...Would the right ‘development’ be a *non*-development? ...And would it be appropriate to divide the land? Let the farmers farm; let the non-farmers just *non-farm*. Let them just bumble on until they decide what they want to do. That might be quite a coherent plan, even if you say, ‘We’re agreeing to let you guys just decide for yourselves. We’re not making any requirements from outside’ (Chennells,13thDec.2009).

Without such changes, the †Khomani are likely to continue to suffer under the CPA Act’s leadership structures, which thus far have failed to motivate the †Khomani people, as Andries advocates above, ‘to get ourself up and *do* things for us’. Ivan Vaalbooi, who currently lives at !Khoa ttu, laments, ‘I want to go back and live [in the Kalahari], but our community has not developed that far because...the government is making...[unfulfilled] promises to our people. ...I think...the leaders in our community don’t have the courage to take the community forward’ (Vaalbooi,21stAug.2009). As seen in **Section 3.7**, imposed governance structures that are viewed by indigenous groups as illegitimate are countered by community apathy and acts of ridicule and non-compliance. Not surprisingly, more than a decade of such †Khomani community reactions to those put in power under government-required structures has led to the

lack of 'courage' noted by Ivan Vaalbooi among the †Khomani-family leaders, who count Ivan's father, Petrus, among their members. Looking back to **Chapter 3**, many San today are hoping that San leaders 'will be given the opportunity to live up to their own concepts of leadership, and serve but also motivate their communities' (/Useb,2001:27). However, according to Hitchcock & Biesele (2000:14-15), 'the right to participate in decision-making and policy formulation...remains a yet-to-be-realized goal for most indigenous peoples'. Thus, the question remains whether the South African government will fulfil their responsibility, as Smith et al. (2000:98) argued, 'to listen, to hear and to act'. If †Khomani development, motivation, and poverty-reduction necessitate increased decision-making and leadership flexibility within the CPA Act, will Government listen and act in a timely manner to make the necessary amendments? Only time will tell. For now, in addition to the stated ideas and plans of some of the more active, ambitious †Khomani leaders presented in this chapter, the best way to test how the †Khomani would indeed respond to the absence of a CPA Committee is perhaps to view their actions on the farms since the third and final †Khomani CPA Committee was dissolved in 2008. Have the past three to four years seen more activity out on the †Khomani farms, and if so, what forms did the planning, leadership, and management of such activities take?

Chapter 8: The Beginnings of Success

8.1 The Void Created by 'Administration'

With the Director-General of the DLA, via Peter Mokomele, now acting as the †Khomani CPA Committee during †Khomani 'administration' under the CPA Act, the lack of resources, time, and hands-on attention from Government discussed in **Section 6.4** has continued, leading many to view the situation on the †Khomani farms as one best described as lacking classical governance and order, as neither the †Khomani nor the DLA appear to be exercising community-wide control. SASI Programme Manager Grace Humphreys, for example, believes, 'There is...this void.... It's a worse situation than...it was before' (Humphreys,26thAug.2009). Similarly, a South African newspaper describes the status of the †Khomani: '[N]ow there's no farm manager and the CPA is not functional.... The farms are run in a semi-anarchic fashion' (*The Star*,2010). Even land-claim attorney Roger Chennells, who has advocated a kind of 'fence' between farming and non-farming †Khomani, finds the current lack of †Khomani governance unsettling:

There's no elected CPA or governance structure in charge, so it's...kind of a vacuum. ...It's essentially...self-help anarchy. If you're friends with Dawid Kruiper, you can...do stuff [on the 'traditional' side]. If you're friends with certain guys on [the stock-farming] side (Andries Steenkamp and Fannie [Brou]...), you can get stuff via that side. ...It's really just ongoing anarchy...[t]o such an extent that, to put a system there will now be quite difficult because people have got so accustomed to no management at all (Chennells,13thDec.2009).

Community technical adviser Phillipa Holden agrees with Chennells that, if an AGM were to be called to elect a new CPA Committee at this point, the new CPA Committee 'would need constant hands-on support...[because] [t]he precedent of self-help is now deeply ingrained' (Holden,29thMar.2011). However, part of this †Khomani 'self-help'

attitude has included a new sense, expressed by both the †Khomani and their neighbours, that the time has come for †Khomani-led livelihood activities.

8.2 Time to Move Ahead, With or Without Government

a. Continuing Government and SASI Ineffectiveness

In 2011, Phillipa Holden reported that Government had still failed (or neglected) to create any employment opportunities for the †Khomani, either on their farmlands or in the Park (Holden, 29th Mar. 2011). Peter Mokomele's workload was still causing him to be ineffective in serving the †Khomani, DLA Post-Settlement budgets continued to be 'way too little', and extra DLA support staff were not being hired (*ibid.*). The lack of appropriate support from the DLA's Director-General (as the individual to whom the CPA Act granted the powers of 'administrator') had, in fact, led the †Khomani, their technical advisers Phillipa Holden and David Grossman, and their legal team of Webber Wentzel and the Legal Resources Centre⁴⁶ to begin the process of filing suit in the Northern Cape High Court against the Director-General, Commissioner, and others. The Founding Affidavit of this potential lawsuit was dictated by †Khomani traditional leader Dawid Kruiper, who reports (in translation) as follows regarding Peter Mokomele:

Mr. Mokomele has now had to resort to using his personal finances to do his work. ...[Peter] also reported that while a Mr. Mvula had been allocated as Head of the Directorate in which he was working, [Mr. Mvula] had refused the position and accordingly [Peter] was without any boss. There are also difficulties with his mandate and the extent of his delegated authority. ...Mr. Mokomele, quite simply, has been largely unable even to continue attending meetings (Kruiper, 2012:114-15,120).

⁴⁶ The Legal Resources Centre is a Johannesburg-based human rights NGO that is funded through private foundations. Webber Wentzel is a large commercial law firm, also based in Johannesburg, that assists with †Khomani advocacy on a purely *pro bono* basis.

Similarly, Phillipa Holden had heard from an un-named informant that the situation inside the DLA was 'a mess', with 'too many chiefs' who do not 'talk to each other' (Holden,29thMar.2011). Phillipa describes her view of the DLA as 'hamstrung by a lack of budgets and funds as the majority goes to land acquisition.... I don't think they have time to think about development work and are far more actively trying to encourage private-sector partners and NGOs to get involved and assist' (*ibid.*). Reflecting the discussion in **Section 3.13(d)**, Peter himself explains as follows, regarding Government's responsibility to improve communities' ability to manage their lands productively:

It's part of Government's responsibility, yes, in...that Government gives some land so therefore it has to see to it that people use that land responsibly. But if you have enough NGOs working with communities, ...then it helps. ...And private sector can also come on board. ...Left to Government alone, Government would not be able to do it. I'm saying we're not able to do it alone (Mokomele,15thSept.2009).

Unfortunately, the primary San NGO, the South African San Institute ('SASI'), according to Phillipa Holden, does 'just about nothing'. 'They don't have any funding, and they don't really know what they're doing' (Holden,31stAug.2012). 'SASI is a disaster...mismanagement of funds and failure to focus on burning issues – useless' (Holden,29thMar.2011). As a result, the two outside entities (the DLA and SASI) most able to create livelihoods and development projects among the †Khomani had failed to produce more than 10 percent formal †Khomani employment by 2011 (*ibid.*). A recent industry news report indicates that such failures continue to plague most of South Africa's land-recipient groups:

[Nearly three years ago] land affairs minister Gugile Nkwinti...issued his now infamous 'use it or lose it' ultimatum to beneficiaries, threatening that state acquired land would be taken back unless they used it

productively. ...[Farmer] Mtshali Manciya...believes land reform is suffering because of a lack of 'programme and project management'. 'How can you spend many millions of taxpayers' money on farms...and then show up three years later and be surprised that [the land] has deteriorated? You should be checking up constantly...and assessing [people's] needs, and helping them. Then, before you tell them that they have failed, decide whether it is not you who have failed' (Mahlinza,2012).

It appears that there are multiple ways, aside from revocation or liquidation, that communities can 'lose' their lands. For example, despite programmes that, as Peter Mokomele explains, are designed by Government to ensure that farmers can 'go commercial', rather than remaining 'emerging farmers', Peter believes that leasing †Khomani lands to outside (*i.e.*, white) stock-farmers might ultimately prove the best way to produce †Khomani income:

[The FARM-Africa-funded †Khomani Sheep Bank] was grazing on [†Khomani] land, [so] we were not able to charge anyone for [grazing]. ...There were all these other people who wanted land to graze. ...[L]easing it out, with the understanding that the [renter] works with them...is one model that...I think...could work (Mokomele,15thSept.2009).

Indeed, Phillipa Holden reports that many †Khomani today are leasing their allocated stock-farming land, with or without any interaction with the outside farmers (Holden,31stAug.2012). Whilst this practice certainly has the potential to bring in much-needed income for the †Khomani in the short term, one might also argue that such a system constitutes an admission of failure on the part of Government and the †Khomani regarding their ability to run successful livelihood projects on †Khomani lands. Another indication of an admission of 'failure' that could be viewed as a 'loss' of their lands would involve †Khomani simply moving away, as seen among other indigenous groups in **Section 2.11**. In fact, Bradstock (2005) noted that, in his study of eight Northern Cape communities including the †Khomani, reductions in the size of

families was usually related to individuals leaving home 'to seek or to take up employment'. In my interviews with the †Khomani youth (see **Section 7.3(b)**), among whom Bradstock (2006) found the highest unemployment rates, it was clear that they were indeed increasingly prepared to move away to find work.

b. Time to Move On

Before potentially 'losing' their lands through liquidation, leasing, or relocation, however, many †Khomani and their neighbours now believe that the time has come for the †Khomani themselves to use their lands productively, whether or not the DLA, SASI, or the CPA structure ever proves effective.

During the time of my fieldwork, †Khomani elder Andries Steenkamp explained that his 'main job' was creating plans and proposals for the †Khomani farms, submitting them to Peter Mokomele, and then waiting for Peter 'to do something, to bring the money to do things! [A] plan is only a plan. It shall lay on a table' (A.Steenkamp,8thSept.2009). Two years later, Phillipa Holden reported that the †Khomani were still expressing 'anger and frustration' towards Government, but that the †Khomani were 'realising it's not Peter's personal fault, rather that he is under-resourced' (Holden,29thMar.2011). After watching the †Khomani struggle for years while waiting for Government to provide socio-economic solutions, many now see the †Khomani as ready to take the reins themselves. The Mayor of Mier believes, 'In the first years, it was a new thing for them, to be owners of the land. ...[I]t was not a waste of time...money or...anything. I think they were growing, and at this stage, they are ready to take responsibility for things that happen to them' (Coetzee,22ndJan.2010). Similarly, SANParks Tourism Manager Dupel Erasmus argues,

I think the social revolution...needs to take place within the †Khomani, to say, 'We can't just stand with our hand out. We need to start performing... get the structures in place...get our youth going'. ...They need to establish themselves and prove themselves, and I think that time has come for them (Erasmus,18thJan.2010).

