

Bushmen to be Denied Homeland

The authorities in Botswana look set to scupper bid by Bushmen to reclaim their Kalahari home.

The Botswana government is about to end for ever the rights of southern African Bushmen to their traditional lands, a move that would likely have been denounced as racist if ever introduced by one of Africa's former colonial powers.

This month the government introduced legislation in parliament in Gaborone, the Botswana capital, to amend the constitution so as to remove any of the Bushmen's lingering claims on the Central Kalahari Game Reserve, CKGR. It comes just as they pursue a landmark case in the country's High Court seeking the right of return to the region.

"How can the government even think of changing this section half way through our court case?" said Roy Sesana, leader of a Bushman action group, the First People of the Kalahari. "It was included in the constitution to give us protection. Now we are trying to rely on it for the first time in our history."

The government amendment has already had two readings. When it obtains its third reading soon it will render the Bushmen's court case dead. Their only hope now seems to lie in an appeal they have made to the World Bank which has funded diamond exploration on the Bushmen's Kalahari lands by the Australian mining company BHP Billiton.

The CKGR, the size of Switzerland, was the last part of southern Africa where the Bushmen, the original inhabitants of the region thousands of years before black tribes arrived from the north and white men from Europe, had land rights where they could live according to their own time-honoured culture.

Botswana's former British colonial rulers gave the CKGR, a vast expanse of hot sand and bush, to the Gana and Gwi Bushmen, as a place where they could live alongside the Kalahari's abundant wildlife. The first president of Botswana, Sir Seretse Khama, reaffirmed the commitment at independence in 1961. Under the Bushmen, who hunted only for the pot and offered prayers of thanks to each animal they killed, the Kalahari lion prides and gemsbok and springbok herds multiplied.

But in 1997, as international mining companies began discovering diamond-bearing kimberlite pipes beneath the CKGR's burning sands, government officials from the majority Tswana tribe swept into Bushmen settlements in truck convoys and forcibly removed 1200 people, dumping them on a bleak, dusty plain beyond the reserve.

The forcible removals were in breach of the Bushmen's guaranteed constitutional rights and were accompanied by widespread allegations of torture. Kqwathiswa Gaorapelwe, one of the first Bushmen to be picked up and interrogated for a week, said, "They [the Tswanas] lit a fire next to a big tree and handcuffed me around the tree. The fire was burning me. The next day they handcuffed me to the bullbar [of their Land Rover] and jumped on my back."

Alice Mogwe, director of the Botswana Centre for Human Rights and daughter of Botswana's first foreign minister, Archie Mogwe, wrote a report which detailed threats and torture used against the Bushmen. The most common form of torture, said her report, which the government tried to suppress, involved "the use of a rubber ring placed tightly around the testicles and a plastic bag placed over the face of the person". One Bushman told Mogwe, "You are castrated, you are throttled so that you excrete all that you have eaten."

Successive waves of expulsions followed until all 2500 surviving Bushmen had been removed from the CKGR to desolate settlements where they are unable to hunt and where there is no work. Alcoholism, prostitution and sexually transmitted diseases are rife among the small, apricot-skinned people with high cheekbones and almond-shaped eyes.

The isolation in the Kalahari Reserve that kept them safe from the AIDS epidemic ravaging the Tswana population is now only a memory. "This is the Place of Death," said Tshara Johannes, pointing towards festering uncollected garbage and lurching drunks in New Xade, a settlement to which he was expelled from the CKGR.

The Bushmen decided to fight back in 2002 with support from local and international human rights organisations. On behalf of all their expelled kinfolk, 243 Bushmen and women launched a lawsuit before three judges in Botswana's High Court asserting their rights under the constitution to return to their ancestral home.

Lawyers argued on behalf of the Bushmen that they were being persecuted by the Tswana majority in precisely the same way as Australia's aborigines had been treated by white settlers. "There are fewer and fewer sites in the world where the people inhabiting them have links going back tens of thousands of years," said Roger Chennells, one of the lawyers. "For the Bushmen this is more than just a loss of their last land. It's a spiritual loss as they are wrenched away from the place that gives their lives meaning."

Mothambo Ngakaeja, a Bushman and coordinator of one of the leading Bushmen action groups, the Working Group of Indigenous Minorities in Southern Africa, WIMSA, said, "We have a right to our ancestral land and culture. Our cultural identity and traditional lifestyle cannot survive the removals."

The mood of the Bushmen was summed up by Amolang Segwetsane, born more than forty years ago in the CKGR, who told the judges, all of them Tswanas, "I don't need any piece of paper to show the land was given to me by God. It belongs to my forefathers and all my children who were born there."

The landmark court case has been dragged out by the government in an apparent attempt to break both the finances and the morale of the Bushmen. At the end of last year the Bushmen resumed their challenge after a three-month postponement because they had run out of money and had to send envoys around the world to raise funds to be able to continue their action.

Then this month came a devastating blow to the Bushmen. The government introduced its constitutional amendment denying them rights to the CKGR granted by the British and Sir Seretse Khama to the Gana and Gwi. The amendment will remove clause "s14(3)[c]" of the constitution which protected the Bushman's CKGR rights. "Can it be a coincidence that only a few months after we resumed [the court case] the government has decided to remove the clause?" asked Sesana.

Botswana president Festus Mogae has little sympathy with the Bushmen. He uses a derogatory Tswana word, Basarwa, meaning "people with no cattle" [as opposed to the cattle-owning Tswana], to describe the hunter-gatherers. "How can we have Stone Age creatures in an age of computers?" he asked disdainfully of the Bushmen's desire to maintain their own way of life, unwilling to understand why such "creatures", often used as forced labour on Tswana cattle ranches, had no wish to move.

Meanwhile, old Bushmen in the dreadful camps to which they have been removed from the Kalahari sense their impending final reduction to a non-people. Tattered remnants of a doomed way of life clinging to the edges of the modern world, they sit around their night fires and sing an old song: The day we die a soft breeze will wipe out our footprints in the sand. When the wind dies down, who will tell in the timelessness that once we walked this way in the dawn of time?

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