

Indigeneity and Development in Botswana

The Case of the San in the Central Kalahari Game Reserve

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Abstract: This paper discusses how San involved with the Central Kalahari Game Reserve (CKGR) in Botswana express and interpret their sense of indigeneity amidst the systemic marginalization and discrimination that they have experienced. By looking in depth at the case in the CKGR, the nature of prominent San CSOs and impact of the 'Global North,' this paper finds that San affirm their sense of indigeneity by critiquing the post-colonial development discourse, attempting to restore their land rights in the CKGR and by implementing 'life-projects' which affirm their ontologies and traditions. The findings of the paper suggest that the concept of indigeneity is diverse and complex and may not be as liberating as its proponents hope.

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The 2007 *United Nations Declaration on the Rights of Indigenous People's* (UNDRIP) was a monumental achievement for indigenous peoples worldwide. It acknowledged the historic injustices that indigenous peoples have suffered and emphasized the inherent and collective rights of indigenous peoples (García-Alix and Hitchcock, 2009, p. 106). Nonetheless, the identities of modern indigenous peoples are not meant to be all encompassing because the inconsistencies and contradictions of indigeneity are among the greatest strengths of the modern indigenous movement (Tsing, 2007, p. 57). In Botswana, the government has historically rejected the nuances of indigeneity by interpreting the concept uniformly and ignoring the heterogeneity that exists in the country (Sarkin and Cook, 2009, p. 95). Botswana has an abundance of minority groups including the San, Kalanga, Ngwato, Ngwaketse, Kwena, Tawana, Kgatla, Barolong, Tlokwa, Herero, Subiya, Mbukushu, Yei, and Birwa (Sarkin and Cook, 2009, p. 95). The San (also commonly known as Basarwa, Bushmen and Khoesan) constitute Botswana's third largest ethnic group with a population of 56,000, around 3.4% of Botswana's population (Gakelobone and Hitchcock, 2012, p. 425). Many San claim that they do not have a collective term with which they refer to themselves because every term is 'foreign' and has different connotations for different individuals (Ngakaeaja, 2011, p. 146). Nevertheless, the term 'San' is considered to be the least negative term and is frequently used in the literature and by activist organizations.¹ The government considers all Batswana to be indigenous despite the fact that San originated on the land, express themselves as culturally indigenous, and continue to be marginalized and victimized. This paper explores the topic of indigeneity in Botswana further by demonstrating how San Civil Society Organizations (CSOs) involved in Botswana's Central

¹ The name 'San' is derived from the "Khoesan" languages, an umbrella term used by some linguists to designate those who use "click consonants" (Zips-Mairitsch, 2013, pg. 159). Not all "Khoesan" language speakers share the same traditions, however, and there are different cultural practices, histories and lifeworlds amongst various 'San' communities (Zips-Mairitsch, 2013, pg. 159).

Kalahari Game Reserve (CKGR) interpret, inform, and advocate for the San's unique indigeneity.

Anthropologists consider the San to be the earliest known inhabitants in Southern Africa. The San currently reside in present day Botswana, Namibia, Angola, and South Africa and are traditionally foragers who subsist on wild plants, hunting of wild animals and fishing (Lee and Daly, 1999, p. 3). San assert that before the arrival of the Europeans they “lived as hunters on their own, without cattle, while maintaining links of trade to the wider world” (Lee and Daly, 1999, p. 3). Over the past few decades, daily life for the San has changed drastically. Today, many San are actively engaged in Botswana's socio-economic life of schools, stores, churches, and wage labour (Lee, 2012, p. 4). In addition, cell-phone service is now commonplace in San communities (Lee, 2012, p. 4). Some of these changes have been inspired by government intervention because the Botswana government has implemented a myriad of policies that have attempted to sedentarize and assimilate the San to the majority Tswana population (Hitchcock, Sapignoli and Babchuk, 2011, p. 62). In response, some CSOs such as the Working Group of Indigenous Minorities of Southern Africa (WIMSA) have expressed that “the San would like to enjoy the advantages of both traditional life...and modern amenities provided in villages and towns” (WIMSA Secretariat, 2005).

The San are often presented as a singular group, but they are historically heterogeneous living in small, diverse communities spread across Southern Africa with more than 35 dialects spoken (Zips-Mairitsch, 2013, p. 159). San are divided into a number of groups including the “Ju/'hoansi, Bugakhwe, //Anikhwe, Tsexakhwe, !Xoo, Naro, G/ui, G//ana, Tsasi, Deti, †Khomani, †Hoa, //Xau†esi, Shua, Tshwa, Danisi and /Xaisa” (Gakelebone and Hitchcock, 2013, p. 425). San communities have analogous experiences of land dispossession and

oppression and in “many cases were forced into institutionalized political and legal systems without any choice or form of influence” (Zips-Mairitsch, 2013, p. 24). Consequentially, San have forged their identity as more of a collective unit “whose rights have been abrogated because of who they are and how and where they live” (Hitchcock, 2002, p. 822). It is difficult for the San to organize effective social movements to address their discrimination and marginalization because they are scattered widely across Southern Africa (Sapignoli and Hitchcock, 2013, p. 363), but the removal of San communities from the Central Kalahari Game Reserve (CKGR) and the subsequent court cases has led to increased unity and activeness amongst San CSOs and the ‘Global North.’

This paper explores the indigeneity of the San community at large and the issues in the CKGR by first examining post-colonial development theory and the complex ways in which the pursuit of knowledge and development is deeply embedded in the multiple layers of imperial, colonial and post-colonial practices (Smith, 2006, p. 2). Ten years after Botswana gained its independence from Great Britain, President Seretse Khama declared that the people of Botswana “will have to learn how to share aspirations and hopes as *one people*, united by a common belief in the unity of the human race” (Mdala, 2014). According to Sarkin and Cook (2009), Khama’s vision “premised its nation- building efforts on an overstated assertion of ethnic homogeneity because of the significant representation of the Tswana” (p. 95). This mentality forced minority groups like the San to assimilate to Tswana culture and abandon their language and customs. Today, roughly 70% of Botswana’s population is of Tswana descent with Tswana elites comprising the vast majority of candidates in all competing political parties and retaining the largest portion of Botswana’s power and wealth (Mayersen and Mcloughin, 2011, pp. 251-252). The interests of Botswana’s minority groups seldom coincide against the Tswana majority,

which allows the Tswana to maintain their power and influence in the country (Mayersen and McLoughlin, 2011, p. 252).

The debates on indigeneity in Africa will also be examined to provide context to the current debate on the indigeneity of the San. The topic of indigenous rights, or indigeneity, continues to be controversial because some argue that the idea of ‘indigenous peoples’ is extremely politicized and subject to local and national particularities (Pelican, 2009, p. 52) while others reason that all Africans can claim to be indigenous because they were all equally colonized by the Europeans. The Government of Botswana expressed its interpretation of indigeneity by refusing to participate in the 1993-2003 United Nations Decade of Indigenous peoples (Lee, 2006, p. 93) and by originally opposing the UNDRIP. The Botswana government argued that the UNDRIP did not suit the ‘African Setting’ and had the potential to invoke ethnic conflict and divisive tribalism while interfering with state sovereignty and nation building (Zips-Mairitsch, 2011, p. 138). However, on September 13, 2007 Botswana joined 144 nations in voting in favour of the Declaration;² 11 countries abstained while Canada, Australia, New Zealand, and the United Nations voted against it (Sarkin and Cook, 2009, pg. 98).³

This paper also explores the different perspectives on indigeneity within the San CSO community and contrasts the perspective of San CSOs with the British NGO Survival International, which advocates for tribal rights around the globe and has played a major role in the San’s court cases in the CKGR. The recent developments in the CKGR case such as the government’s involvement in mining and fracking activities and the banning of the San’s legal

² Botswana decided to vote in favour of the UNDRIP after it was successful in leading an *African Group* of countries in amending aspects of the Declaration which had the potential to undermine state sovereignty and cause conflict (Zips-Mairitsch, 2013, pg. 50). In 2007 Botswana’s then President Mogae praised the amendments that the *Africa Group* made to the Declaration noting: “nothing in the Declaration may be construed as authorizing or encouraging any action that would dismember or impair the territorial integrity or political unity of sovereign and independent states” (Zips-Mairitsch, 2013, pp. 50-51).

³ Several nations were also absent from the vote (Sarkin and Cook, 2009, pg. 98).

representation will also be discussed. The following questions will be addressed: How do the material and cultural experiences of assimilation and marginalization within the San community inform the present-day debate about ‘indigeneity’ and development in Botswana with respect to the Central Kalahari Game Reserve (CKGR)? How do these experiences differ within the San community at large and how are these differences expressed? How does the involvement of the Global North, specifically the NGO Survival International, affect the discourse on indigeneity and is their interpretation of the San’s indigeneity consistent with San CSOs?

Methodology

This research paper is exploratory in nature and attempts to analyze, augment and critique the qualitative data on the indigeneity of the San of Botswana and how it relates to the case in the CKGR. The CKGR case is the focal point of this discussion because it has dramatically shaped the discourse and debate on the indigeneity of the San due to the widespread activism of San CSOs and the high profile nature of the case. In this paper the prominent literature on the topic of indigeneity and the San was surveyed as well as all the prominent African indigenous and San organizations. This included, but was not limited to: DITSHWANELO, the First Peoples of the Kalahari, the Kuru Family of Organizations, the Botswana Khwedom Council, Survival International, and the Working Group for Indigenous Minorities in Southern Africa. These organizations were chosen because they are the most prominent organizations that advocate for the San’s rights and because many of them are a part of CKGR NGO Coalition that has promoted the San’s rights in various court cases and activist work. The analysis of these organizations consisted of reviewing their websites, annual reports and social media functions.

The analysis was thorough and a succinct summary of the main functions and purposes of these organizations is found in the body of this paper.

Secondary sources were also analyzed in the form of peer reviewed journal articles and books. The journal articles for the research were found by searching prominent databases on indigenous and human rights, anthropology, conservation, and African politics. Inductive reasoning was used as the basis for this research because the peer-reviewed literature and content of San CSOs provided a theory to the paper. In other words, the evidence determined the scope of the paper; a theory was not developed before the research was conducted. Therefore, this style of research could be replicated for further analysis on the indigeneity of San CSOs. Researchers could use these methods to further determine how San interpret their indigeneity and livelihoods in conjunction with the pervasive forces of assimilation and marginalization that many San experience throughout Botswana. Interviewing San individuals and CSO leaders was not within the scope of this paper, which is a limitation to this research. There is a plethora of reputable sources that provide accurate detail on the San's indigeneity but more depth research would include interviewing San in the CKGR, CSO staff, government officials etc.