Askham Primary School Principal Benjamin Manyora is indeed trying to teach and encourage the young †Khomani to 'get going': 'I...say to the pupils, "You go *nowhere* without hard work, and hard work doesn't kill anybody"' (Manyora,24thJan.2010).

Some, however, state the †Khomani situation in starker terms. For example, Molopo Lodge owner Jean Lambrechts argues that it *is* about life and death, whether physically or culturally: 'These people have got no income. ...It's not their fault. ...Money is everything. If you don't have money, you don't have a culture – you have nothing! If the Bushmen keep waiting for the government, they will die off. They will be absorbed' (Lambrechts,16thJan.2010). This possibility of †Khomani 'extinction' is part of what has driven David Grossman, who provides technical assistance to the 'traditional' †Khomani on the Erin and Witdraai farms, to abandon hope in Government. Regarding Peter's desire for a longer period of social facilitation and training, as mentioned in **Section 6.4**, Dr. Grossman exclaims, 'Well, then you're talking about another 11 years of [nothing] happening! ...That's why we told Peter we're doing it now. We know people can't manage Erin [as a game farm]. That's why we're bringing in a partner to assist – an investor, with a vested interest in *ensuring* that it's properly managed' (Grossman,19thJan.2010). †Khomani youth Ricardo Seekoei agrees:

I am tired of the government.... Government only lives for itself. ...Just once in a while do they come here. If they tell us 'next year', then we start to believe, 'OK, next year things will be fine'. But we wait, the year's over – nothing's happened. We must start our *own* projects. That's the only option. Because if we don't start now, we will always be waiting for the government (Seekoei,25thJan.2010).

8.3 Devolving Power

Aside from, as Dr. Grossman suggests, the need for outside mentors and investors for the †Khomani, a critical aspect of ‘starting our *own* projects’ has included creating or adapting ‘San style’ decision-making and governance structures to suit the needs of smaller groups of †Khomani.

a. Original Ward Committees

In May 2002, the same month that the †Khomani received commercial rights inside the Contract Park, and at a time when †Khomani CPA Committees were still in power, the †Khomani approved a second †Khomani CPA Constitution (the ‘Second Constitution’). Although this new document was the Constitution mentioned by Chennells in **Section 5.4** as the one via which the ‘traditional’ †Khomani ‘lost’ the Miershooppan farm to the stock-farming †Khomani, this Second Constitution also introduced new elements that would ultimately prove beneficial to the ‘traditional’ †Khomani in particular: Ward or ‘Wyk’⁴⁷ Committees. The Second Constitution (Section 5) established five Ward Committees as follows:

The...inner wards [for †Khomani living on or near the farms]:

- [1.] Witdraai & Erin: 2 Ward Committee members;
- [2.] Scotty’s Fort, Miershooppan, Uitkoms and Andriesvale: 2 Ward Committee members;
- [3.] Welkom and environs, including the Contract Park and the Park: 1 Ward Committee member;

The...outer wards [for †Khomani living in other settlements or towns]:

- [4.] The Mier municipal area, including Rietfontein, Loubos and Philandersbron...: 2 Ward Committee members;
- [5.] Other regions, including Upington: 2 Ward Committee members.

⁴⁷ ‘Wyk’ is the Afrikaans word for *ward* or *area*.

Thus, the 'traditional' †Khomani (the first and third 'inner wards' above) and the stock farmers (the second 'inner ward' above) received sub-CPA-Committee bodies for their separate lands. These were five individually focused committees, and the Ward Committee members listed (e.g., two members for Witdraai & Erin) would then sit on the overall †Khomani CPA Committee as representatives of their 'wyk'. Aside from the community-wide CPA Committee meetings, the Ward Committee members would organise meetings to allow discussions and decision-making for the 'wyks' they represented, such that, for example, the two Erin and Witdraai Ward Committee members would call meetings which would then typically be attended by 30 †Khomani⁴⁸ interested in formulating plans for Erin and Witdraai alone (Holden,19thSept.2012). The duties of these Ward Committees with respect to the CPA Committee (called the 'Management Committee' in the Second Constitution) included the following:

To assist the Management Committee with its activities and to make specifically motivated *recommendations* with regard to the allocation of user rights;
to consider rules and plans for land use, management and allocation of rights to Ward land and *to make recommendations to the Management Committee* thereon...;
to compile...management plans for the various land uses and/or portions of land including budgets for the management, control and development of land and *to submit same to the Management Committee for approval*.
(Second Constitution,Sec.6.3.1; emphasis added).

In this way, the responsibilities of these Ward Committees primarily involved presenting recommendations or plans drafted by farm-, town-, or Park-focused †Khomani who were 'usually resident on the relevant land' (*ibid.*,Sec.6.3.2). However, although these Ward Committee representatives formed part of the CPA Committee

⁴⁸ Whilst these typically would have been the †Khomani people resident on the farms in question, all †Khomani were invited to attend (Holden,19thSept.2012).

itself, the Second Constitution was drafted in strict accordance with the CPA Act, and therefore, any Ward-specific land-allocation, livelihood, development, or land-use plans still required the approval of the CPA Committee as a whole – by law, the democratically elected representatives of the Communal Property Association, which is the legal owner of the land of the ‘community’. This is confirmed in Section 6.3.6: ‘The Ward Committee shall exercise no powers that have not been allocated to it per resolution by the Management Committee’. With, however (as seen in **Chapter 5**), efforts of the stock-farming CPA Committee members both to exclude the ‘traditional’ †Khomani from CPA Committee meetings and to acquire additional land from the ‘traditional’ †Khomani for grazing purposes, it becomes clear why even this well-intentioned attempt to devolve power down to the farm level would ultimately prove ineffective, as the more ‘wily’ stock-farming †Khomani could exclude, block, or disapprove the plans submitted by the residents of Erin, Witdraai, and Welkom. When the DLA took control of †Khomani management from the third ‘failed’ CPA Committee, however, this situation would begin to change.

b. The Information Sharing Forum

Dawid Kruiper explains the origins, composition, and need for the †Khomani

Information Sharing Forum:

During November 2008, a Community Information [Sharing] Forum was established to share information and to facilitate communication between members.... The need for it has arisen because there have been no [new] elections to the CPA [Committee] since July 2003 and no management of the CPA by the [Director-General under ‘administration’]. It includes representatives from the inner wards, the stock farmers association, SASI, the Parks Committee and representatives from a range of projects. ...[T]his has been a positive development (Kruiper,2012:113-14).

Thus, after the third CPA Committee was dissolved by the DLA, the †Khomani sought to establish their own means of discussing, sharing, and planning activities on their lands. And as the DLA ‘administrator’ for the †Khomani, Peter Mokomele did in fact support the creation of the Information Sharing Forum:

Between [2008 and 2009]..., people came together and said, ‘OK, instead of just relying on the Committee, we have to use different ways. Why can’t we just sit together in a Forum, where we can articulate our frustration and our needs, and we can then take decisions?’ So I said, ‘...Because it comes on the ground [rather than from the CPA Act], it’s not gonna be my meeting, it’s gonna be your meeting. But I’ll come to your meeting, and I will support your ideas, and where I need to give advice, I will give advice. ...I think you can proceed’. And that Forum meeting every month has concretised the ideas of people, but also has made people feel, ‘OK, we are doing something’ (Mokomele,15thSept.2009).

In this way, the Information Sharing Forum is approved by the DLA as an appropriate body for †Khomani discussion, whether or not Peter actually has the time to attend, to ‘give advice’, and as the †Khomani ‘administrator’ to approve decisions, which in line with the discussion in **Section 6.4**, Peter is actually able to do only rarely, perhaps once every three months (Holden,10thSept.2012). Indeed, although Phillipa Holden reports that the Forum is still meeting and that ‘information is being shared to an extent and group decisions made’ (Holden,29thMar.2011), stock-farmer Andries Steenkamp recognised early on that the Forum would have limited powers: ‘Now, I have a Forum to talk. That is only a forum for projects on the land. They have no authority – the guy with the authority is Peter’ (A.Steenkamp,8thSept.2009). Still, Andries seems to display some of the optimistic ‘we are doing something’ outlook noted by Peter above. Andries explains that, since Peter and the DLA ‘never do [their] work’, the Forum is now part of ‘a plan to do it [ourselves]’ (A.Steenkamp,8thSept.2009).

c. **Adapting Committees to Create the Bushman Raad**

Beyond discussing and planning, the †Khomani needed the actual ability, funding, and authority (in the absence of a CPA Committee) to implement land-use, development, and livelihood projects on their lands. The most successful attempt to do so has involved the creation of the 'Boesmanraad' or Bushman Raad.⁴⁹

In 2009, the Park Committee (comprised of the †Khomani traditional leader, two members of the †Khomani Council of Elders, and when available, Peter Mokomele, currently standing in for what would have been three elected CPA Committee members) and the Witdraai & Erin Ward Committee (also called the 'the Traditional Ward Committee') combined forces to create the Bushman Raad, a small group of †Khomani interested in creating and implementing plans for traditional San livelihoods, cultural practices and preservation, hunting, and tourism (Holden, 18th Apr. 2012, 10th Sept. 2012, and 19th Sept. 2012). According to Ms. Holden, the Bushman Raad has devolved to act as the decision-making body for this 'traditional' group alone – 'we do this', 'this is who we are' – 'without this mystical, over-seeing body of the CPA'. The members 'have defined functions and know what needs to be done [to manage their lands]'

(Holden, 31st Aug. 2012). Legal advisers to the †Khomani, Moray Hathorn and Kobus Pienaar, describe the Bushman Raad as follows:

The Boesmanraad...opened a bank account with the permission of Peter Makomele [sic], and in April 2009 an office was established.... The work of the office includes...taking bookings for and managing visitors to the park..., managing [Dawid Kruijer's] Traditional Veld School..., ...and overseeing the day to day management and development of Witdraai and Erin. ...The Boesmanraad is currently surviving on Ford Foundation funds [via the African Safari Lodge Foundation] and funds

⁴⁹ 'Raad' is the Afrikaans word for *council*.

from the Finnish Embassy but the ultimate aim is for income generating activities in the park and on the traditional farms to cover the ongoing office expenses (Hathorn & Pienaar,2010).

In addition to mentorship from Phillipa Holden and David Grossman, private funding, and a focus on traditional San activities, a key to Bushman Raad operations appears to be the ability of these 'traditional' ǀKhomani to decide on and implement plans that do *not* include, involve, or require the approval of the entire community (or their elected representatives) as the CPA Act had required. In fact, Dawid Kruiper chose the name 'Boesmanraad' for this new group 'in an attempt to get away from CPA politics' (Kruiper,2012:95). Dawid adds to the list of Bushman Raad activities as follows:

This office currently [m]anages the cyber-rangers and the collection and logging of data relating to the plant monitoring and evaluation program in the park...[a]rranges documentary, news and commercial film shoots... [a]rranges community meetings and information sessions [and]... [r]ecruits youth for various training opportunities including hospitality..., tracker and guide training (*ibid.*:95-7).

