

# Bushmen's victory

## GRAIN

The court ruling was greeted with jubilation, tinged with sadness, by the Bushmen waiting outside the court room. Members of the First People of the Kalahari, one of the Bushmen's main organisations, said: "We are all laughing and dancing. We are so happy that finally we can be set free to go back to our beloved land, the land of our ancestors." A Bushmen spokesman, Roy Sesana, said: "We have been crying for so long but today we are crying with happiness. Finally we have been set free. The evictions have been very, very painful for my people. I hope that now we can go home to our land." The Bushmen who were forced out of the reserve and the tiny group that remained on the land against the odds all suffered greatly during the years of struggle. Of the original 239 Bushmen who first filed the case in 2002, 29 died before the ruling was made. Others suffered persecution, beatings and arbitrary arrests.

### Diamonds

By the time the case was heard, another 135 adults had added their names which, with their children, made a total of about 1,000 people involved in the case. Most of them, along with others who only now, after the court victory, are beginning to believe that they might win the right to their land and their way of life, will try to return to the reserve. But even now, armed with the court ruling, they will not find it easy. Having lost the case, the Botswana government is in no hurry to implement the ruling: it has not yet issued hunting licences and, while permitting those involved directly in the case (the so-called "applicants") to return, it has issued only temporary visas to non-applicants. Moreover, the judges specifically exempted the Botswana government from the obligation to provide services to the Bushmen in the reserve, even though they will need help to reactivate the wells and boreholes, many of which were filled in during the years of exile. The ruling also said nothing about the Bushmen being allowed to take livestock into the reserve, even though today they need to rear animals, particularly goats, to supplement the food they get through hunting and gathering. Yet for all the problems that lie ahead, the court ruling was hugely important for the Bushmen. It is the most important victory they have ever won against the Botswana authorities and it will give them at least a chance of physical and cultural survival.

The Bushmen (known as Basarwa in Tswana, the national language of Botswana, and San in Nama, another widely spoken southern African language) have lived for thousands of years in the Kalahari Desert, an arid area that extends across 900,000 sq. kms., covering much of Botswana and parts of Namibia and South Africa. Genetic evidence shows

that they are one of the oldest peoples in the world, possibly the very oldest – a "genetic Adam and Eve" from which all the world's ethnic groups can trace their genetic heritage. They were originally a hunter-gatherer people who roamed over a vast territory but, as white farmers moved on to their land, their old way of life was disrupted. In 1961 the Central Kalahari Game Reserve (CKGR) was created to protect the 5,000 Bushmen living there, and the national constitution later gave them the right to live there in perpetuity. Even so, problems continued. A major upheaval occurred in 1965 when a fence was built along the Namibia-Botswana border, dividing into two the formerly continuous Kalahari foraging lands. Huge numbers of dead animals died piled up along the fence, after trying in vain to cross it in order to reach food and water. Partly as a result, many groups of Bushmen were forced to abandon their wandering life-style and to raise animals in semi-permanent villages. But despite the continuous onslaught on their way of life, it seemed that, at the very least, the Bushmen would be allowed to go on living in the reserve.

That, however, was before diamonds were discovered. A diamond deposit was found at Gope in the south-east of the CKGR in the early 1980s. The area of Gope – which the Bushmen, themselves call Ghagho – is important to the Bushmen because it contains ancestral graves and because family groups visit it at certain times of the year to collect wild fruit, especially monkey oranges. Segope, one of the Bushmen leaders, recalls the arrival of the first prospectors. "When the mine started, we used to see planes, which frightened us. Then we saw lots of cars. This whole area, including the spot where the mine shaft is, was inhabited by Bushmen, who fled." Tlhalefang, a Bushman woman from Gope,



*Bushmen celebrate their court victory in Botswana*





## Testimony of Mogetse Kaboikanyo

In February 2002 Mogetse Kaboikanyo was forcibly evicted from the Central Kalahari Game Reserve and relocated to a camp outside the reserve. He died just four months later. This is his testimony, given to Survival International before he was thrown off his land.

“Gugama, the creator, made us. That was a long time ago – so long ago that I can’t know when it happened. That is the past, but our future comes from the lives of our children, our future is rooted in the hunt, and in the fruits which grow in this place. When we hunt, we are dancing. And when the rain comes it fills us with joy. This is our place, and here everything gives us life.

“God made us, and He made the animals for us. Why does the government think they are more important than the people? The government just wants to take all our good things. The government is like a poor fellow who sees a rich man and is jealous and wants to take what he has. Now we must live in the shadow of being thrown off our land. There can no longer be any rest.

“I was born in this place and I have been here for a very long time. Now this relocation thing has come, but I don’t have the full truth about it. They come and say that I have to move, that this place is for animals. But why must I move and leave the animals? I was born with them and I must stay with them. I have that right.

“I was born in this place, with the eland. And we have to stay together. My strength is the force in the animals which my father once hunted and my mother cooked. They gave me everything you see here. This is my birthright: here where my father’s body lies in the sand. Who are they who want to chase me from my life which was given to me by God? My father’s spirit warned me that this would come. They have already taken my relatives. My brother has been taken and I am here alone. But I am not going to leave. If they want to kill me, why don’t they just do it? They will kill me for my land. When they come I say, “I don’t want you to come here, but if you must, then leave your guns behind. If you come with your guns – ready for war – you will have to kill me. I won’t do what you want.

“Now I am pleased because Survival is noting my words and I think that you will shout them out so that many people will learn my story. I am harassed by the government of Botswana. We are chased off our birthright, our place. I think that God cannot accept that: Gugama created the things here so that we can use them for our survival. The officials bully people and move them without even asking them. They say, “Tear down your houses, and we’ll load them on the trucks, and we’ll load you as well.” When they went to the community at Gope there was an old woman who was very, very sick. They put her on the truck anyway, and so she died there, on the way to the relocation camp. Another woman died as well, but the officials don’t even respect that a person has to be buried.