Post-colonialism and Development

In post-colonial countries, like Botswana, governments and societies are often criticized for denying indigenous claims to humanity, history, and hope by feeding messages of indigenous peoples' "worthlessness, laziness and dependence" (Smith, 2006, p. 4). This mentality has its roots in colonialist regimes where political identities were enforced by dividing the population ethnically (Mamdani, 2001, p. 662). Tsing (2005) states that colonial powers had a universal faith in reason as the only means of achieving progress, good government and science. In her

work entitled *Friction* (2005) Tsing claims that this faith in reason has led to supposed universal truths in globalization of prosperity, knowledge and freedom. Tsing conducts an ethnography of global connection and uses the example of rainforests in Indonesia to show that the universal truths of globalization are unfounded because cultures are continually shaped by 'friction': "the awkward, unequal, unstable, and creative qualities of interconnection across difference" (p. 4).

Smith (2006) argues that the research of indigenous peoples has historically been produced by the West's imperialistic desire to determine how indigenous peoples are classified and represented while denying the historical formations that have created marginalized indigenous communities (p. 1). Edward Said (1985), a prominent post-colonial theorist, describes this phenomenon as Orientalism: "a Western style for dominating, restructuring, and having authority over the Orient" (p. 3). San, like many African groups, were treated like the Orient during colonial years as colonial powers provided rights "to non-natives, not to natives" (Mamdani, 2001, p. 656). The ideas of colonizing societies continue to dominate the shape and quality of indigenous lives throughout the world (Smith, 2006) while the indigenous movement often seeks to address the inequities that have arisen from past decolonization efforts (Niezen, 2003, p. 196). There is also a strong connection between the decline of colonialism and the subsequent rise of development. Blaser (2004) suggests that development is a practice and discourse that embodies the "European Enlightenment's implicit project of making specific local worldviews and values, those broadly described as modern and Western European, into universals" (p. 28). Blaser (2004) argues that indigenous communities often resist development by sustaining 'life projects' that are entrenched in local histories and antithetical to projects that are promoted by markets and the state (p. 26).

Arturo Escobar (1995) leans on Said and other post-colonial thinkers to conduct an analysis on the 'development discourse'; a set of practices and discourses that has had a substantial impact on how developing countries are viewed and treated as 'underdeveloped.' Like Blaser, he argues that the development discourse is rooted in the colonial discourse; which, according to Bhabha (1994), has the objective of construing "the colonized as a population of degenerate types on the basis of racial origin, in order to justify conquest and to establish systems of administration and instruction" (p. 101). Escobar (1995) claims that the development discourse is created by the West to exercise power and authority over the 'Third World' and is "a central and most ubiquitous operator of the politics of representation and identity" (p. 214). He argues that development problematizes the notion of poverty and relies on patriarchal, ethnocentric, and paternalistic mandates. Instead of perpetuating the development discourse, Escobar (1995) calls for a 'postdevelopment' framework that eliminates the concept of development from the central discussions and representations of countries in Africa, Asia and Latin America. Escobar's postdevelopment framework focuses on alternatives to development that rely on the practices and knowledge of social movements. He argues that 'indigenous' social movements must affirm their cultures and identity while also struggling against the exploitation and domination of political economies (1995, pp. 170-171).

In the *Anti-Politics Machine*, James Ferguson (1994) analyzes development projects in Lesotho and argues that 'development' misrepresents the reality on the ground. He describes how in Lesotho, the World Bank portrayed the country as consisting of farm labourers during a time when the majority of Lesotho workers were actually wage labourers in South African mines (Ferguson, 1994, p. 177). Ferguson (1994) claims that development projects fail to achieve their objectives, in part, because development is viewed as something that only comes about through

government action while lack of development is viewed as government neglect (p. 178).

Ferguson also laments the fact that developmental organizations portray themselves as apolitical while concurrently aligning themselves with government and helping to expand the influence of the bureaucratic state in people's everyday lives. In her study of Bolivia's Highlands, Walsh (2010) suggests further that development can be well-intentioned, well-funded, and achieve some of its stated goals yet still weaken the capacities of indigenous communities "to live healthy and productive lives on their ancestral lands" (p. 242). She argues that NGOs in Bolivia failed to consider the different worldviews and knowledge systems of indigenous communities and focused on what communities lacked rather than what they already had; this created power imbalances and eroded the strengths of indigenous communities.

Hodgson (2002) suggests further that indigenous peoples have views about their 'development' that often contradict the dominant economic productivity and modernization paradigms that exist with nation-states and international donors (p. 1041). This is because indigenous ontologies and cosmovisions differ from the West in that they are not based on material goods and "do not entail a linear notion of development" (Escobar, 2012, xxvi). The goals of indigenous communities differ from most development paradigms and are not limited to protecting land and resources. Many indigenous communities aim to control "the education and socialization of their children, improve their health and social welfare, ensure the continuity of their languages, and protect and maintain their cultural knowledge and institutions" (Hodgson, 2002, p. 1042). Achieving these goals is difficult for indigenous communities because the field of development is dominated by Western 'cultural underpinnings' and indigenous peoples are often subordinated within this system (Blaser, Feit and McRae, 2004, p. 4). Development often

attempts to ‘modernize’ indigenous peoples and help them adopt the ‘right’ values held by the white Western minority (Escobar, 1995, p. 43).

Development can also manifest itself in ‘wild-globalization’, which Harries-Jones (2004) defines as, “capital intensive production without proper assessment of cost, either social or environmental, the very opposite of sustaining better health and better economic opportunity for all” (p. 280). ‘Wild globalization’ is prominent in modern society and has its roots in top-down neoliberal approaches (Harries-Jones, 2004). ‘Wild globalization’ is at odds with indigenous life-politics (which are often rooted in localism and bottom-up approaches), contradicts ecological cycles and threatens indigenous peoples’ Traditional Ecological Knowledge (TEK) (Harries-Jones, 2004). Despite the prevalence of ‘wild-globalization’, Blaser, Feit and McRae (2004), argue that indigenous peoples can create alternative structures of governance that rely on alliances with wider movements and are not rooted in the homogenizing forces of globalizing development (p. 2).

Post-colonial rhetoric and development has often labeled indigenous peoples as untouched by modernity and embedded in underdevelopment, poverty, superstition, and disorder compared to the progress, development, high rates of living, and order associated with modernity (Robins, 2001, p. 836). Instead of being backward or underdeveloped, San are a hybrid between ‘traditionalism’ and ‘modernity’ because they engage with modern forms of communication, transportation, and production (Robins, 2001, p. 845) while also aspiring to maintain aspects of their culture, dialects and traditions. Unfortunately, many international organizations characterize San as ‘crude’ hunter-gatherers who are marginalized and poor (Francis and Francis, 2010, pp. 211-212). This unfavourable portrayal freezes the San in the past (Francis and Francis, 2010, p. 210) and is largely inaccurate because many San no longer practice hunter-gatherer lifestyles and

are actively engaged in Botswana's modern socio-political life. Similarly, Sylvain (2002) argues that conceptions of ethnicity and culture have been distorted because they do not accurately portray the complex nature of San cultural identity and instead focus too heavily on the San's relationship to the land (p. 1082).

This paper rejects the "homogenising forces of modernity and traditionalism" (Robins, 2001, p. 843) and asserts that the identity and indigeneity of the San is more nuanced than any all-encompassing post-colonial definition. The concept of 'indigeneity' has become politicized in post-colonial states as a native self-assertion while in the past it was a settler defamation against the native (Mamdani, 2001, p. 664). This politicization has its roots in a long and complex history of colonialism and post colonialism and indigeneity must therefore be understood through the framework of imperialism and anti-imperialism. The following chapter will explore some of the historical and current formations of indigeneity on the continent of Africa and in Botswana.

Chapter 1: The Concept of Indigeneity and its Manifestations in Africa and Botswana

While the concept of indigeneity is complex and cannot be bound by a single definition, it essentially describes one's identity and as such is continually evolving, in flux, and determined by the relationships between peoples rather than a static state of being (Venkateswar and Hughes, 2011, p. 2). The term 'indigenous' often distinguishes those who are 'native' or 'there first' from those who are foreigners or immigrants to a particular region, but 'indigenous' is more expansive than this narrow dichotomized understanding. The first comprehensive definition of 'indigenous peoples' came from Jose Martinez Cobo in a study that took place from 1972-1987 on the problem of discrimination against indigenous populations (United Nations [UN], 2009, p. 2).⁴ The study was conducted at time when the international indigenous movement was growing rapidly. Cobo concluded that indigenous peoples are those that have a "historical continuity with pre-colonial and pre-invasion societies that developed in their territories [and] consider themselves distinct from other societies now prevailing in these societies" (United Nations Department of Economic and Social Affairs [UN DESA], 2004, pg. 2). Cobo also identified various attributes that define indigenous peoples: they occupy ancestral lands and have a common ancestry with original occupants of lands; they practice indigenous culture (Ex- religion, dress, tribal systems livelihood etc.), use their mother tongue language, and reside in certain regions (UN DESA, 2004). This characterization provides a good starting point to determine indigeneity but has been criticized for leaving out indigenous peoples in Africa and Asia that are "equally 'original' inhabitants of neighboring lands that have now become the dominant groups of their society" (Wiessner, 1999, p. 111). Cobo's definition shares some

⁴ Jose Martinez Cobo was the first UN Special Rapporteur on the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

similarities with the International Labour Organization's (ILO) convention no. 169 (1989), which emphasized the right for groups to self-identify as 'indigenous' or 'tribal' (UN, 2009, p. 5). The Convention stated that national governments should allow indigenous peoples to reside on the land that they traditionally occupied, set their own development priorities, and participate in the decision making processes that affect them (Kuper, 2003, p. 389).