Thus, with activities that include tourism, information-sharing, San cultural training, and the use of contemporary methods for traditional-plant management, the Bushman Raad is able to centre its decision-making, planning, and management efforts on pursuits that have cultural meaning to these ǀKhomani, who self-identify as 'traditional' Bushmen.

Along with projects that involve traditional culture, the Bushman Raad is able to make decisions using more San-style methods than the CPA Committee had, primarily due to the smaller number of individuals involved. A recent survey found 116 ǀKhomani families living on or near the six farms (Haasbroek,2011:4). Of these, only 36 families live in Welkom or on Witdraai/Erin (*ibid.*), the lands represented by the Bushman Raad.

As such, long-standing plans for the development of the Park, Erin, and Witdraai can no longer be delayed or blocked by stock-farming †Khomani, and new decisions can be reached in ways that are 'not very formalised' (Holden,18thApr.2012), particularly as compared with the CPA Act's presumed hierarchies. Still, as the CPA Act now stands, even Bushman Raad decisions require the approval of a CPA Committee, in this case, Peter Mokomele as the DLA 'administrator'. And indeed, Dawid Kruiper reports that Peter is providing approvals for Bushman Raad plans, which are therefore actually 'being implemented under his watch' (Kruiper,2012:73-4).

8.4 Socio-Economic Results

With the †Khomani non-farmers (through the Bushman Raad) and stock-farmers (via the †Khomani Farmers' Association (see below)) able to make decisions, to formulate land-use, land-allocation, infrastructure, and livelihood plans, and to begin implementing those plans without the formalised, community-wide CPA Act structures, Phillipa Holden provides the following update on the status of the †Khomani in 2012:

Things are moving so much better, and...it [is] quite different to the way it was a few years ago. There seems to be some sort of a peace, and whilst by no means receiving services and well-off, there seems to have been a raise in standard of living with...people looking cleaner and better dressed, etc. Programmes that we are running are proceeding well, Park stuff on the move, Bushman Raad office still functioning.... Not feeling outraged at ongoing...corrupt activity [from CPA Committee members] allows people to deal with where they are in a more constructive way (Holden,17thApr.2012).

Part of this new 'peace' and 'constructive' attitude appears to be the result, as Peter Mokomele predicted in **Section 7.4(a)**, of emerging, confidence-inspiring project successes on the †Khomani lands, in this case, by smaller sub-sets of †Khomani planning and carrying out activities on, and for, individual farms.

a. Stock-Farming

Indeed, Phillipa Holden reports, ‘The sheep-farmers are doing their own thing’ (Holden, 31st Aug. 2012). Progress, particularly regarding infrastructure and land-allocation among the stock-farmers, primarily appears to be the result of the work of Andries Steenkamp, as the head of the †Khomani Farmers’ Association (‘KFA’),⁵⁰ and the ability of Peter Mokomele to approve †Khomani plans himself (as the ‘administrator’) without needing community-wide agreement. Although I was unable to determine the exact origin of the KFA (whether it was created out of the Scotty’s Fort, Miershooppan, Uitkoms, and Andriesvale Ward Committee, arose independently, or was part of the now-defunct⁵¹ FARM-Africa-funded †Khomani Sheep Bank), it does appear to function as the stock-farming analogue to the Bushman Raad. However, at the moment, ‘the farmers only meet when Peter calls a meeting’, as the stock-farmers have not attained the same level of organisation as the non-farmers (Holden, 19th Sept. 2012). Still, the KFA ‘does seem to have a little more order to it [under ‘administration’] because Peter is attempting to oversee things’ (Holden, 19th Sept. 2012), and the assessment and planning efforts of Andries and the approvals of Peter have brought progress. In 2009, Peter had explained as follows:

After [Andries, Phillipa, David Grossman, and I] have looked at all the different plans..., we will...have a formal meeting where we adopt the plans, and I can then go to my boss and ask for him to approve the particular budget out of [the †Khomani ‘development’ capital] for infrastructure development. ...Between agriculture and tourism, we want to...[split the money] half-half. [The stock-farming plan will include rent payments⁵² by farmers into a community account]...a nominal fee...so that

⁵⁰ Although the KFA is often called the Farmers Cooperative (see †Khomani San Website), I chose to use the name ‘†Khomani Farmers’ Association’ throughout, as this was the name used by Andries Steenkamp.

⁵¹ As reported by Phillipa Holden, 19th September 2012.

⁵² Although I was never fully ‘sold’ on the idea of stock-farmers having to pay rent for lands given by the government, this does seem to be a plan to which the †Khomani have agreed, at least in principle.

if things break down, there is some funding... [Rent obligations will make the farmers] more responsible, [such that]...we can...ensure that the infrastructure is looked after (Mokomele,10thDec.2009).

Phillipa confirms that Andries Steenkamp's stock-farming plan for Andriesvale, Uitkoms, Scotty's Fort, and Miershooppan was approved by Peter, including ꞤKhomani stock-farmers being 'given contracts by Andries to sign [requiring them]...to start paying an annual fee⁵³ to the CPA...based on heads of livestock' (Holden,29thMar.2011). And as Peter had promised, a large portion of the ꞤKhomani 'development' funds discussed in **Section 6.4(b)** were finally released by the DLA, with equal portions (approximately R700,000 each)⁵⁴ being paid to the farmers and non-farmers for infrastructure work on their separate farms, particularly Miershooppan for the stock-farmers and Erin for the 'traditional' group (Holden,17thApr.2012). Critically for the farmers, the meagre hunting operations and the illegally grazed cattle were removed from Miershooppan, such that the entire farm could be made available for ꞤKhomani sheep and goats (Holden,31stAug.2012). (**Figure:8.1.**) Phillipa explains that, again, these activities were spearheaded by Andries: 'Miershooppan fencing has been repaired. The job went out on contract, and Andries got it and then appointed teams below him. There were, needless to say, accusations of mismanagement, but the job is finished, ...and farmers have been allocated camps' (Holden,29thMar.2011).

Although some problems clearly persist, including a situation in which '80 percent of livestock is owned by the extended Vaalbooi family, and the rest [of the farmers] are farming at a subsistence level or are renting out their camps to white farmers'

⁵³ As of 2012, however, these agreed rent payments are not actually being paid by many of the ꞤKhomani stock-farmers (Holden,19thSept.2012).

⁵⁴ After this infrastructure work, Phillipa Holden reports that, in Peter's words, 'very little' of the CPA 'development' capital now remains (Holden,10thSept.2012).

(Holden,31stAug.2012), the progress on the †Khomani stock-farms is quite impressive and has all transpired in the absence of a CPA Committee.



Figure 8.1: Miershooppan farm, which Andries Steenkamp has helped turn into a dedicated stock farm, with ‘sheep camps’, water sources, and secure fences.
Photo by the author.

b. Erin, Witdraai, and the Park

Even more dramatically than the farming-focused work of Andries Steenkamp and the †Khomani Farmers’ Association, the activities of the Bushman Raad have created

significant improvements in ꞤKhomani organisation, employment, and income on the two traditional-use farms since the demise of the final CPA Committee.

During the time of my fieldwork, the Bushman Raad was headed by Oupa Jan Pietersen, who described the livelihoods of the 20 Erin and 60 Witdraai farm residents:

I myself have a salary of 1,500, and Barbara...works here [in the Bushman Raad office], [another woman]...works at the Health Centre, [two people] ...work in the craft shop, four...people work in the garden of the CSIR, and most of the people here do guiding, tracking, medicines, [craft-making], and those things. We make a little bit of money (Pietersen,16thJan.2010).

Although the South African Council for Scientific and Industrial Research ('CSIR') had been involved in previous attempts to profit from San traditional uses of the *hoodia* plant without San consent as discussed in **Section 2.7**, the Bushman Raad had by the time of my interviews entered into an agreement with the CSIR to conduct chemical testing on Witdraai of other San traditional medicinal plants, as Oupa Jan mentions. In 2012, this partnership is continuing, according to Phillipa Holden, who also provided updates regarding Witdraai, where 81 ꞤKhomani, including 41 children, now live (Kruiper,2012:46). According to Phillipa, while several traditional ꞤKhomani continue to produce and sell crafts along the road leading to the Park, a main employer of Witdraai residents is now the Bushman Raad itself, which provides stipends to five ꞤKhomani: an office/financial manager, a GIS manager for the cyber-ranger work mentioned by Dawid Kruiper above, a fieldwork manager, and two Witdraai farm fieldworkers or 'rangers', who check and maintain farm infrastructure, including fences and water sources. (**Figure:8.2.**)



Figure 8.2: Witdraai farm, the location of the Bushman Raad, the CSIR garden, and the majority of non-farming #Khomani. Photo by the author.

Aside from the Bushman Raad, the primary employer on Witdraai today is indeed the CSIR's medicinal plant project. Although this project currently employs and pays only two #Khomani, once the chemical-component testing phase ends and the 'production and bottling' phase begins, a total of fifteen #Khomani should be employed in the CSIR project, which now includes both a garden and the necessary drying machinery. Thus, once the CSIR research becomes 'commercialised' and requires processing and

packaging, the number of †Khomani formally employed on Witdraai should rise from seven⁵⁵ to 20 (Holden,31stAug.2012).

Other Witdraai and Welkom residents are employed on the Erin farm, which no longer has its own residents, as it has been converted into a game farm, tourist attraction, and hunting operation. In initiating the process of converting Erin into a viable hunting venture, the Bushman Raad repaired Erin's deteriorated fences in 2010 using the CPA 'development' capital released by Peter Mokomele, who as the †Khomani 'administrator' signed a contract (drafted by the Bushman Raad) on 4 May 2011 between the †Khomani CPA and a UK-registered charity for the restocking of Erin with game (Grossman & Hathorn,3rdApr.2012). **(Figure:8.3.)** This new hunting business, which has just successfully completed its first year of operation (Grossman,28thAug.2012), was announced by the Bushman Raad in December 2011 as follows:

We proudly announce the availability of a limited number of Kalahari hunts on Erin, our 6,000 ha game ranch...in the remote Northern Cape.... Comprising Kalahari thornveld, with magnificent camelthorn trees dotted around the dunes and inter-dune 'streets', gemsbok, springbok, blue wildebeest and red hartebeest are available to hunters yearning for the authentic Kalahari experience (†Khomani,2011:1).

Based on the potential for essentialisation and exploitation discussed in **Section 2.8**, it is important to note that the †Khomani themselves here are creating, controlling, and managing this operation, according to their own ideas of 'the authentic'. And in doing so, the †Khomani are in part inventing 'new methods' within a 'mythical old' (Cowen & Shenton,1998), as they are not only being paid as Erin camp attendants, hunting guides,

⁵⁵ Whilst Oupa Jan had also mentioned Witdraai employees at the Health Centre and the Sisen craft shop, the Health Centre has since closed, and Sisen is now located within the Molopo Lodge gates. Thus, these were not included as current sources of Witdraai-based employment.

field rangers, and traditional Bushman trackers, but are also receiving training in project-management (Holden,29thMar.2011) and contemporary methods of meat-processing (Holden,31stAug.2012).