“These things are done to us because we are Bushman people. This is not the way for anyone to behave. You should ask people what it is they want, and then wait and listen to them. The officials who come here never even try to respect me. I have to explain that I am a human being, and then they stare at me, up and down!

“The government of Botswana calls itself a democracy. But it isn’t so here. We are oppressed until we die, and soon there will be no one left. It seems that there is a great distance between us and the government; when we went to try and meet a minister, he didn’t even recognise us. That was very rude.

“We are just like pieces of rubbish flying off when the wind comes, or like insects running in the sand. They sweep us off our land and dump us on the rubbish pile, far from our animals and plants and spirits of the ancestors. That is what you do to rubbish, but not to people. Once the officials came and said someone had hunted an eland, so they killed one of us and castrated another. That is not what you do to human beings. They say we cannot hunt, but I have children and women to feed. I used to give them meat, now it’s just roots and fruits. Life is harder and harder.

The government talks about development. Let it help us with water, then leave us to our own place. We can think for ourselves; we can think about what we need. Our future comes from the lives of our children. They have to have their ancestral land.”

says that their way of life was immediately affected. "We used to have a water hole on the other side of the shaft, but the people from the mine pumped stuff into it and now it is filled in. We used to have monkey oranges but we haven't seen any since the shaft has been there. This land belonged to our great-grandparents – they are buried there."

The initial prospecting was carried out by a company called Debswana (DeBeers + Botswana), which is owned half by the Botswana government and half by De Beers, the colossus of the diamond world, which controls about 40 per cent of the global diamond market. The President of Botswana, Festus Mogae, once said: "The partnership between De Beers and Botswana has been likened to a marriage. I sometimes wonder whether a better analogy might not be that of Siamese twins". The Gope find was originally described by industry sources as being very significant, but it is difficult to find out what De Beers plans for the future. De Beers is not a public company and operates in great secrecy. No mining is currently occurring within the CKGR but this may be no more than a tactical move by DeBeers, part of its global strategy of drip-feeding diamonds on to the market to keep prices high.

### Evictions

What is certain is that, in the wake of the discovery of diamonds, the Botswana government began, for the first time ever, to try to move the Bushmen out of the reserve. In 1986 it announced the relocation of all Bushmen out of the CKGR, saying that it was for their own good, as it was only by grouping them together in resettlement camps that it could provide them with essential public services, such as water, education and health care. But it was not until 1997, more than a decade later and shortly after the completion of a formal evaluation of the mining potential of the region, that the evictions began. The first community to be removed was Xade. Even though it had fairly recently been equipped with a school, a clinic, an airstrip and a borehole for water, everyone was relocated to the resettlement camp of New Xade, located outside the CKGR. This was only the beginning. Over the next five years about 1,500 people were evicted, while another 700 stubbornly refused to move. In an attempt to force the latter out, the government cut off the water in January 2002. By the end of February 2002, most of the remaining Bushmen reluctantly agreed to leave. But not all: even though their homes were dismantled, their school and health post closed down and their water supply cut off, a few dozen refused to go.

With the assistance of Survival International, the non-governmental organisation (NGO) that works with tribal people, the Bushmen began a court action in 2002, claiming that the evictions had been unconstitutional. It all took time, for the first evidence was not heard until 2004, and in the meantime many of the Bushmen became bored and depressed in the resettlement camps. Some

turned to alcohol, while others became infected with serious illnesses, such as tuberculosis and HIV/AIDS. In 2005 the authorities became determined to get rid of the few families that were still inside the reserve and began to set up blockades to starve them out. A post-mortem report on a deceased Bushman woman, Qoroxloo Duxee, carried out in November 2005, confirmed that she had died of dehydration, starvation and shock after a three-month blockade in which armed guards had prevented the Bushmen from hunting, gathering or obtaining water. Earlier that year Qoroxloo Duxee had told the British Broadcasting Corporation (BBC): "When I was young, the men hunted and we got our water from the roots of plants. We lived well and people died only of old age."

### Resistance never stopped

Desperate to preserve their cultural and physical identity, many Bushmen continued to visit their old home, if only on short hunting trips, and at least 72 were arrested for illegally killing animals. In July 2006 five Bushmen were arrested for hunting a duikers (a small antelope) and were taken to the notorious wildlife guards' camp, where torture routinely occurs. One of those arrested, Mararama, had been interviewed earlier by the First People of the Kalahari when they had been canvassing the Bushmen's views on life in the resettlement camp of Kaudawane. "I don't want to live here. People are harassing me, arresting me for nothing, torturing me for nothing, trying to finish my life", he had said. "I want to go back to my homeland. This 'development' is torturing me for nothing. I hope I can go back as quickly as possible."

For these Bushmen their court victory was quite unexpected, because they had given up hope of achieving justice from the Botswana authorities. Some of them attribute their success to the help they received from Survival International and a British barrister, Gordon Bennett. Gabo Sediswe, a woman from the Gugama community in CKGR and one of the few who resisted eviction to the very end, was keen to express her gratitude: "If it were not for the fact that Mr Gordon is tall and strong and big, we would carry him on our backs and sing and rejoice with him, because now we have our land back." But, as Gabo Sediswe also made clear, victory would not have been possible without the bravery and determination of the Bushmen themselves: "We also want to pay tribute to the First People of the Kalahari and their work – they never stopped." It was the courage and bravery of the Bushmen themselves that made it possible for people from outside to help them to mount a legal challenge to the evictions.



*For more information on the Bushmen and to keep informed on new developments, visit <http://www.survival-international.org/>*