Today, indigeneity is no longer isolated to the narrow definition of 'traditional' people who have connections to ancient ways of life; instead it is an enabling movement that has received global recognition, most notably with the UNDRIP (Venkateswar and Hughes, 2011). Indigenous people challenge the Western model of civilization by insisting that colonialism and capitalist expansion have been misadventures of violence that have destroyed non-Western peoples (Starn and Cadena, 2007, p. 11). Many scholars disagree with this portrayal and challenge the notion of indigenous identification arguing that the term 'indigenous' is a political concept that is no different than ethnicity (Trigger and Daley, 2010, p. 47) or a geocultural category that divides the collectivity of 'indigenous peoples' against various 'others' (Merlan, 2009, p. 303). Kuper (2003) suggests that providing indigenous peoples with special land rights is undemocratic and leads to ethnic fractions. He argues that indigenous land claims rely on "obsolete anthropological notions and on a romantic and false ethnographic vision" that has political consequences and fosters essentialist ideologies (Kuper, 2003, p. 395).

Despite the criticism, indigeneity can often be beneficial, particularly in creating awareness for marginalized populations. Indigenism has become a distinct global phenomenon where indigenous people share similar historical experiences of political marginalization, relocation, and genocide (Niezen, 2003). Indigeneity is therefore often used as a platform to seek justice. The indigenous movement is distinctly transnational and thus acts in contrast to the

“hegemonic strategies of states” (Niezen, 2003, p. 189), yet the history and structure of nation-states continues to impact the shape and context of indigeneity. Some scholars use the proliferation of indigenous politics to argue that the nation-state is becoming irrelevant but to achieve success, indigenous peoples must influence the nation-state and use political and cultural frames that resonate within a particular nation to be successful (Tsing, 2007, p. 39). Kymlicka (2001) claims further that “indigenous peoples may get moral victories from international law, but the real power remains vested in the hands of sovereign states, who can (and do) ignore international norms with impunity” (p. 132).

Indigenous identity emerging out of marginalization and oppression does not necessarily create liberation even if that is often its intent (Niezen, 2003, p. 210). Tsing (2007) argues that “the friction at the heart of global interchange allows new forms and practices to come into being, for better or for worse” (p. 42). Therefore, indigeneity remains an unpredictable concept, one that is not necessarily positive or negative. To determine its relevancy, indigeneity must be examined on a national and local level because its uses and implications vary by region and country. The following section explores how indigeneity is portrayed in Africa and demonstrates that indigeneity in Africa is a useful tool to seek justice for groups who are oppressed and on the margins of development.

Indigeneity in Africa

Throughout colonialism, colonizers considered all Africans to be indigenous and claimed that Africans were “natives,” the antithesis to the ‘superior’ “whites” (Cook and Sarkin, 2009, pg. 10). Consequentially, during colonialism, interpretations of indigeneity were not as enhanced as they are today because the departure of colonial powers both complicated and liberated the

notion of indigeneity (Cook and Sarkin, 2009, pg. 10). Across Africa, discussions of indigeneity must be viewed through the lens of this history of colonialism and capitalist expansion. Today, indigenous peoples in Africa often support their indigenous status by arguing that colonial subjection has continued in post-colonial states (Niezen, 2003, p. 75) and many African indigenous communities use indigeneity to “request social, political, economic, and cultural justice” (Sapignoli and Hitchcock, 2013, p. 363). In Africa, the term ‘indigenous peoples’ often refers to a small number of communities, “whose cultural identities face extinction as a result of prejudiced views of their livelihoods and ancestral ways of occupying and using lands” (Barume, 2014, p. 37). Some indigenous leaders from the Western hemisphere argue that indigeneity is not relevant for African and Asian indigenous groups because they have already been liberated from colonial domination and their struggles do not accurately represent the indigenous experience (Niezen, 2003, p. 74). However, Niezen (2003) and others make the case that the experience of African indigenous communities is comparable to indigenous communities that continue to be dominated by people from European origin because African indigenous communities have seldom reaped the benefits of national liberation and continue to be disadvantaged and marginalized in most post-colonial African states (Niezen, 2003, p. 76).

The African Commission for Human and Peoples’ Rights (ACHPR) emphasizes the systemic marginalization that many indigenous African groups experience. They define indigenous peoples from a human rights perspective and claim that indigeneity is broader than Cobo’s definition of indigenous people as those who have a historical continuity with pre-colonial and pre-invasion societies. Instead, the ACHPR defines indigeneity as a:

term and a global movement fighting for rights and justice for those particular groups who have been left on the margins of development and who are perceived negatively by dominating mainstream development paradigms, whose cultures and ways of life are

subject to discrimination and contempt and whose existence is under threat of extinction (Venkateswar and Hughes, 2011, p. 2).

This definition is inclusive but some argue for an even more flexible definition of indigeneity because both ‘first peoples’ and ethnic (majorities and minorities) have claimed indigeneity in Africa and ‘flexible indigeneity’ can be more beneficial than ‘small scale indigeneity’ (Nyamnjoh, 2007).

The livelihoods of indigenous peoples in Africa are extremely diverse, ranging from foragers to agropastoralists to urban factory workers, but the claims of peoples claiming an indigenous identity in Africa are widely similar: “they want ownership and control over their own land and natural resources; and they want the right to participate through their own institutions in the political process at the nation-state, regional, and international levels” (García-Alix and Hitchcock, 2009, pp. 104-105). These claims often contradict the aspirations of certain African countries. Some states claim that recognition should be the responsibility of the state because no ethnic or indigenous group should have exclusivity within a nation-state (García-Alix and Hitchcock, 2009, p. 104). Botswana has traditionally followed this line of thought, arguing that “providing assistance to specific groups would be tantamount to promoting apartheid (separate development) like that practiced in South Africa until April 1994” (García-Alix and Hitchcock, 2009, p. 102). This perspective has caused a clash of cultures between the San’s perceived indigeneity and the government’s vision for an equal and harmonized nation.

The following section will explore how indigeneity has been interpreted and practiced in Botswana with a focus on the Central Kalahari Game Reserve (CKGR). The analysis demonstrates that for the San, indigeneity is essential to combat the pervasive forces of assimilation and marginalization in the country and the San’s claims to indigeneity are valid

because they resided in Southern Africa prior to colonialism and have been marginalized and labelled as primitive in pre-colonialism, colonialism and in post-colonialism.

Indigeneity in Botswana and in the Central Kalahari Game Reserve

In Botswana, indigeneity is seldom defined by arguments of who was ‘there first’ or most autochthonous. Instead, as this section explains, the distance of one’s power and association to the state are more important in determining indigeneity in Botswana (Nyamnjoh, 2007, p. 311) than ones based on having resided on the land since time immemorial. Of course the San would be able to (and do) invoke this long history of presence, which is also integral to claims of being marginalized in pre-colonial and post-colonial eras. San have resided in Southern Africa for at least 20,000 years and occupied most of Southern Africa below the Zambezi Valley up until the last 2,000 years when herders and cultivators migrated into the region (Adhikari, 2010, p. 21). The San’s nomadic hunter-gatherer lifestyle and dismissal of agriculture contradicted the vision of the herders and cultivators. In pre-colonialism, Tswana groups focused on agriculture as the main economic activity and they often settled in a village instead of living nomadically (Magole, 2009, p. 601). Tswana groups often designated the land into a ‘three-land settlement system’ with a village, cattle post, and a cultivation area (Magole, 2009, p. 601). In contrast, San did not cultivate areas for agriculture and were highly mobile as they frequently moved to new areas to follow wild game and collect food (Magole, 2009, p. 601). Traditional San values of consultation and decision-making by consensus (Ngakaeaja, 2011, p. 145) were discouraged by Tswana groups who were organized in a tribal fashion with a king and a strong hierarchy (Zips-Mairitsch, 2013).

In the 18th and 19th centuries, San society was almost completely destroyed “as a result of land confiscation, massacre, forced labour, and cultural suppression accompanied” by colonial administrations (Adhikari, 2010, p. 19). The San bore the brunt of colonial Western racist thinking that dehumanized their hunter-gatherer way of life and characterized San populations as ‘savages’ and immune to ‘civilizing’ influences (Adhikari, 2010, p. 20). This perception affected Britain’s rule of the Bechuanaland Protectorate (present day Botswana) as the colonial administration legitimized the eight Tswana tribes creating a “largely mono-ethnic population” (Mayersen and Mcloughlin, 2011, p. 251).⁵ European colonizers viewed the numerically superior and largely sedentary Tswana groups as convenient administrators and easy to evangelize so they emphasized the language of Setswana to missionaries and colonial administrators (Nyamnjoh, 2007, p. 309). This profile helped Tswana groups seize the power of the state of Botswana after it gained its independence in 1966 and the Tswana majority has succeeded in “legitimizing their version of indigeneity and claims of authenticity over all other as the ‘first’ citizens of Botswana nation-state” (Nyamnjoh, 2007, p. 309).

In contrast, the Southern African San were marginalized throughout the 20th century, in part because of their nomadic lifestyle and disregard for agropastoral usages of land (Nyamnjoh, 2007). Many San worked as low class squatters, domestic servants, and farm labourers while others were segregated into game parks or remote land areas (Sylvain, 2002, p. 1074). Many San communities were relocated to settlements in the 1970s and 1980s (Hitchcock, Sapignoli and Babchuk, 2011, p. 57). San residents from the village of Khwai were moved out of the Moremi Game Reserve in 1964 and received pressure to relocate again in the early 1990s (Taylor, 2006, p. 10). The government’s removal of San communities from the Central Kalahari Game Reserve

⁵ The Bechuanaland Protectorate was established on March 31, 1885 by the United Kingdom and it officially became the Republic of Botswana on September 30, 1966 (History World, n.d.).

(CKGR) is the most high profile example of restricting San land rights as the removals damaged Botswana's sterling reputation for being the 'Miracle of Africa' and caused "the international loss of image and the creation of a completely dependent and highly dissatisfied clientele" (Zips-Mairitsch, 2013, p. 304).⁶ The high profile nature of the San's struggles related to the CKGR has a chance to eclipse the "process of attrition that has slowly and in a piecemeal fashion dispossessed a far greater number of San" (Taylor, 2006, p. 4). Therefore, the CKGR case must be viewed under the larger framework of the San's land dispossession and marginalization in Botswana and in Southern Africa in general.