Figure 8.3: Springbok in the Kgalagadi Transfrontier Park. This is one of the species recently restocked on to Erin for the new #Khomani commercial-hunting operation. Photo by the author.

In addition to these hunting operations, a Living Museum tourist village has also been created by the †Khomani on Erin, with the assistance of The Living Culture Foundation

of Namibia (Hathorn & Pienaar,2010), and as such, a total of approximately 25
ǀKhomani are currently employed part-time in newly initiated ǀKhomani livelihood
activities on Erin (Holden,31stAug.2012). Again, the Bushman Raad, initially run
primarily via Ford Foundation monies and now using part of a R4.8 million grant from
the South African National Lottery (Holden,31stAug.2012 and Kruiper,2012:92), created,
planned, and implemented all of these ‘traditional’ income-generating projects without
a functioning ǀKhomani CPA Committee.

In addition to these income-generating activities, the Bushman Raad has established
ǀKhomani cultural projects in and around the Park, including the following:

[T]he Imbewu Camp, a facility where members of the ǀKhomani San may
overnight in the Contract Park. ...Camps are...aimed at getting elders and
youth together to encourage story-telling and the intergenerational
transfer of knowledge...;

[A] mobile veld school, which takes youngsters for training to obtain and
preserve our traditional knowledge...;

[A] process to nominate the area as a [UNESCO] World Heritage site and
establish a world-class Heritage Centre at Twee Rivieren
(Kruiper,2012:93-5).

These San-culture-focused pursuits have the potential to generate or restore a
ǀKhomani sense of cultural identity and pride, noted in **Section 5.2** as a key priority.

Finally, similar to Andries Steenkamp’s work for the ǀKhomani Farmers’ Association,
the Bushman Raad finalised a ǀKhomani San Tourism Development Plan for the Park as
well as separate Management and Development Plans for Erin and Witdraai farms that
‘deal with income generating activities for the farms and the day to day management of
assets’ (Kruiper,2012:94,98). This is significant not only because the ǀKhomani San
Tourism Development Plan will be duly ‘incorporated in the local [Municipal Integrated

Development Plan] and any other relevant district and provincial plans' (Hathorn & Pienaar,2010), but also because, as seen in **Section 6.5**, such †Khomani plans were never able to be agreed and finalised under the successive †Khomani CPA Committees prior to Peter Mokomele's 'administration'. Indeed, Dawid Kruiper (2012:92) acknowledges the importance of the 'hands-on assistance' of Phillipa Holden and David Grossman *as well as* the support of Peter Mokomele in facilitating the recent '[p]rogress that has been made' by the Bushman Raad.

c. Future Plans

Building on the successes outlined above, further developments are presently in the planning stages, including additional job creation among the stock-farming and non-farming †Khomani and, at long last, the building of houses.

Jean Lambrechts argued that the primary problem in South Africa was unemployment: 'If you give someone a job, then you're really doing something for them. ...For this community, Government can't do everything' (Lambrechts,16thJan.2010). Jean's proposed solution involved seeking private-sector funding for the branding of †Khomani San products. Indeed, later that year, Phillipa Holden announced that such plans were underway: '[A major retailer] might...be interested in going into a deal with the community – organic lamb, venison⁵⁶ products etc!! ...[A new †Khomani San] logo once finally decided [will] go on all communications/website/products' (Holden,4thMar.2010). A year later, Phillipa provided further detail, and as of 2012, the logo has been finalised (**Figure:8.4.**), and the product plans are continuing to be developed to create employment among both farming and 'traditional' †Khomani:

⁵⁶ *Venison* in South Africa refers to the meat of antelope, such as gemsbok and kudu.

We...suggest[ed] a community-owned company and [sheep] flock – [to]...make the whole thing commercially viable instead of being subsistence level. We have made first inquiries around feasibility of a meat-processing plant and tannery.... The idea being to create 'value add', e.g. organic Kalahari lamb labelled with our logo.... Skins could then be used by crafters, and we also want to look at getting product designers in to assist with up-scaling craft production (Holden,29thMar.2011).



Figure 8.4: New #Khomani logo found on their website, correspondence, marketing material, and uniforms and to be used on future branded products.
Source: Phillipa Holden.

On Witdraai specifically, plans are underway to repair fences, restock game, and create a new San Heritage Centre to attract tourists (Holden,31stAug.2012). Dawid Kruiper adds that the Bushman Raad's plans for Witdraai will centre on San culture, both for tourists and for the ≠Khomani themselves:

The management and development plan envisages the establishment of a traditional residential settlement, tourist information centre, a health project, bush camp (already established), cultural activities and the building of a school focusing on teaching appropriate for the San community and its needs for intergenerational transfer of knowledge (Kruiper,2012:100).

Similarly, plans for Erin include activities designed both to revive a sense of †Khomani cultural pride and to earn income. In terms of traditional cultural practices, the Bushman Raad is currently in the process of planning the first-ever †Khomani traditional hunt, which will be based on traditional San hunting skills and, rather than a mere exhibition for tourists, will be organised as a competition among the †Khomani themselves (Grossman,28thAug.2012). For the commercial hunting operations, plans for their second season include wider marketing to increase the number of clients in 2013 (Grossman,28thAug.2012), the hiring of an on-site professional hunter, and, as for the stock-farmers, the production and sale of †Khomani-branded meats (Holden,31stAug.2012).

Aside from the successes brought by more focused decision-making and planning among the †Khomani stock-farmers and non-farmers separately, the absence of a CPA Committee has also allowed community-wide planning to take place with greater ease, as Peter Mokomele is able to provide the necessary approvals without †Khomani inter-group conflicts stalling the process. The key victory in this sphere is the rejection by the †Khomani – motivated in part by the problems created among the !Xun and Khwe by their new RDP-style housing development, mentioned in **Section 2.13(c)** – of Mier Municipality's planned single-site township for the †Khomani. According to Phillipa,

The only thing [Mier Municipality] have ever theoretically tried to do here is build houses. And I think it's less because of a need to provide housing

and more because of a need to service the needs of their friends, who are the contractors, the planners.... So we said, 'We'll see you in court if you proceed with your plans to build that type of thing'. ...[L]et us look at...human settlements that are culturally appropriate, economically sustainable, socially sustainable. And because we have people here who...have drug-...[and] alcohol-abuse problems, we need to build something that is going to create harmony and work towards resolving those issues, as opposed to lumping everyone...on top of each other in a gridlock...township. ...[Peter Mokomele] is happy because he's been exposed to viable, workable options (Holden,19thJan.2010).

Phillipa Holden recently provided the following update on #Khomani housing plans:

[T]hey are all in favour of proceeding with Humane Homes...because:
[a:] ...community members will receive training and will build the houses themselves and earn that income instead of an outside contractor getting the money...
[b:] the houses are MUCH better than RDP houses..., and the community will be consulted and presented options on final design, the best location and layout for the houses e.g. centralized services with housing hubs on different farms being one option and getting away from the need for a large township (Holden,13thMar.2012).

Critically, it appears that part of the 'culturally appropriate' aspect of this housing plan is the flexibility for the #Khomani to build their houses where they like, out on their farms, in smaller, kin-based clusters if they so choose. Thus, as advocated by (Hewlett,2000) and (Barnard,2002) above, this appears to illustrate much-needed co-operation and information-sharing among government officials, communities, and social scientists to ensure that the cultural traditions and world views of indigenous/foraging peoples are incorporated into legislation and planning that directly affect such groups.

8.5 Reasons for Recent Progress

a. Mentorship, Funding, and Advocacy

Analysis of the positive steps made by the †Khomani since their final CPA Committee was disbanded indicates that a clear contributor has been the consistent technical support provided by David Grossman and Phillipa Holden. In their letter to the DLA Director-General, Moray Hathorn and Kobus Pienaar provide their views on the reasons for recent progress in the Park and on Erin and Witdraai:

The [Park-planning] process has received professional, disciplined, focused and experienced consultancy support...[from] David Grossman and Phillipa Holden. ...Without [their] dogged assistance and support... [the †Khomani] would not have made the amount of progress they have. ...[O]n Erin and Witdraai...[t]he [Bushman Raad] office staff members receive...training and day to day technical and administrative support from their technical advisors.... External funding [obtained by David and Phillipa] has been sourced to establish and support the office, support technical interventions and planning, provide training, [and] implement development programmes and projects (Hathorn & Pienaar,2010).

Rather than training on how to make decisions and plans under the CPA structures, this assistance from Phillipa and David has included the management training indentified as a priority in **Sections 6.2** and **7.4**. For example, Phillipa has been working on ‘setting up an entrepreneurship mentorship programme...[to] assist in identifying small business opportunities for individuals and...groups and then [to] provide the...mentorship to get them up and running sustainably’ (Holden,18thFeb.2010).

Phillipa acknowledges that all †Khomani livelihood projects today ‘need medium-term mentorship to keep them going’ and that, at the moment, she and David *are* the two mentors (Holden,31stAug.2012).

Although, as mentioned above, the Bushman Raad now relies on funding from the South African National Lottery, the initial Ford Foundation funding received by David and Phillipa was clearly not targeted towards simple poverty-alleviation for poor farmers, but as Saugestad (2001b) advocates above, sought to attend to the culturally specific needs of the †Khomani, as San people:

In August 2007, a grant was received from the Ford Foundation's Indigenous, Tribal and Traditional People's Global Fund.... The grant was used...to facilitate the rebuilding of the community's cultural identity, re-establishing the people's connection with their ancestral land in the Kgalagadi Transfrontier Park and supporting first visits to the park by elders and youths for the revival and transmission of Indigenous Knowledge, including tracking, medicinal plant use and other cultural activities (Slabbert,2009:2).

Today, this targeted cultural work continues, as the Lottery funding is currently used to sustain the Bushman Raad office, pay the Erin and Witdraai farm rangers, and run Park activities, including the Imbewu Camp and mobile Veld School mentioned above (Holden,31stAug.2012).