The CKGR was originally established in 1961 by the British government to protect the environment and to secure the home of the 3,000 San who lived in the region (Suzman, 2002, p. 1). Beginning in 1977, the Government of Botswana provided San and Bakgalagadi groups with direct aid and 'basic essential services' in the CKGR through the Remote Area Development Programme.^{7 8} At first glance, the program appeared to address the San's immediate needs, but in reality, the government paternalistically assumed that they knew the best way to 'develop' the San and were criticized for not paying attention to the San's desire for self-determination (Zips-Mairitish, 2013, p. 250). The government moved San communities in the CKGR to settlements,

⁶ Botswana is often labeled the 'Miracle of Africa' because of its exemplary economic achievements and regularity of elections (Cook and Sarkin, 2010, p. 459), but some scholars argue that Botswana's democracy contradicts the common impression that Botswana is an 'African Miracle' because it is top-down and dominated by presidentialism and authoritarianism (Good and Taylor, 2008). Nevertheless, Botswana should be commended for remaining a peaceful and stable country that stands in contrast to many other African nations where ethnic polarizations often cause overt conflict.

⁷ The Bakgalagadi are culturally and linguistically distinct from the San but they are another minority group that has traditionally resided in the CKGR (Hitchcock, 2002, p. 802). The Bakgalagadi entered the Kalahari later than the San and there are some historic tensions between the two groups because the Bakglagadi attempted to dominate the San politically and socially in several ways (Hitchcock, 2002, p. 802). Despite this, both groups have worked together to regain their land and resource rights in the CKGR.

⁸ These services included the following: "1) the provision of drinking water on a weekly basis; 2) the maintenance of the supply of borehole water; 3) the provision of rations for registered destitutes; 4) the provision of rations for registered orphans; 5) the provision of transport for the residents' children to and from boarding school; 6) the provision of healthcare through mobile clinics and ambulance services" (Barume, 2014, p. 186).

such as New !Xade and Kaudwane, outside of the Kalahari Desert (Odysseos, 2011, p. 443) in 1997 and 2002 (Zips-Mairitsch, 2013, p. 22).⁹

The removals were, for the most part, highly criticized by the San community because San had occupied the reserve land for thousands of years and the removals restricted their mobility and historical identity. The government justified the relocations on the grounds of conserving the CKGR's rich flora and fauna, to protect the San who are not in a position to 'develop themselves' while residing in the game reserve (Sarkin and Cook, 2011) and to reduce the high costs of providing 'basic essential services' to the San in the CKGR (Zips-Mairitsch, 2013, p. 315).¹⁰ Many scholars argue that the relocations of the San were overtly paternalistic and perpetuated the narrative that there is one singular path to development in Botswana; one that rejects indigenous rights and casts the San as socio-economically marginalized citizens, no different from any other (Odysseos, 2011). There is also evidence to suggest that the government evicted the San to establish mining in the CKGR and to not be inconvenienced by the San in the region (Weiss, 2013). After the San were removed from the CKGR, San activist groups responded by suing the Botswana government to restore their land rights, mobility, and water access in the Kalahari Desert. Despite winning a historic court case in 2006, the legal battles between the San and the government of Botswana continue today as many San seek justice by appealing to their indigenous rights to the land, but their contestations are often contradicted by

⁹ Before their removal, the San in the CKGR had a small population of under 3,000, but occupied a massive land area as the CKGR is larger than Switzerland at 52,800 square kilometers in size. The relocations moved 1,740 people in 1997 and 530 people in 2002 for a total of 2,270 people (Odysseos, 2011, p. 441).

¹⁰ The government's claim that the San were removed for financial reasons is questionable. Under the Remote Area Dweller Programme it is estimated that the government spent \$15 USD per CKGR inhabitant per month to provide them 'basic essential services' while the relocations to settlements are estimated to cost \$17.8 million USD (Zips-Mairitsch, 2013, p. 315). The government argued that they would save money in the long run by not having to support the San in the reserve but many San remain dependent on the government for food rations, income and water, keeping the costs high (Zips-Mairitsch, 2013, p. 315).

the government who argues that all Batswana are indigenous and should be treated equally (Sarkin and Cook, 2011).

The evidence suggests that the San are not in a better position living in settlements than they were residing within the CKGR because the relocation camps are considered to be non-viable alternatives where San populations have “little to do, but sit and drink, get AIDS and die” (Weiss, 2013, p. 159). Unemployment rates are high and many community members lack the skills or opportunities to find steady employment outside of the settlements (Fihlani, 2014). Many San also have high rates of illiteracy and are highly affected by HIV/AIDS (Hays and Biesele, 2011, p. 1).¹¹ Similarly, San are essentially prohibited from using their languages in any meaningful way including in negotiations and interactions with the government and within the education system (Sarkin and Cook, 2009, p. 124). San students, like most ethnic minorities, are not permitted to speak their local dialects in schools and some missionaries continue to claim that San languages are “immoral and practice the work of the devil” (DITHSWANELO, “Ethnic Minorities and Indigenous Peoples,” 2007).¹² Overall, the Botswana government claims to have a dominant culture that appeals to economic prosperity and development. However, in practice, the government often uses neocolonial rhetoric to disregard human and minority rights (Chebanne, 2010, p. 97). The UN Special Rapporteur has reiterated this point of view acknowledging that, “too often, the practices of the dominant Tswana tribes have been incorporated in the design and implementation of Government initiatives to the exclusion of the

¹¹ Many San have difficulty earning a living in the service sector because the settlements are far from cities and villages. For example, the nearest city to the settlement of New !Xade is Ghanzi which is close to 120km away (Zips-Mairitish, 2013, p. 316).

¹² The assimilation of languages exists despite the evidence that many ethnic minorities identify with their native dialect even though many are capable of communicating in Setswana and English. In a 2008 survey, RETENG - The Multilateral Coalition of Botswana - found that Botswana ethnic language speakers still identify with their ethnic languages and would prefer to have multilingual radio stations (Chebenne, 2009, p. 98).

practices of culturally distinct minority tribes” (United Nations General Assembly [UNGA], 2010).

The government of Botswana also links ‘primitiveness’ with indigeneity in defending its treatment of the San. The government argues that San need to progress and integrate into modern society instead of remaining ‘primitive’ (Sarkin and Cook, 2009, p. 120). Overall, the government’s view of the San as primitive and backward as well as the San’s removal from the CKGR suggest that their claims to indigeneity are substantive and valid since they were marginalized in pre-colonialism and colonialism and these patterns have continued after decolonization. The following section considers the ramifications of the CKGR case and explores the notions of indigeneity for the San community at large with a focus on San supportive CSOs. The chapter outlines the historical context of CSO advocacy related to the CKGR then reviews the perspectives and manifestations of indigeneity for San CSOs that are heavily invested in the CKGR case.

Chapter 2: Indigeneity within the San Community

CKGR Background and CKGR Committee

The case of the removal of San from the CKGR has received worldwide attention and condemnation from several high profile sources including the UN Special Rapporteur on Indigenous Issues and the U.S. State Department.¹³ Botswana civil society has played an important role in lobbying for the human and indigenous rights of the San because they have developed a robust political campaign against their removal and have, as a result, become one of the most well-known peoples in Southern Africa (Francis and Francis, 2010, p. 210). Their resistance to the relocations has involved a ‘negotiation strategy’ with local NGO representations and “transnational indigenous-to-indigenous cooperation and assistance” (Odysseos, 2011, p. 440). The ‘negotiation strategy’ began in 1997, when those concerned about the possibility of San communities being relocated from the CKGR formed a team of negotiators that mediated between all parties and attempted to find a solution to the CKGR issue (Zips-Mairitsch, 2013, p. 312). The negotiation team was called the ‘CKGR Committee’ and it included two representatives from each of the seven settlements within the CKGR, three NGOs with mandates specific to the San (the First People of the Kalahari [FPK], the Working Group of Indigenous Minorities in Southern Africa [WIMSA], and the Kuru Family of Organizations [KFO]) – as well as the Botswana Centre for Human Rights (DITSHWANELO) and the Botswana Council of Churches (BCC) (Mogwe, 2011, p. 165).

From 1998-2000, the Negotiating Team met with the Department of Wildlife and National Parks, which has jurisdiction over the CKGR, but they were unable to produce any

¹³ In its 2009 Human Rights Report on Botswana the U.S. State Department criticized the “government’s narrow interpretation” of the 2006 court case decision (Sarkin and Cook, 2011, p. 5).

constructive dialogue with the government (Zips-Mairitsch, 2013, p. 312).¹⁴ The talks also broke down after the government was publicly humiliated by Survival International's claim that the San were moved to establish diamond mining in the CKGR (Mogwe, 2011, p. 165). After the relocations in 2002 and the continued stalling of talks, the CKGR Committee took the matter to court to attempt to restore the San's land rights in the CKGR (Mogwe, 2011, p. 165). After two years of court proceedings, the Botswana High Court judged in 2006 that the government's removal of the San from the CKGR was not unconstitutional or unlawful, but also concluded that the San had the right to hunt and live within the Reserve because they were forcibly removed without consent (Odysseos, 2011, p. 449). The verdict was considered to be a major triumph for the San but, the government interpreted the results as only including the 189 San who signed the original court papers, which forced every other San to obtain a permit to gain entrance into the CKGR (Barume, 2014, p. 195).

After the 2006 court case, the CKGR NGO Coalition formed, consisting of many of the same members as the original negotiating team (FPK, DITSHWANELO, WIMSA, KFO, and BCC).¹⁵ The stated purpose of the coalition was to "provide logistical and developmental support to the [San] residents of the CKGR, both those currently living in the resettlement villages outside the reserve, and those currently living in the CKGR" (DITSHWANELO, 2006). After the 2006 court case, the government further imposed challenges on the remaining residents in the CKGR by denying them access to water, even refusing to re-open the Mothomelo borehole which was sealed off in 2002 when the second round of evictions took place (Barume, 2014, p. 195). This caused the coalition to return to the courts in 2009 where they argued that denying

¹⁴ The Negotiating Team also met with then President Quett Masire in 1998 but he "questioned their legitimacy and only made vague promises" (Zips-Mairitsch, 2013, p. 312).

¹⁵ The Botswana Council of Non-Governmental Organisations (BOCONGO) was the sole addition to the NGO CKGR Coalition from the CKGR Committee.

access to water is essentially denying the right to life. The Botswana High Court originally ruled against the San but in 2011 “Botswana’s Court of Appeal ruled that the San could use their old borehole and sink new ones as well in the reserve” (Barume, 2014, pp. 195-196).