In addition to providing mentorship and obtaining critical private funding, David and Phillipa have worked to obtain legal counsel for the †Khomani and to assist with the development and land-use planning that many believe was Government's responsibility to initiate. Roger Chennells explains, referring to the threatened court case mentioned above: 'Phillipa and David...are quite important in the Kalahari context. ...They've enabled [Dawid Kruiper] to get legal advice in Johannesburg, with...a large firm, which is preparing a court case against Peter Mokomele's Department, charging them with negligence and failure to deliver on a number of promises' (Chennells,13thDec.2009). David Grossman explains the charges more fully, 'We're saying, "We're taking you to

court for neglect, failing to honour the contract you entered into with the people, and here's the proof: no farm manager, no management plans, no audited books, condoning crime, membership in disarray". ...It should help Peter Mokomele to do his job if the Court orders the Minister to do what he's supposed to' (Grossman,19thJan.2010). Whilst this lawsuit has not yet gone to court, the threat of legal action has led to some improvements in the DLA's willingness to listen to the †Khomani. Phillipa reported in 2011, 'Lawyers met with the Director-General...and had a very positive meeting, and they acknowledged their neglect, etc. and will call another meeting...soon to agree on a way forward' (Holden,29thMar.2011). In the meantime, David explains, he, Phillipa, and the Bushman Raad have gone ahead with the drafting of their own plans:

One of the obligations of the State under the [Land Claim] Settlement Agreement was to come forward with a management plan and development plan for the estate. That hasn't happened from Government, which is why we decided...that we will do all the management plans. If you put them on the table, you'll get the best technical assistance that we [can give], ...and we've done that. So we've got it for Witdraai and Erin – management and business plans, we've got the tourism study for the whole estate, etc., etc. And we believe they are defensible and sound. Peter Mokomele has agreed (Grossman,19thJan.2010).

b. Commitment and Inspiration From Initial Successes

Head of SASI, Meryl Joy Wildschut, argued in 2009 that, for the †Khomani to begin using their lands productively and profitably, a serious commitment to †Khomani development would have to be made:

People come [to the Kalahari], and they take a snapshot in time: 'Ah, there's nothing happening! People are drunk and dying...'. They need to see this thing in terms of longitude. ...Certainly tourism, [is] one thing [that needs to happen]. Certainly good sound agricultural stuff with the land [will also produce income]. But it's really gonna take intensive *commitment* by [both Government and the †Khomani] (Wildschut,21stSept.2009).

Since that time, it does indeed appear that such a commitment has been made by many. On the Government side, the key figure is, of course, Peter Mokomele. David Grossman describes the evolution of their working relationship:

Peter Mokomele...*avoided* us. ...At the Human Rights Commission and various other meetings, I'd try and walk up to him, and he'd get in his car and drive away! ...[This continued] until about 2007.... We *then* started a joint working relationship and planning process with Peter.... Since then, we've made – if I do say so myself – *dramatic* breakthroughs in getting the vision back on track, in the absence of the CPA (Grossman,19thJan.2010).

Thus, despite his initial reluctance, Peter's apparent commitment to †Khomani development, and most likely David and Phillipa's access to funding and other resources, led Peter to begin engaging with these privately funded 'outsiders'. In addition to Peter, David and Phillipa have demonstrated enormous personal commitment to the †Khomani, initially funding themselves through personal bank loans and, since the †Khomani land-claim victory, successfully applying for grants from the World Wildlife Fund, the Finnish Embassy, the Ford Foundation, and the African Safari Lodge Foundation to support their work among the †Khomani (Holden,19thSept.2012). Aside from critical funding, David and Phillipa have been successful in drawing in the co-operation of others. Phillipa explains, 'We've got business experts...people that are part of our professional network.... Eighty percent of the work that's been done here has been done *pro bono* by people that we have spoken to that are wanting to change the situation' (Holden,19thJan.2010).

Among the †Khomani, Dawid Kruijer was the first to request the services of David and Phillipa, who were shunned by the less 'traditional' †Khomani. More recently, however, some stock-farming †Khomani have realised that the future of the †Khomani does

require a commitment, even if that involves seeking assistance from former antagonists.

David Grossman remembers,

Andries Steenkamp: four years ago, he would swear at us. Now, we sit with him, and we plan together. Why? Because we've evolved beyond that [idea that] the only solution is a 50/50 split [between 'traditional' and stock-farming]. Now, the only solution is...implementing the vision articulated in '99, refining it with technically valid management plans – development plans – and getting Peter Mokomele to sign them off in the absence of the CPA...Committee (Grossman,19thJan.2010).

As mentioned above, Peter Mokomele's prediction that †Khomani project successes would inspire hope and confidence appears to be proving true. Phillipa Holden reports that, particularly on Erin and Witdraai, 'the creation of an environment in which income-generating activities can occur and be combined' (for example, Andries Steenkamp's wife will soon be cooking meals at her new outdoor kitchen for tourists coming to see the CSIR garden on Witdraai) has inspired many †Khomani to come forward and show a willingness to participate, saying, 'Finally, there are opportunities opening up' (Holden,31stAug.2012). Indeed, as these opportunities were beginning to open up, one †Khomani youth described his own budding sense of responsibility and commitment, at least to his own improvement: 'I...drink, but not at this time. I decided, if I don't work, who will buy me clothes?' (Seekoei,25thJan.2010).

c. Space for Culturally Based Organisation

Part of, as Phillipa noted, 'creating the environment' in which such inspiring and income-generating activities can occur has involved the introduction of the flexibility needed to allow the †Khomani to plan and operate cultural and livelihood projects in ways that are culturally appropriate to them. Thus, in the space created by the absence of a CPA Committee, the †Khomani have, as Taylor (2002) advocated above, acted and

organised themselves in ways that incorporate ‘the *symbolic* importance’ of San-specific group organisation, leadership, and livelihood pursuits that have reinforced the (re)emerging ‘Bushman’ identity and cultural pride of the †Khomani as San people.

As discussed above, Andries Steenkamp has been successful in ‘taking the reins of power’ on behalf of the †Khomani stock-farmers and carrying out the assessments, planning, and implementation that were needed to improve the economic condition (or at least the potential) of the †Khomani stock-farming operations specifically, including the fencing, camp-allocation, and contractual work needed, for example, to convert Miershooppan from an unplanned, multi-use farm into a dedicated farming operation. Phillipa Holden confirms that Peter Mokomele’s decision to release the CPA ‘development’ funds had much to do with the efforts of Andries to create concrete, stock-farm-focused plans (Holden, 10th Sept. 2012). Thus, the ability of the †Khomani stock-farmers to discuss and plan farming infrastructure, land-use, and land-allocation ideas among themselves – both informally and via the Information Sharing Forum and the †Khomani Farmers’ Association – without challenges from more ‘traditional’ †Khomani or the need to reach community-wide consensus via the CPA Committee has allowed their plans finally to be drafted, agreed, funded, and implemented.

Similarly, in the Park and on the Erin and Witdraai ‘traditional-use’ farms, the ability to focus on ‘activities that are close to people’s hearts’, including tourism, guiding, tracking, hunting, and simply ‘being around game’, has provided much-needed motivation (Holden, 31st Aug. 2012). Again, sharpening the focus from community-wide decision-making, livelihood-planning, and leadership down to the Ward level has likewise allowed the more ‘traditional’ San to see ‘opportunities for their own businesses to get

going' (Holden,31stAug.2012). As decisions on Erin and Witdraai are now coming 'from the ground up, creating a suitable environment for things to get going', individuals and small groups are encouraged and able to start their own livelihood activities (Holden,31stAug.2012). Like the sheep-focused San, the Park planning is succeeding in part because '[t]he people involved in the process understand the aims and purpose of the endeavour and they want to make it work...especially...the Khomani San...who are...members of the originally dispossessed community [or] are closely associated and accepted by them' (Hathorn & Pienaar,2010).

Whereas the †Khomani CPA Committees had been comprised of 15 to 17 †Khomani representatives attempting to make decisions for over 1,000 local and regional †Khomani people, the Bushman Raad today is made up of two to three representatives and two full-time office workers (Holden,18thApr.2012) who are able to focus solely on livelihood activities for the 40 adult †Khomani living on Witdraai, plus some of the residents of Welkom, including members of the Kruiper family. The †Khomani legal advisers summarise the reasons for Bushman Raad success as follows:

The...Boesmanraad...has its own relatively well resourced and equipped office from which to administer its own affairs and conduct its business, with...full time staff members [whose activities]...are confined to a relatively small portion of the overall restitution [lands].... The Traditional Ward has started to act on the rights and responsibilities delegated to it in terms of the [Second] Khomani San CPA Constitution as proposed by Peter Mokomele and agreed in meetings held during 2008 (Hathorn & Pienaar,2010).

Thus, in addition to the ability to focus on 'traditional' pursuits for a smaller, like-minded population on a defined territory, the Bushman Raad has benefited from Peter Mokomele's grant of actual authority, which as noted in **Section 8.3(a)** had been lacking

as the Second Constitution had previously been implemented. Indeed, according to Phillipa, Peter Mokomele is happy to give decision-making and implementation authority to the Bushman Raad today, as it not only provides benefits (including tourism, marketing, and employment) that accrue to all †Khomani, but also represents the best example of a †Khomani-based 'structure that is functional and effective' (Holden,10thSept.2012).

Part of the effectiveness of the Bushman Raad on Erin and Witdraai has been the ability, not only to focus on a small population on two defined pieces of land, but also to begin creating the environment in which individual roles, projects, and experts may emerge. Dawid Kruiper explains, 'Our ability to make progress has been enabled because of...[t]he...[c]larification of policies and procedures to effect day to day management...[and] [d]edicated efforts to delineate the rights and responsibilities of role players' (Kruiper,2012:101). When small ventures do begin operating, income from such projects is divided into salaries for project workers, a payment to the project leader, and an amount for the Bushman Raad office account, such that at present no funds are being fed into a †Khomani community account, which Phillipa terms a 'black hole' (Holden,31stAug.2012). As with Andries Steenkamp on the stock-farming side, a system that allows for smaller-group decisions and plans to be made and implemented, and for the benefits of such efforts to flow directly to the participants, has encouraged leaders and experts on the 'traditional' side to step forward over the past couple of years to lead Bushman Raad activities. These include Oupa Jan Pietersen (Park Committee and CSIR garden), Oom Jan van der Westhuizen (traditional medicines), Helena 'Luce' Steenkamp (Erin/Witdraai financial management), Barbara Raats (GIS cyber-tracking), and Dawid's son John Kruiper (Park Committee and Veld School)

(Holden,18thApr.2012, Kruijer,2012:63,91, and †Khomani San Website). According to Phillipa, ‘The key is to devolve and create jobs’ at the individual and small-group level, and this process has brought with it a new sense of purpose, focus, and pride among the †Khomani, as individuals emerge and are proud to say, ‘I’m leading this’, ‘I’m working on this’, ‘I’m a fieldworker’, etc., with the successes of some ‘enthusing’ the rest and bringing a sense that ‘we are finally achieving something’ (Holden,31stAug.2012).

Interestingly, this small-group structure, discussed in **Section 2.12** as a key element of traditional San culture, is indeed engendering a new or renewed sense of San identity, particularly among Witdraai residents. The logo mentioned above has been incorporated on to †Khomani badges and uniforms, which ‘traditional’ San wear with great pride (Holden,31stAug.2012). Thus, the culturally significant ability to plan and lead *separate* livelihoods and cultural activities in a defined territory and with small, like-minded groups of participants has produced a sense of cultural pride and San identity that serves to *unify* many †Khomani. In this way, the ability under ‘administration’ to abandon the CPA Act’s forced ‘community’ structures, rather than leading to †Khomani fracture, has actually begun to bring some †Khomani unification under an emerging sense of San cultural identity and pride because the culturally appropriate organisational forms that are constitutive of the San identity have been given the space to emerge.