In general, the court battles have challenged the beliefs of Botswana’s ‘hegemonic state structure’ (Saugestad, 2011) and mobilized social action with participation from many different organizations. Despite this widespread activism, the conditions on the ground have hardly changed for the San because exploitation, poverty, and discrimination remain deeply engrained in Botswana and throughout the indigenous peoples in Southern Africa (Barume, 2014, p. 339). The San community at large also remains a diverse group with limited resources, different mandates, and various perspectives on indigeneity but the majority of San CSOs are either run by San or heavily consult San to better understand their perspectives. Greater exploration into the expressions of the prominent coalition members, as well as other influential organizations and public decrees in the broader San community is necessary to discern how the manifestations of assimilation and marginalization have shaped the concept of ‘indigeneity’ within the San community. In the following section, the character and content of the prominent San CSOs and coalition members will be analyzed. The two more broadly human ‘rights-based’ organizations in the coalition (DITSHWANELO and WIMSA) will be reviewed first and then three more ‘San-based’ (ethnically and culturally) coalition members (BKC, FPK and KFO) will be analyzed.¹⁶

¹⁶ San-based’ organizations focus solely on the San while ‘rights-based’ organizations have broader mandates with San advocacy being one aspect of their work. BOCONGO and the BCC will be excluded from this analysis because the issues of the San are a relatively minor aspect of their mandates (as evidenced by the absence of San material on their organizational websites).

DITSHWANELO

DITSHWANELO was established in 1993 as an advocacy organisation with the aim to protect and promote human rights in Botswana (DITSHWANELO, “About Us,” 2007). The organization is based in Gaborone, the capital of Botswana, and plays a strong leadership role in lobbying the government and creating awareness of a range of human rights abuses such as the death penalty, discrimination against the LGBT community, and the prevalence of HIV/AIDS. DITSHWANELO has also played a key role in working with San communities and forming the CKGR NGO Coalition. In the CKGR case, DITSHWANELO has vehemently argued in favor of dialogue and negotiations rather than returning to the courts and has “critiqued the government’s lack of tolerance for those with a different lifestyle” (Saugestad, 2011, p. 39). In a 2010 press release, DITSHWANELO stated that they “remain convinced that a solution to the longstanding CKGR issue, can and should come from meaningful engagement and dialogue between The Government of Botswana and the current and former residents of the CKGR.”

Alice Mogwe, the Director of DITSHWANELO, has contested the Government’s decision to move the San to settlements outside of the CKGR because the removals were not done with true consultation and communities were excluded from the decision making process (Mogwe, 2011, p. 166). On its website, DITSHWANELO critiques the government’s claim that ‘all Batswana are indigenous’ and treated equally because in practice many non-Tswana groups are treated less favourably than Tswana individuals (DITSHWANELO, “Ethnic Minorities and Indigenous Peoples,” 2007). DITSHWANELO argues that policies should be based on ‘substantive equality,’ “an approach which focuses on ensuring people are equal in substance” (DITSHWANELO, “Ethnic Minorities and Indigenous Peoples,” 2007). In this sense DITSHWANELO argues for equity over equality and recognizes the San’s indigeneity, not as a

right to land because they were ‘there first,’ but in the sense that they have had a long history of mistreatment and require special status to overcome their past and current discrimination. To this end, DITSHWANELO calls for ethnic minority groups to have influence in the development process and for education programmes to teach all of Botswana’s languages to promote Botswana’s ethnic diversity (DITSHWANELO, “Ethnic Minorities and Indigenous Peoples,” 2007).

Working Group for Indigenous Minorities in Southern Africa (WIMSA)

WIMSA was established in 1996 and attempts to support the San internationally while also working on issues of education, land loss, and representation (Global Hand: The Partnership People, 2014). WIMSA trains local San councils to lobby on behalf of communities in the region and assists San communities and individuals to create community-based organizations, development initiatives, and pursue business ventures (Open Society Initiative for Southern Africa [OSISA], 2014).¹⁷ WIMSA also coordinates the development of San languages, provides information to members, and publishes reports specifically related to the San (Zips-Mairitsch, 2013, p. 269). Overall, WIMSA seeks to affirm the San’s indigeneity by securing land rights, empowering the San through development projects, and facilitating San participation at major international forums and conferences.

On November 28, 2012 WIMSA sought to affirm the San’s collective indigeneity and unify the broader San community when they met with various Southern African San NGO’s from the region and drafted the *Gobabis Declaration on the Rights and Responsibilities of the San People of Southern Africa*. The *Gobabis Declaration* provides clear and cohesive claims on

¹⁷ WIMSA has 30 Community Based Organizations (CBOs) and NGOs as member organizations (with the majority of them being in Botswana) including the Kuru Family of Organizations (Zips-Mairitsch, 2014, p. 269).

the San's perceived indigeneity and aspirations for human rights in the region. It articulates a "desire to see a Southern Africa that proactively protects the rights of the San Peoples having regard to fundamental rights to dignity, equality and non-discrimination, self-determination, political representation, citizenship, family and development" (WIMSA and OCADEC, 2012). The *Gobabis Declaration* affirms the San's rights based on the UNDRIP and acknowledges the myriad of challenges that San individuals and organizations face to gain access to dignity, quality of rights, freedom from discrimination, freedom of movement, education, citizenship, and work as well as economic, cultural, and social development (WIMSA and OCADEC, 2012). Perhaps most controversially, the *Gobabis Declaration* claims that because the San are indigenous peoples they have "the right to self-determination, autonomy and self-government in matters relating to their local and internal affairs" (WIMSA and OCADEC, 2012). Overall, the *Gobabis Declaration* seeks to affirm the San's unique rights as indigenous peoples who have been marginalized and claims that San require their heritage, spirituality and practices to be protected and their health, education, and citizenship to be improved (WIMSA and OCADEC, 2012).

Botswana Khwedom Council (BKC)

Established in 2008, the Botswana Khwedom Council (BKC) is a newer CSO that is part of the growing pan-San movement (Zips-Mairitsch, 2013, p. 160). The BKC was one of the signatures of the *Gobabis Declaration* and was established to promote San identity, to represent all San groups in Botswana, and to unify and empower San to address their challenges (Botswana Khwedom Council [BKC], "Identity," 2014). The BKC differs from organizations like DITSHWANELO in that it explicitly uses the term 'indigenous' in its public statements and argues that the San should be recognized as 'indigenous peoples' (BKC, "Identity," 2014). The

BKC sells San arts and crafts and promotes cultural tourist activities in San communities like learning survival skills and traditional San dance. The BKC has encouraged San to run for election in 2014 to be councilors or members of parliament and to take leadership and gain influence in Botswana society. On its Facebook page, the Council says: “wake up Basarwa (San) and be counted. Occupy positions of influence so that when history is re-written, you will be amongst those who write it. You have what it takes to contribute to the economy and peace of this country” (2011). Overall, the Botswana Khwedom Council (2013) maintains that the San have a ‘distinct culture’ and policies must be put into place that recognize the San as distinct people, taking into account language, culture, traditional knowledge, and leadership systems.

Kuru Family of Organizations (KFO)

The Kuru Family of Organizations (KFO) was started in 1986 to empower the San through “holistic approaches to development” and to create income generation and training programs (Kuru Staff Members, 2002). Today, there are eight member organizations in the KFO and each are involved in different projects related to education, creating and selling arts and crafts, health, and advocacy.¹⁸ The KFO places an emphasis on maintaining San culture and supports the San’s efforts to achieve self-determination. As such, the vision of the KFO is that: “The San peoples of Southern Africa will achieve permanent control over their lives, resources and destiny” (Kuru Family of Organizations [KFO], “Welcome to Kuru,” 2010).¹⁹ The KFO attempts to maintain San identity and culture by organizing annual artefacts exhibitions and dance

¹⁸ These include: Letloa, Kuru D’Kar, TOCaDI, Bokamoso, South African San Institute, Komku, Gantsi Craft and San Arts and Crafts (Kuru Family of Organizations, “Welcome to Kuru,” 2010).

¹⁹ The KFO was formed by San to address the needs of San people and its organizations continue to be run by San leaders (KFO, “How we Work,” 2010). Other activist organizations such as Cultural Survival, DITSHWANELO, or Survival International are not solely run by San individuals.

festivals but the forces of Tswana culture are so pervasive that these attempts, to date, have been insufficient in preserving San languages and culture (Chebanne, 2010, p. 99).

The KFO's perspective on indigeneity revolves around the idea that everything in nature is linked and should be kept in balance and harmony. The KFO often contributes to the debate on indigeneity by presenting at international conferences and forums. In May 2012, Job Morris of the KFO and the Indigenous Peoples of Southern African Co-ordinating Committee (IPACC) led a team to the 11th session of the United Nations Permanent Forum on Indigenous Issues.²⁰ At the forum, Morris presented a stern critique against the 'Doctrines of Discovery' and outlined a clear wish list for the San. Morris outlined the 'Doctrine of Discovery' as the colonial authorities' justification for the non-recognition of indigenous peoples based on the 'terra nullius' principle which views agricultural production and cultivation as the only effective use of land (Indigenous Peoples of Africa Co-ordinating Committee [IPACC], 2012). Morris claimed that the legacy of the 'Doctrine of Discovery' persists in many Southern African nations and continues to ostracize indigenous communities, degrade the environment, and perpetuate poverty (IPACC, 2012). Morris and the IPACC claimed that in the contemporary African context, elite ethnic groups continue to dominate indigenous peoples, making it necessary to decolonize African political and legal systems and make people aware of the continued legacies of the 'Doctrine of Discovery' (IPACC, 2012). Morris calls for the recognition of the San's land and resource rights in all categories of land in Southern Africa as well as fervent consultation on all development projects including mineral, gas, and oil resources as well as resource exploration (San Caucus from Southern Africa, 2012). Overall, in his statements at the 2012 United Nations Permanent Forum on Indigenous Issues, Morris affirmed the San's history of marginalization as well as their strong

²⁰ A San individual from the Botswana Khwedom Council and some San from Namibia also joined Morris in representing the San at the conference (Gakelobone and Hitchcock, 2012, p. 430).

identity with the land and sacrosanct duty to protect the environment because it is central role in the tradition, culture, and dignity of the San people (San Caucus from Southern Africa, 2012).

First Peoples of the Kalahari (FPK)

The First Peoples of the Kalahari (FPK) was a key stakeholder in the CKGR court cases and has played a significant and provocative role in creating awareness of the San's marginalization. The FPK was established in 1993 with the majority of its membership coming from within the CKGR or in the nearby Ghanzi District. The original aims of the FPK were threefold: 1) to create recognition of the San and to advocate for the rights of the San vis-à-vis the public and the Botswana government 2) to work for the recognition of the San's land rights and create a National Council for the San and 3) to invigorate the culture of the San and increase individual identification with San culture (Saugestad, 2011, p. 41).²¹

The FPK has acted in opposition to the government since its existence and takes a "classic counter-hegemonic position, seeking changes in the national policy" (Saugestad, 2011, p. 55). In 1996, after the government made known the relocation plans of the San in the CKGR, the FPK fronted the protests against the relocations. FPK members also addressed the UN Human Rights Commission in Geneva to raise awareness that the proposed relocations could violate the "constitutional and human rights of the San and the Bakgalagadi" (Saugestad, 2011, p. 41). Similarly, in 2005 the entire leadership of the FPK was arrested and beaten, after attempting to enter the CKGR to help the remaining San living there (Survival International [SI],

²¹ The FPK originally called San 'N|oakwe' which means 'the Red People.' 'N|oakwe' like 'Bushmen' and 'Khoisan' was a self-designation term used by Kalahari San before there term 'San' was widely adopted (Saugestad, 2011, p. 59).

“First People of the Kalahari: the struggle for ancestral lands,” n.d.).²² Roy Sesana, a leader of the Gana, Gwi and Bakgalagadi in the Kalahari, is the current leader of the FPK (SI, n.d.). He has been highly critical of the government’s justification for removing the San from the CKGR in the name of ‘development’ and has been a key witness in the court cases. The FPK has also aligned itself with Survival International, a prominent ‘Northern NGO’ that works to protect ‘tribal rights.’²³ This ally has caused divisions amongst the NGO CKGR Coalition and this will be explored in the following chapter.

San CSOs in Review

In summation, the members of San CSOs affirm their perspective of indigeneity through various means. DITSHWANELO supports the San by actively lobbying the government to treat the San equitably and to promote their human rights while the FPK takes a more adversarial approach by openly condemning government policies and working for recognition of the San’s indigenous status. WIMSA, on the other hand, attempts to empower local San community members, encouraging them to take leadership while coordinating NGO networks that promote solidarity. The KFO unites small organizations aimed at implementing projects that improve the cultural, economic and social development of the San and finally, the BKC promotes San culture and encourages San to take leadership roles in Botswana society. The following section will describe some common life-projects and development perspectives within the CSO community

²² In 2000 Roy Sesana’s brother died “after allegedly being tortured by wildlife officials (Sarkin and Cook, 2012, p. 4) and in 2002, after the second removal of San from the CKGR, members of the FPK attempted to bring water to the remaining residents but the government prohibited their efforts. The government also denied a Mokgalagadi man named Amogelang Segootsane from entering the reserve even though he was attempting to bring his family water after they vehemently refused to relocate (DITSHWANELO, “Ethnic Minorities and Indigenous Peoples,” 2007).

²³ Sesana’s outspoken demeanor has not always been received warmly by government officials or even by those supportive of the San community. During the court proceedings, Sesana’s “behaviour was a source of constant irritation to the judges, and on more than one occasion Gordon Bennett, the counsel, had to apologize for Roy Sesana and promised to rein him in” (Saugestad, 2011, p. 48).

that help inform the debate on indigeneity and attempt to contradict the assimilation and marginalization pressures that San have experienced in the past.

Informing the Debate on Indigeneity

Many San CSOs implement ‘life-projects’ (Blaser, 2004) that affirm San ontology and are entrenched in San history. Making and selling San crafts and artefacts is one example of a ‘life-project’ in which several San CSOs are engaged. For example, Gantsi Craft, a member of the KFO, worked with over 800 producers in 2012 (with 80% of them being women) with the goal of building “a bridge between the beautiful traditional objects of the San and the modern market” (KFO, 2012, p. 7). The KFO also emphasizes San ontology by critiquing the colonial and post-colonial emphasis on reason by reiterating their culture’s theistic perspective - acknowledging the “Face of God” in all of nature and in their culture of healing (KFO, “How we Work,” 2010). Contesting the government’s language policies is another ‘life-project’ that is a priority for San CSOs and an important means for maintaining San culture. For example, the BKC works on mother-tongue development and the promotion of San language usage (“Language,” 2014) while KFO organizations provide healthcare in San languages and lobby for the use of San languages in education (KFO, 2012, pp. 20-21).²⁴ This type of advocacy is based on the principle that “real linguistic and social developments need to be put in place through active use of Khoisan languages in functional life situations including in schools and radio/television programs” (Chebanne, 2010, p. 99).

²⁴ Article 13 of the UN Declaration on Indigenous Peoples also affirms the importance of maintaining indigenous languages by declaring that “indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons (UN, 2007).

San CSOs also actively critique the development discourse in Southern Africa, which often aims to modernize ‘indigenous peoples.’ Roy Sesana (2005) of the FPK claims that ‘development’ has resulted in dependency, boredom, and low life expectancy for the San. In a 2005 speech, Sesana argued that ‘development’ has not occurred with the relocations from the CKGR:

I say what kind of development is it when the people live shorter lives than before? They catch HIV/AIDS. Our children are beaten in school and won't go there. Some become prostitutes. They are not allowed to hunt. They fight because they are bored and get drunk. They are starting to commit suicide. We never saw that before. It hurts to say this. Is this 'development'? (Sesana, 2005).

Instead of relying on the Western ‘cultural underpinnings’ of development, many San CSOs have articulated a desire to determine their own development priorities. The KFO, for example, argues that ‘development’ must be understood in culturally relevant terms to avoid excessive Westernization (Kuru Staff Members, 2012) and come from a healing perspective that improves the environment and quality of life for all (KFO, “How we Work,” 2010). DITHSWANELO claims current development approaches are “not sufficiently people-centered” (2010) and Daoxlo [Dauqoo] Xukuri of the FPK has criticized government relief programs. She claims that “government relief is another way of killing a person; in the Reserve we knew how to provide for ourselves” (Odysseos, 2011, p. 448).

Other CSOs desire development projects that intentionally assist the San and align with their tradition and customs. In the *Gobabis Declaration*, San CSOs claim that government legislation should be San specific and focused on the development of San people’s cultural heritage, spirituality, and practices as well as their health, education, and citizenship (WIMSA and OCADEC, 2012). The *Gobabis Declaration* acknowledged the long-standing marginalization of the San and the failure of development policies by declaring that “anything for us, without us, is against us” (WIMSA and OCADEC, 2012). In the past, the government has

suggested that San are not discriminated against in Botswana and have equal opportunities as well as “the right to participate in the development process and determine their own patterns and priorities of development” (Tshipinare, 2003). However, the Declarations’ acknowledgement of the failure of the government’s policies suggests that ‘development’ has been misrepresented on the ground by the government (Ferguson, 1994). Instead of coming from a healing perspective, development from the perspective of San CSOs has attempted to assimilate the San and has altered their lifestyle from resourceful to dependent.

Several CSOs also advocate for the restoration of San land rights because land is a tangible connection with their ancestors and an essential aspect of their indigeneity. Mogwe claims that if you “raise the word ‘land’ to any Basarwa (San) in Botswana, you would emotionally get the response ‘the land is my mother, the land is my identity, the land my culture’” (Zips-Mairitsch, 2013, p. 180). Some CSOs call for the recognition of land rights and the San’s ontological attachment to the land. In their Position Paper of the San Peoples of Southern Africa, the BKC (2013) argues that nation-states must recognize “San people’s attachment to their ancestral land, forest, water and other natural resources.” Similarly, Job Morris of the KFO declared that “the San of Southern Africa call for recognition of their land and resource rights in all the categories of land in southern Africa: state land, freehold land, communal (tribal) land, conservancies, wildlife” (IPACC, 2012). The South African San Institute (SASI) claims that the “primary distinction between marginalized minorities and indigenous people is the latter’s relationship to the land” (Sylvain, 2002, p. 1076).

Overall, San advocacy groups share many commonalities in the way they have responded to systemic aspects of discrimination and assimilation within the San community. However, San groups do differ in their concepts of ‘indigeneity’ and their opinions on how to best resolve the

CKGR issue. The following chapter will address some of these differences by focusing on the impact of the NGO, Survival International (SI), which has played a significant role throughout the CKGR debate by supporting San in the CKGR court cases and creating numerous campaigns against the Government of Botswana. SI has effectively polarized the San advocacy community by aligning with the First Peoples of the Kalahari (FPK) and causing tensions with the Government of Botswana.

Chapter 3: Survival International's Perception of Indigeneity Compared to that of the San Community

Survival International (SI) is an organization based in the United Kingdom that attempts to champion 'tribal rights' around the world by helping 'tribal' people "defend their lives, protect their lands and determine their futures" (SI, "About Us," n.d.).²⁵ SI advocates for the rights of the San by proliferating spreading information, organizing protests and boycotts, and supporting the San in their court proceedings. In Botswana, SI does not engage with the government but instead relies on political pressure and propaganda to stimulate change (Saugestad, 2011, p. 39). In the 2004 – 2006 court proceedings, SI coordinated a media campaign, targeting an international audience, in which it claimed that the San were removed from the CKGR so that mining could take place in the region (Saugestad, 2011, p. 39). The campaign used the slogan 'Bushmen aren't forever' and linked De Beers Botswana (Debswana) to the San's removal because diamonds were found in Gobe, a community in the CKGR, and because Debswana is 50% owned by the Botswana government (SI, 2006). SI also claimed that the Government's actions were "a racist crime against humanity" and an exercise in "ethnic cleansing."

Many Batswana perceived SI's campaign to support a Eurocentric worldview because it perpetuated the myth of European cultural purity by attacking the integrity of the Botswana state (Suzman, 2002, p. 5). Many San CSOs criticized SI's tactics because they were antagonistic and hindered the San's negotiations with the government. In 2005 DITSHWANELO "issued a press release that disputed SI's claim that diamond mining is the reason for the relocation of the former CKGR residents" (Resnick, 2009, p. 67); the NGO CKGR Coalition also critiqued SI's aggressive tactics and incessant desire to create international condemnation. In a 2006 press

²⁵ SI considers 'tribal' people to be those who live self-sufficiently and are not integrated into the market economy (Corry, 2007).

release, the coalition claimed: “we are committed to promoting balanced and factual reports of the CKGR issues. The Coalition is not seeking hype or international media coverage. The Coalition recognizes the potential damage that may be caused by the media and internationalization of this problem” (DITSHWANELO, 2006).