Under the current CPA Act, however, the †Khomani will one day⁵⁷ have to elect yet another CPA Committee to attempt to manage the affairs of the entire †Khomani

⁵⁷ The timing of this is not specified in the CPA Act, and it is essentially up to Peter Mokomele and the DLA ‘to approach the Court in order to lift the administration’ (Holden,19thSept.2012).

community and all †Khomani farms, whether or not the people feel any sense of unity on or *across* those farms. In 2009, Roger Chennells noted that ‘getting the San to organise, having a [community-wide] San plan, ...is something of an oxymoron...because there’s a different world view happening to some extent’ (Chennells,13thDec.2009), and in 2011 Phillipa Holden confirmed that ‘the notion of [an overall †Khomani] community is [still] a falsehood – people do NOT pull in the same direction’ (Holden,29thMar.2011). Thus, in order for a new †Khomani CPA Committee to have a chance of success, Phillipa argues as follows:

Before they can have another election...they would need to look at the whole institutional structure and determine...how the different ‘wyks’ interact and how responsibilities and the flow of funds are structured. ...‘What are CPA Committee members’ roles? What are they there to do?’ People have to be appointed to do the day-to-day work on the ground, as is now done in the Bushman Raad. Ideally, the CPA should be there to hold the rights and own the lands *only*...with underlying ticking pieces actually doing the work (Holden,31stAug.2012).

David Grossman agrees that †Khomani projects have proceeded much more smoothly without a CPA Committee in place (Grossman,19thJan.2010), and Oupa Jan confirms that significant project progress only began after the CPA Committee was ‘taken away’ and the †Khomani realised they had ‘to make things happen’ in their own way to see their situation improve (Pietersen,5thSept.2009).

The importance of the ability of the †Khomani to find a way within the CPA Act requirements to manage their lands and activities in their own way is reflected in Dawid Kruiper’s insistence on the appointment by the Director-General of a mentor who, among other qualifications, has ‘knowledge and understanding’ of both ‘land reform...legislation’ and ‘the history and background of the Khomani San’

(Kruiper,2012:125). If CPA Act community decision-making and governance requirements are not amended by South Africa's policymakers, the key to †Khomani livelihoods and land-management in the future may be for the individual †Khomani Wards to be given full decision-making, planning, and implementation authority to manage their own, smaller territories, which Phillipa Holden believes is what some †Khomani were intending to create with the Second Constitution's provisions for 'Wyk Committees' (Holden,17thApr.2012), which as mentioned above, only became beneficially empowered under Peter Mokomele's 'administration'. I contend that, without legal allowances for this amount of farm-level authority, the return to life under a †Khomani CPA Committee, even under the mentorship of a new 'full-time manager/administrator' as the potential †Khomani lawsuit seeks to obtain (Holden,19thSept.2012), will likely prove ruinous to the significant progress made since 2008.

8.6. Initial Reactions to My Findings

I have argued that the currently legislated CPA structure is inappropriate to the †Khomani, who are both a) a fictional 'community' created from previously dispersed 'coloured' South African farm labourers and tourist performers and b) the remnants of an indigenous foraging society traditionally based on band and *n/ore* social organisation. Phillipa Holden responds to this argument as follows:

I agree – one big, all-consuming, amorphous CPA is not the best way to manage things.... People with [the] same outlook, common concerns, and interests [should be allowed to] focus on business at hand that impacts them directly and also feel empowered in doing so versus someone 'ruling over' [them] and making decisions on their behalf.... I am all for devolving power down to the right level (Holden,17thApr.2012).

Phillipa argues that, in the ideal ꞤKhomani governance structure, not only should power be pushed down to the 'right level', but individuals' power should also be 'clear and ring-fenced' (Holden,18thApr.2012). As the Bushman Raad is currently operating successfully in this way, with 'day-to-day management...happening at the wyks level', Phillipa hopes that, if the CPA Committee returns, the Bushman Raad system of decision-making, leadership, and management 'will not be challenged because it works!' (Holden,18thApr.2012).

Whereas Phillipa Holden and David Grossman had focused their efforts on the mentorship, training, planning, funding, and advocacy clearly needed for successful livelihood and cultural activities in the Park and on Erin and Witdraai to be initiated and sustained, Phillipa now also believes that my idea (linking San traditional social organisation with the ꞤKhomani preference for, and the efficacy of, 'devolving power' down to smaller groups of ꞤKhomani) is a central concept that had been missing from past efforts to understand why the 'community' structures imposed by the CPA Act had failed 'to manage a multi-million Rand estate in a way that actually works' (Holden,31stAug.2012). And although, as seen in **Section 3.13(e)**, Steven Robins initially advocated intensive training for the South African San to help them attain community cohesion and adhere to CPA Act requirements, he now believes that this may have proven ineffective: 'I agree with your argument about the possibility of developing more dispersed organisational forms. However, I would be careful about any potentially essentialist claims about "traditional San" organisational forms – e.g., that it is possible now, in the Northern Cape, to reproduce small, consensual decision making groups based on "traditional San values" etc.' (Robins,15thMay 2012). Although I agree that it is important not to essentialise the San, my findings are based on the

actual words, actions, and previous *inaction* of the ꞤKhomani and what have *turned out to be* effective and ineffective decision-making, leadership, and management structures for the ꞤKhomani, rather than any attempts to fit the ꞤKhomani into a ‘traditional Bushman’ mould, which as seen in **Section 5.2** is itself highly complicated. As Tomaselli (2002:215) argues, it is important that academics not dismiss San efforts to plan and operate culturally based livelihood projects as ‘essentialist’ and that we not ‘reject San projects to salvage their values, identity, and memory as mere “spectacle”’: ‘Those who historically have represented the San are no longer the sole judges.... As /Angn!ao /’Un stated at *Miscast*: “These days we have to work with our own heads, because in the past it was someone else’s head that got us into trouble”’.

Chapter 9: Conclusion

Speaking about the first decade of development disappointments for the †Khomani, SASI head Meryl Joy Wildschut provides a poignant summary:

[People ask the †Khomani, now that they have their lands], 'Why aren't you flourishing? Why aren't you all fat and round?' [The answer is] centuries of repression! ...Imagine: Today, I am poor. I don't have land, I don't have a home. ...Suddenly..., I am a landowner in name – *collectively*, I am wealthy. Collectively. ...I've been a farm *worker*; I don't know anything about *managing* a farm. ...Suddenly I'm expected to make *huge* decisions worth millions of Rand – as a collective. I mean, wouldn't that blow your mind? And...you've got...people...wanting to come and tell you how best to do it – with their own agendas (Wildschut,21stSept.2009).

This statement, made in 2009, highlights the difficulties that were still plaguing the †Khomani in the tenth year since their land-claim victory. Although Meryl Joy's own focus was the need for extensive agricultural and management training for the †Khomani, her argument does indicate the need to understand †Khomani decision-making struggles, particularly in an environment in which others are telling the †Khomani 'how best to do it'.

9.1 The Need for Flexibility Within the Restitution and CPA Acts

As I have argued, chief among †Khomani complaints appears to be Government's attempt to dictate *how* the †Khomani make decisions on their lands. Government does so by legislating 'communities'. Land recipients must come together as a 'community' with 'shared rules' to own their lands, govern themselves, and make land-use, land-allocation, management, and livelihood decisions through a required representative, hierarchical, democratic community-wide committee. These requirements, embodied in the Restitution and CPA Acts, appear to represent an attempt by Government, whose

black majority largely hails from South Africa's dominant Bantu agro-pastoral society, both to create policies that will apply uniformly across South Africa and to ensure that particular ideals viewed as central to South African society, including community cohesion, centralised leadership, democratic processes, and communal land ownership, are firmly embedded in land-recipient groups.

Unfortunately, twentieth-century dispossession created wide disparities in individuals' skill levels, experiences, livelihood goals, and cultural identities, such that few land-recipient groups represented actual 'communities', but merely put forward images of cohesion to satisfy land-claim requirements. This was certainly true of the ꞤKhomani, who had begun scattering across the Northern Cape at least as early as 1931. Rendering land reform requirements even less culturally appropriate to the ꞤKhomani, however, are the ꞤKhomani people's hunting-and-gathering history and their identity, regardless of past occupations or current livelihood choices and goals, as 'Bushmen'. Cultural elements that define hunter-gatherers like the San include social and organisational structures that are based on de-centralised leadership, small kin-based groups, defined territories, sharing, flexible survival strategies, mobility, a disinclination towards accumulation, and decision-making that is an adaptive, egalitarian, consensus-based 'free for all'.

With outsiders, including Government and NGOs, focusing on training the ꞤKhomani to act like a cohesive, hierarchical community and waiting for the ꞤKhomani to come to final, community-wide development, land-use, land-allocation, and housing plans, three successive post-land-claim CPA Committees 'failed', not only to manage lands and funds effectively and ethically, but also to become a legitimate decision-making, leadership,

governance, and management body in the eyes of the †Khomani. Thus, 'community' agreements were an impossibility, and any decisions or plans that were put forward failed to produce the motivation needed for †Khomani action towards implementation.

Only since the final failed CPA Committee was removed by the DLA have †Khomani fortunes begun to improve. And although project profits have yet to generate enough funds for the †Khomani to live comfortably, they are for the first time producing *some* profits, plus new senses of optimism, inspiration, motivation, responsibility, and cultural pride. Whilst efforts to bring in external funding, document and promote San traditional cultural practices, and provide agricultural, tracking, meat-processing, land-management, and financial-management training are continuing, these efforts are not new. The most dramatic and significant change that has resulted in these improvements on the ground for the †Khomani, I argue, is the ability of the †Khomani to generate ideas, make decisions, seek the advice of individual †Khomani experts, and plan and operate livelihood activities that are 'close to their hearts' in a manner that is more of a 'San style' than the CPA Committee structure allowed. Only under 'administration' have stock-farming and non-farming †Khomani begun projects on their separate farms that have the potential to become ongoing, profitable ventures. It is in small groups of like-minded individuals that the San prefer to reach the consensus they seek, and it is only the subject-matter experts within these groups who become the objects of †Khomani respect. These decision-making and leadership structures and preferences clearly persist among the †Khomani, despite their apartheid-era experiences and despite the different livelihood choices they are making today. The farming †Khomani see themselves as being just as 'traditional' as the †Khomani whom outsiders call 'traditional'. Thus, by their words and actions, decades of unemployment,

dispersal, and servitude did not cause the ꞤKhomani to adopt the dominant South African agro-pastoral structures and ideals, and thus, the Restitution and CPA Acts need to provide the flexibility for the ꞤKhomani and all land-recipient groups to govern their lands according to their own preferences, provided of course, that such preferences do not include the exclusion or oppression of those within their group.