Despite the coalition’s displeasure with SI, one cannot deny the impact that SI has had in bringing profile to the San and supporting them in their court cases. Saugestad (2011) makes the case that “there is no way a group of poor and illiterate San could have raised the case on their own, and government of Botswana representatives are rightly observing – with some irritation – that if it had not been for outside involvement there would not have been a [court] case ” (p. 39). Resnick (2009) makes the argument that the San succeeded in their 2006 court case because of the different ‘frames’ used by the San NGO community and SI. SI framed the CKGR issues around diamonds and organized non-violent protests and boycotts which were taken seriously by the Botswana government because they received international audiences and damaged Botswana’s reputation (Resnick, 2009). Botswana CSOs, on the other hand, rejected the frame that the San were removed because of diamonds and instead framed the debate around the fact that minority and cultural rights were being ignored with the San’s removal from the CKGR (Resnick, 2009). The San’s ‘victory’ in the 2006 court case is unique because San CSOs and SI were divided over the best frame to use against the Botswana government and to mobilize others; yet each approach was effective at creating change (Resnick, 2009, p. 69). Overall, one can concede that although contentious, SI succeeded at raising the profile of the San and contributed to the positive judgment in the 2006 court case. However, Survival International’s perspective on ‘indigeneity’ contradicts that deployed by many San organizations and has contributed to the

schism within the San community because the FPK has supported SI's perspectives, thus disagreeing with the views of other San organizations.

Survival International's Indigeneity and the First Peoples of the Kalahari

SI's concept of 'indigeneity' is slightly different than the interpretation of indigenous peoples in the UNDRIP and within San organizations. SI differentiates between 'indigenous' and 'tribal peoples' with tribal peoples being those who live self-sufficiently and are not integrated into the market economy and 'indigenous peoples' being more mainstream and integrated (Corry, 2007). The Director of SI, Stephen Corry, makes the case that the indigenous movement has been highly dominated by the more mainstream 'indigenous' community rather than the 'tribal' community even though "the most significant problems are faced by the more remote, numerically smaller peoples who one categorizes as tribes" (2007, p. 194). From the perspective of SI, the most accurate sense of 'indigenous peoples' are groups who live in a tribal context, because they are the most marginalized and "stand to lose the most" (Corry, 2007, p. 194). This definition is narrower than the UN definitions of indigenous peoples found in the UNDRIP and can at times glamourize primitive cultures over other indigenous groups, like the San, who have adopted many modern ways of life. Instead of viewing 'indigeneity' as something that is constantly evolving, changing and in flux, SI appears to view indigeneity as something that is more set and immovable and shaped around a group's sense of 'tribalness.'

As a strong supporter of the San's rights, SI portrays the San as being a 'tribal' group that is not integrated into the market economy and lives self-sufficiently off the land. By doing this, SI merges issues of marginalization and ethnicity that portray the San as "incapable of maintaining a rich and meaningful life because of the loss of their idealised hunter-gatherer

‘culture’ instead of their socio-economic positions” (Francis and Francis, 2010, p. 212). This representation romanticizes the San in the past and fails to capture the nuances and reasons for the San’s marginalization that go beyond the steady loss of their ‘hunter-gatherer’ culture. It also ignores San who are ‘incorporated’ into Botswana’s modern lifestyle (Hodgson, 2002) and are not struggling for their land rights. Overall, SI is a self-proclaimed, “adversarial organization which is set up to challenge the status quo” (Corry, 2007, p. 194) and their approach in Botswana has misrepresented the current indigeneity of the San and has conflicted with the approaches of several Botswana NGOs.

SI has maintained a strong alliance with the First Peoples of the Kalahari (FPK) and has worked actively to support FPK in court cases.²⁶ Roy Sesana has stated that the “FPK and the affected Bushmen of CKGR still continue to say that the work Survival has done is really good and everyone in the CKGR can see that and we do appreciate it and want Survival to continue with the[ir] campaigns” (Resnick, 2009, p. 60). SI claims that the FPK is the only organization that truly represents the San (Saugestad, 2011, p. 55) and has been critical of other CSOs who do not copy their tactics. With the exception of the FPK, the CKGR NGO Negotiating Team has loathed SI’s ‘name and shame’ approach towards the CKGR case because it weakened the potential for “empowering civil society engagement to the advantage of the Basarwa/San peoples of Botswana” (Mogwe, 2011, p. 172). SI’s approach has also put the FPK in the precarious position of trying to balance their allegiances to SI and the coalition. This has led to conflict (Mogwe, 2011, p. 172) and alienated them from other San activist organizations. The CKGR NGO Coalition has also been weakened over recent years and has made little progress in negotiations with the government; no meetings were held between the Coalition and the

²⁶ SI also partially funded the 2004 – 2006 court case against the government of Botswana and facilitated British litigator Gordon Bennett to assist with the case (Zips-Mairitsch, 2013, p. 325).

government in 2011 and 2012 and only one meeting was held in 2013, but no progress was made (Barume, 2014, p. 197). In 2013, DITSHWANELO attempted to create a new CKGR NGO Committee but the FPK publicly condemned the move because they were not consulted on the new organization and one FPK member argued that DITSHWANELO is formulating plans and programs that are not in the interests of CKGR residents (Bosaletswe, 2013). The CKGR case is continually evolving. The next chapter thus discusses the current state of affairs in the CKGR and how, despite continued criticism, the government continues to narrowly interpret the results from the court cases and implements policies which aim to assimilate the San within the Tswana population. The recent implications of fracking and mining activities in the CKGR will also be addressed, as well as Survival International's boycott and the restriction of the San's legal representation.

Chapter 4: Current State of Affairs for the San in the CKGR

Gordon Bennett's visa Ban and Survival International's Boycott

The setting and content of the CKGR debate continues to evolve and cause controversy. Despite two court cases and widespread social activism, the government's tactics continue to be vehemently opposed by San activist organizations while the government continues to justify their policies in the CKGR in the name of 'conservation' and 'development.' The government refuses to allow individuals who are not one of the 189 signees on the original court document to enter the reserve without a permit; granted permits are temporary and individuals can be arrested if they overstay in the reserve (Barume, 2014, p. 194). This has not prevented San from returning to the CKGR as it is estimated that there are currently 500 San individuals (some without permits and therefore subject to arrest by government officials) residing in the CKGR (Barume, 2014, p. 194).

As discussed previously, the NGO CKGR coalition has become somewhat fractured over the past few years and they have had few productive meetings with the government. Consequentially, instead of continuing dialogue and negotiations, the San decided to take the government to court once again in March 2013 for illegally denying them access to their ancestral land in the CKGR (Barume, 2014, p. 194). The government has openly opposed the allegations and has prevented British lawyer Gordon Bennett from representing the San. Bennett represented the San in the 2006 and 2011 court cases and was scheduled to represent the San once again but Botswana placed him on a 'visa list', which effectively permits him from

travelling to the country (Dingake, 2013). This move denies the San their preferred legal representation and reduces the chances of them succeeding in the courts.²⁷

The controversy over Gordon Bennett's declined visa and the government's continued restriction of San from entering the CKGR inspired SI to launch a boycott of Botswana tourism. The boycott was launched in September 2013 and it calls for tourists to boycott Botswana until the government allows the San to "live freely and hunt inside the CKGR" rather than be granted restrictive one-month permits to access the reserve (SI, 2013). As part of the boycott, SI published a worldwide advertising campaign that criticizes the Botswana Tourism Organization (BTO) for using images of San to attract tourists when in reality they are "using violence, torture and intimidation to deport the Bushmen from their ancestral lands in the country's largest game reserve" (All Africa, 2014). As of September 27, 2014 SI reports that 8,768 tourists have written a letter to Botswana's Minister of Tourism claiming that they will not be travelling to Botswana (SI, 2013).²⁸ The Hospitality and Tourism Association of Botswana (HATAB) has openly criticized the boycott and claimed that it should not have any major effect on tourism in Botswana (Motseta, 2014).²⁹ Thus far, the boycott has increased awareness of the issues in the CKGR but its purpose appears to be flawed as SI claims that boycotts don't harm the economy but only damage government's reputation (SI, "Survival and the Bushmen of the Central Kalahari Game Reserve: 40 questions," n.d.). While there is some validity to this claim,

²⁷ The Bar Human Rights Committee of England and Wales (BHRC) wrote a letter to President Ian Khama urging him to reverse the move and expressed concern that Bennett's clients are prevented from having the representative of their choice, putting them at a serious disadvantage (Brimelow, 2013). DITSHWANELO also issued a press release regarding Mr. Bennett's visa ban in which they claimed that the decision to ban Gordon Bennett was done unilaterally by President Ian Khama with no justification, a decision that "undermines the fundamental rules of natural justice and human rights" (DITSHWANELO, 2013).

²⁸ This is a notable number but still short of SI's goal of having 10,000 tourists boycott travelling to Botswana. The basic letter states the following: "I am appalled by your government's treatment of the Bushmen of the CKGR. Until their right to live freely on their land without permits is recognized, I'm not coming to Botswana" (SI, 2013).

²⁹ Lily Rakorong, the CEO of HATAB, rejected SI's portrayal of the San as she claimed that "there is no longer any community in Botswana who survives on the basis of subsistence hunting and gathering" and she criticized SI for pretending to represent all of the San even though they only focus on those in the CKGR (Motseta, 2014).

hundreds of San work in the tourism industry in Botswana and the boycott has the potential to hurt the well-being and income of the San rather than help them.