Indeed, Peter Mokomele, both because of time, funding, and capacity constraints, and based on his understanding that the ꞤKhomani, as San people, would never have constituted a classical 'community', advocated that the ꞤKhomani essentially 'develop themselves'. However, as a DLA employee, he is required to operate according to the land reform laws that define his own role and prescribe 'community' governance procedures. Still, under his 'administration', Peter is approving separate ꞤKhomani farm plans that did not receive community-wide support, simply because he understands that this is an effective way for the ꞤKhomani to manage their lands. And if socio-economic improvement is indeed a goal of South Africa's land reform programme, the laws must allow for endogenous systems, leaders, and structures to emerge. For a government described as 'hands off', it should not be problematic to institute the flexibility needed for an organic birth or re-birth of culturally relevant land management. Indeed, as Chambers (1989) argued above, creating the 'enabling state' should be the central task for true 'development', such that Government permits and promotes 'more *independence and choice* for the poor'.

To be truly effective in assisting indigenous groups in particular, however, government policies should not simply be aimed at 'the poor' or 'poor farmers', but should seek to address the particular issues and preferences of individual indigenous groups, such as

the †Khomani San. Whilst the †Khomani were perhaps compelled, by their political marginalisation, their lack of socio-economic power, and the absence of alternatives, to create a fictional ‘community’ and attempt to implement successful CPA Committee structures, their actions since the final CPA Committee ‘failed’ in 2008 show that, when they choose to act for themselves, they do so in smaller groups. During my fieldwork, Roger Chennells commented that he believed that Government was coming to understand that smaller-group governance might be a preferable alternative for land-recipient groups, rather than over-arching CPA Committees (Chennells, 13th Dec. 2009). Unfortunately, this budding understanding does not seem to have resulted in any new policy introductions to date, and the †Khomani are certainly still living under the CPA Act as of 2012.

However, †Khomani small-group structures, including the †Khomani Farmers’ Association and particularly the Bushman Raad, operating under Peter Mokomele’s watch as ‘administrator’, have brought significant planning progress, including the drafting and approval of individual Park, stock-farm, and traditional-farm development and land-use plans after years of conflict, disagreement, and de-motivation. Along with the expertise and dedication of individual †Khomani like Andries Steenkamp and the persistent mentorship and advice of outsiders like Phillipa Holden, the ability of the †Khomani to make farm-focused decisions and implement livelihood plans in smaller groups without the need for CPA Committee approval has, in addition to planning, led to significant recent accomplishments for the †Khomani on the ground, including fence repairs, sheep-camp allocation, and the establishment of a successful commercial hunting venture. (**Figure:9.1.**) For the residents of Witdraai in particular, individuals

and small groups have come together to initiate non-farming livelihoods and cultural activities under individual expert leaders.



Figure 9.1: Erin farm, where the #Khomani now offer commercial hunts with traditional San trackers. Photo by the author.

Although the non-farming #Khomani are now separated from the stock-farmers in terms of land and decision-making, like the ‘nice fence down the middle’ between farming and non-farming #Khomani advocated by Chennells in **Section 5.4**, the successes of these ‘traditional’ #Khomani, in creating activities and using governance

styles that have cultural meaning to them, have in fact produced a new sense of inspiration, cultural pride, and *unity* that the CPA Act structures had unsuccessfully attempted to produce via legislation. The †Khomani now employed on Erin and Witdraai have united under a new †Khomani logo, wear †Khomani uniforms with pride, and appear motivated for the first time to bring forward new ideas for food- and income-producing ventures and to lead or participate in such ventures. In smaller ‘San style’ groups, the †Khomani are working and interacting in ways that are San-identity-affirming, and these groups are seen by the †Khomani, finally, as ‘legitimate’ decision-making and governance structures, such that they produce a sense of responsibility and generate motivation and activity.

9.2 Applicability and Future Research

It is hoped that the results of this research will be applicable to other indigenous/forager groups in their efforts to obtain recognition from their national governments of their culturally specific social organisation, relationships with land, and their own conceptions of leadership. As noted above, it is critical today for social scientists to co-operate and share their findings with governments (Hewlett,2000) and for governments to act on this information (Smith et al.,2000), not only to respect foraging values, but to create ‘a social order based on a merging of conflicting ideologies’ (Barnard,2002).

Within South Africa, the !Xun and Khwe San who have been settled together on the Platfontein farm outside the Northern Cape capital of Kimberley are also struggling to make decisions using the required CPA Committee structure for the lands they received under land reform’s ‘redistribution’ programme. Based on my fieldwork with the !Xun

and Khwe, it appears that, although their separate cultural practices, identity, and languages have survived relocation from Angola and Namibia, they have also been largely unable to make community-wide decisions, share information, and start successful livelihood projects, as Government insisted that the !Xun and Khwe lands should also be communally owned and that their CPA Committee be comprised of elected representatives from both San groups, rather than creating separate !Xun and Khwe committees. Thus, conflicts within the CPA Committee have produced an ongoing, crippling stalemate regarding development and land-use planning, but Government has not placed their CPA 'under administration'. It would, therefore, be potentially useful to conduct further research on the ways that smaller-group structures (with actual authority) might be allowable, and useful, on Platfontein.

In addition, as many as 400 'coloured' individuals in and around Kimberley have come forward in the past two to three years claiming /Xam heritage. The /Xam are the San whom Bleek & Lloyd had interviewed at the turn of the twentieth century, whose extinct language was used to create the new South African motto. Andries Steenkamp explains, 'They are spread out in townships. They lost their *whole* history. ...So I must go now and look, because that is my job [as head of the South African San Council] – to help San to come up! ...I must help [them] to have a structure and try to get information...to go to the government and to get land' (A.Steenkamp,23rdJan.2010).

Although the restitution programme is no longer accepting land claims, the /Xam are similar to the †Khomani in the sense that they are attempting to reconstruct their San identity and create a 'community' for whom Government might consider purchasing land. As the /Xam attempt to re-emerge and put forward an application for land via another land reform programme, perhaps the lessons of the †Khomani 'forced

community' and CPA Committee 'failures' will prove useful in /Xam efforts to acquire, allocate, and govern any new lands they may receive, in ways that are effective *because* they are culturally appropriate.

Beyond South Africa, my San-specific findings may likewise find applicability, particularly as indigenous peoples in North and South America struggle for recognition of their land rights, respect and space for their cultural identities, and meaningful political empowerment. Evidence of the efficacy of endogenous decision-making and leadership structures that have arisen among the ꞤKhomani could prove useful to other groups as they negotiate with governments, who create laws designed for uniform nationwide implementation and thus ignore regional differences (Williams,2003 and Bryant,2002), and as indigenous/forager groups work with NGOs and development agencies, who may seek to execute large-scale, pre-packaged development programmes (Ferguson,1990) without local or cultural specificity. The need for culturally appropriate laws, policies, training, and development plans is certainly not confined to southern Africa.

9.3 What Is at Stake

For South Africa's land reform programme generally, creating environments that allow land-recipient groups to use their lands to generate food and income on an ongoing basis will not only reduce communities' reliance on social grants, but will also reduce the economic impact of under-productive land resources (Bradstock,2006:252,257) and the 'economic and political risks' that South Africa faces 'if much of the population remains marginal' (Hall,2004:225).

For the †Khomani specifically, it appears to be quite critical for the Bushman Raad and †Khomani Farmers' Association to build on their recent accomplishments, to encourage other †Khomani to continue proposing, leading, and participating in new small-group ventures, and to find ways for such 'San style' structures and projects to be perpetuated under any new CPA Committees that may ultimately be elected after DLA 'administration'. Many interviewees expressed the need for the †Khomani to organise and govern themselves and to use their lands to become self-sufficient in terms of food, water, and income. Without an established, culturally appropriate governance system and sustained, profitable livelihoods, the threat of †Khomani 'extinction', by death, assimilation, or relocation, seems to remain in the minds of many †Khomani. Dawid Kruiper, for example, explains, 'The Khomani San is a first nation people. Our very future and existence as a people depends on the successful administration of the CPA' (Kruiper,2012:2-3). Similarly, Vinkie van der Westhuizen, daughter of the †Khomani traditional healer, states that 'our elders...are dying, and the history and...the knowledge will die with them' if the young people are unable to learn San history and traditional culture from them in time (in N.Thoma,2009:60).

Those who work with and among the †Khomani, as well, describe the sadness they feel as †Khomani elders age and die before seeing their lands truly flourish under San-specific ways of living. In this, David Grossman is most outspoken:

Let them have a bit of peace and space. Space! To do what they want to do, not what NGOs...or CPAs or Government [want them to do].... Give them the space to be themselves...[so] that for the first time in their life, [none] of them will look over their shoulder and say, 'Who's gonna come and chase me away?' And I think with...Dawid, he's at least got the comfort – he *can* go there [into the Park]. ...No one will say, 'You don't have a right to'. And he can be himself there, with dignity. ...So many [of the original †Khomani land claimants] have passed away over the past

twelve years. That's the biggest sadness. If you look at the original group..., I can name you fifteen people who are no longer here. They died waiting (Grossman, 19th Jan. 2010).

Sadly, during the writing of this thesis, on 13 June 2012, Dawid Kruiper himself 'died waiting' – waiting for sustained income-producing livelihood projects, ꞤKhomani self-governance without CPA structures or government oversight, housing for the people Mandela had called his 'children', and even a reliable water source on the farm where Dawid lived.

9.4 Final Thoughts

As we have seen, South African government policies, both prior to and during the apartheid era, led to the eviction of the ꞤKhomani from the last of their homelands and dispersed them, either as Western Cape tourist performers or Northern Cape farm labourers, who then (re)united to form the 'ꞤKhomani San community' needed for a successful land claim. In his study of Northern Cape families including the ꞤKhomani, Bradstock found that 'despite nearly 10 years of ANC rule none of the households...had managed to adapt their livelihoods from the apartheid livelihood model. This suggests that the institutional effects of apartheid are still having a considerable influence' (2006:256). Thus, formerly scattered, landless labourers were still relying on opportunities for unskilled temporary labour and social grants long after the end of apartheid. When visiting the ꞤKhomani in 2009 and 2010 and hearing stories of their drunkenness, hopelessness, and despair, I often wondered whether the lives and culture of the South African San people would indeed become the last victims of apartheid. Neighbour and provider of free water to the ꞤKhomani, Jean Lambrechts, saw this as a threat as well, but still held hope for the next generation of ꞤKhomani:

This [older] generation, they're going.... It's a pity. But I think the new generation coming through [is the hope]. It's like in apartheid – [for] the old generation, apartheid never went away. It couldn't go away. If you were [being taught] and living your whole life like that, how can it just disappear one day? The next generation – [apartheid is] nothing for them. ...You can't heal the [situation] through...politicians that just talk [nonsense]. Time must heal the process (Lambrechts,16thJan.2010).