Mining in the CKGR

There is also evidence to suggest that the government is exploring the idea of using the CKGR for the purposes of mining and fracking.³⁰ The Government of Botswana has always denied that mining was the rationale for moving the San out of the CKGR but in 2007 the government allowed Gem Diamonds to buy an exploration interest (for US\$34 million) in Gope/Ghaghoo which is “45km within the eastern border of the CKGR and an area previously occupied and used by the San” (Barume, 2014, p. 195). Similarly, in November 2013, a documentary entitled the *High Cost of Cheap Gas* claimed that the Botswana government was conducting fracking operations throughout the country in various locations including in the CKGR. The Government originally denied that fracking was being conducted in the country but admitted in November 2013 that in some instances permission to conduct ‘fracking’ was granted (Powell, 2013).³¹ Keikabile Mogodu, the Director of the BKC, has strongly condemned the government’s exploration of fracking in the CKGR, claiming that “fracking is dangerous and is going to destroy the balance of the ecosystem. We need public outrage and it should be debated in the media” (Smith, 2013). DITSHWANELO, on the other hand, has taken a different approach

³⁰ The government also endorses tourism in the CKGR. Wilderness Safaris, a major tourism operator throughout Southern Africa, opened up a tourist lodge in the CKGR in 2007 (Barume, 2014, p. 195) which includes 10 en-suite canvas units with a dining area, lounge, deck and swimming pool (Wilderness Safaris, 2014). Wilderness Safaris’ board of directors has strong connections with President Ian Khama (Barume, 2014, p. 195) and its website claims that guests to the CKGR camp can immerse themselves in “the culture of the San Bushman people with an interpretive ‘Bushman walk’ (Wilderness Safaris, 2014). This walk provides invaluable income to Kalahari San individuals but it is concerning that San are heavily restricted from entering and living in the CKGR unless they are catering to tourists.

³¹ A statement by the Office of the President claimed that the Minister for Mineral, Energy and Water Resources “has issued several prospecting licenses (PL) for coal bed methane (CBM) in different parts of the country and a few of those fall within the Central Kalahari Game Reserve (CKGR)” but the number of prospecting concessions declined in 2013 especially in the CKGR (Republic of Botswana – Office of the President, 2013).

to CKGR development stating that the government “has the right to explore and mine diamonds in any part of the country and any diamonds found would belong to the State no matter who resided on the land – the CKGR is no different” (2007, “Ethnic Minorities and Indigenous Peoples”).

Hunting in the CKGR

President Ian Khama was elected in 2008 and he has been heralded as a conservationist for his efforts to protect Botswana’s unique flora and fauna. However, his aspirations to conserve Botswana’s habitats have, in practice, forced the San to further assimilate to Botswana culture because he has dramatically limited their ability to hunt.³² In January 2014, the Botswana government banned all hunting in the country except on game farms or ranches, a move that effectively ends thousands of years of the San’s culture of hunting and gathering (Vidal, 2014). Jamunda Kakelebone, a 39 year-old San, travelled to the United Kingdom to petition Prince Charles to influence Ian Khama to stop the ban. In an April 18, 2014 article Kakelebone was quoted as saying,

My people do not know anything about this ban on hunting. We are not going to stop hunting. My fear now is that they will arrest us and use the ban to put us in prison and drive us out of our homeland. The government is not telling people about this. We think they want a pretext to arrest us drive us out (Vidal, 2014).³³

Overall, restricting the San’s legal representation, banning hunting and using CKGR land for mining suggests that the government has stronger motives to ostracize the San from the CKGR than their rhetoric suggests. The government’s exploration in the CKGR suggests that

³² In 2012 a Special Support Group from the Botswana Police were deployed in the CKGR and they arrested over 20 San for supposedly hunting illegally in the CKGR and in nearby settlements; many of those arrested were also allegedly tortured and brutalized for having illegal wildlife products (Barume, 2014, p. 195).

³³ Despite the strict hunting ban, the Botswana government has allowed foreign dignitaries to hunt in Botswana in the past. For example, in 2012 Spain’s King, Juan Carlos, travelled to Botswana on a hunting trip which eventually led to the King’s dismissal as honorary President of the World Wildlife Fund (WWF) (Karimi, 2012).

they are pursuing 'wild-globalization' (Harries-Jones, 2004) which threatens the San's Traditional Ecological Knowledge and mobility.

Conclusion

Tsing's metaphor of 'friction' suggests that 'universality' does not actually make everything the same everywhere since a myriad of stakeholders constantly interact to shape culture. Nevertheless, many Southern African governments have attempted to eliminate 'friction' and difference by enacting assimilationist and integrationist policies that encourage marginalized communities to improve their livelihoods by engaging with mainstream society and focusing on agriculture, livestock, small business, and the industrial economy (Sapignoli and Hitchcock, 2013, p. 363). As discussed in this paper, Botswana has followed this ideology by denying any special claims of indigeneity and attempting to consolidate ethnicity and unite the country around traditional Tswana culture and the languages of English and Setswana. However, 'friction,' as Tsing (2005) defines it, is an inevitable social process and government policies cannot eliminate the change that occurs from various groups interacting across difference. The Botswana San community has rebuked the widespread policies of assimilation and marginalization by attempting to create 'friction' by taking the government to court, speaking publicly at international conferences, and creating declarations that affirm their rights to self-determination. The 'Global North' has attempted to assist the San on several occasions with the work of Survival International being the most notable intervention. SI has created 'friction' by calling for boycotts and labelling the government's treatment of the San in the CKGR as violent and self-interest based. SI's pronouncements have helped create widespread awareness of the San's marginalization but they have portrayed the San inaccurately, which has reduced the effectiveness of many San organizations in affirming their own claims of indigeneity.

The government's overall treatment of the San and its position in the CKGR case are based in the development discourse which often views the San as impoverished and in need of

development and modernization. Instead of perceiving the San's strengths, the government has often focused on what the San lack (Walsh, 2010) by attempting to address their scarcities with development assistance instead of endorsing the San's lifestyle and culture. The government also fails to acknowledge the role it has played in perpetuating the San's marginalization. San CSOs openly critique the development discourse in Botswana and argue that it is based in the colonial 'Doctrine of Discovery,' does not adequately meet their needs, and enacted in disempowering ways. Unfortunately, as is too often the case with indigenous communities, supposed development programs for the San (such as the Remote Area Development Programme) and moving the San to settlements outside of the CKGR have been done without consultation and in disempowering ways. The CKGR was a marginalized people's most important asset and "remaining in the reserve would have greatly facilitated the [San's] development and empowerment through letting them negotiate this transitional period at their own pace, under their own steam and without the additional trauma of dislocation" (Zips-Mairitsch, 2013, p. 304).

San CSOs have seen the most success when they have followed Escobar's (1995) postdevelopment appeal to rely on the power of social movements instead of being influenced by the disempowering development discourse. By speaking at international conferences and forging alliances with international players San CSOs have facilitated widespread awareness on the situation in the CKGR and the proliferation of their marginalization in general. Recently, DITSHWANELO, the First Peoples of the Kalahari, and the Botswana Khwedom Council filed a report to the UN Human Rights Council (UNHCR) (Gakebelobe and Hitchcock, 2012, p. 430) and the UN Special Rapporteur on Human Rights subsequently made several proclamations that were in favour of restoring the San's land and indigenous rights. He recommended that "Botswana fully and faithfully implement the decisions by the High Court of Botswana" and

facilitate “the return of all those removed from the [CKGR] who wished to do so, allowing them to engage in subsistence hunting and gathering in accordance with traditional practices, and providing them with the same government services available to people elsewhere in Botswana, including access to water” (United Nations General Assembly: Human Rights Council, 2013, p. 11). The recommendations show that San CSOs have been successful at proliferating their viewpoints to multilateral institutions and to the broader international community.

The larger San community also attempts to affirm their sense of indigeneity by implementing life-projects (Harries-Jones, 2004) that uphold San traditions and ontologies; these include lobbying for the San’s cultural and land rights, aspiring to protect the San’s traditional languages, perpetuating San culture through festivals, conferences and the selling of traditional arts and crafts, and emphasizing traditional San values such as equity, consultation, and the acknowledgement of the sacredness of nature and God. Some San CSOs affirm their indigeneity by emphasizing the San’s long-standing marginalization and their subsequent need for liberation. For example, Morris’ articulation of the ‘Doctrine of Discovery’ and the continued colonial emphasis on agro-pastoral usages of land over other land uses is a post-colonial critique on the mentality of South African governments that discriminates against indigenous mobility and ontology. Additionally, during the court cases related to the CKGR, the San emphasized their indigeneity by claiming that they are a distinctive minority group that has historically been discriminated and victimized, “in part, because of their lifestyles and distinct cultural attributes” (Hitchcock, Sapignoli, and Babchuk, 2011, pg. 63).

The future of the San in the CKGR and in Botswana, like the future of indigeneity, is ambiguous but there are some reasons for optimism from the perspective of the San. One reason for optimism stems from the Botswana community of Ranyane, a community of more than 600

San that won a court case in June 2013 preventing the government from relocating them (OSISA [Johannesburg], 2013).³⁴ Botswana San can also find hope in their neighbours as the Khomani San in South Africa have won land claims that provided them with “38,000 hectares of farming land that was taken away from them during the 1930s” (Resnick, 2009, p. 60). The South African President at the time, Thabo Mbeki, acknowledged past colonial and post-colonial abuses and claimed that the Khomani San’s victory was a “step toward the rebirth of a people that nearly perished because of oppression” (Resnick, 2009, p. 60). The debate on indigeneity and development in Botswana will continue to evolve in the years ahead. This paper has sought to explain the complexities of indigeneity in Botswana and Africa in general with the caveat that power relationships and the heterogeneity of humanity leaves more questions than answers.

³⁴ The Botswana government originally shut down the water in Ranyane and ordered the San to leave (Hitchcock and Gakelebone, 2013, p. 427).

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List of Acronyms

ACHPR - African Commission for Human and Peoples Rights
BCC - Botswana Council of Churches
BHRC - Bar Human Rights Committee of England and Wales
BKC - Botswana Khwedom Council
BOCONGO - Botswana Council of Non-Governmental Organisations
CBO - Community Based Organization
CKGR - Central Kalahari Game Reserve
CSO - Civil Society Organization
FPK - First Peoples of the Kalahari
HATAB - Hospitality and Tourism Association of Botswana
ILO - International Labour Organization
IPACC - Indigenous Peoples of Southern African Co-ordinating Committee
KFC - Kuru Family of Organizations
OSISA - Open Society Initiative for Southern Africa
SASI - South African San Institute
SI - Survival International
TEK - Traditional Ecological Knowledge
UN - United Nations
UN DESA - United Nations Department of Economic and Social Affairs
UNDRIP - United Nations Declaration on the Rights of Indigenous People's
UNGA - United Nations General Assembly
UNHCR – United Nations Human Rights Council
WIMSA - Working Group of Indigenous Minorities of Southern Africa
WWF - World Wildlife Fund