Indeed, the ꞤKhomani ultimately realised that repeated promises of increased government funding, assistance, and management and agricultural training 'next year' would likely never come to pass, particularly given local and provincial government's resource, staffing, and capacity constraints. Finally seeing the *need* to reject the unfulfilled promises of Government and the *opportunity* under 'administration' to move ahead with 'San style' decision-making, organisation, and leadership, the ꞤKhomani have begun since 2008 to do things for themselves, according to their own conceptions of San, 'Bushman', or 'ꞤKhomani' identities. Dawid Kruiper's niece Anna Festus explains, 'As young people, we didn't want to lose hope out here. Because we are the next generation of...ꞤKhomani people. You already see that our elders are getting old...so we have to keep this [moving] forward' (Festus,12thSept.2009).

For the ꞤKhomani, 'moving forward' does not imply a rejection of San traditions, but seems instead to involve the 'inventing of new methods' within the 'old' (Cowen & Shenton,1998), as traditional San small-group organisation is being utilised to create and manage cultural activities, such as the upcoming traditional hunt on Erin, and income-generating livelihood projects, including guiding private hunters, establishing tourist attractions, and participating in pharmaceutical research. Despite arguments by Ellis (2001) above, land reform laws that treated the ꞤKhomani like any other poor farmers failed to produce order, unity, motivation, or prosperity on the new ꞤKhomani

lands. Instead, the key to recent ꞤKhomani progress was the creation of space, due to the absence of a CPA Committee, for their own culturally based identities and structures to emerge. Because, as we have seen, the 'Bushman' identity is not defined by livelihood choices or 'what is perceived as culture' (Hewlett,2000), ꞤKhomani animal-trackers and stock-farmers alike have benefited from their recent ability to bypass the need for community-wide agreement because, as San people, they would never have organised themselves (except perhaps temporarily during their wars against Boer commandos) in large communities under an authoritative 'chief', 'headman', or central council, regardless of which livelihood pursuits were currently part of their survival strategy. Indeed, Oupa Jan explains that his seven children will be taught the key elements of traditional San culture, but says that they will have the freedom, despite his concentrated traditional-culture-based work for the Bushman Raad, to choose their own careers. Jan believes that all ꞤKhomani children must be able to grow up with the knowledge of their traditional culture and to have the space, knowledge, pride, and choice to practise it if they so desire (Pietersen,5thSept.2009).

In 1998, when ꞤKhomani land-claim success finally seemed imminent, an old woman said in N/u, 'To live in denial of one's ancestors – this was the greatest pain. We were buried by the white man, by the Boer, but Dawid came and dug us out of the sand' (Isaacson,2001:231). Because of the strong cultural element in Dawid Kruiper's and Roger Chennells' land-claim efforts and the consistently central 'hunter', San, and 'Bushman' identity I witnessed among both farming and non-farming ꞤKhomani, I argue that the crippling poverty and social problems of the ꞤKhomani were at least partially the result of South Africa's land reform laws that treated the San, to use the terms of the Kalahari Debate, simply as an underclass, rather than a cultural group of former

foragers who retain aspects of their cultural identity and social organisation. In addition to the words of the †Khomani, their inaction during the successive CPA Committees and their new motivation under 'administration' also demonstrate the importance of culturally relevant, small-group decision-making and governance structures for these San.

As Oupa Jan saw Bushman Raad projects beginning to succeed, he said that, when I returned to the Kalahari someday, he would be excited to show me the real progress the †Khomani would have made: 'You will see and tell the world that we are really doing something here and that in our projects there is life!' (Pietersen, 5th Sept. 2009). I contend that this 'life' for the †Khomani cannot, and for a decade did not, flourish without the autonomy that is constitutive of an identity and an existence *as a San person*. Unfortunately, under current law, the projects that are now run by largely self-governing 'San style' sub-groups will one day come under another 'all-consuming' †Khomani CPA Committee with the same need for community-wide decision-making and the same responsibility and authority to approve or reject decisions and plans made by the separate †Khomani Wards. Therefore, for the life that Oupa Jan has seen blossoming among the †Khomani to continue, the Restitution and CPA Acts (either in their legislated requirements or in new regulations for their implementation) must provide permanent space for group organisation, decision-making structures, and conceptions of land-use and leadership that differ from the standard, community-wide, hierarchical, representative, agro-pastoral systems that South Africa's land reform laws currently assume and require.

List of Informants

The following informants assisted in the creation of this thesis. Unless otherwise stated, informants' listed roles were current at the time of our interviews:

- Brou, Frederik**
[Interviewed in English]
- 'Fonnie' was head of the South African San Institute's Kalahari office and was acting as the local assistant to Peter Mokomele of the Department of Land Affairs. Fonnie has since relocated to Kimberley, where he is pursuing further education and working in SASI's headquarters.
- Chennells, Roger**
[Interviewed in English]
- Roger is a partner at Chennells Albertyn, the founder of SASI, and was the lead attorney for the San in South Africa. Although now less involved with SASI, he continues to provide training and legal advice to the ꞤKhomani, !Xun, and Khwe, particularly in the area of San intellectual-property rights.
- Coetzee, Sophia**
[Interviewed in English]
- Sophia is Mayor of Mier Municipality.
- Daiber, Michael**
[Interviewed in English]
- Michael is CEO of !Khoa ttu, the San Cultural and Educational Centre.
- Erasmus, Dupel**
[Interviewed in English]
- Dupel is South African National Parks Tourism Manager for the Kgalagadi Transfrontier Park.
- Festus, Anna**
[Interviewed in English]
- Anna is a ꞤKhomani resident of Upington, a South African government employee, a former delegate to the UN Permanent Forum on Indigenous Issues, and a niece of ꞤKhomani traditional leader Dawid Kruiper.
- Gooi, Maria**
[Interviewed with Afrikaans translator]
- As of 2010, Maria was a 26-year-old ꞤKhomani woman.
- Grossman, David**
[Interviewed in English]
- David is a privately funded technical adviser to the ꞤKhomani San and assisted with the establishment of the Bushman Raad.
- Holden, Phillipa**
[Interviewed in English]
- Along with David Grossman, Phillipa is a privately funded technical adviser to the ꞤKhomani San and assisted with the establishment of the Bushman Raad.
- Humphreys, Grace**
[Interviewed in English]
- Grace is the primary Programme Manager for SASI. She headed SASI's Upington office until it closed due to lack of funding in 2010. She now works in SASI's Kimberley headquarters.

Jacobson, Lena [Interviewed with Afrikaans translator]	As of 2010, Lena was a 30-year-old ꞤKhomani woman.
Jacobson, Marius [Interviewed with Afrikaans translator]	As of 2010, Marius was a 21-year-old ꞤKhomani man.
Jonas, Harry [Interviewed in English]	Harry is a lawyer with the human-rights NGO Natural Justice, which is based in Cape Town.
Klinghardt, Gerald [Interviewed in English]	Gerald is Curator of Social History Collections at the Iziko South African Museum.
Kocks, Meris [Interviewed in English]	Meris is a teacher and head of the Social Sciences Department at the Rietfontein Combined School.
Kruiper, Buks [Interviewed with Afrikaans translator]	Buks is the youngest brother of ꞤKhomani traditional leader Dawid Kruiper and appeared on the recent <i>Discovery Atlas: South Africa</i> television programme.
Kruiper, Dawid [Some statements in English; others translated from Nama and Afrikaans]	Dawid was the driving force behind the ꞤKhomani land claim in the 1990s and officially became ‘traditional leader’ of the ꞤKhomani San after their 1999 resettlement.
Lambrechts, Jean [Interviewed in English]	Jean is the owner of Molopo Lodge, a successful white farmer, and an ex-SADF officer, who fought alongside the !Xun and Khwe San in Angola and Namibia.
Louw, Collin [Interviewed in English]	Collin is a ꞤKhomani resident of Upington, Secretary of the South African San Council, and an Upington church elder.
Manyora, Benjamin [Interviewed in English]	Benjamin is Principal of the J. J. Adams Primary School in Askham, which most ꞤKhomani children attend through Grade 8.
Mokomele, Peter [Interviewed in English]	Peter is Deputy Director of Post-Settlement for the Commission on Restitution of Land Rights, under the former Department of Land Affairs, now called the Department of Rural Development and Land Reform. He has been acting as the ꞤKhomani CPA Committee since the ꞤKhomani were placed under ‘administration’.

Pietersen, Jan Johannes

[Interview #1 – with Afrikaans translator; Interviews #2 & 3 – in English]

‘Oupa Jan’ is a representative to the Park’s Joint Management Board and the Erin/Witdraai Traditional Ward Committee, was head of the Bushman Raad, and is involved in replanting traditional San plants on the Witdraai farm.

Seekoei, Ricardo

[Interviewed in English]

As of 2010, Ricardo was a 20-year-old ꞤKhomani man educated in Upington.

Shrumm, Holly

[Interviewed in English]

Holly is a self-funded community volunteer in the Kalahari town of Askham, adjacent to the ꞤKhomani farms.

Skotnes, Pippa

[Interviewed in English]

Pippa is Director of the Centre for Curating the Archive at the University of Cape Town and was the creator of the *Miscast* exhibition in 1996.

Steenkamp, Andries

[Interviewed in English with occasional Afrikaans translation assistance]

Andries is Chairman of the South African San Council, the ꞤKhomani Farmers’ Association, and the FARM-Africa-funded ꞤKhomani Sheep Bank.

Steenkamp, Richard

[Interviewed in English]

As of 2010, Richard was the 29-year-old son of ꞤKhomani elder Andries Steenkamp and served as my local interpreter for many of my ꞤKhomani interviews in 2009 and 2010.

Steenkamp, Salomme

[Interviewed with Afrikaans translator]

Salomme is an office clerk in the ‘Sisen’ craft shop.

Stewart, Ruth

[Interviewed in English]

Ruth heads the Management and Leadership Development Programme for the Botswana-based Kuru Family of Organisations, SASI’s parent NGO.

Thoma, Axel

[Interviewed in English]

Axel is an adviser to the South African San Council, a former Board member of WIMSA, is currently head of education at the !Khoa ttu San Cultural and Educational Centre, and has been an advocate for the San people in Botswana, Namibia, and South Africa since the 1970s. Axel announced his retirement from !Khoa ttu in 2012.

Vaalbooi, Ivan

[Interviewed in English]

As of 2009, Ivan was a 21-year-old tour guide and assistant trainer at the !Khoa ttu San Cultural and Educational Centre and is a son of Petrus Vaalbooi, the original leader of the ꞤKhomani stock-farmers.

Van der Westhuizen, Vinkie
[Interviewed in English]

Vinkie is Assistant Project Manager for SASI's Kalahari office on the Andriesvale farm and heads the †Khomani Tracker-Training Programme. Since Fonnie Brou's relocation to Kimberley, Vinkie is SASI's primary †Khomani employee in the Kalahari.

Wildschut, Meryl Joy
[Interviewed in English]

Meryl Joy is the current Director of SASI.

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